

**MEDNARODNA REVIJA
ZA
JAVNO UPRAVO**

**International Public
Administration Review**

*Univerza v Ljubljani
Fakulteta za upravo*



**Letnik XII, številka 1
Marec 2014**

**Volume XII, Number 1
March 2014**

ISSN 2335-3414

Mednarodna revija za javno upravo je znanstvena revija, ki združuje različne discipline, povezane z javno upravo. Obravnava teoretična in praktična vprašanja ter rešitve s področja javne uprave, upoštevajoč upravne, pravne, ekonomske, organizacijske in informacijske vidike delovanja in razvoja javne uprave.

The International Public Administration Review's mission is to inform the expert public about theoretical and practical issues and solutions in the field of public administration, the present key trends in public administration development both globally and in Slovenia, and to inform readers of major events, consultations, meetings and publications related to public administration.

izdajatelj / publisher

Fakulteta za upravo, Univerza v Ljubljani / Faculty of Administration, University of Ljubljana

naslov uredništva / address of editorial board

Univerza v Ljubljani, Fakulteta za upravo

Gosarjeva ulica 5, SI-1000 Ljubljana

tel.: +386 (0)1 5805-500 faks: +386 (0)1 5805-521

e-pošta / e-mail: mrju@Fu.uni-lj.si

spletna stran / website: <http://www.fu.uni-lj.si/zalozba/mednarodna-revija-za-javno-upravo/>

odgovorna urednica / editor

Stanka Setnikar Cankar

uredniški odbor / editorial board

Aleksander Aristovnik, Manica Danko, Mitja Dečman, Nevenka Hrovatin, Maja Klun, Polona Kovač, Alenka Kuhelj, Anamarija Leben, Rajko Pirnat, Iztok Rakar, Janez Stare, Metka Tekavčič, Ljupčo Todorovski, Mirko Vintar

mednarodni uredniški odbor / international editorial board

Jon Aarum ANDERSEN (Lillehammer University College, Norway) Stephen BAILEY (Glasgow Caledonian University, Great Britain), Helena BLAŽIČ (Ekonomski fakultet Rijeka, Sveučilište u Rijeci, Croatia), Robert B. DENHARDT (University of Southern California, USA), Mirjana DRAKULIĆ (Fakultet organizacionih nauka, Univerzitet u Beogradu, Serbia), Jürgen HARBICH (München, Germany), Calin HINTEA (Faculty of Political, Administrative and Communication Sciences, Babes Bolyai University, Cluj Napoca, Romania), György JENEI (Budapesti Corvinus Egyetem, Corvinus University of Budapest, Hungary), Theo P.W.M. van der KROGT (EAPAA, European Association for Public Administration Accreditation, The Netherlands), Kveta KUBATOVA (University of Economics Prague, The Czech Republic), Margaret LINEHAN (Cork Institute of Technology, The Republic of Ireland), Paolo MANCINI (University of Perugia, Italy), Alka OBADIĆ (Faculty of Economics and Business, Zagreb, Croatia), Katarina OTT (Institut za javne financije, Zagreb, Croatia), Mirko PEJANOVIĆ (Fakultet političkih nauka Sarajevo, Univerzitet u Sarajevu, Bosnia and Herzegovina), Heinrich REINERMANN (Deutsche Hochschule für Verwaltungswissenschaft, Speyer, Germany), Walter SCHERRER (Economics Institute, University of Salzburg, Austria), Željko SEVIĆ (Glasgow Caledonian University, Great Britain), John TAYLOR (Glasgow Caledonian University, Great Britain), Neda VITEZIĆ (Ekonomski fakultet Rijeka, Sveučilište u Rijeci, Croatia), Jacques ZILLER (Università di Pavia, Facoltà di Scienze Politiche, Italy)

tehnično uredništvo / technical editor

Nataša Svržnjak

oblikovanje / design

Branka Smodiš

fotografije / photography

arhiv Fakultete za upravo

prelom / text design

Damijana Keržič

lektoriranje / editing

Katarina Puc

tisk / print

Tiskarna Povše BM, d. o. o.

ISSN

2335-3414 (printed ed.)

Revija izhaja štirikrat letno. Več informacij o naročnini na tiskano in e-izdajo na <http://www.fu.uni-lj.si/zalozba/mednarodna-revija-za-javno-upravo/narocilnica/>

Mednarodna revija za javno upravo je indeksirana v mednarodnih bazah: /The International Public Administration Review is indexed and abstracted in:

- ECONLIT
- PROQUEST – CSA-Worldwide Political Science Abstracts
- PROQUEST PAIS International (Public Affairs Information Service)
- IPSA – International Political Science Abstracts
- EGPA – PA@BABEL
- EBSCO Publishing
- IBSS – International Bibliography of the Social Sciences

Vsi članki v Mednarodni reviji za javno upravo so recenzirani. / All articles are peer-reviewed.

Spoštovani,

V tokratni številki, prvi v letu 2014, je zelo zanimiv prispevek uveljavljenega norveškega avtorja, ki v svoje raziskave vključuje tudi podatke za Švedsko in Dansko. Razmišljanje o njihovih pristopih pri delovanju menedžerjev v javnem sektorju omogoča primerjavo s Slovenijo in prenos dobrih praks.

V javnem sektorju nastopajo neprofitne organizacije, za katere je značilno, da so njihovi poslanstvo in cilji usmerjeni predvsem v boljšo kakovost življenja uporabnikov storitev in ne v dobiček.

Izobraževanje, zdravstvo, sociala in kultura so deli nacionalnih gospodarstev, za katere se izdatki v bruto domačem proizvodu nominalno lahko zmanjšujejo zaradi varčevalnih ukrepov, o njihovem pomenu v družbi pa se razpravlja vedno bolj javno in kritično.

Zadnji dogodki v Sloveniji so izpostavili predvsem delovanje javnega in zasebnega zdravstvenega sistema ter njuno primerjavo z drugimi državami. V EU se je povečal delež izdatkov za zdravstvo v bruto domačem proizvodu predvsem zaradi staranja prebivalstva, večje ozaveščenosti ljudi in hitrega napredka na področju medicinske tehnologije (OECD, 2014). V času soočanja s posledicami finančne in gospodarske krize se srečujemo s pritiski za reformo zdravstvenega sistema, saj le-ta ne zagotavlja več solidarnosti in pravičnosti ter zahteva dodatna finančna sredstva. Solidarnost v zadnjem času povzroča vse večje težave v slovenskem zdravstvenem sistemu, saj je delež zasebnih izdatkov za zdravstvo v BDP vse večji. Reforme zdravstvenega sistema, usmerjene v privatizacijo in zmanjševanje javnih izdatkov, ne pomenijo nujno odprave neučinkovitosti in imajo lahko negativne posledice na zdravje in dobro počutje ljudi, še posebej če zmanjšujejo dostop do zdravstvenih storitev in njihovo kakovost (Ahtonen, 2013). Niso redka stališča, da bi morali v Sloveniji zmanjšati delež zasebne potrošnje in povečati delež javne potrošnje za zdravstvo.

Cilj javnih zdravstvenih zavodov je izboljšanje zdravstvenega stanja prebivalstva in s tem zvišanje družbene blaginje. To pa je mogoče doseči le, če sistem deluje zakonito (zmanjšanje korupcijskih tveganj) in učinkovito. Zato se tudi v zdravstveni dejavnosti namenja vedno večji pomen in pozornost učinkovitosti zdravstvenih zavodov. Javni zdravstveni zavod mora, kljub temu, da njegov cilj ni ustvarjanje dobička, s svojimi sredstvi, ki jih potrebuje za delovanje, ravnati zakonito in čim bolj gospodarno. Spremljanje in merjenje učinkovitosti poslovanja ter odgovornost za rezultate delovanja so ključnega pomena, saj le tako lahko organizacijo usmerimo k večji racionalnosti poslovanja.

Zato se povečujejo zahteve po zanesljivih in pravočasnih informacijah, ki so ključnega pomena za obstoj in pozitivno poslovanje zdravstvenih zavodov, poleg tega pa so tudi osnovna informacija za oblikovalce javnih politik. Vse več pozornosti bo treba namenjati preglednosti poslovanja in ugotavljanju ter merjenju učinkovitosti organizacij na področju zdravstva. Za uspešno ugotavljanje in merjenje le-te pa bomo potrebovali dobro izdelana orodja z uravnoteženimi kazalniki, ki bodo omogočala tudi primerljivost z drugimi državami.

Politika se mora končno odločiti za strateško pomembne spremembe, ki jih ponuja stroka v tujini in doma, izvajalci storitev pa jih morajo sprejeti in izvesti. Ne bo prvič, da bodo ostale razmere v Sloveniji nespremenjene zaradi neusklajenosti in neodločnosti politike ter različnih ekonomskih interesov deležnikov. O dobrih praksah tudi v javnem sektorju v razvitih državah pa bomo pri nas samo brali v strokovnih revijah.

Stanka Setnikar Cankar

Prof. dr. Stanka Setnikar Cankar
Odgovorna urednica MRJU

vsebina / contents

- 9 Jan Ole Vanebo, Jon Aarum Andersen
Principles of Public Management in Scandinavian Countries: A Theoretical Assessment
1.02 Review article
- 25 Dejan Makovšek, Klavdij Logožar
A Vision of the Policy Concerning the Financing and Management of Physical Infrastructure in Network Industries in Slovenia
1.02 Review article
- 47 Tatjana Kozjek
Prožnost dela v javnem in zasebnem sektorju v Sloveniji
1.02 Pregledni znanstveni članek
- 63 Tatjana Kozjek
Flexibility of Work in the Public and Private Sector in Slovenia
1.02 Review article
- 79 Ádám Rixer
The Scientific Analysis of Hungarian Public Administration. New Trends and Methods.
1.04 Professional article
- 95 Sonja Novak Lukanovič, Breda Mulec
Izvajanje dvojezičnosti v javni upravi v Sloveniji
1.04 Strokovni članek

povzetki / summaries

- 23 Jan Ole Vanebo, Jon Aarum Andersen
Načela novega javnega menedžmenta v skandinavskih državah: teoretična ocena
1.02 Pregledni znanstveni članek
- 42 Dejan Makovšek, Klavdij Logožar
Vizija politike financiranja in upravljanja fizične infrastrukture v omrežnih dejavnostih v Sloveniji
1.02 Pregledni znanstveni članek
- 90 Ádám Rixer
Znanstvena analiza javne uprave Republike Madžarske. Novi trendi in metode.
1.04 Strokovni članek
- 109 Sonja Novak Lukanovič, Breda Mulec
Implementation of Bilingualism in Public Administration in Slovenia
1.04 Professional article

Principles of Public Management in Scandinavian Countries: A Theoretical Assessment

Jan Ole Vanebo

North Troendelag University College, Norway

Jan.O.Vanebo@hint.no

Jon Aarum Andersen

Örebro University School of Business, Örebro University, Sweden

Jon.Andersen@oru.se

ABSTRACT

In the Scandinavian countries, policy documents have been developed to strengthen leadership practices in the public sector. The policy documents "Code for Chief Executive Excellence" (Denmark) and "Leadership in Norway's Civil Service" pertain to how the public sector ought to be managed. This article addresses two problems concerning these documents. To what degree does New Public Management (NPM) influence them? To what degree does management and leadership theory and research support the principles proposed by these documents? This article concludes that NPM has had a significant impact on public management in the Scandinavian countries. The policy documents are based on leadership research and are in accordance with mainstream management theory. The idea of formulating a principle of management that would characterize the classical contributions is also evident in these documents.

Key words: New Public Management, Public Management, Principles, Policy documents, NPM in the Scandinavian countries

JEL: G28

1 Introduction

Management studies tend to be fairly functional and instrumental in orientation (Pollitt & Bouckaert, 2011). In the studies, management is about getting things done as quickly, cheaply, and effectively as possible, and usually about getting things done through other people, often described as the staff, workforce, personnel, or human resources. Although sharing a concern with effectiveness, the study of public administration, by contrast, has typically focused on the importance of "public-sector values", such as democracy, accountability, equity, and probity.

In all public and private organizations some individuals are given the authority and responsibility for four basic managerial activities - planning and decision-making, organizing, leading and controlling (Griffin, 1999). These employees are often referred to as managers, while the five activities are often described as management. The employees who do not have these responsibilities are called subordinates. Management is the process undertaken by one or more individuals to coordinate the activities of others in order to achieve goals of the organization. It is imperative to distinguish between the term leadership (managerial behavior), which is a function, and leader or manager, which refers to a position in a group or organization. In public or private organizations the formal leaders are called managers or executives. They execute the leadership function. Leadership is part of the managerial process in which the manager guides, supports, motivates the subordinates so that they can fulfill their duties according to the plan of the manager and goal of the organization (Andersen, 2013).

In the Scandinavian countries, official documents have been developed to strengthen leadership practices in the public sector. The documents pertain to how the public sector ought to be managed. They present principles or models for managers in the public sector. The Oxford Dictionary defines principle as 'a fundamental truth or proposition that serves as the foundation for a system of belief or behaviour or for a chain of reasoning.' Moreover, these documents contain, to a greater or lesser extent, definitions of what constitutes public organizations, especially in contrast to private companies and the ways of managing them. The purpose of this article is to assess: (1) the impact of New Public Management has had on the Scandinavian policy documents and (2) to what degree the documents are supported by management and leadership theory and research. In what follows is a theoretical assessment of three policy documents: Leadership in Norway's Civil Service, Code for Chief Executive Excellence (Denmark), and Characteristics of Leadership in Municipalities and Counties (Sweden). The assessment of each is based on a theoretical-analytical frame of reference. Some key definitions are presented, which are crucial for the theoretical-analytical assessment of the three principles for public management.

Arguably, New Public Management has had a significant impact on public management in the Scandinavian countries. The policy documents presented here support this proposition. In the article, these documents have been subjected to a theoretical assessment, and a comparison between the Danish and Norwegian documents is presented.

2 New Public Management

Over the last 30 years NPM has contributed to major changes in the organization and management of and in the public sector. "New Public Management" (Hood, 1991) induced a wave of administrative reforms that won widespread

acclaim through the 1990s (Aucoin, 1990; Hood, 1991; Prior, 1993; Dunleavy & Hood, 1994; Walsh, 1995; Ferlie et al., 1996). The intention and hope of the reforming efforts have remained the same: to improve the effectiveness and efficiency of the public sector; to enhance the responsiveness of public agencies to their clients and customers; to reduce public expenditure; and to improve managerial accountability (Christensen & Lægheid, 2010).

NPM is a two-level phenomenon (Pollitt & Bouckaert, 2011). At the higher level, it is a general theory or doctrine that the public sector can be improved by the importation of business concepts, techniques, and values. At the more mundane level, NPM is a bundle of specific concepts and principles. The inspiration for NPM has its source in various theoretical perspectives (Gruening, 2001): public-choice theory, management theory, classical public administration, neoclassical public administration, policy analysis, principal-agent theory, property-rights theory, the neo-Austrian school, transaction-cost economics, and New Public Administration and its following approaches. NPM derives also from organization theory (Klausen, 2013).

To analyze and make use of NPM as a normative recipe, Prior (1993) distinguished between NPM elements that relate to the overarching vision of how public-service production can be organized (i.e., what we can define as pertaining to the welfare state's configuration) and elements concerning the matters of internal organization and management. Klausen (2013) distinguishes between two core arguments, or pillars, and their associated recommendations, both of which come from "the private realm". The first is the economic argument while the second one concerns organization and management, or to be more specific, the economic argument in relation to the managerial one.

The economic pillar expresses the desire for a neo-liberal market orientation and a public sector managed by economic reasoning, as derived from neo-economic theory (public choice, principal-agent theory). The characteristic measures related to this pillar include budget cuts, privatization, separation of provider-producer, contracting out, user charges and vouchers, the concept of the 'customer', and competition. The managerial pillar in NPM pertains to organization and management.

A basic feature of NPM is managerialism and the introduction of two new management models in the public sector (Christensen & Lægheid, 2011). The first model – let the manager manage – is connected to devolution. A main component of the NPM philosophy is hands-on professional management, which allows for active, visible, discretionary control of an organization by people who are free to manage; explicit standards of performance; a greater emphasis on output control; disaggregation of units; and private-sector techniques. The second model – make the manager manage – leans more toward the use of incentives to further certain decision-making behaviors. It implies increased exposure to competition, contract management, and

market orientation (contracting out, purchaser-provider models) (ibid.). The Scandinavian documents pertain to both of these management models.

The classical writers on organization were concerned with the formulation of principles for management and leadership. Taylor (1911/1967) tried to solve the enigma of efficiency by presenting "The principles of Scientific Management". Fayol (1919/1946) presented 14 principles which could be applied in all kinds of organizations. Every organized activity requires planning, organizing, directing, co-ordination, and control. Gulick (1936/1937) addressed the limits of span of control in order to find the optimal number of subordinates that a manager could lead. Fayol (1916/1949, p. 42) wrote: "Without principles one is in darkness and chaos; interest, experience and proportion are still very handicapped, even with the best principles."

According to Fayol, the principles need to be applied with common sense.

3 Denmark – Code for Chief Executive Excellence

3.1 The Danish Document

The Code for Chief Executive Excellence, hereafter referred to as the "Code of conduct", was published by the Ministry of Finance in 2005. In it, the top executives of the state, counties, and municipalities have, together with Danish and international researchers, delivered the ingredients for Denmark's first code of conduct for good public executive leadership. For almost two years, a large part of Denmark's approximately 450 top executives of the state, counties, and municipalities participated actively in the debate about the most important terms, strategies, and competencies for top executives in a modern public sector. The top executives themselves have to a great extent been the driving force behind the process. The Code of conduct began with an analysis of both permanent and new challenges for Denmark's top public executives. The code itself relates to the roles of top leaders and to the behaviors and strategies for leadership within the public sector's politically led organizations. Nine recommendations, complemented by a foreseeable number of action-oriented questions to the top executive, constitute the elements of the Code of conduct (Figure 1).

The recommendations in the Code of conduct are expressions of how public executives can act and establish relationships to policy, the organization, and the outside world on the basis of personal leadership. The nine recommendations concern (1) "up" – toward the relation with the political leader, (2) "out" – the relation with the outside world, and (3) "inward" – the relation with the management of the organization. Each recommendation appears to be equally important; they should be treated holistically rather than as a list of prioritized leadership tasks. Good public government involves top executive leadership complying with all nine recommendations. To support the application and the impact of the code of conduct in practice,

this document follows with a method of self-evaluation that the individual executive leader ought to use – a “code mirror”. This method gives the individual top executive the opportunity to reflect on own leadership practices in light of the recommendations of the Code of conduct.

Figure 1: Code for Chief Executive Excellence (Denmark)



The public sector is currently undergoing a number of far-reaching reforms that require a sustained focus on good executive leadership if the new conditions and possibilities are to be used effectively. The aims and objectives are: (1) to create the basis for a continuing debate on good executive leadership in Denmark under the direction of the Code of conduct, the structural reform, and the developmental tendencies in general; (2) to create opportunities for network formations across the circle of top executives; (3) to challenge and inspire top executives through contact with Danish and international researchers; and (4) to involve new top executives who previously have not had the chance to participate in working with the code of conduct. The National Association of Municipalities (KL), the Danish regions, and the Ministry of Finance also initiated a forum for Top Executive Management. The Code is also relevant for middle managers. Hales (2006) has provided a comprehensive outline of middle managers role and tasks: direction, coordination and control of the operation of the unit; deployment of resources within the unit and external relations with others inside the organization and external parties.

3.2 Impact of New Public Management

The Danish document begins with what is seen as tasks of the chief executive in the public sector. These tasks are unique compared with other countries, as the professional top executive is an advisor to the political leaders as well as the superior manager of his or her organization. For a top public-sector executive the space for action when exercising leadership is dependent on the political leader's preferences. In practice, however, the political leader will choose to share the space for action with the administrative manager by delegating responsibilities for a number of daily leadership tasks. This dual role gives the public manager the responsibility of bridging policies and professional competence as well as bridging policies and implementation. The focus on a dual role can theoretically be linked to rationalistic organization theory, which makes a distinction between the owners and the executive (Abrahamsson, 1993). It is more or less identical to the principal-agent theory (Jensen & Meckling, 1976). However, this dual role is also found in the private sector where the manager does what the owners or board of directors decide. The claim that this is unique to the Danish system is hardly correct. Instead it is rather typical for the Scandinavian public administration.

The document refers to the "knowledge society" and the present day's focus on competence and learning at work. Knowledge management is now a managerial responsibility. The Danish document does not only deal with public management, but also with inter-public management. This is also found in current scholarship which argues that public managers need to cooperate with other public organizations in new ways (Brookes & Grint, 2010).

It is noteworthy that the Code of conduct expects the public manager to be a role model. The leader as a role model is most distinctively expressed in transformational leadership theory, where it is claimed that transformational leadership makes employees have trust, admiration, loyalty, and respect for the leader (Burns, 1978; Bass & Riggio, 2006). One should also note that the classical focus on professionalism, equality, and impartiality as part of the public sector's value basis is repeatedly mentioned, as this constitutes one of the main differences between public and private organizations (Allison, 1983).

The Code for Chief Executive Excellence sets clear requirements for objectives and results-oriented interaction, leadership awareness, leadership behavior, the establishment of leadership environments, and leadership communication. The Code has, therefore, a strong and distinct basis in mainstream leadership research. By stressing the distinction between public and private organizations the Danish Code of conduct rests on a strong theoretical foundation.

4 Norway – Leadership in Norway's Civil Service

4.1 The Norwegian Document

Leadership in Norway's Civil Service was prepared by the Ministry of Government Administration and Reform in a broad and complex process involving a number of contributors. A special council with participants from academia and governmental managers provided professional inputs to the policy document. A draft of the policy platform was presented to leaders at various levels, including state executive leaders and personnel managers. The governmental officers' main trade organizations also submitted a draft of the document. In 2008 all government executives received in print the document entitled "Leadership in Norway's Civil Service", with an attached letter from the Ministry of Government Administration and Reform. The document has been officially translated into English (Norwegian Ministry of Government Administration and Reform, 2008). It was posted on the government's website at the same time. The document clearly specifies the premise for managers within the state. The government has approved this document as the basis for work on the development of governance and leadership within public administration. It is followed up in Government and leadership development projects within individual state agencies. Additionally, it is used by individual managers as a basis for reflecting on and developing their own leadership performance. The document sets out the basis, framework, and principles of leadership in the Civil Service.

The document "Leadership in Norway's Civil Service" has four areas of focus: objectives, results and user-focus; cooperation and coordination; competence, learning, and development; and co-determination and participation. The manager is to ensure good results and to attain goals within his area of responsibility. The principle of governing objectives and results is outlined in the government's financial regulations. The hierarchical structure of the central government creates orderly conditions up toward the politicians, within the organizations, and externally toward society. Overall, this requires responsible, clear, and courageous leaders who lead the way with dialogue, coherence, and coordination across agencies and at different levels of the public administration. The State is seen as a knowledge-intensive organization with leading expertise in many fields. It needs further to develop and promote the advantages it has as a workplace: meaningful and socially useful tasks, good potential for development in exciting educational and expertise environments, and safe working conditions. Employees are directly involved in problem-solving as individual workers; however, they also affect decision-making indirectly through their trade unions. It is claimed that Norwegian leaders often have an informal, engaging, supportive, and non-authoritarian leadership style.

Though the document is aimed primarily at those who have a leadership responsibility in a governmental agency, it is also aimed at employees, employees' representatives, and others concerned with the leadership within the public administration. The document points to a framework and principles of leadership within the state. It maintains that the state's leadership policy must be based on the state's characteristics, values, and overall objectives. Managers within the State are required to contribute to the development of a strong and effective public sector. They are to contribute to renewing the public sector in a way that provides more welfare and less administration, and they are to be more open, accessible, and user-oriented.

The document can be used in conjunction with leadership development, the recruitment of leaders, and the introduction of new managers. While leadership is important, the effects of the leadership are not always visible. Leadership is about working with employees, their organizations, and other parties to achieve results. The implication is that leaders within the State are, together with the employees, to contribute to the production of results that will benefit the community in accordance with political priorities and social values.

The State has complex tasks to perform. Various considerations must therefore be taken to order to ensure high welfare performance. This demand makes state leadership complex. The administration is based on fundamental values with strong roots in Norwegian culture and tradition. The tasks performed by the administration should reflect these values. State managers have the responsibility to develop democracy at the workplace, because it is both just and efficient.

Managers need to delegate tasks, supervise, and follow up on employees, and at the same time set a distinct direction and performance requirements. Governmental managers are faced with a host of large expectations from the citizens that the public sector is to serve, from their own employees, and from the Parliament and the Government as the country's executive political leadership.

4.2 The Impact of New Public Management

The document stresses that there is a demand and an expectation that managers in the public sector run an effective organization. In the document it is evident that the importance of results-, task-, and relationships-orientations of managers as well as goal-achievement is highlighted. Additionally, the distinctions between public and private organizations and their respective management are emphasized (Allison, 1983). The document repeatedly underscores the demand and expectation that public managers develop an effective organization. It is worthwhile noting that the document (page 19) says: "The hierarchical structure of the central administration ensures orderly relations vis-à-vis the political leadership, within the administration

and vis-à-vis the general public." This is theoretically an interesting issue, as some scholars argue against the hierarchical structure or argue in favor of networking solutions. However, the fact remains: all organizations are hierarchical (Andersen, 2012a). The public manager is expected to take the lead and show the way. The document does not leave any doubt about the mission of the public manager.

4.3 Theoretical Assessment

The document (p. 5) defines leadership as follows: "Leaders in the Civil Service, in cooperation with their staff, shall seek to achieve results that are in the community's best interests in accordance with political priorities and basic social values." This definition is similar to Blake and Mouton's (1985, p. 198) well-established definition: "Processes of leadership are involved in achieving results with and through others."

The Civil Service is a knowledge-intensive organization with leading centers of expertise in many fields. The Civil Service has to compete for highly qualified personnel. There is a need further to develop and express the advantages of working in the Civil Service, including good opportunities for professional development in stimulating learning and knowledge environments. It is thus obvious that today's focus on knowledge management is expressed in the document.

The document (p. 12) says that: "Norwegian managers tend to have an informal, inclusive, supportive and non-authoritarian leadership style." This claim is somewhat imprecise as Scandinavian business managers are more relationships-oriented than public managers, however, more change-oriented (Andersen, 2012b). Throughout the document the term leader "role" is found. It is, however, not defined. In leadership theories the term is used as it is in social psychology, where behavior is explained by the expectations of the focal person or the "role" related to which work-related tasks the manager spends most time on solving. In other words, leadership role refers to the activities of managers (Mintzberg, 1980; Johnsen, 2002; Andersen, 2000).

The document describes some general functions that all managers must handle as they relate to their position in the administration. These are strategic functions, operational functions, administrative and work processes, relational functions (both internal and external), and informational and communicational functions. The application of the term "function" has its basis in classical organizational theory. Fayol (1921/1946) described the functions of the executive (the tasks of the manager) as planning, organizing, directing and control. The classical list of functions or tasks is in current scholarship often presented as planning, organizing, guiding, leadership, and control (Andersen, 2000). The document also contains a table which shows the relationship between the four basic functions of (1) strategy, (2) operations, (3) building relations, and (4) communication and information and

the four areas of focus (1) target, results, and customer focus, (2) cooperation and co-ordination, (3) competence, learning, and development, and (4) co-determination and participation. This table has some similarities with Johnsen (2002), who described leadership activities and defined leadership as a goal-setting, problem-solving, and language-creating interaction between individuals.

This analysis concludes that the document "Leadership in Norway's Civil Service" has a strong and distinct basis in mainstream leadership research, despite the comments presented above. By stressing the distinction between public and private organizations, the document reveals a theoretically strong basis.

5 Sweden – Ten Characteristics of Leadership

The Swedish Association of Municipalities and Counties (SKL) administered a project entitled "Tomorrow's Leadership" during 2006 and 2007. A large number of top executives and employee representatives worked with issues related to the challenges faced by municipalities and counties, and how these challenges could affect the organization and the leadership.

The work resulted in the document titled "Strategic and professional leadership of municipalities and counties". This document lists ten characteristics describing the preferred kind of leader as someone who (1) has the assignment and citizens in focus; (2) interacts with elected officials and has faith in the political mandate; (3) brings the vision to life and conveys images of the future; (4) creates pride in the welfare mandate; (5) develops empowerment; (6) is results-oriented; (7) has a general overview and a holistic approach; (8) creates a climate equipped to meet the demands for change and development; (9) collaborates; and (10) is authentic.

This managerial leadership document addresses four problems: (1) How to face environmental challenges, (2) How to succeed in the mission, (3) How to become more results oriented, and (4) How to develop the leadership role as a carrier of culture.

The Swedish document is equivalent neither to the document "Leadership in Norway's Civil Service", published by the Norwegian Ministry of Government Administration and Reform, nor to the "Code for Chief Executive Excellence" published by the Danish Ministry of Finance. For this reason the Swedish document is neither further described nor assessed.

6 Conclusions

The Danish Code of conduct stresses the classical values of the public sector. The public sector is responsible for the society at large. Transparency, legality,

stability, and continuity as well as norms on impartiality, professionalism, and loyalty are to be respected.

The public sector, however, is characterized by several and sometimes conflicting goals and criteria of effectiveness. The hierarchical model of governance is the prevailing one. This document argues that the tasks of the top executive in the public sector in Denmark is unique compared with other countries, in that the manager fills both the role of consultant to the political leaders and the role of manager of an organization. This is seen as a fundamental characteristic of the Danish system of governance. Thus, here we find the most fundamental difference between the private and the public sector according to the "Code of conduct".

The Norwegian document emphasizes the characteristics of the national state, both its value basis and its general objectives. Norwegian public administration rests on basic values strongly rooted in national culture and tradition. The hierarchical model is the basis for public organizations because it guarantees clear-cut relationships with politicians, internally within the organization, and toward citizens. It stresses that the Parliament and the Government are the superior leading institutions. Public managers' main task is to contribute to the achievement of political goals. Both in the Norwegian and Danish documents the values of public administration are highlighted as well as the hierarchical organization model. These characteristics imply consequences for public management. The Danish Code and the Norwegian case have both a multilevel management and leadership approach, focusing on upward, downward and external relations.

A theoretical assessment and thus the research-based foundation of these two documents are clear: both the "Leadership in Norway's Civil Service" and the Danish "Code for Chief Executive Excellence" are based on theoretical solid ground. This assessment holds even if some critical comments to these two documents have been presented.

The similarities between the three Scandinavian documents are that they all formulate principles, goals, and means for effective leadership and goal-attainment in the public sector. The difference is that the Danish and Norwegian documents are only concerned with governmental administration. The Danish Code of conduct, however, refers only to top executives. The Swedish document concerns only public managers in municipalities and regional public institutions. Both the Danish and Norwegian documents contain tools for managers and they constitute a basis for leadership-training programs.

Gruening (2001) has shown that the idea of principles has been part of the development of New Public Management all the way from the classical writers until today. Models, techniques, and principles used in private companies can be adopted and successfully applied to public management. The impact of

New Public Management is now presented as a set of management principles in Scandinavian countries in the form of the Danish "Code for Chief Executive Excellence" and "Leadership in Norway's Civil Service."

Jan Ole Vanebo (Ph.D.) is professor of Management and Management accounting at the North Troendelag University College, Norway. He is senior visiting fellow at EIPA, Barcelona, and member of the steering committee for EPSA 2013 (European Public Sector Award 2013), managed by the European Institute of Public Administration (EIPA) in Maastricht. Professor Vanebo is co-editor of the book "Public Management in the Twenty-first Century – Trends, ideas and Practices" (2013), University Press, Oslo, Norway.

