

EXPLORING THE FOUNDATIONS OF THE EUROPEAN ADMINISTRATIVE SPACE AND ITS ALIGNMENT WITH GLOBAL GOVERNANCE THROUGH THE BASIC PRINCIPLES OF GOOD GOVERNANCE

Melihate Tërmkolli *

* Faculty of Public Administration, AAB College, Prishtina, Republic of Kosovo
Contact details: Faculty of Public Administration, AAB College, Elez Berisha Street, 10 000 Prishtina, Republic of Kosovo



Abstract

How to cite this paper: Tërmkolli, M. (2023). Exploring the foundations of the European administrative space and its alignment with global governance through the basic principles of good governance [Special issue]. *Corporate Law & Governance Review*, 5(2), 237–248. <https://doi.org/10.22495/clgrv5i2sip11>

Copyright © 2023 by Author

This work is licensed under a Creative Commons Attribution 4.0 International License (CC BY 4.0). <https://creativecommons.org/licenses/by/4.0>

ISSN Online: 2664-1542

ISSN Print: 2707-1111

Received: 26.05.2023

Accepted: 13.11.2023

JEL Classification: H1, H7, K3

DOI: 10.22495/clgrv5i2sip11

This article focuses on examining the establishment of the European administrative space (EAS) and its compatibility with global governance through the basic principles of good governance. The article identifies how the EAS has been influenced by and forwards the good governance model in an effort to improve governance at the global level. The main purpose of this research is to analyze the relationship between the European administrative area and good governance by analyzing the basic principles of good governance and investigating how they are applied in the European context. The research was conducted through a documentary analysis of relevant literature, including official documents of European institutions, research reports, and academic studies. The article reveals that the EAS is an important path towards improving good governance, integrating and implementing some of the basic principles of this form of governance. This article provides an important contribution to the literature on European studies and global governance by examining the relationship between the EAS and the principles of good governance.

Keywords: Good Governance Principles, European Administrative Space, EAS, *Acquis Communautaire*, Codification, European Integration

Authors' individual contribution: The Author is responsible for all the contributions to the paper according to CRediT (Contributor Roles Taxonomy) standards.

Declaration of conflicting interests: The Author declares that there is no conflict of interest.

1. INTRODUCTION

The European administrative space (EAS), as a new phenomenon in the field of public administration, has aroused the interest of states and of researchers and officials both in providing an accurate definition of this term, for its essence and content, as well as in relation to the guiding principles of its operation within the framework of European integration. The term "European administrative space" is a notion that is not clearly defined in terms of

a legal sense, because there is no such explicit obligatory basis in the documents of the European Union (EU) or the member states, and from this notion, one could easily conclude that it is only an aspiration, a spirit and will of the EU which can be adjusted in the future. This situation does not implicate in any case halting discussion about EAS, not only in the theoretical sense but as a situation that is real in terms of its functioning within the EU and the member states as well as in the states that are undergoing the process of integration.

Despite the extensive literature on the EAS and the concept of good governance, there is a limited body of research that systematically explores the alignment between EAS and global governance through the lens of good governance.

Existing studies often focus on the internal dynamics of EAS or discuss good governance in the context of individual countries, neglecting the examination of how these concepts interact at a global level.

The primary aim of this research is to analyze the relationship between the EAS and global governance by examining how the foundational principles of good governance are integrated and practiced within EAS institutions.

The study aims to answer the following research questions:

RQ1: To what extent will EAS institutions align with the principles of good governance in their operations and decision-making processes?

RQ2: How does the alignment or lack thereof between EAS and good governance impact the effectiveness and legitimacy of global governance initiatives?

RQ3: Are there specific challenges or barriers to implementing good governance principles within EAS institutions, and how do these challenges affect their role in global governance?

The basis for the research is introduced mainly by Hofmann (2008), Katsamunskaja (2010), and Support for Improvement in Governance and Management (SIGMA, 2001, 2014).

The EAS is the tendency to establish common principles and standards towards a convergent system of values originating from other EU laws and regulations. They constitute the basis of the EAS, just as the national systems carry out their values in order to advance and strengthen the principles and common practices of the member states and the states in the process of European integration. In this view, the aim is the Europeanisation of public administration based on the principles that enable the convergence of administration systems. Based on these parameters, it can be stated that "the European Administrative Space is the result of a complex process based on Europeanisation, convergence and administrative dynamics" (Cioclea, 2012, p. 290).

Convergence includes components defined by EU mechanisms based on administrative law as well as European administrative principles, standards, and practices. The European principles of administration have been developed in a long EU enlargement process and the establishment of legislation and administrative practices within this process.

The research employs a mixed-methods approach, combining a thorough review of relevant literature and official documents from European institutions with qualitative analysis. This includes interviews and case studies to assess the practical implementation of good governance principles within EAS institutions and their impact on global governance.

Comparative analysis is used to examine variations in the alignment between EAS institutions and good governance principles across different policy areas and periods.

This paper is highly relevant in the context of contemporary discussions on global governance and the role of regional entities such as the EU. It addresses a gap in the literature by offering a comprehensive analysis of the relationship between the EAS and global governance, with a focus on good governance principles.

The findings of this research have broader implications for policymakers, scholars, and practitioners interested in enhancing the effectiveness and legitimacy of global governance mechanisms through the integration of governance principles at regional levels.

The notion of the EAS entered as a term in legal, administrative, and political literature to define a new state in the field of administration, which became part of a new spirit of its operation, aiming to become a mode of the work and activity of administration, with rules and principles valid for everyone.

The research findings reveal that while there is an ongoing effort to align EAS institutions with good governance principles, challenges related to consistency, transparency, and accountability persist.

The degree of alignment varies across different policy areas, with some sectors demonstrating more robust adherence to good governance principles than others.

The paper identifies the need for enhanced coordination among EAS institutions and suggests that further efforts should be made to ensure the consistent application of good governance principles, especially in areas with significant implications for global governance.

The rest of the paper is structured as follows. Section 2 reviews the literature. Section 3 presents the research methodology. Section 4 provides the research results and discussion. Section 5 concludes the paper.

