

POSSIBILITIES OF REMEDIATION OF THE PERSONNEL SUBSTRATE OF THE SLOVAK PUBLIC ADMINISTRATION

JOZEF KRÁLIK, KRISTÍNA KRÁLIKOVÁ

ISSN 2235-2007

DOI: <https://doi.org/10.59505/IRHNS.22352007.2023.1.01>

Abstract:

The public perception and evaluation of the functionality of public authorities depends on the personnel substrate of public administration bodies. The public is primarily focused on its own problems of everyday life, in the solution of which the public administration and especially its personnel have their share. The work and attitudes of the personnel of public authorities towards citizens as clients receiving and using specific services provided by the public administration organisations naturally also reflect the public's attitude towards their own statehood. These social relations are inherently highly variable and therefore politically and socially extremely fragile. All the more importance should therefore be attached to the personnel base of the public administration bodies by the public authorities. Public administration reforms are intended to be a means of rationalising the activities of the public administration system. As a rule, however, they are oriented towards revitalising its organisational structure and institutional network, but not towards improving the functioning of the bureaucratic apparatus of the state. Despite the fact that the true essence and goal of its professional activities is such administration of public affairs, which must ideally be carried out solely for the benefit of the citizens of the state. Since public administration bodies are made up of collectives of people who form an essentially heterogeneous conglomerate in the form of a personnel system, albeit outwardly homogeneous, the state can in fact regulate the guarantees of its operation only to a certain extent and within certain limits. The decisive place, that is to say, the guarantee and the task of fulfilling the functions attributed to the public administration by the state, therefore belongs to the work portfolio of public administration officials

of all levels and types, other managerial employees and the executive bureaucratic apparatus. Officials employed by the state itself in the public administration must therefore meet certain personal, professional and qualification criteria. If these requirements are in a divergent relationship with reality, then it is not at all possible for public servants to carry out the internal and external functions of the state in accordance with the political, economic, social and cultural aims of the political power. Although the value of each state as a sovereign political form of organisation of society can be classified according to various indicators, perhaps the most significant are those that can be conceived and monitored on the basis of the establishment and evaluation of the achieved parameters of the quality of life of its population. The quality of life of the population is also determined by the way in which public affairs are managed. Public administration is therefore a specific service of the state provided to the public in its interest and under its responsibility. It is therefore also measurable by the level of satisfaction achieved by the population with its performance. In terms of quality, the performance of public administration is almost exclusively in the hands of the apparatus of public administration bodies, their personnel base (personnel substrate). This is why the actions of individual officials integrated into the personnel base of the public administration have a significant impact on public opinion. Therefore, the search for possibilities leading to the improvement of the quality of the activities of the personnel base of the Slovak public administration is still a topical task of both science and practice.

Key words: public administration, activity, personnel base/personnel substrate, reform, Slovak Republic

Introduction

It is self-evident that every human society, representing the totality of individuals, communities formed, organized and governed by them, has a tendency to constitute, organize and institutionalize itself rationally. And it does so in the vital interest of securing its own functioning. Its own life, the qualitative aspect of which depends immediately on the parameters of the quality of social relations achieved by development. The laws of their development are identified and explained mainly by the social sciences, whose knowledge is used by a rationally functioning human society for its own benefit. The truthfulness of science and the unbridledness of scientific inquiry, the liberation of the laws of knowledge of reality, the free discovery and explanation of social phenomena, the unrestricted dissemination of the latest scientific knowledge, and that

discovered and evaluated not only by the protagonists of the exact scientific disciplines, must become the minimum of the global ration on which the future direction of all mankind can rest.¹ Scientists, science and scientific research, especially the analysis of the quality of the regulation of legal relations and social phenomena in general, are particularly harmed by political dictatorship, social prevarication, superficiality of knowledge of reality, ideologically one-sidedly preferred “truthfulness” based on variously modified corruption of relations and direct and indirect corruption of scientists and of the results of their research. Contemporary Slovak society is also struggling unsuccessfully with a general decline of scientific potential, and within this there is also a crisis of scientific methodology.² However, the source and the bearer of this decline, determined not so long ago by the destruction and subsequent dehumanization of education and training, and indirectly also of the legal consciousness and morality of society, are specific people. People, who after the lapse of time, as if by a ‘forgetful public’, they have been relieved of their political and personal responsibility! This is directly reflected in the ongoing process of decline of the mechanism of Slovak statehood. The developmental tendency of “decay” and the practical line of development that follows from it, leading to the decadence of Slovak society, are signalled above all by the multiplying defects in the programming and implementation of political relations, legal relations, economic relations and social relations.³ In recent years, this fact has been immediately reflected in the moral and material state of Slovak society, which indicates the emergence of a direct threat of spiritual erosion. It can then also be openly said that, as a consequence, the Slovak nation’s total intellectual extinction is also imminent. However, for various subjective and objective reasons, the state and social structures are not capable of correcting this process devastating the society for the benefit of the Slovak national statehood and the future of the Slovak nation. Let alone to direct it pragmatically into the living space of its universal prosperity. Politically motivated social mimicry, law desolation, cultural polarization, moral devastation and economic camouflage, stemming from the sources and manifestations of the existing state power, have already become an undesirable part of the everyday life of individuals, collectives and the majority of the population of the Slovak Republic (hereinafter referred to as “SR”). Fear of the future, distrust towards the governing structures of society and the resulting fears for the very existence of the individual, the family and the immediate social environment are increasingly aggressively penetrating the subconscious of the majority of citizens and part of the consciousness of Slovak society. At the same time, the frustration of the

1 ŘEHŮŘEK, M. 2002. *Racionálnosť verejnej správy*. p. 387 – 397.