*Professor **Jon Aarum Andersen** holds two Master Degrees (Master of Business Administration and Master of Social Science) from Norway. He is Doctor of Economics (Ph.D.) from Lund University, Sweden. Dr. Andersen has written 14 university level textbooks and has 30 international research journal publications. He is now affiliated to Örebro University School of Business, Örebro University, Sweden and visiting professor at Ljubljana University, Slovenia.*

References

- Abrahamsson, B. (1993). *The logic of organizations*. Newbury Park, CA: Sage Publications.
- Allison, G. T. (1983). Public and private Management: Are they fundamentally alike in all unimportant respects? In J. Perry & K. Kraemer (Eds.), *Public Management: Public and Private Perspectives*. Palo Alto, CA: Mayfield.
- Andersen, J. A. (2000). Leadership and leadership research. In D. F. Dahiya (Ed.), *Current Issues in Business Disciplines*. Volume 5: Management II. (p. 2267–2287). New Delhi: Spellbound Publications.
- Andersen, J. A. (2012a). Seven pitfalls in organisation literature. *Dynamic Relationships Management Journal*, 1 (1), 48–59.
- Andersen, J. A. (2012b). Public Managers: Their behavior, their change potential and the behavior of women and men in public organizations. *Administration [Uprava]*, 10 (3), 25–38.
- Andersen, J. A. (2013). Leadership research: Where irrelevance prevails. *Dynamic Relationships Management Journal*, 2 (2), 3–14.
- Aucoin, P. (1990). Administrative Reform in Public Management: Paradigms, Principles, Paradoxes and Pendulums. Governance. *An International Journal of Policy and Administration*, 3 (2), 115–137.
- Bass, B. M. (1990). *Bass & Stogdill's Handbook of Leadership*. New York: The Free Press.
- Bass, B. M. & Riggio, R. E. (2006). *Transformational leadership*. Mahwah, New Jersey: Lawrence Erlbaum.
- Blake, R. R. & Mouton, J. S. (1985). *The managerial grid III*. Houston: Gulf Publishing.
- Brookes, S. & Grint, K. (Eds.) (2010). *The New Public Leadership Challenge*. Basingstoke, Hampshire UK: Palgrave Macmillan.
- Burns, J. M. (1978). *Leadership*. New York: Harper & Row.
- Christensen, T. & Lægreid, P. (Eds.) (2010). *The Ashgate Research Companion to New Public Management*. Farnham: Ashgate.
- Dunleavy, P. & Hood, C. (1994). From Old Public Management to New Public Management. *Public Money & Management*, 14 (3), 9–16.
- Fayol, H. (1916/1946). *General and industrial management*. London: Pitman.
- Fayol, H. (1923/1937). The Administrative Theory of the State. In L. Gulick & L. Urwick (Eds), *Papers on the Science of Administration* (p. 100–114). New York: Institute of Public Administration.
- Ferlie, E., Ashburner, L., Fitzgerald, L. & Pettigrew, A. (1996). *The New Public Management in Action*. Oxford: Oxford University Press.
- Finansdepartementet (200). *Public Governance – kodeks for god offentlig toppledelse i Danmark*. Finansdepartementet, København. Retrieved from <http://www.publicgovernance.dk>
- Griffin, R. W. (1999). *Management*. Boston: Houghton Mifflin.
- Gruening, G. (2001). Origin and theoretical basis for New Public Management. *International Public Management Journal*, 4 (1), 1–25.
- Gulick, L. (1923/1937). Notes on the theory of the state. In L. Gulick & L. Urwick (Eds), *Papers on the Science of Administration* (p. 2–45). New York: Institute of Public Administration.

- Hales, C. (2006). Moving down the line? The shifting boundary between middle and first line management. *Journal of General Management*, 32(2), 31–55.
- Hood, C. (1991). A Public Management for all Seasons? *Public Administration*, 69 (1), 3–19.
- Jensen, M. C. & Meckling, W. H. (1976). Theory of the firm: Managerial behavior, agency costs, and ownership structure. *Journal of Financial Economics*, 3 (4), 305–360.
- Johnsen, E. (2002). *Managing the managerial process. A participative approach*. DJØF Publishing/Universitetsforlaget. København/Oslo.
- Klausen, K. K. (2013). Public Administration, New PA, NPM, NPG: What's in a name. In T. Busch, A. Heichlinger, E. Johnsen, K. K. Klausen, A. Murdoch, & J. O. Vanebo (Eds), *Public Management in the Twenty-first Century* (p. 46–59). Universitetsforlaget, Oslo.
- Norwegian Ministry of Government Administration and Reform (2008). Leadership in Norway's Civil Service. Publication number: P-0946 E., Oslo. Retrieved from http://www.regjeringen.no/.../Ledelsesplattform_eng.pdf
- Mintzberg, H. (1980). *The nature of managerial work*. Prentice-Hall, New York.
- Pollitt, C. & Bouckaert, G. (2011). *Public Management Reform. A Comparative Analysis*. Oxford: Oxford University Press.
- Prior, D. (1993). In Search of the New Public Management. Review article. *Local Government Studies*, 9 (3), 447–460.
- Taylor, F.W. (1911/1967). *The principles of Scientific Management*. W. W. Norton & Co., New York.
- Walsh, K. (1995). *Public Services and Market Mechanisms. Competition, contracting and the New Public Management*. Basingstoke: Palgrave MacMillan.

POVZETEK

1.02 Pregledni znanstveni članek

Načela novega javnega menedžmenta v skandinavskih državah: teoretična ocena

Ključne besede: novi javni menedžment, javni menedžment, načela, dokumenti politike, novi javni menedžment v skandinavskih državah

V skandinavskih državah so oblikovali dokumente politike, ki naj bi utrdili prakso vodenja v javnem sektorju. Dokumenta politike »Kodeks za odličnost izvršnih direktorjev« (Danska) in »Vodenje v norveški javni upravi« opisujeta, kako bi morali upravljati javni sektor. Ta članek obravnava dve vprašanji, ki se nanašata na ta dokumenta. Kakšen je bil vpliv Novega javnega menedžmenta (NJM) nanju? Kako podpirajo teorije upravljanja in vodenja ter raziskovanje načela, ki jih predlagata? Avtor v članku ugotovi, da je imel NJM v javni upravi v skandinavskih državah precejšen vpliv. Dokumenta temeljita na raziskovanju vodenja in sta skladna s sodobno teorijo upravljanja. Očiten je tudi njun namen oblikovati načela upravljanja, ki bi prispevala k učinkovitosti v praksi.

A Vision of the Policy Concerning the Financing and Management of Physical Infrastructure in Network Industries in Slovenia

Dejan Makovšek

International transport Forum at the OECD

dejan.makovsek@oecd.org

Klavdij Logožar

Ekonomsko poslovna fakulteta Maribor, Univerza v Mariboru

klavdij.logozar@uni-mb.si

ABSTRACT

There are many reasons why Slovenia needs to change its management of network industry infrastructure and question the legacy we wish to pass onto the next generation. However, these issues are not at the forefront of the public debate despite being as relevant today as the pension reform, if not even more. Until now, no government in Slovenia has adopted a systemic approach to infrastructure-related issues; instead, they have let partial interests prevail. This paper and the vision of infrastructure management present a synthesis of the current state of profession and past experiences in infrastructure management and financing acquired by the most developed countries, as well as practical experiences concerning the regulation, financing, and management of network industry infrastructure. The practical experience and empirical findings call for a consistent use of the RAB principles and for the restructuring of certain and partial privatization of all network industries. Foreign experience tells us that if the changes are correctly implemented, the current state of infrastructure can be significantly improved and could lead to a considerable decrease in real infrastructure costs and/or an increase in the availability of funds for infrastructure renovation or expansion. In the future, EU regulations might also expand and raise their requirements to meet the state of the art, but Slovenia need not wait for the EU. The introduction of such a policy would also mean a quantum leap in terms of the competitiveness of Slovenia's economy and bring the country closer to the world's most developed economies.

Key words: network industries, economic regulation, ownership, privatization, efficiency, infrastructure financing, intergenerational equality, utilities

JEL: R42

1 Introduction

Debates concerning the investment needs and financing of new or existing infrastructure in transport, energy, and other infrastructure subsystems have been present in the world for some time. On the basis of own research and analyses of international institutions the McKinsey Global Institute (Dobbs et al., 2013) estimated that USD 57 trillion in infrastructure investment will be needed by the year 2030. The EU's investment needs for the same period were estimated at EUR 1.5 trillion just for the subsystem of transport infrastructure. Such estimates, although carried out with due care, can only be illustrative, as most countries do not possess the appropriate data framework that would enable a more informative assessment of investment needs into existing, as well as new infrastructure. They do, however, provide indications regarding the size of the gap. According to Slovenia's Resolution on National Development Projects for the Period 2007–2023, EUR 8.9 billion would need to be invested into the modernization of the railway network; the investment needed for the modernization of the national power grid, supply and other aspects of the energy sector would be around EUR 24.99 billion in the period 2010–2030, according to the data provided by the National Energy Programme (IJS, 2011); certain other estimates which are not included in the present paper were also given for other infrastructure subsystems. The scope and content of investment needs in these areas in Slovenia were and still are a subject of discussion. However, on the other hand it is clear that Slovenia currently has no solid, publicly adopted, and comprehensive strategy for the financing, and management of its infrastructure.

This paper does not deal in detail with each of the previously stated issues at the level of Slovenia, but rather attempts to outline a transparent vision of the financing, and management of infrastructure, while taking into account the state of the art and best practice of the most developed countries.

In this paper "(physical) infrastructure" refers mainly to network industries, which are subject to severe market imperfections and result from certain characteristics which normally allow these to be classified as natural monopolies.

Primarily, examples would include:

- distribution of electrical power (not its marketing/sales),
- distribution and supply/pumping of water; and sewage and treatment of waste water;
- distribution of gas (not sales);
- railway infrastructure (services/availability of railway infrastructure and not transport services);
- road infrastructure;
- segments of telecommunications networks;

- port infrastructure;
- reserved postal services;
- other systems with similar features (e.g. multiplex capacity for radio and television, production of electrical power in Slovenia) which meet the criteria for natural monopolies, but are exposed to competition to a limited extent.

It should be noted that an industry does not need to comply with all the theoretical presumptions to be termed “a natural monopoly”; what is crucial, is the justification of the argument that competition is limited to an extent that makes state intervention necessary in the form of economic regulation, which tries to mimic competition.

The manner how countries managed their infrastructure in the past has been changing, mainly due to a better understanding of the importance of incentives in economic regulation of infrastructure managers, and as a result of the evolution of infrastructure financing and procurement mechanisms.

By changing their approach, countries were looking to address several issues:

- There is an absence of suitable performance incentives for (natural) monopolies caused by an absence or lack of competition.
- Governments (and, in the past, also regulators) are known to be myopic and focused on cutting costs of infrastructure services to a level that only allows the recovery of current operating costs without any depreciation costs (full cost recovery is impossible). If the infrastructure managers are state-owned companies, they operate as long they can pay salaries to their workers, while the state of infrastructure continues to deteriorate. Optimization of infrastructure running costs is not possible. This creates additional costs and introduces generation-based discrimination because deferred costs of replacement or maintenance investment are now transferred to the next generation of taxpayers or users. Such a set up makes private capital investments impossible.
- Managers of publicly-owned infrastructure find it difficult to withstand pressure from the owners to cut the costs of infrastructure investment without considering the effects of such savings on subsequent operating and maintenance costs of the infrastructure concerned (Parker & Hartley, 2003).
- The mechanisms of traditional infrastructure procurement have often proven inferior to contemporary procurement methods, in particular in capital-intensive infrastructure (road, rail, and other types of infrastructure), and in terms of cost overruns and schedule delays.
- Adverse political interests (e.g. the need for publicity, clientelism) often lead to supply of the wrong infrastructure, a type of overinvestment that also leaves the future burden of operation and maintenance of this infrastructure.

The rest of this paper gives a brief presentation of the solutions, which have been widely used in addressing infrastructure system management and infrastructure procurement issues.

2 Economic Regulation in Network Industries

In economic theory the behavior of a monopoly is well understood. In the absence of competition, the operation of such a company prevents the maximization of social welfare and achievement of other economic policy objectives. A text book reading on the treatment of monopoly are the papers of Laffont and Tirole (1993), published in the 1980s and 1990s. Today, it is generally believed that such cases require incentive regulation, performed by a designated institution or an independent regulator. The regulator can be set up as either a transitional regime to facilitate the evolution of competition, or a permanent regime when the introduction of competition is not viable or feasible. Especially in the latter case, the regulator mimics the competition through incentives to achieve the following goals (Joskow, 2006):

- efficient pricing of products and services (prices near actual costs);
- efficient production (at the lowest possible costs);
- efficient supply of services and investments (to ensure the volume or quantity of products/services to satisfy the demand and to execute investments in a timely and effective manner);
- suitable level of quality and diversity of products/services;
- potential income redistribution;
- providing the monopoly with a rate of return that encourages it to perform, but no more than that.

With an aim to achieve these objectives, regulators use various instruments which include: control over the monopoly's prices; demands upon the monopoly to introduce a special regulatory accounting convention that will enable accurate determination of cost prices of the monopoly's services; benchmark analyses of the monopoly's efficiency against other comparable firms (also abroad), etc.

In practice, regulators face a number of challenges in their efforts to meet these goals. One of the most important challenges is the asymmetry of information between the regulator and the firms it regulates. Even though the regulator has at its disposal a range of mechanisms to control and monitor the monopoly's business, it cannot be 100 % informed about its operations (e.g. is the monopolist as efficient as he could be, given the available technologies). The monopoly may use this deviation to its advantage, for example by persuading the regulator that higher service prices are crucial to its economic sustainability.

Among the most extensively used and effective regulatory systems in large network industries in the developed countries is incentive based regulation. In this approach two concepts are crucial, the RAB (RAB – Regulatory Asset Base), and incentive mechanism, most commonly known as the RPI-X model. In such a system the infrastructure manager is issued a license, specifying its rights and obligations. It can also be called a “regulatory contract.” The two principles, the RAB and RPI-X, will be briefly presented in the rest of this paper, followed by the question of ownership in infrastructure management

2.1 RAB

The first principle is a baseline, which refers to all assets employed by the infrastructure manager in the supply of regulated services (e.g. in a power utility, the RAB includes all assets, used by the utility in the provision of its services). The regulator determines the RAB by trying to assess the appropriate asset value (not necessarily the book value of assets). It must also ensure that the RAB is maintained (depreciation) and expanded (new CAPEX) if new capacity demands so require. The capital expenditures increase the value of RAB.

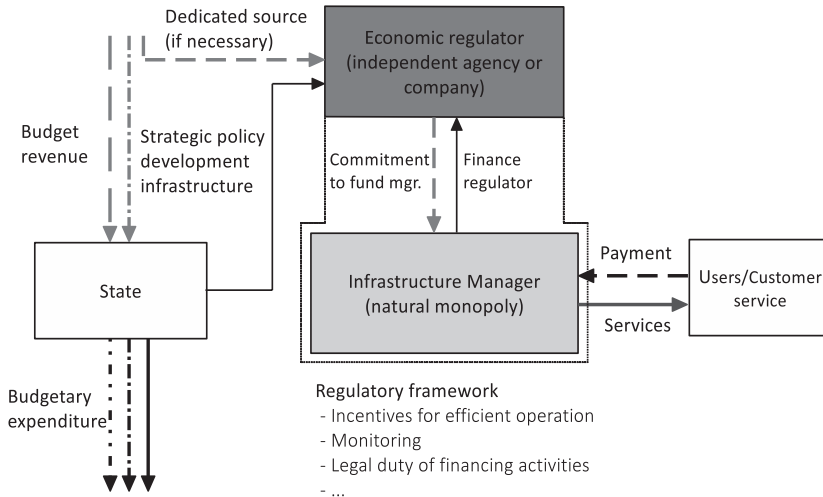
In addition to assessing the RAB value and necessary expenditures to maintain or expand the RAB, the regulator must also determine the manager's operating costs and, finally, the financing cost (the cost of equity and debt), which also include an appropriate return on the RAB. Through this process, the manager arrives at a predictable cash flow, against which it can borrow. The described process is known in the scientific community as the RAB financing model.

A key feature of the RAB model is that it provides a guarantee to the manager (and to potential investors, if it were privatized) that it is not at risk of (hidden or gradual) expropriation. This guarantee normally comes from the legislation, which imposes upon the regulators a duty to ensure that the monopoly generates sufficient revenue to finance its functions. The generated revenue should enable the monopoly to secure a return on its initial investment into the existing RAB, allow investment into new infrastructure (investment expenses or capital expenditures that increase the RAB), depreciation (investments to preserve the value of the RAB), operating costs (OPEX, or operating expenditures), and an appropriate reward or return, provided it performs its function efficiently.

Figure 1 presents the position of the regulator. When the infrastructure manager can finance its functions entirely through the sale of its services (infrastructure access and related services), other sources of financing are not needed. Such utilities include road network inframangers or power distribution system inframangers. In other cases, however, RAB financing is not (yet) possible for a variety of reasons. For example, high investment needed for the build-up of the railway infrastructure prevents the infrastructure manager to fully finance its operations from the sale of services

(railway infrastructure usage fees payable by transport companies), although these are socially or economically justified. A direct state contribution is needed, but it should not depend on the current political will and budgetary planning, as this can cause numerous detrimental effects such as the inability to plan and optimize infrastructure maintenance and management (the time inconsistency problem).

Figure 1: RAB financing model



Source: Authors

When the utility cannot finance its operations solely from the sale of its services, the regulator, legally obliged under the RAB to finance the operations of the utility, shall set up a dedicated direct financing scheme. These funds are ring-fenced and therefore safe from discretionary interventions from the government. The government participates in the management of state-owned utilities (appoints the supervisory and management boards) and formulates their strategic policies (e.g. a national transport policy for the transport sector).

The regulator strives for maximum independence from the government and its political influences (although complete independence is not practically achievable). It is financed through a license issued to the monopoly or through a regulatory contract between the regulator and the utility (and paid by the utility). Several recommendations concerning regulator independence have been made by international organizations such as OECD and others, but they are outside the scope of this paper.

The RAB model per se is a collection of principles to preserve the financial and functional value of (physical) assets through time and prevent time-related reallocation of burdens arising from the preservation of the value and functionality of these assets. Therefore, the RAB is an essential component of intergenerational equity in any area financed by taxpayers (e.g. healthcare – buildings and equipment of hospitals and other health centres).

To conclude, the RAB financing model can in principle be combined with project financing structures to provide the regulator with greater control over the effective implementation of large infrastructure projects and ensure more favourable outturns. The following section gives a brief description of such a hybrid model.

2.2 RPI-X

The RAB defines the basis to determine the baseline prices of utility services, but by itself it does not provide any incentives for the regulated company to become more efficient. The efficiency incentive comes from the adjustments of the baseline price. One of the currently most popular models in this context is the RPI-X or the price-cap model, which was developed in the 1980s (Littlechild, 1983). The abbreviation, RPI stands for the consumer price index (or retail price index in the UK), and X denotes the expected efficiency savings.

In line with this principle, the regulator allows the monopoly to adjust its prices in accordance with the growth rate of the selected price level (the rate of inflation or another suitable price index), but reduces this growth rate by the X-factor of inefficiency. The regulator determines the X-factor on the basis of benchmark analyses with identical or similar firms in the country, or with similar firms abroad. The approach is also known as “yardstick competition”, which was formalized by Schleifer and Vishny (1985). A simple illustration is provided in the following example. Let’s assume that the retail price index shows an annual price growth of 2%, and that the benchmark analysis has shown that the monopoly is 20% less efficient than the most efficient companies in the industry. Since firms are unable to adapt instantaneously, the regulator decides that the monopoly shall increase its efficiency by 10% over the next five years (i.e. by 2% a year). As a result, the monopoly may adjust its prices by 0% per year (RPI is +2% per year, and the inefficiency factor is also 2%), which means that the prices are lagging behind retail prices in real terms.

The RAB and the RPI-X described briefly above are two concepts which showcase a big part of the function of economic regulation in a network industry. In the next chapter, we summarize what economic theory has to say about ownership in network industries.

2.3 The Importance of Utility Ownership

For many decades economic theory assumed that in a market where competition is viable and active, privately owned firms are more efficient than those publicly owned. Empirical evidence to support the conclusion was only provided at the beginning of this millennium when Megginson and Netter (2001) published a paper confirming this theoretical expectation.

In countries where institutions could be classified as insufficiently strong (Guasch, 2004, for example, gives an overview of South America's experiences) privatization of network industries did not always yield the expected results. On the other hand, extensive research conducted in other countries points out the positive effects of regulation and changes in utility ownership structure. Estache and Rossi (2010) explored a representative sample of 220 electric utilities from 51 development and transition countries in period 1985–2005 to show that establishment of a regulatory agency was essential in the increase of efficiency and that the privatized firms were more efficient than regulated, state-owned enterprises. An even more extensive study, conducted by the World Bank (Gassner et al., 2009) used a dataset of 1,200 utilities (water distribution, waste water collection and treatment, electricity distribution) in 71 development and transition economies in Central and Eastern Europe. The sample included 301 utilities with private sector participation (PSP) and 926 state-owned enterprises. Table 1 illustrates several findings of the study.

Table 1: Improvements made by PSP firms compared to state-owned enterprises over a period of no less than five years

Criterion	Improvement
Number of residential water connections	+ 12 %
Number of residential water connections per utility worker	+ 54 %
Number of residential electricity connections per utility worker	+ 29 %
Residential sanitation coverage (streets/waste) and sanitation services	+ 19 %
Water sold per utility worker	+ 18 %
Electricity sold per utility worker	+ 32 %
Collection rate	+ 45 %
Electricity lost in distribution	- 11 %

Source: Gassner et al., 2009.

Other interesting observations include an over 20 % reduction in the number of utility employees and an increase in operational efficiency. The study found no considerable difference in the scope of investment undertaken by state-owned and privately-held enterprises.

Among the developed European countries, Great Britain has had the most experience with regulating and privatizing natural monopolies. The country privatized almost all large network industries, predominantly with the application of the RAB approach. In almost all regulated and privatized industries privatization led to increased efficiency and reduced customer prices (Parker, 2004), securing at the same time adequate returns for the private owner, full cost recovery, and equal or higher quality of services. There are, however, two controversial cases that may argue otherwise: the privatization of water supply enterprises and the privatization of the rail infrastructure manager.

A decrease in employment following privatisation (and after introducing economic regulation) as observed in Gassner et al. in 2009 in developing and transitional countries was also recorded in Great Britain.

Table 2: Decrease in employment in certain Great Britain network industries, as a result of privatization and the change in retail prices

Industry	Number of employees AT privatization/(year)	Number of employees AFTER privatization/(year)	Changes (real ¹) in end user prices (time of study)
Electric power distribution	127,300 (1990/1991)	66,000 (1996/1997)	from -25 to -34% (1990-1999) ²
Telecommunications (British Telecom)	238,000 (1979/1980)	124,700 (1999)	-48% (1984-1999) ³
Gas distribution	92,000 (1986)	70,000 (1994)	-26% (1986-1997) ⁴

- 1 The figure is based on the general price level growth, which means that the nominal drop was even greater.
- 2 Measured in England and Wales.
- 3 In this case the decrease can also be attributed to technological progress and, indirectly, an increase in competition as a result of privatization.
- 4 In the original text, "2.6% per year", which would amount to 26.6% in 11 years; rounded down.

Source: Parker, 2004.

Some other studies (i.e. Pendleton, 1997) have shown that the increasing efficiency of companies, which was reflected through lower labor costs, was mainly the result of a reduction in the number of (excess) employees and did not include wage cuts.

3 Proposals on the Organization of Infrastructure Management, Financing, and Regulation in Slovenia

In the area of economic regulation in Europe there are basically two approaches. A regulator (agency) may be one that has a number of sectors, each covering a distinct area, or the regulators are separated organizational units (separate agencies) for specific network operations. In Slovenia the organization of these functions is partly a consequence of the requirements

of the EU directives, and partly of the historical reasons and maneuvers of various interest groups.

Among the network activities listed in the introductory chapter, we have a regulator (as an agency), which carries out the functions of the economic regulation of network activity, as envisaged in economic theory and practice, established in the following major areas:

- postal services (regulator APEK, recently renamed to AKOS);
- telecommunications – fixed and mobile network (the regulator APEK);
- distribution of electricity and gas (regulator AGEN RS).

In light of the topics treated so far, we outline several propositions, based on which we can discuss how an efficient organization of infrastructure management and regulation in Slovenia could look like:

- Slovenia is a small country, so the planning and management of infrastructure is also a boutique industry and the number of experts who can dominate this area is correspondingly limited. The small size of the country dictates that economic regulation has to be organized as efficiently as possible. For example, the rail traffic subsystem controller – the Office of the Rail Regulator in the UK – employs around 300 people. A controller in Slovenia would never be able to employ on such a scale, simply because of the cost burden to the regulated company. Nevertheless, in principle the complexity of the Slovene rail system and of the British one, at its core and the economic laws that govern it, cannot be very different.
- For some network industries, due to their nature, because of the losses in the economies of scale or other aspects it will never make sense to have more than one infrastructure manager (the railway infrastructure is one such example).
- When the economies of scale allow more than one infrastructure manager, creating several managers makes sense (how many is a matter of economic analysis), so that the benefits of their mutual competition can be obtained.
- In cases where the infrastructure management is fragmented down to a level that is no longer economically optimal (due to diseconomies of scale), it becomes necessary to create incentives for mergers of companies. One of the most prominent regulators of water distribution and sanitation services in the EU, Portugal's ERSAR, is continuing the reorganization of services related to water (drinking water and sewage) that begun in 1993. The reorganization led to a transformation from total fragmentation at the level of numerous municipalities to mergers at the level of regions.
- When different types of infrastructure are mutually complementary, it is also possible to combine infrastructure management, although funding

remains separate. An example of such an organization is Trafikverket, the central controller of the railway and road infrastructure in Sweden, which is also responsible for coordinated planning of road, rail, air, and maritime infrastructure.

- In other cases, it makes sense to create conditions for the development of competition and it is better to establish several infrastructure managers instead of one. The network industries, in which a transition from a single to multiple infrastructure managers is taking place, are not many and take time. An example would be the transition from one national provider of telecommunication services (which is at the same time also the infrastructure manager) to a competitive market of fixed and mobile communication services. Another similar example could be the liberalization of postal services.

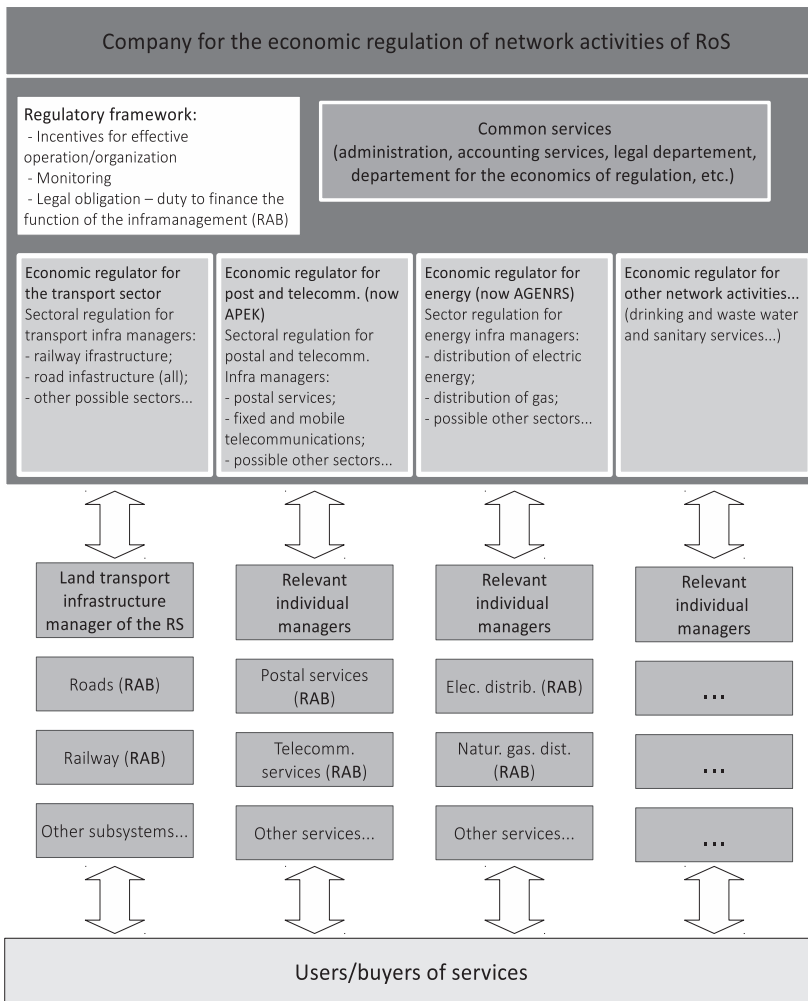
Figure 2 presents how the economic regulation of network industries could be organized in Slovenia to exploit the similarity among different areas through shared services. It is important to point out that within such an organization each sectoral regulator should have its own director, who has his/her own supervisory board (or council, if the form of an agency was chosen). The composition of such a body has to be different for each sector (since in principle each sector concerns the various stakeholders and interest groups). We do not address further details of such an organization here but we assume that it should follow best practice in terms of independence as well as corporate governance.

3.1 Infrastructure Management in Slovenia

As noted before the ownership of the infrastructure manager is not a trivial question. But in any case it is necessary to economically regulate the infrastructure manager, if it does not operate in a competitive market. Transferring the management of a natural monopoly to a private partner, if the monopoly is not economically regulated, is unreasonable in terms of social welfare outcomes. In principle, it is also possible to choose other forms of organization of relations between the state and infrastructure manager, which do not require economic regulation as presented in this paper. These include for example, long-term concession contracts or management contracts.

Thus empirical research clearly points to the benefits of economic regulation, which can be substantially increased through later privatisation, when the development of competition is possible. In those sectors, where it is likely impossible to introduce competition, the answer to the question whether to privatise or not, is less clear. To shed some light on this issue, we review below the studies on the effectiveness of economic regulation of state owned companies in Slovenia.

Figure 2: A vision of management and economic regulation of the network activities in Slovenia



Source: Authors

Hrovatin (2010) cites a number of results from comparative analyses on the effectiveness of Slovenian infrastructure managers, which are predominantly owned by the state (or municipalities):

- Slovenian distributors of drinking water on average reached only 84 % cost-effectiveness in the period 1997–2003, where the least efficient company operated with 67 % efficiency, and the most efficient with 93 %.

- Compared to foreign distributors of natural gas (the Netherlands, the United Kingdom) for the year 2003, the efficiency of Slovenian distribution companies was at 48 %; and Hrovatin and Zoric (2012a) in a recent study concluded that there were no major shifts in cost-efficiency in the period 2007–2011.

A similar comparison, based on data for 2003, was also carried out for electricity distributors:

- In comparison to the British and Dutch distribution companies, the Slovenian companies operator with 58 % cost efficiency; more recent research for this sector (Hrovatin & Zorič, 2012b), which focused on the period 2004–2010, was able to measure a mere 1 % improvement in the OPEX efficiency, which led to the conclusion that the failure to produce a significant efficiency improvement was the result of “lax regulation”.
- Consistent with economic theory, Hrovatin (2010) cites other research, which concludes, that the differences in efficiency between the Slovenian and foreign companies are explained by the small size of firms (inadequate economies of scale) and the lack of proper regulation.

If we summarize the research findings in Slovenia and abroad, the regulation of companies, when they are state-owned, is in principle less effective or ineffective. Such a result is to be expected, since state ownership is inextricably linked to political appointments, stronger pressures of rent-seeking interest groups, and the manipulation of the concept of “national interest”.

These findings suggest, that even in those network industries, where it will not be possible to introduce some form of competition, privatisation should still be considered. In practice, the main reason is the consistent inability of Slovenian politicians to establish the appropriate mechanisms for the accreditation of adequate corporate leadership, and their inability to stop interfering in the daily operations of state owned companies.

