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and
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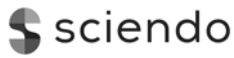
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The Covid-19 Pandemic as a Driver of More Responsive Social Procedures: between Theory and Practices in Slovenia

Matej Babšek¹, Polonca Kovač²

Abstract:

Social and other administrative procedures are gaining importance because of the increasing complexity of administrative relationships brought about by the Covid-19 pandemic, digitalisation, and other societal changes. When exercising social rights, procedural elements should be seen – both at the level of regulation and enforcement of the rules – as factors contributing to the welfare state, the rule of law, and good administration, and not as an excuse for a bureaucratic attitude. In view of the multifunctionality of social procedures, including their casual-functional role in social relationships and their potential for a critical, value-based evaluation of the current regulation, the rationale for this study is to assess the impact of the Covid-19 pandemic on special administrative procedures conducted by the 16 social work centres (SWCs) in Slovenia. A special emphasis is placed on the informational calculation of social assistance payments, such as child benefits, kindergarten subsidies or state scholarships – by far the most numerous procedures involving social rights in Slovenia, with over one million cases annually. Drawing upon a normative analysis, available statistics, semi-structured interviews with SWCs managers and surveys among employees, the findings reveal that the response of SWCs to the crisis has improved. However, largely due to the lack of coordination on the part of the line ministry, the simplifications introduced mainly benefit the public administration rather than particularly vulnerable parties to the procedure. Consequently, there is a need to pay greater attention to providing the parties with adequate protection of their constitutional rights and other elements of good public governance.

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Points for Practitioners:

In addition to analysing the direct practical implications of the legislative, organisational, and IT adaptations to the Covid-19 pandemic, the article provides a broader study of the multifunctionality of social procedures and their role in ensuring citizens' fundamental rights in times of socially unstable conditions. The findings are thus directly applicable for practitioners deciding on social procedures in the broader European setting, and for policymakers and legislators in the respective fields. As the conclusions are grounded on a strong methodological framework, this should contribute to advocating the much-needed change in ensuring the protection of the basic constitutional rights in social procedures in times of crisis in Central Europe and beyond.

Keywords:

administrative procedure, Covid-19 pandemic, digitalisation, good governance, rule of law, Slovenia, social rights

1. Introduction

As set out in several international instruments and most national constitutions, social rights are among the key elements of the rule of law and the welfare state. Slovenia guarantees them at the highest level through the provisions of Articles 1, 2, 3, 14, 21–25, 50 et seq. of the Constitution of the Republic of Slovenia (Avbelj, 2019). However, in addition to constitutional and statutory regulation, a welfare state governed by the rule of law must also have in place the relevant procedures and organisational and IT measures. If procedures are not predictable and user-friendly, it will be difficult or impossible for the parties to exercise their legal rights, especially considering the frequent lack of knowledge and experience among vulnerable citizens (Ranchordas, 2022). Therefore, in cases involving social rights, the above elements should be seen at both normative and implementation levels in a cross-section between the rule of law and the welfare state rather than perceiving the constitutional guarantees as administrative barriers and the rules as an excuse for bureaucratism (Kovač, 2021). Social affairs are largely dealt with in administrative procedures. The legality of administrative acts is subsequently reviewed in a social or administrative dispute, sometimes even through constitutional review based on a constitutional complaint or the assessment of the consistency of lower general acts with higher regulations. According to the majority view, social rights require special administrative procedures (Jerovšek & Kovač, 2008) where the general law on administrative procedure (GAPA) applies subsidiarily to sector-specific legislation.³ These procedures mainly fall within

³ ZUP, *Zakon o splošnem upravnem postopku*, Official Gazette of the Republic of Slovenia, Nos 80/99, 70/00, 52/02, 73/04, 119/05, 105/06-ZUS-1, 126/07, 65/08, 8/10, 82/13, 175/20-ZIUOPDVE, 3/22-ZDeb.

the competence of social institutions – such as social work centres (SWCs) – or institutions providing compulsory social insurance (e.g. pension or health insurance). Other related services include the tax service, municipalities or administrative units, schools, health institutions, and the like. The topic under consideration is particularly varied in content and rich in scope. It concerns each member of a community, whether a net contributor to or a beneficiary of the social system on which some EUR 2.155 billion was spent in Slovenia in 2020 alone. What all social-administrative procedures have in common is the relationship between authorities (State and municipal bodies or delegated public authorities, whose primary task is to protect the public interest, i.e. to develop a socially sustainable society with limited resources) and individual parties exercising their rights or legal benefits to improve their social situation.

Social rights are part of the general administrative system, which in the EU and Slovenia is subject to global trends, including good administration, debureaucratisation, and digitalisation. These come especially to the fore in times of crisis, such as the Covid-19 pandemic. With the spreading of the virus and the measures taken to contain it, the pandemic affected almost every dimension of social life, including administrative and, in particular, social relationships. Administrative procedures – particularly in the social sphere – were simplified to better cope with the situation. Thus, for example, it was possible to file applications and serve administrative acts without the otherwise formal requirement of identification (of the will) of the parties, while efforts were also made toward digitalisation (for Slovenia, see Aristovnik et al., 2021; for V4 countries, Horvat et al., 2021; more broadly Hirsh et al., 2022).

Moreover, countries provided various forms of social assistance, at least in the first waves of the pandemic. However, even or especially during crises, the simplification of procedures must not undermine the balance between responsiveness and efficiency on the one hand and the legitimate protection of citizens' rights and inclusion on the other. As the aforementioned are dictated by the concept of good administration, an element of good public governance (Galetta et al., 2015). In this context, responsiveness should be perceived as pursuing public interest in a timely and accurate matter, providing the appropriate services for citizens by acknowledging both citizen-driven and expert-driven approaches in designing social public policies (Liao, 2016). Responsive social procedures are value-based and have a strong ideological substrate significant for a specific administrative space (Barnes, 2010). A proportionate balance between the public interest and the rights of the parties requires a constant weighing up between legal certainty and flexibility in the codification of procedural rules (Kovač & Kerševan, 2020). However, theoretical guidelines do not necessarily match actual practice.

In economic theory, efficiency as the management of resources to achieve (public) goals should be differentiated from effectiveness as a level of achieving those goals; however, for public administration (PA) and good governance theories, those definitions are too narrow. Efficiency in this sense, and the context of this article,

combines administrative rationality and represents the contribution of the administrative system to the functional requirements of the social environment in terms of social values in relation to the expected benefits and burdens (Zweckrationalität & Wertrationalität according to Weber; Kovač, 2021). However, where mentioned together (e.g. good governance principles by OECD, 2017) in this article, effectiveness and efficiency should be understood as one joined-up principle, targeting the economic aspect of rationalisation in a narrower sense and matching goals and results of (social) public policies (Venice Commission, 2011; cf. Agere, 2000).

The research question addressed in this article is: How has the Covid-19 pandemic affected the selected social procedures in Slovenia in the framework of good governance principles? Special attention is dedicated to exploring the rule of law and its proportional protection vs responsiveness and efficiency. The article studies the impact of Covid-19 related measures in terms of legislative amendments, and the organisational and IT measures taken in social procedures conducted by the 16 SWCs in Slovenia. The findings can be extrapolated to the same area in other countries and other sectoral areas, be it in terms of temporary approaches in crisis or permanent simplification, digitalisation, and the like. The authors draw on the assumption that the simplification and digitalisation of socio-administrative procedures have been largely positive for the beneficiaries as they have facilitated the exercise of rights, especially in conjunction with the systemic reorganisation of Slovenian SWCs pursued since 2018. At the same time, however, the dilemma arises as to whether every simplification is truly in the interest of the parties – especially when constitutional guarantees addressing the procedural rights of defence (e.g. the right to be heard and legal protection) are at stake. In the Slovenian (administrative) legal system, SWCs act as bearers of public authority to which the State has delegated several tasks, including basic social transfers such as child benefits and social assistance payments, decided by the SWCs in administrative procedures conducted under sector-specific laws with a subsidiary application of the GAPA. These are by far the most common procedures, totalling around 1.7 million annually per only two million population. Moreover, it is not so much about their number as it is about the fact that these are procedures granting social rights which, as part of the welfare state, are certainly also in the public interest.

This study aims to identify which systemic changes have been introduced in social procedures to achieve better administration, first with the reorganisation of SWCs pursued since 2018 and specifically as a result of the Covid-19 pandemic in 2020 and 2021. It also aims to compare the theory of the multifunctionality of administrative procedures with the state of play in practice. The purpose of exploring the impact of the Covid-19 pandemic on social affairs is to provide – through a critical evaluation of the measures from the perspective of the public administration as a party to social procedures – a basis for the design of sustainable solutions aimed at a simultaneous protection of the public interest and the social rights of individuals.

The article is structured in several parts. The introductory chapter is followed by

two general chapters presenting the legal frameworks, content and meaning of social rights and their procedural regulation, as well as topical examples from Slovenian practice. The empirical part presents the study's methodological framework and the results of the survey and interviews among SWCs managers and employees relating to the planned reorganisation to make SWCs more accessible and to the measures and consequences of the Covid-19-related changes in their work. The study is based on mixed-method research inherent to administrative science (Hlongwane, 2020). The discussion section analyses the data obtained in light of the objectives and purpose of the study and aims to answer whether the regulation of social procedures during the Covid-19 pandemic has strengthened or undermined the rule of law. The discussion section is followed by recommendations for the way forward and conclusions.

2. Theoretical framework of social rights and administrative procedures

Since they are financed from public funds and should be recognised as being in the public interest, social rights are granted in administrative procedures. Administrative procedure is a term that, in different administrative and legal systems, denotes different phenomena or relationships (Auby, 2014). The differences depend on the overall social, political, and economic development, based on which individual countries or administrative traditions determine the relationship between the branches of government and the types of procedures and acts issued. Public relationships all aim at good public governance and the rights of good administration, deriving from the fundamental rights of the EU Charter, which is directly applicable in all Member States (Harlow & Rawlings, 2014). This means that in administrative relationships, different legal interests are confronted when designing and implementing effective public policies while providing democratic values and guarantees to the parties (Galetta et al., 2015; Kovač, 2016). Although the beneficiaries of such rights are subordinated to the public interest, respect for their dignity is expressed through procedural guarantees (Rose-Ackerman & Lindseth, 2010). Any unlawful conduct by administrative bodies such as social institutions puts both the public interest and the rights of the parties at risk. Despite an apparent formal legality, this is undoubtedly a sign of maladministration, which is to be reviewed by the courts and the Ombudsman.

In administrative relationships, the public interest *per definitionem* implies an a priori subordination of private parties and the recognition of their rights only insofar as they are not contrary to the public interest. Simply put, public interest is equivalent to the conditions for the acquisition of a right or the reduction or elimination of an obligation. In such regard, discretion is allowed only exceptionally and only within the purpose and scope laid down by law. In the field of social law, the right of a party often

coincides with the public interest since public authorities aim to ensure – through positive discrimination and social assistance – equal opportunities for vulnerable persons. Therefore, any collisions between the two must be considered teleologically since the acquisition of a social right is not only in the interest of an individual beneficiary but also in the interest of the community and the State. Thus, the beneficiary acquires at least some basic means for dignified subsistence without burdening the State or other persons. The public interest in granting a pension or similar social right is expressed in the decision of the Members of Parliament to adopt a law which considers certain rights as a general social benefit. Social protection, especially in the form of compulsory insurance, represents the minimum concern of the State for its population and is therefore considered to be in the public interest, both in Slovenia and in comparable countries (Đanić Čeko & Tomeković, 2021; Kekez, 2018). Similarly, a reduction of public funds, from which most social rights are drawn, cannot constitute a public interest and a basis for interfering with the existing regulation and the expected or existing social rights. Comparative and national constitutional case law further demonstrate this.

Through standards and basic principles of general procedural law, the administrative procedure is a mechanism of good administration, providing for a number of constitutional guarantees, such as equality and equal protection of rights, legality and autonomy, the rights of defence (e.g. to be heard, to have access to the file, to be given reasons for a decision), the right of appeal, and the right to a remedy or judicial review. The essence of the administrative procedure is the relationship between the private party and the authorities at the EU, national or municipal levels, or bodies delegated by authorities (Rose-Ackerman & Lindseth, 2010). In this context, the procedure is the fundamental framework to ensure equity through the reconciliation of legitimate interests, whether in the Anglo-Saxon or Germanic or any other tradition. Therefore, the GAPA or the procedural rules of sector-specific legislation should not be considered formalism *per se* but should be deemed tools to achieve democratic guarantees and the objectives of substantive law. Procedures must be at the least partially regulated by law since procedural rules often determine substantive outcomes. The codification of administrative procedures or procedural law – in particular a *lex generalis* – is therefore considered to be at the core of administrative relationships (Kovač & Kerševan, 2020). The importance of the administrative procedure for achieving the objectives of public law is a common feature of development in the EU and beyond, largely because of international and constitutional guarantees and convergence in global transactions. Administrative procedure thus serves the goal of granting a substantive right that is the subject of the procedure. Moreover, in the context of the development of public law, it is understood as a tool and an independent objective of the procedure. Therefore, the role of administrative processes and their legal regulation is increasing over time. This also applies to the sphere of social affairs in Slovenia since how a right is exercised is a matter of constitutional regulation (as explicitly stated by the Constitutional Court in case Up-195/13, U-I-67/16, 26 January

2017).

The role of the administrative procedure is thus multifunctional. A key function of administrative, procedural rules is to ensure the balanced protection of an individual party to the procedure meaning the public interest must prevail, but not absolutely. The procedure could thus be defined as a structured process of choosing between several possible alternatives through acquiring and processing information (Harlow & Rawlings, 2014). The goal of the procedure is not yet unambiguously determined at the time of its initiation, as a series of unpredictable interactions between the participants and the resulting procedural actions steer its course. Therefore, the procedure's purpose is to reduce uncertainty regarding the objective of the procedure, bearing in mind that a certain degree of uncertainty is inevitable as the procedure implies some creative input by the official person applying a general norm to a specific situation. In the context of a purely instrumental conception of the function of the procedure, formal legality leads to predictability and, thus, to legal certainty, transparency of public tasks, and consideration of legitimate expectations, particularly for vulnerable persons. Procedural rules (should) reflect the multiple functions of the procedure, e.g. expression of authority, acceptability of decisions, compensation of judicial protection, evaluation of the quality of legislation, economic development, political efficiency, and the democratic nature of authorities. Procedure is the path (Pavčnik, 2001) by which what is accepted as legitimate is or should be legally enforced. Public law (should) act as a safeguard of the public interest and the constitutional guarantees of individuals, as a deterrent against the abuse of executive-administrative power, and as an incentive for innovation (Stare & Pečarič, 2021).

Constitutional guarantees call for special regulation also in terms of procedure when there is a reasonable ground for differentiation, and only a differential treatment of different persons leads to equality before the law (Avbelj, 2019). The social sphere certainly encompasses a variety of parties and situations, hence the multitude of special procedural rules. Nevertheless, many still need to be included, while some of the existing ones are questionable. Given the principle of equal protection of rights under Article 22 of the Constitution, the "production" of special (administrative) procedures is systemically undesirable while, on the other hand, positive discrimination or at least an additional supporting procedural-institutional structure is necessary for vulnerable beneficiaries. Creating truly equal opportunities for all those unable to secure such for themselves due to their weaker social position requires an active role of the State in the provision of social rights (Kovač, Remic & Sever, 2015). This is reflected in special procedural rules aimed to help – rather than hinder – the parties to assert their rights. Thus, in addition to general principles, the Constitution provides special social rights, such as rights to social protection or health care, rights of persons with disabilities, protection of the family, parents and children, and provision of opportunities for free education (Avbelj, 2019). Procedural norms must therefore consider the identified

social differences and the related public interest and create tailored administrative procedures. Some positive yet also controversial solutions are available in such regard.

A typical example of a social protection law that is very important in terms of objectives and scope, regulating 13 different rights and reaching a wide range of beneficiaries, is the 2010 Exercise of Rights to Public Funds Act,⁴ mainly falling within the competence of the SWCs. The Act concerns social assistance payments such as child benefits, financial, social assistance, income support, state scholarships, school meals and transport subsidies, kindergarten subsidies, and rent subsidies of non-profit rent apartments. Its purpose was to rearrange the previous regulation of social assistance so that individual parties and their social situations would be treated holistically. However, many of the procedures this important law addresses need to be sufficiently regulated, while certain rules are constitutionally disproportionate to the objective pursued. This further reflects in the often problematic practice of its enforcement (Kovač & Remic, 2012).

There are several examples of special procedural rules, often seemingly oriented only toward the simplification of ordinary filing of applications and serving of decisions, such as during the Covid-19 pandemic. For this very reason, in 2020, the GAPA was amended, introducing a temporary regulation for the first pandemic wave (Kovač & Kerševan, 2020) and later loosening the safeguards under Article 306a and the implementing rules, mainly in the practices of social institutions. Most of the measures under general and special laws and organisational measures in 2020 and 2021 were intended to simplify the filing of applications, deformalize serving, and suspend or extend time limits in procedures, all backed by IT (Aristovnik et al., 2021). The new rules seem to be more operational. However, one should not ignore the fact that by filing applications, citizens declare their will, that deadlines are intended to protect public and legal interests, and that serving is a necessary precondition for administrative acts to take effect and for legal, especially judicial, protection against such to apply. Applications, serving, time limits, and formality are all forms of implementation of constitutional guarantees, such as the right to be heard, legitimate expectations, to be given the reasons for a decision, or to initiate a judicial review of the administration.

⁴ Exercise of Rights to Public Funds Act (*ZUPJS, Zakon o uveljavljanju pravic iz javnih sredstev*), Official Gazette of the Republic of Slovenia, Nos 62/10 and amendments. See also the 2018 amendments to the Exercise of Rights to Public Funds Act (*Predlog ZUPJS-H*), <https://www.racunovodstvo.net/zakonodaja/predpisi/11576/predlog-zakona-o-spremembah-in-dopolnitvi-zakona-o-uveljavljanju-pravic-iz-javnih-sredstev-zupjs-h>.

Another law in such regard is the Social Assistance Payments Act (*ZSVarPre, Zakon o socialno varstvenih prejemkih*), OGRS, Nos 61/10 and amendments.

3. Examples of trends in exercising social rights from Slovenian practice

This chapter provides a qualitative analysis of selected systemic examples of changes in the conduct of administrative procedures directly or indirectly related to the Covid-19 pandemic. The chapter aims to provide a broader framework of thought with theoretical inputs for the empirical analysis of the situation and changes from the perspective of SWCs managers and staff. In addition to covering various social (sub)fields and illustrating the maladministration of certain specialised social institutions, the selected cases present many other common features. Almost all of them concern a large circle of persons and individual vulnerable groups. In all cases, the (main) problem is not the actions of a single official but rather a misdirection of procedures from the top down, starting with the line ministry. The selected cases also involve a combination of controversial regulation and enforcement in contradiction with social objectives. Moreover, the critical feedback on these procedures has been consistently delivered for decades by various sources, from academic analyses, experiences of legal representatives and civil society (Kogovšek Šalamon, 2019), comparisons (Đanić Čeko & Tomeković, 2021), to repeated warnings from inspections or *sui generis* state bodies (Ombudsman, 2021) and court decisions.

The first example concerns the informational calculation of social assistance payments which is one of the (rare) highly rated examples of procedural optimisation in Slovenia that follows the exemplary regulation which applies in the tax area under the Tax Procedure Act since 2008 (Babšek & Kovač, 2021). The informational calculation is *de iure* considered as an application filed by the party. However, the authority technically issues it based on the available data to which the party has the right and duty to object if the data is incorrect. If there is no objection, in most cases the calculation (fictitiously) becomes a decision or an enforcement title. Based on this model, the 2018 reform of SWCs envisaged the informational calculation also for periodic social transfers under the Exercise of Rights to Public Funds Act and the Social Assistance Payments Act, such as child benefits or financial, social assistance, which was finally introduced in 2021 after years of delays and a series of more or less justified fears. Such a calculation was introduced because in Slovenia, around 5% of the population receives social assistance payments, an increasing number of whom are long-term beneficiaries. In 2020, for example, EUR 295 million was paid to almost 63 thousand beneficiaries of financial, social assistance, EUR 42 million to about 21 thousand beneficiaries of income support, and EUR 252 million to over 190,000 beneficiaries of child benefits.

Although the above solution is a “legal transplant” from the tax area with a tradition of nearly 20 years, neither the relevant laws nor the IT system took it over in its entirety. Such a partial approach proved problematic when a massive error occurred between April and September 2021 in relation to the payment of child benefits, state

scholarships and kindergarten subsidies to employees in the health and social care sector and certain services where the staff was receiving non-taxable Covid-19 bonuses under the laws on emergency measures. In this period, the Covid-19 bonus was wrongly included in the taxable base, which means that around 20% of beneficiaries, such as nurses or workers in retirement homes, received lower social assistance payments. As this was not a legal error nor an error committed on the part of the parties, which would have constituted a basis for legal remedies, there were no grounds under the GAPA to intervene in over 5,000 final cases. For political reasons, though, the line ministry wished to remedy these defects. Some thought that a reopening of the procedure under Article 260 of the GAPA would be appropriate, while others advocated the possibility of annulment under Article 274 of the GAPA. At the same time, the line ministry and the SWCs were reluctant because of the administrative work such a solution would have implied (sic!).

Notwithstanding the above, under Article 158 of the Constitution, finality guarantees that the irreversibility of decisions and modifications are allowed only in exceptional cases provided by law (Avbelj, 2019). Interestingly, such an exception is provided in the Tax Procedure Act, which allows extraordinary annulment or modification of a decision due to “an obvious error” in tax assessment. However, the social laws failed to apply such to their informational calculation.

Therefore, a legally sustainable solution was practically impossible to find. However, instead of supplementing the social laws with the proven tax solution, at least for similar future excesses, the line ministry persistently tried to find a bypass and instructed the otherwise independent centres in the autumn of 2021 to invite the parties to file legal remedies or to issue a notice that they could require, without stating the legal basis (as there was none), new decisions and *ex officio* reopening of procedures. The authorities should not have afforded themselves to do this, nor should they have afforded themselves to publicly argue about which authority – tax or social security – was accountable for the error and which one would (not) correct it. Good intentions – in this case, a joint correction of a systemic disregard of the facts, albeit with some apparent reservations – alone do not suffice. The welfare state cannot be built on unlawful, even unconstitutional, actions. This case shows that, when it comes to regulating specific institutions of social procedures, it is also necessary to pay attention to the procedural framework and to act comprehensively in this respect. Comprehensiveness is further reflected in the interconnection between the tax and social systems. Eventually, those in charge will realise that when errors occur, they cannot afford to take shortcuts, especially not *praeter* constitutional rights and socially disadvantaged beneficiaries, but rather address the problem at the systemic level.

Furthermore, simplifications regarding the filing of applications and services were adopted in the context of the pandemic to restrict contacts and curb the spread of Covid-19. However, the solutions initially planned as temporary (Kovač & Kerševan, 2020) soon became permanent, which is particularly true for social affairs. In fact, for 2020,

when the temporary adjustments were in place, social institutions' managers reported no problems in practice, even though the once formal identification in filing applications was no longer necessary and the acknowledgement of service was no longer a precondition for legal effects to take effect. The temporary arrangement eventually became permanent following the entry into force of the Debureaucratisation Act in January 2022. This Act envisages simplifications as regards service and formality of the acts. However, despite various stakeholders – from scholars to trade unions and NGOs – emphasising that improvements were welcome as long as they were balanced with the protection of a certain type of party in social procedures, it seems that the changes were not really well-considered. It is, therefore, to be feared that uninformed parties will realise the boomerang effect of seemingly welcome simplifications that eventually lead to finality without the usual legal protection only after several months or years. However, this was not the case in Slovenia only. Governments have used the pandemic to implement changes in institutional settings and administrative procedures throughout Europe, in countries such as Germany, France and Sweden (Kuhlmann et al., 2021) and in Central and Eastern Europe (Hintea et al., 2022) where well-known issues of authoritarianism, central government, the role of civil society, and rule of experts were once again exposed (Nemec et al., 2020).

One of the aspects repeatedly highlighted in the context of the debureaucratisation of social affairs is indeed digitalisation. Comparisons show that the digitalisation of procedures is inevitable. The current pandemic has expanded the use of IT in PA, and some believe digitalisation will be more likely to change things for the better than worse (Drechsler, 2022). However, given a lack of empathy (Ranchordas, 2022) – in the sense of social objectives and a lack of understanding of the importance of procedural safeguards both *ex-ante*, before a procedure is initiated, and *ex-post*, if a party is negatively affected – it often leads to counterproductive, even fatal consequences. Moreover, this is contrary to achieving the desired benefits for both the authorities and the beneficiaries. In the Netherlands, for example, between 2011 and 2021, some 26,000 recipients of child benefits were wrongly identified as potential abusers of social rights because an artificial intelligence algorithm built into the fraud detection system biased people of a certain race, contrary to the principle of equality before the law and the guarantees of fair procedure (algorithmic fairness) (Goossens et al., 2021; Van Bruxvoort & Van Keulen, 2021). The authorities' response was exemplary: no excuses were sought, but a systemic upgrade was undertaken, with the government assuming political responsibility, apologising to those affected and resigning *pro forma* for the sake of correct administrative and social procedures.

In Slovenia, digitalisation is progressing slowly and only partially. However, this does not mean that the existing system is exemplary or faultless. The underlying problem is the wide dispersion of information systems (one for the administration – eUprava, one for taxes – eDavki, one for social affairs – eSociala, and one for health –

zVEM), each with its own characteristics, which makes it difficult for individuals to use the digital portals and exercise their rights online. Under the circumstances, digitalisation is seen as a factor that increases bureaucratisation rather than being considered a mechanism to reduce such by creating a new digital divide (Ranchordas, 2022). The latter would require more physical contact between vulnerable groups and the administration, which is quite the opposite of the objectives pursued by rationalisation and response to the pandemic. According to the Slovenian Ombudsman, numerous procedures in the fields of healthcare and social affairs were conducted only in the form of videoconferences, which reduces the possibility of protection of personal dignity and the exercise of the right to be heard, as the party should not be the object but rather the subject of the administrative procedure. In this context, attention should be paid, *inter alia*, to the use of the languages of ethnic minorities or foreigners (Ombudsman, 2021), especially when important guarantees are at stake, such as the clear expression of the will of the party, *de facto* participation in the procedure, and effective legal protection. Worst of all: the information system is conceived on potential abuses by social assistance beneficiaries. Thus, for example, a party is better off withdrawing an application for income support if the SWC or the line ministry consider that such is unlikely to be granted since a decision by which they reject the application – which, in normal circumstances, is open to judicial review (Articles 23 and 157 of the Constitution) – automatically implies a reduction in social assistance payments as the system also takes into account the potential, albeit unallocated social support. Since 2011, there has been recurring evidence of problems in implementation, even of a several-month-long failure of information systems, particularly those supporting the SWCs. This has indeed been a major setback. Even if the system were to work smoothly, it is legally questionable. Namely, among other things, it only produces acts in fixed form, without the possibility of modifying parts thereof, which is a clear infringement of the principles of legality and autonomy, especially given the many examples of shortcomings regarding certain types of decisions, e.g. in the case of social assistance payments (Kovač & Remic, 2012). In automated, computer-driven procedures, citizens are not considered as subjects, while the constitutional rights to dignity and protection of rights are violated (Avbelj, 2019). Similarly, the findings of administrative inspections show that SWCs do not inform the parties of their findings, which violates the parties' procedural rights (e.g. the right to be heard and other guarantees) and, consequently, other rights (Kogovšek Šalamon, 2019).