2. LITERATURE REVIEW

In legal literature and political terminology, the notion of the EAS is an integral part of studies and research by many researchers and experts in this field, while it represents important components of reports and strategies for the administration in the various EU member states and countries undergoing the process of integration. Among the most prominent authors in this field are Hervig C. H. Hofmann, Jarle Trondal, Christoph Knill, Klaus H. Goetz, and so forth. The European administrative space has been one of the fastest-transforming political and administrative domains in the world. Within a couple of decades, there has been a fundamental change of roles, positions, and processes through which national and supranational governance actors have come to interact with each other and constitute new types of policy regimes across the EU (Jordana & Yesilkagit, 2022). Within the framework of the EU mechanisms, SIGMA/OECD documents have extensively addressed this field, defining common principles and values in terms of the EAS and European integration. Keping (2018) states that "good governance is organically combined with democracy. In an autocratic system, it is possible to have good government when the system is at its best, but it is impossible to have good governance. Good governance can only be

achieved in a free and democratic political system, as it cannot emerge without freedom and democracy” (p. 6). Theoretically, according to a definition by Czuczai (1999, as cited in Torma, 2011, p. 149), “is a harmonized synthesis of values realized by the EU institutions and the Member States’ administrative authorities through creating and applying the EU law”. Hofmann (2008) considers the EAS to be a field in which increasingly integrated administrations jointly exercise powers delegated to the EU in a system of shared sovereignty. Hofmann (2008) considers that the term “European administrative space” has been used to describe a growing convergence of administrative practices at the EU level and in various member states towards a common European model.

In the definition of SIGMA (2001), the mentioned elements of the EAS are even more concrete, emphasizing that “A common administrative space is possible when a set of administrative principles, rules, and regulations are applied uniformly in a certain territory that is covered by the national constitution” (SIGMA, 2001, p. 15).

The EU, as known, has no powers to build and change the organizational structure of the administration of the member states. “Member states are free to organize their administration as they see fit, and they have shown reluctance to grant general organizational, supervisory and enforcement competence to European institutions” (SIGMA, 1999; Knill, 2001; Olsen, 2002, as cited in Steen & Schaap, 2004, p. 5).

Although the EAS relies on principles and rules that enable its realization within the EU member states and those aspiring to EU membership, on the other hand, good governance as a way of governance with its principles and rules has become a global concept of governance, not excluding one another. In most cases, the principles and rules of the EAS are also principles of good governance and vice versa, including the reform process of public administration in their function, as a process of national policies of public administration on a global scale. Thus, the integration of these principles in the national administrative system contributes to ensuring the provision of high-quality public services to all citizens (regardless of gender, ethnicity, or religion) and strengthening the relationship of trust and responsibility between public institutions and between citizens and public authorities (Larisa-Florentin, 2021).

2.1. Basic concepts of the European administrative space (EAS)

In the European public administration, at the current stage of its development, the phenomenon of the EAS is attracting attention and scientific interest as a theory and practice that is in the process of its development. Many EAS scholars are trying to break down, analyze, and formulate its concept as the basis of a new reality in the field of public administration.

When it comes to the concept of EAS, different definitions emerge, by different authors, who define this notion depending on the priorities they give to the principles and criteria that form the basis of the EAS and the standards on which this concept is built. Some of these authors and researchers put

more emphasis on the influence of the EU on the establishment of the EAS, while others emphasize the opposite, the influence of national administrations on the establishment and operation of the EAS. Despite the differences in the formulation of this concept, almost all authors agree on common principles of the functional administration of the EU.

The EAS is described as “a metaphorical illustration of a set of principles and criteria, standards and best practices for citizen-oriented administration” (Cioclea, 2012, p. 289). According to another definition, “EAS includes a group of common standards within a set of administrative laws, such as acts of administrative procedures or processes, acts of the right to information and civil service laws, which are implemented in practice through procedures and mechanisms of accountability” (ShtetiWeb, n.d.).

The definitions of the EAS, although different by different authors and researchers, can be said to contain the main components which are: common administrative principles and values; the harmonization of these values within a certain space, and their application in a common sovereignty system.

The concept of the EAS and the convergence of the public administration remains a debatable concept due to the systemic and structural differences of the public administration of the EU member states. From the traditional point of view, it is known that administrative law is a matter that belongs to a state, which independently builds the administrative system. In this sense, the European states in particular are known as states with traditional administration and with specifics that each state builds in this field.

Based on European theory and practice, the EAS is a phenomenon that must be treated on two levels: as a matter of EU administrative law and as a matter of administrative practice, which entails mandatory principles and standards for states in the process of integration which are implementing the rules of the *acquis* in this field. In this regard, the basic principles of the EAS, defined in the SIGMA documents have wide compliance in the EU member states, considering them also part of *acquis communautaire* (SIGMA, 2001).

According to Cardona (2009, as cited in Cioclea, 2012, p. 289), the basic principles of the EAS are considered:

- *Rule of law*, i.e., legal certainty and predictability of administrative actions and decisions, which refers to the principle of legality as opposed to arbitrariness in public decision-making and to the need for respect of legitimate expectations of individuals;
- *Openness and transparency*, aimed at ensuring the sound scrutiny of administrative processes and outcomes and its consistency with pre-established rules;
- *Accountability* of public administration to other administrative, legislative, or judicial authorities, aimed at ensuring compliance with the rule of law;
- *Efficiency* in the use of public resources and effectiveness in accomplishing the policy goals established in legislation and in enforcing legislation.

The principles of administrative law and the general principles of public administration at the highest level are determined by the European Court of Justice. According to the Court, principles of administrative law mandatory for EU member states are the principle of administration through law; principles of proportionality; legal security; protection of legitimate expectations; non-discrimination; the right to be heard in administrative decision-making procedures; temporary relief; fair conditions for the access of individuals to administrative courts; non-contractual liability of public administration (SIGMA, 2001).

Based on the view presented above, conclusions can be drawn that the EAS is guided by principles, standards, and practices which together constitute the *acquis communautaire* of the EAS.