To summarise, for those areas where regulation is in place and it is possible to introduce competition at some level, the professional debate about whether to include private capital in the management infrastructure is redundant, since all expectations from theory and empirical studies point to the fact that this is necessary. In those cases where competition cannot be introduced at any level (e.g. management of railway or road infrastructure), the only impulses that mimic the incentives of competition come from the regulator. However, taking into account the overview of experiences in Slovenia (i.e. the efficiency of economic regulators in Slovenia), the regulator is unable to carry out his functions in full if the regulated companies are owned by the state, because the regulator can never be fully independent from the state. Therefore, privatization seems justified even in those cases, where it is economically sensible to have only a single infrastructure manager. Given the global experience, in part summarized in this paper, it is only in this case

that we can expect the necessary antagonism to be generated between the regulator and the regulated firm so that the first one can start to perform its function properly.

The available data suggests that the privatization is the economically sensible ultimate goal. In this context, it is necessary to bear in mind that such a process also leads to a long-term and gradual reduction of excess employment in the infrastructure management companies, which may represent several 10,000 employees. However, it is also important to note, that such a process cannot significantly affect the rate of unemployment in the country because:

- It is a long-term process which would, judging by the experience of other countries, last for several years;
- It largely concerns technical staff (and not administrative staff or public officials, for example), who are more mobile in the economy;
- Such a process reduces the cost burden of the economy in general, increases its competitiveness, and indirectly increases employment in the economy.

Ultimately, however, it is also necessary to realize that even with the introduction of regulatory incentives, all of the challenges associated with the meaning of ownership are not resolved (Helm, 2009). There are a number of economic, policy, and technical issues, where in some cases, solutions were already proposed, while for others it is at least clear that they require special attention. There is no reason why Slovenia should repeat the mistakes of other countries in regulation and/or privatization.

4 Conclusion

The state of infrastructure, its development, and the amount of funds devoted to it is one of the key elements of competitiveness of an economy. A global awareness of the importance of these issues is growing, and reforms that will fundamentally change the approach infrastructure related issues are in preparation.

Slovenia does not have a comprehensive overview of the state of its infrastructure and it does not have an efficient and transparent system for the management of its infrastructure. A similar assessment would apply to infrastructure procurement and a comprehensive national plan for infrastructure.

In this paper we have tried to outline a vision for the financing and management of physical Infrastructure in network industries in Slovenia. This vision establishes a financing model (RAB) and a central organization – the economic regulator – in charge of incentives for the effective management of the infrastructure in various network industries. While this is not necessarily an indispensable part of the proposal, empirical research suggests that

the effects of economic regulation can be further improved through privatisation of infrastructure managers. Only in this case can we expect that an appropriate antagonism will be created between the regulator and the regulated company, which will allow an uninhibited performance of the former.

Through these changes, a process of economic restructuring would come about, which does not reduce the scope or content of the welfare state, but represents merely a transition to a long-term, more sustainability-based economy. Through the increase in the Slovenia's competitiveness, it even allows the expansion of the boundaries of the welfare state.

We may consider the introduction of economic regulation and the RAB model in the extent presented in this paper to be a challenge. It is even a greater challenge to consider privatisation in network industries, knowing well that the perception of the role of private capital by the Slovenian public is very negative. The latter being the result of efforts by a number of interest groups, which benefit from the existing order of things. It is illusory to expect that the public institutions will be set free from their grip by themselves. Thus, the only means in overcoming this challenge is the mobilization and the rising awareness of civil society and the affected parts of the economy (e.g. a coordinated and persistent effort by the main chambers of commerce), which actually bear the burden and the consequences of inefficiency in the management and financing in network industries in Slovenia.

Dejan Makovšek, PhD, is a Policy analyst at the International Transport Forum at the OECD in Paris. For a number of years he worked as a Management Consultant in KPMG business advisory, Ltd. in Slovenia, serving the public sector and private sector clients. He worked on a number of consulting projects, related to the topics treated in this paper.

Klavdij Logožar, PhD, is an Associate Professor of International Economics and Business Logistics at the University of Maribor, Faculty of Economics and Business. He is an expert in logistics optimisation projects and author of several publications related to the topics treated in this paper.

References

- Dobbs, R., Pohl, H., Lin, D. Y., Mischke, J., Garemo, N., Hexter, J., et al. (2013). *Infrastructure productivity: how to save \$1 trillion a year*. McKinsey Global Institute.
- DRSC 2014. Notification: Omejitev nosilnosti in uvedba izmenično enosmernega prometa na nekaterih premostitvenih objektih. Slovenian Road Agency. Available at: <http://www.dc.gov.si/> [retrieved 23.1.2014]
- Erbetta, F. & Cave, M. (2007). Regulation and Efficiency Incentives: Evidence from the England and Wales Water and Sewerage Industry. *Review of Network Economics*, 6 (4). Article 1. ISSN 1446–9022
- Estache, A. & Rossi, M. A. (2010). Regulatory Agencies: Impact on Firm Performance and Social Welfare Policy Research Working Paper 4509. World Bank. CCRP-Discussion-Paper-22-Stern-March_13
- Evans, A.W. (2007). Rail Safety and Rail Privatisation in Britain. *Accident Analysis and Prevention Journal*, 39 (3), 510–523. Epub 2006 Oct 30.
- Filippini, M., Hrovatin, N., & Zorić, J. (2008). Cost Efficiency of Slovenian Water Distribution Utilities: An Application of Stochastic Frontier Methods. *Journal of Productivity Analysis*, 2 (29), 169–182.
- Gassner, K., Popov, A., & Pushak, N. (2009). Does Private Sector Participation Improve Performance in Electricity and Water Distribution? *Trends and Policy Options*, 6. The World Bank.
- Helm, D. (2009a). Infrastructure Investment, the Cost of Capital, and Regulation: An Assessment. *Oxford Review of Economic Policy*, 25 (3), 307–326.
- Helm, D. (2009b). The Challenge of Infrastructure Investment in Britain. In *Delivering a 21st Century Infrastructure for Britain* (co-authored B. Caldecott, & J. Wardlaw). Policy Exchange.
- Helm, D.R. (2008). A New Regulatory Model for Water: The Periodic Review, Financial Regulation and Competition.
- Hendricks, W. (1977). Regulation and Labor Earnings. *Bell Journal of Economics*, 8, 183–196.
- Hrovatin, N. & Zorić, J. (2012a). Primerjalna analiza učinkovitosti dejavnosti sistemskih operaterjev distribucijskih omrežij zemeljskega plina v obdobju 2007–2011. Ekonomska fakulteta Univerza v Ljubljani, Inštitut za javni sektor – RCEF.
- Hrovatin, N. & Zorić, J. (2012b). Primerjalna analiza učinkovitosti dejavnosti distribucije električne energije v sloveniji v obdobju 2004–2010. Končno poročilo (za distribucijska podjetja). Ekonomska fakulteta Univerza v Ljubljani. Inštitut za javni sektor – RCEF.
- Hrovatin, N. (2010). Potentials for Savings in the Slovenian Public Enterprises and Investments in Infrastructure. *Uprava*, 8 (3), 7–37.
- IJS. (2011). Osnutek predloga Nacionalnega energetskega programa Republike Slovenije za obdobje do leta 2030: »aktivno ravnanje z energijo«. IJS Delovno poročilo IJS-DP-10324. Ministrstvo za gospodarstvo RS.
- Joskow, P. L. (2007). Regulation of Natural Monopolies. In Polinsky & Shavell (eds.), *Handbook of Law and Economics*, 1st Edition. Imprint: North Holland.
- Kerf, M., Gray, D.R., Irwin, T., Levesque, C., Taylor, R. R., & Klein, M. (1998). Concessions for Infrastructure: A Guide to Their Design and Award. World Bank Technical paper no. 399 Finance, Private Sector, and Infrastructure Network. World Bank and Inter-American Development Bank.

- Laffont, J. J. & Tirole, J. (1993). *A Theory of Incentives in Procurement and Regulation*. MIT Press.
- Littlechild, S. C. (1983). *Regulation of British Telecommunications' Profitability*. Report to the Secretary of State. HMSO: London.
- Moszoro, M. (2012). *Efficient Public-Private Capital Structures*. IESE Business School. Barcelona. Spain.
- Moszoro, M. (2013). Overcoming Opportunism in Public-Private Project Finance. *Journal of Applied Corporate Finance*, 25 (1), 89–96.
- Parker, D. (2004). The UK's Privatisation Experiment: The Passage of Time Permits a Sober Assessment. CESIFO working paper no. 1126, category 9: industrial organisation.
- Parker, D. & Hartley, K. (2003). Transaction Costs, Relational Contracting and Public Private Partnerships: A Case Study of UK Defence. *Journal of Purchasing & Supply Management*, 9, p. 98
- Pendleton, A. (1997). What Impact Has Privatization Had on Pay and Employment: A Review of the UK Experience. *Industrial Relations* 52 (3), 554–579.
- Pollitt, M. G. & Smith, A. S. J. (2002). The Restructuring and Privatisation of British Rail: Was It Really that Bad? *Fiscal Studies*, 23 (4), 463–502.
- Posner, R. A. (1971). Taxation by Regulation. *Bell Journal of Economics and Management Science*, 2. 22–50.
- Računsko sodišče RS. (2009). Revizijsko poročilo: Izvajanje in financiranje avtocestnega programa. Dostopno na: www.rs-rs.si
- Rose, N. L. (1987). Labor Rent Sharing and Regulation: Evidence from the Trucking Industry. *Journal of Political Economy*, 95, 1146–1178.
- Salinger, M. E. (1984). Tobin's q, Unionization, and the Concentration-Profit Relationship. *Rand Journal of Economics*, 15, 159–170.
- Schuurman, E. J. & Makovšek, D. (2006). Assessment Report: The Institutional Role and Related Financial Processes of the Slovene Rail Infra Manager - AZP. Twinning Project SI/03/IB/TR/01. Maribor: Javna agencija za železniški promet RS.
- Stern, J. (2013). The Role of the Regulatory Asset Base as an Instrument of Regulatory Commitment. Centre for Competition and Regulatory Policy (CCRP). City University London. CCRP Working Paper No. 22.
- SVREZ. (2008). Resolucija o nacionalnih razvojnih projektih za obdobje 2007–2023 (dopolnjena januar 2008). Služba vlade RS za razvoj (SVREZ).
- Tajnikar, M., Hrovatin, N., Lahovnik, M., Ponikvar, N., Rant, M., Došenović Bonča, P., & Zorič, J. (2002). Projekt koncentracije kapitala in poslovnih funkcij v elektrodistribucijskem sistemu Republike Slovenije (Project of concentration of capital and business functions in the electricity distribution system of the Republic of Slovenia). Ljubljana: Ekonomska fakulteta.

POVZETEK

1.02 Pregledni znanstveni članek

Vizija politike financiranja in upravljanja fizične infrastrukture v omrežnih dejavnostih v Sloveniji

Ključne besede: omrežne dejavnosti, ekonomska regulacija, lastništvo, učinkovitost, privatizacija, financiranje infrastrukture, medgeneracijska enakost, javne storitve

V svetu že dlje časa potekajo razprave o potrebah in načinih financiranja investicij v novo ali obstoječo infrastrukturo na področju prometa, energetike in drugi infrastrukturnih podsistemov. McKinsey Global Institute (Dobbs et. al, 2013) je na podlagi lastnih analiz in analiz mednarodnih inštitucij ocenil globalno potrebne investicije v infrastrukturo do leta 2030 na okrog 57 trilijonov USD. Samo v podsistemu prometne infrastrukture v EU so bile investicije v enakem obdobju ocenjene na 1,5 trilijonov EUR. Takšne ocene so, čeprav pripravljene z dolžno skrbnostjo, seveda lahko zgolj ilustrativne, saj mnoge države ne razpolagajo z ustreznimi podatkovnimi podlagami, ki bi omogočale čim bolj informativno oceno potreb investicij, ne samo v novo infrastrukturo, ampak tudi v obstoječo. Vendarle pa podajajo vsaj velikostna razmerja. V Sloveniji je Resolucija o nacionalnih razvojnih projektih 2007–2023 svoj čas ocenjevala potrebne investicije v železniško infrastrukturo v obravnavanem obdobju na 8,9 milijard EUR, potrebne investicije v energetska infrastrukturo naj bi se po podatkih Nacionalnega energetskega programa (IJS, 2011) v obdobju 2010–2030 gibale na ravni 24,99 milijonov EUR, nekaj ocen, ki jih v članku ne navajamo, pa je bilo podanih tudi za druge infrastrukturne podsisteme. Tudi ocene potrebnih investicij, ki so bile podane v Sloveniji, so bile predmet različnih polemik v zvezi z obsegom ali vsebino investicij. Načeloma pa je sprejeto dejstvo, da Slovenija danes ne razpolaga z jasno, splošno sprejeto, predvsem pa celovito strategijo, kako namerava svojo infrastrukturo financirati, naročati oziroma izgraditi ali izvajati in upravljati. Dodatni izzivi pa se pojavljajo tudi na drugih področjih, kot je na primer ocenjevanje upravičenosti investicij, kjer v Sloveniji prav tako ne sledimo najnovejšim dognanjem in dobri praksi v tujini.

Pojem »(fizična) infrastruktura« se v tem prispevku pretežno nanaša na kontekst t. i. omrežne dejavnosti. Te so zaradi svojih značilnosti predmet več neučinkovitosti delovanja trga (angl. *market failures*). Te neučinkovitosti so posledica značilnosti omrežnih dejavnosti, ki navadno izpolnjujejo pogoje za uvrstitev v klasifikacijo t. i. naravnih monopolov (npr. distribucija električne energije, distribucija in črpanje vode ter kanalizacija in obdelava odpadnih vod, distribucija plina, železniška infrastruktura, cestna infrastruktura, segmenti telekomunikacijskega omrežja, pristaniška infrastruktura, rezervirane poštne storitve).

Način, na katerega so države v preteklosti v preteklosti obravnavale infrastrukturo, se spreminja, glavno vlogo pri tem pa igra vse boljše razumevanje delovanja spodbud v ekonomski regulaciji upravljavcev infrastrukture ter evolucije mehanizmov financiranja in naročanja infrastrukture, kot so npr. različne oblike projektnega financiranja. S spremembo svojega odnosa so države želele rešiti več problemov, med katerimi so predvsem naslednji:

- (Naravni) monopolist nima ustreznih spodbud za učinkovitost zaradi neobstoja ali premajhne konkurence.
- Vlade (in v preteklosti tudi regulatorji) so nagnjene h kratkovidnosti in težijo k zniževanju stroškov storitev, ki izhajajo iz infrastrukture, na tako raven, da je omogočena samo povrnitev tekočih stroškov iz poslovanja, ne pa tudi stroškov amortizacije (onemogočeno je pokrivanje celotnih stroškov; v svetu pa se je v tem kontekstu uveljavil pojem full cost recovery). Ko so upravljavci infrastrukture podjetja v državni lasti, to v praksi pomeni, da ta delujejo, dokler lahko delavci v podjetju dobivajo plače, medtem ko se fizično stanje infrastrukture slabša. Takšen položaj onemogoča optimizacijo življenjskih stroškov infrastrukture in s tem povzroča dodatne stroške, uvaja tudi medgeneracijsko nepravičnost, saj se odloženi stroški nadomestitvenih ali obnovitvenih investicij prenašajo na naslednjo generacijo davkoplačevalcev oziroma uporabnikov, onemogoča pa tudi investiranje zasebnega kapitala.
- Upravljavci infrastrukture v javni lasti se težko ubranijo pritiskom lastnika na zmanjševanje stroškov posameznih investicij v infrastrukturo, ne da bi upoštevali vpliv takšnih prihrankov na kasnejše stroške obratovanja in vzdrževanja te infrastrukture (Parker & Hartley, 2003).

Med danes najbolj razširjene in dodelane sisteme regulacije v najrazvitejših državah spada oblika regulacije s spodbudami. Ta temelji na osnovi, iz katere določimo izhodiščno ceno za storitev monopolista (regulirana vrednost sredstev – RAB), in na mehanizmu, po katerem se ta cena spreminja skozi čas – cenovna kapica (RPI-X model). V takšnem sistemu regulacije je upravljavcu podeljena licenca (dovoljenje za opravljanje dejavnosti), na katero so vezane njegove pravice in obveznosti – imenujemo jo lahko tudi regulatorna pogodba.

Pri prvem principu najprej potrebujemo osnovo, na podlagi katere se bo izračunavala cena (monopolistove) storitve oziroma določal njegov donos (angl. *allowable return*). To osnovo predstavlja regulirana vrednost sredstev (v nadaljevanju RAB – angl. *Regulatory Asset Base*). To so sredstva, s katerimi monopolist izvaja dejavnost, ki je predmet regulacije (npr. pri distributerju električne energije so to vsa sredstva, ki jih potrebuje, da lahko ustrezno opravlja svojo funkcijo). Regulator določi RAB tako, da skuša oceniti ustrezno vrednost sredstev (ta ni nujno knjigovodska) ter investicije, ki so potrebne, da se ohranja (finančna in uporabna) vrednost teh sredstev (amortizacija). Upošteva pa tudi nove investicije v širitev zmogljivosti ali dvig kakovosti storitev/proizvodov, ki povečujejo RAB. Poleg ocene vrednosti RAB mora

regulator ugotoviti tudi, kakšni so stroški tekočega poslovanja monopolista, in končno, kakšen je strošek (lastniškega in dolžniškega) kapitala.

Z RAB je določena osnova za določitev izhodiščne cene infrastrukturnih storitev. Samo uravnavanje cene skozi čas pa je prav tako instrument regulatorja. Eden danes najbolj uveljavljenih je model cenovne kapice RPI-X, pri čemer RPI predstavlja rast splošne (ali druge izbrane) ravni cen, X pa predstavlja popravek za neučinkovitost.

Poenostavljeno povedano, po tem principu regulator za monopolista določi, da le-ta lahko svoje cene povečuje za rast izbrane ravni cen (lahko inflacije ali drugega primernege indeksa cen), zmanjšano za faktor neučinkovitosti, ki jo želimo v določenem obdobju odpraviti. Neučinkovitost regulator določi prek primerjalnih analiz z drugimi enakimi ali podobnimi družbami v državi, ali s primerjavami s tujimi podobnimi družbami. Najučinkovitejše družbe so na meji učinkovitosti (meja učinkovitosti – angl. *efficiency frontier*).

Ekonomska regulacija dejavnosti, ki imajo značilnosti naravnega monopola, je v vsakem primeru nujna. Vprašanje lastništva prav tako ni nepomembno in v tistih dejavnostih, kjer je v neki obliki konkurenco mogoče vključevati (razgradnja monopola), privatizacija jasno daje boljše rezultate, morebiti tudi zato, ker se s spremembo lastništva prekine »protekcioniistični odnos« med državo in lastnim monopolistom in omogoči, da do konkurence sploh pride. V primerih, kjer konkurenca sploh ni mogoča, je odgovor na vprašanje privatizirati ali ne manj jasen. V vsakem primeru pa ostajajo odprta tudi vprašanja o tem, v kakšnem obsegu (npr. ali je 100 % privatizacija edina pot) ali načinu lahko poteka sodelovanje z zasebnim sektorjem, da bi še bili deležni koristi večje učinkovitosti, hkrati pa zato plačali čim nižjo ceno v pričakovanih donosih zasebnega sektorja.

Glede na vse do sedaj navedeno postavljamo teze, ki so okvir za določanje učinkovite organiziranosti upravljanja infrastrukture in regulacije v Sloveniji:

- Slovenija je majhna država, načrtovanje in upravljanje z infrastrukturo pa je tudi sicer butična industrija, zato je število strokovnjakov, ki lahko to področje obvladujejo, temu primerno omejeno. Majhnost države narekuje, da mora biti ekonomska regulacija zastavljena čim bolj učinkovito.
- Zaradi narave nekaterih omrežnih dejavnosti, zaradi izgub v ekonomiji obsega ali drugih vidikov (tak primer je železniška infrastruktura) v nekaterih primerih ne bo nikoli smiselno imeti več upravljavcev infrastrukture kot enega. Na drugih področjih, ko ekonomija obsega dopušča več upravljavcev infrastrukture, je smiselno, da jih je več (koliko, je stvar ekonomske analize), zato da lahko žanjemo koristi njihove medsebojne konkurence.

- V primerih, ko je upravljanje infrastrukture razdrobljeno na raven, ki ni več ekonomsko optimalna (zaradi diseconomij obsega), to pomeni, da je treba ustvariti spodbude za združevanje podjetij.
- Ko se različni tipi infrastrukture med sabo dopolnjujejo, je prav tako mogoče združevati upravljanje, čeprav financiranje ostaja ločeno.
- V drugih primerih je smiselno ustvariti pogoje za razvoj konkurence, oziroma bi namesto enega dobili več ponudnikov.

V tem članku smo skušali orisati trende ekonomske teorije in prakse v zvezi z financiranjem in upravljanjem infrastrukture v kontekstu omrežnih dejavnosti, pri čemer smo upoštevali nekatera najnovejša dognanja oziroma praktične izkušnje najrazvitejših držav.

Izid tega orisa je vizija, v kateri je vzpostavljena centralna organizacija – ekonomski regulator, ki bi skrbel za ustrezne spodbude in učinkovito upravljanje infrastrukture različnih omrežnih dejavnosti, obenem pa prek modela RAB omogočil transparentno upravljanje z vrednostjo infrastrukture. Čeprav to ni nujen sestavni del tega predloga, empirične raziskave kažejo, da je učinke ekonomske regulacije v nekaterih primerih mogoče še izboljšati, če na takšni podlagi izvedemo še privatizacijo upravljavcev infrastrukture, oziroma da ekonomski regulator sploh lahko začne v polnem obsegu izvajati svojo funkcijo.

Če je uvedba ekonomske regulacije in modela RAB izziv, je privatizacija ob zavedanju, da je pojmovanje vloge zasebnega kapitala v Sloveniji v javnosti močno negativno, v večini omrežnih dejavnosti v Sloveniji še težje uresničljiva. Slednje je posledica tudi tega, da obstaja vrsta interesnih skupin, ki jim obstoječa ureditev ustreza. Vendarle pa se je treba zavedati, da omrežne dejavnosti, kot osnova, na kateri se izvaja gospodarska aktivnost, pomenijo manjšino zaposlenih in gospodarstva v Sloveniji. Alternativna možnost morebitni tuji intervenciji (npr. »trojki«) sta mobilizacija in osveščanje civilne družbe ter prizadetih delov gospodarstva (del Gospodarske zbornice Slovenije, obrtniška zbornica, druga združenja, ki zastopajo interese podjetij v Sloveniji...), ki pravzaprav nosijo breme in posledice neučinkovitosti na področjih upravljanja, financiranja, naročanja in razvoja infrastrukture omrežnih dejavnosti v Sloveniji.

Prožnost dela v javnem in zasebnem sektorju v Sloveniji¹

Tatjana Kozjek

Fakulteta za upravo, Univerza v Ljubljani

tatjana.kozjek@fu.uni-lj.si

IZVLEČEK

Razprave o prožnosti organizacij na področju dela so bolj pogoste v zadnjih letih, predvsem kot posledica gospodarske recesije. Strukturne spremembe in globalizacija vplivajo tako na organizacije kot na zaposlene. Organizacije morajo ostati prožne, da se lahko odzivajo na nepričakovane spremembe povpraševanja in se prilagajajo novim tehnologijam ter drugim vplivom. Za povečanje prožnosti zato različno ukrepajo na področju obsega in časovne razporeditve dela, notranje mobilnosti zaposlenih ali na področju plač in stroškov dela. Prispevek prikazuje rezultate raziskave, v okviru katere se je ugotavljalo, ali obstajajo razlike glede prožnosti organizacij na področju dela med zaposlenimi v javnem in zasebnem sektorju v Sloveniji. Analiza rezultatov je pokazala, da zasebne organizacije pogosteje omogočajo notranjo numerično, funkcionalno ter prostorsko prožnost. Med organizacijami javnega sektorja pa so najbolj prožne javne agencije oziroma zavodi.

Ključne besede: numerična prožnost, funkcionalna prožnost, plačna prožnost, mobilnost, prožne oblike pogodb o zaposlitvah, javni sektor, zasebni sektor

JEL: J00, J24, J30, J60

1 Uvod

Organizacije, ki se želijo pravočasno odzivati na nepričakovane spremembe povpraševanja, se prilagajati novim tehnologijam in drugim vplivom, morajo ostati prožne. Za povečanje prožnosti zato različno ukrepajo na področju obsega in časovne razporeditve dela, notranje mobilnosti zaposlenih ali na področju plač in stroškov dela. V okviru raziskave, ki je prikazana v nadaljevanju prispevka, smo želeli ugotoviti, kolikšna je prožnost dela v organizacijah javnega in zasebnega sektorja v Sloveniji. Raziskava je bila izvedena s ciljem, da se analizira in primerja razlike v prožnosti dela v organizacijah javnega in zasebnega sektorja v Sloveniji. V okviru raziskave smo preverjali hipotezi:

H1: »Med zaposlenimi v javnem in zasebnem sektorju se pojavljajo statistično pomembne razlike v ocenjenih povprečnih vrednosti spremenljivk prožnosti.«

¹ Rezultati so povzeti po doktorski disertaciji Kozjek (2013).

H2: »Zaposleni v javnih agencijah ter javnih zavodih v primerjavi z zaposlenimi v drugih organizacijah javnega sektorja statistično pomembno višje ocenjujejo vrednosti spremenljivk prožnosti.«

Raziskavo smo izvedli z metodo CAWI (angl. *computer assisted web interview*). Povezavo do spletnega anketnega vprašalnika smo poslali po elektronski pošti na uradne elektronske naslove organizacij s prošnjo, da povezavo posredujejo svojim zaposlenim. Rezultati raziskave so namenjeni pripravljavcem sprememb na področju slovenske delovnopravne zakonodaje in menedžerjem organizacij, kot vidik dobrega organiziranja delovnega procesa, ki ne nazadnje vpliva tudi na učinkovitost ter uspešnost organizacij.

V prvem delu prispevka so prikazane različne vrste prožnosti na področju dela, ki so obravnavane v literaturi in smo jih proučevali v raziskavi. V drugem delu pa so prikazani rezultati analize in primerjave razlik v prožnosti dela v organizacijah javnega in zasebnega sektorja v Sloveniji.

2 Vrste prožnosti na področju dela

Za lažje razumevanje spremenljivk, proučevanih v okviru raziskave, so v tem poglavju obrazložene posamezne vrste prožnosti, ki so opredeljene v literaturi. Goodwin (2002, str. 109) *numerično prožnost* opredeljuje kot sposobnost organizacij in delodajalcev, da prilagajajo število zaposlenih spreminjajočim se potrebam v organizaciji. Altuzarra in Serrano (2010, str. 328) jo opredelita kot statistično prožnost, povezujeta pa jo z delom za določen čas. Tros in Wilthagen (2004, str. 171), ILO (2004, str. 14) ter Wachsen in Blind (2011, str. 11) jo delijo podrobneje, in sicer na zunanjo in notranjo numerično prožnost. *Zunanja prožnost* pomeni sposobnost organizacije, da z uporabo različnih oblik zaposlitev, z zmanjšanjem ali povečanjem števila zaposlenih prilagodi poslovanje organizacije spremembam na trgu dela. *Notranja prožnost* pa označuje sposobnost organizacije, da prilagaja delo poslovnim potrebam v okviru števila in strukture zaposlenih, predvsem s spremembo delovnega časa in števila delovnih ur.

Poleg časovnega vidika obravnave dela in prilagajanja števila zaposlenih pa je pomemben tudi organizacijski vidik, ki je obravnavan v *funkcionalni prožnosti*. Ta se po mnenju Trosa in Wilthagna (2004, str. 171) ter ILO (2004, str. 14) povezuje s prilagajanjem dela poslovnim potrebam z organizacijo dela in opredelitvijo nalog ter z razporejanjem zaposlenih na različna delovna mesta. Goodwin (2002, str. 110) ter Wachsen in Blind (2011, str. 11) pa jo razumejo kot sposobnost zaposlenih, da opravljajo več funkcij in nalog hkrati, oziroma da poleg svoje zaposlitve opravljajo še druga dela. Altuzarra in Serrano (2010, str. 328) jo opredelita kot dinamično prožnost. Eichorst in drugi (2010, str. 4) ločijo zunanjo in notranjo funkcionalno prožnost. Za *zunanjo prožnost* so pomembni prilagodljivi, usposobljeni, izobraženi in kompetentni posamezniki, ki so se sposobni prilagajati strukturnim spremembam. *Notranja prožnost* pa pomeni sposobnost organizacij, da reagirajo na spremembe v povpraševanju

s prožno organizacijo delovnega procesa. To zahteva usposobljene, izobražene in kompetentne zaposlene, ki so sposobni opravljati različne naloge.

Ekonomski vidik se proučuje v okviru prožnosti plač in stroškov dela oziroma prilagajanja plač delovni uspešnosti, rezultatom ter poslovni uspešnosti (Tros in Wilthagen, 2004, str. 171; ILO, 2004, str. 14; Wachsen in Blind, 2011, str. 11). Eichorst in drugi (2010, str. 4) jo povezujejo s prilagajanjem realnih plač makroekonomskim razmeram. Vermeylen in Hurley (2007, str. 69) opredelita še *eksternalizacijsko prožnost*, ki pomeni možnost zaposlovanja brez pogodbe o zaposlitvi, in sicer prek agencij za posredovanje dela.

Pri opredelitvi pojma *prožnost dela* s stališča organizacijske znanosti izhajamo z opredelitve pojma delo. Če se prožnost dela razume ozko, se pojmuje prožnost ljudi, delovnih priprav, predmetov dela in delovnih nalog. To pomeni, da delavec delovne naloge opravlja, kjer želi, kadar želi in kolikor dolgo želi (z upoštevanjem roka za izvedbo naloge) v okviru zmožnosti, ki jih ima, na razpolago pa ima vse potrebne delovne priprave in predmete dela. Če prožnost dela z organizacijskega vidika razumemo širše, se upošteva, da zaposleni za delo pri delodajalcu potrebujejo pogodbo o zaposlitvi, in se vidikom prožnosti dela v ožjem smislu doda še vidik prožnih oblik zaposlovanja, med katere se po ILO (2004a, str. 4), Černigoj Sadar ter drugi (2007, str. 137), Pitt Catcouplesova in drugi (2009, str. 4), Richmanova in drugi (2010, str. 4) uvrščajo delo za določen čas, krajši delovni čas, delo na daljavo, delitev delovnega mesta, strnjen delovni teden, prožni delovni čas in druge. Širše pojmovanje prožnosti dela torej vključuje tudi proučevanje delovnega časa in pogojev dela.

3 Metodologija

3.1 Raziskovalni hipotezi

V okviru raziskave, ki je prikazana v prispevku, smo preverjali naslednji raziskovalni hipotezi:

H1: »Med zaposlenimi v javnem in zasebnem sektorju se pojavljajo statistično pomembne razlike v ocenjenih povprečnih vrednosti spremenljivk prožnosti.«

H2: »Zaposleni v javnih agencijah ter javnih zavodih v primerjavi z zaposlenimi v drugih organizacijah javnega sektorja statistično pomembno višje ocenjujejo vrednosti spremenljivk prožnosti.«

3.2 Raziskovalni instrumentarij

Za preverjanje postavljenih hipotez je bil oblikovan anketni vprašalnik. Razdeljen je bil na dva sklopa vprašanj: prvi sklop je bil namenjen zbiranju demografskih podatkov sodelujočih in drugi podatkov o prožnosti organizacij.

Sodelujoči v raziskavi so spremenljivke prožnosti ocenjevali številčno z ocenami od 1 do 7, pri čemer je ocena 1 predstavljala najnižjo, 7 pa najvišjo oceno. Lestvica ocen je bila v odvisnosti od zastavljenega vprašanja naslednja:

- 1 – je zelo neprožna,
- 2 – je neprožna,
- 3 – je deloma neprožna,
- 4 – niti je, niti ni prožna,
- 5 – je deloma prožna,
- 6 – je prožna,
- 7 – je zelo prožna.

Vprašanja o prožnosti organizacij so vključevala vidike zunanje in notranje numerične prožnosti, funkcionalne prožnosti, prožnosti plač in stroškov dela, prostorske prožnosti (mobilnosti) ter prožnosti pogodb o zaposlitvah.