A further example of systemic problems is the length of social procedures. Analyses conducted at government level show that social affairs and healthcare are the areas that suffer the most delays. Out of a total of 54,902 backlogs (according to the latest aggregated data processed in 2017), 43 per cent fall under the ministry responsible for social affairs and a further 24 per cent under the ministry of health (Dragos, Kovač & Tolsma, 2020; Sever, Đanić Čeko & Kovač, 2016). The overrun of deadlines in social affairs – with 177,419 backlogs out of 346,717 cases at the first instance and 5,522 out of 10,778 at the second instance – was indeed excessive. However, by the end of 2019, the

line ministry had reduced the backlogs to around a third of those recorded in 2017 and by October 2020 to only several hundred (Ombudsman, 2021). Especially considering that they mainly involve social rights where eligibility conditions are already strict, which results in a relatively low number of applicants for whom swift decision-making is vitally important. For this very reason, certain laws, specifically those relating to social rights, envisage expedited procedures (Đanić Čeko & Tomeković, 2021). In administrative (social) cases, decisions must be taken quickly, but not at the expense of accurately determining the actual state of facts, nor can speed of resolution be at the expense of procedural rights that guarantee a fair procedure. The exceptional cases in which shortened procedures are conducted without the parties' participation must be provided for by law, without the authorities having the possibility to take advantage thereof to ease their work. It is thus no surprise that the Ombudsman detects the systemic problems regarding delays in the field of social affairs. A qualitative review of the above cases and problems shows that neither the rule-makers nor the social institutions or other competent authorities seem to have a proper understanding of when social-administrative procedures are so specific that a special or simplified regulation is reasonable and desirable or when it is in direct contradiction with the fundamental guarantees of democratic government (Galletta et al., 2015). Therefore, changes would be necessary at the levels of the GAPPA (Kovač, 2016) and the laws governing social affairs.

4. Empirical analysis of selected social procedures during reorganisation and the Covid-19 pandemic

4.1 Research methods

Mixed research methods typical of administrative science were used to obtain information on the conduct of selected social procedures under the responsibility of SWCs, primarily in light of the changed social situation resulting from the Covid-19 pandemic. These intertwine qualitative and quantitative aspects, both in data collection and in data processing and interpretation (Mele & Belardinelli, 2018). Nowadays, qualitative methods dominate administrative science, which is also due to the complexity of research questions in individual studies (Hlongwane, 2020). However, in interdisciplinary administrative studies, there is also a growing use of mixed methods, which, due to their uniqueness and adaptability to both research questions and social reality, offer a better understanding of and provide solutions to contemporary challenges (Mele & Belardinelli, 2018). Thus, in this specific study, the interplaying of qualitative and quantitative aspects allows for parallel verification of the same research aspects in terms of validity and triangulation. Moreover, the study is grounded on the sequential elaboration and complementation of previous findings (Hlongwane, 2020),

which is the case both at the implementation level, in terms of the outcomes of selected social-administrative relationships, and at the institutional level, in the sense of creation of a legislative and organisational framework for the enforcement of the constitutional principles of the rule of law and the welfare state.

The research was conducted in two phases, following the research question set out in the introduction. In the first phase, semi-structured interviews were conducted with the heads of SWCs' internal organisational units to gain a general insight into the functioning of the SWCs during the pandemic. They were chosen for the interviews because they have the best overview of the social procedures conducted under the auspices of SWCs, both from a legal and an organisational point of view. Moreover, since they are usually not directly involved in these procedures, their answers can be more objective than those of employees conducting them. For example, in June and July 2021, seven interviews were conducted with the representatives of the SWC in Ljubljana – the largest SWC in Slovenia, which covers almost a quarter (453,478) of Slovenia's two million population. The findings are, therefore, easily generalised to other Slovenian SWCs, and institutions with a similar remit in the Central European area.

Based on the findings of the qualitative part of the research, a survey was designed and sent out in the form of an online questionnaire to employees and managers of the 16 SWCs across Slovenia. The questions specifically addressed the impact of the 2018 reorganisation of SWCs on the conduct of administrative procedures in general and the exercise of rights to public funds under the Exercise of Rights to Public Funds Act, focusing on the changed social circumstances as a result of the pandemic and the consequences thereof. Questions also concerned the principles of good governance (following the Venice Commission, 2011) and the introduction of the informational calculation of social assistance payments, comparing the situation before and after the reorganisation and before and during the pandemic. The survey was conducted between October 2021 and January 2022 and involved 253 employees from 16 SWCs. Out of 1,387 SWCs employees in October 2021, 18.2 per cent were included in the survey. The sample was representative of different areas and types of social procedures. However, not all participants answered all questions; therefore, the results show the number of respondents in each section (240 or 241 in Table 2, which still represents a very high response rate and offers legitimate results). The replies of the respondents who did not answer all the questions were also taken into account for individual topics. The data obtained were then analysed using computer software. Quantitative data were analysed using IBM SPSS 28.0, while data from the semi-open-ended survey and semi-structured interviews were analysed using Atlas.ti 22 and MS Excel.

4.2 Results

The changes related to the measures to contain the pandemic and manage its consequences are just one aspect of the dynamic environment in which SWCs conduct social procedures. Therefore, in addition to the impact of Covid-19 in 2020 and 2021, we also analysed the progress anticipated by the SWCs reorganisation ongoing since

2018. Slovenian SWCs act as independent legal entities, i.e. public institutions to which the State has delegated specific tasks. Although centres as such conduct their tasks autonomously per GAPA and special procedural legislation, their work is still primarily steered by the Ministry of Labour, Family, Social Affairs and Equal Opportunities as the line ministry and social policy maker (cf. Werkman, 2009). For such reasons, we also analysed the ministry's role concerning the hierarchically inferior or dependent SWCs. As is evident from the interviewees' responses, this dependency stems from the institutional-legislative framework and organisational, IT, HR and financial solutions (supposedly) provided for the SWCs by the ministry. The interviews with the heads of the internal organisational units of the Ljubljana SWC (7) were analysed using the open coding method. The interview coding results and the interviewees' most significant statements are presented in Table 1.

Table 1:

Results of interviews with the heads of organisational units of the Ljubljana SWC

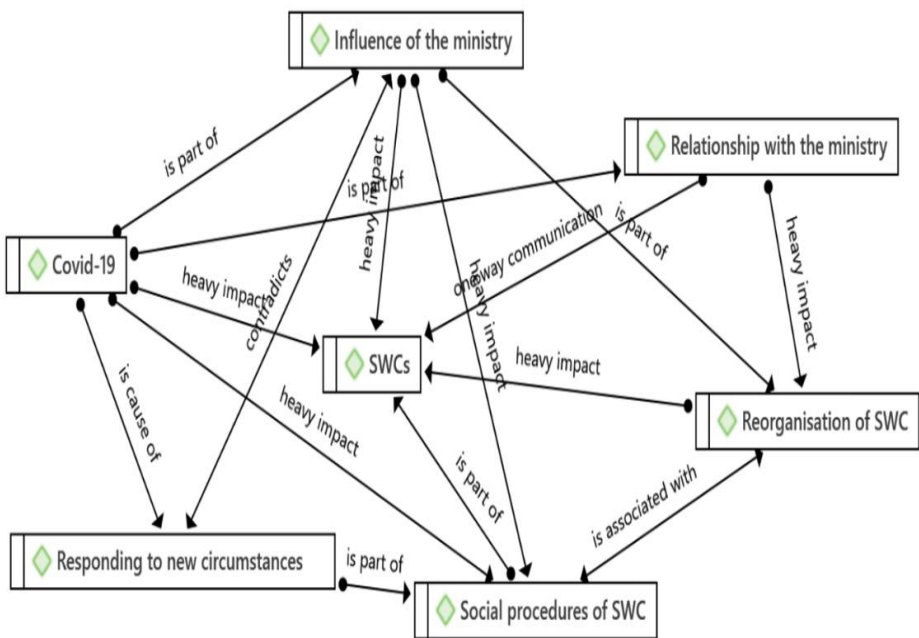
Code	Quotation Content
The role of the line ministry as a policy maker in relation to SWCs	<i>... through its social policy, through the adoption of legislation... From the national social protection programme, on its basis, policies are adopted. ... guidelines and instructions for work... They set the framework for our work... determine our tasks and frameworks of action, propose new legislation.... change comes more from the outside. I don't think they respond well to our needs... we don't have the right communication channels... employees should be rewarded and motivated... our work is basically influenced by other institutions... we should emphasise our views more, present our competencies. We do not have an open communication. We are constantly fighting and defending...</i>
Responding to new circumstances	<i>... constantly adapting to new needs, new situations, developing new ways of working... needs of the parties, we are responding, looking for solutions, work methods are changing... We are very flexible and that is the nature of our work. We had to strongly adjust the way we worked... we have an open attitude, an accessibility attitude... Social work is a changing profession that must drive change.</i>
Reorganisation of SWCs	<i>... we have also been a little overlooked in these major changes... external, organisational change... unrealistic expectations about our work... no transfer of information here... Employees no longer identify themselves with the new organisation.</i>
Social procedures of SWC	<i>How important it is to work with quality, professionalism and respect for the parties... being reactive... respond to these needs quite individually... We must listen... also explain that sometimes a solution is not possible or at least not in the way expected... The state automatically extended rights in the crisis. We do a lot of e-operations... e-submission of applications ...</i>
Code	Quotation Content
Covid-19 impacts	<i>The pandemic has forced us to develop new methods and processes of work. In these times of crisis, our role is key to ensuring social peace and prosperity. The work in the pandemic was going on as before... we worked in difficult conditions... we responded to needs, we were accessible, if not otherwise at least by phone. ... we worked from home. Despite the situation, everyone must be able to access us... this change came suddenly... use new technologies, organise work differently...</i>

Source: authors' own, 2023

SWCs are used to adapting to the changes and needs of their users and did not have any significant problems adjusting the procedures, which all ran more or less smoothly during the pandemic. However, there were problems, as expected, in the relationship between SWCs and the line ministry which, during the pandemic but also otherwise (Kovač & Remic, 2012; Babšek & Kovač, 2021), does not enable broader and systemically coordinated approaches and solutions for deciding on social affairs. The correlations between individual factors are shown in the grid in Figure 1. In particular, the impact of the pandemic and the line ministry on the work of SWCs and, consequently, on the conduct of social procedures under their responsibility stands out. Although by 2021, more than three years had passed since the 2018 reorganisation of SWCs, it still had a substantial impact on their functioning.

Figure 1:

Impact of individual factors on the work of SWCs



Source: own analysis, 2023

In the quantitative research phase, we further explored – employing a questionnaire – the basic principles pursued by SWCs when deciding on social rights

during the pandemic. Descriptive statistics of the selected principles are shown in Table 2, where 1 represents the most important principle, and 6 represents the least important guideline or principle. The principles listed in the survey are the fundamental principles of good governance as highlighted by theory and case law in the European context, such as legality and responsiveness (cf. Galetta et al., 2015). In addition, we included factors that guide SWCs' work, such as quantity and quality of work and, particularly for the area of social affairs, equity.

Table 2:

Guidelines and principles pursued by SWCs when deciding on social rights

	A	B	C	D	E	F
No. of respondents	240	241	240	241	241	241
Mean	2.90	2.76	4.00	2.80	4.56	3.95
Standard. deviation	2.01	1.51	1.48	1.38	1.39	1.51
Skewness	0.54	0.79	-0.37	0.23	-0.88	-0.28
Kurtosis	-1.40	-0.44	-0.74	-0.67	-0.14	-0.79

Note: A – amount of work done, B – speed of case resolution, C – quality of treatment, D – legality, E – equity, F – user needs' satisfaction

Source: authors' own, 2023

As shown by Table 2, the employees' rate is particularly high in the speed of case resolution (2.76) and the amount of work done (2.90), which indicates the importance of promptly responding to the parties' needs. Legality is also highly rated (2.80), leading to the conclusion that responsiveness and efficiency should not come at the expense of compliance with the rules. However, when this figure is compared with the quality of treatment (4.00) and equity (4.56), the situation is worrying, particularly from the point of view of a teleological understanding of the regulation of social procedures. The large standard deviation values indicate a dispersion of the estimated values. However, the asymmetrical coefficient of the amount of work done (-1.40) shows that the distribution of values deviates significantly to the left – the respondents' answers concentrate on the amount of work done as the most important guideline pursued by the SWCs in these procedures, which may well be understandable from the point of view of the employees who are in direct contact with the parties but should not be an overriding social policy perspective, since the purpose of social policy is to ensure the welfare state, not to minimise the work of SWCs.

Comparing these results with similar analyses in the 58 administrative units in Slovenia, which are competent for different (non-social) administrative procedures, e.g. construction or foreigners, the analyses show similar results and rely on similar research

approaches, including a survey among the heads of administrative units (Aristovnik et al., 2021). In times of crisis, efficiency in its narrowest sense – i.e. as speed and deformalisation of procedures – also takes precedence over the rule of law in its broader sense (cf. Ansell et al., 2021); this is understandable in the short run, but highly questionable in terms of a sustainable regulation and development of the rule of law and the welfare state.

Furthermore, we explored the principles of good governance as a fundamental systemic administrative framework for SWCs’ deciding on rights to public funds. The OECD principles of good governance (8) were taken as a basis (cf. Galetta, 2015; Kovač, 2016; OECD, 2017). Table 3 shows the correlation matrix of Pearson’s correlation coefficients of individual principles of good governance according to their presence in decision-making during the pandemic, compared to the situation before it.

Table 3:

Correlation matrix of principles of good governance in SWCs decision-making during the pandemic

GG principle	A	B	C	D	E	F	G	H
Rule of Law (A)	1							
Transparency (B)	0.60**	1						
Responsiveness (C)	0.33*	0.55**	1					
Consensus oriented (D)	0.54**	0.54**	0.55**	1				
Equity and inclusiveness (E)	0.44*	0.57**	0.53**	0.68**	1			
Efficiency and effectiveness (F)	0.35*	0.44*	0.66**	0.41*	0.50**	1		
Accountability (G)	0.29	0.32*	0.35*	0.33*	0.39*	0.40*	1	
Participation (H)	0.25	0.41*	0.49*	0.46*	0.55**	0.45*	0.57**	1

Note: ** high positive correlation ($0.50 \leq \rho \leq 1$),
* moderate positive correlation ($0.30 \leq \rho \leq 0.49$)

Source: authors’ own, 2023

Although good governance is conditional on the synergy and complementarity of all principles that define it (Venice Commission, 2011), the principle of the rule of law, not least because of the predominantly legal determinism of Central European administrative systems, determines how all the other principles act, thus constituting the institutional framework for the functioning of the public administration in general. As seen from the correlation matrix in Table 3, as regards the decisions on social rights at SWCs, the principle of the rule of law is associated chiefly with transparency ($\rho=0.60$) and consensus orientation ($\rho=0.54$) and the least with participation ($\rho=0.25$) and accountability ($\rho=0.29$). The highest correlation, however, is between equity and inclusiveness and consensus orientation ($\rho=0.68$) and between efficiency and

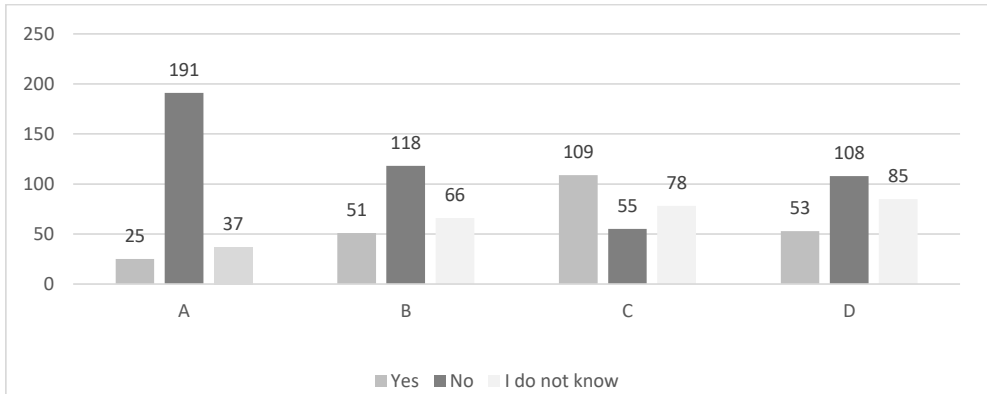
effectiveness and responsiveness ($\rho=0.66$). It needs to be stressed here that the fact that two principles are linearly correlated does not mean that one principle influences the other and vice versa.

Similar results emerge from the analysis in administrative units (Aristovnik et al., 2021; Hirsch et al., 2022), albeit with some specificities depending, for example, on the size of the administrative unit. Thus, among all administrative units, inclusiveness or participation of the parties stood out during the pandemic, while in the most significant units comparable to the Ljubljana SWC, the principle of efficiency emerged as dominant. At the same time, administrative units highlighted legality, although the latter seems – in the light of other results and especially in a crisis – clearly subordinated to efficiency and responsiveness. Contrary to SWCs, in the administrative units, digitised procedures in social affairs are conducted from a top-down perspective. In contrast, in other areas, there is a more bottom-up approach that considers the parties' expectations and demands e.g. e-commerce.

The measures to deal with the Covid-19 pandemic are only one of the many changes in the internal and external environment that SWCs face when deciding on the rights of materially deprived and socially excluded beneficiaries. The reorganisation of SWCs launched in 2018 continues to shape how these social institutions exercise their public tasks. On the other hand, with the digitalisation of the Slovenian public administration, the informational calculation of social assistance payments such as child benefits, state scholarships, and kindergarten subsidies was gradually introduced in the field of social rights following the example of income tax assessment. However, the full implementation of this mechanism has yet to be achieved by 2022. The impact of the above-mentioned organisational and IT changes on the conduct of social procedures in a period marked by the measures to curb the pandemic is shown in Figure 2 based on respondents' opinions. The most significant factor affecting the conduct of procedures for exercising various social rights in the context of the Covid-19 pandemic was the introduction of informational calculation in deciding on the eligibility to and assessment of such rights (C). The informational calculation in the field of income tax assessment is indeed an advanced mechanism also in global terms, combining the procedural protection of the rights of the parties with legal adequacy and IT innovation and primarily benefiting the parties (Babšek & Kovač, 2021). A related aspect is establishing a service (B) specialised in more straightforward decision-making procedures involving the entitlement to an assessment of such rights. The respondents identified organisational structure as the least likely influence on the conduct of administrative procedures in the competence of SWCs (Figure 2).

Figure 2:

Impact of organisational and IT changes on the conduct of social procedures during Covid-19



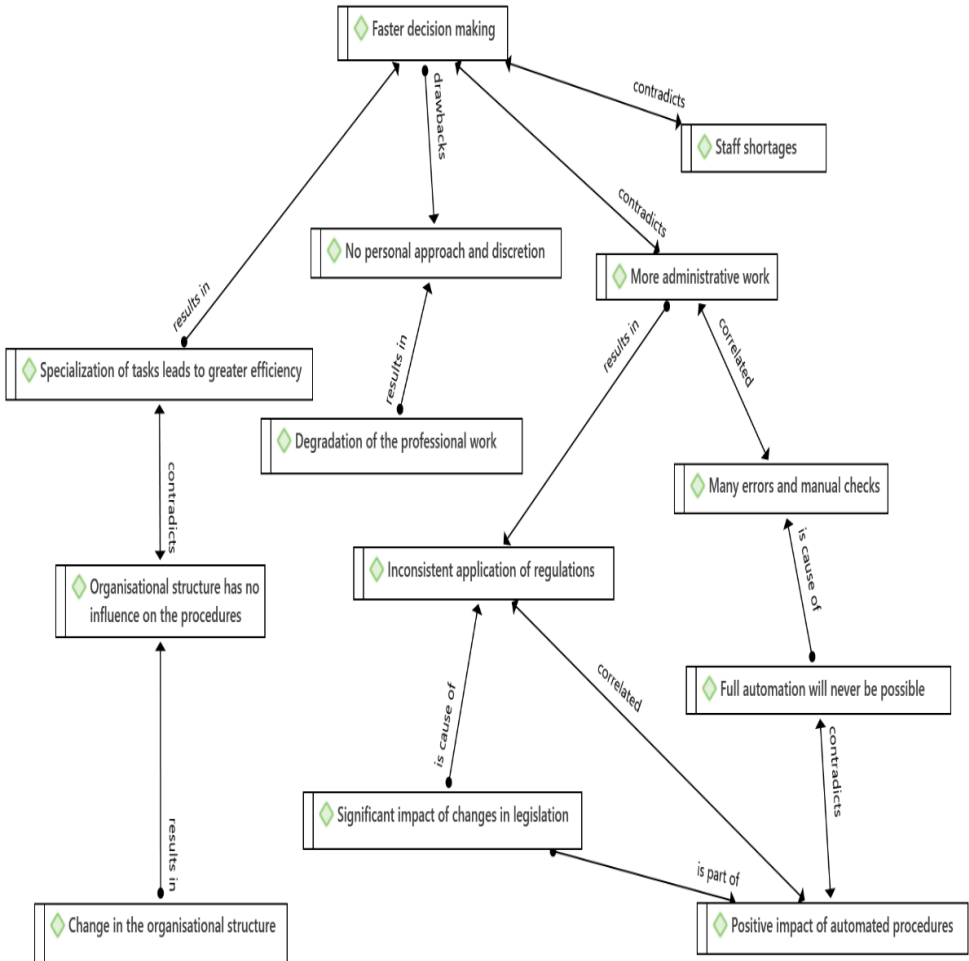
Note: A – Has the change in the organisational structure had an impact on the management of the SWCs in general? (N=253); B – Has the introduction of the special Service for Exercising Rights to Public Funds had an impact on the simplification of procedures? (N=235); C – Has the informational calculation had an impact on simplifying the exercise of these rights by the parties? (N=242); D – Has the introduction of the informational calculation reduced the workload of SWC staff (less administrative tasks)? (N=246).

Source: authors’ own, 2023

As regards the changes in the organisational structure of SWCs and the introduction of modern IT solutions in their work, specifically the introduction of the informational calculation of the rights to public funds, in the semi-open-ended questions, the respondents provided their perspectives on deciding on social rights during the pandemic. Based on their arguments reported in Figure 3, the 2018 reorganisation of the SWCs did not in itself impact on the conduct of procedures during the pandemic. It even contributed to more administrative work and consequently less time for users due to new procedures of a purely technical nature (filling in forms, reports, extended decision-making chain, and the like). While establishing the Service for Exercising Rights to Public Funds with specialised decision-making has positively reduced the administrative burden on the parties in exercising such rights, SWCs employees point to its poor temporal and spatial accessibility. Particularly in a pandemic, the main risk seen by respondents is the legal and IT illiteracy of the parties on whose rights the organisational changes could have a highly adverse effect (cf. Drechsler, 2022). The same risks apply to introducing the informational calculation of the rights to public funds. However, the respondents still see more advantages than disadvantages, particularly in the automatic and *ex officio* extension of rights and a less complex procedure for the parties in general (Figure 3).

Figure 3:

Critical legal and organisational/IT elements in exercising social rights during Covid-19



Source: authors' own, 2023

The figure above reveals that the factors and consequences of the Covid-19 pandemic are more likely to threaten the rule of law and the welfare state than to contribute to social sustainability. The above is partly understandable as this is a global and unpredictable crisis. However, one needs to bear in mind that such crises (financial,

migration, war, environmental, and the like) are and will be a constant feature of the social environment. Therefore, there is a need to develop systems agility through organisational learning (Huysman, 2000).

Furthermore, the empirical results of the study highlight some possible solutions in the SWC work practice that can at least mitigate the risk factors in their pursuit of the rule of law principle, shown in Figures 1 and 3, which were potentiated by the Covid-19 pandemic, SWC reorganisation and inadequate response of the line ministry in those circumstances. As shown in Table 2, SWC employees are very much aware of the amount of work done and the fast decision-making as the crucial elements of administrative responsiveness in critical situations. Even more, as evident in Table 3, their perception of responsiveness in social procedures tightly connects with principles of transparency, consensus, equity and inclusiveness, and with effectiveness and efficiency (Venice Commission, 2011). Moreover, such an intertwining of the principles of good governance in the European administrative space strengthens the rule of law and represents the holy grail of contemporary public administrations that are up to the complex challenges of the society of today and in the future (Agere, 2000).

5. Discussion and recommendations

If the purpose of social rights is to be also pursued in times of pandemics and crises in general, a swift and efficient conduct of procedures is imperative while at the same time ensuring the basic procedural guarantees and, consequently, legally recognised and enforceable social rights for the beneficiaries. Besides respecting human dignity, the public interest in these procedures also requires that the principles of equity and targeting of benefits be respected. Thus, in addition to the content of social rights, an effective procedure for their enforcement must be ensured in order to mitigate the impact of the pandemic on the most vulnerable groups of the population while also providing for the implementation of the rule of law and the welfare state (Avbelj, 2019).

The paradox is that due to the shortcomings in the regulation of procedural aspects, even fundamental laws such as the Exercise of Rights to Public Funds Act and the Social Assistance Payments Act do not achieve their purpose or do not achieve it optimally. The above has been a problem for decades (Kovač & Remic, 2012). It may thus happen that public funds, already increasingly scarce, are not allocated to the most eligible parties, contrary to what the GAPA would require based on a sectorally defined public interest. The accessibility of social rights should, as a rule, be ensured through efficient access to the procedure for all beneficiaries, meaning that in certain situations, a formal rather than a simplified regime would be more appropriate for social rights beneficiaries, which is contrary to the often argued stance that informality and simpler rules of conduct should secure the social objectives of uninformed parties better than the GAPA. Nevertheless, this does not seem right, particularly if the GAPA is considered

a tool to ensure constitutional guarantees in all administrative spheres (Kovač, 2016). Moreover, not even a sincere desire to improve the social situation in a community can constitute a permissible deviation from the established ways of defining rights at the general and abstract levels and granting them to individuals at the concrete level. It is clear that the impairment of a particular guarantee almost always leads to the simultaneous impairment of other guarantees since only the sum of all principles of good governance constitutes a systemically democratic procedure.