One of the most discussed issues of the EAS, in EU theory and practice, concerns the convergence of the EAS. Knowing that European administrative systems are mainly traditional and divergent systems in structure and legal rules, creating a convergent space requires time, deep studies, adequate institutions, and high accountability. Not all European rules are easily implemented in each European EU member state, because the EAS has characteristics and features of administrative convergence. From this point of view, "The Europeanisation of the administration is related to the degree and the way in which the changes initiated by the EU affect the particular dimensions of change in the local (national) public administration" (Lægneid et al., 2002, p. 7). In terms of the degree of Europeanisation of the administration, it is important to emphasize that this affects specific dimensions of change in the internal public administration, without affecting the entire administration system. Theorists concluded that the EAS does not impose radical changes in the configuration of the public administration of the respective countries and that European integration does not imply a radical change in the organizational form of the national administration, assessing that it is rather a matter of gradual adaptation and that "the results support that the changes are more in favor of adaptation in the bureaucratic part of the administration than in the political part" (Lægneid et al., 2002, p. 16). According to Knill (2001, p. 12), "Europeanization does not mean that the political systems of EU member states become more and more similar over time because while some authors point out that European politics has led to a convergence of national styles and structures (Harcourt, 2000; Schneider, 2001), others highlight the ways in which it has had a differential impact with domestic responses to EU policies varying considerably across policies and countries".

Even with regard to the structure of the civil service, in the context of the EAS, as long as it represents a structure built independently by each state, the influence of the EU in this segment is very limited. These differences are a result of various factors that have influenced the diverse institutional structuring of the states related to tradition, the practices they use, the level and pace of reforms, etc. According to Goetz and Meyer-Sahling (2008), lack of convergence does not, of course, imply

absence of change. But change is rarely seen to challenge basic administrative traditions.

Meetings with EU officials take place at different levels with national, regional, and local officials. "This increased level of interaction and exposure to each other's administrative thinking and solutions is expected to contribute to administrative convergence" (Knill, 2001; Olsen, 2002, as cited in Steen & Schaap, 2004, p. 3).

In view of the convergence of the EAS, the "informal cooperation" between the member states regarding the organization of the public administration, which is carried out to a large extent at high levels of leadership and management of the civil service by the general directors of administration up to the ministers of administration, is also considered as an indirect way of creating common values (Steen & Schaap, 2004).

In the development of common principles of administrative law, as assessed by SIGMA, "the main role is played by the European Court of Justice which constitutes the highest instance institution that determines whether an initiated principle is a principle or not and, as such, whether it is part of EU rules or not" (SIGMA, 2001, p. 17).

Another element of the development of common principles is considered the phenomenon of "penetration of EU law" in the national administration system. Based on studies, it has been concluded that within a country it is difficult to use a pair of standards and practices for the implementation of domestic law and other standards for EU law, therefore this shows that "national institutions apply the same standards and use the same practices progressively, both for the implementation of national and EC law" (SIGMA, 2001, p. 17).

Another element of convergence concerns the transfer of European administrative law to the national law of member states. The inclusion of this element is known as the "institutionalization of the EAS administration" because as emphasized "The development of EAS can be understood as a process of institutionalization of common administrative capacities. This institutionalization has both normative content and some structural manifestations" (Trondal & Peters, 2015, p. 79).

An important role in European administrative law, as well as in EU member states, is represented by performance as one of the modern phenomena of public administration, which is evaluated based on the principles of European administration.

Among the most important performance evaluation factors are considered:

- *Uncertainty* — there are many external circumstances that affect the activity of the organization and the accuracy of performance indicators;

- *Diversity* — a large number of actors with different interests make it difficult to reach a consensus in defining the purpose and objectives of the organization;

- *Interdependence* — between resources, processes, and decisions;

- *Instability* — social, economic, and technological changes have a significant impact on the policies, goals, and objectives (Cioclea, 2012, pp. 290-291).

The states undergoing the process of integration are still in unsatisfactory stages and degrees of development of the administration system and its reformation as well as in the process of institutional building and strengthening of the administration. The expectations and requirements of the EU for the implementation of the *acquis* in these states following the EAS confirm that “candidate countries need to develop their administrations to reach the level of credibility of the European Administrative Space and an acceptable threshold of common principles, procedures, and structural administrative agreements” (SIGMA, 2001, p. 15). Despite the lack of formal EU legislation for public administration, and the existence and operation of special systems with organizational and structural administrative rules of the EU member states and those that are in the process of integration, the EAS can be said represents a reality still in the making as a process towards the codification and formalization of the *acquis* for this area.

Although the EAS is not part of the formal *acquis communautaire*, the EU, through its mechanisms, requires the states to implement it as a separate part of the *acquis* and as a fundamental obligation within the framework of reforms and reforming strategies of the public administration in the states that are in the process of European integration. Candidate countries must adapt their administrative and institutional infrastructure and harmonize their national legislation with EU legislation in the areas of the various chapters. As it is known from EU practice, these chapters are negotiated during the review of the *acquis* and regularly evaluated by the European institutions until the time when each chapter is closed. The Copenhagen criteria are the membership criteria that must be met by a country aspiring to join the EU, while the Madrid European Council in 1995 also added the requirement that the applicant countries are expected to develop their administrative structures and the EU needs to be able to integrate new members.

One of the most important sources of EU law is the stabilization and association agreement with the EU, which refers to EU membership in a certain transitional period, during which the states in the process of membership harmonize and align with EU legislation in order to achieve a positive assessment by the European Commission. The Copenhagen criteria, as the basic criteria for the EAS for countries aspiring to integration, have left a lot of room for different interpretations of their achievements and results. In this context, the EU should revise or clarify the criteria by specifying them in more concrete terms and values and by categorizing which of them are priorities.

2.2. Principles of administration and the European concept for integration and reform

The state, the law, the public administration, and other institutions of separate states and the EU as a whole, are built and function on principles and standards that promote and mark important values for the realization of their goals.

In the sense of European integration, principles and standards have been built in the field of public administration by the relevant institutions of the EU,

which serve as a basis for the functioning of the public administration of the member states and are a condition for European integration for the states in the process of integration. European integrations are a political and technical process. Their technical attribute in the sense of public administration means implementation of the principles, practices, and standards foreseen by the political and legal acts of the EU. EU member states have evolved in respecting European standards for public administration by harmonizing them with European standards and are on the way to creating a common EAS. For the countries undergoing the integration process, European principles and standards constitute conditions and criteria for membership and integration.

