

“Parallel reforms and double efforts”: Latvia’s experience reforming administration

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Abstract

The public administration reform process in Latvia from the beginning of the 1990s was separated into two parts - national administrative reform and administrative territorial reform – both with their own unique goals and implementation mechanisms. The divided coordination and management of the reforms have resulted in the two administrative subsystems. The paper’s aim is to explore the links between reforms in the national level and local level after 2004 by analyzing the main reform documents determining all reform activities at that time. The results will demonstrate the complexity of the reform management process, as the coordination of reforms is essential regarding all of its levels and sectors.

Keywords: reforms, modernisation, public administration, local municipalities

Introduction

The reform process in Latvia from the beginning of the 1990s was separated in two parts - national administrative reform and administrative territorial reform – both with their own unique goals and implementation mechanisms. The initial division of reforms in the two streams reflected the mood of transformation – to strengthen civil service at the central level and to ensure decentralisation at the local level. However, the divided coordination and management of reforms has resulted in the two administrative subsystems. The different approach defining reform goals and diverse reform speed had resulted in the number of problems such as the uneven distribution of territorial branches of the national agencies, unbalanced economic development of local authorities, and policy implementation failures.

At the same time, both levels of public administration should react to the modern challenges – social mobility, universal delivery of public services, and overall modernization trends of public administration. The paper aims to examine links between reforms in the national level and local level which are dated after 2004, by analysing the main reform documents. The paper will discuss the reform objectives and their implementation path. By designing the “goal-tree”

of the main policy documents, the author will point out the ideal vision of reforms versus the real models implemented and their point of joint interaction. During analysis, the author will turn attention to the following aspects: a strategic vision for reform, the role of public servants, and the future organisational changes for better service delivery.

The main documents for detailed analyses had been chosen because of several important factors. First, these documents were applied for reforms after 2004; therefore, they formed a certain pathway as Latvia become a part of the EU and accepted the rules of the European Administrative space. Secondly, these documents foresaw activities to be implemented within a limited time, more precisely in the medium term. Finally, these documents follow the ideas expressed in the reform documents approved before 2004, thus establishing a path-dependant reform policy.

The background

Max Weber already pointed out that the modern state depends on bureaucracy (Weber, 1958, p.211). However, since that time there have been many different views on bureaucracy. It has been claimed that modern public administration is too bureaucratized and routinized. Bureaucracy, as described by Max Weber, is claimed to be too impersonal, closed, and inefficient. The number of innovations in public administrations is insufficient in public administrations. Finally, public administration in many countries has been blamed to be guilty of reacting too slowly to the economic crisis of 2008, thus resulting in austerity regimes.

At the same time, the debate on the modernisation of public administration is on the agenda for many governments throughout Europe, which is inspired by the NPM ideas. The supporters of the new ideas are trying to form modern, effective and responsive public administration, even by avoiding the use of the term *bureaucracy*. Researchers (see Frederickson, 1999; Naschold, Von Otter, 1996; and Coombes,

1998) have labelled changes of the last decades as the new public management era advocating private sector management techniques that challenge bureaucratic practice. At the same time, bureaucracy is now facing brand new challenges where the pressure to deliver cost-effective public services is high as never before. Osborne, Radnor and Nasi (Osborne *et al.*, 2013, 143) argued that public service delivery in the plural environment might be the key issue in the New Public Governance paradigm opening the new era for inter-organisational cooperation and reality. The New Public Governance paradigm requests public organisations to modify their previous approach to modernisation based on private sector management techniques by putting cooperation and coordination of public organisations as a key value.