Furthermore, it is vital that procedural rights, especially those pertaining to vulnerable groups, are not just dead letters on paper. Instead, the actual accessibility of the system, including personalised and confidential information and strict respect for the right to be heard, must be guaranteed, all the more so by social institutions when the parties cannot assert such on their own (Kogovšek Šalamon, 2019). It is not right that in social affairs, these postulates are curtailed or that because of the notoriously defective information system SWCs procedures have been handled in a bureaucratic and thus illegal manner for more than a decade. Alternatively, in social affairs, deadlines are excessively long *ex lege* and all the more so in practice where the backlogs are the most pronounced (Dragos, Kovač & Tolsma, 2020; Sever, Danić Čeko & Kovač, 2016). Such problems in the field put the welfare state at risk and bring evident dissatisfaction among the beneficiaries, as errors in the assessment of, for example, social scholarships, child benefits or social insurance rights directly affect the daily lives of several thousand people. Such conduct, particularly when it comes to controversial moves at the level of institutional public governance, and individuals enforcing regulations at the instrumental level (Stare & Pečarič, 2021), is not compatible with the constitutional principles of the welfare state and the rule of law.

Although some elements of egalitarianism may be detected in the public discourse in the context of containment of Covid-19 – as no one is safe from the virus and it can only be defeated collectively – the negative feedback loop of the pandemic only exacerbated the socioeconomic disparities among the population rather than increasing social solidarity (Ferraz & Motta, 2021; cf. Ranchordas, 2022). Thus, to ensure the basic social security of citizens, in addition to the new rights provided by the laws on emergency measures, the authorities' role in enforcing such rights is crucial. Significance is shown in the sense of the multifunctionality of social-administrative procedures that must go beyond merely being a mechanism for enforcing substantive rights but rather be the objective of administrative action *per se*.

As confirmed by the research results, systemically incoherent solutions are often also controversial from the point of view of fundamental constitutional guarantees and the principles of EU law, and the GAPA (Galetta et al., 2015) bring more dilemmas than solutions. In such regard, it is not disputable that administrations also adopt innovative informal approaches in pursuit of good governance principles in times of a pandemic. However, from the perspective of the principle of the rule of law, it is imperative that

these also comply with the law and that legal, organisational and IT measures are coherently implemented (Horvat et al., 2021; Aristovnik et al., 2021; Hirsch et al., 2022). Therefore, authorities should not create new obligations for the parties; they should be accessible to everyone and respect the principles of equality, transparency, participation, and accountability. The need for administrative action to follow the principles of good governance in times of a pandemic is also confirmed by the results of our research, where the interplay of all principles, with the rule of law as the basic framework for these procedures, is important for effective decision-making on social rights in accordance with their purpose. Economy must not override legality, and bridging approaches must be sought at the cross-section of the two. However, this is only possible if, in addition to the relevant substantive and procedural laws on social affairs, SWCs are also provided with a broader institutional framework for action matching the organisational, HR, IT and technical requirements. Although turbulent times call for robust governance solutions, implementing the fundamental constitutional principles in these circumstances should fall within an adaptable, agile and pragmatic legislative framework (Ansell et al., 2021; Hirsh et al., 2022).

Furthermore, one should not disregard the – more proactive and system-oriented – role of the line ministry as a social policy maker and coordinator of territorially dispersed SWCs. Public sector organisations are generally characterised by a high degree of centralisation and externally imposed formalisation (Werkman, 2009), which is also highlighted by the research into the conduct of social procedures under the responsibility of SWCs. The role of the line ministry in this context has proved problematic, as a result of which, according to several analyses (cf. Kovač, Remic & Sever, 2015), the ministry, instead of establishing systemic solutions and networking among the key stakeholders, usually only seeks partial solutions that result from a lack of communication and ignorance of the basic needs of SWCs for the implementation of social procedures. Even if SWCs have been proactive and user-oriented during the pandemic, the reform potential offered by the multifunctionality of administrative and social procedures has not been exploited. The insufficient planning of public policies and legislative measures within the remit of the line ministry has not allowed for systemic changes but only for temporary and limited adjustments of social procedures, which has not brought sufficient positive results. The reorganisation of the SWCs in 2018 also demonstrates that such solutions do not work. The reorganisation did not have the intended effects – on the contrary, it increased the administrative burden for both the parties and the employees conducting the procedures. Unfortunately, social security reforms – albeit declaratively based on the principles of effectiveness, efficiency and participation in social services – are often used to develop partisan patronage networks (Kekez, 2018).

According to the SWCs managers, the measures related to the Covid-19 pandemic facilitated the institutions' conduct of the procedures. Also, they eased the exercise of rights by the parties. Time tends to show, however, that the differences widen during crises and among uninformed parties. As the parties in social procedures are often

inexperienced, these differences deepen but are only perceived after a few years, be it in the region (Đanić Čeko & Tomekovič, 2021) or the Western world (Ranchordas, 2022). Here again, the role of the line ministry is controversial, as it has been lowering the standards that institutions such as SWCs have been trying to pursue. Under the guise of rationality, attempts to take shortcuts are also quite frequent, whether at the legislative level or in implementing regulations (Kovač, Remic & Sever, 2015). However, neither according to the case law of the European Court of Human Rights, may a large number of applications – given the limited capacities of the authorities – result in the shrinking of the possibilities of the parties, regardless of economic or migration crisis or the Covid-19 pandemic. In such cases, the state has to provide adequate resources and their effective management without jeopardising legal guarantees (cf. Ansell et al., 2021).

It can be concluded that the trend among the managers of administrative bodies, in particular, to encourage the legislature to introduce simplifications is highly worrying. If a specific fact-finding procedure does not seem necessary, the relationships should be deregulated rather than merely procedurally automated, albeit sooner or later based on the law (Kovač, 2021). However, such regulation makes the situation more difficult for the parties because they still need to exercise their rights but do not have any real possibilities to participate in the procedure and obtain actual legal protection.

Surprisingly, survey results showed a non-significant correlation between the principle of the rule of law and the principle of accountability, although those principles should be, theoretically, interconnected. One of the reasons for that is perhaps to be found in the legislative framework of accountability of Slovenian public servants, which is well regulated (Stare & Klun, 2016), and respondents probably did not pay much attention to it, especially not in connection with the rule of law. On the contrary, Slovenian public servants' accountability system lacks so-called soft approaches focusing on work ethics education, development of administrative consciousness, career development and management ethics (ibid.). Indeed, the exposed gap suggests opportunities for further research.

The empirical results further confirm the initial assumptions of the justification of introducing the informational calculation of social assistance payments as a mechanism to facilitate the exercising of rights, at least in comparison with other organisational changes of that time. Although – thanks to organisational learning (Huysman, 2000) that involves both acquiring new and transforming existing knowledge – Slovenian SWCs have adapted their work to the changed situation and developed new approaches, work methods and services for the users, the informational calculation can be considered the key mechanism that enabled an effective assessment of social rights during the pandemic. The above can be claimed despite the fact that only 45 per cent of the survey participants believe that informational calculation of social rights simplified those procedures for the parties, as their views on introduction of organisational changes and influence of informational calculation on reducing red tape for the SWC

employees are significantly more damaging, as revealed in Figure 2. The introduction of the informational calculation is thus crucial for ensuring access to social rights during a crisis, also concerning the automatic extension of the rights that constitute a basic source of survival (e.g. financial, social assistance), provided *ex officio* when an epidemic is officially declared in the country. However, even this solution has its limitations, as the digital divide (Ranchordas, 2022) or systemic simplifications that are not necessarily supported by law can quickly lead to violations of the fundamental procedural rights of the parties, which is shown by the practical experience in 2021 and the assessments of the staff regarding the principles pursued by SWCs in their decisions during the 2020 pandemic and beyond. If SWCs primarily focus on the quantity of work and the speed of case resolution, and place significantly less emphasis on the quality of treatment and equity in decision-making, this is indeed a major systemic problem, especially in the social field. These two principles contribute the most to understanding social procedure by objectively treating the parties holistically. In addition, SWCs employees point out that the informational calculation, due to a number of problems, still requires manual verification, which entails certain risks for the parties involved resulting in increased administrative workload and, sometimes, significant errors. Many also consider that full automation of social procedures will never be possible, as vulnerable people, in particular, need personal contact and tailored support.

Finally, the study proves the need for the interconnectedness of social systems regarding public governance, particularly for social affairs. To begin with: what is not legal cannot be socially sustainable in the long run. For example, suppose the rights of vulnerable persons are infringed upon. In that case, sooner or later the same attitude of maladministration is established towards all parties, and vice versa: the respect for the rights of vulnerable persons brings benefit to any social group, as it increases the awareness of the importance of entitlements, social inclusion, and trust in government. This is all the more true regarding people with multiple vulnerabilities, e.g. poor children, older people with disabilities, and LGBT people as asylum seekers (Kogovšek Šalamon, 2019).

Furthermore, the fiscal-social system as a whole, whether it be in creating or limiting both social rights or public benefits, the sources of social rights must be proportionately considered, mainly when intervening in already acquired or justified expectations. Therefore, removing administrative barriers as an overarching programme of simplification should always pass through the prism of constitutional rights (Kovač, 2021), while digitalisation should be understood as a social and not just a technological transformation (Aristovnik et al., 2021; Ranchordas, 2022). All this implies a concern for inclusiveness to achieve societal, social and digital cohesion.

6. Conclusion

Social procedures are part of a broader administrative system that, in the relationships between public authorities and private parties, acts in the public interest. Given the specific rights at the heart of social procedures and the profile of the parties who are often uninformed or vulnerable, the need for adjustments of general procedural rules arises. This need for adjustments makes the whole issue rather complex as the Constitution provides the necessary guarantees for the protection of the parties' rights, in particular, social rights, while crises such as the Covid-19 pandemic call for maximum efficiency. Crises thus present a problem as well as an opportunity for progress. However, in times of crisis, the disparities deepen even further; services and procedures at the State level must show particular concern for equality and balance the legitimate rights of the parties and the public interest with efficiency-oriented measures. Shortcuts, e.g. broad acceptance of e-applications without verification of legal requirements or immediate service and enforceability with consequent loss of legal protection, might have adverse effects.

The present study shows some of the advantages of the approaches introduced in social procedures to curb the Covid-19 pandemic, particularly the introduction of the informational calculation of social assistance payments. Likewise justified are certain attempts at the deformalisation of procedural requirements, such as those regarding service under the new Debureaucratisation Act. On the other hand, reforms also bring side effects and problems, e.g. additional manual work due to failures of the information system or over-simplification that results in infringement of the rights of the parties that are only detected after months. The answer to the research question is thus not straightforward. The pandemic triggered some positive developments, yet specific measures only brought partial benefits or undermined the rule of law by failing to distinguish between the key principles and rules of the administrative procedures aimed at the protection of the rights of the parties and the restriction of authority. This seems to be primarily due to a lack of understanding of the multifunctionality of the procedure as a mechanism of democratic power and to prioritise particular aspects of good governance, such as the "naked" efficiency of the procedure, over an overall respect for all principles.

In a nutshell, it is time for a new social reform and a systemic approach to improvement after considering the (too) many controversial cases analysed in this and other studies, such as algorithmic decision-making, technical errors in informational calculations and the inadequate and strategically uncoordinated responses of the line ministry in the changed circumstances, to name just a few as elaborated more in-depth earlier. Awareness of the importance and correlation between the rule of law and the welfare state is key for improvement, primarily at the ministry responsible for social affairs, particularly since this authority is an umbrella institution and policy maker for

all social agencies and sub-policies in the country. Therefore, it is essential to explore the situation in the field as this study did to show decision-makers what values to comply with, the factors to consider and the potential gaps when policies are instigated, ignoring one or several sound governance principles. The above points include an understanding of the importance of procedural guarantees such as legitimate expectations, equal protection of rights, the right to be heard and informed, and effective legal (especially judicial) protection. These should never be considered administrative barriers, irrespective of the consequent burden on social institutions and other bodies conducting the procedures in question. First and foremost, they must be respected at the institutional level in the regulation and, equally, implementation, whether concerning the introduction of digitalisation or in individual social procedures, if national regulation and practice are to satisfy the values and rules of the EU and the national constitutional framework.

Consequently, to ensure responsiveness in social procedures, especially in a rapidly changing societal environment, the principles of rule of law and the welfare state should not focus only on concrete and individual administrative procedures. Above all, Central and Eastern Europe should expand to the cross-sectoral coordinated approaches of strategic governance at the institutional level, whereby administrative procedures should represent the salient mechanism of policy implementation in accordance with value-functional requirements of the democratic society as established in Western Europe (cf. (Van Bruxvoort & Van Keulen, 2021; Ranchordas, 2022).

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Parental Leave Policy in European Countries: A Comparative Approach Using Cluster Analysis

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Abstract:

Currently, parental leave policy is one of the key instruments of social policy in the family sphere in many European countries. Despite the common territorial context, parental leave design may vary greatly in different European countries. In this respect, the influence of differentiative parameters of the parental leave system on the social policy results in European countries is still overlooked. Our study aims to compare parental leave policies in European countries using cluster analysis and reveal the differentiation of the results of policies related to parental leave policy in the clusters of countries. We put forward the following research questions: (1) Are groups of European countries shaped according to the characteristics of parental leave policy similar to European geographical regions? Which cluster has the largest proportion of CEE countries? (2) How different are the results of policies associated with parental leave policy in these groups of countries? As an information source, we used the International Review of Leave Policies and Research 2020, which presents data on parental leave policy in 32 European countries. As indicators for cluster analysis, we used the number of maternity, paternity, and parental leave flexibility elements. The research identified three groups of European countries varying in the number of flexibility elements in the structure of each type of leave. We concluded that leave policies in these countries are not conditioned by their geographical location but may

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result from their social policies. We also observed that a parental leave policy may contribute to reducing gender inequality in the country. The scientific significance of the research lies in revealing similarities and differences between parental leave policies in the context of a wide circle of European countries and in expanding existing knowledge of the public values theory in public administration.

Keywords:

cluster analysis, Europe, parental leave, parental leave policy

1. Introduction

The key aim of central government is to provide people with comfortable living conditions; in doing so, special significance is attributed to social policy. Social policy ensures social and economic security, which, in turn, fosters conditions for the institute of family.

As an instrument of social policy in the family sphere, many countries pursue parental leave policies. Parental leave originated at the beginning of the XX century in Europe and was granted exclusively to women (maternity leave) to secure women and children's health. Over the years, paternity leave and parental leave appeared, a gender-neutral type of leave that can be taken by either parent one at a time or simultaneously.

The intensive state regulation of parental leave and numerous laws stipulating rules for its usage resulted in a separate parental leave policy. For example, in Russia, parental leave is regulated by the Labour Code of the Russian Federation; in Australia, by The Fair Work Act 2009; in Germany, by the Bundeselternzeit- und Elterngeldgesetz (BEEG); in Ireland, by the Parent's Leave and Benefit Act 2019. As a rule, the subject of the policy is authorities in the social sphere; the object is traditionally employees with children. However, in some countries parental leave may be given to employees' parents (Russia, Bulgaria, Hungary, Norway, Portugal, and the like), students (Czech Republic, Hungary, Lithuania, and the like), or even to the unemployed (Austria, Belgium, Russia, Estonia, and the like).

It is critical to note that parental leave policies are not limited to ensuring the mother's and child's health, as has been the practice. Currently, it is a system of legal mechanisms that facilitates stable employment, gender equality, and higher birth rates. Therefore, being a part of family policy, parental leave policy is closely connected with a set of other policies, namely employment, gender equality, demographic, social benefits, and other types. Therefore, we advocate for at least 2 arguments that prove the connection.

Firstly, parental leave policy sets the same goals and aims to produce the same results as all the other social policy directions mentioned above. For example, like

employment policy, parental leave policy secures labor conditions and rights, guarantees and ensures legal employment, and reduces unemployment (Bergemann & Riphahn, 2022; Wood & Neels, 2019). Secondly, the effective state regulation of the family sphere requires a set of comprehensive and timely measures in all the policies mentioned. If, for example, a social benefits policy is implemented poorly, families on parental leave may experience financial difficulties (Zagel & Van Lancker, 2022).

We assume that models of the parental leave state regulation in different countries can be conditioned by social values prevalent in those countries. According to the theory of social values in public administration, social attitudes undoubtedly predetermine the directions of authorities (Bozeman, 2019). Social values are met through the system of rights and benefits, which ensures the normative consensus between the rights and obligations of citizens (Bozeman, 2007). In addition, the public administration course built around social values facilitates public interest and constructive participation in addressing social problems (Benington & Moore, 2011).

The historical division of European countries into four regions, namely Northern, Southern, Western, Eastern and Central Europe, predetermined specific directions of social policies for each group; however, researchers have not explored the differentiation of parental leave policies in European countries. Traditionally, Northern European countries are viewed as pioneers in the sphere of parental leave; for instance, the first paternal leave practices took place at the end of the XX century in Norway, Denmark, Iceland, and Sweden (Tamm, 2019). In addition, it is claimed that Sweden and Finland have the most significant budgets for parental leave policies (Otto et al., 2021). The positive parental leave policy experience of Scandinavian countries has received much attention. These practices are often compared to those of other European countries (De Souza et al., 2021) and evaluated in terms of their effectiveness (Ekberg et al., 2013).

When studying parental leave, it is not only Scandinavian experience that comes into focus. For instance, Szelewa and Polakowski (2008) proved country-to-country differences in family policies between groups of CEE countries (Szelewa & Polakowski, 2008). Kamerman and Kahn (1993) pointed out a possible convergence of Western and Eastern European countries' social policies to parental leave systems (Kamerman & Kahn, 1993). Authors claimed that this group of countries shares a conservative type of family relationships and paternalistic policy, which, on the one hand, limit opportunities for a family policy reform, including that in the parental leave system (Dohotariu, 2015). On the other hand, it was noted that the existing parental leave policy in post-communist European countries, together with unemployment benefits and labor unions, is an institutional barrier that protects employees from impoverishment (Babos, 2017).

A comprehensive comparative study of parental leave policies, which involved respondents from 27 countries, offered answers to several research questions related to how institutional conditions influence public attitudes towards the parental leave

policy with country-to-country differences in attitudes towards taking care of the newborn and towards parental leave conditions (Valarino, 2019). The author reveals a high acceptance of the principle of paid leave across welfare states. However, at the same time, the researcher highlights significant country-to-country differences in the idea of the “good” leave duration; from a preferable model of extended leave (2-3 years) for post-soviet countries to short leave (6 months) in liberal regimes.

Despite some attempts to explore parental leave policies in groups of European countries, the interrelationship between the territorial factor and the existing model of parental leave in the country remains overlooked. Additionally, academic literature at the moment does not present any analysis targeted at revealing and evaluating similarities and differences in parental leave policies in most European countries, excluding Scandinavian ones (Duvander et al., 2019).

The study aims to compare parental leave policies in European countries using cluster analysis and to identify the differentiation of the results of policies associated with parental leave policy in the clusters of countries.

The aim poses a number of research questions:

1. *Are groups of European countries shaped according to the characteristics of parental leave policy similar to European geographical regions? Which cluster has the largest proportion of CEE countries?*
2. *How different are the results of policies associated with parental leave policy (employment, gender, demographic policy) in these groups of countries?*

The scientific contribution of our research lies in identifying groups of European countries with similar parental leave design, establishing specific parameters affecting the differentiation of these groups, and presenting these similarities and differences of parental leave policies in the context of a wide circle of European countries. The study of differentiation between parental leave policies in European countries can expand the concept of the public values theory in the sphere of public administration. In addition, the paper reveals the relationship between flexibility elements in the structure of parental leave and other directions of state social policy.

As a distinguishing feature, this study uses a principally new approach to exploring parental leave design, namely the cluster analysis method. Previous parental leave studies used other statistical methods, namely correlation (Petts et al., 2022) and regression analysis (Frodermann et al., 2023; Canaan, 2022).

The paper has the following structure: it starts with Literature Review, which outlines how parental leave policies impact some particular socio-economic processes, such as fertility and employment, and ensure gender equality. Data and Methods details the study’s methodology, including the variables used for the cluster analysis. Next, the Results section presents the major outcomes of the cluster analysis and attempts to find the relationship between a parental leave policy and other policies, such as employment, demographic, and gender equality policy. Finally, the paper’s

final part tries to interpret the results and set directions for future research.

2. Literature review

The key function of parental leave is to protect employees while absent from the labor market for child-rearing. It is known that workers with children may face a number of problems, for example, discrimination based on marital status (Ferragina, 2019; Plantin et al., 2011), complicated career advancement (Nepomnyaschy & Waldfogel, 2007), reduced wages at the employer's initiative (Kramer & Kramer, 2016), job loss after childbirth (Akgunduz & Plantenga, 2013). Parental leave strives to prevent any infringement of workers' rights and to guarantee job and wage security to the worker, who has to take a break to make time for family and children. In this case, the state regulation of parental leave policy aims to mitigate obstacles in the labor sphere.

The gender issue is another item on the parental leave policy agenda. Gender equality policy presupposes equal opportunities for men and women to fulfill their potential. These equal conditions could be achieved by giving more rights and opportunities to women. It is women that most often become leave-takers, and thus, they are more often included in parental leave policies, both while pregnant and after childbirth. Accordingly, preconditions arise for gender inequality regarding women's professional development. To close the gap in this sphere, governments take measures to encourage fathers to take care of children. For example, some countries initiated so-called paternity leave or paternity quotas as part of parental leave. Therefore, it is not compulsory to use the paternity quota. However, in case of refusal, a family automatically loses the right to receive a part of the parental benefit. In contrast, the part of parental leave not used by the father cannot be transferred to the mother or another relative of the child.

Researchers argue that in some countries paternity leave was quite effective, resulting in fathers' higher involvement in child-rearing (Saarikallio-Torp & Miettinen, 2021). Moreover, paternity leave fosters gender equality both in the professional and in the household sectors, i.e., women are more economically proactive while men take on some household responsibilities (Duvander & Andersson, 2005; Tervola et al., 2017). Therefore, in this respect, parental leave policy correlates with targets of gender policy.

Parental leave policy is also connected with demographic policy, which seeks to increase birth rates. To that end, childbirths may be stimulated financially, through providing additional benefits to families with children, promoting a positive image of family, or increasing taxes for childless citizens. In addition, the parental leave policy establishes conditions for increasing birth rates without limiting families' lifestyles while on leave.

A number of studies proved that the introduction of parental leave (Rossin, 2011) and its flexible system foster birth rates (Ekberg et al., 2013). It was also revealed that

men's participation in child-rearing positively impacts birth rates and facilitates a marriage decision when cohabitating (Kotila, 2014). What may also contribute to increasing birth rates is reducing women's workload and redistributing household responsibilities by, among other things, involving fathers in parental leave (Goldscheider et al., 2015). Finally, a number of researchers proved the correlation between gender equality and birth rates (e.g., Balbo, 2013; Neyer et al., 2013).

Particular attention should be paid to the role of benefit policy in parental leave policy. Benefit policy reduces financial inequality providing citizens with financial or in-kind benefits through social insurance or welfare programs or tax deductions. Thus, drawing on social justice principles, money is redistributed toward the most vulnerable population groups, including workers with newborns.

Many researchers study the consequences that follow from parental leave policy. For example, it was discovered that state support measures for families with children while on parental leave improve their well-being even though they bear additional costs for children (Haeck et al., 2019). Moreover, those countries which grant considerable benefits are reported to have decreasing numbers of abortions (Cohen et al., 2013). Lower parental leave benefits, though, force parents to return to work (Boll et al., 2014).

Despite several evident advantages, researchers point out some disadvantages in pursuing parental leave policy. Firstly, when on parental leave, a family's financial situation may deteriorate because compensation leave payments are inconsiderable compared to salaries (Li et al., 2022); this, in turn, negatively impacts reproduction goals and subsequent birth rates (Bergsvik et al., 2021). Secondly, paternity leave and quotas are available only in some countries. Therefore, a gender gap in the household sphere arises as women are still more occupied with child-rearing compared to men. Moreover, men very infrequently take leave longer than that stipulated by the quota (Rostgaard & Ejrnæs, 2021). Finally, longer parental leave adversely influences the productivity of employees with children on the labor market (Canaan et al., 2022). Clearly, the effectiveness of parental leave policy may be linked to its specificities.

Thus, previous results show different effects of parental leave policy, manifesting in particular countries at certain periods. These effects may result from a comprehensive leave system and its specific flexibility elements. These elements strive to ensure favorable conditions for employees with children to balance professional and household responsibilities. In particular, such elements are opportunities to take leave by both parents simultaneously, to work part-time while on leave, to extend or shorten the period of leave, and the like. The regulation of flexibility elements is one of the key instruments of parental leave policy (Brandth & Kvande, 2019). By differentiating European countries according to the parental leave policy flexibility, our study raises a question of the relationship between this flexibility and its effects, which manifest themselves in interrelated spheres, namely demographic, gender, and labor subsystems.

3. Data and methods

Figure 1 presents a conceptual model of our research. It demonstrates the types of parental leave, elements of their flexibility, and possible interconnections with policies.

We analysed data for three types of leave: maternity post-natal leave, paternity leave, and parental leave granted after the childbirth. For each type of leave and for each country, we calculated the number of policy elements increasing the flexibility (or variability) of leave usage.

For each type of leave, our analysis included the following indicators:

1. opportunity to take additional leave under certain conditions;
2. opportunity to choose when to use leave days;
3. opportunity to take leave by two leave-takers simultaneously;
4. opportunity to adjust the relationship between the amount of the benefit and the duration of leave;
5. opportunity to take leave and keep working simultaneously;
6. opportunity to transfer a part of leave to the father or other person;
7. the number of leave flexibility elements.

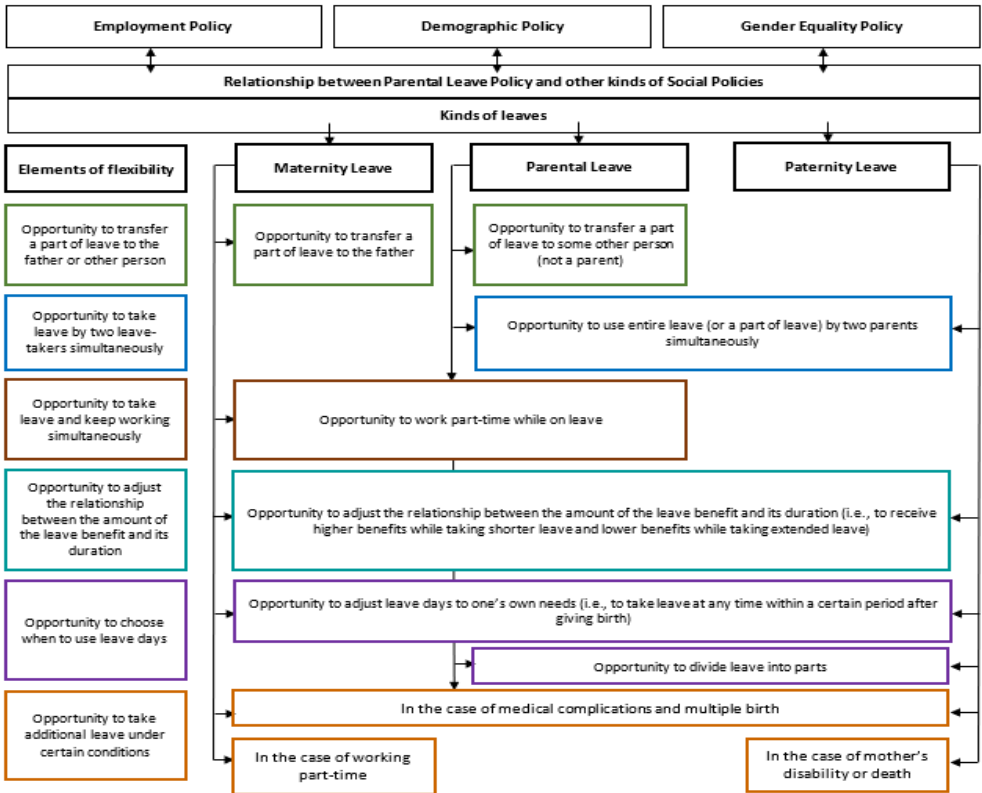
Some elements are present in all types of leave, from extended leave in the case of multiple birth; choosing when to take leave days and optimizing the relationship between the leave duration and the amount of the benefit granted. Others are only typical for some specific types of leave.