The EU was built and functions based on common values expressed in the Founding Act and other acts of the EU. The founding values of the EU relate to five main categories: the rule of law, respect for fundamental rights, the principle of democracy, social justice, and cultural pluralism (Jacqué, 2010). These are common values and principles for all member states. As such, they are also defined in treaties, such as the Treaty of Maastricht, and the Treaty of Amsterdam, but also the Draft Constitution of the EU, even though this has not yet been approved.

Pomeranz and Stedman (2020) stated “We develop and present a scale for measuring program achievement in accordance with eight main principles of good governance: inclusivity, fairness, transparency, accountability, legitimacy, direction, performance, and capability” (pp. 5–6).

In the later stages, conditions for membership have been added, especially in the period of membership of the Central and Eastern European countries and related to the respect of minorities and their protection, while in the economic aspect, the condition of the existence of a stable market economy has been added, the ability to cope with competition and the ability to fulfill the obligations arising from membership (European Commission, n.d.).

The basic principles of administrative law, known both in theory and administrative practice, concern reliability and predictability, open and transparent administration, accountability, and efficiency and effectiveness of administration.

Reliability and predictability, as a principle of administrative law, means “administration through law”, according to which the public administration must fulfill its responsibilities according to the law and within the legal framework (SIGMA, 2001). Based on this principle, public administration institutions make their decisions according to the general rules provided by law, impartially and towards everyone who is the subject of review. Within this principle, two essential elements are present: neutrality or impartiality and universality.

In support of the principle of reliability and predictability, there is the legal principle of proportionality, according to which, based on SIGMA “administrative action must be in proportion to the conclusion required by the law and to the purpose to be achieved on the basis of the law” (SIGMA, 2001, p. 9). In function of “administration through law” is also the principle of procedural honesty, respecting the time, professionalism, and professional integrity in the work of the public administration.

The principle of open and transparent administration means that the administration is ready for external investigation, while transparency is more related to the fact that when examined closely, it can “perceive beyond” for investigation and surveillance (SIGMA, 2001). Among the most important and positive effects of an open and transparent administration is the fight against corruption in the administration and working in harmony with the legal rules and procedures in the process of making certain decisions and actions.

The principle of accountability means making decisions based on the laws and with legal competence. Accountability means that “a person or authority must explain and justify their actions to another” (Pollozhani et al., 2010, p. 91).

The principle of efficiency and effectiveness in contemporary public administration is among the basic and most important principles of its work and operation and the basis for evaluating achievements in the administration reform process. This principle also functions in evaluating and measuring the performance of the administration in the exercise of its activity and functions within the reform process, intending to increase the quality of administration services in a shorter time and with efficient procedures. Efficiency is a principle that has the meaning of evaluating the time and quality factor, which the administration uses in providing services to citizens and other institutions. We can say that efficiency represents the indicator of “productivity” of the administration (Pollozhani et al., 2010).

The principles of public administration in the field of European integration constitute the basis of building and strengthening the administration in the integration process, the respect and application of which is necessary for every European state. The principles are a result of the dynamics of the EU membership process, of the EU treaties and rules which have been presented and developed by the OECD for public administration and governance for decades, as well as a result of the experience of the EU member states, OECD, including the countries in the accession process.

The European Committee on Democracy and Governance (CDDG) was tasked with developing a draft Recommendation on Principles of Good Democratic Governance applicable to all levels of government, building on the 12 principles of good democratic governance at the local level. The Recommendation would have the potential to become an important reference text for the member states and further Council of Europe activities concerned with democratic modalities of public governance and management of public affairs. It would be the first legal instrument to address the question of democracy in governance in a comprehensive manner (Council of Europe, 2022).

SIGMA has defined the basic principles for the functioning of the public administration, which are included as the main integral part of the strategies for reforming the administration and which are necessary for application. These levels are categorized into pillars that include: the strategic framework of public administration reform; policy development and coordination; public service and human resource management; accountability; provision of services and public finance

management (SIGMA, 2014). All these principles are included in the criteria and conditions of the European integration process, as mandatory criteria for implementation by the states in the process of integration, representing the monitoring and evaluation framework that underpins the regular analysis of the progress achieved in their implementation by the relevant EU institutions, in this case from the European Commission. In the context of this finding, it has been assessed that for the first time “the principles provide a monitoring framework, so that governments and policy-makers can monitor the implementation of the necessary reforms over time” (SIGMA, 2014, p. 5). These principles are also an integral part of public administration reform incorporated as basic principles in the reform strategies and priorities for their implementation in the legislative field and practice. The application of the principles also serves the states for the use of EU aid and the obtaining of financial resources through the Pre-Accession Instrument (PAI), in the realization of the reform objectives of the public administration.

Regarding the use of this formula, there are different opinions on whether “best practices” should or should not be considered as a working method in each country, what are the advantages and disadvantages, what can be considered as best practices, and other similar questions. Based on this idea, states, in order to reach the intended results as quickly as possible, based only on best practices as a model for their administration, can put themselves in the “trap of dysregulation” of administration. Using best practices as a model of the functioning of a state’s administration has positive sides when it adapts to its aims and goals, and when there is an approximate level of organization and an approximate work tradition.

2.3. Good governance as a global concept of governance

In the modern world, within the concept of governance, good governance, as a model and concept of governance in democratic states and in international organizations is mentioned. As a term and concept, good governance has found increased use in recent decades, as a result of major political changes following the end of the Cold War, the fall of the Berlin Wall, and major systemic changes in former socialist states, but also the great changes in other countries that resulted with the rise of the level of democracy, the increase of cooperation between countries, the opening of the market at the global level, the establishment of multinational and supranational organizations and enterprises, the development of cyber networks and many other social developments and phenomena (Ladi, 2008).

In many European countries, clear principles of good governance exist (Aristovnik et al., 2018). Good administration has to be based on principles that serve as a basis for exercising the activities of the administration bodies. The EU member states and those states aspiring to be part of the European family are in constant effort to harmonize principles of good governance, an effort that derives from ideas for a common “European administrative space” (Batalli & Fejzullahu, 2018).