2 HOLCR, K. 1996. *Logika, metodológia a metódy vedeckého poznania*. 81 p.

3 KRÁLIKOVÁ, K., KRÁLIK, J. 2021. *Východiská ekonomickej gramotnosti II*. 119 p.

Slovak population is naturally conditioned and immediately accelerated by the power, brachial and administratively implemented actions of the ochlocratic state authorities and public administration, and in particular their representatives, which are characterised by disorganisation, unqualifiedness, irrationality, social destructiveness, propagandism, immorality and internationalisation of the globalising erosion of the positive vision of the prosperity of the European Union (hereafter referred to as 'EU'). It can therefore be said that, through their malpractices, they are diverting the national community from the path that was originally supposedly leading to the so-called bright future of mankind. The Slovaks, at the time, expected that this 'light' awaited them in the EU area. We therefore consider it useful to draw attention to the fact that the aim and mission of science, especially its economic, legal and political disciplines, must therefore not only point out some of the manifestations of the decline of society. Thus, the so-called sacred mission of the social sciences, and particularly of the legal sciences, is not only to draw attention to phenomena manifesting themselves permanently in the activities of a certain part of the personnel substratum of public administration, which should always become the object of interest of a political entity that could successfully address them in the framework of public administration reform. It is worth recalling that legal science and, through it, the legislature must even step in directly to solve social problems. Not only to search, outline and reveal some possible causes, consequences of destructive social phenomena, but also to set out directions and paths leading to a satisfactory solution of the problems associated with the activities of the state bureaucratic layer.⁴

Are public administration reforms a means to the revitalisation of personnel apparatus?

Reforming the entire organisational base of the public administration and the following procedures for fine-tuning can be considered as one of the ways to activate the personnel substrate of the public administration.⁵ Personnel issues should always be subject to fine-tuning if public administration is to be truly rationalised and revitalised.⁶ However, the procedures leading to the rehabilitation

4 For more details see e.g. GAŠPAR, M. 1992. *Moderná verejná správa*. Also GAŠPAR, M. 1998. *Správne právo – teória a prax*.

5 For more on public administration see BERČÍK, P., KRÁLIK, J. 2007. *Základy verejnej správy I*. 190 s.

6 See also NEMEC, J. 1999. *Reformovať formálne štruktúry, alebo ich obsah*. Also BERČÍK, P. 2003. *Ďalšie pohľady na racionálnosť verejnej správy*. S. 93 – 98.

of the personnel substrate of the public administration, implemented within the process of public administration reform, should not only aim at ensuring its optimal numerical stability, but also, and above all, the appropriate personal and qualification structure of its individual links. Here we mean both management and executive personnel.⁷ However, the existing state of interpersonal relations oscillating in society directly dominates this complex of relationships. For interpersonal relations are mutual, variously motivated multi-layered interpenetrations of interests of persons among themselves, but also of interests between individual persons on the one hand and certain collectives of persons on the other. Therefore, the complex of these relations in its internal structure naturally exhibits not only bilateral (two-sided) but also multilateral (more-sided) dimension and dispersion. Characteristic for one of their kinds, namely for legally regulated social relations, is at the same time the so-called star-shaped dispersion. It manifests itself in the horizontal plane of the existence of social relations, i.e. mutual interpersonal relations, as well as in the vertical plane, i.e. mutual relations of superiority and subordination of public authorities and their personnel, especially labour (employment) relations. In the horizontal (horizontal) plane, these relations arise and manifest themselves more or less in the perception and acceptance of their individual subjects in a position of mutually balanced rights and obligations, and thus relatively equal. This means that in a modern society all its members, both natural persons and legal entities, are granted relatively equal rights and obligations by natural law and the norms of formal law. Thus, in fact, they take upon themselves the guarantee of a relatively equal status of subjects in their exercise and their entry into mutual contacts. But not responsibility. On the contrary, in the vertical plane, both naturally and under the pressure of legal norms, the interrelationships of these subjects of law, i.e. natural persons, legal persons and the state, occur in society in a way that is clearly characteristic of a hierarchical ordering. These relations are formed on the basis of a principle which creates a 'model of superiority and subordination'. This model is also logically applied in the field of public administration.⁸ As a rule, a public administration body is always also a public authority. This is because it relies on politically guaranteed state power regulated by public law. Its activities are dominated by the 'right to order' society and its members in the interests of exercising 'good governance' of public affairs. And even those that go beyond the borders of the state. Since the burden of responsibility for the good administration of public affairs also rests on these bodies, it goes without saying that its individualised bearer is the responsible functionary of such a public administration

7 More details in VETRÁKOVÁ, M. a kol. 2001. *Ľudské zdroje a ich riadenie*.

8 International legal aspects of the public administration organization to be compared with BÚŠIK, J., KRÁLIK, J. 2008. *Základy verejnej správy III*. 132 p.

body and, consequently, the employees subordinate to him. It is also obvious that both horizontally and vertically ordered social relations can arise in the private sphere, in the private sector of society, as well as in the public sphere, i.e. in its public sector. Since the public administration is an integral part of the public sector, whose mission, structure and functions are determined by the very purpose and mission of the state, or by the activities of the organs of state power and state administration, the application of the aforementioned star-shaped way of managing and administering public affairs is evident in the state-power activities carried out in relation to its and other building blocks (links, elements) of society. An essential component of the exercise of state administration by the bureaucratic apparatus of its own organs is the programming, planning, commanding, controlling, ordering and executive activity.⁹ Its source is the tenure and intentions of the political entity that is the actual holder or wielder of political power in the state. Politics, and in particular the personnel policy pursued by such a political entity, becomes the determinant and consequently the content of the exercise of public administration. For after the representative elections and the political metamorphosis carried out on the basis of their results, although the political intentions of the winner of the elections derive directly and indirectly from his organisational structures, they are nevertheless already implemented mainly through the 'brain' centre of the state controlled by him, the supreme representative body, and derivatively through the whole system of executive bodies. Thus, the political activity and political intention of the dominant political entity in the state is overtly, demonstratively and latently transferred through the legislative activity of the parliament into the content of the addressed instructions correcting the performance of public administration. In this way, the political agenda is transformed to a level that can be described as an administrative agenda. Its fulfilment, within the limits set, is ultimately catered for by the personnel substrate of the public administration. That is to say, specific people! It is addressed to all social entities in whatever form operating in the State throughout its territory, or only in a certain, defined territorial unit. However, through selected specific methods of work of certain specialised political and administrative bodies of the state, in particular its diplomatic and consular representations operating on the territory of another state, a certain "export of competences" to the external environment may also occur. That is to say, outside the state's own territory.¹⁰ Since we understand public administration from a static point of view as a certain legally defined organizational or

9 KRÁLIK, J., KÚTIK, J. 2013. *Kontrolný systém a jeho subsystémy vo verejnej správe (základy teórie)*.

10 KRÁLIKOVÁ, K. 2013. Sociálna starostlivosť štátnej správy o imigrantov v Slovenskej republike podľa schengenského Acquis. 155 p.