V povezavi z zunanjimi in notranjimi vidiki numerične prožnosti se je ocenjevala sposobnost organizacije, da prilagodi:

- raven oziroma število zaposlenih spreminjajočim se potrebam v organizaciji (F1),
- delo organizacijskim oziroma poslovnim potrebam z uporabo različnih oblik zaposlitev (F2),
- delo organizacijskim oziroma poslovnim potrebam z uporabo nadur (F3),
- delo organizacijskim oziroma poslovnim potrebam z uporabo avtorskih oziroma podjemnih pogodb (F4),
- delo organizacijskim oziroma poslovnim potrebam z najemanjem študentov (F5),
- delo organizacijskim oziroma poslovnim potrebam z zmanjševanjem števila zaposlenih (F6),
- delo organizacijskim oziroma poslovnim potrebam s povečanjem števila zaposlenih (F7),
- delo organizacijskim oziroma poslovnim potrebam s spremembo obsega oziroma števila delovnih ur (F8),
- delo organizacijskim oziroma poslovnim potrebam s časovno razporeditvijo dela oziroma s spremembo delovnega časa (F9).

V povezavi s funkcionalno prožnostjo se je ocenjevala sposobnost organizacije, da prilagodi vsebino dela posameznika organizacijskim oziroma poslovnim potrebam:

- glede opredelitve delovnih nalog in sicer s spremembo sistemizacije (F10),

- glede opredelitve delovnih nalog in sicer z organizacijskimi navodili (F11),
- z razporejanjem zaposlenih na različna delovna mesta brez spreminjanja pogodbe o zaposlitvi (F12),
- z razporejanjem zaposlenih na različna delovna mesta z odpovedjo stare in s ponudbo nove pogodbe o zaposlitvi (F13).

V povezavi s plačno prožnostjo se je ocenjevala sposobnost organizacije, da prilagaja plače:

- delovni uspešnosti posameznega zaposlenega (F14),
- rezultatom ter poslovni uspešnosti (F15).

V okviru prostorske prožnosti oziroma tako imenovane geografske prožnosti se je ocenjevala sposobnost organizacije, da zaposlene premešča na druga delovna mesta na drugo lokacijo (F16).

V okviru prožnih oblik pogodb o zaposlitvah se je ocenjevala sposobnost organizacije, da ustvarja prožne oblike pogodb o zaposlitvah, ki ustrezajo potrebam organizacije s/z:

- delom na daljavo oziroma od doma, torej znotraj države (F17),
- delom na daljavo iz tujine (F18),
- delom za določen čas (F19),
- prožnimi urami dela (F20),
- polovičnim oziroma krajšim delovnim časom (F21),
- delitvijo delovnega mesta (F22),
- zgoščenim delovnim tednom, kot je na primer delo 4 dni več ur, namesto 5 dni (F23),
- najemanjem agencijskih delavcev (F24),
- najemanjem priložnostnih delavcev (F25),
- najemanjem študentov (F26).

Raziskavo smo izvedli od 26. septembra 2011 do 26. oktobra 2011 v Sloveniji. Podatki so se zbirali s pomočjo metode CAWI (angl. *computer assisted web interview*). Povezavo do spletnega anketnega vprašalnika organizacij v javnem sektorju smo posredovali na elektronske poštne naslove oziroma v glavne pisarne Vlade Republike Slovenije, ministrstev, direktorátov, organov v sestavi ministrstev, vladnih služb, upravnih enot, občin, (javnih) agencij, Državne volilne in revizijske komisije, varuha človekovih pravic, informacijskega pooblaščenca, Banke Slovenije, računskega in ustavnega sodišča, notarske in odvetniške zbornice, vrhovnega državnega tožilstva, vrhovnega sodišča, državnega zbora in državnega sveta. Glede na dobro odzivnost zaposlenih v javnem sektorju smo povezavo na spletni anketni vprašalnik posredovali le enkrat in sicer 26. septembra 2011.

Povezavo do spletnega anketnega vprašalnika organizacij v zasebnem sektorju pa smo posredovali na 6000 uradnih elektronskih poštne naslovov, pri čemer so bile organizacije v vzorec izbrane naključno, elektronski poštni naslovi pa pridobljeni v Poslovnem registru Republike Slovenije. Povezavo smo posredovali dvakrat, in sicer prvič 26. septembra 2011 na 3000 uradnih elektronskih poštne naslovov in drugič 13. oktobra 2011 ponovno na 3000 že poslanih elektronskih poštne naslovov ter dodatnih 3000 elektronskih poštne naslovov.

3.3 Vzorec sodelujočih v raziskavi

Anketni vprašalnik je izpolnilo skupno 1009 zaposlenih v organizacijah zasebnega in javnega sektorja. Od tega je bilo 25,5 % zaposlenih v organizacijah zasebnega sektorja in 74,5 % v organizacijah javnega sektorja (3,8 % v vladnih službah, 12,9 % v ministrstvih, 0,7 % v direktoratih, 2,0 % v davčni upravi, 4,0 % v centrih za socialno delo, 4,6 % v inšpektoratih, 17,8 % v upravnih enotah, 14,2 % v občinah, 5,1 % v javnih zavodih oziroma javnih agencijah).

Opozoriti je treba na dejstvo, da je bila povezava do spletnega vprašalnika poslana po elektronski pošti na uradne elektronske naslove organizacij s prošnjo, da povezavo posredujejo zaposlenim; to pomeni, da v organizaciji anketnega vprašalnika ni izpolnil nihče, da so ga izpolnili le zaposleni na področju upravnih dejavnosti ali pa ga je izpolnilo več zaposlenih z različnih področij dela. Nizka odzivnost posameznikov, ki so anketo izpolnili, je posledica tudi dejstva, da je bila raziskava spletna. Med razlogi za nesodelovanje v raziskavi pa so posamezniki navedli, da:

- je bilo v času izvedbe raziskave še veliko drugih raziskav, v katerih so sodelovali,
- so se vodilni odločili, da zaposlenim ni dovoljeno sodelovati v raziskavah,
- nimajo časa.

Zaključki so torej omejeni le na del populacije, ki je bila zajeta v vzorec.

4 Rezultati raziskave

4.1 Primerjava med zaposlenimi v javnem in zasebnem sektorju

Test zanesljivosti, Cronbach's Alpha (0,916), je pri šestindvajsetih spremenljivkah prožnosti pokazal, da so podatki primerni za analizo. Z namenom, da bi preverili hipotezo H1: »Med zaposlenimi v javnem in zasebnem sektorju se pojavljajo statistično pomembne razlike v ocenjenih povprečnih vrednosti spremenljivk prožnosti.«, je bila izvedena primerjava povprečnih ocen in statistična pomembnost razlik posameznih spremenljivk prožnosti v javnem in zasebnem sektorju. Rezultati so prikazani v Tabeli 1.

Sodelujoči v raziskavi, zaposleni v organizacijah javnega sektorja, so s povprečno oceno 3,73 (kot drugo najbolj ocenjeno spremenljivko prožnosti) ocenili sposobnost organizacije, da prilagodi vsebino dela posameznika organizacijskim potrebam glede opredelitve delovnih nalog (s spremembo sistemizacije), kar je precej presenetljivo glede na zakonsko precej zahteven in dolgotrajen postopek spremembe sistemizacije. Predvidevamo, da so nekateri spregledali opombo »s spremembo sistemizacije«. Po Zakonu o javnih uslužbencih (ZJU-UPB3, 40., 41. člen) mora namreč za sistemizacijo v organih državne uprave in upravah samoupravnih lokalnih skupnosti skupna izhodišča določiti vlada, v okviru teh izhodišč pa jih določijo predstojniki v organih v sestavi ministrstev oziroma na predlog predstojnikov pristojni ministri. Zanimiv je tudi podatek, da so udeleženci, zaposleni v organizacijah zasebnega sektorja, to spremenljivko prožnosti organizacije ocenili z oceno 2,99. Verjetno je s tem povezano tudi dejstvo, da v večini organizacij zasebnega sektorja nimajo oblikovanih sistemizacij tako, kot jih imajo organizacije javnega sektorja.

Glede na obstoječo delovnopravno zakonodajo je še bolj presenetljiva povprečna ocena 3,67, s katero so zaposleni v organizacijah javnega sektorja (kot tretje najvišje ocenjeno spremenljivko) ocenili spremenljivko sposobnost organizacije, da prilagaja raven (število) zaposlenih spreminjajočim se potrebam v organizaciji. Zakon o javnih uslužbencih (ZJU-UPB3, 42., 43. in 44. člen) namreč določa, da morajo organi sklepati delovna razmerja in ravnati s kadri v skladu s kadrovskimi načrti, v katerih se prikažejo stanje in načrtovane spremembe glede strukture in števila zaposlenih za obdobje dveh let. Predlog kadrovskega načrta mora pripraviti predstojnik v skladu s predvidenimi nalogami, programom dela in proračunskimi možnostmi.

Spremenljivko sposobnost organizacije, da prilagodi delo z zmanjševanjem števila zaposlenih, so zaposleni v organizacijah javnega sektorja ocenili s povprečno oceno 3,10, kar je glede na obstoječo delovnopravno zakonodajo dokaj visoko ocenjena spremenljivka. Delovnopravna zakonodaja je bila v času izvedbe raziskave v Sloveniji glede prenehanja delovnega razmerja javnega uslužbenca precej toga, zato je visoka ocena najverjetneje posledica splošnega dogajanja na trgu dela v obdobju gospodarske recesije.

Z oceno višjo od 3 so v javnem sektorju ocenili sposobnost organizacije, da ustvarja prožne oblike pogodb o zaposlitvah z najemanjem študentov (s povprečno oceno 3,04). Zaposleni v organizacijah zasebnega sektorja so to spremenljivko ocenili s povprečno oceno 3,81, kar jasno kaže na to, da se organizacije zavedajo problema toge delovnopravne zakonodaje, zato raje zaposlujejo študente, ki na trgu dela niso posebej zavarovani pred izgubo zaposlitve.

Tabela 1: Razlike v povprečnih ocenah in statistična pomembnost razlik spremenljivk prožnosti sodelujočih, zaposlenih v organizacijah javnega (JS) in zasebnega (ZS) sektorja

Spremenljivka prožnosti	Povprečna ocena			Standardni odklon	F	p
	JS	ZS	Razlika (JS-ZS)			
F1	3,67	2,88	0,79	1,621	3,09	0,079
F2	3,31	3,79	0,31	1,755	13,91	0,000
F3	3,43	4,72	-1,29	1,912	92,74	0,000
F4	2,86	2,78	0,08	1,829	0,39	0,533
F5	3,17	3,81	-0,64	1,896	21,25	0,000
F6	3,10	2,69	0,41	1,834	9,13	0,003
F7	2,72	3,06	-0,34	1,693	7,48	0,006
F8	3,07	4,60	-1,53	1,928	124,80	0,000
F9	3,40	5,30	-1,90	1,990	194,80	0,000
F10	3,73	2,99	0,74	1,822	29,89	0,000
F11	4,14	4,91	-0,77	1,647	39,81	0,000
F12	3,53	4,06	-0,53	1,825	14,90	0,000
F13	2,71	2,45	0,26	1,694	4,22	0,400
F14	2,16	2,68	-0,52	1,651	17,79	0,000
F15	2,09	2,96	-0,87	1,639	51,09	0,000
F16	2,87	4,21	-1,34	1,865	98,77	0,000
F17	1,97	2,79	-0,82	1,751	37,79	0,000
F18	1,73	2,07	-0,34	1,498	8,14	0,004
F19	3,15	4,57	-1,60	1,872	106,08	0,000
F20	2,92	5,01	-2,09	1,984	236,07	0,000
F21	2,83	3,80	-0,97	1,837	48,87	0,000
F22	2,53	3,10	-0,57	1,744	18,21	0,000
F23	1,87	2,88	-1,01	1,673	64,82	0,000
F24	1,68	1,92	-0,24	1,362	4,81	0,029
F25	1,74	1,88	-0,14	1,374	1,68	0,195
F26	3,04	3,75	-0,71	1,873	25,03	0,000

Vir: lastni

Analiza statistično pomembnih razlik med ocenjenimi povprečji spremenljivk prožnosti v javnem in zasebnem sektorju je pokazala, da se v zasebnem sektorju pogosteje uporablja večina proučevanih oblik prožnega zaposlovanja. Največji statistično pomembni razliki se pojavljata pri oceni spremenljivke sposobnosti organizacije, da ustvarja prožne oblike pogodb o zaposlitvah s prožnimi urami dela (razlika med organizacijami javnega in zasebnega

sektorja je kar $-2,09$; $F=236,7$; $\alpha < 0,001$) in pri spremenljivki sposobnost organizacije, da prilagodi delo s časovno razporeditvijo oziroma delovni čas (razlika med ocenami v organizacijah javnega sektorja in zasebnega sektorja je $-1,9$; $F=194,8$; $\alpha < 0,001$). Presenetljivo je dejstvo, da je analiza statistično pomembnih razlik pokazala, da organizacije v javnem sektorju pogosteje kot v zasebnem prilagodijo delo z zmanjševanjem števila zaposlenih. Spremenljivka je bila namreč ocenjena s povprečno oceno $2,69$ v zasebnem oziroma $3,10$ v javnem sektorju ($F=9,1$; $\alpha < 0,005$). Rezultat je zagotovo posledica trenutnega dogajanja na trgu dela in večjega števila brezposelnih. Zaposleni v javnem sektorju prav tako občutijo pritisk glede svoje zaposlitve.

Rezultati kažejo, da imajo zaposleni v zasebnem sektorju v primerjavi z zaposlenimi v javnem sektorju boljše možnosti prožnega zaposlovanja. Največkrat so jim omogočene časovna prilagoditev dela, prožne ure dela in prilagajanje obsega delovnih ur. Dobro ocenjujejo tudi možnosti glede razporejanja na različna delovna mesta brez spreminjanja pogodb o zaposlitvi. V zasebnem sektorju imajo torej zaposleni v primerjavi z zaposlenimi v javnem sektorju boljše možnosti glede notranje numerične in funkcionalne prožnosti ter mobilnosti.

Zaposleni v javnem sektorju v primerjavi z zaposlenimi v zasebnem sektorju slabše ocenjujejo svoje možnosti glede prožnega zaposlovanja, kar kaže na to, da bodo potrebne spremembe delovnopravne zakonodaje tako, da bodo usmerjene v boljše možnosti glede prožnega zaposlovanja tudi za zaposlene v javnem sektorju. Tako zaposleni v javnem kot v zasebnem sektorju se strinjajo, da organizacije ne najemajo zaposlenih pogosto prek agencij za posredovanje dela. Zakaj je tako, bi težko zapisali, najverjetneje pa je to posledica nezaupanja oziroma slabih izkušenj, ki so jih imeli posamezniki. Zaposleni v javnem sektorju pa slabo ocenjujejo tudi možnosti za delo na daljavo.

Udeleženci v raziskavi, zaposleni tako v organizacijah javnega kot zasebnega sektorja, so torej najbolj podobno ocenili zunanjo numerično prožnost ter prožnost pogodb o zaposlitvah. Največje razlike v povprečnih ocenah med sodelujočimi v javnem in zasebnem sektorju so se pojavile pri notranji numerični prožnosti, funkcionalni prožnosti in geografski prožnosti.

Na podlagi analize rezultatov je hipoteza H1: »Med zaposlenimi v javnem in zasebnem sektorju se pojavljajo statistično pomembne razlike v ocenjenih povprečnih vrednosti spremenljivk prožnosti.« potrjena. Sodelujoči, zaposleni v zasebnem sektorju, spremenljivke, povezane s prožnostjo organizacij, v večini bolje ocenjujejo kot sodelujoči, zaposleni v organizacijah javnega sektorja. Največje razlike se pojavljajo pri notranji numerični prožnosti, funkcionalni prožnosti in geografski prožnosti.

4.2 Primerjava med zaposlenimi v javnih agencijah ter zavodih in zaposlenimi v drugih organizacijah javnega sektorja

Z namenom, da bi preverili hipotezo H2: »Zaposleni v javnih agencijah ter javnih zavodih v primerjavi z zaposlenimi v drugih organizacijah javnega sektorja statistično pomembno višje ocenjujejo vrednosti spremenljivk prožnosti.«, so v nadaljevanju prikazane primerjave povprečnih ocen in analiza statistično pomembnih razlik med ocenjenimi povprečji spremenljivk prožnosti posameznih organizacij v javnem sektorju.

Oblikovanih je bilo šest skupin organizacij, in sicer ministrstva in vladne službe, davčna uprava ter inšpektorati in direktorati, centri za socialno delo, upravne enote, občine, javne agencije in javni zavodi. Rezultati so prikazani v Tabeli 2.

Analiza je pokazala več statistično pomembnih razlik, in sicer so sodelujoči, zaposleni v javnih agencijah oziroma zavodih statistično pomembno višje ocenili večino spremenljivk prožnosti, kar kaže, da je prožnost večkrat omogočena prav tam, kar je sicer razumljivo, saj so te organizacije v primerjavi z drugimi v javnem sektorju samostojnejše. Zaposleni v javnem sektorju kritično ocenjujejo situacijo na področju prožnosti dela. Rezultati kažejo, da javne agencije oziroma zavodi v primerjavi z drugimi organizacijami v javnem sektorju pogosteje omogočajo prožno zaposlovanje.

Sodelujoči ocenjujejo, da občine v primerjavi z drugimi organizacijami v javnem sektorju največkrat omogočajo prilagajanje:

- ravni (število) zaposlenih spreminjajočim se potrebam v organizaciji ($F = 6,39; \alpha < 0,001$),
- dela z uporabo nadur ($F = 4,27; \alpha < 0,001$),
- dela z najemanjem agencijskih delavcev ($F = 3,70; \alpha < 0,005$),
- dela z najemanjem priložnostnih delavcev ($F = 5,14; \alpha < 0,001$).

Najmanje agencijskih in priložnostnih delavcev je najverjetneje povezano z izvajanjem različnih projektov in z javno-zasebnim partnerstvom.

Raziskava je pokazala, da upravne enote na področju prožnega zaposlovanja najpogosteje prilagajajo:

- delo z zmanjšanjem števila zaposlenih ($F = 14,50; \alpha < 0,001$),
- vsebino dela posameznika organizacijskim potrebam glede opredelitve delovnih nalog (s spremembo sistemizacije) ($F = 4,39; \alpha < 0,001$),
- vsebino dela posameznika organizacijskim potrebam glede opredelitve delovnih nalog (z organizacijskimi navodili) ($F = 4,77; \alpha < 0,001$),
- vsebino dela posameznika organizacijskim potrebam z razporejanjem zaposlenih na različna delovna mesta brez spreminjanja pogodbe o zaposlitvi ($F = 3,42; \alpha < 0,005$).

Tabela 2: Povprečne ocene in statistična pomembnost razlik spremenljivk prožnosti za posamezne organizacije javnega sektorja

Spremenljivka prožnosti	MIN VS	DU IN DIR	CSD	UE	OB	JA JZ	F	p
F1	3,21	3,42	2,89	3,97	4,12	3,84	6,39	0,000
F2	3,04	2,68	3,21	3,15	3,81	4,04	6,41	0,000
F3	3,13	3,12	3,22	3,27	3,99	3,84	4,27	0,000
F4	2,73	2,16	1,97	2,38	3,33	3,65	12,77	0,000
F5	3,31	3,32	1,94	2,40	3,69	4,16	13,28	0,000
F6	2,64	3,38	1,65	3,99	2,74	3,10	14,49	0,000
F7	2,75	2,18	2,08	2,30	3,15	3,43	7,46	0,000
F8	2,72	2,72	2,94	2,91	3,23	3,74	4,71	0,000
F9	3,09	2,85	3,09	3,21	3,77	4,24	5,57	0,000
F10	3,42	3,52	3,24	4,19	3,88	4,02	4,39	0,000
F11	3,68	4,13	4,15	4,61	4,22	4,43	4,77	0,000
F12	3,07	3,52	3,76	3,93	3,49	3,87	3,42	0,002
F13	2,26	2,64	2,36	2,79	2,93	3,39	4,27	0,000
F14	1,95	2,10	1,91	1,93	2,45	2,70	3,26	0,004
F15	1,89	1,92	1,94	1,92	2,47	2,24	2,84	0,010
F16	2,87	3,62	2,31	2,89	2,50	2,93	3,61	0,002
F17	2,07	1,66	1,39	1,50	2,03	2,23	9,40	0,000
F18	1,84	1,52	1,30	1,35	1,76	1,88	6,41	0,000
F19	3,22	2,38	3,10	2,77	3,35	3,36	5,85	0,000
F20	2,76	2,45	3,00	2,64	3,25	3,70	4,03	0,001
F21	2,81	2,45	3,37	2,42	2,79	3,14	4,93	0,000
F22	2,19	2,24	2,90	2,72	2,45	2,63	3,02	0,007
F23	1,75	1,54	1,97	1,81	1,90	2,00	2,04	0,058
F24	1,63	1,55	1,20	1,44	2,01	1,95	3,70	0,001
F25	1,64	1,58	1,40	1,39	2,11	2,07	5,14	0,000
F26	3,23	3,11	2,20	2,00	3,50	4,26	16,51	0,000

Legenda: ZS – organizacija zasebnega sektorja; MIN, VS – ministrstvo, vladna služba;
DU, IN, DIR – davčna uprava, inšpektorat, direktorat; CSD – center za socialno delo;
UE – upravna enota; OB – občina; JA, JZ – javna agencija, javni zavod.

Vir: lastni

Zanimivo je dejstvo, da sodelujoči za upravne enote višje ocenjujejo prožnost glede opredelitve njihovih nalog s spremembo sistemizacije. V tem primeru predvidevamo, da so nekateri sodelujoči spregledali besedilo »s spremembo sistemizacije«, saj je spreminjanje sistemizacije glede na slovensko pravno ureditev dolgotrajen proces.

Hipoteza H2: »Zaposleni v javnih agencijah ter javnih zavodih v primerjavi z zaposlenimi v drugih organizacijah javnega sektorja statistično pomembno višje ocenjujejo vrednosti spremenljivk prožnosti.« je potrjena. Analiza je pokazala, da so v javnih agencijah in zavodih najpogosteje omogočene funkcionalna, geografska in numerična (tako notranja kot zunanja) prožnost.

5 Razprava in zaključek

Razprave o prožnosti organizacij so bolj pogoste v zadnjih letih, predvsem kot posledica gospodarske recesije. Strukturne spremembe in globalizacija so sicer koristne za rast gospodarstva in zaposlenosti, vendar vplivajo tako na organizacije kot na zaposlene.

Rezultati raziskave glede prožnosti organizacij na področju dela kažejo, da imajo zaposleni v zasebnem sektorju v primerjavi z zaposlenimi v javnem sektorju boljše možnosti prožnega zaposlovanja. Največkrat so jim omogočene: časovna prilagoditev dela, prožne ure dela in prilagajanje obsega delovnih ur. Dobro ocenjujejo tudi možnosti glede razporejanja na različna delovna mesta brez spreminjanja pogojev o zaposlitvi. V zasebnem sektorju imajo torej zaposleni v primerjavi z zaposlenimi v javnem sektorju boljše možnosti glede notranje numerične in funkcionalne prožnosti ter mobilnosti. Zaposleni v javnem sektorju pa slabo ocenjujejo možnosti za delo na daljavo. To kaže na dejstvo, da bodo potrebne spremembe delovnopravne zakonodaje tako, da bodo usmerjene v boljše možnosti glede prožnega zaposlovanja tudi za zaposlene v javnem sektorju. Oboji se strinjajo, da organizacije ne najemajo zaposlenih pogosto prek agencij za posredovanje dela, najverjetneje je to posledica nezaupanja oziroma slabih izkušenj, ki so jih imeli posamezniki, zato je bi bilo treba poostri nadzor nad delovanjem teh agencij.

Na splošno zaposleni v javnem sektorju slabo ocenjujejo situacijo na področju prožnosti dela. Primerjava med posameznimi organizacijami javnega sektorja je sicer pokazala, da je prožno zaposlovanje najpogosteje omogočeno zaposlenim v javnih agencijah oziroma zavodih. Primerjava rezultatov z ugotovitvami tujih raziskav in s trendi na področju zaposlovanja v času gospodarske recesije (npr. Regus Global Report, 2011; Raisanen in drugi, 2012), Evropska Komisija, 2012) pa kaže, da se zaposleni v Sloveniji ne odločajo pogosto za delo s krajšim delovnim časom. Občine v primerjavi z drugimi organizacijami javnega sektorja pogosteje najemajo agencijske in priložnostne delavce, kar je najverjetneje povezano z izvajanjem projektov in z javno-zasebnim partnerstvom. Upravne enote pa pogosteje prilagajajo delo potrebam z razporejanjem zaposlenih na druga delovna mesta, z zmanjšanjem števila zaposlenih ali s spremembo opredelitve delovnih nalog.

Rezultati raziskave so namenjeni tako pripravljavcem sprememb na področju slovenske delovnopravne zakonodaje kot menedžerjem organizacij. Fleksibilnost na področju dela namreč pozitivno vpliva na motiviranost zaposlenih, večjo osredotočenost zaposlenih na delo, dobro počutje

in zadovoljstvo pri delu, manjšo odsotnost z dela, večjo produktivnost zaposlenih, lažje usklajevanje poklicnega in družinskega (zasebnega) življenja, boljšo kakovost storitev oziroma izdelkov, večjo pripadnost organizaciji; navedeno pa vpliva tudi na boljšo učinkovitost organizacij, kar dokazujejo tudi druge raziskave (npr. Kossek in Michel, 2010; Regus Global Report, 2011). Tako država kot organizacije se torej morajo zavedati pozitivnih vplivov fleksibilnosti dela. Za izboljšanje možnosti glede prožnega zaposlovanja pa je treba spremembe na področju delovnopravne zakonodaje izvesti predvsem za zaposlene v javnem sektorju.

*Dr. **Tatjana Kozjek** je višja predavateljica na Fakulteti za upravo. Magistrirala je na Fakulteti za organizacijske vede Univerze v Mariboru, na Fakulteti za upravo Univerze v Ljubljani pa uspešno zaključila znanstveni doktorski študij. V okviru pedagoškega dela sodeluje pri pripravi in izvedbi predavanj in vaj. V okviru raziskovalnega dela pa na različnih notranjih in zunanjih projektih. Je članica Slovenske kadrovske zveze. Kot avtorica oziroma soavtorica ima objavljenih več strokovnih in znanstvenih del. Področji njenega raziskovanja sta fleksibilnost organizacij in varnost posameznikov na področju dela.*

Literatura in viri

- Altuzarra, A. & Serrano, F. (2010). Firms' Innovation Activity and Numerical Flexibility. *ILRRReview*, 63 (2), 327–339.
- Černigoj Sadar, N., Kanjuo Mrčela, A., Stropnik, N., & Žaucer Šefman, B. (2007). *Delo in družina – s partnerstvom do družini prijaznega delovnega okolja*. Ljubljana: Fakulteta za družbene vede.
- Eichorst, W., Feil, M., & Marx, P. (2010). Crisis, What Crisis? Patterns of Adaptation in European Labour Markets. *IZA Discussion paper* (5045). Retrieved November 29, 2012, from <http://ftp.iza.org/dp5045.pdf>
- Evropska komisija (2012). Draft joint employment report to the Communication from the Commission. *Annual growth survey 2013*. COM(2012) 750 final. Pridobljeno 29. 11. 2012 iz http://ec.europa.eu/europe2020/pdf/ags2013_emplr_en.pdf
- Goodwin, A. (2002). *EMU Market Dynamics: Labour Market Flexibility in Europe*. Great Britain: CBI Organisation.
- ILO (2004). *Economic security for a better world, Programme on Socio-economic Security*. Genova: ILO.
- Kossek, E. E. & Michel, J. S. (2010). Flexible work schedules. In S. Zedeck, (Ur.), *APA Handbook of industrial and organizational psychology*. Washington DC: American Psychological Association.
- Kozjek, T. (2013). *Fleksibilnost dela v upravnih dejavnostih*. Doktorska disertacija, Ljubljana: Fakulteta za upravo, Univerza v Ljubljani.
- Pitt-Catsoupes, M., Matz-Costa, C., & Bessen, E. (2009). Workplace flexibility: Findings from the Age & Generation Study. *Issue Brief*, 19. The Sloan Center on aging and work by Boston College. Pridobljeno 29. 11. 2012 iz http://www.bc.edu/content/dam/files/research_sites/agingandwork/pdf/publications/IB19_WorkFlex.pdf
- Räisänen, H., Alatalo, J., Krüger Henriksen, K., Israelsson, T., & Klinger, S. (2012). *Labour Market Reforms and Performance in Denmark, Germany, Sweden and Finland*. Helsinki: Edita Publishing Oy.
- Regus Global Report (2011). *Flexible working goes global*. A global Research Report amongst businesses assessing take up and attitudes towards flexible working. Pridobljeno 29. 11. 2012 iz http://www.regus.com/images/Regus%20Whitepaper%20Flexible%20Working%20150311_tcm8-39644.pdf
- Richman, A., Burrus, D., Buxbaum, L., Shannon, L., & Yai, Y. (2010). *Innovative Workplace Flexibility Options for Hourly Workers*. *Corporate Voices for Working Families*. Pridobljeno 29. 11. 2012 iz <http://www.cvworkingfamilies.org/system/files/CVWFFflexreport-FINAL.pdf>
- Tros, F. & Wilthagen, T. (2004). The Concept of "Flexicurity": a new approach to regulating employment and labour markets in Flexicurity. Conceptual Issues and Political Implementation in Europe. *European Review of labour research*, 10 (2), 166–186.
- Vermeulen, G. & Hurley, J. (2007). *Varieties of flexicurity: reflections on key elements of flexibility and security*. European Foundation for the Improvement of Living and Working conditions, Dublin.
- Wachsen, E. & Blind, K. (2011). More flexibility for more innovation? *Working Paper*, 115. University of Amsterdam. Pridobljeno 29. 11. 2012 iz http://www.uva-aias.net/uploaded_files/publications/WP115-Wachsen,Blind.pdf

Wilthagen, T., Tros, F., & Van Lieshort, H. (2004). Towards "Flexicurity?" Balancing Flexibility and Security in EU Member States. *European Journal of Social Security*, 6 (2), 113–136.

Zakon o javnih uslužbencih (uradno prečiščeno besedilo) (ZJU-UPB3). Uradni list RS, št. 63/2007.

Flexibility of Work in the Public and Private Sector in Slovenia¹

Tatjana Kozjek

Faculty of administration, University in Ljubljana

tatjana.kozjek@fu.uni-lj.si

ABSTRACT

Discussions about flexibility of organizations in the field of work are more frequent in the recent years, mostly as a result of the economic recession. Structural changes and globalization have had a severe effect on both, organizations and employees. Therefore, organizations must remain flexible to respond to unexpected changes to the area of demand, as well as adjust to new technologies and other influences. Organizations implement various measures to increase their flexibility of work and timing of work and internal mobility of employees or in the field of wages and labor costs. The article presents results of the research which examined whether there are differences in the flexibility of organizations in the field of work between employees in the public and private sectors in Slovenia. The results showed that private organizations enabled internal, numerical, functional and locational flexibility more often than public organizations. The most flexible among public organizations are public agencies and institutions.

Keywords: numerical flexibility, functional flexibility, flexibility of wages, mobility, flexible forms of employment contract, public sector, private sector

JEL: J00, J24, J30, J60

1 Introduction

Organizations must remain flexible, if they want to act timely to unexpected changes and/or adapt to new technologies and other influences. Organizations perform various acts to increase flexibility, mostly in the field of time scope and timetable of work, internal mobility of employees and regarding wages and labor cost. The research wanted to present the flexibility of work in the public and private sectors in Slovenia with the aim to analyze and to compare differences of the flexibility in the public and private sector. Two hypotheses were tested:

H1: Employees in the public sector evaluate values of the variables of flexibility different than employees in the private sectors.

¹ Results are summarized by the doctoral dissertation: Kozjek, T. (2013).

H2: Employees in the public agencies and institutions evaluate values of the variables of flexibility statistically significant higher than employees in other organizations of public sector.