In Western Europe the application of NPM depended on the country's institutional and administrative experience. While, at the same time, Central and Eastern European countries have to adjust to both the internal need to rebuild administration and external pressure to integrate into the modern administrative space. However, historically, no countries have experienced the transition from communist legacies to NPM within a short period of time. Therefore, the search for attractive reform models and policy transfer was a solution for the Central and Eastern European countries after the collapse of the communist regime. Galera and Bolivar (2011, p.611) pointed out the different implementation approaches of NPM ideas in transitional economies would certainly also mean the different meanings of such core public sector values as accountability, efficiency and transparency. The Central and Eastern European countries in their reform approach relied on their own vision of how reforms should be managed in order to achieve their goal – to be as democratic and modern as Western Europe. However, the Central and Eastern European countries did not have experience in administrative reforms, managing market economy and public service provision (Galera *et al.*, 2011, p.612). Even more, NPM ideas confronted the administrative culture and traditions of the Central and Eastern European countries (Vesely, 2013, p.311).

Hesse (1993, p.219) argues that Central and Eastern European countries have reached the point where administrative transformation is continued by administrative modernisation, and they have done it by rebuilding the public administration. Additionally, Hesse (1993, p.250) explains that the stability of the administrative system “needs to be combined with flexibility, dependability with openness, continuity with adaptability”. Even by this definition it is quite difficult to detect a point of departure for modernisation. However, one could still assume

that once the necessary institutional structures and regulations of public service are in place, a pathway to modernisation is formed.

Peters describes four future models of government and points out that the market model is characterised by private sector techniques and market incentives in public administration (Peters, 1996). Peter's market model includes ideas that in practice are labelled as NPM. Vanags (Vanags *et al.*, 2005) also argues that Latvian local municipalities have been active in applying modern management techniques such as NPM, strategic management and user-focused management, thus reacting to global bureaucratic challenges. This finding is in line with Manning's (2001, p.299) statements regarding the main NPM argument, “the service providers should concentrate on effective production of quality services”.

Lately, changes of public administration is also connected with the digitalisation of public services to make them accessible everywhere (Lithuanian Presidency, 2013). Digital agenda is shaping bureaucracy and pushing it for changes again. This is similar as a few decades ago the public sector was shaped with private sector techniques. However, there is a tendency that all innovation efforts are targeted to improve the technical efficiency of operations while the fragmentation of public administration, systemic coordination, and performance are not the top issues debated (Dan, 2014).

Latvia's experience in reforms

NPM-inspired changes reached Latvia in the mid-1990s, offering performance contracts, agencies and the new type management techniques as some sort of unique modernisation tool quickly filling up the reform agenda. However, lately it was found out that imported NPM ideas had not been inherited into the Latvian administrative reality. On the contrary, performance contracts and their confidentiality status resulted in public scandals. Latvian public agencies, originally designed very close to their predecessors in the UK, had experienced almost everything - a period of legal instability, while the respective laws were designed to a legal stability with no wish to accept the soft laws of administration, but rather to adjust to the administrative reality.

After entering the EU, Latvia's modernisation efforts were targeted to learn and live with the routine procedures of EU membership. Considering administration, this was also a period of stability and search for new goals, since the main goal of foreign policy as well as internal policy before the EU was to achieve membership.

At the same time, during accession negotiations the central level had the main administrative load while

the local level was passive with less involvement in the accession process. The capacity of the central public administration was criticised in the progress reports. In *Agenda 2000* it was stressed that “the situation remains difficult and any improvement continues to require a major programme of training and the establishment of institutions to oversee the implementation of civil service reform” (Agenda 2000, 1997, p15).

In the Monitoring report of 2003, it was pointed out that “preparing its administrative capacity for membership remains one of the greatest challenges Latvia faces”, while the “administrative territorial reform, which was started in 1998, is advancing at a slow pace” (Monitoring report, 2003, p. 9-12). In fact, the Monitoring report of 2013 indicated that both reforms are being implemented at different speeds.