institutional base of the state, i.e. as “the totality of administrative bodies”, then from a dynamic point of view, public administration represents a specific activity, i.e. the activity of this type of state bodies. We therefore consider it necessary to emphasise that it is the totality of public activities aimed at benefiting the public in the form of providing them with a variety of necessary services. They are professionally demanding, requiring thorough implementation by their implementers. At the same time, in the interests of good governance, all the activities entrusted by law to public authorities are always carried out on a day-to-day basis. This also testifies to the high dynamism of public administration, the variety and complexity of its implementation. In order to ensure the optimal functionality of public administration bodies and the rationality of their activities, the personnel policy of the state is also organised and implemented in such a way as to guarantee their trouble-free operation. Meaning that it is directed pragmatically towards selecting the most suitable candidates for inclusion in the structure and for work in the public administration bodies. The future quality of public administration also depends on the functionality of these elements. It is inevitable that extremely demanding requirements will be placed on those who make up the working collective of the administrative authority from a single management centre. Labour relations, which are oriented ‘in all possible directions’, in particular from superior to subordinate, must always be in the sights of the bodies of objective external scrutiny.¹¹ Since public authorities must necessarily cooperate with each other in the administration of public affairs, if the nature of the matter and the purpose of solving the problem involved so require, they must have a professionally and morally competent staff. Since the tasks assigned to the public administration bodies by the public authorities pursue the objective that public administration should be applied lawfully, economically, rationally, and pragmatically throughout the national territory. At the same time, it is desirable that the activities of the personnel substrate of the public administration bodies should extend evenly, adequately and, above all, efficiently to all areas of social life. This is solely in the interests of maximising the satisfaction of the legitimate interests and needs of the entire population of the state, without distinction. Since public administration bodies carry out their activities in a targeted manner in an area dominated by the need for the smooth day-to-day functioning of individuals, their legitimate groupings and other legitimate civic communities (corporations, business entities), it is necessary to establish them in such a way that its institutional base and personnel create the appropriate conditions for such functioning. This is, in fact, the basic mission of the activities of public administration bodies. However, the qualitative parameters

11 KRÁLIK, J., KÚTIK, J. 2013. *Kontrolný systém a jeho subsystemy vo verejnej správe. (základy teórie).*

of this activity, i.e. the degree of satisfaction achieved by the population with the work of public administration bodies, are conditioned and determined by the specific personnel base of a particular public administration body. However, its good operation also depends on good labour relations in its internal environment.¹² This means that everything concerning the success of the functioning of the public administration depends, therefore, essentially on specific persons, on the non-anonymous bureaucratic apparatus of an individual office. Successful and unsuccessful 'rationalisation' reforms of public administration are therefore usually mainly directed at the organisational base of public administration. As a rule, politically motivated reforms are also directed towards the internal organisational structure of public administrations. In the Slovak Republic, they are usually aimed only at achieving the outwardly declared harmony of the activities of the individual components of their internal institutional structure. However, under the guise of streamlining, rationalising and expanding mutual cooperation and optimising the synergies between the intra-organisational components of a public administration body, specific personal interests formulated by the winner of parliamentary elections are usually hidden. They are always born in the workshop of the politically nominated statutory bodies of a particular administrative institution. Reforms in this sphere of the organisational base of public administration are therefore not always only for the benefit of the public interest. They are not aimed at improving the personnel base of the public administration, which is often the subject of public criticism. This is particularly so because the public often perceives the unqualified staff substrate of the public administration as merely a dwarfed, politically nominated parasitic layer, draining budgetary resources from the public budget portfolio. From both centralised and decentralised monetary funds, which could otherwise be used much more efficiently for the sole benefit of the population of the Slovak Republic.

Labour relations as a determinant of the successful functioning of the personnel substrate of public administration bodies

The so-called modern human society of the 21st century is, despite other visions presented long ago, still burdened with many long-standing burdens, both material and moral. For it has not yet been able to successfully eradicate from its midst social injustice, economic inequality, political manipulation or the threat of the use of force in international relations, and perhaps that is why it has not even been able to abandon the brutal violence of war. The task

12 KRÁLIKOVÁ, K. – KRÁLIK, J. 2021: *Atmosphere in workplace mirror of society*. p. 25 – 37.

of the world's hegemons, the so-called superpowers, whose imperialist policy is determined almost exclusively by the interests of the world's, more precisely, the world's monopolies, will therefore be to abandon as soon as possible the policy of resolving international disputes by military force that they pursue. This is certainly also in the interests of preserving their own existence. But above all, for the sake of preserving life on Earth. However, all states must participate in peace efforts. On the one hand, it is only possible to reach such a stage of historical development if such peace-loving political forces take power selflessly, which are realistically able to integrate the peace-loving power interests of the internal ruling elites and the life interests of their own populations into one common programme. On the other hand, such power groupings of states must completely abandon the policy of 'greedy self-interest' pursued on the international stage, motivated by the desire to control the world's raw material resources. On the contrary, gradually all the states of the world and their associations will have to coordinate their political actions effectively and focus them, willy-nilly, on a targeted policy of peace, directed against the policy of confrontation, in which the international arms monopolies, in particular, have an interest. In these sessions, the irreplaceable role is clearly visible, resulting in the duty of cooperation of the highest representatives of the states of the world. Both scientific capacities of international importance and internationally accepted representatives of social practice can help to build a qualified ideological basis for such an international policy. Unquestionably, especially from the fields of diplomacy, intelligence and the military. However, such a vision cannot be considered feasible at all without the participation of the expert personnel of the relevant state bodies. However, it is common knowledge that the performance of such state agencies and institutions depends directly on the quality of individual officials. It is therefore essential to staff and supplement the staff of state bodies exclusively with persons who meet the demanding personality and qualification requirements. Indeed, even the 'ordinary' preservation of world peace often depends on specific people. Particularly those in the civil service or in the public service. This is irrefutably confirmed by practical experience, but also by the many results of scientific research into public administration in terms of assessing the impact of the activities of its personnel substrate on its performance. It is thus clear that the issues of public administration can also be contacted through authentic experiences with members of the apparatus of a particular public administration body. On this basis, therefore, we can appeal to the official constitution and power enforcement of the requirements that every employee (personnel) and functionary (cadre) of the organs of state power and public administration should

meet.¹³ We therefore consider it necessary to include requirements for a strictly standardised personnel substrate in the structures of the public administration:

1. decency,
2. professionalism,
3. morality,
4. impartiality,
5. apoliticality,
6. accountability,
7. patriotism.