As a source of information, we used the International Review of Leave Policies and Research 2020, which presents data on legally stipulated parameters of parental leave policy in 32 European countries (Koslowski et al., 2020).

To reveal the groups of countries similar in parental leave policies, we used cluster analysis. Ferragina and Deeming (2022) have been discussing “comparative mainstreaming” in social policy research since the 1970s. In contrast, cluster analysis, as they argue, is one of the most rapidly spreading formal techniques of comparative analysis (Ferragina & Deeming, 2022), which “promises to help us make sense of the observed variations and capture the principles of both similarities and differences” (Azarian, 2011). Indeed, cluster analysis is used for grouping different objects and their subsequent comparison (Haynes, 2014). Often, objects for the comparative analysis involve groups of countries established after the cluster analysis. For example, Brázová (2021) used cluster analysis and answered whether CEE countries are similar to the rest of Europe regarding official involvement of different stakeholders in the national civil security governance systems (Brázová, 2021). Mejlgaard et al. (2019) developed a map of the European Responsible Research and Innovation landscape with the help of cluster analysis (Mejlgaard et al., 2019). Zimmermannová and Skaličková (2019) found groups of countries with the same fiscal impact of economic instruments on public budget revenues among the EU-28 (Zimmermannová & Skaličková, 2019). Pirvu et al.

(2021) observed how different organisational and functional models of tax administration in the European Union can determine performances (Pirvu et al., 2021). Cluster analysis also helped Androniceanu et al. (2022) study the impact of digitalization on public administration, economic development, and well-being in Europe (Androniceanu et al., 2022). Ademmer (2018) revealed two clusters of CEE countries, which are associated with different Varieties of Capitalism and privilege certain explanatory factors for (non-) compliance over others (Ademmer, 2018).

Figure 1:
Conceptual research model including the system of parental leave flexibility elements and its interrelation with other social policies



Source: authors' own, 2023

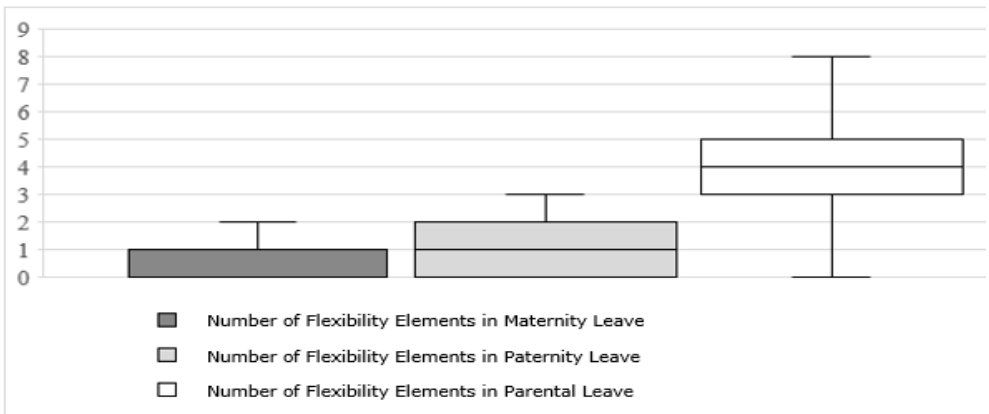
As is seen, cluster analysis is extensively used for differentiating European countries; however, there have yet to be any attempts to cluster these countries by parental leave policy parameters. Therefore, we intend to close this gap.

To avoid including mutually correlated variables in the cluster analysis, we evaluated whether they were collinear before the analysis using the correlation analysis based on Spearman’s rank correlation coefficient. After that, we standardized the variables selected for the cluster analysis using the z-score. For the cluster analysis, we used a hierarchical method (the Squared Euclidean distance and Ward’s method) and k-means while ensuring that the clusters found are stable. To decide on the number of clusters, we analyzed a dendrogram and the agglomeration schedule and took into consideration the cluster size. The significance of differences in cluster centroids and other variables not included in the cluster analysis was checked with the non-parametric criterion, the Kruskal-Wallis Test. The analysis was carried out in IBM SPSS Statistics 23.0.

4. Results

Answering the first research question, we primarily evaluated the differentiation of leave policy flexibility in Europe for all types of leave (Figure 2). The most pronounced differences are revealed in the case of parental leave parameters; maternity leave is less differentiated. Paternity leave, with its limited representation in the parental leave system, also shows lower variability among all types of leave. Finally, a lack of outliers in indicator values proves the possibility of using cluster analysis and identifying groups of countries that differ significantly by the number of flexibility elements in parental leave policy.

Figure 2:
Boxplot on the number of flexibility elements in three types of leave



Source: authors’ own, 2023

Table 1 presents the results of the correlation analysis, which was performed to ensure that variables of the leave policy flexible elements' number are not collinear. Furthermore, it proves that these variables are not mutually correlated and can be included in the cluster analysis.

Table 1:
Correlations

		Number of flexibility elements in maternity leave	Number of flexibility elements in paternity leave	Number of flexibility elements in parental leave
Number of flexibility elements in maternity leave	Correlation Coefficient	1	-0.284	0.019
	Sig. (2-tailed)		0.115	0.917
Number of flexibility elements in paternity leave	Correlation Coefficient	-0.284	1.000	.127
	Sig. (2-tailed)	0.115		0.488
Number of flexibility elements in parental leave	Correlation Coefficient	0.019	0.127	1.000
	Sig. (2-tailed)	0.917	0.488	.

Source: authors' own, 2023

We established three groups (clusters) of European countries shaped by parental leave policy characteristics; they are presented in Table 2. Countries from Cluster 1 have the most flexible maternity leave policy (the maximum median and mode compared to other clusters) and the least developed paternity leave system (the minimum median and mode compared to other clusters). Countries from Cluster 2, on the contrary, do not implement any flexibility elements in the maternity leave policy (null values of the median, maximum, and minimum); at the same time, these countries pursue a flexible paternity leave policy (the median value compared to other clusters). Therefore, a flexible policy for one type of leave is negated by a non-flexible (or less flexible) policy for another type of leave.

Table 2:
Descriptive statistics by clusters

Statistical Indicator	Cluster 1	Cluster 2	Cluster 3
Number of countries	16	10	6
Countries included in the cluster	Bulgaria Serbia United Kingdom Greece Lithuania Luxembourg Austria Croatia Cyprus Czech Republic France Latvia Slovak Republic Germany Netherlands Poland	Ireland Switzerland Iceland Portugal Malta Denmark Estonia Finland Hungary Romania	Belgium Italy Norway Slovenia Spain Sweden
Number of flexibility elements in maternity leave			
- mean	1.250	0.000	0.667
- standard deviation	0.447	0.000	0.817
- median	1.000	0.000	0.500
- mode	1.000	0.000	0.000
- minimum	1.000	0.000	0.000
- maximum	2.000	0.000	2.000
Number of flexibility elements in paternity leave			
- mean	0.563	1.500	2.333
- standard deviation	0.629	0.850	0.516
- median	0.500	1.500	2.000
- mode	0.000	-	2.000
- minimum	0.000	.000	2.000
- maximum	2.000	3.000	3.000
Number of flexibility elements in parental leave			
- mean	3.500	3.100	5.500
- standard deviation	1.826	1.450	1.300
- median	4.000	3.500	5.500
- mode	-	4.000	-
- minimum	0.000	0.000	3.000
- maximum	7.000	5.000	8.000

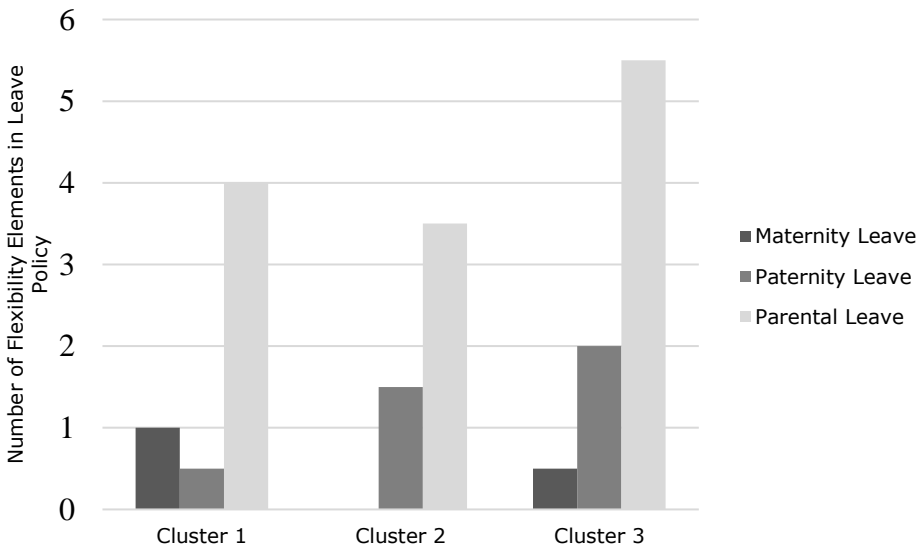
Source: authors' own, 2023

The most significant number of flexibility elements was identified in Cluster 3, which is the smallest one. In this cluster, the most flexible policies turned out to be in two types of leave, parental (the maximum median, minimum, and maximum values among all clusters) and paternity (the maximum median, mode, and minimum values among all clusters). The evaluation of the statistical significance of differences between clusters made through the Kruskal-Wallis Test shows that all indicators included in

the cluster analysis effectively differentiate European countries by parental leave system flexibility parameters.

Figure 3 visualizes the characteristics of parental leave policies found in the clusters of European countries; additionally, the Figure shows that the most variable type of leave by clusters of countries is parental leave, followed by paternity leave, with the least variable being maternity leave.

Figure 3:
Clusters' differences in parental leave policy flexibility



Source: authors' own, 2023

To characterize parental leave policies in the clusters of European countries identified in more detail, we calculated statistical criteria for one more policy parameter, namely different indicators of the leave duration. However, they proved significant (Table 3); thus, the differentiation of European countries is carried out only by the parental leave flexibility parameter and cannot be observed by its duration. There may be some objective reasons for that, as international and European legislation establishes the minimum leave duration. For example, according to the ILO Maternity Protection Convention (No. 183), the minimum maternity leave period is 14 weeks. Similar requirements were proposed by the European Council in 2010.

Table 3:

Evaluation of the significance of statistical differences between clusters by variables characterizing leave duration: Kruskal-Wallis Test

Variables	Maternity Leave			Paternity Leave			Parental Leave		
	Chi-Square	df	Asymp. Sig.	Chi-Square	df	Asymp. Sig.	Chi-Square	df	Asymp. Sig.
Total duration of leave	1.841	2	0.398	2.372	2	0.305	0.432	2	0.806
Duration of paid leave	1.902	2	0.386	2.334	2	0.311	0.314	2	0.855
Share of paid leave in the total duration of leave	3.721	2	0.156	1.689	2	0.430	0.764	2	0.682
Duration of Well-paid Leave	1.360	2	0.506	2.051	2	0.359	1.961	2	0.375
Share of well-paid leave in the total duration of paid leave	4.865	2	0.088	1.368	2	0.505	3.330	2	0.189
Share of well-paid leave in the total duration of leave	4.865	2	0.088	1.368	2	0.505	3.036	2	0.219

Source: authors' own, 2023

Answering the first research question, we argue that the composition of clusters of countries established by the parental leave policy flexibility shows a lack of regional homogeneity inside them; each cluster has countries from every European region (Table 4); however, these regions are represented in clusters in different proportions. For example, CEE countries appear more frequently in Cluster 1, much less so in Cluster 2, with only one country in Cluster 3. The representation of CEE countries in all three clusters testifies to quite a broad range of parental leave policies in contrast, the modality of Cluster 1 for CEE countries proves that the policy is disposed to one of its types.

Table 4:
Composition of clusters by European regions

	Cluster 1	Cluster 2	Cluster 3	Total
CEE countries	66.7	22.2	11.1	100
Northern European countries	25.0	50.0	25.0	100
Western European countries	66.7	22.2	11.1	100
Southern European countries	33.3	33.3	33.3	100

Source: authors' own, 2023

To answer the second research question, we attempted to determine relationships between the clusters studied and the possible effects from parental leave policies, namely demographic, employment-related, and gender. We found that among the clusters of European countries there are no statistically significant differences by unemployment variables (including women's unemployment) and birth rates; however, the analysis revealed significant differences in the Gender Inequality Index (Table 5).

Table 5:
Evaluation of the significance of statistical differences between clusters by variables characterizing women's employment and unemployment: Kruskal-Wallis Test

Variables	Evaluation of differences between clusters based on Kruskal-Wallis Test		
	Chi-Square	df	Asymp. Sig.
Unemployment Rate**	1.496	2	0.473
Women's Unemployment Rate*	1.734	2	0.420
Total Fertility Rate**	.491	2	0.782
Gender Inequality Index*	8.100	2	0.017

* 2020 data

** 2021 data

Source: authors' own, 2023

While comparing the mean and median values of the Gender Inequality Index in the clusters determined, we found that countries from Cluster 3, which pursue the most flexible parental leave policies, show the lowest level of gender inequality (Figure 4).

Figure 4:
Gender Inequality Index by clusters of European countries



Source: authors' own, 2023

5. Discussions

The clusterization of countries by leave policy allowed us to shed light on a number of critical issues.

Firstly, there is a disbalance between the flexibility of one type of leave and the non-flexibility of the other, which is relevant for countries from Cluster 1 and 2. However, importantly, these are two almost diametrically opposite cases. This discrepancy may be due to the more traditional nature of the state policy and social attitudes, which attribute a crucial role in the child-rearing process to the mother, not the father. For example, women in Greece often work part-time as they have to take care of children and run a household (Anastasiou et al., 2015). In the Czech Republic, a parental leave policy reform concentrated on the mother as the major caregiver during the first four years of the child's life, which incentivized many women to choose parental leave over work (Bičáková & Kalíšková, 2019).

Countries from Cluster 2, on the contrary, do not introduce any flexibility in maternity leave, but at the same time, their paternity leave policies are relatively flexible. This phenomenon may stem from the state policy, which focuses on involving men in parental leave. Tamm (2019) argues that this approach encourages women to return to work faster by reducing the leave period because of the more active father's involvement; this, in turn, has a positive influence on the labor market and economic

development (Tamm, 2019).

Secondly, the more considerable number of flexibility elements in parental leave policies of countries from Cluster 3 may result from the most family-oriented social policy of these countries. These countries direct a considerable amount of money into the social welfare of families with children, which contributes to reducing the poverty level and preserving the sustainability of the institute of family and marriage (Reynolds & Avendano, 2018). In addition, a well-developed family-friendly policy opens new opportunities for balancing professional and family activities, for example, shorter working hours (Cieplinski et al., 2021). Such a policy not only helps to settle the family-work conflict, but also encourages workers to fulfill their family responsibilities. For example, in Sweden, women prefer jobs which allow them to spend more time with their families and children (Albrecht et al., 2003). Finally, parental leave payments compensate for motherhood penalties arising from the child-rearing. Therefore, both parents find themselves in more equal conditions, as fathers usually do not bear any costs often associated with mothers (Mariskind, 2017).

Thirdly, our answer to the first research question shows that the geographical principle is not the strongest in the differentiation of parental leave policies by elements of their flexibility. To prove it, we revealed that, for example, groups of CEE and Western European countries have relatively similar statistical indicators calculated by the number of flexibility elements in different types of leave. The development of policy in general and each type of leave, in particular, is probably influenced by a wide variety of factors, for instance, which aims policies related to parental leave pursue; the level of indicators that rate their effectiveness; reproductive and gender intentions in society; political factors, and others.

The distribution of Central and Eastern Europe countries in clusters is of particular interest. Mostly, these countries appear in Cluster 1; it may be due to a unique historical course of post-soviet countries, which contributed to more conservative gender and family perspective in these territories. Some studies demonstrate that in such countries, the central role in child-rearing is still attributed to women, not men (Dohotariu, 2015; Rat & Szikra, 2018; Szikra & Szelewa, 2010). The consistency and succession of these views in the countries from Cluster 1 may predetermine the focus on improving maternity leave policies while overlooking (compared to other groups of European countries) paternity leave ones.

Commenting on the results obtained for the second research question, we argue that a lack of statistically significant differences in the unemployment rate among women in the countries of all three clusters may be due to several reasons. Firstly, as clustering variables, we chose several flexibility elements in the structure of every type of leave; however, flexibility elements per se are not intended to ensure the rights of employees with children. This goal is attributed to parental leave as a whole. In other words, what secures the employee's job while they are absent for child-rearing is the fact of having legally stipulated parental leave in the country rather than the number

of flexibility elements in it (Currie, 2016). Secondly, we examined the level of women's employment in European countries in general, while different age groups may demonstrate different values (Fukai et al., 2023). With that in mind, we see room for a more in-depth analysis of the relationship between parental leave policy and the level of women's employment in our future research. Thirdly, a lack of statistically significant differences in the women's unemployment rate between clusters may stem from the low variation coefficient of this indicator (9.7 %) (Albrecher et al., 2010). Possibly, to study the relationship between these indicators, more countries need to be observed.

Even though the calculation of the GII does not consider parental leave policy, Cluster 3, with the most flexible paternity and parental leave policies, proved to have the highest level of gender inequality. Therefore, there may be a specific relationship between the level of parental leave development and gender inequality. State policies of countries from Cluster 3 aim to address gender inequality by increasing access to education, enabling participation in the government and through vigorous parental leave policy (Kotsadam & Finseraas, 2011). A comprehensive approach to addressing gender inequality taken by Cluster 3 countries also involves flexibility in parental leave policy. For example, Sweden claims that the development of the parental leave policy is one of the mechanisms to ensure gender equality (Ekberg et al., 2013).

Given that parental leave policy is an inseparable part of social policy, the characteristics of the clusters identified may be somewhat similar to types of welfare states suggested by Esping-Andersen (Esping-Andersen, 1990). Characteristics of the countries from Cluster 1 are similar to those of conservative countries with traditional family values and active family support measures. Cluster 2 countries may be classified as liberal because their policies aim to encourage citizens to resume working while providing few flexibility elements. Cluster 3 countries, which advocate for gender equality and job security, are identical to countries of the socio-democratic type (Esping-Andersen, 1990). However, this classification is rather conventional as we only rely on the analysis of parental leave policy flexibility.

Differences between clusters identified may be, to some extent, explained through the public values theory. State policies in countries from Cluster 1 are oriented at supporting more traditional values. Most likely, the idea of a woman as a key actor in the childcare is shared most strongly in those countries. However, countries' policies from Cluster 3 embrace more progressive values; they are dominated by the idea of gender equality and the prioritization of professional and creative self-actualization not only among men but also among women.

Generally, the correlation between flexibility elements in the leave structure and gender equality indicators shows the practical relevance of the study. By reforming parental leave design (i.e., by introducing new flexibility elements), countries may change their position moving from one cluster to another, which, in turn, will help forecast the level of gender equality or other socio-economic indicators in the sphere

of family state policy. At the same time, it is essential to consider that higher flexibility of parental leave policy most certainly improves only gender equality. In contrast, a hypothetical influence of flexibility elements on other social policy directions is still open to discussion and requires more in-depth studies.

6. Conclusion

Our results give insight into the differentiation of parental leave policies in Europe. The smallest, Cluster 3, implements the most flexible parental and paternity leave policies. The largest, Cluster 1, pursues the most flexible maternity leave policy. CEE countries are more often included in Cluster 1, much less often in Cluster 2, while only one country appears in Cluster 3. Moreover, the representation of CEE countries in all three clusters testifies to quite a wide range of parental leave policies. In contrast, the modality of Cluster 1 for CEE countries proves that the policy is apparently disposed to one of its types.

Although parental leave policy and other social policies (demographic, employment, and gender equality policy) generally have the same goals, we found statistically significant differences between the clusters identified only by the indicator of gender equality policy. On the other hand, we did not find any differences in the indicators of employment and demographic policies. On the one hand, this could mean that parental leave and gender equality policies mutually complement and enhance each other, whereas their results overlap. Therefore, the regulation of the parental leave system may be viewed by European countries' governments as a valid instrument for overcoming gender inequality and for the more proactive engagement of men into household labor (including child-rearing). On the other hand, our results demonstrate a lack of the direct relationship between the number of flexibility elements in the parental leave system and two essential socio-economic indicators, namely the birth rate and the level of women's employment.

The scientific relevance of the study lies in the comparative analysis of parental leave policies in Europe based on cluster analysis, and secondly, in revealing the interrelationship between flexibility elements in the structure of parental leave and other directions of state social policy. Thirdly, it expands the public values theory by demonstrating differences in parental leave policies, which can be based on social values shared in different European countries. Finally, we established three clusters of European countries by the level of parental leave flexibility; these clusters do not comply with geographical European regions, and we concluded that these clusters did not differ by gender policy results.

Our results may have a particular influence on public administration. For example, we presented different models of parental leave policies by their flexibility. At the same time, balancing the number of flexibility elements in the leave structure is

a crucial instrument of parental leave policy. Governments' initiatives intended to regulate the level of leave flexibility (increasing or decreasing the number of flexibility elements or other transformations) may lead to changes in the position of a certain leave system (e.g., from one cluster to another). Based on the cluster analysis, the modeling permits predicting the position of the parental leave system of a certain country in the event of reform.

Indeed, we argue that the fact that we did not determine a similar direct relationship between parental leave policy parameters and other policies' results does not deny a connection between them; it only indicates that there is a need to search for other indirect, latent relationships, which is one of our future research directions. Alternatively, further research may aim to compare parental leave policies implemented in the private and public economic sectors.

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Policy Advisory Systems in Times of Crisis: A Case Study of Slovak Advisory Committees during Covid-19

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Abstract:

This paper aims to fill a gap in the understanding of policy advisory systems (PAS) during the Covid-19 crisis. As governments rely on PAS in uncertain times of crisis, the state of PAS directly impacts the quality of policymaking. This paper studies the changes within Slovak Advisory committees (AC) at the executive level concerning the changes of government during the Covid-19 pandemic. Slovakia had relatively good results in the first wave of the pandemic but did not utilize any of that experience in the second wave, where deadly infection and death rates were higher. The case of Slovak ACs demonstrates a shift towards a more politicized PAS – the new committees, established by the prime minister, were meeting at the expense of already functioning committees at the beginning of the crisis, and their expertise was more political in character.

Keywords:

central and eastern Europe, Covid-19, crisis management, policy advice, policy advisory systems, politico-administrative relations

1. Introduction

Our society is experiencing turbulent times of various crises – since 2020, the Covid-19 crisis in Europe tested the ability of governments to provide timely and adequate

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reactions. Followed by the war in Ukraine and the subsequent energy crisis, our governments are still being tested. In times of significant crisis, governments utilize policy advisory systems (PAS) to obtain good policy advice. Advisory committees (AC) are significant PAS actors in this process (OECD, 2017). During Covid-19 ACs were partially addressed by the academic community, mainly focusing on scientific medical AC (e.g., Hodges et al., 2022; Donadelli and Gregory, 2022).

This paper aims to explore changes in PAS during the Covid-19 pandemic, specifically in the case of Slovak ACs, which are part of internal PAS at the executive level. Slovakia was one of the leaders in the fight against Covid-19 during the first wave, considering both mortality and infection rates; however, this experience was not utilized during the second wave, where relaxed measures continued for a long time and a pandemic outbreak occurred (Nemec et al., 2020). Three dimensions of AC will be addressed: the formal definition of their powers, the frequency of their meetings and the expertise of selected AC – The Central Crisis Committee (CCC).

Christensen and Lægreid (2022) provide evidence of governments asserting control over policy advice during the Covid-19 pandemic. Buštková and Baboš (2020) see a politicization attempt in the form of the political decision to set new bodies into the pre-existing pandemic AC system. This article aims to expand on the politicization argument by examining the composition of the most active ACs from the pre-existing ones, focusing on turnover and partisanship rates as politicization indicators. As Slovakia went through two government changes, this is addressed as an important explanatory factor. This paper aims for an empirical contribution, covering the Slovak internal PAS at the executive level during the Covid-19 crisis.

The research questions are as follows: What changes occurred within the AC during the first two waves of the Covid-19 pandemic? More concretely, What were the roles of the advisory committees during the first two waves of the Covid-19 pandemic? What was the frequency of the AC meetings during the first two waves of the Covid-19 pandemic? What were the changes in the expertise of the Central Crisis Committee during the first two waves of the Covid-19 pandemic?

This paper is organized into five parts. First, the literature review presents a brief reflection on the PAS literature and the importance of PAS during the Covid-19 crisis. The second part consists of the context of Slovak internal PAS at the executive level. The third part is the methodology and conceptualization of the study. The fourth part is a description of the findings, and in the discussion, the perspectives on the roles, activities and expertise of the advisory and coordination committees are presented.

2. Policy Advisory System (PAS)

Policymakers rely on policy advice from various actors and sources, ranging from individual actors to multiple interlocking sets of policy advice in specific jurisdictions

– PAS (Hustedt and Veit, 2017; Craft and Howlett, 2013; Manwaring, 2017). PAS can be explained through a market-like scheme involving providing policy advice (supply), where the demand is on the side of the decision-makers and various brokers who match supply with demand (Craft and Halligan, 2015). The supply part includes policy advice actors, ranging from professional public service and ministerial advisors to NGOs, think tanks, and various advisory committees and departments (Craft and Howlett, 2012).

The PAS theory aims to explain the influence and impact of various PAS actors on policymaking, manifested in several conceptual models, each giving importance to different factors. The earliest location-based models see factors as the proximity to the decision-makers and their internal/external position as the primary determinant of PAS actors' influence on policymaking (Halligan, 1995; Howlett, 2011; Craft and Howlett, 2012; Craft, 2013). These models lack an understanding on what is the content of provided advice. Later content-based models fill this gap, distinguishing between substantive/procedural or short-term/long-term content (Craft and Halligan, 2015; Craft and Howlett, 2012). This led to describing different types of PAS actors with different areas of their powers (Craft and Howlett, 2012).