The research was made by CAWI method (computer assisted web interview). A link to an online questionnaire was sent to official electronic mail addresses in public organizations so they could forward our link to their employees. The results are intended for those who prepare materials regarding changes in the Slovenian labor legislation and for managers of organizations as an aspect of a well-organized working process, which also effects on the efficiency and effectiveness of the organization.

The first part of the article presents various types of flexibility of work, based on literature and research. The second part presents results of the analysis and comparison of the differences between flexibility of work in the public and private sector in Slovenia.

2 Types of Flexibility in the Field of Work

For better understanding of the variables, studied in the research, each type of flexibility mentioned in this section and also in the literature, is explained. Goodwin (2002, p.109) defines numerical flexibility as capability of organizations and employers to adjust the number of employees to their needs. Altuzarra and Serrano (2010, p. 328) define numerical flexibility as the statistical flexibility and relate it with other job contracts. Tros and Wilthagen (2004, p. 171), ILO (2004, p. 14) and Wachsen and Blind (2011, p. 11) describe numerical flexibility as external and internal numerical flexibility. External flexibility is defined as ability of the organization to adjust number of employees to the business activities by using different types of employment, whether they reduce or increase the number of employees. Internal flexibility indicates the ability of the organization to adjust their work to their business needs by changing their work time.

In addition to the timing aspect and the adjustment of the number of employees, another important organizational aspect is the subject of the functional flexibility. According to Tros's and Wilthagn's (2004, p. 171), and ILO's (2004, p. 14) opinion, functional flexibility relates to organizational adjustment of their work to their business needs by defining tasks and relocating employees to different job positions. Goodwin (2002, p. 110) and Wachsen and Blind (2011, p. 11) interpret functional flexibility as multi-functionality or capability to do other work besides their own. Altuzarra and Serrano (2010, p. 328), define that type of flexibility as dynamic flexibility. Eichhorst and others (2010, p. 4), distinguish external and internal functional flexibility. The external type of flexibility includes qualified, trained, educated and competent individuals, who are able to adapt to structural changes. Internal flexibility defines the ability of organizations to respond to changes

on demand with a flexible organized working process, requiring skilled, well trained and competent employees, who are able to perform multiple tasks.

The economic aspect is analyzed in the context of wage flexibility and features the variable part of wage regarding job performance and overall business performance (Tros & Wilthagen, 2004, p. 171; ILO, 2004, p. 14; Wachsen & Blind, 2011, p. 11). Eichhorst and others (2010, pg 4) associate that type of flexibility with adjustment of actual wages to macroeconomic circumstances. Vermeylen and Hurley (2007, p. 69) defined externalization of flexibility, which means that possibility of employment and unemployment contract (employment through employment agencies).

To define the meaning of the flexibility to work, we have to first define the definition of work and narrow the meaning of the definition considering the flexibility of the employees, work preparations, work items and tasks. That means that employee must finish certain working tasks by the deadline, but he/she can work wherever and whenever he/she wants. The employee also has available options for work preparations and other work accessories that are needed. If we consider flexibility of work from the organizational point of view, the wider aspect of definition means that employee is employed by the employment contract. Understanding of flexible forms of employment from the narrow point of view, is introduced by following sources: ILO (2004a, p. 4), Černigoj Sadar and others (2007, p. 137), Pit Catouphesova and others (2009, p. 4), Richman and others (2010, p. 4) classify job contracts, part time jobs, teleworking, job sharing, condensed work week, flexible working hours, as another aspect of flexible forms of employment. Therefore wider aspect also includes consideration of working time and working condition.

3 Methodology

3.1 Research Hypothesis

In the context of the research two hypotheses were tested:

H1: Employees in the public sector evaluate values of the variables of the flexibility different than employees in the private sectors.

H2: Employees in the public agencies and institutions evaluate values of the variables of the flexibility statistically significant higher than employees in other organizations of public sector.

3.2 Research Instrumentation

In order to verify hypotheses, a questionnaire, composed of two parts, was created:

The first part was made to gather demographic data of the employees, who participated in the research. The second part was made to gather information

about flexibility of organizations. Employees who participated in the research had to evaluate variables of flexibility numerically to scale from the lowest (1) to the highest (7) mark. The scale was made as follows:

- 1 – very inflexible
- 2 – inflexible
- 3 – partly inflexible
- 4 – neither is, nor is flexible
- 5 – partly flexible
- 6 – flexible
- 7 – very flexible

Questions about the flexibility of organizations included the issues of external and internal numerical flexibility, functional flexibility, flexibility of wages, and wage cost, locational flexibility (mobility) and flexibility of employment contracts.

Considering external and internal aspects of numerical flexibility, the capability of organization was evaluated for its ability to adjust:

- The level and /or number of employees to the need of organization (F1),
- The work of organizational and/or business needs by using different forms of employment (F2),
- The work of organizational and/or business needs through overtime work (F3),
- The work of organizational and/or business needs by using copyrights or similar job contracts –service contract (F4),
- The work of organizational and/or business needs by hiring students (F5),
- The work of organizational and/or business by reducing the number of employees (F6),
- The work of organizational and/or business by increasing the number of employees (F7),
- The work of organizational and/or business by changing the volume of working hours (F8),
- The work of organizational and/or business by timing of work or by changing working time (F9).

Considering functional flexibility, the capability of organization to adjust the content of work of an individual to organizational and /or business needs was evaluated:

- In the context of the definition of working assignments by changing systematization (F10),

- In the context of the definition of working assignments by organizational instructions (F11),
- By relocating employees to different job positions without changing employment contract (F12),
- By relocating employees to different job positions with termination of an old and offer of a new employment contract (F13),

Relating to wage flexibility the ability of the organizations to adjust wages was evaluated:

- By job performance of an individual employee (F14),
- By business results and business effectiveness (F15).

In association with locational flexibility (or so called geographical flexibility) the ability of the organization to transfer employees to other job positions or to other locations was evaluated (F16).

In the context of flexible forms of employment contracts, the organization was evaluated on its ability to create flexible employment contracts that would meet the needs of the organization with:

- Teleworking from home, within domestic country (F17),
- Teleworking from abroad (F18),
- Contract jobs (F19),
- Flexible working hours (F20),
- Half or part-time working (F21),
- Job-sharing (F22),
- Concentrated work week days, for example: 4 days longer working time, the 5th day is off (F23),
- Hiring employees from employment agency (F24),
- Hiring occasional employees (F25),
- Hiring students (F26),

The research was made in Slovenia from September 26, 2011, to October 26, 2011. Data was gathered using the Computer Assisted Web Interview (CAWI) method. The link to the online questionnaire of the public sector organizations was emailed to the Slovenian Government, ministries, directorates, ministries authorities, government departments, administrative units, municipalities, (public) agencies, the National Electoral and Audit Committee, the Ombudsman, Information Commissioner, the Bank of Slovenia, the Constitutional Court of Auditors, the Bar Association of Notaries, the Supreme Public Prosecutor's Office, Supreme Court, National Assembly and National Council. The response was good; therefore, the link to the online questionnaire was sent only once.

The link to the online questionnaire for organizations in the private sector was sent by e-mail to 6,000 official email addresses. Organizations were randomly selected; email addresses were obtained in the Slovenian Business Register. The link was sent twice: the first time on September 26, 2011, to 3,000 official email addresses and for the second time on October 13, 2011 to 6,000 email addresses.

3.3 Sample of the Participating Employees in the Research

The questionnaire was fulfilled by 1,009 employees in organizations in the private and the public sectors. The participants are broken down as follows: 25.5 % were employed in the private sector and 74.5 % in the public sector. 3.8 % in government services, 12.9 % in the ministries, 0.7 % in the directorates, 2.0 % in the tax administration, 4.0 % in the social work centers, 4.6 % in the inspectorates, 17.8 % in the administrative units, 14.2 % in the municipalities and 5.1 % in the public institutions and the public agencies.

A link to the online questionnaire was sent by electronic mail to official addresses with a request to forward the link to employees. That means that only employees in the field of administration and employees from other different fields of work participated and filled out the questionnaire. Lower responsiveness of individuals within organizations was due to the fact that the research was implemented online. Among other reasons for non-participation, the individuals stated following:

- They were occupied with other online research.
- The management decided that employees were not allowed to participate in the research.
- Lack of time.

The conclusions are therefore limited only to the part of population which has been included in the sample.

4 Results of the Research

4.1 The Comparison between Public and Private Sector Employees

Reliability Test, Cronbach's Alpha (0.916), showed that data of twenty-six variables are suitable for analysis. In order to verify the hypothesis *H1: "Employees in the public sector evaluate values of the variables of the flexibility different than employees in the private sectors."*, the comparison has been made between average estimates and statistically significant differences of each variable of flexibility in the public and the private sector. The results are shown in the Table 1.

Employees in the public sector who participated in the research evaluated the capability of the organization to adjust work content of individuals, with average estimates of 3.73 (as the second best evaluated variable of flexibility), by changing systematization for the needs of organization. This is quite surprising, considering the legally complex and time-consuming process of changing systematization. According to the Civil Servant Act (ZJU-UPB3, Article 40., 41.), the Government must establish a common solution to systemize the bodies of the state and local administration. Employees who are employed in the organizations of the private sectors evaluated variables of flexibility with estimates of 2.99, mostly because the systematization is performed differently in the private sector than in the public sector.

Even more surprising is the average estimate of 3.67 which was evaluated by employees in the organization of the public sector (as the third highest evaluated variable). Employees evaluated variable of the flexibility of organization to adjust the number of employees, according to the changing needs of the organization. Authorities have to act according to the Civil Servant Act (ZJU-UPB3, Articles 42., 43., and 44.), which defines that labor relations and personnel plans must be prepared in accordance to the structure and number of employees for the two-year action program. A proposal of the personnel plans must be also prepared by the Principal for the public administration bodies. The proposal of the personnel plans must be harmonized with the plan of assignments, work programmers and proposed budget.

Employees in organizations of the public sectors evaluated the capability of the organizations to adjust work by reducing the number of the employees, with an average estimate of 3.10, which is, according to the current labor legislation, a highly estimated variable. Labor legislation at that time in Slovenia was quite rigid regarding termination of the job contract in the public sector. Therefore the estimate correlates to the general development in the labor market, during economic crisis.

Employees in the public sector evaluate with the estimate of 3 and higher (3.04) the capability of the organization to increase hiring students. Employees in the private sector evaluated the same variable with average estimate 3.81, which also indicates rigidity of labor legislation. Organizations are aware of the main problem of rigid Slovenian labor legislation and therefore they rather employ students, who are not well secured on the labor market regarding job loss.

Table 1: Differences in average estimates and statistically relevant differences of variables of flexibility of employees in the public (PuS) and private sectors (PrS), who participated in the research.

Variable of Flexibility	Average Estimates			Standard Deviation	F	p
	PuS	PrS	Differences (PuS-PrS)			
F1	3,67	2,88	0,79	1,621	3,09	0,079
F2	3,31	3,79	0,31	1,755	13,91	0,000
F3	3,43	4,72	-1,29	1,912	92,74	0,000
F4	2,86	2,78	0,08	1,829	0,39	0,533
F5	3,17	3,81	-0,64	1,896	21,25	0,000
F6	3,10	2,69	0,41	1,834	9,13	0,003
F7	2,72	3,06	-0,34	1,693	7,48	0,006
F8	3,07	4,60	-1,53	1,928	124,80	0,000
F9	3,40	5,30	-1,90	1,990	194,80	0,000
F10	3,73	2,99	0,74	1,822	29,89	0,000
F11	4,14	4,91	-0,77	1,647	39,81	0,000
F12	3,53	4,06	-0,53	1,825	14,90	0,000
F13	2,71	2,45	0,26	1,694	4,22	0,400
F14	2,16	2,68	-0,52	1,651	17,79	0,000
F15	2,09	2,96	-0,87	1,639	51,09	0,000
F16	2,87	4,21	-1,34	1,865	98,77	0,000
F17	1,97	2,79	-0,82	1,751	37,79	0,000
F18	1,73	2,07	-0,34	1,498	8,14	0,004
F19	3,15	4,57	-1,60	1,872	106,08	0,000
F20	2,92	5,01	-2,09	1,984	236,07	0,000
F21	2,83	3,80	-0,97	1,837	48,87	0,000
F22	2,53	3,10	-0,57	1,744	18,21	0,000
F23	1,87	2,88	-1,01	1,673	64,82	0,000
F24	1,68	1,92	-0,24	1,362	4,81	0,029
F25	1,74	1,88	-0,14	1,374	1,68	0,195
F26	3,04	3,75	-0,71	1,873	25,03	0,000

Source: Own

The analysis of the statistically relevant differences between estimated averages of the variables of flexibility in the public and private sectors showed, that organizations of the private sectors use most of the types of employment flexibility more often than organizations of the public sectors. The biggest statistically relevant differences occur in the evaluations of the capability of organization to achieve flexible types of employment contracts with flexible

working hours (difference among organizations between public and private sector is -2.09 ; $F=236.7$; $\alpha<0.001$), and capability of organizations to adjust work with timing (the difference between estimates in organizations of the public and the private sector is -1.9 ; $F=194.8$; $\alpha<0.001$). Analysis of the statistically relevant differences showed that organizations in the public sectors adjust work by reducing the number of employees more often than organizations in the private sector. Variable was evaluated with average estimate of 2.69 in the private and 3.10 in the public sector ($F=9.1$; $\alpha<0.005$). The result is the consequence of the current state on the labor market and higher unemployment. Employees in the public sector are often under the pressure, regarding the safety of their employment.

The results also show that employment flexibility is better in the private sector than in the public sector, especially in the following types of employment flexibility: enabling of time adjustment to work, flexible working hours and volume adjustment of the working hours. The possibilities to reallocate to different job positions without changing employment contracts are evaluated by employees in the private sector better than employees in the public sector. The comparison between employees in the public and private sector shows that employees in the private sector have better opportunities regarding internal, numerical and functional flexibility and mobility than employees in the public sector. Employees in the public sector evaluated their possibilities regarding employment flexibility lower than employees in the private sector. Therefore significant changes of labor legislation are necessary in order to achieve better employment flexibility for employees in public sector.

Both employees in the public and private sectors agree that organizations do not hire candidates from the employment agencies very often. The main reason may be possible bad experiences that some individuals might have had. Employees in the public sectors evaluated the possibility to teleworking with lower marks. Those employees in private and public sectors who participated in the research, evaluated external numerical flexibility and flexibility of the employment contracts very similarly. The major differences in the average estimates among those employees in the public and private sectors are shown in internal numerical flexibility, functional flexibility and geographical flexibility. The hypothesis H1: *"Employees in the public sector evaluate values of the variables of the flexibility different than employees in the private sectors."* is confirmed, based on the analysis of the results. Employees in the private sector evaluated variables related to flexibility of organization higher than employees in the public sector. The major differences occurred in the internal numerical flexibility.

4.2 The Comparison between Employees in Public Agencies and Public Institutions and Employees in other Organizations of the Public Sector

In order to verify the hypothesis *H2: "Employees in the public agencies and institutions evaluate values of the variables of the flexibility statistically significant higher than employees in other organizations of public sector."* comparison of average estimates and analysis of the statistically relevant differences between estimated averages of the variables of flexibility of individual organizations in the public sector is presented. There were created six groups of organizations:

- Ministries,
- Governmental services,
- Tax Administration,
- Inspectorates,
- Directorates,
- Social Security Services,
- Administration Units,
- Municipalities,
- Public agencies and
- Public Institutions.

The results are shown in the Table 2.

The analysis showed many statistically relevant differences such as: employees in the public agencies or institutions evaluated statistically relevant variables of flexibility higher. That was expected as public agencies act more independent in comparison to other organizations of the public sector. Although employees responded very critically about flexibility in the field of work, the results show that public agencies or public institutions in comparison to other organizations in the public sector enable flexible employment more often.

Employees who participated in the research evaluated that municipalities, in comparison to other organizations, more often adjust to:

- The level (number) of employees by changing the needs of organization ($F=6,39$; $\alpha < 0,001$),
- Work by using overtime hours ($F=4,27$; $\alpha < 0,001$),
- Work by hiring workers through employment agencies ($F=3,70$; $\alpha < 0,005$),
- Work by hiring occasional workers ($F=5,14$; $\alpha < 0,001$).

Hiring workers through employment agencies and hiring occasional workers is most likely related with implementation of various project within the public – private partnerships.

Table 2: Average estimates and statistically relevant difference of the variables of flexibility for individual organizations of the public sector

Variable of Flexibility	MIN VS	TAX IN DIR	SSS	AU	MU	PA PI	F	P
F1	3,21	3,42	2,89	3,97	4,12	3,84	6,39	0,000
F2	3,04	2,68	3,21	3,15	3,81	4,04	6,41	0,000
F3	3,13	3,12	3,22	3,27	3,99	3,84	4,27	0,000
F4	2,73	2,16	1,97	2,38	3,33	3,65	12,77	0,000
F5	3,31	3,32	1,94	2,40	3,69	4,16	13,28	0,000
F6	2,64	3,38	1,65	3,99	2,74	3,10	14,49	0,000
F7	2,75	2,18	2,08	2,30	3,15	3,43	7,46	0,000
F8	2,72	2,72	2,94	2,91	3,23	3,74	4,71	0,000
F9	3,09	2,85	3,09	3,21	3,77	4,24	5,57	0,000
F10	3,42	3,52	3,24	4,19	3,88	4,02	4,39	0,000
F11	3,68	4,13	4,15	4,61	4,22	4,43	4,77	0,000
F12	3,07	3,52	3,76	3,93	3,49	3,87	3,42	0,002
F13	2,26	2,64	2,36	2,79	2,93	3,39	4,27	0,000
F14	1,95	2,10	1,91	1,93	2,45	2,70	3,26	0,004
F15	1,89	1,92	1,94	1,92	2,47	2,24	2,84	0,010
F16	2,87	3,62	2,31	2,89	2,50	2,93	3,61	0,002
F17	2,07	1,66	1,39	1,50	2,03	2,23	9,40	0,000
F18	1,84	1,52	1,30	1,35	1,76	1,88	6,41	0,000
F19	3,22	2,38	3,10	2,77	3,35	3,36	5,85	0,000
F20	2,76	2,45	3,00	2,64	3,25	3,70	4,03	0,001
F21	2,81	2,45	3,37	2,42	2,79	3,14	4,93	0,000
F22	2,19	2,24	2,90	2,72	2,45	2,63	3,02	0,007
F23	1,75	1,54	1,97	1,81	1,90	2,00	2,04	0,058
F24	1,63	1,55	1,20	1,44	2,01	1,95	3,70	0,001
F25	1,64	1,58	1,40	1,39	2,11	2,07	5,14	0,000
F26	3,23	3,11	2,20	2,00	3,50	4,26	16,51	0,000

Legend: PrS – Organization of the private sector; MIN, GOV – Ministries, Government, Public services; TAX, IN, DIR – Tax Administration, inspectorate, directorate; SSS – Social Security Services; AU – administration Unit; MU – Municipality; PA, PI – Public Agency, Public Institution

Source: Own

The research showed that Administration Units in the field of flexible employment, the most commonly adjust to the following:

- Work by reducing number of employees ($F = 14,50$; $\alpha < 0,001$),
- Content of the work of an individual to adjust to the needs in the context of definition of working assignments by changing of the systematization ($F = 4,39$; $\alpha < 0,001$),
- Content of the work of an individual to adjusting to the needs in the context of definition of working assignments by organizational instructions ($F = 4,77$; $\alpha < 0,001$),
- Content of the work of an individual to adjust to the needs by reallocating of the employees to other job positions without changing the employment contract ($F = 3,42$; $\alpha < 0,005$).

An interesting fact is that employees in the Administration Unit that participated in the research evaluated flexibility regarding definitions of their working assignments by changing the systematization higher. In that case it can be assumed that some individuals who participated must have overseen the definition of "changing of the systematization" because the subject of changing the systematization in accordance to Slovenian legal legislation is a time-consuming process.

Hypothesis H2: *"Employees in the public agencies and institutions evaluate values of the variables of the flexibility statistically significant higher than employees in other organizations of public sector."* is confirmed. Analysis showed that functional, geographical and numerical (internal and external) flexibility of the public agencies and the public institutions is the most commonly enabled.

5 Discussion and Conclusion

Results of the research regarding the flexibility of work show that employees in the private sector experience better flexibility than employees in the public sector. Employees in the private sector experience: time adjustment to work, flexibility regarding working hours and flexibility regarding extension of working hours. They evaluate the possibility of reallocating to different job positions, without changing their employment contract better than employees in the public sector. Therefore, employees in the private sector have better possibilities to experience numerical and functional flexibility and mobility. Employees in the public sector evaluate the possibilities to teleworking worse than employees in the private sector. Therefore the changes regarding increasing flexibility need to be performed by changing the policy of Labor legislation. Employees in the private and public sectors both agree that organizations do not hire employees through employment agencies very often. The reason might be lack of trust or previous bad experience that some individuals had in the past. We can avoid those problems by supervising these employment agencies.

Employees in the public sector in general evaluated the situation in the field of work flexibility low. Comparison between individual and organizations in the public sectors showed that employees experienced higher employment flexibility in public agencies and institutions. Comparison among the results and findings of the international research and their trends in the field of employment during the time of economic recession (Regus Global Report, 2011; Raisanen et al., 2012; European Commission, 2012) show that employees who are employed in Slovenian organizations do not choose for part-time jobs. Municipalities hire employees through employment agencies and they also hire occasional employees more often than other organizations of the public sectors, mostly because they perform various projects associated with public- private partnerships. Administration Units more often perform adjustments regarding reallocations of the employees to different job positions and reduce the number of employees by changing definition of working assignments.

Results of the research are intended for those who prepare materials and documentation regarding changes in Slovenian legal labor legislation and for managers of organizations. Flexibility of work has positive effects and motivates employees to increase their focus on work; increase satisfaction in the workplace; stimulate employees to increase productivity; has a positive effect regarding coordination between professional and personal life; increases quality of services and/or product; and stimulates loyalty to the organizations. Other research has proven that those effects have a better impact on the efficiency of the organization (Kossek & Michael, 2010; Regus Global Report, 2011). The state and organizations both have to be aware of the positive effects on the flexibility of work. Changes of the legal labor legislation have to be implemented regarding improvements of flexibility of work mostly for the employees in the public sector.

***Tatjana Kozjek**, Ph.D., is a Senior Lecturer at the Faculty of Administration, University of Ljubljana, Slovenia. She received her master's degree at the Faculty of Organizational Sciences, University of Maribor and her doctorate at the Faculty of Administration, University of Ljubljana. She teaches Theory of Organization, Dealing with People in Public Administration, Organizational Behavior, Basics of Organization, Administrative Operation and Personnel Service. Her research interests are in flexibility and security of work. She is member of the Slovenian Human Resource Association and various project groups.*

References

- Altuzarra, A. & Serrano, F. (2010). Firms' Innovation Activity and Numerical Flexibility. *ILRRReview*, 63 (2), 327–339.
- Černigoj Sadar, N., Kanjuo Mrčela, A., Stropnik, N., & Žaucer Šefman, B. (2007). *Delo in družina – s partnerstvom do družini prijaznega delovnega okolja*. Ljubljana: Fakulteta za družbene vede.
- Eichorst, W., Feil, M., & Marx, P. (2010). Crisis, What Crisis? Patterns of Adaptation in European Labour Markets. *IZA Discussion paper* (5045). Retrieved November 29, 2012, from <http://ftp.iza.org/dp5045.pdf>
- Evropska komisija (2012). Draft joint employment report to the Communication from the Commission. *Annual growth survey 2013*. COM(2012) 750 final. Retrived November 29, 2012, from http://ec.europa.eu/europe2020/pdf/ags2013_emplr_en.pdf
- Goodwin, A. (2002). *EMU Market Dynamics: Labour Market Flexibility in Europe*. Great Britain: CBI Organisation.
- ILO (2004). *Economic security for a better world, Programme on Socio-economic Security*. Geneva: ILO.
- Kossek, E. E. & Michel, J. S. (2010). Flexible work schedules. In S. Zedeck, (Ed.), *APA Handbook of industrial and organizational psychology*. Washington DC: American Psychological Association.
- Kozjek, T. (2013). *Fleksibilnost dela v upravnih dejavnostih* [Flexibility of work in administrative activities]. Doctoral dissertation, Ljubljana: Fakulteta za upravo, Univerza v Ljubljani.
- Pitt-Catsoupes, M., Matz-Costa, C., & Bessen, E. (2009). Workplace flexibility: Findings from the Age & Generation Study. *Issue Brief*, 19. The Sloan Center on aging and work by Boston College. Retrived November 29, 2012, from http://www.bc.edu/content/dam/files/research_sites/agingandwork/pdf/publications/IB19_WorkFlex.pdf
- Räisänen, H., Alatalo, J., Krüger Henriksen, K., Israelsson, T., & Klinger, S. (2012). *Labour Market Reforms and Performance in Denmark, Germany, Sweden and Finland*. Helsinki: Edita Publishing Oy.
- Regus Global Report (2011). *Flexible working goes global*. A global Research Report amongst businesses assessing take up and attitudes towards flexible working. Retrived November 29, 2012, from http://www.regus.com/images/Regus%20Whitepaper%20Flexible%20Working%20150311_tcm8-39644.pdf
- Richman, A., Burrus, D., Buxbaum, L., Shannon, L., & Yai, Y. (2010). *Innovative Workplace Flexibility Options for Hourly Workers. Corporate Voices for Working Families*. Retrived November 29, 2012, from <http://www.cvworkingfamilies.org/system/files/CVWFflexreport-FINAL.pdf>
- Tros, F. & Wilthagen, T. (2004). The Concept of "Flexicurity": a new approach to regulating employment and labour markets in Flexicurity. Conceptual Issues and Political Implementation in Europe. *European Review of labour research*, 10 (2), 166–186.
- Vermeylen, G. & Hurley, J. (2007). *Varieties of flexicurity: reflections on key elements of flexibility and security*. European Foundation for the Improvement of Living and Working conditions, Dublin.
- Wachsen, E. & Blind, K. (2011). More flexibility for more innovation? *Working Paper*, 115. University of Amsterdam. Retrived November 29, 2012, from http://www.uva-aias.net/uploaded_files/publications/WP115-Wachsen,Blind.pdf

Wilthagen, T., Tros, F., & Van Lieshort, H. (2004). Towards "Flexicurity?" Balancing Flexibility and Security in EU Member States. *European Journal of Social Security*, 6 (2), 113–136.

Zakon o javnih uslužbencih (uradno prečiščeno besedilo) (ZJU-UPB3) [Civil Servants Act (consolidated text) (Civil Servants Act-UPB3)]. Uradni list RS, št. 63/2007.

The Scientific Analysis of Hungarian Public Administration. New Trends and Methods.

Ádám Rixer

Károli Gáspár University of the Reformed Church in Hungary
Law Faculty, Budapest, Hungary
rixer.adam@kre.hu

ABSTRACT

The purpose of this paper is to introduce those scientific methods and new paradigms that are to overcome the one-sided jurisprudential methods of analysis of public administration. On the one hand, as it has been obvious for a long time, a sort of inter- or multidisciplinary method is needed for a strong scientific and material framework which allows further conclusions. And on the other hand, beyond multi- and interdisciplinarity, it is unavoidable to re-establish the philosophic synthesis between the legal norms regulating public administration and the facts of the real operation. Probably this direction will/may be the basis and the realiser of the change of paradigm (also) in Hungarian sciences of public administration. In general it may be stated that due to the crises social sciences more and more shall start examining the real meaning of things, the broader examination frameworks of the analysed phenomena, instead of descriptive questions analysing the ways of operation. In the era of crises, when everyday experiences falsify our expectations, legal and political science become more radical: it shall examine and revise the validity of its preassumptions – which it had considered firm before.

Keywords: administrative sciences in Hungary, multi- and interdisciplinarity, philosophic synthesis, natural law approach

JEL: K 190

1 Introduction

Hungarian public administration and science of public administration – traditionally – are very much of legal character. This is not changed by the fact that the most acknowledged researchers of the science of public administration (earlier Zoltán Magyary, in the near past Lajos Lőrincz) often expressed their concerns about the one-sided legal analysis of public administration. Nevertheless, the analysis of public administration primarily with jurisprudential methods and from a legal approach is comfortable, because “(...) the questions of public administration may be homogenised legally, and its mechanisms have been consciously based on law since the beginning of the 19th century” (Tamás, 2011, p. 67–68), therefore this is

determinative also in practice. According to the data of a survey published not long ago, the civil servants questioned – in their own opinion – spend exactly two-thirds of their office hours on legal activities, and this rate is slightly higher in case of jurists working in public administration (68 %) (Gajduschek, 2011, p. 395).

According to the presently prevailing majority opinion, the narrowest examination possibility of any field of public administration is the analysis of the internal principles of administrative law. It provides for a wider analysis, and thus for a kind of “legal internal multidisciplinary” if we compare the institutions of public administration with similar institutions of other fields of law: e.g. comparing administrative responsibility, as a sub-type of the system of legal responsibility, with the elements composing the system of responsibility in other fields of law (Nagy, 2011, p. 200).

The necessity of “internal legal multidisciplinary” is supported also by some specific features of relationships regulated by administrative law: we shall pay attention to the fact that the number and significance of those complex legal relationships which are established in the “overlap”, at the borders of administrative law and civil law is rising.¹ Thus for example in relation with public services (permitting) decisions delivered based on administrative rules originating from acts or decrees, and the civil law contracts realising these decisions compose a unified, complex (mixed) legal relationship in which the various elements materially overlap each other.² The decisions and contracts assume each other, and therefore their realisation is shared too. Grasping these complex legal relationships is a difficult issue, both in legislation and in law enforcement, especially that “the dogma of such complex (mixed) legal relationships is less worked out”³, even though – as has been mentioned – this is not a new phenomenon.⁴

Experiences the significance of which is magnified by the crisis show that the interests of the national economy and other aspects more and more require the limitation of contractual freedom from the interests of the public. “In developed modern legal systems such areas of limitation are especially the

1 Károly Szladits has already written about this phenomenon in 1941 that “(...) there are amphibian, mixed legal situations, which are of public law features in one part and of civil law features in the other. (...) The direction of legal development turns towards the combination and commutability of public law and civil law institutions: new reorganisations are going on in front of our eyes, especially in the area of the so-called economic law (...), which unite public law and civil law elements in a new synthesis.” (Szladits, 1941, p. 20) According to Article 198 paragraph (3) of Act IV of 1959 on the Civil Code (Ptk.) “An obligation or an entitlement to services may be constituted, on the basis of legal regulation or official order, without the conclusion of a contract if so ordered by the legal regulation or competent authority, and if the obligor, the obligee, and the service are accurately specified. In such case, the provisions on contracts shall be duly applied, unless otherwise provided by legal regulation or official order.”

2 Reasoning of the 3062/2012. (VII. 26.) ABH Constitutional Court Decision.

3 Ibid.

4 About the features of relationships in the “no man’s land” between administrative law and civil law see Harmathy (1983, p. 84).

law of the limitation of competition, cartel law, abuse of economic power, supervision of organisational associations, price regulation, standard contracts, protection of the environment, protection of consumers, etc. In these fields of regulation, the contractual freedom of the parties is often doubted, as well as the determination of the contracts' contents by the parties, and moreover, the unaltered nature of the content of contracts."⁵

Since the second part of the 19th century, university education and scientific research have considered legal interpretation determinative. Differences may be observed only in some minor issues, such as in addition to "descriptive" explanations, the number of works describing and analysing the public law/constitutional law frameworks has been increasing lately. Moreover, the examination of the legal system (and of institutions showing a close relationship with public administration) is more and more simplified to exclusively constitution-based evaluation with aspects of constitutionality.⁶ However, in the case of this approach – which has been strengthened by the approval of the Fundamental Law of Hungary on 25 April 2011 and its entering into force on 1 January 2012 – it is important that "The examination of [the] constitution, as norm category, considering its establishment, modification (amendment), subject, effect and unique characteristics requires the consideration of a complex system of aspects." (Csink & Fröhlich, 2012, p. 13) One reason for this is that "constitution making is an act of legal and political nature at the same time. The decision whether a new constitution is needed is made outside of the legal system. It is not a concern of law either which should be the main directions of a new constitution (e.g. form of government, mechanisms for the protection of fundamental rights, etc.). These decisions shall be made via politics." (Csink & Fröhlich, 2012, p. 13) A constitution always contains at least two types of norms: ones related to positive law, and one containing political norms. Constitutional law analysis is always needed, but it can never be exhaustive if it excludes the description of the nature of political norms (Szigeti, 2011, p. 53). In a broader approach: the material problem of constitution making cannot be managed exclusively from a legal or jurisprudential point of view; the catalogue of questions and the pool of answers which provide for the completion of the task may be put together only upon a summary of the aspects and opinions of several professional fields.