Modernisation has been some sort of a magic word in Latvia, applicable almost to all situations and conditions. Before becoming a part of the EU, Latvia discussed the structural adjustments and public administration reforms as a precondition for EU membership. Additionally, “structural adjustment” was included in the discourse of local policy makers since it was a term applied by the international donors – World Bank and OECD (Palidauskaite *et al*, 2010, p.45). After 2004, as a full member of the EU, Latvia changed its tone - modernization for governance was assumed as the most appropriate term describing reforms and improvements in public administration (A White paper, 2008). However, the economic downfall of 2008 brought changes again. Under pressure from the World Bank and IMF, the term “structural reforms” was on the agenda once more to describe reforms at the central level and some particular industries such as health care and education (European Community, 2009). At the same time, the reforms at the municipal level were labelled as “administrative territorial reform”. In fact, such a different approach to describe the processes in Latvian public administration shows that policy makers might have difficulties in measuring modernisation. The terms “structural reforms” and “administrative territorial reform” had a clear message – to provide administrative improvements dealing with organisational changes.

Finally, “The Latvian Sustainable Development Strategy of Latvia 2030” also does not answer the main issues related to public administration reforms - what the role of public administration in the country’s development is, whether new instruments, for example, new mechanisms of participation, organization networks, and public discussions, subsidiarity and innovation, might improve the public administration itself and, thus, also provide development impetus for other industries (Strategy 2030, 2009, p.48-55).

Transformation efforts at the central level

Latvia’s own vision on modern public administration is included in the white paper “Guidelines for the development of public administration 2008-2013” approved by the government on June 3, 2008. Substantially, these guidelines should provide an ideal vision on the public administration model within a five year perspective. However, the guidelines concentrated upon the four main principles: government working for society, skilled civil servants, the appropriate institutional system, and appropriate decision-making procedures (A White paper, 2008, p.10).

Table 1

Reform vision at the central level

The goal	Objectives
Legal, efficient, and qualitative public administration is capable of delivering public services according to public needs.	Future-oriented strategic planning balanced with available resources.
	Accessible, high quality and needs-based public services.
	Public administration operating according to the rule of law, ensuring human and civil rights.
	Professional, motivated, and skilled public servants.
	Active public participation in decision-making procedures.

Source: A White paper (2008) „Guidelines for development of public administration 2008-2013. Better governance: quality of administration and efficiency.” Approved June 3, 2008, p11. Available at polsis.mk.gov.lv/LoadAtt/file55694.doc (last accessed August 27, 2014)

Theoretically, the White paper is designed as an “easy to understand” document. No one will deny the well known fact that there is a need for effective governance, the need for a strategic vision of public administration where smart policy implementation is based on cooperation with public participation. On a practical level, the White paper is impressive in its scope (such as pages, the amount of information) and can be viewed as a technocratic document which contains all that is possible - modern theories of the public administration and its role in the EU mixed with NPM ideas and some tactical actions. Neither the goal nor the objectives contain something that the society has not seen already in some other Latvian policy planning documents. Therefore, it is hard to estimate the added value of the white paper for the modernisation efforts in general even if it was tailored to create an idealised vision to improve public administration.

The White paper was approved in June 2008, when the whole world already knew about the financial

crisis and tried to take steps to minimize the impact of it. However, guidelines were created in some isolated space and neglected external circumstances. Consequently, the country has a well-written and structured document, which, unfortunately, is not a considerable offer for the future of public administration in Latvia since it does not provide direction for whole-of-government innovation activities.

It is argued that the local and the central level are equally responsible for implementing the White paper, since citizens perceive both levels as a part of unified public administration (A White paper, 2008, p.7). According to the White paper, local municipalities shall be involved in designing the national planning documents, and local municipalities shall introduce service-user focused public services. However, no detailed actions are foreseen to modernise the local level, thus approving already current path-dependant approach to reforming both levels.

Improvement efforts at the local level

Regarding the reforms at the municipal level, since the 1990s there have been many models, plans, and visions. The reforms of regional municipalities faced almost the same problems since many models had been designed with no further implementation. There are divisions in the statistical regions and planning regions, but none of them can be perceived as a regional municipal level with respective functions (Vanags *et al.*, 2005, p.306).