Another approach focuses on PAS dynamics - how policy-advice actors, their relationships and the environment in which they are, change over time (Craft and Halligan, 2015). Two main dynamics have emerged most prominently, namely externalization (Veselý, 2017; Hustedt and Veit, 2017; Hustedt, 2019; van den Berg, 2017) and politicization (Veselý, 2017; Hustedt and Veit, 2017; Hustedt, 2019; van den Berg, 2017). Externalization is a shift of PAS from being dominantly located within public administration to a more diverse setting (Craft and Halligan, 2015; Veselý, 2017; Hustedt, 2019).

In the study of PAS, an understanding of politicization builds on the traditional definition of politicization in public administration. It is seen as a change of meritocratic criteria for politics in public administration (Peters and Pierre, 2004). It can take the form of direct politicization - an attempt to have political loyalists occupying career positions (Peters, 2013). This understanding is grasped in the study of the politicization of internal PAS (Craft and Howlett, 2013; Hustedt, 2019). On the study of politicization of a specific part of PAS, Ministerial Advisors, Staroňová and Rybář (2023) further distinguish between formal political appointments – the legal and legitimate recruitment of political staff and appointments into bureaucracy – the ability of politicians to reshape the composition of the civil service. Politicization within the CEE is also influenced by the role of informal institutions (Gajduscsek and Staroňová, 2021).

Alternatively, in the study of PAS, politicization can be seen as a shift in the sources of policy (Craft and Howlett, 2013). Externalization and politicization are two separate dynamics but can be related, and politicization can lead to externalization, as political preference can lead to contracting external advisors (Veselý et al., 2015) or

conversely to the establishment of internal advisory units, immune to political influence (Sedlačko and Staroňová, 2018).

A specific part of PAS is ACs. ACs can be established in various structures and forms. By their duration, and the life span of the ACs, they can function as permanent or ad-hoc bodies (OECD, 2017). Permanent ACs are more stable and reliable and usually provide long-term expertise, while ad-hoc ACs are used for rapid advice on specific problems (OECD, 2017). ACs can also function as a means of policy coordination (Peters, 2015). Policy coordination done by ACs can either have the form of broad advisory committees where departments, bureaus, and other organizations represent their interest in policy creation (Peters, 2018), or they can have the form of Cabinet committees, which serve for coordinating ministers (Hustedt and Tiessen, 2006; Peters, 2018). Another set of powers of ACs is oversight, and ACs are a viable platform for oversight and coordination without formal interventions, as government officials are often present (Peters, 2015).

3. PAS during times of crisis

During the Covid-19 crisis, scholars focused on explaining various anti-pandemic policy outcomes. Comfort (2007) describes four decision-making components: cognition – the capacity to recognize the degree of the emerging risk; communication – the process that links sender and receiver; coordination – the degree to which organizations align their resources, and control – the capacity to respond to external threats and maintain regular operations. Comfort et al. (2020) used this crisis decision-making framework to explain different policy outcomes in various countries and that cognition needs to be supported by technical capacities, frameworks for communication and coordination and monitoring capacity to respond to have a good policy response. Capano et al. (2020) argue that preparedness and previous experience with a similar pandemic determine the quality of the anti-pandemic response.

In the case of the Covid-19 pandemic, several issues were specific to PAS in the pandemic context. First, the character of the Covid-19 crisis was uncertain, creating the space for political and official responses to expert advice compared to crises with known causes and outcomes (Capano et al., 2020). Issues such as the multiplication of task forces or inter-institutional conflicts (Capano, 2020), the creation of informal structures and politicization of expertise (Buštková and Baboš, 2020), and attempts to undermine expertise (Buštková and Baboš, 2020; Donadelli and Gregory, 2022) all jeopardize the proper function of PAS and the role of experts in providing policy advice. In decision-making, experts have different incentives than elected and appointed politicians where they are more likely to make decisions based on evidence-based knowledge and seek the correct response (Baekkeskov, 2016) and do not need to make political trade-offs (Christensen and Læg Reid., 2022).

Key actors within PAS during the Covid-19 pandemic were a specific set of ACs, namely the scientific medical boards (Hodges et al., 2022; Donadelli and Gregory, 2022). Initially, these held a dominant role within the PAS, but this was diminished with time as political incentives changed and shifted more toward the socioeconomic factors of the crisis (Hodges et al., 2022). As scientific advice and the political incentive gap grows over time, politicians can either embrace or undermine scientific advice (Donadelli and Gregory, 2022). Christensen and Læg Reid (2022) further observed the trend of centralizing decision-making in the hands of the central government - it is policy-making informed by experts but not conducted by experts.

4. Covid-19, the response of the Slovak government

Based on Capano et al.'s classification (2020), the case of Slovakia can be classified as inexperienced and unprepared for the Covid-19 pandemic (Klimovský et al., 2021). However, it had relatively good results in fighting the pandemic during the first wave of the crisis but did not utilize this experience in the second wave (Nemec et al., 2020). The first wave, which occurred in the spring and early summer of 2020, had very few casualties: only 35 cases of infection per 100,000 inhabitants were registered, and there were 28 deaths (Gręndzińska et al., 2022). The second wave started in the late summer of 2020. It lasted until early summer 2021, when the numbers were so critical in Slovakia that the country was evaluated as the worst performer from an international perspective, together with Czech Republic (Gręndzińska et al., 2022). The Slovak government declared a state of emergency for both waves, lasting from March 16, 2020 through July 13, 2020 and October 1, 2020 through May 14, 2021.

Slovakia adopted restrictions early on, which later proved crucial for handling the Covid-19 pandemic, such as border surveillance, restricted entry to the country and free movement and mandatory quarantine (Nemec and Špaček, 2020). However, after loosening the policies by the end of the first wave, the Slovak government continued to function in the relaxed regime from early summer to autumn, even though cases were growing from the middle of July. At the wave's peak, the daily infection and death numbers were greater than for the whole of the first wave (Nemec et al, 2020).

Several factors are related to the government's efficiency in Slovakia, which might have affected the (in)sufficient Covid-19 response of the governments in power. The factors are limited administrative capacities (Nemec et al., 2020), vague communication with the public or rapid adaptation of the decision-makers (Hințea et al., 2020; Bušítková and Baboš, 2020), politicians undermining the experts (Bušítková and Baboš, 2020) where the political incentives to implement measures outweighed caring for public health (Baboš, 2023). The lack of coordination from the central government and problematic top-down communication, which was even more hamstrung by the limited collaboration capacity of the prime minister (Gręndzińska

et al., 2022), led to much confusion at the subnational level (Jüptner and Klimovský, 2022). On the other hand, it also led to the emergence of bottom-up initiatives, where anti-pandemic policies from the local level often inspired the central government (Jüptner and Klimovský, 2022).

Alternatively, the success in the first wave can be partially linked also to the change of government that happened during the outbreak of the Covid-19 pandemic, as Peter Pellegrini, the former prime minister, had no motivation to avoid the second wave of the Covid-19 pandemic, during which the prime minister and minister of finance switched places as a result of a coalition crisis (Nemec 2020).

It has been outlined that the failure of policy response might have been of a political character (Hințea et al., 2020) and that politicians and experts clashed during the pandemic (Klimovský et al., 2021; Donadelli and Gregory, 2022) and that policy advice was politicized (Buštíková and Baboš, 2020). The impact of politicization as a counter to technocracy in decision-making is seen as a variable impacting on policy outcomes (Christensen et al., 2022). Slovakia is a country with a high level of politicization in public service and a high level of turnover (Staroňová and Rybář, 2021). This paper analyses how politicization translates into advisory committees (ACs) during the Covid-19 pandemic.

Before the Covid-19 pandemic, PAS in Slovakia was only partially addressed. From the executive actors, ministerial advisors were examined by Krajňák et al., (2020), where their profiles and career paths were explored, and Staroňová and Rybář (2023) examined their role in the context of a politicization setting. From the bureaucratic actors, analytical centers were examined by Sedlačko and Staroňová (2018). The case proves that even in a highly politicized public administration culture, new ministerial advisory bodies can emerge based on the principles of transparency, professional merit, voluntarism, and institutional autonomy (Sedlačko and Staroňová, 2018). Internal Slovak PAS is not limited to these actors, and there is a lack of examination of the other actors, including the ACs. Furthermore, the Slovak PAS actors have yet to be examined during times of crisis.

5. Methodology

This paper explores changes in PAS within crisis-time ACs in relation to changes of government. Changes in the ACs are seen in three dimensions – changes in the formal definition of AC roles, changes in the frequency of AC meetings and changes in AC expertise. As the government's trust in ACs is heavily linked to their stability (OECD, 2017), significant changes might impact policy advice and the decision-making of governments during times of crisis.

The selected case study is Slovak ACs during the Covid-19 pandemic, specifically its first two waves. These ACs are part of internal PAS at the executive level. ACs that passed three predefined criteria were selected. ACs serve the government, the prime

minister or the deputy prime minister. ACs have powers related to crisis management, or their work can be affected during a crisis. ACs have either advisory, oversight or coordinating powers. The above points narrowed our scope to 8 advisory bodies. Namely, the Legislation Committee, 'LC'; the Economic and Social Committee, 'ESC'; the Security Committee, 'SC'; the Central Crisis Committee, 'CCC'; and the Permanent Crisis Committee, 'PCC'; in the Government Office, the Pandemic Committee, 'PC'; in the Ministry of Healthcare, the Economic Crisis Committee, 'ECC'; in the Ministry of Finance, the Consortium of Experts, 'CE'.

To map the changes within ACs, their roles are viewed in two dimensions- their powers and duration. The second sub-question looks at the frequency of AC meetings and indicates the supply of policy advice during the waves of the crisis. The basic logic of locational approaches in the study of PAS associates the location of ACs with their influence on government (Halligan, 1995). It can be expected that from the ACs close to the decision-makers, the most influential are those who have met frequently. This is studied by measuring the number of their active meetings, which is displayed as an average number of monthly meetings. Finally, changes in frequency of AC meetings help to understand who produced policy advice.

Particular focus is given to the CCC for the following reasons. First, within PAS, politicization can be seen as the direct politicization of internal bodies or as a shift of policy advice sources, (Craft and Howlett, 2013). Bušíková and Baboš (2020) provide an argument that the establishment of new bodies in the pre-existing system is a case of politicization. For the complete picture, direct politicization attempts need to be examined, where the CCC is a good example, as it is the most active of the pre-existing ACs. Another reason to pay special attention to the CCC is its unique position, where it serves not only as an advisory and coordinating body but also coordination with sub-national levels of the government (Jüptner and Klimovský, 2022).

The expertise is operationalized as the CCC members' educational field, employment and political affiliation. As different AC members can act differently in decision-making based on their incentives (Baekkeskov, 2016), understanding the changes in CCC's expertise can help explain differences in Covid-19 policy making.

The observed period is January 2020 through June 30, 2021. During the studied period, the Slovak government declared a state of emergency for the first² and second waves³ of the Covid-19 crisis. During the first state of emergency, Slovakia went through a complete change of government when the opposition parties entered government. During the second state of emergency, a government crisis led a new government with the same cabinet members, with only the former prime minister and minister of finance switching offices. As Slovakia has a high turnover level in the Civil Service (Staroňová and Rybář, 2021), this is an important contextual factor and the

2 from March 16, 2020 through July 13, 2020

3 from October 1 2020 through May 14 2021

findings are compared not only between waves but also regarding the changes in the cabinet.

An original data set was created for this study. ACs' powers and duration are studied through text analysis of formal documents. There are ten publicly available documents regulating the powers of AC; two more were obtained with requests for freedom of information acts 'FOIA' sent to the government office and ministries. No document regulating their powers was obtained for one of the committees. Publicly available documents were obtained covering February 1 through February 10, 2022. FOIA requests were sent on February 23, 2022. These documents were coded, where one set of codes focused on their duration (either ad hoc or permanent) and another on their powers (advisory, coordinating and oversight).

Information on committee meetings was retrieved primarily from government portals, as are ministries' official web pages or the Open Government portal. From the Open Government portal, the meetings' minutes were retrieved from the LC, ESC, and SC. The minutes of the PC meetings were retrieved from the official website of the Ministry of Healthcare. Government portals' data were retrieved covering March 1 through March 10, 2022.

Expertise is examined by biographical research. A FOIA request was sent to 24 CCC member institutions.⁴ The names of the organization's representatives with their alternatives, their presence at the CCC meetings, and their CVs were requested from the organizations. The list of representatives was also requested from the CCC Secretariat. In case of a mismatch, all provided names were included. A secondary search on Internet sources, including official government portals and social media, such as LinkedIn, was conducted in case of any missing information. The FOIA requests were sent in two waves, the first on April 19, 2021, and second on October 27, 2021.

The publicly available information from online sources was collected from April 20 through April 30, October 27 through November 7, 2021, and from March 1 through March 10, 2022. A list of 85 organization representatives active in CCC during the studied period was compiled. The CVs were fully obtained from ten organizations, four organizations partially provided CVs and eight provided no information in this area. After a secondary online search, information about 25 representatives was supplemented. We also gathered lists of names and information regarding education, current position and partisanship.

Profiles of the experts were created for the respective dates of the beginning of the first wave on March 16, 2020, the first change of government on March 12, 2020, the beginning of the second wave on October 1, 2020, and the second change of government on the April 1, 2021. Political affiliation was measured as the turnover and partisanship rates.

4 with the exception of the Slovak Red Cross, which is not a public institution

6. Findings

a) Formal roles of advisory committees during the first two waves of the Covid-19 pandemic

All ACs have formally defined roles. However, this formal definition does not require committees to perform certain functions. For example, the CCC is formally named only as a coordination body, while the PCC is based on its role as an advisory, coordination, and consultation body. Based on their statutes, there is no significant difference in the composition of their powers.

Table 1:
Formal roles, powers and duration of advisory committees

Committee	Formal name of the role	Advisory powers	Coordination powers	Oversight powers	Duration
Legislation Committee	advisory and coordination	yes	yes	no	permanent
Economics and Social Committee	consultation and conciliation	yes	no	no	permanent
Security Committee	advisory, coordination and initiation	yes	yes	no	permanent
Central Crisis Committee	coordination	yes	yes	no	ad hoc (temporary)
Permanent Crisis Committee	advisory, coordination and consultation	yes	yes	no	ad hoc (temporary)
Pandemic Committee	advisory, coordination and expert	yes	yes	no	permanent
Economic Crisis Committee	advisory	yes	no	no	ad hoc (temporary)
Consortium of Experts⁵	NA	NA	NA	NA	NA

Source: authors' own based on publicly available and retrieved documents, 2023

⁵ There was no retrievable legal document that defined the Consortium of Experts

All of the selected ACs have advisory powers. The LC, ESC, SC, CCC, and PC are advisory committees to the government. At the same time, the PCC is the advisory committee to the prime minister, and PC is the advisory committee to the deputy prime minister and minister of finance. The committees differ in who is administratively and technically ensuring their meetings, but that does not affect to whom they provide policy advice. The ECC is administered by the Government Office but provides policy advice to the minister of finance. The PC is administered by the Ministry of Healthcare and the CCC by the Ministry of Interior, and they both provide government policy advice. The ESC, PC, CCC, PCC, and ECC have the option to invite experts that are not members of the committees to provide advice on specific issues.

As shown in Table 1, the LC, SC, CCC, PCC and PC have coordinating powers. The LC, CCC, PCC and PC are broad advisory committees that guide policy advice and development in their respective areas. The CCC and PC also include ministers and representatives of other institutions. The SC is a Cabinet committee that serves as ministerial coordination in times of crisis. The ESC and the ECC do not have coordinating powers, and none of the ACs have defined oversight powers.

The LC, ESC, SC and PC are permanent ACs, with a benchmark of a minimal number of meetings per year, providing more long-term expertise in their respective areas. All the crisis committees, namely the CCC, PCC and ECC, were established as ad hoc bodies to gain specific advice in handling the Covid-19 pandemic. This does not mean that the predominantly Covid-19 agenda did not occupy the other ACs, but they do have a role to fulfill even outside of times of crisis.

b) Frequency of meetings of AC during the first two waves of Covid-19 pandemic

The following sub-chapter describes the findings on the frequency of AC meetings. Table 2 presents the average number of monthly meetings, divided by the periods of each respective state of emergency and normal states. No public information was available on the CCC, PCC, ECC, and CE meetings. For these cases, FOIA requests were sent asking for the number of meetings, the attendance list, and the minutes of the meetings. The EEC sent a complete list of meetings together with an attendance list. The CCC secretariat provided a list of their meetings with no attendance list. In the case of the PCC, the information was that policy advice was provided ad hoc. No information was recovered regarding the CE.

Table 2:

Meetings of advisory committees (meetings per month)

	Pre-Covid 19	1st state of emergency	Between the waves	2nd state of emergency	Post -2nd wave	State of emergency total	Regular state total	Total
LC	0.81	0.00	1.94	1.73	3.91	1.24	1.97	1.55
ESC	0.00	0.34	0.28	0.40	1.96	0.38	0.53	0.44
SC	0.00	0.00	0.56	0.80	0.00	0.57	0.26	0.44
CCC	1.22	4.04	1.11	1.47	1.96	2.20	1.32	1.83
PC	0.00	0.00	1.67	1.47	0.00	1.05	0.79	0.94
ECC	Not existing yet	0.67	0.83	0.67	0.00	0.67	0.39	0.55
PCC	Not existing yet	Ad-hoc						
CE	Not existing yet	Not Available						

Source: authors' own based on publicly available and retrieved documents, 2023

The most active AC during the observed period was the CCC, which on average, met 1.83 times per month during the observed period. The LC met 1.55 times per month, the PC 0.94 times, the ECC 0.55 times, and the ESC and SC met 0.44 times. The PCC did not provide a list of meetings, as the official answer is that 'meetings took place continuously and orally, and due to the lack of a secretariat no minutes were taken.' The CE did not provide information on their meetings. However, the PCC and CE are omitted from this part of the analysis due to the lack of information.

In case of two ACs, there is a legally established benchmark of their minimal number of meetings. The LC statute stipulates that it meets every 14 days, which means approximately twice a month. The LC only met close to this frequency between the Covid-19 waves and after the second wave. The ESC procedural rules state that it meets every quarter, but there were only two meetings in 2020.

During the first state of emergency, it is visible that some of the ACs suspended their activities. The CCC had a high frequency of meetings during this time period, but all ACs were more active during the second wave. Another observed phenomenon is the ACs' functioning becoming more balanced between the first and second states of emergency.

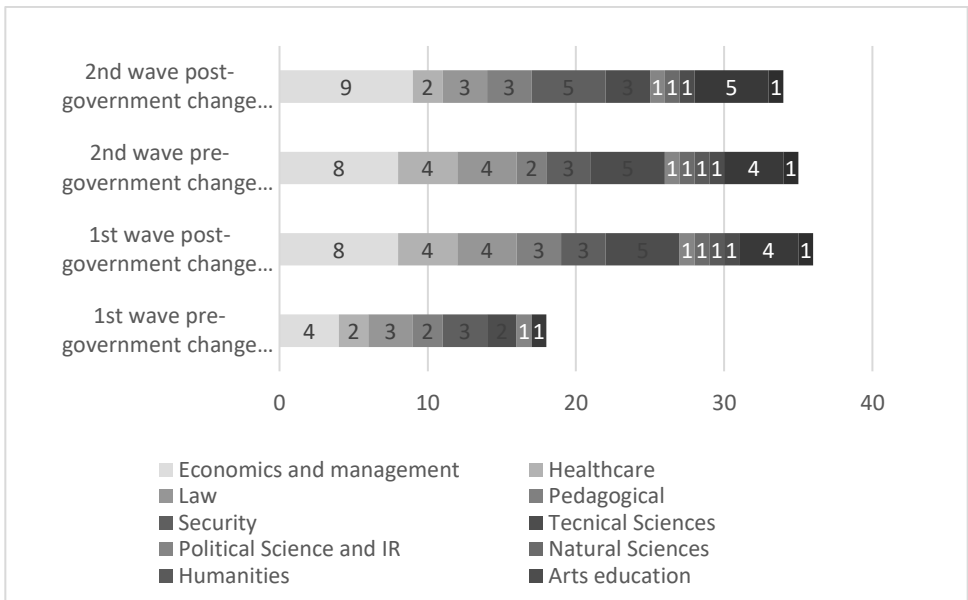
c) What were the changes in the expertise of the Central Crisis Committee during the first two waves of the Covid-19 pandemic?

The following sub-chapter describes the findings related to CCC expertise. Expertise is operationalized as the educational field of CCC members, their current employment, and their party affiliation, measured both as the turnover and partisanship rates within the CCC.

d) Education

Data on education were obtained for 54 out of 85 representatives in the CCC. Five representatives had received education in multiple fields and are thus treated in the analysis as a separate category. Three of them had a combination of education in security and others. Only one of the representatives had received no higher education.

Figure 1:
Education background of the CCC member organization representatives

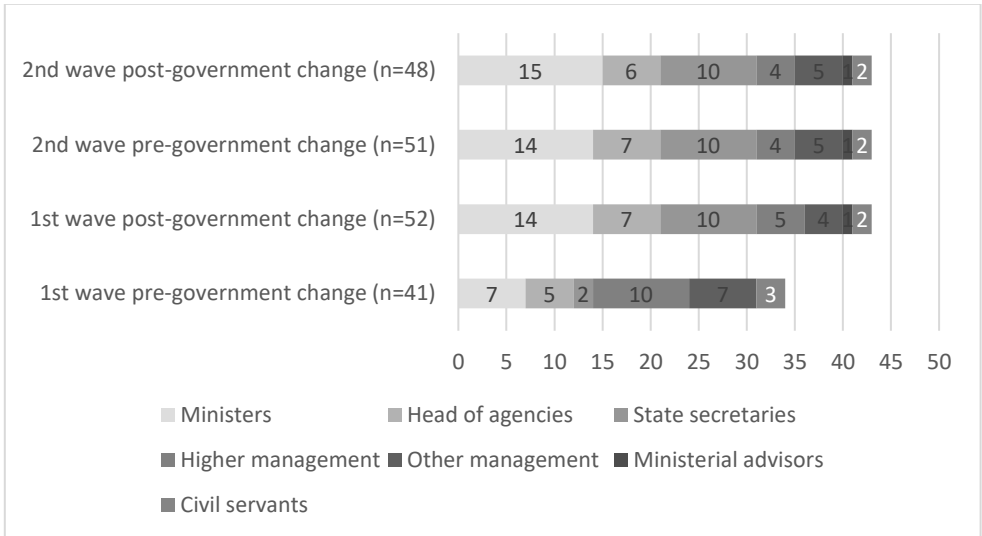


Source: authors' own based on publicly available and retrieved documents, 2023

As Figure 1 shows, there is a change in the spectrum of educational background

between the first change of government during the first wave. There is a strong presence of people with economic and law backgrounds.

Figure 2:
Current position of the CCC member organization representatives



Source: authors' own based on publicly available and retrieved documents, 2023

Information about the current employment position of 73 out of 85 representatives was retrieved. As indicated in Figure 2, the most significant change in the composition of CCC occurred during the first wave after the change of government. Before the change of government, the predominant part of the CCC was higher management (10) and other management (7). The presence of ministers (7) and state secretaries (2) was relatively low. After the change of government, the number of ministers (14) and state secretaries (10) increased and, in a stroke, the presence of higher management (5) and other management (4) was significantly reduced.

e) **Turnover rate**

Table 3:
Turnover rate within the Central Crisis Committee

Turnover rate - Central Crisis Committee				
	1st wave pre-government change	1st wave post-government change	2nd wave pre-government change	2nd wave post-government change
Number of CCC members	41	52	51	48
Kept from previous composition	NA	18 (34.6%)	49 (96%)	40 (83%)
New members	NA	34 (65.4%)	2 (3%)	8 (17%)

Source: authors' own based on publicly available and retrieved documents, 2023

The turnover rate between the respective changes of government and the Covid-19 pandemic waves is presented in Table 3 above. The highest turnover rate was observed during the first wave of pandemic after the change of government. Roughly one-third of the representatives present after the change also represented their organization in CCC before the change of government.

Table 4:
Turnover rate - Ministries and Government Office

Turnover rate - Ministries and Government Office				
	1st wave pre-government change	1st wave post-government change	2nd wave pre-government change	2nd wave post-government change
Number of CCC members	25	34	34	34

Kept from previous composition	NA	6 (17.6%)	33 (97%)	27 (79.4%)
New members	NA	28 (82.4%)	1 (3%)	7 (20.6%)

Source: authors' own based on publicly available and retrieved documents, 2023

Table 5:

Turnover rate - Remainder of the CCC member organizations

Turnover rate - Remainder of the CCC member organizations				
	1st wave pre-government change	1st wave post-government change	2nd wave pre-government change	2nd wave post-government change
Number of CCC members	16	18	17	14
Kept from previous composition	NA	12 (66.7%)	16 (94%)	13 (92.8%)
New members	NA	6 (33.3%)	1 (6%)	1 (7.2%)

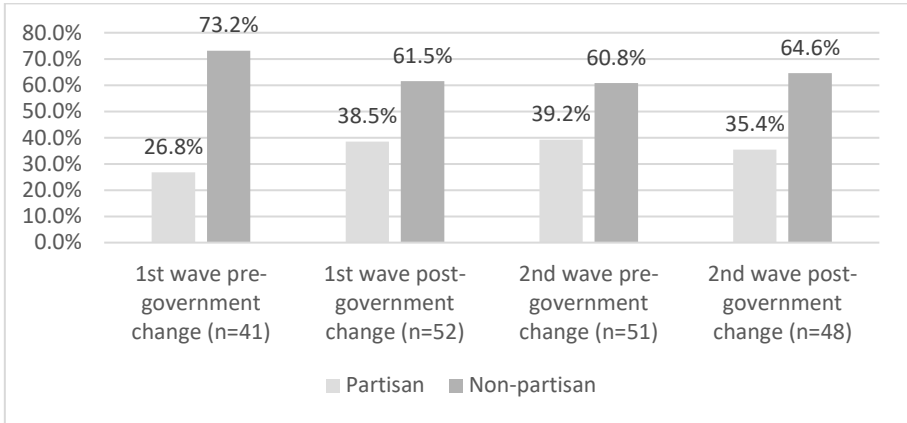
Source: authors' own based on publicly available and retrieved documents, 2023

As presented in Table 4 above, the turnover rate was higher at central agencies, where only three organizations did not change their CCC representatives after the first change of government (the Ministry of Labor, Ministry of Finance and the Government Office).

7. Partisanship

The partisanship rate was analyzed in the case of the 85 organization representatives of the CCC. Partisanship was conceptualized as direct party membership or as a party candidate in elections to the National Council in 2016 or 2020, Municipal elections in 2018 or Self-governing regional elections in 2017. There is a significant difference in the partisanship rate after the first change of government.