2 The Significance of Inter- and Multidisciplinarity in Administrative Research

In addition to the above mentioned factors our presumption is that in connection with the direct subject of this work – public administration –

5 Reasoning of the 32/1991. (VI. 6.) ABH Constitutional Court Decision.

6 Examining the issue from a different approach, we may observe that it seems that the analysis of certain fields of social phenomena (analysed also in this work) is "reserved" exclusively to the sciences of constitutional law and legal sociology.

a sort of inter- or multidisciplinary method is needed for an examination which allows for drawing credible further conclusions and founding new analyses; thus in the examined subject – in addition to the methods and results of the traditionally strongest administrative jurisprudence – a strong scientific and material framework should be established from the scientific methods of other social sciences,⁷ such as political sciences, organisational sciences (organisation-management sciences), public policy science, the narrowly interpreted science of public administration (theory of public administration and economics), broadly interpreted management sciences, statistics, sociology, social psychology or Christian social ethics or ethics of economics (!), moreover, certain natural sciences, in which, or compared to which the narrowly interpreted jurisprudential reasoning and textual examinations may receive their real place and value.

International literature refers to the fact that in the attempts at description made by different public administrations, public policy and institution-centred approaches were in an almost monopolist situation for a long time, also at international level (Van der Hoek, 2005). We shall direct our attention to the fact that the rather traditional methods of the science of public administration, administrative-sociology and science of economy are nowadays supplemented by approaches of network theory which are more suitable for analysing the globalised world (Nagy, 2011, p. 207–209). In order to see the full picture, it must be added that the examination of administrative phenomena is not only affected by the proper scientific field and method; ideological relations are also equally important, which may be considered as separate directions with scientific appearance, and may be separated from each other: "During the scientific analysis of Hungarian public administration traditionally we may distinguish between at least three approaches: the classic method of Weber, the public policy approach stressing social effects, and that of public management." (Gajduscsek, 2011, p. 391)

For the establishment of dialogue between law and other forms of knowledge, a strongly inter-disciplinary starting point is needed (Sherwin, 2009). Today this means more than the application of the methods of sociology or discussion-analysis for a better understanding and overview of legal processes. The need to turn towards new (scientific) fields has been formulated, new fields which have not or have not really been in connection

7 About the possible use of natural scientific approaches and methods see e.g. Nagy (2010).

with the science of law or economy before (science of literature⁸, cultural anthropology (Freeman & Napier, 2009, p. 47), or psychology and cognitive nerve sciences, etc.). Moreover, nowadays the relationship of these cannot be limited to “mutual introduction” at the level of generalities, but rather the establishment of previously formed inter-disciplinary procedures and related coherent and systematic methods is necessary, which are able to provide a firm framework for material comparative analyses/research, and at the same time are committed to flexibility and openness (Rothchild, 2009, p. 476).

Naturally, in the examination of administrative (state) phenomena this need – observable in the above-mentioned multidisciplinary approach – does not appear only in the narrowly interpreted science of public administration and administrative legal science. Gyula Gulyás – approaching the subject from his own field, the science of public policy – writes the following: “Multidisciplinary requires a break-up with the one-sided political analysis of institutions and structures [thus administrative institutions and structure]: these examinations shall be supplemented with the theoretical and methodological possibilities offered by sociology, economics and legal sciences.” (Gulyás, 2002, p. 69)

This complex approach – regarding all administrative phenomena – is justified by the fact that the difference between change processes emerging in law and real social changes has traditionally faded away: “[T]he need to get used to the new, and the significance of the management of society mostly by law shows shifts even in cases when in reality nothing happens.” (Sajó, 1988, p. 7)

Due to these features (characteristics) during the examination the method of model making should be used, if public administration may be interpreted as an adaptive complex method – in which the separate examination of certain

8 Law and literature is becoming a new discipline also in Hungary. (For instance Szilágyi, 2010; Nagy, 2011; Kiss, Kiss & Tóth (Eds), 2010) It aims at revealing the literary context of legal phenomena. According to the simplest – and perhaps most applied – scheme there are two specific approaches in the research field: the first one examines how law appears in literature (*law in literature*), while the other one treats law as a special field of literature (*law as literature*).

In addition to the fact the *law in literature* approach is closely related to the criticism of law the picture of law in literature may be also used as source of legal history and the history of ideas. Moreover literary works – especially the modern novel – may also serve as valuable sources for legal sociological research. In this latter discipline – based on the “living law” concept of Ehrlich – the first works mentioning the possibility of this approach in the analysis of documents appeared in the 1970s. Such analyses may provide valuable help for example in reviewing the ideas of society about jurists. According to the *law as literature concept* literature and law may be interpreted as different directions or methods of the continuum of linguistic actions, but both are actions expressing or establishing the identity of the individual and of society at the same time. The basic function of law is to hold society together, and therefore its essence is constitutive rhetoric – namely the “re-telling” of the stories of society members which facilitates the return of the individual to the community or the establishment of its (new) role, as a closure of the conflict handled by law.

Based on the above-mentioned, the appearance of the structures, operation and staff of the strictly legal public administration in old or modern literature may contribute to better scientific understanding (researchability) of the real movements, rules, possible new directions or repeated specialities of public administration. These ideas are still theoretical, and substantial research regarding this context has not been performed in Hungary yet.

elements significantly decreases the value of possible explanations. In this model, the relationship of the state, moreover, of the broadly interpreted administrative institutions to society, other authorities, market and international integrations, etc. – due to the conflicts of the above-mentioned pretence created by law and reality – shall be examined from all possible aspects also with the approach whether the administrative reforms have touched upon the merits of the system of relations, and if yes, how and at what degree (Gellén, 2012, p. 14).

In order to present the full picture it must be mentioned that methods and procedures pointing in the direction of interdisciplinarity require the utmost care, because the clarity of terminology is extremely important in this aspect. For example, the notion of governmental capacity – in its broadest meaning – refers to the ability of the state through which – in hope of realising its public policy goals – it is able to overcome certain difficult, hampering circumstances (Bevir, 2009, p. 41). Part of our uncertainties about notions – with legal, economic, etc. contents – originates from the fact that it is very difficult to find material, useful indicators which meet the standards of comparison, especially that these are often very complex 'sets of aspects' composed of several elements. One of them – for example – is the approach from the side of trust capacity (Boda & Medve-Bálint, 2012, p. 27), which – beyond the traditional measurements of trust towards institutions – is not afraid of the complex examination of mutualities based on trust, among other things (Meleg, 2012).

3 Beyond Multi- and Interdisciplinarity: New Approach of Social Sciences

As in other fields, modernity has resulted in the introduction of new explaining principles in political philosophy. For a long time majority of authors discussing good governance and the order of social coexistence explained the 'human phenomena' based on the presumptions of the ontology and epistemology of the Cartesian-Newton ethos', which was dominant for a long time in modern natural sciences, and they considered any other approach irrational: the individual was considered the natural starting point and atomic element of social examinations (Lányi, 2012, p. 105). Either this way or the other, they derived the right to existence of political institutions from the authorisation received from individuals and/or from natural efforts attributed to individuals, and traditional heritage and the 'blind' forces of nature were only considered obstacles to be overcome in order to allow for the undisturbed establishment of the individual. The unbounding of the personality, emancipation became the main political (and administrative) goal, the main tool of which (in mainstream approaches) is clear, rational power.

Today's canon requires the researchers of society to distinguish clearly between statements of fact and statements containing value judgements. The 'scientific majority' tends to accept as scientifically valuable and thus realistic only the former ones (Lányi, 2012, p. 106). However, the global spread of rational institutions led to great political changes by the end of the 20th century, in so far as the [complex] operation of "knowledge power" embodied in networks, technologies and formalised relations (e.g. law, market, IT) has become more and more uncontrollable and pressing, including the fact that attempts at description with traditional methods have become impossible.

As Marianna Nagy puts it, in regards to the question of "why law is not working", we have not received sufficient answer yet (Nagy, 2011, p. 207); the traditional, "usual" methods of the broadly interpreted economic science and the related – typically social scientific – fields do not give answers. It is unavoidable to re-establish the philosophic synthesis between legal norm regulating public administration and the facts of the real operation. Probably this direction will/may be the basis and realiser of the change of paradigm (also) in Hungarian sciences (of public administration).

In general it may be stated that due to the crises social sciences more and more shall start examining the real meaning of things, the broader examination frameworks of the analysed phenomena, instead of descriptive questions analysing the ways of operation. In the era of crises, when everyday experiences falsify our expectations, legal and political science become more radical: it shall examine and revise the validity of its preassumptions – which it had considered firm before. "Therefore philosophy has become valid again, as it is more and more difficult to exclude questions from political scientific (and economic scientific) discussion which is averted from philosophic questioning, appearing with the requirement of descriptive science which are not related to the method of operation, but to its meaning (the framework of meaning)." (Lányi, 2012, p. 107) The attention of jurisprudence is turning – among others – to the issue of how it is possible that moral principles are more and more present in the world of law, also in fields where the need for these is a long repeated fact, but the practical incorporation has not happened or has just partly happened (see. e.g. the issue of moral responsibility of the majority society towards the Roma minority in the legal instruments of Hungary). A definite sign of the expansion of the horizon of jurisprudence – interpreted in the broadest sense – is that the warriors of "traditional" legal positivism keep establishing their own systems of criteria, through which this incorporation may provenly take place in all possible fields (Kramer, 2008, p. 17).

3.1 Strengthening of the Natural Law Approach

For modern people the functional differentiation of society is an experience; the more and more obvious autonomy of politics, law, economy, science and the part systems of religion, which have meant significant challenge for social sciences when they should have described this acentric – centreless –

world (Cs. Kiss, 1994, p. 7–8). The feature of modern and 'post-modern' social science concepts conceived in the era without a central guiding principle is that they do not (or not much) consider the philosophic-moral nature of man, and they do not touch upon the principles of proper social coexistence and order related to society integrative forces, and this way they also give up the theoretical founding of a feasible social order (Frivaldszky, 2007, p. 382).

In early cultures, law and religion typically formed a unified knowledge complex which identified itself eventually as a gift of God, as power organising knowledge, (sometimes) with ambiguous origin, bequeathed orally across the generations (Juhász, 2011, p. 8). One of the main effects made on the present state of modern law and jurisprudence originated from – earlier – the break up with the exclusivity of divine natural law: the transcendent (moral) verification of the validity of positive law made by man profanised in form of rational natural law (Cs. Kiss, 1994, p. 8). Even though the need to verify the validity of positive law with transcendent, so-called meta-juristic (moral) principles has not vanished yet, the verification problem itself shifted into the dimension of the history of the non-created world. Pál Kecskés wrote: "As the conservatism of the historical-legal school established in the concept of Romanticism considered customs which appeared in the historical spirit the origin of positive law, with the urging of the historical method it significantly facilitated the creation of legal positivism" (Kecskés, 2002, p. 219–220), which, by rejecting metaphysics – thus the existence and role of God – considered only concrete, positive law as the only existing and valid law (therewith that in its opinion the only possible background reason of the created rules must be found in historical circumstances). In this approach, the notion of law is limited to the material (positive) law, the only origin and therefore interpreter of which is the state, or the will of the state.

Natural law itself has always had a double meaning: the approach interpreting nature in a metaphysical – religious – way has always been contradicted with the new (16–18th century), "enlightened, rationalist – or in other words layman-approach – interpretation of natural law", which by providing specific, empirical meaning to nature attaches the notion of natural law to an empirical feature of human nature (typically to its instinct, or any easily recognisable need).

With the advancing of the positivism of the law, the separation/division of ethics and law (morality and legality) from the strengthening of legal positivism, pushing the natural law approach to the background, there has been the following alternative solution for the question of the 'origin and nature' of legal validity: the positive law becomes valid either through a decision delivered in a target rationalised (legal!) procedure, and it does not need any transcendent justification beyond law, or there is a need for external justification, reliance on metajuristic (moral) principles. At this time it must be stated that nowadays we may witness the slow strengthening of the natural law approaches, interpreted in the broadest sense. Regarding legal positivism,

which can still be considered the ruling approach, it is a realistic assumption that 'law as momentum related to the system of norms and values requires the certification of its validity, and the changing world of positive experience cannot serve as sufficient justification; it could remain in the shadow only till the wise spirit was tied down by one-sided natural scientific knowledge' (Kecskés, 2002, p. 220).

Adam Rixer Ph.D. is Head of Department of Public Administration for the Law Faculty of Károli Gáspár University (Budapest) of the Reformed Church in Hungary. His main fields of research are legal aspects of the relationship between governmental bodies and civil/non-profit entities, especially churches, and also contemporary features of the Hungarian public administration. He has written two books in English [*Religion and Law*, Budapest, Patrocinium, 2010; *Features of the Hungarian Legal System after 2010*, Budapest, Patrocinium, 2012]. He is member of the Subcommittee of Administrative Sciences of the Hungarian Academy of Sciences.

References

- Bevir, M. (2009). *Key concepts in governance*. Delhi: SAGE.
- Boda, Zs. & Medve-Bálint, G. (2012). Intézményi bizalom a régi és az új demokráciákban [Institutional trust in old and new democracies]. 2 *Politikatudományi Szemle*, 21, 16–40.
- Cs. Kiss, L. (1994). Bevezetés [Introduction]. In: Cs. Kiss, L., & Karácsony, A. (Eds.) *A társadalom és a jog autopoietikus felépítése [Autopoietical structure of society and law]* (5-17). Budapest: ELTE. Cs. Kiss, L. (1994). Bevezetés [Introduction]. In L. Cs. Kiss, & A. Karácsony (Eds.), *A társadalom és a jog autopoietikus felépítése [Autopoietical structure of society and law]* (p. 5–17). Budapest: ELTE.
- Csink, L. & Fröhlich, J. (2012). *Egy alkotmány margójára. Alkotmányelméleti és értelmezési kérdések az Alaptörvényről [On the margin of a constitution: Constitutional scientific and interpretation issues regarding the Fundamental Law]*. Budapest: Gondolat Kiadó.
- Freeman, M. & Napier, D. (2009). Law and Anthropology. *Current Legal Issues*, 12, 40–64.
- Frivaldszky, J. (2007). *Klasszikus természetjog és jogfilozófia [Classic natural law and legal philosophy]*. Budapest: Szent István Társulat.
- Gajduscheck, Gy. (2011). A közigazgatás értelmezése Magyarországon [Interpretation of public administration in Hungary]. In P. Takács (Ed.), *Ratio Legis – Ratio Iuris: Ünnepi tanulmányok Tamás András tiszteletére 70. születésnapja alkalmából [Ratio Legis – Ratio Iuris Essays for the 70th birthday of András Tamás]* (p. 390–396). Budapest: Szent István Társulat.
- Gellén, M. (2012). *A közigazgatási reformok az államszerep változásainak tükrében [Administrative reform in light of the changes of the role of state]*. Phd. Győr: SZIE ÁJ DI.
- Gulyás, Gy. (2002). *A közpolitika paradoxonai [Paradoxons of public policy]*. Phd. Budapest: ELTE.
- Szilágyi, H. I. (2010). Jog és irodalom [Law and literature]. *Iustum Aequum Salutare*, 6, 3–19.
- Harmathy, A. (1983). *Szerződés, közigazgatás, gazdaságirányítás [Contract, public administration, economic control]*. Budapest: Akadémiai Kiadó.
- Juhász, Z. (2011). De iure non scripto, avagy a korai jogfogalom duplexitása [De iure non scripto, i.e. the duplexity of the early notion of law]. 1 *De Iurisprudentia et Iure Publico*, 5, 1–8.
- Keckés, P. (2002). Természetjog [Natural law]. In M. Szabó (Ed.), *Natura Iuris* (p. 216–234). Miskolc: Bíbor Kiadó.
- Kiss, A., Kiss, H., & Tóth J., Z. (Eds.). (2010). *Csíny vagy bűn? [Prank or sin?]*. Budapest: COMPLEX Kiadó.
- Kramer, M. H. (2008). *Where Law and Morality Meet*. Cambridge: Cambridge University Press.
- Lányi, A. (2012). Az ökológia mint politikai filozófia [Ecology as political philosophy]. 1 *Politikatudományi Szemle*, 21, 103–118.
- Meleg, Cs. (2012). A bizalom hálójában – társadalmi nézőpontok [In the net of trust – approaches of society]. *JURA*, 14, 72–75.

- Nagy, M. (2011). A közigazgatási felelősség – mi van a jogon túl? [Administrative responsibility – what is beyond law?]. In M. Fazekas (Ed.), *A közigazgatás tudományos vizsgálata egykor és ma: 80 éve jött létre a budapesti jogi karon a Magyar Közigazgatástudományi Intézet* [The scientific analysis of public administration in the past and today: The Institute of Hungarian Public Administration was established 80 years ago at the law faculty of Budapest] (p. 198–212). Budapest: Gondolat Kiadó.
- Nagy, M. (2010). *Interdiszciplináris mozaikok a közigazgatási jogi felelősség dogmatikájához* [Inter-disciplinary mosaics to the dogmatics of administrative law responsibility]. Budapest: ELTE – Eötvös Kiadó.
- Nagy, T. (2011). Jog, irodalom, intertextualitás [Law, literature, intertextuality]. In P. Takács (Ed.), *Ratio Legis – Ratio Iuris. Ünnepi tanulmányok Tamás András tiszteletére 70. születésnapja alkalmából* [Ratio Legis – Ratio Iuris. Anniversary essays for the 70th birthday of András Tamás] (p. 38–47). Budapest: Szent István Társulat.
- Rothchild, J. (2009). Law, Religion, and Culture: The Function of System in Niklas Luhmann and Kathryn Tanner (2008-2009). *Journal of Law and Religion*, 24, 465–491.
- Sajó, A. (1988). *Társadalmi-jogi változás* [Social-legal change]. Budapest: Akadémiai Kiadó.
- Sherwin, R. (2009). Intersections of Law and Culture. A cross-disciplinary conference hosted by the Department of Comparative Literary and Cultural Studies, Franklin College Switzerland, Lugano, October 2, 2009.
- Szigeti, P. (2011). *Társadalomkutatás – mi végre? Politikatudomány – Alkotmányjog – Világrendszerelmélet*. [Research of society – for what? Political science – Constitutional law – Global system theory]. Győr: Széchenyi István Egyetem (Publicationes Jaurinenses op. 9).
- Szladits, K. (1941). *Magyar magánjog, I. kötet* [Hungarian private law, Volume I]. Budapest: Grill Károly Könyvkiadó.
- Tamás, A. (2011). Közigazgatási jogtudomány [Administrative legal science]. In M. Fazekas (Ed.), *A közigazgatás tudományos vizsgálata egykor és ma: 80 éve jött létre a budapesti jogi karon a Magyar Közigazgatástudományi Intézet* [The scientific analysis of public administration in the past and today: The Institute of Hungarian Public Administration was established 80 years ago at the law faculty of Budapest] (p. 55–75). Budapest: Gondolat Kiadó.
- Van der Hoek, M. P. (2005). *Handbook of Public Administration and Policy in the European Union*. London: Taylor & Francis.

POVZETEK

1.04 Strokovni članek

Znanstvena analiza javne uprave Republike Madžarske. Novi trendi in metode.

Ključne besede: javnoupjavna veda na Madžarskem, večdisciplinarnost in multidisciplinarnost, filozofska sinteza, pristop naravnega prava

Javna uprava Republike Madžarske in javnoupjavna veda sta že tradicionalno zelo pravnega značaja. Tega ni spremenilo niti dejstvo, da so celo najbolj priznani raziskovalci javnoupjavne vede (prej Zoltán Magyary, v bližnji preteklosti pa Lajos Lőrincz) pogosto izražali svoje pomisleke glede enostranske pravne analize javne uprave. Kljub temu je analiza javne uprave, predvsem s pravnimi metodami in s pravnega pristopa, povsem primerna, saj je vprašanja o javni upravi mogoče zakonito homogenizirati, njeni mehanizmi pa zavestno temeljijo na pravu že od začetka 19. stoletja, kar je odločilnega pomena tudi v praksi.

Glede na trenutno prevladujoče večinsko mnenje, analiza notranjih načel upravnega prava najboljše omogoča preučitev katerega koli področja javne uprave. Če namreč primerjamo institucije javne uprave s podobnimi institucijami na drugih področjih prava (na primer upravno odgovornost kot zvrst sistema pravne odgovornosti, z elementi, ki sestavljajo sistem odgovornosti na drugih področjih prava), nam je omogočena širša analiza in s tem tudi nekakšna »notranja pravna multidisciplinarnost«.

Nujnost »notranje pravne multidisciplinarnosti« podpirajo tudi nekatere specifične značilnosti razmerij, ki se urejajo z upravnim pravom. Število in pomembnost tistih kompleksnih pravnih razmerij, ki sovpadajo oziroma se prekrivajo z mejami upravnega in civilnega prava, se povečuje). Slednje se npr. kaže pri javnih storitvah, ki omogočajo izdajo odločb na podlagi upravnih predpisov iz aktov ali uredb in pri pogodbah civilnega prava, ki te odločbe uresničujejo. Takšne javne storitve in pogodbe civilnega prava namreč sestavljajo enotno in zapleteno (mešano) pravno razmerje, v katerem različni elementi pomembno sovpadajo oziroma se prekrivajo drug z drugim. Ker odločbe in pogodbe prevzemajo druga drugo, je zatorej povezano tudi njihovo uresničevanje. Razumevanje teh zapletenih razmerij je težavna naloga, in sicer tako glede zakonodaje kot tudi glede kazenskega pregona, še zlasti ker je »dogma o tako zapletenih (mešanih) pravnih razmerjih precej manj dodelana«, čeprav je treba poudariti, da ne gre za nov pojav.

Poleg zgoraj omenjenih dejavnikov predpostavljamo, da je za preučitev neposrednega predmeta tega dela, tj. javne uprave, potrebna neke vrste interdisciplinarna ali multidisciplinarna metoda, ki bi omogočila oblikovanje verodostojnih nadaljnjih zaključkov in ustanovitev novih analiz. Tako bi bilo

za predmet preučevanja, poleg metod in rezultatov tradicionalno najmočnejše upravne sodne prakse treba vzpostaviti tudi trden znanstveni in materialni okvir, ki bi bil oblikovan iz znanstvenih metod drugih družboslovnih ved, kot so politične vede, organizacijske vede (organizacijsko-upravne vede), veda o javni politiki, ozko interpretirana veda javne uprave (teorija javne uprave in ekonomije), široko razumljene vede o upravljanju, statistiki, sociologiji, socialni psihologiji ali krščanski socialni etiki ali etiki ekonomije (!), poleg tega pa tudi določenih naravoslovnih ved, pri katerih ali v primerjavi s katerimi ozko interpretirani pravni argumenti in tekstualne preučitve lahko zasedejo svoje pravo mesto in nenazadnje tudi vrednost.

Mednarodna literatura se sklicuje na dejstvo, da so bili v poskusih opisov, ki so jih opravile razne javne uprave, institucionalno osredotočeni pristopi in javna politika dolgo časa v skoraj monopolističnem položaju tudi na mednarodni ravni. Pomembno pa je dejstvo, da razmeroma tradicionalne metode vede o javni upravi, upravni sociologiji in ekonomiji danes dopolnjujejo pristopi teorije mrež, ki so veliko bolj primerni za analiziranje globaliziranega sveta.

Za vzpostavitev dialoga med pravom in drugimi oblikami znanja je potrebno močno interdisciplinarno izhodišče. To danes pomeni več kot le uporabo metod sociologije ali pogovorne analize zaradi pridobitve boljšega razumevanja in pregleda nad pravnimi procesi. Oblikovala se je namreč potreba po usmeritvi k novim znanstvenim področjem, ki prej niso bila oziroma niso v resnici bila povezana z znanostjo o pravu ali ekonomiji (literaturo, antropologiji ali psihologiji in kognitivni nervnoznanosti itd.). Poleg tega dandanes razmerje med njimi ne more biti omejeno na »vzajemno uvedbo« na ravni splošnosti, temveč je potrebna vzpostavitev predhodno oblikovanih interdisciplinarnih postopkov in z njimi povezanih koherentnih in sistematičnih metodam, ki bi bile sposobne zagotoviti trden okvir za materialno primerjalno analizo/raziskavo in bi bile obenem zavezane k fleksibilnosti in odprtosti.

Seveda se ta potreba, ki jo je mogoče zaznati v zgoraj omenjenem multidisciplinarnem pristopu, pri preučevanju upravnega (državnega) pojava ne pojavlja le na strani ozko interpretirane vede o javni upravi in vede o upravnem pravu: multidisciplinarnost potrebuje odcepitev oziroma ločitev od enostranske politične analize institucij in struktur (torej upravnih institucij in struktur): ta preučevanja je treba dopolniti s teoretičnimi in metodološkimi možnostmi, ki jih omogočajo sociološka, ekonomska veda in pravo.

Ta kompleksni pristop na celoto upravnih pojavov utemeljuje dejstvo, da je razlika med procesi sprememb, ki nastajajo v pravu in realnimi družbenimi spremembami, tradicionalno zbledela: potreba po privajanju na novo in pomembnost upravljanja družbe večinoma z zakonodajo se odmika celo v primerih, ko se v resnici ne zgodi prav ničesar.

Zaradi teh lastnosti (značilnosti) je med preučevanjem treba uporabiti metodo oblikovanja modela, seveda, če se javnoupjavna veda lahko interpretira kot

adaptivna kompleksna metoda, pri kateri ločeno preučevanje nekaterih elementov bistveno zmanjša vrednost mogočih razlag. Pri tem modelu se bi odnos države in široko irazumljenih upravnih institucij družbe do drugih organov, trga in mednarodnih integracij itd., zaradi odstopanja zakonodaje od realnosti, preučeval z vseh možnih vidikov, tudi s pristopom oziroma z vprašanjem, ali so upravne reforme posegale v vsebino sistema razmerij in če da, kako in v kolikšni meri.

Kot na drugih področjih, je tudi tu sodobnost povzročila uvajanje novih pojasnjevalnih načel v politični filozofiji. Večina avtorjev, ki je obravnavala dobro upravljanje in red družbenega soobstoja, je dolgo časa razlagala »človeški pojav« na podlagi predpostavk iz ontologije in epistemologije Kartezijansko-Newtonovega etosa, ki je bil v sodobnih naravoslovnih vedah dolgo časa v prevladujočem položaju. Avtorji so zato vsak drugačen pristop šteli za iracionalnega: posameznik je veljal za naravno izhodišče in atomski element družbenih preučevanj. Tako ali drugače so avtorji črpali pravico do obstoja političnih institucij iz dovoljenj, prejetih od posameznikov in/ali naravnih prizadevanj posameznikov, medtem ko so tradicionalna zapuščina in »slepe« sile narave veljale le za ovire, ki jih je bilo treba premagati, da bi bila mogoča nemotena vzpostavitev posameznika. Nevezanost osebnosti in emancipacija sta postala glavna politična (in upravna) cilja in glavno orodje, ki (v prevladujočih pristopih) predstavlja jasno in racionalno moč.

Današnja zakonodaja zahteva, da raziskovalci družbe jasno razlikujejo med dejstvi in izjavami, ki vsebujejo vrednostne sodbe. »Znanstvena večina« za znanstveno vredne in zatorej realne navadno sprejema le prve. Kljub temu je globalna razširjenost racionalnih institucij do konca 20. stoletja privedla do velikih političnih sprememb, in sicer do stopnje, ko so (kompleksno) delovanje mrež, ki poosebljajo »moč znanja«, tehnologija in formalizirani odnosi (na primer, pravo, trg, informacijska tehnologija) postajali vedno bolj neobvladljivi in nujni, poskusi opisa s tradicionalnimi metodami pa nemogoči.

Glede vprašanja »zakaj zakonodaja ne deluje« nismo prejeli še nobenega zadostnega odgovora – tradicionalne oziroma »običajne« metode široko interpretirane vede o ekonomiji in z njo povezana tipična družbeno-znanstvena področja ne dajejo nikakršnih odgovorov. Ni se mogoče izogniti niti ponovni vzpostavitvi filozofske sinteze med pravno normo, ki ureja javno upravo in dejstvi realnega delovanja. Verjetno bo/je lahko ta smer osnova in realizator spremembe paradigme (tudi v vedah o (javni upravi) na Madžarskem.

Na splošno je mogoče reči, da bo zaradi krize družbenih ved vedno več avtorjev začelo preučevati pravi pomen stvari (širše preučevanje okvirjev analiziranega pojava), namesto opisnih vprašanj, ki analizirajo načine delovanja. V času krize, ko vsakdanje izkušnje ponarejajo naša pričakovanja, pravne in politične vede postajajo vedno bolj radikalne: preučevati in pregledovati morajo veljavnost svojih predpostavk, ki so se prej zdele trdne. Filozofija je zatorej postala ponovno veljavna, saj je vedno težje izključiti vprašanja iz politično-znanstvene

[in ekonomsko-znanstvene] razprave, ki je obrnjena stran od filozofskega spraševanja, ki se pojavlja z zahtevo opisne vede, ki ni povezana z metodo delovanja, temveč njenim pomenom (okvirom pomena).

Pozornost sodne prakse se usmerja – med drugim – na vprašanje, kako je mogoče, da so moralna načela vedno bolj prisotna v svetu prava ter na področjih, kjer je potreba po slednjih že dolgo ponavljano dejstvo, a kljub temu še vedno ni prišlo do njihove praktične uvedbe, oziroma se je le-ta zgodila le do določene mere (glej na primer vprašanje moralne odgovornosti večinske družbe do romske manjšine v pravnih instrumentih Republike Madžarske). Dokončno znamenje širitve obzorja sodne prakse – interpretiranega v najširšem pomenu besede – je, da bojevniki »tradicionalnega« pravnega pozitivizma kar naprej vzpostavljajo svoje lastne sisteme meril, s pomočjo katerih se ta uvedba lahko dokazano dogaja na vseh mogočih področjih.

Za sodobne ljudi je funkcionalna diferenciacija družbe izkušnja. Vedno bolj očitna avtonomija politike, prava, ekonomije, znanosti in sistemskih delov vere je družbenim vedam pomenila velik izziv, ko bi te pravzaprav morale opisovati ta acentrični – necentrični – svet. Lastnost modernih in »post-modernih« družboslovnih konceptov, ustvarjenih v času brez centralnega vodilnega načela je, da ne (ali ne veliko) upoštevajo filozofsko-moralne narave človeka in se ne dotikajo načel ustreznega družbenega sožitja in z redom povezanih integracijskih družbenih sil ter na ta način tudi opuščajo teoretično oblikovanje izvedljivega družbenega reda oziroma ureditve.

V zgodnjih civilizacijah sta pravo in religija navadno tvorila enoten kompleks znanja, ki se je sčasoma identificiral kot darilo od Boga, kot močnega organizatorja znanja, (včasih) z dvoumnim oziroma nejasnim poreklom, ki se je ustno prenašal skozi generacije. Eden od glavnih učinkov na sedanje stanje sodobnega prava in sodne prakse izvira iz – predhodne – ločitve z ekskluzivnostjo božanskega naravnega prava: transcendentno (moralno) preverjanje veljavnosti pozitivnega prava, ki ga je izvedel človek v obliki racionalnega naravnega prava. Čeprav potreba po preverjanju veljavnosti pozitivnega prava s transcendentalnimi, t.i. meta-jurističnimi (moralnimi) načeli, še ni izginila, pa se je sama težava preverjanja premaknila v dimenzijo zgodovine neustvarjenega sveta.