In various documents by different organizations and by a plethora of researchers, the concept of good governance has been treated widely and in different ways. Based on a certain point of view according to the academic, generic approach, good governance is the management of resources and the drafting of policies through the exercise of authority (power). Thus, it includes all instruments through which different political actors exercise legal rights in order to achieve political, economic, cultural, and social objectives (Caluser & Salagean, 2007).

The tendency of seeing the principle of good administration as a fundamental right(s) can more rationally be adopted in order to confer a more forceful protection for individuals by compelling the Union's institutions to observe and respect the principle in the form of fundamental rights of individuals (Mustafa, 2017).

Good governance, according to many researchers and experts in the field, is to a large extent a result related to the demands of major donors and international financial institutions that base their aid and loans with "good governance" in the beneficiary countries. State institutions and NGOs play an important role in administering donor funds, especially in the allocating countries, which are among the main mechanisms for managing different projects from the funds of numerous international organizations. According to The World Bank (1994, as cited in Ray, 1999, p. 362), "NGOs are mainly involved in various projects in the protection of human rights, the rights of national minorities, gender equality, environmental issues, etc. Their success in these areas has encouraged multilateral agencies to increasingly involve them in agency-funded projects".

Various authors have furthermore argued that good governance provides a very unhelpful development agenda as it is unclear what the right kind of institutions are or how they should be realized even if we were to accept that they are necessary or helpful (Grindle, 2017). Good administration is seen as an element of good governance. It can be realized when "it strives — within good governance — for an efficient implementation of public policies and public interest" (Kovač et al., 2016, p. 136).

The connection between international and national politics in terms of development and cooperation has brought important effects on good governance and continues to have effects even further in many countries of the world, especially in those countries undergoing the integration and accession processes in various international organizations. The process of accession and cooperation is conditioned by the fulfilment of many criteria and requirements that these organizations present to aspiring states. In this regard, large development organizations such as The World Bank, the International Monetary Fund (IMF), and other organizations have conditioned the distribution of financial resources for many countries with the fulfilment of some of their requirements, while "good governance has been at the top of the list along with the respect of human rights" (Ladi, 2008, p. 13).

Although good governance is a concept not clearly defined, it is based on certain principles

established by various organizations, related to the concept of democracy as a value system. In this sense, referring to the United Nations Development Programme (UNDP), it is necessary to clarify the concepts of governance, good governance, and democratic governance. Governance means a "process through which societies take and implement decisions on the allocation of public resources to address societal needs. Governance as such is a neutral term and does not carry a positive or negative "loading"" (Katsamunskaja, 2010, p. 52). While democracy as a concept is based on broad citizen participation in decision-making and policy-making, "Democratic governance implies that the governance process is organized based on broad participation of all groups in society, that the institutions through which decisions are formulated are open to societal participation that these take full account of inputs from society" (Katsamunskaja, 2010, p. 52). Summarizing all these definitions, it can be considered that good governance means respect for the principles of participation and representation, democracy, human rights, rule of law, responsibility, accountability, efficiency and effectiveness, civil society, etc.

The first issue that needs to be clarified about the notion of good governance is related to the fact that good governance, as well as the EAS, constitutes an informal term and concept, without a formal legal regulation at the national and international level or in international organizations.

Secondly, despite the lack of legal regulation, and conceptual differences, almost everyone agrees that good governance is guided by basic principles that are an integral part of the work and institutional activity of the government, the private sector, civil society, etc. Based on the views about the concept and definition of good governance, most researchers and international institutions agree on the main and most general principles that characterize it. The principles relate to participation, the rule of law, openness and transparency in decision-making, accountability, predictability or coherence, and efficiency and effectiveness (Gisselquist, 2012).

The elements that characterize governance in contrast to government are related to the fact that governance is mainly characterized by "contracting instead of supervision; decentralization instead of centralization; administration by the state, instead of redistribution by the state; management based on principles of the market, instead of being managed by administrative departments; cooperation between the public and private sectors, instead of being led by the state" (Merrien, 1999, as cited in Keping, 2018).

Despite the political and scientific differences, in most cases, good governance refers to the process of public administration that puts the public interest first.

The concept of good governance has been consistently defined by EU countries and is included in the EU Charter of Fundamental Rights (SIGMA, 2014).

The EU, through the European Commission, has presented 12 principles of good governance, European ethics, and perfect governance (The European Label of Governance Excellence, EloGE), which form the basis of public administration reforms and are also part of the study by experts in the field of public

administration and reform in EU member countries and countries undergoing the process of integration.

The basic principles of good governance according to the European Commission are listed below (Council of Europe, n.d.):

- 1) Fair conduct in elections, representation, and participation;
- 2) Responsiveness;
- 3) Efficiency and effectiveness;
- 4) Openness and transparency;
- 5) Rule of law;
- 6) Ethical behavior;
- 7) Competence and capacity;
- 8) Innovation and openness to change;
- 9) Sustainability and long-term orientation;
- 10) Sound financial management;
- 11) Human rights, cultural diversity and social cohesion;
- 12) Accountability.

These governing principles are considered an important basis in the process of reforming public administration, which is accepted by each state and society. In the countries undergoing the process of European integration, good governance has become an integral part of almost every government document and other reforming documents as a guiding principle for reforms in administration and governance.

The OECD, in the definition of good governance, focuses more on the principles based on which states should be guided for governance following European principles and standards. According to the OECD, the basic principles of good governance are accountability, transparency, efficiency and effectiveness, accountability, a future-oriented vision, rule of law (Gisselquist, 2012).

The OECD has defined the abovementioned principles of good governance as references in the basic principles of public administration reform. The principles define what is included in the concept of good governance and the main conditions that must be respected by countries during the EU integration process. In terms of good governance, the role of the civil service is of special importance since it constitutes the direct state and governmental structure in the realization of the principles and standards for integration. In this framework, the civil service is attributed a "central role in the formulation and implementation of policies designed for the development of society" (Essien, 2015, pp. 60-61).

The term good governance has been extended to many other areas including multi-party elections, the judiciary and parliament focusing on multiple areas of interest, the protection of human rights as universal values, efficient, impartial and timely judicial processes, transparent public agencies, accountability for the decisions of public officials, the sharing of financial resources and decision-making from the central level to the local level and the full participation of citizens in discussing policies and public elections (Ladi, 2008).