Figure 3:
The partisanship rate



Source: authors' own based on publicly available and retrieved documents, 2023

8. Discussion

This paper aimed to explore changes in PAS during the Covid-19 pandemic looking at three dimensions of Acs – the formal definition of their powers, the frequency of their meetings and the expertise of selected ACs, providing an empirical contribution to the topic. The aim was fulfilled, and sufficient information was gathered regarding all three dimensions. The analysis shows that there were no significant changes in the formal definition of roles. However, there are significant differences in the frequency of AC meetings between the Covid-19 waves, demonstrating how the ACs function during times of crisis. In the case of the CCC, we can observe a politicization trend of the AC in the first wave of the pandemic.

The case of Slovak ACs during times of crisis provides evidence for decision centralization and politicization of the ACs, which can be explained in three points. The first point is the creation of new bodies – three new bodies were created - the CE and PCC could be classified as scientific expert bodies, and their role in crisis policy advice was significant. However, their establishment and expertise relied on political decisions. The second point is the direct presence of politicians in the ACs. As politicians and experts seek a different response (Baekkeskov, 2016) in a body compound of both, it is unclear which response will prevail. The third point for centralization and politicization is in the changes of expertise – politicians replaced civil servants in the CCC - a form of direct politicization. Decision-making in Slovakia

during the Covid-19 crisis became more centralized and politicized, which aligns with international findings (e.g. Christensen and Læg Reid, 2022).

The new ACs created more space for scientific and medical expertise. The existing pre-crisis bodies did not have a significant representation of scientific and medical experts. In the PC, medical experts were present, together with politicians and representatives of the organizations. In the CCC, only a few organizations represented medical sector, which differs from representing and providing scientific expertise. Additionally, by the formal definition of AC roles, these AC served primarily for coordination rather than providing expertise for decision-makers.

Another point that would prove that Slovakia did not have a well-developed AC system is that the PC statute was adjusted twice. The creation of new ACs – the PCC and the CE - was in place and they would serve as scientific expert bodies. The way they were established is double-edged – on the one hand, the selection of its members was politicized. On the other hand, such an unprecedented pandemic requires the full attention of the government and the prime minister. The selection of people with whom to work is not necessarily an adverse move. Bušíková and Baboš (2020) claim that Slovakia had a well-developed system to fight pandemics already established at the beginning of the crisis. They see the creation of the PCC as an attempt to politicize policy advice during the crisis and to create a body with overlapping powers. This problem is more complex than that. Scientific expert bodies were the key actors in various governments during the Covid-19 pandemic (Hodges et al., 2022; Donadelli and Gregory, 2022). Based on the presented data, it can be concluded that Slovakia lacked such a body.

Alternatively, the changes of government can explain further the centralization and asserting control over ACs. The expertise of the CCC, which was the most active AC, changed during the first wave after the change of government. Initially, the high rate of political affiliation within the CCC can be attributed to the shock related to the crisis and the change of government; the political character of CCC remained during the second state of emergency. This political character could be problematic, as a clear distinction between elected politicians and advisors ensures the independence of policy advice (OECD, 2017). As Slovak political parties do not have standard membership (Rybář and Spáč, 2019) and Mr. Matovič, the prime minister, lacked any previous experience with the executive (Grędzzińska et al., 2022), this might be related to the problem of occupying key positions with trustworthy civil servants. An alternative explanation could be politicizing policy advice to gain a more favorable outcome. Many other committees were inactive during the first wave. A more balanced functioning of all ACs started between the Covid-19 waves. This more balanced functioning might result from better organization of crisis affairs and draining ministerial capacities in the first wave. The high level of politicization within the ACs is in line with politicization in the Slovak civil service (Staroňová, 2017; Staroňová and Rybář, 2021), as many top civil servants were present in the CCC. Ministers and state

secretaries replaced them.

The analysis of the CCC shows us that it was less politicized before the change of government, which provides evidence of less political incentives of the prime minister during his last days in office. As experts did not need to make political tradeoffs (Christensen et al., 2022), and also the prime minister, in his last days in office, did not have to fully deal with the consequences of the unpopularity of the anti-pandemic policies, this could have affected how measures were initially set, and this was adhered to by the new government throughout the first wave. After the first wave, the government set relaxed measures and only changed that after a significant pandemic outbreak (Nemec et al., 2020). The functioning of the ACs cannot explain this different policy outcome. However, between the pandemic waves, more committees became more active, including those with coordinating powers, providing space for socioeconomic incentives to be considered by the decision-makers. This effect has been confirmed, and there is evidence of political incentives changing with the progression of the crisis (Hodges et al., 2022). Nemec (2020) provides an example of the last days of Pellegrini's government, where the now-former prime minister acted like a true leader who adopted many unpopular decisions, and that this primary setting of measures defined the Slovak anti-pandemic response during the first wave. The pre-change of government setting of the ACs provides further support for this claim. For a more complex understanding of the factor of politicization and its impact on decision-making, more profound qualitative research, including interviews with politicians and experts within the ACs, would be beneficial.

9. Concluding remarks

Slovakia had very different policy outcomes during first two waves of the Covid-19 pandemic and experienced a change of government in each of them. This mix provides an interesting reason to study those closest to the politicians during the decision-making – their advisors. The study of ACs provides insight into who, when, and how intensely policy advice was provided to the government. A study of the formal and legal documents establishing ACs provides insight into the role of division and powers. The study of the intensity of the meetings tells us how these ACs were utilized. Finally, the study of CCC members provides information on who was actually present in the ACs.

The research paper aims to describe the changes within the ACs during the first two waves of the Covid-19 pandemic. The ACs within the Slovak PAS changed, and by the beginning of the crisis, new bodies were being established, with mostly vaguely defined powers overlapping with already existing bodies. With one exception (the CCC), these new bodies took dominant roles, and those bodies existing pre-Covid 19 were not being activated, which only happened by the end of the first wave. A deeper

analysis of the tendency of the CCC, the most active AC, to replace civil servants could be observed on various hierarchical levels by ministers and state secretaries to be representatives of their institutions within this body.

The limitation of this article is its descriptive character. The data provided and retrieved provide a picture of how the powers and roles of the ACs are set legally, how active the ACs were and the biographical background of their members. In order to understand the complete picture of the functioning of the ACs during the first two waves of the Covid-19 pandemic in Slovakia, more profound qualitative research, including interviewing AC members and members of the government, would be needed. However, this paper serves as a necessary foundation for such research.

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Territorial Disparities in COVID-19 Vaccination in Romania

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Abstract

This paper explores relationships between vaccination coverage and indicators at the level of local administrative units for the case of rural localities of Romania. Positive correlations have been identified in relation to fiscal capacity, coverage of the population with general practitioners, COVID-19 incidence rate and absence of a marginalized community within the locality. Regional differences are again highlighted in the analysis. This means that there is at least partially an overlap of the disadvantaged rural areas with the ones registering low vaccination uptakes against COVID-19. Further on, it means that these territorial areas accumulate a series of structural disadvantages that can prove to increase the discrepancies between them and other rural or large urban areas. The paper contributes to enlarging the perspective on vaccination coverage by adding both conceptual and practical insights. From the point of view of practitioners, the results of the study can be used to tailor intervention in communities with similar characteristics, to underscore public health inequalities across territories. Points for practitioners are relevant for a wide range of stakeholders from public health, public management, and social protection fields, placed in both local and central level decision-making positions.

Keywords:

vaccination coverage; localities; COVID-19; Romania; local governments; marginalized areas; rural areas

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1. Introduction

This paper explores factors associated with disparities in COVID-19 vaccination coverage in the rural localities of Romania. Vaccination has been advocated as one of the strategies to control the current COVID-19 pandemic. The topic is highly relevant in the context of Romania, which still registers one of the lowest vaccination uptakes against COVID-19 in the EU (ECDC), with rural areas registering lower vaccination coverage than urban areas (as of 5 January 2022, vaccination uptake in rural areas is 36.77%, compared to 41.26% in urban areas) (National Institute of Public Health).² Although four types of vaccines have been made available in Romania throughout the past year (Pfizer-BioNtech, Moderna, AstraZeneca, and Johnson&Johnson), the supply outpaced the demand. The topic is also relevant for the upcoming potential challenges to be faced in 2022, with increased infection rates and substantial socioeconomic challenges posed by the pandemic.

Previous studies have been mostly focused on examining vaccination coverage at national levels, in different time sets (Lindholt et al., 2021; Liu et al., 2021; Zaprutko et al., 2022) or individual level factors for explaining vaccination hesitancy, usually based on survey data (Karabela et al., 2021; Cristea et al., 2021; Achimescu et al., 2021; Stănescu & Dumitru, 2021). This study introduces a different analysis layer, that of community-level variables in relation to vaccination uptake, based on publicly available granular data on vaccination uptake, for all local administrative units in Romania. Disaggregation of data at this level is of particular importance in examining territorial disparities, which have been signaled especially in relation to the functioning of public health systems in post-communist countries (Stănculescu & Neculau, 2014). In particular, rural areas accumulate multiple disadvantages regarding several social and economic indicators, including employment, access to basic services (including general practitioners, emergency or hospital services, but also water, sewerage, paved roads, etc.) (Cucu et al., 2021; Rusu et al., 2022). Eastern Europe in particular is considered to be signaling a consistent difference in the impact of the COVID-19 pandemic when compared to Western and Northern Europe. Eastern Europe (to which Romania is also affiliated) registered the lowest number of tests, and therefore the least number of cases per million, but also the worst situation in terms of number of deaths per million (Alrasheedi, 2023).

The paper starts with two sections introducing the research background, detailing previous studies on vaccine hesitancy and briefly introducing pre-pandemic territorial inequalities in Romania, with an outline of the structure of the local public administration in Romania. The third section presents data sources and methods. The last two sections cover results, discussion and conclusive remarks.

² <https://vaccinare-covid.gov.ro/situatia-vaccinarii-in-romania>.

2. Research background: previous research on vaccine hesitancy

The concept of vaccine hesitancy has been developed in relation to delays in the acceptance or refusal of vaccines despite the availability of vaccine services (WHO, 2014). It is noteworthy that this does not refer to low vaccine uptake due to lack of vaccine stock, large travel distances, or a general lack of available services. The present quantitative analysis highlights structural, community-level variables as predictors of low vaccination coverage at the level of territorial administrative units.

The key lines of demarcation in the models previously developed for studying vaccine hesitancy correspond to individual factors versus social processes or to groups of contextual influences, individual and group influences, and vaccine/vaccination-specific issues. In this respect, the SAGE Working Group Determinants of Vaccine Hesitancy Matrix identifies the following: (i) contextual influences – such as: (1) communication and media environment, (2) influential leaders, immunization program gatekeepers and anti- or pro-vaccination lobbies, (3) historical influences, (4) religion/culture/gender/socioeconomics, (5) politics/policies, (6) geographic barriers and (7) perception of the pharmaceutical industry; (ii) individual and group influences – (1) personal, family and/or community members' experience with vaccination, including pain; (2) beliefs, attitudes about health and prevention; (3) knowledge/awareness; (4) health system and providers-trust and personal experience; (5) risk/benefit; (6) immunization as a social norm vs. not needed/harmful, and (iii) vaccine/vaccination specific issues – (1) risk/benefit (epidemiological and scientific evidence), (2) new vaccine or a new formulation/recommendation for an existing vaccine, (3) mode of administration, (4) design of vaccination program or mode of delivery, (5) reliability and/or source of supply of vaccine, (6) vaccination schedule, (7) costs and (8) the strength of the recommendation and/or knowledge base and/or attitude of healthcare professionals (WHO, 2014). Further, on the concept of vaccine hesitancy, determinants grouped around the 3Cs model have been developed. These refer to complacency, convenience and confidence. They combine perceived risk of disease (complacency as a low perceived risk of disease), different forms of trust (confidence in the effectiveness and safety of the vaccine) and various types of factors related to availability and affordability – convenience (WHO, 2014). Moreover, the matrix of 3Cs has also been completed with two more factors – risk calculation and collective responsibility (Wiysonge et al., 2021). They, however, resemble the previously cited items on risk/benefit and immunization as a social norm.

Additionally, an emphasis on the social processes over the individual factors can bring an enhanced standpoint on the structural disparities in vaccination rates. From this perspective, the two potential pathways previously explored might prove to be useful. They refer to neoliberal logic and social exclusion (Wiysonge et al., 2021). The neoliberal logic underscores individual choices and accountability on both health-related risks and outcomes and has been opposed to the position advocated in the

vaccination campaign to view vaccination as a public health and collective responsibility. In addition, experiencing social exclusion can prove to be a factor accounting for vaccine hesitancy. The same source relates it to distrustful government-citizen relations, which can result in distrusting vaccination, resisting vaccination as a form of agency or avoiding vaccination for reasons of time and opportunity. Therefore, social exclusion and neoliberal logic have been viewed as complementary to the core psychological constructs highlighted in the framework of the 5Cs (*ibid.*).

Furthermore, particular factors identified in relation to COVID-19 vaccine hesitancy seem to be again related to the model of the 3Cs/5Cs. They embrace dimensions related to lack of trust, risk of contracting COVID-19 and sociodemographic variables, among others. First, lack of trust has been related in particular to a large set of issues, which can be summed up to lack of confidence in the vaccine as a result of safety and effectiveness problems, including lack of trust in public (health) authorities (Wiysonge et al., 2021; Tahir et al., 2021; Viswanath et al., 2021; Kalam et al., 2021), effects of the infodemic³ (Karabela et al., 2021), the perception of whether the government is handling the pandemic well in a cross-country study (de Figueiredo & Larson, 2021), low levels of trust in relation to where it is made, effective protection, how long the protection lasts (Kreps & Kriner, 2021), or being against vaccines in general, concerns about safety/provenience/ thinking that a vaccine produced in a rush is too dangerous, belief to be already immunized, belief in natural immunity (Pavić et al., 2022; Troiano & Nardi, 2021), the emotional risk perception, with higher risk perceptions for acceptors of the vaccine (İkişik et al., 2021), trust in the national health authorities and scientists and personal health concerns (Lindholt et al., 2021), or experiences of government and other forms of authority (Cooper et al., 2021). Second, complacency regarding the individual risk of getting infected with COVID-19, lack of time to go and get a vaccine (Wiysonge et al., 2021), perceived risk of getting COVID-19 and severity of the disease and other behavioral determinants to differentiate Acceptors from Non-Acceptors (Kalam et al., 2021), use of protective measures alongside lower perceived severity of COVID-19 if infected (Schwarzinger et al., 2021).⁴ Third, sociodemographic variables associate the decision of COVID-19 refusal with key variables like age, gender, education, income, vaccination history, and other variables – examples include being a female, age with an inverted U-shaped relationship, lower educational level, poorer compliance with recommended vaccinations in the past, no report of a chronic condition (Schwarzinger et al., 2021), in addition to race/ethnicity, vaccine safety and effectiveness, influenza vaccination history, and self-protection from COVID-19 (Al Shurman et al., 2021), or being non-

3 The term infodemic used as an excess of information, some correct and some not, which arises during a disease outbreak (Karabela et al., 2021).

4 Similar factors, like fear of side effects, digital divide reasons – lack of access to the online vaccine registration platform, lack of trust in government, belief in conspiracy theories, low or no monthly income and depending on someone else to reach a decision about vaccination, have been identified in another study conducted in South Africa (Katoto et al., 2022).

academics, and people who did not vaccinate against influenza in the previous season (Shmueli, 2021), monthly family income, education level, self-diagnosis of COVID-19 or a friend, family member, or colleague significantly influence the acceptance of COVID-19 vaccination, whereas the dogma of being naturally immune to COVID-19 is among key reasons for the refusal of the vaccine (Tahir et al., 2021). Older adults have less concerns and/or being more accepting of COVID-19 vaccination as well as higher levels of education being associated with increased vaccine hesitancy (Cooper et al., 2021).⁵

Previous research showed lower vaccination uptake among ethnic minority groups and deprived communities in England (Razai et al., 2021). Some of the cons against the COVID-19 vaccine add to the low rates of trust in governmental authorities, especially at the central level, in accordance with factors earlier identified (Razai et al., 2021). Hence, there is a plea in favor of the development of more inclusive policies and frameworks in SARS-CoV-2 vaccine allocation for disadvantaged groups such as incarcerated people, homeless people, asylum seekers and undocumented migrants (Farina & Lavazza, 2021). Again, age and level of education are factors associated with the perception of official protective measures and vaccination intent (Gilles et al., 2022). Similar findings on higher vaccination hesitancy among members of minority groups have been reported in other studies as well – Black Americans compared to White Americans, underlining the “wait-and-see” approach, vaccine side effects and efficacy, alongside other perceptions related to access and medical mistrust, against the background of systemic racism (Dong et al., 2022). The same structural discriminatory attitudes, together with transport and language barriers, are highlighted in Butler et al. (2022). A better focus on specific disadvantaged groups has been emphasized – for instance, in relation to patients with mental illness (Payberah et al., 2022), people living with HIV/AIDS (Yao et al., 2022) or robust disaggregated data on vaccine hesitancy among ethnic minorities (Hussain et al., 2022).

Furthermore, another qualitative study placed the concept of vaccine hesitancy in a different perspective. The developed typology refers to attitudes towards vaccination even after the vaccination uptake. The analysis brings out four types of COVID-19 vaccine attitudes – active acceptance, passive acceptance, passive decline and active decline. The category of passive acceptance includes respondents who had one or two doses of the vaccine, but still had doubts about its efficacy or safety. Declination of vaccine or passive acceptance has been identified more likely among ethnic minority communities and female healthcare workers (Gogoi et al., 2022).

In a different research line on the same topic, big data analysis of Youtube comments revealed another set of factors present in the online ecology of vaccine hesitancy – (i) polarization of views, skewed in favor of anti-vaccine; (ii) concerns about safety, side-effects, lack of trust in government and pharmaceutical companies;

⁵ Older age and having a chronic disease history were reported to be positively associated with COVID-19 vaccine hesitancy in Chinese people living with HIV/ AIDS (Yao et al., 2022).

(iii) preferences associated with affiliations to political parties (Teng et al., 2022). Additional qualitative studies revealed several other incongruences in the perceptions expressed by participants – between the information from official sources and the information from social media, between the aims and implementation at the national level and realities and needs at the local level, alongside a sense of low trust level in government or following examples of vaccination “heroes” (Chan et al., 2022).

To sum up, a systematic review on the identified factors for worldwide COVID-19 vaccine hesitancy identified as the most common vaccine efficacy, vaccine side effects, mistrust in healthcare, religious beliefs, and trust in information sources, alongside demographic factors – health inequalities or socioeconomic disadvantages, systemic racism, or exposure to online misinformation (Biswas et al., 2021). The importance of misinformation alongside structural inequities in ethnic minority groups has been outlined in Hussain et al. (2022) as well as in Moscardino et al. (2022). It is noteworthy that the setting of the study matters.

The importance of the national level context has been revealed in a study using discrete choice experiments showing that, for instance, the most important attributes are associated by respondents from the United States with the greatest importance to the efficacy of COVID-19 vaccines, the cost of vaccination, whereas for those from China the cost of vaccination was the most important attribute and efficacy the second most important attribute (Liu et al., 2021).

A literature review performed on studies related to vaccine hesitancy in Eastern Europe grouped the identified factors into the following ones: (i) differences related to vaccine brand, with the Messenger ribonucleic acid (mRNA) vaccines holding top places in preferences; (ii) confidence in trials evaluating COVID-19 vaccines and in resulting clinical evidence (still Romania reporting no confidence in these studies, given the short time frame – in Manolescu et al., 2021); (iii) confidence dynamics in time: comparisons before and after vaccine initiation or social popularization; (iv) associations with spirituality and religion, however with inconclusive results; (v) conspiracy beliefs, also signaled in Romania’s context (Maftai & Holman, 2021; Achimescu et al., 2021); (vi) the misinformation phenomenon, related to the influence of using the Internet as an information source (Mogoş et al., 2022) or (vii) the influence of the community in shaping personal opinions (in correlation with the subjects’ perception that their primary group accepts vaccination, in Cristea et al., 2021; Popa et al., 2022). Additional examined factors from the same literature review report on trust in institutions, including health institutions, vaccine literacy in the general population, attitudes toward vaccination in health workers or students or more complex vaccine hesitancy models (like the 5Cs model, the health belief model, etc.). Nonetheless, there is no explicit statement about the limitations of the reviewed studies. Interpretation of data from convenience samples (with no men included) in a Romanian study (Maftai & Holman, 2021) or an international study conducted in Poland, Lithuania, and Ukraine (Zaprutko et al., 2022) should be carefully examined. The same potential bias in samples selection, together with rather diverse ways of

defining vaccine acceptance, have been signaled in an extensive (in terms of countries coverage) literature review on COVID-19 vaccination acceptance, targeting available survey data (Sallam et al., 2022).

In particular relevant for the purpose of this article, previous research investigated statistical analysis of associations between municipalities' deprivation quintiles and incidence of confirmed COVID-19 cases, mortality rates and vaccination coverage. The conclusion set in the study is that, despite a successful vaccination campaign, the territorial disparity gap has not been closed, in particular in relation to the highest mortality rates during the third wave (Oroszi et al., 2022). The relationship with the locality's deprivation index is stated to be mediated through the educational level, with on the one hand education as one of the important determinants in the deprivation index and, simultaneously, having a positive effect on willingness to accept vaccination (ibid.).

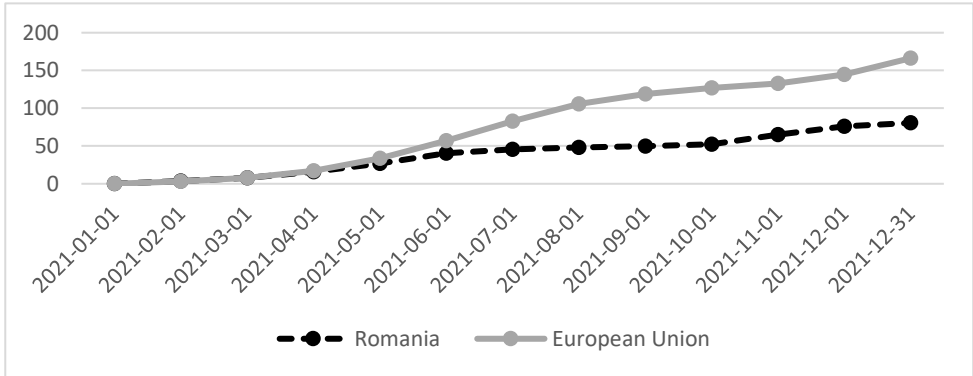
Other comparisons between vaccination rates registered in post-communist countries, like Lithuania and Poland, discuss the importance of enforcing strict regulations in relation to the COVID-19 certificates – in Lithuania's case also in relation to access to restaurants, sports facilities, indoor events, in addition to international travel (as was the case of Poland, used as a control group, which relied mostly on public health campaigns for an increased vaccination rate in the analyzed period from 31 July to 30 September 2021). Authors conclude that the enactment of this certificate in Lithuania has contributed to an increased gap in the vaccination uptake between the two countries (Walkowiak et al., 2021).

For the case of Romania, direct social interaction with people from extra-local communities, considered among the conditions favoring COVID-19 infections (Sandu, 2022), is also relevant for vaccine hesitancy. Moreover, factors related to socio-human capital, regional capital, size of the locality, location of the community around a large city, being part of a high modernity area or being part of a high emigration abroad community have been examined (Sandu, 2022). Previous analyses conducted at the locality level for the case of Romania revealed, as predictors of vaccination coverage (data for August 2021), the infection rate with COVID-19, the local human development index, the average age of the local population in 2018, the area of residence (urban/rural), the index of urban connectedness, the permanent resident population and the index of migration experience, together with cultural areas as clusters of neighboring counties (Sandu, 2021). Compared to the evolution of vaccination coverage in the EU, Romania shows a substantial gap, which increased significantly during the critical period of 2021, especially starting with July 2021 (Graph 1). For instance, in October 2021, the vaccination coverage was 52.37 vaccinations per hundred in Romania, and in the EU 126.9 vaccinations per hundred people (Mathieu et al., 2021). For the same time frame⁶, in other post-communist

⁶ Data for 1 October 2021, chosen as an example also in relation to the availability of granular data at LAU 2 level, analyzed in this paper.

countries, Poland registered a value of 98.02, and Czechia a value of 113.05, while Bulgaria had an even lower value than Romania, with 37.55 vaccinations per hundred people.

Figure 1:
Total vaccinations per hundred, in Romania and EU, 2021



Source: Mathieu et al. (2021); <https://ourworldindata.org/covid-vaccinations>⁷

Vaccine hesitancy associated with individual-level characteristics has been highlighted in previous Eurofound studies, based on survey data at the EU level. They also point out an East-West divide, with the Nordic and Mediterranean countries at higher rates of vaccine intention, whereas the Eastern countries belong to a group with significantly lower rates – in Romania about 59% and Bulgaria 33%. By sociodemographic variables, those who seem to be more hesitant at the EU level are more likely to be men, in the age group of 35–49 years, unemployed people, people with a long-term illness or disability or full-time homemakers or persons who use social media as their primary source of news (Ahrendt et al., 2021).

This study questions a different set of predictors of vaccination uptake at the locality level than the ones previously tested for Romania’s case. They are represented by structural factors related to population composition, and various indexes at the locality level.

3. Research background: pre-pandemic territorial inequalities in Romania

This section briefly introduces the structure of the local public administration in Romania, while outlining key territorial disparities concerning general development,

⁷ Data source cited for Romania – Government of Romania via datelazi.ro.

but also health inequalities, as captured by the latest data available before the pandemic outburst in 2020.

The Romanian system of public administration consists of a two-tier local government structure including 3,181 municipalities (3,180 municipalities plus the municipality of Bucharest, capital city) and 41 county councils. The set of 3,181 municipalities includes 2,861 rural municipalities, 217 towns and 103 cities.⁸ Both the local and county councils are elected. The local council consists of between 9 and 31 members, while the county council consists of between 31 and 37 members. Both local and county councils usually meet once a month in ordinary meetings, if necessary. The members of the local council are elected by secret ballot and by direct suffrage.

While there are no subordination relationships between the county and the local councils, the legal provisions in the Romanian Constitution state that the county council is the public administration authority to coordinate the activities of the municipalities (commune, town and municipal councils) in order to provide services at the county level (Article 122). The executive bodies of the local and county councils are represented by the mayor or, respectively, the President of the County Council.

In terms of size, there is a large number of municipalities under or equal to 5,000 inhabitants (Table 1). Together they account for more than one third of the population of the total number of 3,180 municipalities (excluding the capital city, the municipality of Bucharest). These include a total number of 29 urban municipalities (out of the total number of 2,491 municipalities under or equal to 5,000 inhabitants). Towns, cities, municipalities and counties can decide on matters of general interest, in areas under their jurisdiction, in accordance with the law.