Z napredovanjem pozitivizma prava, ločitvijo/razdelitvijo etike in prava (moralnost in legalnost) od krepitve pravnega pozitivizma in potiskanjem pristopa naravnega prava v ozadje, se je za vprašanje »izvora in narave« pravne veljavnosti oblikovala naslednja alternativna rešitev: pozitivno pravo postane veljavno bodisi z odločbo ciljnega racionaliziranega (pravnega!) postopka, ki ne potrebuje nobene transcendentne utemeljitve onkraj prava ali pa obstaja potreba po zunanji utemeljitvi in zanašanju na meta-juristična (moralna) načela. Tokrat naj ugotovimo, da smo dandanes lahko priča počasni krepitvi pristopov naravnega prava, razumljenega v njegovem najširšem pomenu.

Izvajanje dvojezičnosti v javni upravi v Sloveniji

Sonja Novak Lukanovič

Inštitut za narodnostna vprašanja v Ljubljani
Filozofska fakulteta, Univerza v Ljubljani
sonja.novak@guest.arnes.si

Breda Mulec

Ministrstvo za kmetijstvo in okolje
Fakulteta za državne in evropske študije Kranj
breda.mulec@gov.si

IZVLEČEK

Članek obravnava pomen institucionalne dvojezičnosti v javni upravi na narodno mešanih območjih. Nacionalni predpisi omogočajo, da je poslovanje v javni upravi dvojezično, v članku pa želimo ugotoviti, koliko se zakonski predpisi o dvojezičnosti uresničujejo tudi v praksi. Čeprav zakonodaja omogoča rabo jezika narodne skupnosti in je ne omejuje samo na pripadnike manjšine, pa se ob neustrezni jezikovni in izobraževalni politiki možnost rabe uradnega jezika – jezika narodne skupnosti zoži le na poslovanje s pripadniki manjšine, torej postane raba uradnega jezika omejena le na osebno pravico pripadnikov manjšin. Na osnovi zbranih empiričnih podatkov smo ocenili učinkovitost politike na področju uresničevanja institucionalne dvojezičnosti in predlagali rešitve.

Ključne besede: javne ustanove, institucionalna dvojezičnost, narodnostno mešano območje, dodatek za dvojezično poslovanje

JEL: Z 18

1 Uvod

V članku podajamo osnovna izhodišča o pomenu institucionalne dvojezičnosti in postavljamo hipotezo, da je poslovanje na narodno mešanih območjih v javni upravi dvojezično. Za preverjanje hipoteze bomo uporabili izbrane raziskovalne rezultate, ki jih bomo dopolnili s predstavitvijo pravnih podlag. Članek je strukturiran v naslednja poglavja: v prvem poglavju je izpostavljeno izhodišče za obravnavanje institucionalne dvojezičnosti, v drugem poglavju so podane zakonske/pravne podlage uresničevanja dvojezičnosti v javni upravi, ki postavlja temelje za izvajanje institucionalne dvojezičnosti. V tretjem, osrednjem poglavju pa z izbranimi empiričnimi podatki prikazujemo izvajanje dvojezičnosti v institucijah javne uprave. V zadnjem, zaključnem poglavju je na

osnovi empiričnih podatkov nakazana ocena učinkovitosti politike na področju uresničevanja institucionalne dvojezičnosti.

2 Institucionalna dvojezičnost – temeljna izhodišča

Obravnavanje večjezičnosti/dvojezičnosti je tesno povezano z obravnavanjem jezikovnih pravic. Številni mednarodni dokumenti - od dokumentov OZN, Unesca, OVSE-ja, Sveta Evrope, itd., obravnavajo jezikovne pravice predvsem z vidika splošnih standardov človekovih pravic, nediskriminacije, svobode izražanja, pravice do rabe jezika na vseh področjih (tako na nacionalnem in regionalnem kot na mednarodnem nivoju). Vsebine v teh dokumentih so glede jezika oz. jezikovnih pravic zelo splošne. Pri tem lahko povzamemo delitev, kot jo navaja Varenes (Varenes, 2003), ki pravi, da pri obravnavanju vloge jezika oz. jezikovnih pravic obstaja razlika med dvema kategorijama. Prva kategorija se nanaša na uporabo jezika posameznika v zasebnem življenju, medtem ko se druga kategorija nanaša na uporabo jezika uradnih institucij oz. uporabo jezika posameznika v uradnih institucijah. Prav to razlikovanje, ti dve kategoriji pa kažeta, da je zelo pomembno, kako nekdo – posameznik ali politika – dojema »jezikovne pravice« in »manjšinske pravice« ter kje in v čem se pravice prepletajo.

Dvojezičnost/večjezičnost kot politika in kot vrednota posameznika in skupnosti izhaja iz načela enakopravnosti in načela vrednotenja različnosti jezikov in kultur kot pomembnega vira znanja in modrosti. Istočasno pa je medsebojno razumevanje in sporazumevanje tudi pogoj za mirno sobivanje različno govorečih v globalnem svetu.

Problematika dvojezičnosti sodi med področja, ki s svojimi političnimi, socialnimi, kulturnimi, ekonomskimi, mednarodnimi vidiki razkrivajo dejansko demokratičnost družbe in stopnjo enakopravnosti različnih etničnih skupin.

Pravno varstvo posebnih pravic narodnih skupnosti v Sloveniji (pripadnikov italijanske in madžarske manjšine) je vtakano v celoten pravni red, od ustave do statutov občin. Številni normativni akti v Sloveniji upoštevajo koncept, da sta na narodnostno mešanem območju, ki ga opredeljujejo statuti občin, italijanski oz. madžarski jezik enakopravna s slovenskim jezikom tako na individualni kot na institucionalni ravni. Na osnovi upoštevanja spremenljivk etnolingvistične vitalnosti (Giles, Bourish & Taylor, 1977) je mogoče potrditi, da na narodnostno mešanih območjih Slovenije oziroma v jezikovno stičnih območjih v Sloveniji obstaja možnost rabe jezika narodne skupnosti. Možnost pomeni, da jezik ni diskriminiran in da država z ustavo in številno zakonodajo daje osnovo za uporabo dveh jezikov. Na narodnostno mešanih območjih so vzpostavljeni pogoji za institucionalno dvojezičnost, oprto na funkcionalno dvojezičnost pripadnikov večine in manjšine, kar omogoča vzajemno jezikovno primikanje govorcev obeh jezikovnih skupnosti. Funkcionalna dvojezičnost pomeni, da pripadniki manjšine v vseh govornih položajih, formalnih in neformalnih, uporabljajo v komuniciranju znotraj skupine in tudi zunaj nje

svoj materni jezik, medtem ko pripadniki večine, s katerimi skupaj živijo, na neformalni ravni vsaj pasivno obvladajo njihov materni jezik.

Osnovni pogoj za uresničevanje tako zastavljene dvojezičnosti v različnih domenah pa je ustrezno in uspešno izobraževanje (Novak Lukanovič, 2009). V okvir formalno zagotovljene dvojezičnosti na institucionalni ravni sodi tudi dvojezično poslovanje državnih organov, organov občin, sodnih organov in javnih služb, ki poslujejo na tem območju, kar pomeni, da se jezikovna različnost v okolju spoštuje in se zagotavljajo tudi finančna sredstva za njeno uresničevanje. Deklarativno zapisana možnost ima tako finančno podporo, ki jo zagotavlja Ustava Republike Slovenije (Ur.l. RS, 33/91). Kljub temu, da so sporazumevalne funkcije jezikov obeh manjšin uradno utemeljene, pa se funkcija italijanskega in madžarskega jezika na narodno mešanih območjih ne razteza na vse kanale javnega sporazumevanja in tudi ne na sfero zasebnega sporazumevanja. (Nečak Lük, 1995)

Čeprav je izvajanje dvojezičnosti na institucionalni ravni v ustanovah javnega značaja na narodnostno mešanih območjih v Sloveniji ustavno in zakonsko urejeno, se praksi pogosto kaže neenakopravno obravnavanje slovenskega in manjšinskega jezika predvsem v gospodarskih ustanovah in podjetjih (Novak Lukanovič, 2011). Zakona, ki bi predpisoval njihovo dvojezično delovanje ni, čeprav je v nekaterih občinskih dokumentih¹ zapisano, da morajo podjetja imeti dvojezične napise/table, toda nikjer ni omenjeno, da morajo v svojih internih aktih – statutu, poslovnih planih, poslovnih poročilih, zaposlovanju oziroma pri poslovanju upoštevati dvojezičnost. Predvsem podjetja, ki imajo sedež zunaj narodnostno mešanega območja, zagovarjajo, da jim ni treba upoštevati dvojezičnosti. Mnenja o tem so seveda različna, prav tako pa je tudi pravna interpretacija lahko različna.

Uvajanje politike na področju uresničevanja institucionalne dvojezičnosti ni enoznačno, ampak se prepleta skozi številna področja – odraža se v ustrezni organizaciji izobraževanja, organizaciji javnih ustanov ter v stališčih do jezika in do dvojezičnosti. Pri uporabi termina »stališče do jezika« imamo v mislih številne družbene dejavnike – posredne in neposredne, ki prispevajo k promociji manjšinskega jezika in vplivajo na oblikovanje stališč posameznika do dvojezičnosti in do rabe dveh jezikov, kar prispeva k učinkovitosti zastavljene politike.

Vedno pa se postavlja vprašanje, ali je uvajanje politike uspešno in kdo ocenjuje to uspešnost – pripadniki večine ali manjšine. Brez dvoma so v oceni uspešnosti politike do dvojezičnosti bolj kritični pripadniki manjšine, zato se v prispevku naslanjamo na podatke študije o pomenu dvojezičnosti na narodno

¹ Na primer Statut občine Lendava/Lendva, člen 71 (Ur.l. RS, 32/95: 2284)

mešanih območjih v Sloveniji², v katero so bili vključeni pripadniki italijanske in madžarske narodne skupnosti.

2.1 Zakonska osnova uresničevanja institucionalne dvojezičnosti

Določbe o enakopravni rabi jezikov obeh narodnih manjšin na narodnostno mešanih območjih vsebujejo zakoni in pravilniki o delovanju uprave in državnih organov ter pravosodnih organov (sodišč, tožilstev, notariata) ter določila o zunanji dvojezičnosti. Oba jezika, slovenski in italijanski oziroma madžarski, sta enakopravna jezika tudi pri poslovanju upravnih, državnih ter pravosodnih organov.³

Uredba o upravnem poslovanju z vsemi spremembami in dopolnitvami (Ur.l. RS 20/05; 106/05; 30/06; 86/06; 32/07; 63/07; 31/08; 35/09; 101/10, 81/13) je nadomestila Uredbo o poslovanju javnih organov in na neki način razširila območje uporabe jezika narodnih skupnosti zunaj narodnostno mešanega območja – vsi dogodki, informacije obrazci, ki so na državnem e-portalu, morajo biti tudi v italijanskem in madžarskem jeziku.⁴

Tudi Zakon o javni rabi slovenščine v svojem 1. členu določa, da je slovenski jezik uradni jezik Republike Slovenije (ZJRS 2004: 10418). V njem poteka govorno in pisno sporazumevanje na vseh področjih javnega življenja v Republiki Sloveniji, razen kadar sta v skladu z Ustavo Republike Slovenije (Ur.l. RS 33/91: 1374) poleg slovenščine uradni jezik tudi italijanščina in madžarščina. V 3. členu omenjenega zakona pa je posebej opredeljen tudi jezik narodnih skupnosti: »Na območjih občin, v katerih živita italijanska ali madžarska narodna skupnost, se javna raba italijanščine ali madžarščine kot uradnih jezikov zagotavlja na način, kot ta zakon ureja javno rabo slovenščine in v skladu z določbami posameznih področnih zakonov.«

Zakon o uresničevanju posebnih pravic pripadnikov italijanske in madžarske narodnosti na področju vzgoje in izobraževanja v poglavju o strokovnih in drugih delavcih definira tudi njihovo znanje učnega jezika – slovenskega in madžarskega v dvojezičnih šolah. Navajamo 15. člen omenjenega zakona: » ... strokovni delavec obvlada madžarski jezik kot učni jezik, če je končal program dvojezične šole ali fakultativnega pouka madžarskega jezika na srednji šoli ter fakultativnega pouka madžarskega jezika na visoki ali univerzitetni ravni in si je pridobil predpisano izobrazbo v slovenskem ali madžarskem jeziku«. (ZPIMVI 2001: 4046) Zgoraj navedeno besedilo iz zakona ne določa natančno stopnje jezikovne kompetence strokovnega delavca. Stopnja znanja jezika je

2 Pri tem navajamo rezultate raziskave »Dvojezičnost v Sloveniji« nosilke Sonje Novak Lukanovič, ki je potekala med 2005 in 2007 na Inštitutu za narodnostna vprašanja. Raziskavo je financiral Urad za narodnosti Vlade RS, elaborat hrani INDOK Inštituta za narodnostna vprašanja.

3 To je opredeljeno v Zakonu o državni upravi (ZDU-1-UPB4 2005: 12218; ZDU-1F 2012: 1766) ter tudi v Zakonu o splošnem upravnem postopku (ZUP-UPB2 2006: 2484)

4 Pri tem nas je zanimalo, koliko posameznikov je oddalo napoved o odmeri davka v italijanskem oz. madžarskem jeziku. Odgovor smo prejeli z Davčnega urada Murska Sobota, kjer so napisali, da je bilo v okviru njihove izpostave Lendava izpolnjenih v letu 2006 1601 napovedi v madžarskem jeziku.

tudi po rezultatih drugih raziskav⁵ zelo pomembna spremenljivka, ki vpliva na uresničevanje individualne in institucionalne dvojezičnosti na narodnostno mešanih območjih.

Možnost izvajanja dvojezičnosti, vsaj v segmentu javne uprave, dodatno stimulira dodatek za dvojezično poslovanje,⁶ ki pomeni konkretno obliko mehanizma države za ustvarjanje dodatnih pogojev za pospeševanje rabe manjšinskega jezika. To bi lahko poimenovali tudi dodatna stimulacija za posameznika oziroma prispevek družbe k promociji rabe manjšinskega jezika. Brez dvoma dodatek prispeva/pospešuje možnost rabe manjšinskega jezika. O podobnih ukrepih razmišljajo tudi v drugih okoljih – na primer na Finskem, na področjih, kjer živi švedska manjšina. Dodatek za dvojezično poslovanje v javnih ustanovah v etnično mešanih območjih na Finskem sicer ni zakonsko urejen in tudi ni enak v vseh krajih, ampak je to v domeni posamezne občine oziroma regije, ki iz svojega proračuna zagotavlja plačilo dodatka (od 3 % naprej). Povečanje plače za aktivno rabo finskega in švedskega jezika je del njihove plačne politike. S ciljem zagotavljanja dvojezično poslovanje so sprejeli številne ukrepe, ki naj bi pospeševali uporabo manjšinskega/švedskega jezika – tečajji manjšinskega jezika za uslužbenca in politike, predavanja o pomenu dvojezičnosti, številni neformalni stiki.⁷

Dodatek za dvojezično poslovanje na narodnostno mešanih območjih v Sloveniji se pojavlja kot pomemben ekonomski element tako z vidika makroekonomije kot mikroekonomije. Z vidika makroekonomije je dodatek za dvojezično poslovanje finančen strošek v proračunu, ki ga država mora zagotavljati, da se lahko dvojezičnost formalno uresničuje na vseh ravneh. Na mikroravni pa pomeni, da je dodatek za dvojezično poslovanje vezan na posameznika in na delovno mesto in ima večplasten pomen – posameznik je motiviran, da se nauči drugi jezik, kajti znanje jezika večine in manjšine mu omogoča zaposlitev

5 Naj omenimo raziskavo »Etnična identiteta in medetnični odnosi v slovenskem etničnem prostoru« v različnih časovnih obdobjih, in sicer v Lendavi leta 1991, 1994 in 1996 ter v Slovenski Istri leta 1994 in 1996, nosilka prof. dr. Albina Nečak – Lük ter raziskavo »Percepcija jezikovne in kulturne raznolikosti v obmejnih mestih«, nosilka dr. Sonja Novak Lukanovič, CRP, 2004–2006..

6 Dodatek za dvojezično poslovanje, ki ga prejema zaposlen v javni upravi, ima osnovo v Zakonu o sistemu plač v javnem sektorju (ZSPJS-UPB13 2009), v 19. in 20. členu Zakona o razmerjih plač v javnih zavodih, državnih organih in v organih lokalnih skupnosti (ZRPJZ 1994: 1016), ko zaposlenim v državnih organih pripadajo dodatki, ki so določeni s kolektivno pogodbo, zakonom ali na njegovi podlagi izdanim predpisom. Z 12. členom Uredbe o količnikih za določitev osnovne plače in dodatkih zaposlenim v službah vlade Republike Slovenije in v upravnih organih (Ur.l. RS 35/96, 3065) je bil za območje lokalnih skupnosti, v katerih živita italijanska ali madžarska narodna skupnost, določen dodatek za aktivno znanje jezika narodne skupnosti v višini 6 % osnove plače in 3 % osnove plače za pasivno znanje. Navedeni dodatek se priznava za delovna mesta, za katera je v aktu o notranji organizaciji in sistemizaciji delovnih mest predpisan pogoj znanje jezika narodne skupnosti. To ureja Uredba o notranji organizaciji, sistemizaciji, delovnih mestih in nazivih v organih javne uprave in v pravosodnih organih (Ur.l. RS 58/03).

7 Pri tem velja omeniti projekt »From Act to Action« nosilke Siv Sandberg, Abo Akademi, Abo, Finska, ki na zelo sistematičen način prikazuje, kako se v posameznih okoljih uresničuje dvojezičnost in katere mehanizme politika države sprejema, da bi zagotavljala uspešnost. Projekt je bil predstavljen na delavnici Partnership for diversity, Ljouvert/Leeuwarden, The Netherlands, 30.–31. 10. 2009.

in nenazadnje mu znanje in raba dveh jezikov na delovnem mestu prinašata finančno stimulacijo. Težko bi odgovorili, ali je finančna stimulacija (dodatek od 3 % do 6 % na osnovno plačo) dovolj za motivacijo posameznikov, predvsem pripadnikov večinske populacije, da usvojijo jezik manjšine.

3 Uspešnost institucionalne dvojezičnosti – izbrani raziskovalni rezultati

Uspeh politike države na področju uresničevanja dvojezičnosti se odraža predvsem v življenju posameznika, pripadnika manjšine, tako v rabi jezika kot v stališčih do prvega in drugega jezika in do dvojezičnosti. Raziskava⁸ »Dvojezičnost v Sloveniji«, katere izbrane rezultate predstavljamo, je izhajala iz modela o učinkovitosti politike za podporo manjšinskemu jeziku, ki jo je postavil Grin (2002). Model poudarja kategorije, ki se nanašajo na možnost, zmožnost in stališče do jezika in do dvojezičnosti.

Rezultati empiričnega raziskovanja, ki nakazujejo, kako pripadniki italijanske in madžarske narodne skupnosti v Sloveniji uresničujejo možnost rabe svojega maternega jezika v javnem življenju in kako zaznavajo dvojezičnost, so pomembni kazalniki uspešnosti politike države na področju narodnostne enakopravnosti.

Raziskava si je postavila naslednji hipotezi:

1. da obstajajo pogoji (zakonski) na narodnostno mešanih območjih v Sloveniji, da posamezniki – pripadniki manjšine uporabljajo manjšinski jezik v različnih domenah,
2. da na slovensko-italijanskem in slovensko-madžarskem narodnostno mešanem območju zakonska ureditev vzpostavlja institucionalno dvojezičnost, oprto na funkcionalno dvojezičnost.

Hipoteza se je preverjala z analizo empiričnih podatkov raziskave.

3.1 Predstavitev vzorca in metode raziskave

Empirični del raziskave je vključeval metodo anketnega strukturiranega vprašalnika, ki je vseboval 28 vprašanj odprtega in zaprtega tipa. Vprašanja so obsegala sklop vprašanj o rabi jezika, vprašanje o maternem jeziku in obliki šolanja, sklop vprašanj o samooceni znanja italijanskega oz. madžarskega in slovenskega jezika, sklop vprašanj o stališčih do manjšinskega jezika in do slovenskega jezika ter do dvojezičnosti, sklop vprašanj o dodatku za dvojezičnost ter sklop o podatkih vprašanega – starost, spol, izobrazba, področje zaposlitve. V raziskavo so bili vključeni pripadniki italijanske in madžarske narodnosti. V sodelovanju z manjšinskimi skupnostmi je bilo na naslove njihovih članov poslan dvojezični vprašalnik (v slovenskem in

⁸ Raziskava je navedena že v op. 2.

italijanskem jeziku oziroma v slovenskem in madžarskem jeziku). Posameznik je bil naprošen, da izpolni vprašalnik in ga v priloženi ovojnici po pošti vrne. Na narodnostno mešanem območju Slovenske⁹ Istre je bilo pripadnikom italijanske narodnostne skupnosti poslano 340 vprašalnikov in prav toliko vprašalnikov je bilo poslano pripadnikom madžarske narodnostne skupnosti v Prekmurju. Po preteku 14 dni je bilo vrnjenih 146 vprašalnikov iz Istre in 145 iz Prekmurja. Raziskava je bila anonimna, in odziv je bil glede na metodo (anketa po pošti) v metodološkem pogledu sprejemljiv (43 odstotna realizacija).

Podatki so bili statistično obdelani. Uporabljene so bile kvantitativna in kvalitativna ter komparativna metoda analize. Namen statistične analize ni bil zgolj »veljavnost« vprašalnika in frekvenčna analiza, ampak tudi primerljiva veljavnost med obema območjima. Pri tem so bile, kjer je bilo mogoče, uporabljene tudi neverbalne, numerične lestvice, ki izboljšajo medsebojno primerljivost. Za vnos podatkov je bil uporabljen Microsoft Access. Pri statistični analizi pa so bile uporabljene neparametrične metode (Mann-Whitney, Kruskal Wallis, Spearmanova korelacija), v nekaterih primerih, kjer je bilo mogoče, pa so bile uporabljene tudi parametrične metode (ANOVA, regresijski modeli). Za statistično analizo je bil uporabljen SPSS za Windows. Pomembni zaključki študije so opremljeni tudi z grafikoni iz različnih programskih sistemov – od vgrajenih v SPSS, preko Sigplota do specialnih R grafikonov, ki so tako natančno ilustrirali ugotovitve.

3.2 Izbrani empirični rezultati

V vzorcu raziskave ni bilo zaznanih statističnih razlik v starosti in spolu med območjima. Prevladovali so starejši od 50 let, najmanj je bilo mlajših od 30 let (Tabela 1). Pri stopnji izobrazbe pa je bila v vzorcu med območjima zaznana statistična razlika ($p < 0,05$). V povprečju so bili vprašani iz Prekmurja z višjo stopnjo dosežene izobrazbe. Glede področja zaposlitev pa je bil največji delež zaposlenih na področju izobraževanja in kulture (Slovenska Istra: 28,2%, Prekmurje: 25,9%), druge dejavnosti so bile razpršene od javne uprave, industrije, obrti, trgovine, zavarovalništva, turizma in drugo. Večina vprašanih je napisala, da je njihov prvi jezik italijanski jezik (76,7%) oziroma madžarski jezik (84,1%), skoraj 20 odstotkov vprašanih v Slovenski Istri pa je napisalo, da imajo dva prva jezika oziroma eden od vprašanih je celo napisal, da ima 3 prve (materne) jezike (slovenščina, italijanščina, hrvaščina), medtem ko v Prekmurju ni bilo nobenega, ki bi napisal, da ima dva prva/materna jezika. Večina vprašanih iz obravnavanega vzorca živi na narodnostno mešanem območju (NMO) že od rojstva, kar je pomemben podatek za ocenjevanje objektivne podobe narodnostno mešanega območja in za razumevanje ter ocenjevanje dvojezičnosti v vsakdanjem življenju (Tabela 3).

⁹ Pri tem želimo opozoriti, da različni avtorji uporabljajo različno poimenovanje za območje – od termina Obala do Istria do Slovenska Istra. Kljub temu, da največkrat uporabljamo termin Slovenska Istra, pa v nekaterih primerih, zlasti v tabelah, uporabljamo samo Istra.

Tabela 1: Starost anketirancev

	Manj kot 30		30–40		41–50		Več kot 50		Skupaj	
	štev.	%	štev.	%	štev.	%	štev.	%	štev.	%
Slovenska Istra	13	8,9	29	19,9	29	19,9	75	51,4	146	100
Prekmurje	18	12,4	30	20,7	28	19,3	69	47,6	145	100

Tabela 2: Spol

	Ženske		Moški		Skupaj	
	štev.	%	štev.	%	štev.	%
Slovenska Istra	89	60,9	57	39,1	146	100
Prekmurje	97	66,9	48	33,1	145	100

Tabela 3: Čas bivanja na NMO

	Od rojstva		Priseljeni/s več 10 let		Skupaj	
	štev.	%	štev.	%	štev.	%
Slovenska Istra	120	82,2	26	17,81	146	100
Prekmurje	135	93,1	10	6,9	145	100

V raziskavi smo tudi preverjali strinjanje oziroma nestrinjanje z dodatkom za dvojezično poslovanje, ki pripada vsem, ki so zaposleni v javni upravi in v javnem šolstvu ter pri svojem delu uporabljajo dva jezika. Dodatek za dvojezično poslovanje je ukrep države, da spodbuja in ohranja dvojezičnost na institucionalni ravni. Pričakovano je bilo, da bodo vprašani v raziskavi na osnovi lastnih izkušenj podali mnenje o upravičenosti finančnega dodatka za dvojezičnost. Večina vprašanih je menila, da bi moralo biti znanje dveh jezikov – slovenskega in madžarskega oz. italijanskega pogoj za zaposlitev na narodnostno mešanem območju ne glede na delovno mesto.

Rezultati so tudi nakazali različna stališča vprašanih do upravičenosti finančne stimulacije za izvajanje dvojezičnosti na delovnem mestu. Na vprašanje »Ali menite, da morajo biti delavci, ki opravljajo službo v dveh jezikih, v slovenščini in italijanščini oz. v slovenščini in madžarščini, na narodnostno mešanem območju za to dodatno plačani?« je večina v Prekmurju odgovorila pritrdilno, v Slovenski Istri pa niso bili tako prepričljivi (glej Tabelo 4).

Kot argument za upravičenost dodatka vprašani navajajo, da je delo bolj naporno in zahteva več angažiranosti in priprav. Relativno visok odstotek vprašanih se ne strinja z dodatkom za dvojezično poslovanje (med vprašanimi

v Slovenski Istri je bilo takega mnenja 46,5%, v Prekmurju pa 30,8%). Nestrinjanje z dodatkom se je v raziskavi povezovalo s področjem zaposlitve, s starostjo, spolom in stopnjo dosežene izobrazbe.

Tabela 4: Odgovori na vprašanje »Ali menite, da morajo biti delavci, ki opravljajo službo v dveh jezikih, v slovenščini in italijanščini oz. v slovenščini in madžarščini, na narodnostno mešanem območju za to dodatno plačani?«

Odgovori		Slovenska Istra	Prekmurje
Da	št.	63	91
	%	43,8%	62,3%
Ne	št.	67	45
	%	46,5%	30,8%
Ne vem	št.	14	10
	%	9,7%	6,8%
Skupaj	št.	144	146
	%	100,0%	100,0%

Rezultati v Prekmurju so pokazali statistično značilno povezavo spola z vprašanjem o dodatku za dvojezično poslovanje. Večina moških se z dodatkom za dvojezično poslovanje ne strinja, nestrinjanje z dodatkom kaže tudi statistično značilno povezavo s področjem zaposlitve (Chi-Square Test pokaže, da je $p = 0,002$, kar pomeni, da je $p < 0,05$). Trditev, da področje zaposlitve zelo zaznamuje strinjanje oz. nestrinjanje z dvojezičnim dodatkom, sporočajo tudi rezultati drugih raziskav – na primer Nečak Lük, Muskens, Novak Lukanovič (2000), kjer vprašani, ki so zaposleni v izobraževalnih institucijah, v razliko od drugih področij, zelo močno podpirajo dodatek za dvojezičnost.

Med vprašanimi v Slovenski Istri pa področje zaposlitve ni povezano s strinjanjem oziroma nestrinjanjem z dodatkom za dvojezično poslovanje. Nobeno področje zaposlitve ne izstopa in odgovori z »ne« so enakomerno razpršeni med različnimi področji. V razliko od Slovenske Istre pa je v Prekmurju zaznana povezava odgovorov s specifičnim področjem zaposlitve.

Nestrinjanje z dodatkom za dvojezično poslovanje je značilno za področje obrti, kmetijstva, industrije, kar se lahko poveže z dejstvom, da ti posamezniki ne dobivajo dodatka za svoje znanje in rabo jezika, zato menijo, da tudi drugi niso upravičeni do njega. Zanimivo pa je, da se tudi posamezniki iz storitvene dejavnosti (zavarovalništvo, trgovina, banka), ki pri svojem delu komunicirajo s strankami in zato uporabljajo oba jezika, ne strinjajo z dodatkom.

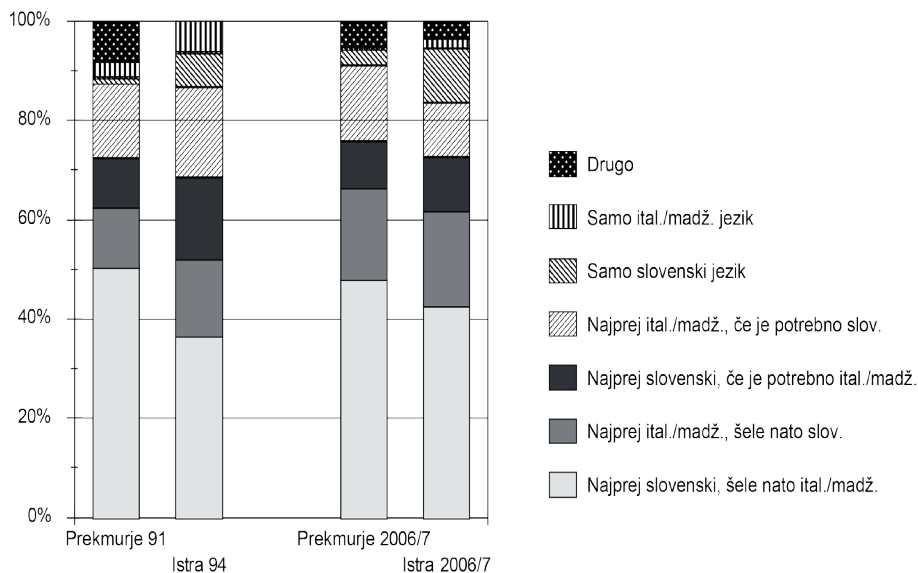
Rezultati so tudi pokazali, da stopnja dosežene izobrazbe ne vpliva na odgovore, ki se nanašajo na dodatek za dvojezičnost. Večina vprašanih meni (Slovenska Istra: 85,4%; Prekmurje: 68,7%), da bi morale veljati denarne

ali druge sankcije, če ni poskrbljeno za dvojezično poslovanje, za ustrezno zasedena delovna mesta, za dvojezične oznake. V tem so v Slovenski Istri bolj dosledni kot v Prekmurju, kjer jih kar nekaj odstotkov tudi ne ve, kaj bi bilo v primeru nespoštovanja dvojezičnosti potrebno storiti (ne vem – Prekmurje: 17 %; Slovenska Istra: 7,6 %).

Zanimalo nas je tudi, kateri jezik vprašani najprej uporabijo, ko stopijo v javno ustanovo, kajti v teh ustanovah je dvojezičnost ustavno in zakonsko zagotovljena. Pri ugotavljanju uresničevanja institucionalne dvojezičnosti v različnih časovnih obdobjih smo za primerjavo uporabili tudi podatke raziskave (Nečak Lük, 1998). Prikaz podatkov v različnih časovnih obdobjih brez dvoma potrjuje vpliv različnih družbenih faktorjev na rabo jezika (Grafikon 1).