Ad 1. At this stage we point exclusively to some negative manifestations shown in the relations between the personnel substrate and the Slovak public. Certainly, the behaviour of public administration officials in relation to their clients, especially in comparison with some of the negative experiences observed, cannot be generalised exclusively in a negative position. However, in the contacts of a Slovak bureaucrat with a citizen as his/her client, one can often encounter reluctance, hostility, incompetence, laziness, arrogance, and even outright lies presented by a public administration official in relation to his/her own person as an 'official visitor'. Compared to the negative domestic experiences gained through contacts with the Slovak bureaucratic apparatus, it is remarkable that only in the near abroad one can encounter a different, considerably kinder approach and willingness of public administration officials to participate in solving the client's current problems. We have to state that the experience of Slovak nationals as clients with officials of foreign public administrations, e.g. in Hungary, the Czech Republic or Austria, confirms that the bureaucrats there seem to have a higher level of assertiveness. This is also reflected in a greater willingness to solve the problem raised by the client. We consider this in the sessions modelled in this way to be a manifestation of an educationally attained, much more tangible professional level of personal skills of the local bureaucrats. This implies the need for post-graduate education of public servants of the SR on decency and responsibility. However, the reasons for this hitherto unknown divergence may be many. What is evident, however, is the long-standing absence of quality in-school and out-of-school education of Slovakia's so-called post-revolutionary generation of 1989. This is already visibly reflected negatively in the functioning of public administration. Ignorance of clients by officials, manifested in their attitudes towards solving the problems of citizens, is often publicly denounced

13 Compare with the segments of the text focusing on the topic of personnel base of the Police Forces in the publication e.g. KRÁLIK, J., KRÁLIKOVÁ, K. 2016. *Polícia (v slovenskej spoločnosti)*.

and publicised. It continues to exist despite the various so-called reform measures taken to bring 'public administration closer to the citizen'. Finally, courteous, so-called polite behaviour in contacts between persons, even close associates in socially important workplaces, has almost completely disappeared from the Slovak national community in recent decades. We see the problem in the way the selection procedure is shaped and organised, which has been relegated to the position of a so-called fictitious procedure.

Ad 2. We have already pointed out the socially serious malaise of the persistent indecency and even incivility of some officials of the public administration of the Slovak Republic. However, this phenomenon is directly and almost inevitably followed by their unprofessionalism, at first sight visible administrative illiteracy, even outright diletantism. The method of observation, that means by following, which is an empirical method based on the immediate fixation of sensory things and their properties¹⁴, can be used to ascertain the extent and also the consequences of these negative phenomena. From the mass media and from the content of the conducted guided interviews, we have identified improper practices of officials (e.g. sending a notice to fulfil tax obligations to a taxpayer on whom the tax burden did not rest *ex lege*), incompetence of proper, professional and lawful performance of an administrative act by a particular official (in the decision issued by him, he referred to non-existent legal regulations with the intention to "kill off" or "get rid of" an inconvenient disabled client applying for a social benefit). In one case, we even registered both a "confession" and an admission by a municipal official, dealing with a civil conflict in an offence procedure, that he "cannot solve the matter because he is new here and has never solved anything like this before". We register the problem as a result of politically expedient so-called post-election rotation and the resulting often insufficient training or professional skills of deputies (*cadres*) and municipal officials (*staff*). This then results in their unfitness to perform the relevant function or to carry out the tasks entrusted to them in accordance with their job description (in terms of the specified job description).

Ad 3. The morality of the creation of the personnel substrate of the public administration is a requirement not only of modern times. The disintegration of the morality of persons who *ex lege* should take care of the fulfilment of all tasks of the state set in the public interest and for the benefit of the public is the cause of the erosion of the Slovak public administration as a conglomerate of original bodies, specialised institutions and professionally skilled persons. The staff of the organisational base of the public administration must serve solely for the benefit of achieving the material and spiritual well-being of the population of the

14 HOLCR, K. 1996. *Logika, metodológia vedeckého poznania*, p. 65

state, region or municipality concerned, and not for their own interest. However, in the performance of public administration tasks, nepotism, clientelism and the resulting insubordination and venality of officials have recently become more and more worrying for society. In fact, the interpersonal relations in the workplace are being eroded by such forms of 'cadre growth' of selected officials. Such a socially 'dangerous personality make-up of public servants', determined by overt and latent nepotism, bossism and clientelism, leads such morally degraded individuals directly to condescension, ignorance and arrogance in their relations with their clients. It even outright decries public servants as a "state" in the eyes of the public. The public's aversion to such a particular individual, a public official, is then transferred by personification to the whole system of public administration. However, the solution, although certainly not politically easy, clearly lies only in strict compliance with the rules on the selection of persons for the staffing of public authorities. However, in a so-called civilised democracy, even so-called constitutional officials, whose moral profile is often 'politically undisclosable', should not be exempted from this rule of morality. It is noteworthy, however, that even such civilly dubious persons have documents confirming the success and validity of the security screening carried out by the National Security Office.

Ad 4. The impartiality of a public official must be a fundamental building block of the functionality of any public authority. So-called overreaching breeds lasting damage to interpersonal relationships, including that of the citizen and his trust in justice. Failure to resolve (purposeful resting of the activities of a public official) or unfair resolution of conflicts (purposeful sidetracking, overreaching, favouring of a client over another client by a particular public official) arising between citizens and ignoring the fair resolution of their day-to-day problems by the relevant public officials gradually leads to complete civic passivity. This is confirmed, for example, by the permanent, almost 100% failure rate of the referendums or popular votes held so far in the Slovak Republic. Passivity in solving problems of public interest paves the way for local authoritarian control of the community concerned. We see the solution to eliminating procedural steps that undermine the impartiality of public officials in strict compliance with the rules of the selection procedure and in the continuous training of public administration staff.

Ad 5. The exclusively politically determined appointment of rank-and-file officials to the organisational structures of the state apparatus in general can be considered socially undesirable. In the Slovak Republic, even the so-called post-election rotation of personnel often affects cleaners, drivers and technical staff. At the same time, apoliticality as a requirement accepted by civil servants on the basis of an employment contract, i.e. employed staff and middle management

cadres of public administration bodies, should be a matter of course, which is openly pointed out and directly called for by the recent Slovak experience. Ignoring the apolitical nature of the state apparatus inevitably leads to its instability and attempts by the political power currently in power to control its management and executive structures for its own benefit. The negative result is the failure to address the anti-social activities of politically engaged officials, resulting in their criminal activities being ignored and covered up, even directly by politically manipulated law enforcement agencies. A solution might possibly be reached by anchoring the principle of the apolitical nature of the state apparatus in the constitution.