The last wave of reforms at the municipal level was in 2009, when local municipalities were merged together to form 119 counties (novadi). The final deadline for the administrative territorial reform was postponed several times, until there was a political decision. More precisely, the Law on Administrative Territorial Reform stated that the elections of 2009 shall take place in accordance with the newly established and merged municipalities (Law on Administrative Territorial Reform, 1998). The amendments to the law regarding elections in 2009 were made in 2005, providing enough time for municipalities to prepare for the reform.

Afterwards, the Latvian Ministry of Local Government and Regional Development designed a manual explaining the basic principles and approaches on how the merged municipalities shall be managed and structurally organised, how functional division shall be set, and how the action plan should be developed to ensure a smooth transition towards newly established municipal units (RAPLM, 2009). The manual was intended to serve as an information source for municipalities in order to resolve problems at the operational level. However, the manual does

not include any information regarding the general goal of the administrative reforms and intended results. In fact, the goal of the administrative reform was incorporated into the Law on Administrative Territorial Reform.

Table 2

Reform vision at the local level

The goal	Objectives
To establish administrative territories capable of developing economically and ensure qualitative public services.	The law defines the procedure on how the administrative territorial reform is performed.
	The amalgamation of municipalities shall include the following actions: 1) to prepare local development strategy; 2) to design the administrative structure of the municipality; 3) to organise a public debate on amalgamation process;
	Developing a project of the administrative-territorial division, these factors are relevant: 1) to ensure a long-term and balanced development of the county territory; 2) infrastructure is required for the performance of the tasks of a municipality; 3) the size of the county territory; 4) the number of permanent residents in the territory of the county; 5) the density of permanent residents in the territory of the county; 6) the accessibility of the services provided by the local municipality; 7) the economic, geographical and historical unity of the territory included in the local municipality; 8) balanced interests of the newly established county and neighbouring countries.

Source. The Law on Administrative Territorial Reform, Approved 21.10.1998., lost force: 31.12.2008. Available at <http://likumi.lv/doc.php?id=51528>

The manual asks us to consider the main principles of public administration expressed in the Law on Public administration during the amalgamation process. Therefore, the transformation at the local level could not be fully labelled as modernisation, since the main focus was on the process, not the results. As Kuhlman, Bogumil and Grohs (Kuhlman *et al.*, 2008, p.852) pointed out, NPM inspired reforms should be analysed “with regard to organisational, procedural and instrumental changes”. In case of Latvian local authorities, the last reform documents (i.e., the Law on Administrative Territorial Reform and the following manual) concentrates upon organisational changes

started with amalgamation process. However, neither the Law on Administrative Territorial Reform, nor the manual provides detailed explanation regarding human resource management in the newly established local authorities. In fact, there is no strategic vision on the role of local public servants. Both documents concentrate upon organisational changes with no further analysis on the following changes impacting as service delivery, as well procedural improvements.

Main conclusions

There is a visible tendency to emphasise the role of service delivery in both reform documents in Latvia. Even if this was a tendency from the mid-1990s, there is still no data on actual improvements in service delivery. At the same time, both reform documents are very laconic towards the role of public administration in development, the future model of public administration and accountability. Instead, documents rephrase the well-know NPM idea on communication with the public and stakeholders. To some extent both documents reflect the overconfidence of policy-makers assuming that once the reform documents had been written there should not be any problems to implement them and there will be no side effects (Hood *et al*, 2004, p.277).

Both reforms are planned in isolation and implemented at different speeds, since both papers are isolated in their approach to modernisation and to each other. To some extent, this is evidence of the path-dependency where historical, political and even organisational culture plays an important role as it was pointed out by Peters and Pierre (Peters *et al*, 1998, p.224). The history of planning both the central and local reforms in Latvia is path-dependent since the beginning of the 1990s when the crucial mistake was made – to plan both reforms in isolation. Even the economic crisis of 2008 could not change the path-dependency. Following the request of the international donors to proceed with the reform, Latvia prepared the "Optimisation Plan" targeted to the reform in the central level and civil service in particular. The objectives included in the plan were the same as in the previous reform documents. It repeated the idea of having small-in-number and highly professional public administration (The Optimisation Plan, 2009). A new issue debated in the plan was related to the idea of having some civil service positions at the local level. However, local authorities had denied being in civil service as in the beginning of the 1990s as well as now. The reasons of such resistance are connected with a fear of local authorities to be under oversight by the central government. At the same time, the State Audit Office emphasised that local authorities have problems with financial discipline and accountability

(Valsts kontrole, 2014). Thus, expectations towards efficiency culture by providing more operational discretion had not resulted in organisational performance (Hajnal, 2004).