Podatki kažejo, da večina ob prvem stiku najprej spregovori v slovenskem jeziku in šele nato v madžarskem jeziku oziroma italijanskem jeziku. Raba jezikovnega vzorca zrcali jezikovno prilagajanje, kjer se pripadniki manjšine jezikovno primikajo. Na jezikovno konvergenco – primikanje oziroma na jezikovno izbiro pa vpliva tako stopnja znanja jezika kot tudi specifična situacija, ki jo zaznamuje sogovorec. Prav tako izbiro jezika močno zaznamuje motiv posameznika. (Novak Lukanovič, 2003).

Grafikon 1: Izbira jezika v javni ustanovi



Če povzamemo Novak Lukanovičevo (2006, str. 303), so rezultati potrdili, »da se posameznik zelo močno subjektivno identificira s skupino in da jezik predstavlja pomembno dimenzijo etnične identitete. V nekaterih primerih pa je prav na primeru rabe jezika zaznana šibka etnična solidarnost. Kot zelo indikativni spremenljivki v odnosu na jezikovno razlikovanje sta se pokazala

obseg oziroma raven, do katere pripadnik narodne skupnosti uporablja svoj jezik«. Čeprav ima posameznik možnost (pravno podlago), da uporablja svoj materni jezik na vseh ravneh, pa se pripadniki narodne skupnosti v stikih v okviru javne uprave jezikovno primaknejo in dajejo prednost večinskemu jeziku. Po vsej verjetnosti nastane jezikovni primik zaradi sogovorca (uradnika), ki ne obvlada dovolj dobro italijanskega oz. madžarskega jezika, čeprav prejema dodatek za dvojezično poslovanje.

Primerjava med različnimi časovnimi obdobji o rabi jezika ob vstopu v javno ustanovo je pokazala rahel statistični odklon v škodo italijanskega oz. madžarskega jezika – samo madžarski oz. samo italijanski jezik se skoraj ne uporabljata več. Povečal pa se je tudi odstotek rabe samo slovenskega jezika ter odstotek rabe drugega jezika, predvsem je to zaznано v Istri.

Pripadnik italijanske oz. madžarske narodne skupnosti uporablja slovenski jezik ne zato, ker mu njegovega maternega jezika (J1) ni dovoljeno uporabljati, ampak predvsem zato, da se z drugim jezikom približa sogovorniku. Prav nezadostna stopnja znanja jezika je mnogokrat vzrok, da komunikacija med govorniki ne poteka v jeziku narodne skupnosti. V tem primeru pride do primikanja k jeziku večine (jezikovna konvergenca). Kot navaja Novak Lukanovičeva (2006, str. 304) »strategijo jezikovnega prilagajanja zaznamuje predvsem etnična komponenta govorcev. V večini primerov gre za asimetrično konvergenco, ki jo največkrat zaznamuje samo govorec – pripadnik manjšine. Pripadnik manjšine največkrat pred strategijo ohranjanja jezika v formalnih govornih položajih daje prednost strategiji primikanja k jeziku večine. Enosmerno jezikovno prilagajanje kaže na neuravnotežen družbeni položaj jezika, v katerem prevladuje diglosija.«

4 Zaključek

Na osnovi rezultatov empiričnega raziskovanja so rezultati pokazali:

- da se hipotezo, da na narodnostno mešanih območjih v Sloveniji obstajajo pogoji (zakonski), da posamezniki – pripadniki manjšine uporabljajo manjšinski jezik v različnih domenah, lahko potrdi. Z rezultati raziskovanja se je ugotovilo, da politika ustvarja možnost, katere učinki se zrcalijo v zmožnostih in stališčih. Ti pa ustvarjajo pogoje rabe jezika narodne skupnosti; ter
- da se hipotezo, da zakonska ureditev vzpostavlja institucionalno dvojezičnost, oprto na funkcionalno dvojezičnost, zavrne, kajti kljub možnosti in zmožnosti je raba jezika narodnosti na formalnem nivoju neustrezna.

Zakonodaja v RS natančno opredeljuje vlogo uradnega jezika na narodnostno mešanih območjih v Sloveniji, kar pomeni, da obstajajo zakonske možnosti za njegovo rabo. Čeprav zakonodaja omogoča rabo jezika narodne skupnosti in je ne omejuje samo na pripadnike manjšine, pa se ob neustrezni jezikovni

in izobraževalni politiki možnost rabe uradnega jezika – jezika narodne skupnosti zoži le na poslovanje s pripadniki manjšine, torej postane raba uradnega jezika omejena le na osebno pravico pripadnikov manjšin. S tem se »getoizira« manjšinski jezik.

Empirični podatki so potrdili, da k uspešnosti institucionalne dvojezičnosti na narodnostno mešanih območjih v Sloveniji prispeva dodatek za dvojezično poslovanje, ki rabi jezika dodaja tudi ekonomsko vrednost. Ekonomska vrednost rabe jezika je pomemben del strategije ohranjanja večkulturnega območja, o čemer poročajo tudi primeri v svetu (Grenier & Vaillancourt, 1983; Grin, 1996). Znanje jezika narodne skupnosti ima za posameznika dodano vrednost, omogoča mu zaposlitev in dodatno finančno stimulacijo v svojem okolju, istočasno pa omogoča mobilnost in hkrati tudi vključevanje v drugi, sosedski trg. Z ustrezno zastavljeno promocijo rabe jezika manjšinske/narodnostne skupnosti in zavedanja o pomenu uresničevanja dvojezičnosti bi se tudi ustavno določilo, da je na narodnostno mešanem območju poleg slovenskega jezika uraden tudi jezik narodne skupnosti, uresničevalo v vsakdanjem življenju. Na ta način bi finančni vložek države pri uresničevanju institucionalne dvojezičnosti postal učinkovit.

Dr. Sonja Novak Lukanovič je magistrirala in doktorirala na Filozofski fakulteti Univerze v Ljubljani na temo jezikovnega prilagajanja. Na Filozofski fakulteti je nosilka predmeta *Uporabno jezikoslovje v dodiplomskem in podiplomskem programu Splošnega jezikoslovja*, na Inštitutu za narodnostna vprašanja pa se raziskovalno ukvarja s problematiko dvojezičnosti, vloge jezika v družbi, jezikovnega prilagajanja, ekonomskega vidika jezika, učinkovitosti dvojezičnega izobraževanja. Je habilitirana izredna profesorica za uporabno jezikoslovje na Univerzi v Ljubljani in višja znanstvena sodelavka na Inštitutu za narodnostna vprašanja.

Dr. Breda Mulec je magistrirala na Fakulteti za politične znanosti, pravo in javno administracijo Univerze v Atenah (2001) in na Pravni fakulteti Univerze v Mariboru (2002). Doktorirala je na Pravni fakulteti Univerze v Ljubljani iz ekonomske analize. Trenutno je zaposlena na Ministrstvu za kmetijstvo in okolje, kjer vodi Sektor za investicije v okolje. Sodeluje s Fakulteto državnih in evropskih študij v Kranju na področjih javnih služb in upravnih sistemov. Pri svojem raziskovalnem delu daje velik poudarek ekonomski analizi prava, ki se lahko pokaže kot učinkovito orodje za sprejemanje reform v javni upravi.

Literatura in viri

Literatura

- Giles, H., Bourish, R. Y., & Taylor, D. M. (1977). Towards a Theory of Language in Ethnic Group Relations. In H. Giles (Ed.), *Language, Ethnicity and Intergroup relations* (pp. 307–348). London: Academic Press.
- Grenier, G. & Vaillancourt, F. (1983). An economic perspective on learning a second language. *Journal of Multilingual and Multicultural Development*, 6 (6), 471–483.
- Grin, F. (1996). The economics of language: survey, assessment and prospects. *International Journal of the Sociology of Language*, 121, 17–45.
- Grin, F. (2002). Support for Minority Languages in Europe. Final Report. Research project. European Commission Contract No. 2000-1288/001-001 EDU-MLCEV, 72.
- Nečak Lük, A. (1995). Dvojezičnost ni dvojna enojezičnost. In A. Nečak Lük (Ed.), *Otrok v svetu dveh jezikov*, 4, (pp. 8–31). Ljubljana: Društvo za uporabno jezikoslovje.
- Nečak Lük, A. (1998). Medetnični odnosi v slovenskem etničnem prostoru. Primerjalna analiza elementov narodnostne identitete na stičnih območjih obmejnih regij Slovenije, Avstrije, Italije in Madžarske. In A. Nečak Lük & B. Jesih (Eds.), *Medetnični odnosi v slovenskem etničnem prostoru* (pp. 21–31). Ljubljana: INV.
- Nečak Lük, A., Muskens, G., & Novak Lukanovič, S. (Eds.). (2000). *Managing the mix thereafter : comparative research into mixed communities in three independent successor states*. Ljubljana: Institute for Ethnic Studies.
- Novak Lukanovič, S. (2003). Jezikovno prilagajanje na narodno mešanih območjih v Sloveniji. *Razprave in gradivo : revija za narodnostna vprašanja*, 42, 38–62. Ljubljana: Inštitut za narodnostna vprašanja.
- Novak Lukanovič, S. (2006). Jezik in kultura v raziskovanju medetničnih odnosov – predstavitev izbranih vidikov. V 80 let Inštituta za narodnostna vprašanja : Izzivi raziskovanja etničnosti in manjšin na začetku 21. stoletja, *Razprave in gradivo : revija za narodnostna vprašanja*, 50/51, 298–391. Ljubljana: Inštitut za narodnostna vprašanja.
- Novak Lukanovič, S. (2009). Stališča učencev do modelov izobraževanja. In L. Čok (Ed.), *Izobraževanje za dvojezičnost v kontekstu evropskih integracijskih procesov : učinkovitost dvojezičnih modelov izobraževanja v etnično mešanih okoljih Slovenije* (pp. 149–171). Knjižnica Annales Majora. Koper: Univerza na Primorskem, Znanstveno-raziskovalno središče, Založba Annales: Zgodovinsko društvo za južno Primorsko.
- Novak Lukanovič, S. (2011). Language education and workplace. V *Multilingualism in the knowledge economy: labour markets revisited, and corporate social responsibility: fourth EUNoM symposium 14– 15 November 2011*, (p. 13). Belfast: Queen's University.
- de Fernand, V. (2003). Language Rights and Human Rights: The International Experiences. In D. O'Riagain (Ed.), *Language and Law in Northern Ireland* (pp. 5–16). Belfast: Queen's University.

Pravni viri

- Ustava Republike Slovenije. Ur. l. RS 33/91, 1373–1386.
- Statut občine Lendava/Lendva, Ur. l. RS 32/95, 2277–2288.

- Uredba o količnikih za določitev osnovne plače in dodatkih zaposlenim v službah vlade Republike Slovenije in v upravnih organih. Ur. l. RS 35/96, 3064–3066.
- Uredba o notranji organizaciji, sistemizaciji, delovnih mestih in nazivih v organih javne uprave in v pravosodnih organih. Ur. l. RS 58/03, 6845–6855 (+ priloge, 6856–6951).
- Uredba o upravnem poslovanju. Ur. l. RS 20/05, 1533–1600.
- Uredba o spremembah in dopolnitvah Uredbe o upravnem poslovanju. Ur. l. RS 106/05, 11129–11131.
- Uredba o spremembah in dopolnitvah Uredbe o upravnem poslovanju. Ur. l. RS 30/06, str. 3214.
- Uredba o spremembah in dopolnitvah Uredbe o upravnem poslovanju. Ur. l. RS 86/06, str. 9301.
- Uredba o spremembah in dopolnitvah Uredbe o upravnem poslovanju. Ur. l. RS 32/07, 4469–4471.
- Uredba o spremembah in dopolnitvah Uredbe o upravnem poslovanju. Ur. l. RS 63/07, str. 8814.
- Uredba o spremembah in dopolnitvah Uredbe o upravnem poslovanju. Ur. l. RS 31/08, 2826–2827.
- Uredba o spremembah in dopolnitvah Uredbe o upravnem poslovanju. Ur. l. RS 35/09, str. 5002.
- Uredba o spremembah in dopolnitvah Uredbe o upravnem poslovanju. Ur. l. RS 101/10, 15627–15628.
- Uredba o spremembah in dopolnitvah Uredbe o upravnem poslovanju. Ur. l. RS 81/13, str. 9146.
- Zakon o državni upravi - uradno prečiščeno besedilo (ZDU-1-UPB4). ZDU-1-UPB4, str. 9146.
- Zakon o spremembah in dopolnitvah Zakona o državni upravi (ZDU-1F). Ur. l. RS 21/12, 1765–1767.
- Zakon o javni rabi slovenščine (ZJRS). Ur. l. RS 86/04, 10418–10422.
- Zakon o posebnih pravicah italijanske in madžarske narodne skupnosti na področju vzgoje in izobraževanja (ZPIMVI). Ur. l. 35/01, 4044–4047.
- Zakon o razmerjih plač v javnih zavodih, državnih organih in v organih lokalnih skupnosti (ZRPJZ). Ur. l. RS, 18/94, 1014–1023.
- Zakon o sistemu plač v javnem sektorju - uradno prečiščeno besedilo (ZSPJS-UPB13). Ur. l. 108/09, 14792–14818.
- Zakon o splošnem upravnem postopku - uradno prečiščeno besedilo (ZUP-UPB2). Ur. l. 24/06, 2477–2513.

SUMMARY

1.04 Professional article

Implementation of Bilingualism in Public Administration in Slovenia

Keywords: public administration, institutional bilingualism, ethnically mixed regions, extra pay for bilingual operation

The article discusses the importance of institutional bilingualism in public administration of the ethnically mixed regions. National regulations provide for bilingual operation in public administration, and the article focuses on the degree to which legal provisions on bilingualism are also implemented in practice. Although legislation enables the use of ethnic community's language without limiting it to minority members only, with inadequate language and educational policy the possibility of the use of official language – ethnic community's language – is narrowed down to operation with minority members, and the use of official language thus becomes limited to the personal right of minority members only. The article brings the basic starting-points concerning the significance of institutional bilingualism with the hypothesis that operation in public administration of ethnically mixed regions is bilingual. To verify this hypothesis the article presents selected research/empirical results, complemented with the presentation of legal grounds. It is structured into the following sections: the first section focuses on the ground for dealing with institutional bilingualism, the second section brings the legal/regulation ground for the implementation of bilingualism in public administration, setting the basis for the implementation of institutional bilingualism. The third, main section, presents the implementation of bilingualism in institutions of public administration with selected empirical data. According to the empirical results, the hypothesis that in the ethnically mixed regions of Slovenia legal conditions exist for individuals – minority members – to use minority language in different domains can be confirmed. The research results have proved that policy provides the opportunity, effects of which are reflected in competences and standpoints. And these create the conditions for the use of the ethnic community language. The hypothesis that legal regulation sets institutional bilingualism, drawing on functional bilingualism, is rejected on the basis of acquired data, as despite opportunities and abilities the use of minority language remains inadequate at the formal level.

Navodila avtorjem

V **Mednarodni reviji za javno upravo** objavljamo izvirne članke, ki obravnavajo teoretična in praktična vprašanja razvoja in delovanja javne uprave.

Znanstvene članke objavljamo v slovenskem in v angleškem jeziku, izjemoma v nemškem ali francoskem jeziku. Druge članke objavljamo v slovenskem, angleškem, nemškem ali francoskem jeziku, z daljšim povzetkom v angleškem oziroma slovenskem jeziku.

Članek za objavo v Mednarodni reviji za javno upravo pošljite na elektronski naslov: mrju@fu.uni-lj.si.

Članek imenujte po priimku prvega avtorja (Novak.doc). Članku priložite izpolnjeno **Izjavo o avtorstvu**, s katero potrdite, da se strinjate s pravili objavljanja v teh navodilih.

Za avtorsko delo, objavljeno v Mednarodni reviji za javno upravo, pripadajo vse moralne avtorske pravice avtorju. Materialne avtorske pravice reproduciranja (vsebuje tudi shranitev v elektronski obliki, 23. člen ZASP), pravico dajanja na voljo javnosti (32. a člen ZASP), pravico distribuiranja (24. člen ZASP) v Republiki Sloveniji in tujini pa avtor brezplačno, enkrat za vselej, za vse primere in neomejene naklade ter vse medije prenese izključno na izdajatelja.

Avtorji so za objavo slik, tabel in grafičnih prilog, za katere nimajo avtorskih pravic, dolžni pridobiti dovoljenje, ki ga pošljejo na naslov uredništva.

Vsakemu avtorju pripada 1 tiskan izvod revije in separat članka v e-obliki.

Članki niso honorirani.

Citiranje člankov, izdanih v Mednarodni reviji za javno upravo, pomembno prispeva k uveljavljanju revije. Zato vas glavna urednica prosi, da pregledate arhiv revije na naslovu <http://www.fu.uni-lj.si/zalozba/mednarodna-revija-za-javno-upravo/arhiv-stevilk/>, kjer najdete članke, izdane v reviji v letih 2003–2013, odnosno od letnika I do letnika XI, ki bi bili morda zanimivi za vašo tematiko, in jih citirate v literaturi svojega članka.

Uredniški postopek:

1. Uredništvo lahko še pred recenzijo zavrne objavo članka, če njegova vsebina ne ustreza najavljeni temi, če je bil podoben članek v reviji že objavljen, ali če članek ne ustreza kriterijem za objavo v reviji. O tem uredništvo pisno obvesti avtorja.
2. Članek naj bo lektoriran, v uredništvu se opravlja samo korektura. Izjemoma se po dogovoru z avtorjem besedilo tudi lektorira.

3. Vsi članki se recenzirajo in razvrstijo.¹ Med recenziranjem avtorji in recenzenti niso imenovani. Članki po 1.01, 1.02 morajo za objavo prejeti dve pozitivni recenziji, od tega eno od tujega recenzenta. Če recenzenti razvrstijo članek različno, o končni razvrstitvi odloči uredniški odbor.
4. Članek, ki ga je avtor poslal v slovenskem jeziku in sta ga recenzenta razvrstila po 1.01, 1.02, mora avtor nato poslati še v prevodu v angleški jezik.
5. Avtor prejme rezultate recenziranja praviloma v treh mesecih od oddaje članka.

Oblikovanje članka:

1. Naslovu prispevka naj sledi: a) polno ime avtorja/avtorjev, b) naziv institucije/ institucij in c) elektronski naslov/naslovi.
2. Članek mora vsebovati še: a) *izvleček*, ki naj v 8 do 10 vrsticah opiše vsebino prispevka in dosežene rezultate raziskave; b) *ključne besede*: 1–5 ključnih besed ter c) *kodo iz klasifikacije po Journal of Economic Literature – JEL* (http://www.aeaweb.org/journal/jel_class_system.html).
3. Članek, ki je bil razvrščen po 1.04, 1.05 ali 1.08, naj vsebuje tudi povzetek v angleškem jeziku v obsegu 3 strani. V povzetku prevedite naslov in ključne besede ter predstavite vsebino članka (opredelitev problema in ugotovitve). Prevod povzetka članka tujih avtorjev v slovenski jezik zagotovi uredništvo.
4. Članek naj bo napisan v urejevalniku besedil Word (*.doc, *.docx) v enojnem razmiku, brez posebnih ali poudarjenih črk. Ne uporabljajte zamika pri odstavkih. Razdelki od Uvoda do Sklepnih ugotovitev naj bodo naslovljeni in oštevilčeni z arabskimi številkami.
5. Slike in tabele, ki jih omenjate v članku, vključite v besedilo. Opremite jih z naslovom in oštevilčite z arabskimi številkami. Revijo tiskamo v črno-beli tehniki, zato barvne slike ali grafikoni kot original niso primerni. Če v članku

1 Članke razvrščamo po tipologiji COBISS:

1.01 Izvirni znanstveni članek. Izvirni znanstveni članek je samo prva objava originalnih raziskovalnih rezultatov v takšni obliki, da se raziskava lahko ponovi, ugotovitve pa preverijo. Praviloma je organiziran po shemi IMRAD (Introduction, Methods, Results And Discussion) za eksperimentalne raziskave ali na deskriptivni način za deskriptivna znanstvena področja.

1.02 Pregledni znanstveni članek. Pregledni znanstveni članek je pregled najnovejših del o določenem predmetnem področju, del posameznega raziskovalca ali skupine raziskovalcev z namenom povzemanj, analizirati, evalvirati ali sintetizirati informacije, ki so že bile objavljene. Prinaša nove sinteze, ki vključujejo tudi rezultate lastnega raziskovanja avtorja.

1.04 Strokovni članek. Strokovni članek je predstavitev že znanega, s poudarkom na uporabnosti rezultatov izvirnih raziskav in širjenju znanja, zahtevnost besedila pa prilagojena potrebam uporabnikov in bralcev strokovne ali znanstvene revije.

1.05 Poljudni članek. Poljudnoznanstveno delo podaja neko znanstveno ali strokovno vsebino tako, da jo lahko razumejo tudi preprosti, manj izobraženi ljudje.

1.08 Objavljeni znanstveni prispevek na konferenci. Predavanje, referat, načeloma organiziran kot znanstveni članek.

1.19 Recenzija, prikaz knjige, kritika. Prispevek v znanstveni ali strokovni publikaciji (reviji, knjigi itd.), v katerem avtor ocenjuje ali dokazuje pravilnost/nepravilnost nekega znanstvenega ali strokovnega dela, kriterija, mnenja ali ugotovitve in/ali spodbija/podpira/ocenjuje ugotovitve, dela ali mnenja drugih avtorjev. Prikaz strokovnega mnenja, sodbe o znanstvenem, strokovnem ali umetniškem delu, zlasti glede na njegovo kakovost.

1.21 Polemika, diskusijski prispevek. Prispevek, v katerem avtor dokazuje pravilnost določenega kriterija, svojega mnenja ali ugotovitve in spodbija ugotovitve ali mnenja drugih avtorjev.

uporabljate slike ali tabele drugih avtorjev, navedite sklic pod sliko, tabelo ali kot sprotno opombo. Enačbe oštevilčite v oklepajih desno od enačbe.

6. Članek naj obsega največ 30.000 znakov.
7. Članku dodajte kratek življenjepis avtorja/avtorjev (do 8 vrstic).
8. V besedilu se sklicujte na navedeno literaturo na način: (Novak, 1999, str. 456).
9. Na koncu članka navedite literaturo po abecednem redu avtorjev in vire, po naslednjem vzorcu:

Članek v reviji:

- Gilber, G. & Pierre, P. (1996). Incentives and optimal size of local jurisdictions. *European Economic Review*, 40(1), 19–41.

Knjiga:

- Katzenbach, J., & Smith, D. (1993). *The wisdom of teams*. Cambridge, MA: Harvard Business School Press.

Knjiga z urednikom:

- Keene, E. (Ur.). (1988). *Natural Language*. Cambridge: University of Cambridge Press.

Prispevek na konferenci:

- Bugarič, B. (2002). Od hierarhične k participativni (odprti) javni upravi. *IX. dnevi slovenske uprave. Portorož* (str. 23–29). Ljubljana: Visoka upravna šola.

Internetni vir:

- Tax Administration of the Republic of Slovenia. (n.d.). Pridobljeno 8. 5. 2007, s <http://www.durs.gov.si/>

Uradna publikacija, poročilo:

- World Bank. (2001). *World Development Indicators*. Washington: World Bank.

Disertacija:

- Richmond, J. (2005). *Customer expectations in the world of electronic banking: a case study of the Bank of Britain* (doktorska disertacija). Chelmsford: Anglia Ruskin University.

Kadar ima publikacija več kot pet avtorjev, navedite samo prvega avtorja, npr. Novak et al. Če navajate dve deli ali več del istega avtorja, letnico označite, npr. 2005a, 2005b ... Priporočamo, da uporabite samodejni zapis literature, ki ga omogoča Word 2007 (zapis APA).

Instructions for Authors

The *International Public Administration Review* publishes original articles on theoretical and practical issues in the development and function of public administration.

Academic articles are published in Slovene and English, and exceptionally also in German and French. Other articles are published in Slovene, English, German or French with an extended summary in English or Slovene as appropriate.

Please send articles for publication in the International Public Administration Review to this address: mrju@fu.uni-lj.si.

The article filename should be the surname of the principal author (e.g. Novak.doc). A completed **Copyright Statement** should be sent as an attachment to the article to confirm agreement with the rules of publication, as set out in these instructions.

The author retains all moral rights to any copyright work published in the International Public Administration Review. The author transfers the economic right to reproduction (including saving in electronic format pursuant to Article 23 of the Slovenian Copyright and Related Rights Act – the CRR), the right of communication to the public (Article 32a of the CRR), and the right of distribution (Article 24 of the CRR) in the Republic of Slovenia and abroad exclusively to the publisher free-of-charge and once and for all for all cases and an unlimited number of copies, and for all media.

Authors are required to obtain permission for the publication of any images, tables and graphic material for which they do not own the copyright, which they must submit to the journal's editorial board.

All published authors are entitled to one printed copy of the journal and a copy of the article in electronic format. Fees are not paid for the articles.

Citations of articles published in the International Public Administration Review contribute significantly to developing the journal's standing, therefore the chief editor has asked that you review the journal archive (available at <http://www.fu.uni-lj.si/en/publishing-center/international-public-administration-review/arhiv-stevilk/>), where you will find articles published from 2003 to 2013 (Year I to XI), which may be of relevance to your subject, and which you may cite in the literature of your article.

Editorial policy

1. The editorial board may decide not to publish an article even before the peer-review phase, if its content does not match the stated subjects, if a similar article has already been published in the journal, or if the article does not meet the criteria for publication in the review. The editorial board will inform authors of such a decision in writing.
2. The article should already have been language edited, and the editorial board only takes responsibility for proof-reading. Exceptionally it may also edit a text in agreement with the author.

3. All articles are peer-reviewed and classified.² The author and reviewer are not named during the peer review process. Articles classified as 1.01 and 1.02 must have two positive peer reviews in order to be published, one of which from a foreign reviewer. If peer reviewers assess an article differently, the editorial board will make the final decision on the assessment.
4. If an article submitted in Slovene is classified as 1.01 or 1.02 by the reviewers, the author must then provide a translation into English.
5. The author will generally receive the results of the peer review within three months of submitting the article.

Article formatting

1. The article's title should be followed by: a) the full name of the author/authors; b) the name of the institution/institutions, and c) email address(es).
2. The article must also include: a) *an abstract* defining the content of the contribution and research results in 8 to 10 lines; b) *keywords*: 1–5 keywords; and c) *a JEL (Journal of Economic Literature) code* – (http://www.aeaweb.org/journal/jel_class_system.html).
3. An article classified as 1.04, 1.05 or 1.08 must also have a summary in English, 3 pages in length. The summary should offer a translation of the title and keywords and present the content of the article (define the argument and findings). For foreign authors, the translation of the article summary into Slovene will be arranged by the editorial board.
4. An article must be supplied in MS Word (*.doc, *.docx) with single spacing, without special or highlighted characters. Do not indent paragraphs. Sections should be titled and numbered with Arabic numerals from the introduction to the conclusion.

2 Articles are classified according to the COBISS typology:

1.01 Original scientific article – first publication of original research results in a form that allows the research to be repeated and the findings verified. In general it must be organised according to the IMRAD structure (Introduction, Methods, Results And Discussion) for experimental research or in a descriptive manner for descriptive academic areas.

1.02 Review article – an overview of the latest articles in a specific subject area, the works of an individual researcher or group of researchers with the purpose of summarising, analysing, evaluating or synthesising data that has already been published. It offers new syntheses, including the results of the author's own research.

1.04 Professional article – a presentation of what is already known, with an emphasis on the applicability of original research results and the dissemination of knowledge, with readability adapted to the needs of users and readers of the professional or scientific journal in which it appears.

1.05 Popular article – popular (science) articles offer professional or scientific content in a simpler form, making it accessible to people without higher education in the field.

1.08 Published scientific conference contribution – lecture, presentation, organised in principle as a scientific article.

1.19 Review, book review, critique – a contribution in a scientific or professional publication (journal, book, etc.) in which the author evaluates or demonstrates the validity or otherwise of a scientific or professional work, criterion, opinion or finding and/or disputes, supports or evaluates the finding, work or opinion of other authors. The presentation of an expert opinion, a critique of a scientific, professional or artistic work, particularly in terms of its quality.

1.21 Polemic, discussion – a contribution in which the author demonstrates the correctness of a specific criterion, his or her own opinion or findings and disputes the findings or opinions of other authors.

5. Figures and tables mentioned in the article should be included in the text. They should be titled and numbered with Arabic numerals. The journal is published in black and white, so the original of figures and graphs should not be in colour. If the figures or tables of other authors are used in the article, give the reference below the figure or table or as a footnote. Equations should be numbered in brackets to the right of the equation.
6. Articles should not exceed 30 000 characters.
7. A short CV of the author or authors should be added to the article (up to 8 lines).
8. References in the text to cited literature should be made as follows: (Novak, 1999, p. 456).
9. List the literature in alphabetical order of author and source at the end of the article, in the following manner:

Article from a journal:

- Gilber, G., & Pierre, P. (1996). Incentives and optimal size of local jurisdictions. *European Economic Review*, 40(1), 19–41.

Book:

- Katzenbach, J., & Smith, D. (1993). *The wisdom of teams*. Cambridge, MA: Harvard Business School Press.

Book with editor:

- Keene, E. (Ed.). (1988). *Natural Language*. Cambridge: University of Cambridge Press.

Conference contribution:

- Bugarič, B. (2002). Od hierarhične k participativni (odprti) javni upravi. *IX. dnevi slovenske uprave. Portorož* (pp. 23–29). Ljubljana: Visoka upravna šola.

Internet source:

- Tax Administration of the Republic of Slovenia. (n.d.). Retrieved 8. 5. 2007, from <http://www.durs.gov.si/>

Official publication, report:

- World Bank. (2001). *World Development Indicators*. Washington: World Bank.

Dissertation:

- Richmond, J. (2005). *Customer expectations in the world of electronic banking: a case study of the Bank of Britain* (Ph.D.). Chelmsford: Anglia Ruskin University.

If a publication has more than five authors, state only the first author, e.g. Novak et al. If citing two works or more by the same author, indicate the year, e.g. 2005a, 2005b, etc. We recommend the use of the automatic literature citation, which is supported by Word 2007 (APA citation).

Zahvala recenzentom 2013

V imenu uredniškega odbora se zahvaljujem recenzentom, ki so v letu 2013 sodelovali pri recenziji člankov v Mednarodni reviji za javno upravo.

Odgovorna urednica
prof. dr. Stanka Setnikar Cankar

Acknowledgment of Referees 2013

On behalf of the Editorial Board, I would like to take this opportunity to thank the following referees for the time and effort they have devoted to the review process in the year 2013.

Editor
Stanka Setnikar Cankar, PhD.

dr. Aleksander Aristovnik	dr. Janez Stare
dr. Žan Oplotnik	dr. Neda Vitezić
dr. Erik Kerševan	dr. Tatjana Jovanović
dr. Jože Benčina	dr. Iztok Rakar
dr. Helena Blažič	dr. Ivan Koprić
dr. Tina Jukić	dr. Matej Švigelj
dr. Marko Hočevar	dr. Rudi Rozman
dr. Maja Klun	dr. Benedikt Speer
dr. Marjan Brezovšek	dr. Blaž Zupan
dr. Aleksandra Kanjuo Mrčela	dr. Sandra Penger
dr. Mitja Dečman	dr. Simona Kustec Lipicer
dr. Nada Zupan	dr. Andrej Kovačič
dr. Polonca Kovač	dr. Thomas Döring
dr. Primož Pevcin	dr. Srečko Devjak
dr. Mitja Durnik	dr. Katja Šugman Stubbs
dr. Wolfgang Drecshler	dr. Primož Gorkič
dr. Zvone Vodovnik	dr. Stephen J. Bailey
Anamarija Leben	dr. Bojan Peček
dr. Nevenka Hrovatin	dr. Matevž Krivic
dr. Neža Šalomon Kogovšek	