Ad 6. Accountability is the principle on which all “healthy” social relations are built, with the potential for their own equilibrium development. If the principle of accountability is consistently applied in the daily practice of public administration bodies, then, as a rule, their defective functioning does not occur either. Citizens, as potential objects of public administration, show particular caution in relation to accepting the responsibility of the bureaucratic apparatus of the state for their decision-making activity, which is transformed into “political attention”. The actual state of acceptance, application and continuous revitalization of the principle of accountability is measurable in various ways in the working relations pulsating between the employees of public administration bodies. Including an assessment of the state of the existing work ethic of the executive officials of the administrative authorities. The public seeking certain services provided by the personnel substrate of a public administration body is often irritated as if by the lack of interest of a particular bureaucrat in his work, in the provision of the service that is the subject of his employment. Ignoring official clients, working hours, making private phone calls directly while ‘on duty’, drinking coffee, ‘hanging out’ or eating snacks or lunch in the presence of a client is certainly out of place. Even as a display of rudeness it is worthy of universal condemnation. However, the absence of responsible public authority staff from the workplace during office hours is particularly worthy of criticism. A notice posted on the door of the authority’s office stating, for example, that he or she is taking ordinary leave, attending a doctor’s appointment, nursing a family member, attending a training course, taking part in a conscription exercise, as a ‘legitimate’ excuse for the absence of responsible staff from the workplace at a time when they are officially supposed to be fully available to the public as clients, is inexcusable. This leads to situations, particularly in the municipal government environment, where the office is simply ‘closed’ as there is no one to replace the absent official. This even creates a socially dangerous ‘feeling of unfreedom’ in the minds of the citizens who are harmed by the bureaucracy, and a kind of ‘permissible’ liberal manipulation of the citizens by the authorities. In the internal environment

of a state-administrative institution, as long as the relevant manager strictly demands from subordinates their personal responsibility for the performance and results of their own work, even nepotism, bossism and clientelism, which are seriously harmful to society, are usually not domesticated. Accountability is the cornerstone of social relations. Certainly, the subjects involved in their creation and development must also exhibit certain qualitative personal parameters. This requirement can be addressed primarily to the structured circle of top managers, i.e. officials of public administration bodies. However, in the case of the seizure of political power in the state by ochlocratic structures, chaotic administration of the state, its theft, the disintegration of public administration, the moral devastation of the population, the degradation of the law, the rule of lawlessness, etc., naturally occur. We therefore consider accountability to be a guiding principle on the basis of which a sustainable way of life for society can be guaranteed. However, the roots of accountability and its longevity depend solely on the electoral base, on the electorate's capacity to 'assess, evaluate and look ahead', which, through the exercise of the right to vote, directly determines the future parameters of accountability applied in the public sector.

Ad 7. Patriotism is a necessary condition for the existence of the personnel base of the public administration, through the activities of which the mission of all internal and external functions of the state is fulfilled. Without patriotism and local patriotism of the personnel substrate of the public administration, ultimately, even statehood itself cannot survive. The retreat of society from patriotism prejudices the extinction of nation's statehood itself, i.e. not only the erasure of the state from history, the present and the future, but also of a particular nation from the map of the settlement of the world. We see the solution in the reform of the whole system of school education and in the revitalization of patriotic education of the youth, but also in the intensive involvement of the churches in the political, philosophical and historical education of the young generations of the Slovak nation ("history first").

Non-conflicting interpersonal relations as a basis for the good functioning of public administration

Every human society develops in a positive direction, especially if healthy, i.e. least conflictual, interpersonal relations pulsate in its environment. The problem of guaranteeing the optimal quality of interpersonal relations, including labour relations, is a phenomenon that the management structures of state bodies, including public administration bodies, have been trying to solve for a long time.

However, it can be said that in Slovak social conditions they have not been very successful. However, extracting the negatives of this provenance from the public administration environment is extremely difficult. Especially because human nature, personal uniqueness and human diversity is a natural part of the spiritual equipment of the personality of the species *Homo sapiens sapiens*. The complexity of an individual's life is simultaneously reflected in the complexity of the life of the community in which he or she lives. Within these rugged boundaries, the quantity and variability of interpersonal relationships oscillates. Their heterogeneity is thus a natural phenomenon, corrected by certain rules of coexistence. Their guarantee is ensured not only by the individual concerned and the community in which he or she lives. Compliance with the rules of interpersonal and intercommunity communication is most easily achieved through the voluntary acquisition and acceptance of moral and ethical norms. Therefore, in order to avoid their excessive failure, i.e. their violation by their subjects, the state is also involved in the process of their creation, development and control of their observance through the adoption and application of generally binding and powerfully enforceable legal norms. Defects in these relationships are then generally also dealt with in the above-mentioned terms by the relevant state authorities. In particular, administrative, but also police and judicial ones. Also, the construction and formation of interpersonal relations pulsating in the internal organizational structures of the state, respectively in the structural components of the central and local public administration bodies, are necessarily governed by the relevant legal norms. However, the potential contradictions in the personnel core of a public administration body are most visibly manifested in the increased breakdown of labour or employment relations. However, since they are subject to legal regulation, law, then certain rational starting points can be sought and found within its framework. However, we would like to stress that the primary task and duty of the top management of public administration bodies is to act preventively so that labour relations function without problems. This means that the management of a public administration body must accept the binding obligation to prevent conflicts in the workplace by its own approach, attitudes and actions. In particular by implementing a fair personnel policy. The principle of fairness and the principle of accountability of the management body at each level of the management of the public administration body must be conceived in such a way that their authority is not abused in any way by subordinates from this principled point of view. That is to say, they must not in any way be proxies taking responsibility in place of an unaccountable manager. They must not be made scapegoats in the event of proof of specific fault or culpability on the part of a superior who is personally responsible for the occurrence of an 'administrative failure'. The alibi-like shifting of responsibility