Both reform papers emphasise and perceive administration as a service-delivery organisation. This approach shows the impact of NPM with strong service delivery and user-focused approach. In the NPM language both papers advocate more steering and less rowing (Peters at all, 1998, p231). However, there shall be equilibrium between service delivery tendency and the role of administration in the service delivery process. Thus, the White paper is more concentrated on public administration itself, while the Law on Administrative Territorial Reform ignores administrators at all discussing territorial and organisational design of local municipalities. According to the White paper, the success of reforms in the central level depends upon educated public servants placed in the appropriate institutional settings with certain decision-making procedures. At the same time, a manual for structural transformation of local municipalities ignores the role of human resources in the reform activities. Therefore, the management of reforms at the local level was tailored to ensure certain organisational arrangements assuming that the proper administrative structure might be a key factor for the efficient service delivery.

NPM is concise in regards to the organisational process since the main focus is on the customer and service user satisfaction (Peters at all, 1998, p.232). Partly the ignorance of the role of public servants ensuring the reforms can be explained by the will of policy-makers to avoid identifying themselves with particular reform documents. Newland argues that public administration lacked prestige during soviet times and also in the 1990s (Newland, 1996, p.386). However, the problem is still on the agenda for Latvian administrators.

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“Параллельные реформы и двойные усилия”: опыт Латвии в реформировании управления

Резюме

С начала 1990-х годов процесс реформ в Латвии был разделен на две части - первая из них подразумевала административные реформы на национальном уровне, вторая - административно-территориальную реформу. У каждой из этих реформ были свои уникальные цели и механизмы реализации. Разделение координации и

успешный менеджмент реформ привели к образованию двух административных подсистем. Цель этой статьи заключается в изучении связей между реформами на национальном уровне и реформами на местном уровне после 2004 года, с помощью анализа двух основных документов этих реформ, которые описывают

все мероприятия, включающие в себя процесс реформирования с самого начала. Результаты, полученные в ходе исследования этих связей, продемонстрируют сложность процесса управления реформами, важность координации этих реформ на всех уровнях власти и во всех секторах.

При проектировании «дерева целей» политических программных документов (policy documents), автор укажет на идеальное видение процесса реформирования в сравнительной перспективе с реальными моделями процессов реформирования, которые были реализованы, а также укажет на точки совместного взаимодействия между этими двумя процессами. В связи с ограниченным объёмом данной статьи, автор проанализирует только два документа, включающих в себя описание процесса реформирования на национальном и местном уровне власти. Оба эти документа были отобраны по ряду важных факторов. Во-первых, эти документы были созданы для реформ после 2004 года, в связи с чем эти документы сформировали определенную дорогу к реформированию. Во-вторых, эти документы смогли предвидеть мероприятия, связанные с реформами, которые будут осуществляться в рамках ограниченного времени.

В Западной Европе применение концепции НГМ зависело от институционального и административного опыта каждой страны. Хотя, в тоже время, страны Центральной и Восточной Европы для применения концепции НГМ должны были приспособиться, как к внутренней потребности в восстановлении административного аппарата, так и к внешнему давлению, чтобы интегрироваться в современное административное пространство. Тем не менее, исторически ни одна из стран не совершила быстрого перехода от коммунистического наследия в административном управлении к концепции НГМ. Поэтому поиск подходящих моделей реформирования административного аппарата и разработки политических программных документов был самым подходящим решением для стран Центральной и Восточной Европы после распада коммунистического режима.