Table 1:

Breakdown of municipalities according to the size of the population

Number of inhabitants	Number of municipalities	Out of which, urban municipalities:	Percentage of total population
Under 2,000	752	1	6.08
2,001–5,000	1739	28	30.57
5,001–10,000	479	105	17.33
10,001–20,000	115	91	8.18
20,001–100,000	76	75	17.19
Over 100,001	19	19	20.65
Total	3180	319	100

Note: the municipality of Bucharest is not included in the analysis (municipality over 100,001 inhabitants)

Source: Author's own calculations based on data from Population Census of 2011.

8 Annex to Law no. 290/2018, Statistical situation documentary on administrative organization of Romania's territory. The Baneasa municipality from Constanta county was considered a city until 2019, when it was reclassified as a commune. The current analysis on rural localities does not include it.

There are substantial territorial inequalities between territorial administrative-units. In the rural area, communes with low fiscal capacity come, to a significantly higher extent, from the development regions of North East, South Muntenia and South West, as outlined in Table 2.

Table 2:

Fiscal capacity by development region, rural localities in Romania (%)

		Fiscal capacity				
		Lower quartile	Medium-low quartile	Medium-upper quartile	Upper quartile	Total
Development Region	North East	42.7	26.3	18.2	12.8	100
	South East	17.2	21.4	31.3	30.1	100
	South Muntenia	21.0	27.6	25.8	25.6	100
	South West	44.9	29.2	15.7	10.3	100
	West	14.2	21.4	29.5	34.9	100
	North West	17.1	27.5	30.0	25.3	100
	Center	10.1	19.3	29.7	40.9	100
	Bucharest	*	*	*	68.8	100
	Total (N)	715	714	717	715	2861
	Total (%)	25	25	25	25	100

Note: Colored cells indicate significantly higher values (adjusted residuals). * Lower than 5 cases. Fiscal capacity is measured as shares of own revenues with the sums deducted from personal income tax, in total expenditures, average values for the last three years.

Source: Author's own calculations based on the public information data on local budgets execution for all communes in Romania, 2023.

Relevant health inequalities regard, besides the consistent distance between Romania and EU concerning key health outcome indicators, also the territorial discrepancies between, on the one hand, the urban and rural areas, and between rural localities, from the standpoint of this paper.

Romania spends among the lowest financial resources in the EU on health. Additional characteristics of the health system resources before the spread of COVID-19 in 2020 include (i) a focus on spending on hospitals, coupled with policy priorities directed to strengthening primary care; (ii) a lower number of doctors and nurses than the largest part of EU countries, compounded by the migration of health professionals; and (iii) overuse of hospitals over outpatient care (OECD/EU, 2019, pp. 9–12). Several policy measures intended to be implemented before the pandemic outlined the need to rationalize the network of hospitals in Romania (Government of Romania, 2011, 2014) and transform it into outpatient care, yet there was no visible change in terms of fund allocation by type of expenditure. In 2019, the financial resources for the health system recorded an increase in total allocations, yet still counted as one of the lowest values among EU countries (5, compared to 8 percent of GDP at the European level).

Nonetheless, the value is higher than the financial resources available for health in 2019 in Bulgaria, Poland, Cyprus, Latvia and Ireland.⁹ The value of expenditures for hospital services is almost equal to the EU level in 2019 – 2.9 percent in GDP in Romania and 3 percent of GDP in the EU. Romania spends the highest share among EU countries for inpatient care – 44 percent of total spending in 2019 (OECD/EU 2021, p. 10). Although on an increasing trend, the supply of medical doctors for the population is still far from the EU level. In 2019, the value registered at the national level was 318.67, whereas the European value was 390.58 medical doctors per hundred thousand inhabitants. Only two development regions from Romania registered higher levels than the EU ones, namely, Bucharest-Ilfov (617.92) and West (416.35). The lowest number of medical doctors was registered in the South Muntenia region (159.76 in 2019).¹⁰

Life expectancy at birth differs substantially between counties and residence areas. The latest available data (for 2020) show that life expectancy at birth was 77.44 years in 2020 in the urban area, and 74.41 years in the rural area. Except for two counties¹¹, in all other counties, life expectancy is higher in the urban area, compared to the rural area. The smallest differences between residence areas are registered in the counties of Suceava (0.96 years), Caras-Severin, Maramures and Ilfov (1.22 years). On the opposite, the largest differences are registered in Vaslui (5.09 years), Bacău (4.89 years), Dolj (4.57 years) and Galați (4.33 years) (Cucu et al., 2021, p. 22).

4. Data and methods

This study is based on a quantitative analysis performed by aggregating publicly available data, all of them at the locality level, meaning at the level of a single administrative-territorial unit (LAU 2 unit).¹² The author aggregated several publicly available indicators based on the unique statistical identification code for each locality. Nevertheless, this effort has not been without obstacles. The rate of COVID-19 vaccination coverage and the rate of COVID-19 infections have been publicly displayed without the unique identification number (statistical code) corresponding to each locality in Romania (SIRSUP). This simple fact significantly hinders the analyses conducted by independent researchers and is not the only case where improved and meaningful data transparency is needed in Romania. To complete this analysis, the researcher manually introduced this code (more than three thousand localities) for each locality. Rates of vaccine coverage from August and October were processed and analyzed, as published by the Romanian Government.¹³ Other variables are posted on

9 Eurostat database, General government expenditure by function (COFOG) [GOV_10A_EXP]

10 Eurostat database, Health personnel by NUTS 2 regions [HLTH_RS_PRSRG]

11 Valcea and Hunedoara.

12 The correspondence between LAU 2 units level in Romania and other EU countries – Eurostat

13 <https://vaccinare-covid.gov.ro/wp-content/uploads/2021/10/AV-pe-uat->

a website created by the Ministry of Public Works, Development and Administration and the World Bank in a common EU-funded project. Notably, the entire quantitative analysis uses only publicly available data that can be replicated by any interested researcher. The analysis has been focused only on rural areas of Romania for two key reasons: (i) there is a greater homogeneity in rural areas, on the topic of opinions on vaccination against COVID-19 (as compared to urban areas); (ii) the vaccination coverage has been lower in rural areas, again, compared to localities from the urban areas. The complete list of variables used in the study is presented in the Annex.

The key variable for the analysis, financial capacity, has been computed in two key methods. Under each method, two lines of calculating own revenues have been used. The first one is according to the standard legislation on local public finances in Romania and includes sums deducted from personal income tax. Still, in order to better consider the local financial autonomy, an additional procedure has been used, one in which “local own revenues” do not include the sums deducted from personal income tax allocated in order to achieve local budgets equalization. In this latter method, own revenues mirror in a rather improved way the local budget’s own effort. The formula used by this study for computing local fiscal capacity is represented by the average value for the last three years, 2018–2020, as shares of own revenues in the total revenues. This variable can also be considered an indication of the local financial autonomy. Nonetheless, in the case of a locality with a low size of the budget, there is a high likelihood that it will stand in a good position, even though the absolute size of the own revenues or total revenues is small, at the national level.¹⁴

There is a high heterogeneity between the values of each commune under all four methods of computing fiscal capacity. Table 3 presents descriptive statistics for each of the four indicators previously explained. Even in the upper quartile, which will be considered the best values for fiscal capacity, the range of values differs from 139 euro/inhabitant or 190 euro/inhabitant (if considering the sums deducted from the personal income tax) to maximum values of more than 2,000 euro/inhabitant, for both indicators computed using this measurement unit. As shares of own revenues in the total revenues, the range of values in the upper interval is from 30 percent (or 42 percent with the sums deducted from the personal income tax) to more than 90

5.10.2021.pdf?fbclid=IwAR2zW_CdCKcjNOhjbWVzaI5iOjSRgCQ1LM6kDo6vyW3G_9DhmjZTKH9_BJA

14 In order to test whether there are differences when using other computing methods for the variable on fiscal capacity, diverse computation methods have been employed. Namely, as average of own revenues per inhabitant, for the last three years, namely 2018, 2019, 2020. In order to better reflect the local financial autonomy, the sums deducted from the personal income tax have been excluded from the total sum of own revenues. The analysis uses publicly available data on the local budgets’ execution in Romania, published by the Ministry of Development, Public Works and Administration. Data for the population refer to census data (2011). It is most likely that census data which are currently collected (in 2022) will better reflect the size of the population. In fact, data on population can be considered a limitation throughout the tested variables, as the vaccination coverage has also relied on the currently available set of data from the National Institute of Statistics, which can only partially reflect the present circumstances.

percent, as maximum values, under these two methods of computation.¹⁵

Table 3:

Descriptive statistics for the fiscal capacity of the rural localities in Romania

		Own revenues, excluding SDIVG, average value for 2018, 2019 and 2020, % in total revenues
Mean		25.59
Median		22.42
Mode		3.50 ^a
Std. Deviation		13.18
Minimum		3.50
Maximum		94.19
Percentiles	25	17.074
	50	22.429
	75	30.290
Total number of valid cases		2861

Note: a. Multiple modes exist. The smallest value is shown.

Source: Author's own calculations based on the public information data on local budgets execution for all communes in Romania, 2023.

Additionally, the relevance of data relies on the quality of the available data used in the secondary quantitative analysis. Moreover, study limitations include the dependance on the availability of data at the national level for all rural localities. If other types of relevant quantitative information are available, alternative explanation models can be conducted. However, the analyses presented are constructed on an extensive number of cases, with almost 3,000 cases, which provides the ground for pertinent findings for the rural localities of Romania. Subject to available data, the study can also be replicated in different country contexts, in particular in post-communist countries.

Alongside the role of fiscal capacity, the study also tests relationships between vaccination coverage and other variables like development region, general practitioners' offices by 1,000 inhabitants, incidence rate in September 2021, presence of a marginalized community and the share of older persons in the total population.

¹⁵ In general, there is a good consistency between the methods of computing local fiscal capacity, both concerning the measurement units expressed as euro/inhabitant, and as share of own revenues in total revenues. However, there are also some cases of territorial administrative units for which the share of sums deducted from the personal income tax can bring an important added value on the indicators. This means that, for instance, more than 43 localities can be placed in the lower quartiles when excluding these funds used for local budgets equalization and, simultaneously, move up to the upper quartile when considering these funds. At the same time, there is a consistent difference between the placement of certain localities, if we compare the positions placed in the medium-low and medium-upper quartile, for both indicators.

Except for the variable regarding marginalized communities¹⁶, the hypothesized relationships with the vaccination coverage represent positive correlations with the vaccination coverage. Older adults and persons with underlying health conditions have been identified among the vulnerable groups (WHO, 2020; UN, 2020).¹⁷ A high incidence rate can be regarded to be in relation to the perceived risk of disease (complacency as a low perceived risk of disease) (WHO, 2014) but also in relation to risk calculation (Wiysonge et al., 2021). The number of general practitioners' offices by 1,000 inhabitants can also be an indicator of various types of factors related to availability and affordability – convenience (WHO, 2014). The relationship with marginalized communities is hypothesized to be in an indirect relationship due to the structural characteristics of these rural communities, as underlined by previous research (Teşliuc et al., 2016). “By definition, these rural areas are severely deprived census sectors in which most of the population have completed only lower secondary education at most, make a living in the informal sector (especially agriculture), and live in precarious dwellings even by the usual low standard for rural areas (in other words, they live in overcrowded houses and/or have no access to running water or electricity)” (Teşliuc et al., 2016, p. 28). In line with earlier studies on the rate of vaccination uptake and disadvantaged communities (Razai et al., 2021), the assumed direction between these two variables, in the Romanian context, is of an indirect relationship.

5. Results

The results section presents the findings concerning factors associated with differences in vaccination coverage in the rural localities of Romania. Additionally, variances in vaccination rates registered between August and October 2021 are presented.

Vaccination coverage has increased substantially only for a limited number of communes in Romania, based on the available data for August and October 2021. As shown in Table 4, only 23 communes succeeded in increasing the vaccination coverage by more than 5 percent in this timeframe. The largest part of the examined set of localities increased the vaccination coverage with at most two percent, whereas 41.2% increased it with shares varying between 2 and 5 percent. It is noteworthy that localities that succeeded in increasing the vaccination coverage by more than 5 percent are to a significantly greater extent from the medium-upper quartile of fiscal capacity, while those that increased it between 2 and 5 percent are from the upper quartile of the indicator on own revenues – without sums for equalization purposes, euro/inhabitant.

16 And the one concerning affiliation to a specific development region, in which the hypothesized relationships differ between localities.

17 <https://www.who.int/europe/news/item/03-04-2020-statement-older-people-are-at-highest-risk-from-covid-19-but-all-must-act-to-prevent-community-spread>

Table 4:

Differences in vaccination coverage between October and August 2021, rural localities

	Number of cases	Percent
No difference	5	0.2
Up to 1%	297	10.4
Between 1 and 2%	1358	47.5
Between 2 and 5%	1178	41.2
More than 5%	23	0.8
Total	2861	100

Source: Author's own calculations based on the public information data on vaccination coverage at locality level, published by the Government of Romania, 2023

The moment of registering vaccination coverage in October 2021 is of particular relevance. The next analyses use data from vaccination uptake in October 2021. From the point of view of the research context, it is worth mentioning that in the period of October-November, Romania registered a peak of the 14-day death notification rate (per 1,000,000 population) (European Centre for Disease Prevention and Control).¹⁸ As shown in previous research, the fatality rate can have an impact on vaccination uptake at the local level. Still, at a general level, the increase from August until October 2021 has not proved to be substantial.

The results of the statistical analysis indicate several significant correlations between different locality level factors and vaccination uptake. Firstly, there is a significant positive correlation between the level of fiscal capacity and vaccination coverage in the rural localities of Romania, irrespective of the method of calculation. Table 5 presents the results of the analysis for the fiscal capacity computed as the mean value for the last three years of the share of own revenues¹⁹ in the total revenues. It shows that localities with a higher vaccination coverage are to a significantly higher extent from the communes with a good level of fiscal capacity (upper quartile). Table 5 presents the results for the local own revenues computed as euro per inhabitant, without considering the sums deducted from the personal income tax. However, significant associations between the two key variables under study are to be found in all the cases, with all other three methods for computing fiscal capacity. Table 5 presents several variables analyzed – in relation to territorial affiliation (development region), health – general practitioners; demographic (share of older people); economic and social (presence of marginalized community which is an aggregate index built from indicators related to the population's educational level – lower secondary education at most, employment structure – make a living in the informal sector

¹⁸ <https://covid19-country-overviews.ecdc.europa.eu/countries/Romania.html>

¹⁹ Without including the sums deducted from the personal income tax.

(especially agriculture), and standard of living – live in precarious dwellings even by the usual low standard for rural areas.

Table 5:

Disparities in COVID-19 vaccination coverage for the rural localities of Romania

		Vaccination coverage				Total	
		Lower quartile	Medium-low quartile	Medium-upper quartile	Upper quartile		
Fiscal capacity	Lower quartile	41.0	27.4	21.4	10.2	100	
	Medium-low quartile	32.2	29.0	24.1	14.7	100	
	Medium-upper quartile	21.6	29.6	28.7	20.1	100	
	Upper quartile	15.1	22.0	27.4	35.5	100	
Development region	North East	59.5	25.3	11.9	3.4	100	
	South East	36.6	31.8	21.7	9.9	100	
	South Muntenia	16.4	29.3	30.1	24.3	100	
	South West	16.9	31.6	30.9	20.6	100	
	West	13.2	28.1	37.4	21.4	100	
	North West	15.4	21.1	29.0	34.5	100	
	Center	28.6	23.5	23.0	24.9	100	
	Bucharest-Ilfov	0	*	*	81.3	100	
	General practitioners' offices by 1,000 inhabitants	Lower quartile	36.8	25.6	21.6	16.0	100
		Medium-low quartile	30.3	26.3	23.9	19.6	100
Medium-upper quartile		24.5	27.0	26.3	22.2	100	
Upper quartile		18.3	29.1	29.9	22.8	100	
Incidence rate in September 2021	Lower quartile	36.6	27.1	21.7	14.5	100	
	Medium-low quartile	28.7	30.1	25.2	16.1	100	
	Medium-upper quartile	24.2	27.9	29.1	18.9	100	
	Upper quartile	20.4	22.8	25.7	31.0	100	
Presence of a marginalized community	No	17.1	26.1	29.5	27.2	100	
	Yes	46.9	28.6	17.7	6.8	100	
Share of older persons in total population	Lower quartile	37.5	23.8	19.6	19.2	100	
	Medium-low quartile	28.1	28.8	24.7	18.4	100	
	Medium-upper quartile	23.6	29.0	27.7	19.7	100	
	Upper quartile	20.7	26.4	29.7	23.2	100	
	Total (%)	27.5	27.0	25.4	20.1	100	
Total (N)		786	772	727	576	2861	

Note: Colored cells indicate significantly higher values (adjusted residuals).

* Lower than 5 cases.

Source: Author's own, 2023.

Further on, communes with a good COVID-19 vaccination coverage are to a significantly higher extent from communes with a good coverage of the population with general practitioners (medium-upper and upper quartiles of the indicator on general practitioners' offices by 1,000 inhabitants), a high COVID-19 incidence rate in September 2021, a higher share of older persons in the total population²⁰ and without a marginalized community. They are also more likely to come from the development regions of North West, South Muntenia, Center and Bucharest. It is noteworthy that parts of these regions also represent the development regions with the highest GDP per capita in 2020.²¹ On the opposite side, rural localities placed in the lowest quartile concerning vaccination uptake are more likely to come from communes with low fiscal capacity, placed in the North Eastern and South Eastern regions, with a rather low number of general practitioners' offices per 1,000 inhabitants, with a lower share of older persons in the total population and including a marginalized community in the population. Notwithstanding, older persons have been considered more vulnerable in times of the pandemic, also in relation to a higher prevalence of chronic diseases in this age-group (WHO, 2020; UN, 2020; Centers for Disease Control and Prevention, 2023). Another potentially vulnerable group is represented by the population living in marginalized communities.

6. Discussion

The results of research put structural factors of vaccination uptake under the spotlight. Additionally, the increases in vaccination uptake between August and October 2021 reports on complacency, which relates to the perceived low risks of vaccine-preventable diseases, in line with previous studies (Kalam et al., 2021; Pavić et al., 2022; Schwarzsinger et al., 2021; Wiysonge et al., 2021). Consequently, this brings up the problem of risk calculation as a comparison of the risks of infection and vaccination for reaching a decision (in relation to the incidence rate variable). However, the direct cause of the lack of confidence and risk calculation can be represented by another structural problem, like population characteristics, such as their low density, low formal employment rate, and poor connections with densely populated urban areas. Furthermore, it is possible that more accurate data from the current census will provide a better picture of this topic – both regarding population, ethnic minorities and inner locality area. In addition, a high share of the rural population works as self-employed in agricultural activities in Romania, with few or no formal relations/physical contacts with densely populated urban areas. Hence, the introduction of formal access restrictions – such as digital certificates for access in public institutions – is again decoupled from the motivations of the population living in rural remote and scarcely dense localities.

²⁰ Data for 2020.

²¹ Eurostat database, Gross domestic product (GDP) at current market prices by NUTS 2 regions [NAMA_10R_2GDP], Euro per inhabitant.

Furthermore, in relation to the marginalized communities, several indicators differ substantially when compared to the general population. The structure of the population in rural marginalized communities is different. “At the national level, 6.2 percent of the rural population, 5.3 percent of all households, and 5.2 percent of all dwellings are located in rural marginalized areas. Older people account for 13 percent in these areas (the average share for rural nonmarginalized areas is 19 percent for people aged 65 or older), while one in every four households in rural marginalized areas has five members or more (with only 15 percent in nonmarginalized areas)” (Teşliuc et al., 2016, p. 28). Moreover, the negative correlation between the share of the marginalized population and vaccination coverage can be attributed to a long relationship of distrust in both governmental and public health authorities.²²

This contextualized research for the case of Romania further deepens our understanding of territorial disparities on vaccination coverage and adds to the growing body of worldwide knowledge on vaccine hesitancy against the COVID-19 vaccine. In particular for the underserved areas, new intervention models like the socio-ecological models have been proposed in order to address systemic barriers for engagement in public health programs (Caperon et al., 2022).

The paper explores factors associated with vaccination coverage in rural Romania. The perspective used by this study is therefore centered around structural factors, rather than on individual level factors. It examines correlations between local financial development of public administration and vaccination coverage, alongside meaningful differentiations based on other relevant locality level variables. The study is based on a secondary analysis of public official data on vaccination coverage at the local level and local budget execution in Romania. For the financial capacity, a mean value of the past three years was used, in order to decrease the potential variations within the last years affected by the pandemic. The results of the statistical analysis indicate a significant positive correlation between the level of fiscal capacity and vaccination coverage in the rural localities of Romania, irrespective of the method of calculation. Rural localities of Romania with a higher vaccination coverage are to a significantly higher extent from the communes with a good level of fiscal capacity. The paper contributes to enlarging the perspective on vaccination hesitancy by adding both conceptual and practical insights. Future studies could focus specially on the vaccination coverage of vulnerable groups, against the background highlighted by this study on the significant territorial discrepancies.

7. Conclusions and recommendations

Findings of the study can be used by central and local public health authorities, alongside municipalities’ representatives, especially from the side of the social services,

²² In total, there are 992 communes with marginalized communities (approximately 35% in the total number of rural localities in Romania).

in order to develop context-specific public health plans of actions. Data in this study capture a key moment in time, when Romania faced increased mortality rates associated with COVID-19, and still underwent a low vaccination uptake. The analysis stresses the structural determinants and inequalities in the rural areas of Romania, placed at disadvantage on several health, economic and social locality level indicators. It adds to the knowledge on the pandemic context in Central and Eastern Europe, in line with previously identified research needs (Nemec et al., 2020).

The study revealed significant associations between the COVID-19 vaccination coverage and locality level variables. Positive correlations have been identified in relation to fiscal capacity, coverage of the population with general practitioners, the COVID-19 incidence rate and the absence of a marginalized community within the locality. Regional differences are again highlighted in the analysis.

From the policy point of view, the study shows that there is at least a partial overlap of the disadvantaged rural areas with the ones registering low vaccination uptakes against COVID-19. Further on, it means that these territorial areas accumulate a series of structural disadvantages that can prove to increase the discrepancies between them and other rural or large urban areas. Territorial analyses are particularly important to provide an explicit and coherent understanding of the drivers of disparities in vaccination coverage, in order to formulate nuanced and evidence-based policy responses.

From the point of view of practitioners relevant for the community level, the results of the study can be used to tailor intervention in communities with similar characteristics. Although the study is conducted in Romania, the findings can prove to be relevant for other study settings as well, especially in Eastern European countries. Access costs continue to represent a structural barrier for the disadvantaged population in rural communities of Romania. In order to address social and economic determinants of public health inequalities, the experience of integrated teams in which a social worker closely cooperates with professionals from the health (community health nurse) and education sectors (school counselor) can prove to be a good example to be extended at a larger scale, in particular for the case of localities including rural marginalized communities.²³

At the organizational level, organization efforts transcending public sector levels (first and second tier of public administration and deconcentrated institutions²⁴, like the Public Health Directorate) can be replicated in similar challenges for rural communities. Future studies could update the statistical analysis model on the latest vaccination data with supplementary information and focus the empirical analysis on

23 Large scale EU funded project on integrated community teams, implemented in cooperation in Romania by the Ministries of Labour and Social Solidarity, Education and Health – Creating and implementing integrated community services for fighting poverty and social exclusion, Human Capital Operational Program, POCU/375/4/22/122607, <https://serviciicomunitare.ro>.

24 Like Public Health Directorates, subordinated to the Ministry of Health.

the vaccination coverage of vulnerable groups, like persons with disabilities or persons with chronic diseases.

The present study highlights that structural determinants of vaccine hesitancy are not likely to be overcome just by using coercive measures. An intersectoral approach that considers factors in an integrated approach is more likely to yield positive results in the future, in relation to other public health issues/campaigns conducted at the national level.

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Appendix - Tables

Table 1. List of variables

Variable name	Variable description	Measurement unit	Data Source	Reference date/year	Source for data access
Number of general practitioners' offices (per thousand inhabitants)	Number of general practitioners' offices (per thousand inhabitants)	Number	National Institute of Statistics	2017	Citadini.ro
Fiscal capacity	Average share of own revenues (without the sums deducted from the personal income tax), for the last three years – 2018, 2019 and 2020. Own computations.	Euro/inhabitant	MDLPA Annex 24 Local budgets execution	2018, 2019, 2020	Situation of revenues and expenditure of territorial administrative units, in the period of 1999–2019, http://www.dpfb.mdrap.ro/sit_ven_si_chelt_uat.html
Incidence rate by locality, 30 September	14 days incidence by locality, as of 30 September	Score	Ministry of Health	30 September 2021	https://data.gov.ro/data-set/transparenta-covid/resource/092bacbf-9060-4568-ae51-b86981f282f7
Population vaccination coverage, as of August 2021/5 October 2021	Vaccination coverage	Score	Romanian Government	August 2021 and 5 October 2021	https://vaccinare-covid.gov.ro/wp-content/uploads/2021/10/AV-pe-uat-5.10.2021.pdf?fbclid=IwAR2zW_CdCKcjNOhjbWVzaI5iOjSRgCQ1LM6kDo6vyW3G_9DhmjZTKH9_BJA
Presence of a marginalized community at locality level	Binary variable, based on <i>The Atlas of Rural Marginalized Areas and of Local Human Development in Romania</i>	Binary variable (1=yes, 0=no)	Teşliuc et al. (2016)	2011	Teşliuc et al. (2016). https://documents1.worldbank.org/curated/en/847151467202306122/pdf/106653-WP-P159257-PUBLIC.pdf
Share of older population in the total population	Computations based on the data from the National Institute of Statistics	Percentage	National Institute of Statistics	2020	Tempo online database
Development region (NUTS 2)	Affiliation of each locality to statistical development region	-	National Institute of Statistics	-	National Statistical Yearbook



A Policy Perspective on Regulating Disinformation in Romania during the Covid-19 Pandemic

Bianca Veronica Radu¹

Abstract

Romania is one of the countries that adopted temporary sanctions against disinformation during the state of emergency, which lasted between March 16 and May 14, 2020. The scope of this paper is to analyze the decisions adopted by the National Authority for Administration and Regulation of Communications, which was the institution responsible for regulating the spread of fake news on the internet. We analyzed the motivation to block access to false information and the type of news classified as disinformation. In addition, we analyzed decisions adopted by the National Council of Audio-visual starting with the end of February 2020, both in terms of recommendations and the sanctions imposed on audio-visual channels of communication, as well as the decisions to sanction noncompliance with the correct information of the audience. The findings show a limited effect in containing disinformation. Access to a limited number of websites was blocked and after the state of emergency was lifted, access was granted again. Removing access to a website did not stop the authors from continuing their activity by opening a new website. The lack of a definition of false information allowed discretion power in blocking access to news containing information that later proved to be correct. The activity of audio-visual channels was regulated instead through soft legislation, such as recommendations and instructions, as well as through sanctions. Overall, the analysis shows temporary and limited effects of the legislation sanctioning disinformation in Romania.