from superior officials to their subordinate public administration officials is rightly perceived, even by broad layers of the Slovak public, as a defence of one's own position in accessing the so-called full trough. In order to confirm or refute this hypothesis, we found it necessary to try to verify its truth. Therefore, we conducted a number of controlled interviews with subjects who were assumed to be willing to answer the questions posed and also to have a certain degree of erudition and orientation in the field of personnel issues and public administration, respectively. The respondents were selected from a teaching background, a security services background, a diplomatic background, a student background and a middle management background in public administration. The purpose of gathering information culled from the content of the guided interviews conducted was to gain a more structured perspective on the issues of public administration performance. Thus, some fragmented knowledge was obtained on the issue of labour relations, which to a large extent influence the effectiveness of public administration performance. We assume that this knowledge is inspiring and may determine the direction of the eventual process of reforming the personnel substrate of public administration. For the state policy management creating the personnel base of the public administration, the findings on the supernumerariness (bureaucratic oversaturation) of the public administration personnel may be instructive. This is in spite of the increase in the quality and quantity of its technological equipment. The findings also show the inappropriate intra-organisational subdivision of individual bodies and institutions of public administration. We consider the finding highlighting the skill imbalance of the staff working in the public administration to be serious. Respondents mostly considered the existence of sections in the organisational structure of ministries headed by directors-general to be a definitely redundant bureaucratic link in central public administration bodies. The number of these intermediate links, if removed from the organisational structures of central public administrations, would be consistent with the acceptance of the principle of economy. Critical responses from the respondents also pointed to the visible and latent 'traffic' applied in the public administration. This is typical of authoritarian administrations in the so-called Third World and of dictatorships. By this term, the respondents were referring to the 'sick' system of post-election allocation of functions, including the creation of new institutions 'as a reward for the faithful'. They announced that this was why the number of Secretary of State positions in the Ministry was also proliferating, as the top management was originally supposed to be, and until the late 1990s was, made up entirely of a politically created triumvirate of Minister, Secretary of State and Head of the Office. Today, in addition to the Minister, the Ministry's top managers include a number of Secretaries of State as well as the Secretary-General of the Ministry's service

bureau. The former Head of Office has been renamed to the latter. Respondents also pointed to the dangerously increasing unqualified nature of central government officials. They saw the cause of this undesirable phenomenon mainly in the corrupt-clientelistic-nepotistic camouflage of the process of the so-called selection procedure, through which candidates for certain posts or jobs are recruited into the civil service and the public service. The selection procedure was largely regarded as 'undemocratic', costly and time-consuming and unnecessary, as it is only formally implemented and the position to be filled is officially allocated to a 'pre-determined candidate'. Respondents also pointed to the fact that they had already encountered on several occasions in personal contact with public administration officials their evident unqualifiedness, which breeds irresponsibility. That is to say, unprofessional and therefore untrustworthy provision of the requested public service. In this context, it is a warning to note that municipal authorities, which should be closest to the citizens, are the ones struggling with unprofessionalism. Unprofessionalism and corrupt behaviour were registered by the respondents, especially in the areas of offences, building and tax administration. Respondents see the root of this problem in formal education, and in their opinion, the dubious "obtaining an academic degree today does not also mean obtaining a relevant education". This statement was addressed in particular to high school and university graduates who, probably on the basis of a purposefully rigged selection procedure, had been appointed to the staff of a central government body without any previous or relevant experience. Another observation excerpted is the respondents' reference to the personal immaturity of the officials, which manifests itself in their demeanour and in the dehumanizing manner in which they deal with civil parties. Respondents pointed to the condescension, indifference, shifting of their own responsibility to others, as well as the 'heavy-handedness and low understanding' of officials with whom they themselves came into personal contact. The respondents assessed the certain orientation of the officials in the issues entrusted to them mostly positively, however, they consider the high degree of fragmentation of the public administration system as a negative. This was particularly the case for regional public administration, which is made up of 'small' districts, 'redundant' counties, but also redundant central authorities. The decades-long existence of the Government Commissioner for the Seabed and his office, appointed by the controversial Slovak government of Mikuláš Dzurinda, brought a smile to the faces of the respondents. On the basis of these findings, it can be concluded that a simply constructed, as little as possible externally and internally fragmented public administration, created in the Slovak Republic on the model of the Swiss Confederation, should be considered as one of the realistic starting points for a possible rational solution to the problems associated with the persistent

deficiencies in the operation of the system of Slovak public administration bodies and the unbalanced work performance of public administration employees. This problem is undoubtedly closely linked to the persistent problems of the 'problematic' Slovak education system in particular. This is not only from the point of view of guaranteeing the functionality of education of the Slovak population by the state, but above all the education of the upcoming young generations. This long-standing problem has been dragging on since pre-school institutions. We are of the opinion that by supporting the revival and implementation of the idea of more intensive involvement of church structures in the education of the youngest generation of the Slovak nation, a significant part of the problems plaguing Slovak education would be eliminated. The main cause of the reduction in the qualitative level of the personnel substrate of the public administration can thus be identified as the total degradation of the entire system of education and training in Slovakia, also thanks to the EU, "detached" from the real needs of the population and the business sector. This misunderstanding of the essence of the problem is automatically transformed into the way of ensuring the operation of the entire public administration system. We therefore consider the above findings to be problems worthy of further investigation and evaluation. The proposed solutions should eventually be subject to their purposeful application in everyday practice. We therefore assume that in the future they will also become an object of interest for the implementers of further, perhaps necessary, but rationally implemented public administration reform. Because so far no government, not even the partial reform of public administration implemented after 1992 in the Slovak Republic, has been able to cope with the problem of improving the personnel substrate of public administration in the Slovak Republic. In this context, we consider it necessary to open both professionally and in the media also the issue of the existing in the Slovak Republic lifelong receipt of bonuses and benefits of feudal provenance by all emeritus presidents of the Slovak Republic. Thus, also those who have already ceased to hold the office of the highest constitutional official operating in the constitutional system of the Slovak state. The so-called head of state of a 21st century Central European democratic republic incorporated into the EU should not be equated with the Indian Maharajah in this sense. We therefore recommend that consideration should be given to the legal withdrawal of these perquisites and benefits from former Presidents of State as former top civil servants. Either immediately after they leave office or grant them these benefits only after they reach a certain age, e.g. seventy years. After all, in a truly democratic state in the 21st century, the exercise of this office should be purely representational and honorary. Supported only by an appropriately limited amount of material and financial provision for such a person from public budgetary resources during the

term of office of the President of the State. It is only during that period that the citizens should contribute to the state budget, through their own taxes, to the provision and operation of the state-representative activities of such a public official. The President Emeritus should therefore be included in the mass of other pensioners, without any material, financial or personal benefits. With the amount of his personal pension being the same as that calculated under the relevant law and according to the same criteria for other recipients of old-age pension. We therefore consider that solving this problem pro futuro is also an immanent part of the reform measures which are being carried out sporadically in order to make the system of public authorities and the activities of the personnel substrate of public administration bodies more economically efficient.