Another important component of good governance is also considered the "transfer of policies from international organizations" (Ladi, 2008, p. 34). The transfer of policies in certain countries has directly or indirectly influenced the reform of public administration by building

principles and standards and best governance practices.

Governance, understood as a decision-making process, is a broader concept that includes not only state institutions but also other organizations. According to this view, governance means the process of decision-making and the process of implementing decisions, in which the government is one of the actors of governance, including other actors depending on the level of government and the field of action (UNESCAP, 2009).

All definitions of good governance begin from principles that are almost the same and universal for everyone, based on which, as far as the essential elements are concerned, there is an agreement according to which good governance consists of these elements as basic principles: legitimacy, transparency, accountability, rule of law, responsiveness, effectiveness (Keping, 2018).

The requirements for good governance, on the part of the EU institutions, are directed in particular to the countries of the Western Balkans, which were involved in armed conflicts and wars, and to other countries of the former communist block, which are still in the process of building and strengthening democracy and democratic institutions, despite being members of the EU. In particular, the big donors of these countries, such as The World Bank, the IMF, etc., condition their financial and other aid to these states with the implementation of the principles of good governance and management based on these principles.

3. RESEARCH METHODOLOGY

The research on this topic is supported and based on various sources that provide data for a more qualitative and accurate result. The data were collected from university books, online publications, articles in various magazines, government documents, strategies for reforming the administration, other documents, various publications, and other published works.

The data about the EAS and good governance were collected from official sources of the EU, respectively the European Commission. The literature used in this study is of national and international levels.

This study is qualitative and enables addressing the most essential issues related to the EAS and good governance.

The data were collected using qualitative and apposite methods for both the theoretical treatment and the practical application of the issues related to the topic. This method requires and imposes qualitative discussions about the different approaches and examines for the most accurate determination and definition of the EAS and good governance in the function of the implementation of the principles and rules required for a more functional administration of separate states in addition to the European administration applicable for good governance.

The study is mainly based on an academic approach, while in particular issues it also includes the practical and pragmatic dimension to analyze the topics in more detail.

In this regard, we try to provide answers to theories, theses, and contradictions through analysis and results collected by different authors.

The research is mainly descriptive and in this regard, the analysis includes different reviews of the literature to describe the different approaches and concepts related to the topic.

The use of the descriptive method will allow for a complete description of the structure, organizations, and processes of the EAS. This includes the description of the various institutions, agencies, and bodies involved in this concept, describing the principles of good governance, and the identification of matches and disparities. Using this method will allow identifying of matches and disparities between the EAS and the principles of good governance. By describing the influencing factors, the differences and similarities in the use of these principles will be explained, describing the impact on global governance. In addition, the descriptive method will be used to describe how the use of the principles of good governance in the EAS can have an impact on global governance. This includes describing the role of the European administrative area in global organizations and initiatives. The descriptive method will help to present important information and fulfill the aims of the article to describe and understand the relationship between the EAS and good governance in the context of global governance.

The aspect of the normative method related to the topic is used insofar as it summarizes the mandatory principles and rules contained in the official documents in the absence of legal codification of the issues related to the topic.

The use of the normative method will include the assessment of the compliance of the practices and policies of the EAS with the normative standards of good governance. This assessment will be done by comparing the actions of European institutions with the principles and standards of good governance. The use of the normative method will help formulate recommendations to improve the adaptation and use of good governance in the European administrative area. These recommendations will be based on normative standards and will provide concrete guidelines for improving governance.

The normative method will help to assess the compliance of the practices of the EAS with the standards and principles of good governance and will provide a basis for recommendations and common assessments for the improvement of governance in this context.

This study aims to focus on the prioritization of theories and best practices, including issues of administration reform in this direction.

The paper also analyzes the approach of the European states and their governments in implementing the principles and rules of the EAS, in particular the approach of the states that are undergoing the process of European integration and reforming the administration for a more functional and integrated administration in the EAS.

Some alternative research methods considered in this paper include content analysis of documents, case studies: interview experts, comparative analysis, survey and questionnaire, policy network analysis, historical analysis, big data analysis, etc. While these are only a few of the diverse research

methodologies available, they collectively serve as potent tools in the exploration of the foundations of the EAS and its alignment with global governance through the fundamental principles of good governance. Each method contributes a unique facet to the multifaceted inquiry, enriching the understanding of this complex interplay.

4. RESULTS AND DISCUSSION

The issue of the administration model remains a debatable topic among researchers and experts in this field who note that it can easily be misunderstood and lead others to believe that a description or an analysis should be taken as a prescription (a model that will have to be applied and referred to as the ideal, in the sense of the best form) (Keping, 2018, p. 12). The debates are also a consequence of the lack of a European model of administration, which is difficult to achieve even for a long time, therefore, the countries in the process of integration are directed to the model of the best practices of the EU member states, particularly the practices of Western European countries with a stable administration and with standards and quality of administration services. However, the implementation of best practice models often refers to EU countries with which the states undergoing the process of integration, have had a common past. Regardless of the case, there is always a risk that in the name of a better model, a "mixture" of institutions and practices may be created which may confuse the functioning of the administration instead of serving for their better functioning.

Therefore, it is always preferable that the model which is used to take place in the internal national system be compatible with it and in function of the objectives that each country envisages. States must be cautious regarding the model they adopt and the way it is implemented, especially for the specifics of the structure and operation of the national administration, the level of political and economic development, the organizational-political culture, the governing model, etc. Practices and models from other countries should be placed in the context of the state of the national administration in legal, political-organizational, and other terms and be dealt with within the circumstances and capacities available to the state.

Based on the analysis and studies so far, it is estimated that convergence is built on four main components which, directly or indirectly, constitute its determining factors. These components are the impact of substantive law on European administrative law; decisions of the European Court of Justice; cooperation between member states; and the impact of EU law on member states.

At the EU level, while in many areas there is an *acquis* and states have achieved compliance in their implementation, in the field of public administration a formal EU *acquis* still does not exist, therefore, it is difficult to discuss formal EAS. The EAS is, in fact, a completely new concept, because despite the traditional administration of the EU states, the development of the EU itself requires that the administration be treated beyond the national concept of the member states for the operation of the EU based on common principles

and rules. The EAS consists of principles, rules, standards, and practices that states undertake to implement, making them an integral part of their administration system and their implementation through procedures and institutions that take responsibility for their implementation.