Изменения в административной системе, которые были вызваны концепцией НГМ, достигли Латвии в середине 1990-х годов. Эти изменения в реформировании были основаны на таких инструментах модернизации, как подписание различного рода договоров, создание агентств и применение новых методов управления в них. Тем не менее, на основе современного опыта, можно сказать, что не все важные идеи концепции НГМ были адаптированы к реалиям административной системы Латвии. Напротив, реализация контрактов (соглашений) и их статус конфиденциальности вылился в большой публичный скандал. Латвийские государственные агентства, как и их предшественники в Великобритании, за свое существование испытали очень многое, например, период правовой нестабильности. В то время, пока законы принимались в атмосфере правовой стабильности, эти законы, по своей сути, не отражали желания принять «мягкое право» (soft laws), которое бы относилось к администрированию, напротив, они способствовали адаптации к административным реалиям.

Собственное Латвийское видение современного административного управления включено в «Белую книгу» под названием - «Принципы развития государственного управления на 2008-2013 годы» („Guidelines for development of public administration 2008-2013.”), которые были утверждены правительством 3 июня 2008 года. По существу эти принципы должны отобразить идеальную модель административного управления в перспективе на пять лет. На практике, «Белая книга», конечно, удивляет своим масштабом (как по количеству страниц, так и по объему информации) и может рассматриваться, как технократический документ, который содержит очень много информации. Начиная от современных теорий государственного управления и их роли в ЕС, заканчивая смешиванием этих идей с идеями НГМ и некоторыми тактическими действиями.

Что касается реформы на муниципальном уровне, с 1990-х годов было создано много моделей, планов и конкретных концепций этой реформы. Реформы региональных муниципалитетов сталкивались почти с теми же проблемами, что и многие модели, которые были разработаны для дальнейшей реализации. Закон об «Административно-территориальной реформе» определил новый порядок выборов в 2009 году в самоуправлениях. Этот закон подразумевал то, что выборы будут проходить во вновь созданных и объединенных муниципалитетах (самоуправлениях). В результате более 500 местных самоуправлений были объединены вместе, образуя 119 округов (novadi). После чего латвийское Министерство местного самоуправления и регионального развития разработало руководство по управлению и структурной организации этих самоуправлений. Так же это руководство содержало информацию об основных принципах объединения самоуправлений и функциональном разделении. Несмотря на широкий спектр информации, это руководство не включало в себя информацию о дальнейшем будущем этих местных самоуправлений.

В общей сложности в этих двух документах, посвященных административным реформам в Латвии, прослеживается общая тенденция - главная роль в них отведена оказанию (административных) услуг. Несмотря на то, что эта тенденция берет свое начало еще с середины 1990-х годов, до сегодняшнего дня нет фактических данных об улучшениях в сфере предоставления услуг. В тоже время важно отметить, что оба документа, касающихся административной реформы, очень лаконичны относительно дальнейшего развития – роли государственного управления в ней, новых моделей государственного управления и подотчетности в госсекторе. Вместо этого документы умело перефразируют всем хорошо известные идеи НГМ о связях с ответственностью и заинтересованными сторонами. В результате можно считать, что обе реформы планировались в полной изоляции и были реализованы с разной скоростью, так как оба документа изолированы в своем подходе к модернизации и друг к другу. В некоторой степени это является свидетельством доминирования идей концепции «зависимости от предшествующего развития» (*path-dependency*), где исторические и политические факторы и организационная культура играет

важную роль. Согласно «Белой книге», успех реформ на национальном уровне, зависит от государственных служащих, которые образуют определенную институциональную структуру с конкретными процедурами по принятию решений. В то же время руководство местных самоуправлений игнорирует роль человеческих ресурсов в процессе реформирования, что, безусловно, является важным фактором структурной

трансформации. В связи с этим реформирование на местном уровне было адаптировано, в основном, к обеспечению организационных мероприятий, в результате чего подходящая административная структура могла быть главным фактором для эффективного предоставления услуг.

Ключевые слова: административная структура, административные реформы

The article has been reviewed.

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