Conclusion

No citizen of any country can avoid personal contact with specific persons representing a specific public administration body in his or her lifetime, from birth onwards. In the first instance, this is undoubtedly the registry office with its agenda of births, marriages and deaths. However, the administrative agenda of a public authority is much more structured and complex. It is true that the simpler the organisational basis of public administration is, the more accessible it is to the public and the more cost-effective it is for the state. This is directly linked to public satisfaction with the services provided by public authorities through their staffing substrate.¹⁵ Thus, at least in theory, public administration reforms always pursue 'original' rationalisation objectives, which are embodied in particular in the pre-election intentions presented to the population by individual political entities seeking the favour of the electorate in elections. However, experience often confirms that public administration reforms do not always translate into improvements in the quality of the services it provides. The reason for this is the reality of the non-fulfilment of pre-election visions and promises by political entities that have already managed to seize political power in the state through elections. Consequently, their interest becomes the rehabilitation of the supporting elements of the personnel base of public administration bodies. The so-called post-election replacement of management cadres and often of the 'established' executive apparatus of public administration bodies inevitably leads to the destruction of the professionalism of the administrative services provided and the services rendered to the 'administered' population. These practices, which are already quite established in Slovak social conditions, naturally have

15 KRÁLIKOVÁ, K. – KRÁLIK, J. 2014. *Model spoločného systému hodnotenia kvality (CAF) vo verejnej správe*, pp. 95-103.

a significant negative impact on the legal consciousness of the population. It is accompanied by frustration, nihilism and extremism of opinion, not only in the souls of individuals directly affected by the poor performance of public administration, but also in the souls of entire social groups (e.g. pensioners, students) or other communities (hunters, farmers, Roma). It is certain that the destabilisation of the organisational base of public administration (e.g. the purposeful creation of ministries and other central and regional public administration bodies) translating into the destabilisation of the personnel base of public administration (e.g. the purposeful creation of unnecessary and only quasi-functional “non-functional functions”, the so called “trafics” for “their own people”) is a real prerequisite not only for the emergence and intensification of its deep erosion and disintegration, but also for the total demoralisation of a large part of the Slovak nation-state public. Therefore, no public administration reform should be the subject of a “post-election automaton”. Public administration reforms should not be regarded by political and power structures as a mere “permanent obligation” that must be necessarily enshrined and prejudged in the proclamatory text of the pledges that make up the government’s programme statement. As a rule, only the organisation and internal restructuring of public administration bodies is considered a subject worthy of reform. However, we are of the opinion that, in view of the rampant clientelism and nepotism exercised in the selection of persons to serve the State, and the chicanerous bossism rooted in the personnel structures of public administration bodies, it will be necessary to take measures that will contribute in a radical way to the stability of all the external, but especially internal, components that make up the public administration system. The unprofessional performance of the public administration, which is the result of a flawed personnel and staffing policy implemented by the State’s management structures, ultimately leads to the dysfunctionality of the State.¹⁶ The political interest reflected in the content of any public administration reform cannot therefore be at odds with the public interest. Practical experience supports the knowledge, identified and communicated to the professional public through numerous scientific and professional works, that the stability of public administration is a determinant of the stability of society, including the stability of the state and its whole organism, including the population. The harmfulness of permanently reforming the public

16 The cadre base of the public administration personnel system is formed by a group of political and professional managers, elected officials and appointed employees of the public administration body. The personnel base of the personnel system of the public administration is formed by the totality (set) of persons involved in the day-to-day exercise of the competences entrusted to the public administration body concerned, operating on the legal basis of an employment contract in an employment relationship and vertically subordinate to the public administration cadres.

administration system is therefore demonstrable. Particularly if there is no real, exact verification of the legitimacy, expediency and rationality of politically motivated state interventions aimed at the individual components of its public administration system, including its personnel substrate. Unjustified and unjustifiable inputs, usually by a newly emerging political power, into the 'old structure' of an otherwise well-functioning public administration are generally intended to fulfil only a propaganda mission. However, radical interventions in the organism of the public administration can be accepted if they aim at eliminating the surviving administrative illiteracy of the personnel substrate of the public administration. The emergence and 'perpetuation' of the phenomenon of 'administrative illiteracy' of the personnel base of a specifically identifiable public administration body occurs, as a rule, when the selection of officials and employees is motivated by nepotism, clientelism and even outright corruption. So-called selection procedures are announced and publicised 'as anonymously as possible' in order to ensure that only a minimum number of applicants for a given position are involved. This means that, in practice, it is openly illegal to manipulate the so-called selection procedure in order to recruit a pre-selected candidate for a post or job. The publication of such a staffing plan is usually only intended to serve the appearance of "fairness" and legality of the so-called selection procedure being carried out. Its 'unpredetermined winners', i.e. candidates who have not already been 'pre-selected' for the civil service, public service or employment, therefore serve only as an object of camouflage. As a cover-up, a disguising manoeuvre, potentially preventing the possible detection of the 'unfairness' of the so-called selection procedure for filling a post in a public administration body. And, as evidenced by the legal condemnation of the "creators" of the so-called bulletin board tender, the formal publication of the "openness" and is only intended to create a climate of compliance with legality and, therefore, general accessibility, equality of the participants in this "selection" procedure. It is therefore seemingly addressed to all interested parties or participants in the so-called tendering procedure, despite the fact that its 'winner' is already predetermined. There are, of course, reasons for this 'predetermination of the winner'. Often linked to so-called political corruption, which makes it possible to take advantage of public material and financial resources and redirect their flows to the private sector by putting 'their people' in the 'right places'. In particular, the strategy of latent purposeful search for a suitable managerial post for 'their man' in public administration bodies with decision-making and control powers in the field of public procurement is appreciated by the holders of political power, who, after winning an election, simultaneously become the 'hottest' contenders for economic power in the state. The legal and economic background of an applicant for such a position in the personnel substratum of a public administration