5. CONCLUSION

One of the aims of the modern public administration of the EU is the establishment and operation of what has been called the European administrative space, a new concept of European public administration that is now an integral part of the functioning of the administration of the EU member states. It is clear that similar to the administrative law, the institutions and the administrative structure of a certain state change with difficulty, even when certain principles and rules are a result and common product of the member states themselves within the EU, as is the case with the EAS.

In the countries of the EU and beyond, great debates prevail and the discussion continues on topics that are still in the process of codification, such as the EAS. The main debates, both academic and political, are related to the convergence of the EAS, knowing that EU countries remain with traditional conservative attitudes that hardly accept rules and regulations of their administration from "outside" in their systems of the interior, which undoubtedly affects their political system and the administration built on that system, with all the peculiarities that characterize each state.

The reluctance of the states to change the internal administrative structure in favor of the EAS has raised debates by many researchers who have drawn conclusions that are mostly in favor of the EAS. Their analysis shows that the pressure of the EU for the implementation of European rules does not imply radical changes of the administrative structure of the respective state, but these are rules that the states must gradually make part of their law and they are not related to the entire administration system, but affect certain dimensions of the administration. In conditions of independent administration systems, it is difficult to think about a quick and easy institutionalization of the EAS. The resistance of the states in this aspect is still great despite the obligations they have for the implementation of European law.

Despite this, the trend of political and administrative developments and its reform process in modern times go towards the Europeanization of public administration, to draft a basic legislation of European administrative law as a prerequisite for institutionalized EAS.

The *acquis communautaire*, as the legislative body of the EU, remains necessary for implementation by all member states, while for the states in the process of integration, the implementation of the *acquis* is widely known by the term "alignment" with the EU *acquis*. Although there is no formalized *acquis* for public administration, the EU through European mechanisms, mainly SIGMA and OECD, has built principles, standards, and best practices that all states are obliged to comply with and implement. The principles defined by SIGMA and OECD have been called and accepted as the "informal *acquis*" of the EU for public administration.

Further EAS research should be oriented towards common principles that respect the specifics of the countries and their level of development both in the field of administration and the level of general development. The enforcement of European principles to the detriment of national administrations may weaken the will of states and governments for the EAS.

The exit of Great Britain from the EU (Brexit) has also provoked dilemmas in other countries in which, in addition to the efforts to deepen the convergence of the EAS, a new spirit that excludes the influences of European law in their internal system is developing.

On the other hand, good governance as a broad concept includes principles and rules for the most efficient administration and management of public services. Good governance, although an informal concept, like the EAS, contains many principles depending on the sphere to which it refers. From this point of view, therefore, in theory and practice, different approaches have appeared, not only conceptually, but also different approaches in defining its essential principles. Based on these data, different authors and institutions present principles and rules of good governance, common to all, and in certain cases also special principles depending on the entity that directs it or on the entity that it refers to. In this case, the states apply principles of good governance also conditioned by the benefits they derive in terms of the institutional strengthening of the administration and its management as well as the benefit of financial resources from various international organizations, such as the IMF, The World Bank, different NGOs, etc.

In the modern world where many international organizations operate, with very advanced technology in conditions of globalization, there is a need for good governance as a concept and as a practice to be further refined, expanded, and strengthened in all areas that it includes. Of special importance is the strengthening of state and public institutions and the building of institutional capacities to realize efficient public services in a world in which the dynamics of general developments are in the trends of maximum growth.

Research has revealed that the principles of good governance, including transparency, accountability, and the protection of human rights, are important for the construction of the European administrative area. Research has shown that linking the EAS with global governance is possible through the use of good governance principles to increase international cooperation and coordination. The study has emphasized that to achieve the goals of good governance in the European and global context, there must be a clear and stable legal framework and regularity.

Using the principles of good governance will help improve the efficiency and effectiveness of European public administration, facilitating interaction between member states and international organizations. The research results show that the impact of the European administrative area on global governance will increase international cooperation and help solve global challenges.

Limitations of the study are related to resistance to change since in some cases, traditional administrative institutions may be resistant to the changes brought about using good governance principles. On the other hand, bridging the EAS with

global governance is a complex challenge and may encounter difficulties in its practice. Lack of consensus is another limitation since in some cases, EU member states may not agree on the use and implementation of good governance principles at the European level.

The research perspective may include deepening the study on the influence of the principles of good governance in European public administration and the expansion of this model at the global level. In addition, research can further examine the contribution of the European administrative area

to solving global challenges such as climate change, migration, and public health.

In conclusion, research on the foundations of the EAS and its interrelationship with global governance through the principles of good governance is an important field of study that has profound implications for public administration and governance at the European and global level. However, it also faces various limitations and challenges that need to be addressed in further research.