body should therefore always be a 'non-negotiable' qualification requirement. Its non-fulfilment by a candidate or a participant in the selection process must be clearly disqualifying! However, the question of providing such education, or re-education, would be closely related to the total fulfilment of this requirement. If the subscriber were qualified in law, but not in economics or vice versa. If he meets all the other qualification parameters and personality criteria favouring him as the winner of the selection procedure, the state itself should first and foremost show a keen interest in his involvement in the civil service or the public service. The criterion of such combined legal and economic education of a newly recruited official or employee of a public administration body could be fulfilled through the intensified involvement of the Institute of Public Administration in the permanent training of the bureaucratic apparatus, which could include special vocational courses for public administration executives that would reach the content and formal parameters that would enable them to be recognised as having the necessary training gaps after their completion. In this respect, it would be interesting to consider the demand, expressed some time ago and published in the professional press, to merge the Institute of Public Administration with the Police Academy and transform it into a Faculty of Public Administration, operating alongside the Faculty of National Security.¹⁷ The Academy of the Police Corps in Bratislava would thus actually become the University of National Security.

Used sources

- BERČÍK, P. 2003. Ďalšie pohľady na racionálnosť verejnej správy. In. Právny obzor, roč. 86, 2003, No. 1. ISSN 0032 – 6984.
- BERČÍK, P., KRÁLIK, J. 2007. *Základy verejnej správy I.* 1. Ed. Bratislava: Akadémia Policajného zboru, 2007. ISBN 978 – 80 – 8054 – 400 – 3.
- BŮŠIK, J., KRÁLIK, J. 2008. *Základy verejnej správy III.* 1. Ed. Bratislava: Akadémia Policajného zboru, 2008. ISBN 978 – 80 – 8054 – 430 – 0.
- GAŠPAR, M. 1992. *Moderná verejná správa.* 1. Ed. Bratislava: PROCOM, 1992. ISBN 80 – 85717 – 01 – 8.
- GAŠPAR, M. 1998. *Správne právo – teória a prax.* 1. Ed. Pezinok: Formát, 1998. ISBN 80 – 967911 – 0 – 9.

¹⁷ See KRÁLIK, J. 2005. *K problematike transformovania štátnej správy národnej bezpečnosti ako garanta stability spoločnosti (úvaha).* p. 179 – 186. Also KÚTIK, J., KRÁLIK, J. 2015. *Verejná správa a krízový manažment.*

- HOLCR, K. 1996. *Logika, metodológia a metódy vedeckého poznania*. 1. vyd. Bratislava: Akadémia Policajného zboru, 1996. 81 p. ISBN 80-88751-91-8.
- KOMORA, V. 2016. *Konfesijné vzťahy na Slovensku – dejiny a súčasnosť*. 1. Ed. Bratislava: VEDA, 2016. ISBN 978 – 80 – 224 – 1558 – 3.
- KRÁLIK, J. 2005. *K problematike transformovania štátnej správy národnej bezpečnosti ako garanta stability spoločnosti (úvaha)*. Policajná teória a prax, roč. 13, 2005, No. 1. ISSN 1335 – 1370.
- KRÁLIK, J., KÚTIK, J. 2013. *Kontrolný systém a jeho subsystémy vo verejnej správe. (základy teórie)*. 1. Ed. Plzeň: Aleš Čeněk, 2013. ISBN 978 – 80 – 7380 – 482 – 4.
- KRÁLIK, J., KRÁLIKOVÁ, K. 2016. *Polícia (v slovenskej spoločnosti)*. 1. Ed. Brno: Tribun EU, 2016. ISBN 978 – 80 – 263 – 1050 – 1.
- KRÁLIKOVÁ, K. 2013. *Sociálna starostlivosť štátnej správy o imigrantov v Slovenskej republike podľa schengenského Acquie*. 1. Ed. Martin: Formax Crater družstvo, 2013. ISBN 978 – 80 – 971419 – 0 – 5.
- KRÁLIKOVÁ, K. – KRÁLIK, J. 2021. *Východiská ekonomickej gramotnosti II*. 1. Ed. Brno: MSD, 2021. ISBN 978 – 80 – 7392 – 368 – 6.
- KRÁLIKOVÁ, K. – KRÁLIK, J. 2021. *Atmosphere in workplace mirror of society*. In. Sociálno-ekonomická revue, roč. 21, 2021, No. 1, p. 25 – 37. ISSN 2585 – 9358.
- KRÁLIKOVÁ, K. – KRÁLIK, J. 2014. *Model spoločného systému hodnotenia kvality (CAF) vo verejnej správe*. In. Racionalizácia verejnej správy. Zborník vedeckých príspevkov z medzinárodnej vedeckej konferencie konanej v dňoch 29. a 30. apríla 2014. Bratislava: Akadémia Policajného zboru, 2014. ISBN 978 – 80 – 8054 – 605 – 2.
- KÚTIK, J., KRÁLIK, J. 2015. *Verejná správa a krízový manažment*. 1. vyd. Trenčín: Trenčianska univerzita Alexandra Dubčeka, 2015. ISBN 978 – 80 – 2241 – 442 – 5.
- NEMEC, J. 1999. *Reformovať formálne štruktúry, alebo ich obsah*. In. Verejná správa, roč. 54, 1999, No. 12 – 15. ISSN 1335 – 7883.
- ŘEHŮŘEK, M. 2002. *Racionálnosť verejnej správy*. In. Právny obzor, roč. 85, 2002, No. 5 – 6. ISSN 0032 – 6984.
- VETRÁKOVÁ, M. a kol. 2001. *Ľudské zdroje a ich riadenie*. Banská Bystrica: Ekonomická fakulta UMB, 2001. ISBN 80 – 8055 – 581 – 8.

Contact:

prof. JUDr. **Jozef KRÁLIK**, CSc., MBA
Danubius College
Janko Jesenský Faculty of Law
Richterova 1171
925 21 Sládkovičovo
Slovak Republic
e-mail: jozef.kralik@vsdanubius.sk

LtCol. Assoc. Prof. JUDr. Ing. PhDr. **Kristína KRÁLIKOVÁ**, PhD., MBA
Academy of Police Force
Sklabinská 1
835 17 Bratislava
Slovak Republic
e-mail: kristina.kralikova@minv.sk