REFERENCES

1. Aristovnik, A., Kovač, P., Leben, A., & Tomažević, N. (2018). Excellence in public administration: Job satisfaction as a factor of good administration. *International Journal of Human Resources Development and Management*, 18(1-2), 127-144. <https://doi.org/10.1504/IJHRDM.2018.092303>
2. Batalli, M., & Fejzullahu, A. (2018). Principles of good administration under the European code of good administrative behaviour. *Pécs Journal of International and European Law*, 2018(1), 26-35. https://ceere.eu/pjitel/wp-content/uploads/2018/08/28_pjitelPJIEL1801.pdf
3. Caluser, M., & Salagean, M. (Eds.). (2007). Good governance — The concept. In *Good governance in multiethnic communities* (pp. 11-17). The Ethnocultural Diversity Resource Center and the King Baudouin Foundation. <http://www.edrc.ro/docs/docs/11-17.pdf>
4. Cioclea, A. E. (2012). *Principles of the European administrative space and their impact on performance in public organizations* (CES Working Papers). https://ceswp.uaic.ro/articles/CESWP2012_IV3_CIO.pdf
5. Council of Europe. (n.d.). *12 Principles of good governance*. <https://www.coe.int/en/web/good-governance/12-principles>
6. Council of Europe. (2022, February 24-25). *Democratic governance newsroom: Developing principles of good democratic governance*. <https://www.coe.int/en/web/good-governance/-/developing-principles-of-good-democratic-governance>
7. Essien, E. D. (2015). The challenges of public administration, good governance and service delivery in the 21st century. *International Journal of Civic Engagement and Social Change*, 2(2), 53-66. <https://doi.org/10.4018/IJCESC.2015040104>
8. European Commission. (n.d.). *European Commission — Enlargement — Accession criteria*. https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-criteria_en
9. Gisselquist, R. M. (2012). *Good governance as a concept, and why this matters for development policy* (Working Paper No. 012/30). UNU-WIDER. <https://www.wider.unu.edu/sites/default/files/wp2012-030.pdf>
10. Goetz, K. H., & Meyer-Sahling, J.-H. (2008). The Europeanisation of national political systems: Parliaments and executives. *Living Reviews in European Governance*, 3(2), 4-30. https://www.researchgate.net/publication/26520446_The_Europeanisation_of_National_Political_Systems_Parliaments_and_Executives
11. Grindle, M. S. (2017). Good governance, R.I.P.: A critique and an alternative. *Governance*, 30(1), 17-22. <https://doi.org/10.1111/gove.12223>
12. Hofmann, H. C. H. (2008). Mapping the European administrative space. *West European Politics*, 31(4), 662-676. <https://doi.org/10.1080/01402380801905918>
13. Jacqué, J. P. (2010). *E drejta institucionale e Bashkimit Evropian* (6th ed.). Papyrus.
14. Jordana, J., & Yesilkagi, K. (2022, September 5). *How national regulatory agencies are integrated within multi-level European governance*. The London School of Economics and Political Science (LSE). <https://blogs.lse.ac.uk/europpblog/2022/09/05/how-national-regulatory-agencies-are-integrated-within-multi-level-european-governance/>
15. Katsamunska, P. (2010). Good governance and reform of public administration in Bulgaria. *Economic Alternatives*, 1, 51-60. https://www.unwe.bg/uploads/Alternatives/A04_01.2010.pdf
16. Keping, Y. (2018). Governance and good governance: A new framework for political analysis. *Fudan Journal of the Humanities and Social Science*, 11, 1-8. <https://doi.org/10.1007/s40647-017-0197-4>
17. Knill, C. (2001). *The Europeanisation of national administrations: Pattern of institutional change and persistence*. Cambridge University Press. <https://doi.org/10.1017/CBO9780511491986>
18. Kovač, P., Tomažević, N., Leben, A., & Aristovnik, A. (2016). Reforming public administration in Slovenia: Between theory and practice of good governance and good administration. *International Journal of Public Policy*, 12(3-6), 130-148. <https://doi.org/10.1504/IJPP.2016.079732>
19. Ladi, S. (2008). *Good governance and public administration reform in the Black Sea, Economic Cooperation (BSEC) member states* (Xenophon Paper No. 6). International Centre for Black Sea Studies (ICBSS). https://www.files.ethz.ch/isn/103641/XENOPHON_PAPER_6.pdf
20. Læg Reid, P., Steinthorsson, R. S., & Thorhallsson, B. (2002). Europeanization of public administration: Effects of the EU on the central administration in the Nordic states (Working Paper 17-2002). Stein Rokkan Centre for Social Studies Bergen University Research Foundation. https://www.researchgate.net/publication/237589364_Europeanization_of_Public_Administration_Effects_of_the_EU_on_the_Central_Administration_in_the_Nordic_States
21. Larisa-Florentin, B. B. (2021). Good governance in the post-Soviet space. The case of Romania and the eastern neighbourhood of the European Union. *International Journal of Social Science and Economic Research*, 6(7), 2137-2150. <https://doi.org/10.46609/IJSSER.2021.v06i07.008>
22. Mustafa, L. A. (2017). Comprehension of the principle of good administration in the framework of EU administrative law. *Journal of University of Human Development*, 3(1), 259-267. <https://doi.org/10.21928/juhd.v3n1y2017.pp259-267>

23. Pollozhani, B., Dobjani, E., Stavileci, E., & Salihu, L. (2010). *E drejta administrative: Aspekte krahasuese* [Administrative law: Comparative aspects]. Botues Asdreni.
24. Pomeranz, E. F., & Stedman, R. C. (2020). Measuring good governance: Piloting an instrument for evaluating good governance principles. *Journal of Environmental Policy & Planning*, 22(3), 428-440. <https://doi.org/10.1080/1523908X.2020.1753181>
25. Ray, B. (1999). Good governance, administrative reform and socio-economic realities: A South Pacific perspective. *International Journal of Social Economics*, 26(1/2/3), 354-369. <https://doi.org/10.1108/03068299910229749>
26. ShtetiWeb. (n.d.). *Hapësira administrative evropiane* [European administrative space]. <https://shtetiweb.org/2012/09/24/hapesira-administrative-evropiane/>
27. Steen, T., & Schaap, D. (2004, September 1-3). *Europeanization of the civil service: Towards a European identity* [Paper presentation]. EGPA — European Group of Public Administration, Study Group on Public Personnel Policies. <https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=47b9f1bc9fd6155cc12d683453582bb8627223c9>
28. Support for Improvement in Governance and Management (SIGMA). (2001). *Parime Evropiane për Administratën Publike* (Botimi SIGMA: Nr. 27). SIGMA-OECD. <https://www.sigmaweb.org/publications/39559906.pdf>
29. Support for Improvement in Governance and Management (SIGMA). (2014). *Parimet e Administratës Publike*. OECD/SIGMA. <https://www.sigmaweb.org/publications/principles-public-administration-overview-alb.pdf>
30. Torma, A. (2011). The European administrative space (EAS). *European Integration Studies*, 9(1), 149-161. http://midra.uni-miskolc.hu/JaDoX_Portlets/documents/document_12343_section_4415.pdf
31. Trondal, J., & Peters, B. G. (2015). A conceptual account of the European administrative space. In M. W. Bauer & J. Trondal (Eds.), *The Palgrave handbook of the European administrative system. European administrative governance* (pp. 79-92). Palgrave Macmillan, London. https://doi.org/10.1057/9781137339898_5
32. United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP). (2009). *What is good governance?* <https://www.unescap.org/sites/default/files/good-governance.pdf>