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Keywords:

ensorship, COVID-19 pandemic, disinformation, freedom of expression, Romania

1. Introduction

Access to information and having the opportunity to discuss it freely is vital for citizens to cope with critical situations that disrupt their daily life and to comply with health policies during a pandemic (Christensen & Læg Reid, 2020; Radu, 2022). However, the COVID-19 pandemic illustrated many instances when citizens were intentionally provided with fake and misleading news that diminished their capacity to correctly assess the information and act adequately in certain situations (Vese, 2021; Lovari, 2020). Manipulation and disinformation of citizens took many forms, such as conspiracy theories about the virus' origin or the influence of some countries over the pandemic. There was much speculation about the anti-coronavirus vaccines that were portrayed as being intended to introduce a microchip inside the human body. Fraudsters, and even political leaders, attempted to benefit from citizens' fear and lack of information, and they advertised miraculous medicines that could treat those who contracted the virus (Harrison, 2021), therefore, increasing the health risks for those individuals willing to try alternative treatments (Hassanian-Moghaddam et al., 2020). In other cases, mass media presented information in such a way as to create panic among citizens. The World Health Organization coined the parallel crisis of fake news and misinformation as an infodemic. It warned that it lowers trust in health officials and undermines the effective health response against containment of the pandemic. However, in general, studies show that a low level of trust in public institutions and a high fear of information manipulation lead to a low level of policy compliance (Radu, 2021; Kozel & Dečman, 2022).

There is a broad discussion and a dilemma about how to keep a balance between protecting citizens against disinformation and upholding freedom of expression and access to information, as the criticism of governmental actions is a safeguard of democracy (Myung & Jung, 2022; Tenove, 2020; De Blasio & Selva, 2021). Another dilemma regards who should be responsible for fighting against disinformation. Previous literature identified the following four main actors: public institutions, media companies (including social platforms), professionals, and the public (Lazer et al., 2018; De Blasio & Selva, 2021). Their involvement depends on the degree of state control over public information and the level of transparency and responsiveness required from media companies for published information. Any direct intervention of public institutions raises concerns about censorship. At the same time, it is uncertain whether the efforts to improve individuals' skills to evaluate the quality of information will persist over time. Platforms could detect the automated dissemination of news by bots, but some might go undetected. Even the efforts of professionals to fact-check the

news face difficulties in covering the large amount of news that is produced. The COVID-19 pandemic magnified all these challenges.

The present article focuses on the challenges of direct regulation by the government to prevent disinformation during the COVID-19 pandemic. The analysis is on Romania, which was among the countries that adopted sanctions against disinformation through legislation regulating the state of emergency. On March 16, 2020, the first Presidential decree that established the state of emergency was adopted for 30 days, and on April 14, 2020, it was extended for another 30 days until May 14, 2020, when the state of the emergency was lifted and replaced with the state of alert. Preventing, identifying, and sanctioning disinformation was considered an important tool to maintain citizens' trust in public institutions and to encourage their compliance with public institutions' recommendations or mandatory requirements.

Other countries used the COVID-19 pandemic as an opportunity to introduce stronger legislation against disinformation and even to criminalize fake news (Commissioner for Human Rights, 2020). For example, in March 2020, the Hungarian Parliament passed new emergency legislation which punished the spread of misinformation with up to five years of imprisonment (Cox, 2020). It aimed to consolidate illiberal democracy (Hajnal et al., 2021). In some countries, such as the US and UK, whistleblowers, especially medical workers, faced pressure from public authorities not to speak out about the working conditions or about the development of the pandemic (Abazi, 2020; Committee to Protect Journalists, 2020). In other countries, such as India, the prime minister demanded that journalists not publish information about the pandemic without the government's approval (Radu, 2020). Some governments from Asia and North Africa used the pandemic as a pretext to silence unrelated criticism (Vese, 2021). All these attempts to censor information, control the narrative about the pandemic and restrict citizens' and press' freedom of expression were criticized (Abazi, 2020; Mirza, 2021).

This article aims to analyze the legal instruments used by Romanian public authorities to prevent disinformation during the COVID-19 pandemic and to highlight their efficacy and limitations. The analysis is from a public policy perspective and aims to add to the research on disinformation and fake news conducted in Romania. Corbu et al. (2021) (2021) investigated the factors that influenced Romanians' compliance with restrictive measures at the beginning of the COVID-19 pandemic and found that compliance was higher among individuals who trusted information received from official institutions but also among those who believed conspiracy theories that were circulating at the time of the outbreak of the pandemic. Mogoş et al. (2022) found several negative frames associated with anti-COVID-19 vaccines that were disseminated on social media platforms and encouraged vaccine hesitancy and resistance among Romanian citizens. A survey conducted in Romania in April 2021 showed that people, who perceived a higher incidence of fake news received information from social media, had a lower level of education and a higher level of religiosity, and were more inclined to trust misleading information about the

COVID-19 pandemic (Buturoiu et al., 2021). The research conducted among several professional groups highlighted the need for credible information during the pandemic. For example, a study conducted among Romanian healthcare professionals found that the spread of misinformation regarding the availability of alternative treatments influenced their trustworthiness and their relationship with patients (Coman et al., 2022). Cepoi et al. (2023) found that misinformation released during the lockdown period discouraged the probability of informed trading on the Romanian stock market. Interviews conducted with journalists at the beginning of the vaccination campaign in 2021 revealed a general agreement among respondents that press materials should use information from official and credible scientific sources and should fight fake news and misinformation about the anti-coronavirus vaccine (Mureșanu & Sălcudean, 2022). However, a pilot study conducted at the beginning of the pandemic found that even credible media outlets published news that contained misleading, manipulated, or fabricated information (Palade & Balaban, 2020).

The research conducted on disinformation and fake news in Romania lacks an analysis of the challenges of adopting regulations to combat the spread of disinformation, as well as a reflection on the limitations and risks of such an endeavor. In the following section, we will present different approaches used by different countries to address disinformation ranging from self-regulation to direct government regulation. In section three, we will present the Romanian legislation that existed before the pandemic, but also that adopted at the beginning of the COVID-19 pandemic through the state of emergency legislation. Section four presents the methodology used to conduct the analysis, while section five presents the findings. We will conclude by discussing the challenges of criminalizing disinformation, and the efficacy of the legislation.

2. Approaches to tackling disinformation

In order to discuss the approaches to combat the spread of disinformation, an unequivocal and detailed definition is required. The defining elements of disinformation are the misleading nature of the information, the intention of the actor to cause public harm (which does not need to have occurred), and economic or political gain (Ó Fathaigh et al., 2021; Egelhofer & Lecheler, 2019; European Commission, 2020). Disinformation is often discussed in opposition to misinformation, which also refers to disseminating false information, but without harmful intent. Some authors consider disinformation synonymous with fake news, but disinformation goes beyond that as it takes more forms than news. Fake news takes some forms of credibility by appearing similar to real news or in a journalistic format, but is low in facticity, is created to deceive (Tandoc, Lim & Ling, 2018; Egelhofer & Lecheler, 2019), and lacks the procedures to ensure the accuracy and credibility of the information (Lazer et al., 2018).

Much disinformation occurs on social media, an unregulated medium driven by revenue and political motivation (Tucker et al., 2018). Every time a reader clicks on an article on social media, the clicks are converted into advertising revenues; this is the mechanism through which people are incentivized to get involved in the production of sensational and emotional headlines (Egelhofer & Lecheler, 2019) or fabricated news in order to attract more readers. Another motivation is political because some fake news producers intentionally interfere in public discussions and discredit some public figures to push their own agenda (Tandoc, et al., 2019). The lack of procedures to verify the information and ensure its credibility facilitates the spread of fake news (Tandoc, Lim & Ling, 2020). People are more vulnerable to fake news when they do not trust public institutions or in contexts marked by social tensions, such as political, racial, or cultural (Tandoc, Lim & Ling, 2018).

There is a general awareness of the harmful consequences of fake news for citizens and society. The COVID-19 pandemic highlighted, to a greater degree, the devastating consequences of disinformation on citizens' compliance with mandatory regulations and participation in vaccination campaigns. The pandemic created a window of opportunity to adopt countermeasures to limit the spread of disinformation, which vary, based on their intensity, on a continuum from soft to hard law decisions (Radu, 2020; International Press Institute, 2020b). There is no consensus among countries how to deal with disinformation, as instead, there is a 'patchwork of national rules' (Harrison, 2021). Durach et al. (2020) classify measures to address disinformation into four categories: self-regulation, co-regulation, direct regulation, and audience-centered approach. Prior to the COVID-19 pandemic, an analysis of counter-disinformation policies adopted by eleven European countries (De Blasio & Selva, 2021) identified four models of social platform accountability: accountability set by law, codecided accountability, regulated self-regulation and pure self-regulation.

The self-regulation approach refers to the voluntary decisions of online platforms (such as Facebook, Twitter, YouTube, Google, and the like) to combat misinformation about the virus and to take down fraudulent content (Niemic, 2020). For example, Facebook introduced pop-ups containing information from the World Health Organization, while Twitter and YouTube introduced warnings of content that contradicted information provided by authorities. Even though the contribution of social media platforms to the communication of more accurate information was significant, the accuracy of algorithms used to differentiate intentionally fake information from genuine false information in a rapidly changing environment was questioned. In some cases, companies that hosted websites complained that they needed clear guidelines regarding the type of information that should be or should not be on the Internet because 'it should not be up to them to police speech online' (O'Sullivan, 2022). Social media platforms' efforts to combat disinformation fit more into the co-regulation approach.

Co-regulation approach (Durach et al., 2020, p. 9) refers to the European Union's efforts to allow Internet platform companies to implement a series of measures by

setting up some expectations on how to combat disinformation. For example, on May 26, 2021, the European Commission published the 'Commission Guidance on Strengthening the Code of Practice on Disinformation' (European Commission, 2021), which was the foundation for the 'Strengthen Code of Practice on Disinformation' signed on June 16, 2022, by 34 signatories (online platforms such as Meta, Microsoft, Google, Twitter and TikTok, specialized platforms, fact-checkers, and the like). The Commission does not endorse the Code, but the Code fulfills the expectations set out in the guidelines. The companies that signed the Code decide which measures to implement, and it is their responsibility to implement them properly.

In the context of the COVID-19 pandemic, many countries directly regulated fake news and adopted measures that allowed the removal of unlawful online content and suspended access to websites. In some countries, emergency legislation criminalized fake news and entitled public authorities to give fines or even imprison individuals who intentionally spread false information. Hungary's legislation on disinformation passed on March 30, 2020, is perhaps the most commented one because the spread of fake news was punishable by up to five years imprisonment. Other countries criminalized the spread of false information, such as Uzbekistan, which in early April 2020 passed temporary amendments to punish the spread of false information with two years of correctional labor and creating panic through fake news with up to three years imprisonment (International Press Institute, 2020b). In some countries, the new legislation was limited to being valid only during the state of emergency (as was the case of Romania),

In contrast, in more autocratic countries, disinformation provisions were permanently included in the criminal and civil codes (International Press Institute, 2020b). We also have to mention the case of some EU member states that adopted legislation on fake news before the COVID-19 pandemic started. For example, in 2015, Lithuania passed a Law on the Provision of Information to the Public, which prohibited intentionally disseminating disinformation, defined as false information. In 2017, the German Federal Parliament adopted the Network Enforcement Act to combat fake news and misinformation by requiring social media platforms to remove illegal content; otherwise, they could be fined. However, in some countries, legislation on coronavirus-related fake news was repelled out of fear of censorship and the abolition of media freedom (Radu, 2020) or after pressure from the European Union and OSCE (International Press Institute, 2020b). For example, in Bulgaria, draft legislation, which granted the media regulator the power to suspend the activity of websites for distributing fake news, was rejected (Van Hoboken & Ó Fathaigh, 2021). Similarly, in Serbia, a government decree that centralized information related to the COVID-19 pandemic was revoked (Radu, 2020).

Another regulation that indirectly affected the media's capacity to present accurate information was the extension of deadlines public institutions have to respond to FOIA requests. Hungary, Romania, Spain, Turkey, Serbia, and Bosnia and Herzegovina adopted emergency legislation to restrict access to public information

(International Press Institute, 2020, 2021). In Romania, the deadline doubled, while in the Republic of Moldova, it tripled (Mirza, 2021).

Those who criticize the strong regulation of disinformation propose audience-centered activities (Durach et al., 2020; Grimes, 2020) aimed at increasing media literacy or eHealth literacy that would enable the population to differentiate between false and true information through developing critical thinking and verifying the information. However, public institutions should cultivate eHealth literacy throughout the lifespan and should target all age groups in society (Dib et al., 2022). In order to increase access to accurate information, governments of different countries spent public funds on information campaigns aimed at providing citizens with messages on how to protect themselves and their families against COVID-19 and encouraging the population to get the vaccine. For example, the UK Government paid media organizations to air public information campaigns (Digiday, 2020); public spending was considered to be financial support for the newspapers that faced a drop in advertising revenues during the pandemic. In some cases, public authorities posted videos on Facebook that contained warnings about the dangers of disinformation (Van Hoboken & Ó Fathaigh, 2021). In other cases, a private company scrutinized websites containing health information and gave a certification that the websites contained reliable information (Health on the Net (HON) certificates, www.hon.ch).

Even though some of the new pieces of legislation adopted at the beginning of the COVID-19 pandemic stem from the intention to combat disinformation and reduce the exposure to false news, organizations defending the freedom of the press considered them as being a limitation or a threat to the activity of journalists. One argument was that a clear definition of disinformation was missing or, where it was offered, the definition was vague and therefore, it could be easily manipulated (International Press Institute, 2020b). In addition, the legislation was adopted in a short period of time without the consultation of journalists' associations and gave too much authority to governments that could use the law to silence opposition. According to Transparency International Hungary (2020), the state of emergency, including restrictions on citizens' rights, should be limited in time and should be subject to parliamentary review every 30 days.

Since February 2020, the International Press Institute (IPI) monitored press freedom restrictions during the COVID-19 pandemic, and on August 30, 2022, IPI reported 473 violations linked to covid-19 coverage (International Press Institute, n.d.). Worldwide, IPI identified 95 violations related to censorship on media and journalists covering Covid-19 that were caused by: 34.7% (33) websites blocked, 7.37% (7) forced closure of media outlets, and 57.89% (55) publication ban, take-down order or forced deletion. In Europe and Asia, 94.27% and 100%, respectively, of the violations related to censorship of media were related to publication ban, take-down order, or forced deletion, and in the Americas 76.32% were related to websites blocked. In terms of restrictions on access to information, on August 30, 2022, IPI reported 102 violations that were caused by access restricted to officials/press conferences (36.27%),

FOI rules suspended/deadlines extended (8,82%), travel restrictions/bans (6,86%), and press passes/accreditations revoked or denied (48.04%). Most of the FOI rules suspended or deadline extended were in Europe (8 out of 9 such violations).

In the following section the general legislative framework for preventing the spread of disinformation is analyzed, as well as the legislation provisions adopted in Romania in the context of the COVID-19 pandemic.

Those who criticize the strong regulation of disinformation propose audience-centered activities (Durach et al., 2020; Grimes, 2020) aimed at increasing media literacy or eHealth literacy, which would enable the population to differentiate between true and false information through developing critical thinking and verifying the information. However, public institutions should cultivate eHealth literacy throughout life and target all age groups (Dib et al., 2022). In order to increase access to accurate information, governments of different countries spent public funds on information campaigns to provide citizens with messages on how to protect themselves and their families against COVID-19 and encourage the population to get the vaccine. For example, the UK Government paid media organizations to air public information campaigns (Digiday, 2020); public spending was considered to be financial support for the newspapers that faced a drop in advertising revenues during the pandemic. In some cases, public authorities posted videos on Facebook that contained warnings about the dangers of disinformation (Van Hoboken & Ó Fathaigh, 2021). In other cases, a private company scrutinized websites containing health information and certified that the websites contained reliable information (Health on the Net (HON) certificates, www.hon.ch).

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The following section analyzes the general legislative framework for preventing the spread of disinformation, as well as the legislation provisions adopted in Romania in the context of the COVID-19 pandemic.

3. Romanian legislation to prevent disinformation

3.1 Constitutional provisions

Before the pandemic, Romanian legislation already included provisions for protecting citizens' rights and freedoms and the conditions under which they can be restricted. Romanian Constitution, Article 30, guarantees citizens' right to freedom of expression and prohibits censorship of any kind or suppression of any publication. Freedom of expression cannot prejudice the dignity and honor of a person, and the Constitution prohibits incitement to racial hatred. Article 31 of the Constitution guarantees the right to information of public interest, as public authorities must ensure the correct information for the citizens on public affairs and issues of personal interest. However, the right to information should not prejudice the measures to protect national security. According to Article 53 of the Constitution, the exercise of certain rights and freedoms can be restricted by law to protect public health, among other public interests. The restriction must be proportional to the situation that determined it should be applied in a non-discriminatory manner without affecting the existence of the right or freedom (Article 53, para. 1). According to Article 4 of the Government Emergency Ordinance No. 1/1999 adopted through Law No. 453/2004, 'during a state of siege and state of emergency, the exercise of some fundamental rights and freedoms can be restricted, except for human rights and fundamental freedoms, only to the extent that the situation requires it.' In addition, according to Article 3 of the same ordinance, during a state of siege or state of emergency, the following actions are prohibited: 'limitation of the right to life, torture, and punishments or inhuman or degrading treatments, a conviction for crimes not punished as such according to national or international law, and restriction of free access to justice.'

3.2 Legislation to prevent disinformation adopted through emergency legislation at the beginning of the COVID-19 pandemic

In Romania, Presidential Decree No. 195 from March 16, 2020, which established the state of emergency, granted the National Authority for Administration and Regulation of Communications (NAARC) the authority to order the removal of online information that promotes false news regarding the evolution of COVID-19 and the protection and prevention measures (Art. 54). In addition, the providers of electronic communication networks, based on the reasoned decision of the NAARC, had an obligation to immediately block the access of users from Romania to the content promoting false news regarding the evolution of COVID-19 transmitted in an electronic communications network by persons not under the jurisdiction of national law. The decree did not define what was classified as false news, only that it had to be related to the COVID-19 pandemic. Therefore, public institutions had the discretion to decide what to include in this category.

The legal procedure decide to remove online false information or block access to a website was the following. The NAARC made the decision based on the recommendation of the Strategic Communication Group established under the coordination of the Department for Emergency Situations, a unit within the Ministry of Internal Affairs. NAARC then communicated the decision to the company that administered the website promoting false information or to the providers of electronic communication networks from Romania if a foreign company administered the website. Non-compliance with the decision constituted a contravention and was sanctioned with a fine between 1,000 and 70,000 RON (approximately between EUR 200 and EUR 14,000). The decisions could be challenged in administrative litigation at the Bucharest Court of Appeal within 30 days of the communication without going through the preliminary procedure provided by the administrative litigation.

Presidential Decree No. 195 was extended by Presidential Decree No. 240 from April 14, 2020, for another 30 days, until May 14, 2020. After the state of emergency ended, starting on May 15, 2020, the restrictions on the websites that had previously published false news were lifted, and access was once again granted.

3.3 Legislation to prevent disinformation by audio-visual media service providers

Before the pandemic, Romania already had legal provisions that sanctioned disinformation, even though the exact word disinformation was not used. Decision No. 220/2011 regarding the Code for regulating audio-visual content provides general guidelines regarding the correct information for the public through the use of credible sources of information, accurate presentation of the news, and presentation of all opposing perspectives of news in order for every citizen to form their own opinion (Art. 64, 65 and 66 of the Code). In addition, Art. 73 prohibits promoting cases of a

person being cured of serious diseases with the help of conventional or non-conventional treatments if the diagnosis and the medical documents confirming it have yet to be certified by the Romanian College of Doctors or by similar institutions from abroad. News on disasters and collective tragedies must be presented with decency, without creating panic or repeating unjustifiably shocking images (Art. 75). Non-compliance with these provisions is sanctioned according to the audiovisual Law No. 504/2002 first with a warning containing the precise conditions to enter into legality, and in cases where the audio-visual provider does not comply with the terms and under the conditions established by the warning or violates these provisions again, a contravention fine between EUR 1,000 and EUR 20,000 is applied.

During the pandemic, between February 18, 2020 and August 31, 2021, in addition to already existing legal provisions, National Council for Audio-visual (NCA)² issued nine recommendations and three instructions³ through which audio-visual media service providers were given guidelines to ensure correct information for the public about the COVID-19 pandemic and the vaccination campaign and to discourage the transmission of scientifically undocumented information or to use sources of documentation that do not exist in reality. The three instructions issued by the National Audio-visual Council requested audio-visual service providers to draft the news with rigor and accuracy, to use official and reliable sources of information, to verify any information related to the subject of COVID-19, to avoid an overabundance of information that can create confusion, and not to stimulate the emotional side or to create panic and insecurity among citizens. In addition, the National Audio-visual Council requested to counteract conspiracy theories, reject hate speech claiming that an ethnic or religious group is responsible for the COVID-19 pandemic, and ensure a debate based on the advice provided by specialists.

Based on the requests of the Ministry of Internal Affairs, the National Audio-visual Council adopted nine recommendations through which it requested audio-visual service providers to disseminate messages of public interest aimed at informing the public on different issues related to the COVID-19 pandemic. Examples of such messages of public interest are: 'Protect yourself and your family! Wash your hands often with soap and water, cover your nose and mouth with your arm when you sneeze or cough, wear a protective mask, and get a flu shot!' (NCA Recommendation from February 18, 2020), 'Save lives, keep your distance, be responsible!' and a spot regarding online payments, card payments, and via GISEUL.ro (NCA Recommendation from May 28, 2020), and the spot 'Person to person, we stop the

2 National Council for Audio-visual is an autonomous authority under the control of Parliament. Its mission is to ensure a climate based on free expression and responsibility towards the public, and it is the only regulatory authority in the audio-visual field (www.cna.ro).

3 Instructions are documents that contained general guidelines for preparing and presenting the news. In contrast, recommendations contained requests for disseminating specific messages of public interest to prevent the spread of the virus or to encourage vaccination.

pandemic' that refers to the vaccination campaign (NCA Recommendation from February 2, 2021). The recommendations contained information about the period for which the audio-visual service providers from national, regional, and local levels should broadcast the spot.

3.4 Regulating access to information of public interest during the state of emergency

According to Presidential Decree No. 195/2020 Article 56, during the state of emergency, the legal deadlines for answering the requests for access to public information under the FOIA and petitions were doubled. Therefore, the deadlines for answering requests under FOIA increased from 10 to 20 days for simple information and from 30 to 60 days for complex information. The deadline for answering petitions increased from 30 to 60 days. These legal provisions were applicable until May 14, 2020, when the state of emergency was lifted.

3.5 Financial support for mass-media

Starting on May 15, 2020, after the state of emergency was lifted, the Romanian Government allocated 200 million RON (approximately EUR 405,000) to mass media for an information campaign on topics related to COVID-19. The information campaign was scheduled to last four months. It contained messages to prevent and limit the spread of COVID-19 and how to resume social and economic activities after the end of the state of emergency. The Government considered the financial allocation as being financial support for mass media affected by the pandemic and aimed to prevent negative consequences in terms of ensuring citizens' correct and balanced information in critical periods when access to information is essential. Most funds were allocated to television stations, then to online media, radio stations, and printed newspapers.

4. Methodology

The goal of this article is to analyze the legislation adopted to combat disinformation in Romania during the state of emergency and to highlight its effectiveness, limitations, and risks. In this regard, we conducted a content analysis of the decisions adopted by the National Authority for Administration and Regulation of Communications (NAARC), the institution responsible for sanctioning the spread of fake news on the internet. The NAARC adopted 21 decisions between March 16, 2020 and May 14, 2020 (the duration of the state of emergency in Romania). All these decisions are available online on the NAARC's website, except for one that is missing because a totally different document was wrongly uploaded in its place. Out of 20 decisions available, five of them announced the NAARC's decision to cease the previous measures adopted

against websites that posted false information because the emergency situation ended in Romania starting on May 15, 2020, and therefore the legal provisions were no longer applicable. Therefore, we conducted a content analysis of 15 decisions regarding the false information posted on 15 websites. Appendix 1 contains a synthesis of these decisions.

We collected information about the following:

- a) the websites that spread false information and the location of companies that hosted them,
- b) the type of news that NAARC classified as false information,
- c) the motives to block access to false information,
- d) the sanctions applied,
- e) whether the websites contested the decisions,
- f) whether the websites continued to publish news classified as false news after an initial sanction or switched to another website,
- g) whether the sites exist in March 2023 (the date of the last revision of this article).

In addition, we analyzed decisions adopted by the National Council of Audio-visual (NCA) starting at the end of February 2020 regarding recommendations and the sanctions imposed on audio-visual communication channels. Even though we did not conduct a systematic analysis of the decisions, it is vital to have a view of the activity of the NCA because disinformation spread through television and radio has a much higher impact due to numerous audiences. Therefore, we limited the analysis to the decisions adopted until June 2020.

5. Findings

5.1. Sanctioning disinformation by internet providers

The content analysis of the NAARC's decisions to which we had access illustrates that there were 15 websites where the NAARC either blocked access to articles or to the entire website. In two cases, websites were similar to <https://ortodoxinfo.ro> and <https://ortodox.info.ro>, and www.new-romania24h.xyz and www.r.news-romania24h.xyz. The website <https://ortodox.info.ro> was created after the NAARC made the decision to block access to the website <https://ortodoxinfo.ro>. The NAARC found that some of the articles published on <https://ortodoxinfo.ro>, which was first closed, were republished on the newer site that had a format very similar to the previous one.

Table 1:
Analysis of the websites blocked through the NAARC's decisions

	Websites	Location of the company hosting the website	Website active in March 2023
1.	https://danielvia.wordpress.com	USA (no information about the city)	No
2.	https://ortodox.info.ro	San Francisco, USA	No
3.	https://ortodoxinfo.ro	San Francisco, USA	Yes
4.	https://romania-veche.ro	Bistrița, Romania	No
5.	https://veghepatriei.wordpress.com	USA (no information about the city)	No
6.	https://vremuriturburi.com	USA (no information about the city)	No
7.	www.blacktopics.wordpress.com	USA (no information about the city)	No
8.	www.bpnew.ro	Sighetu Marmației, Romania	No
9.	www.breakingnews.xyz	San Francisco, USA	No
10.	www.cohortaurbana.ro	Sfântu Gheorghe, Romania	No
11.	www.genocid.ro	Bucharest, Romania	Yes
12.	www.justitiarul.ro	Bistrița, Romania	Yes
13.	www.new-romania24h.xyz	Server outside Romania	No
14.	www.r.news-romania24h.xyz	Server outside Romania	No
15.	www.stiridemoment.ro	No information	No

Source: author's own, 2023

In nine out of 15 cases, websites were hosted by companies outside Romania. In seven cases, the companies were situated in the USA (three were located in San Francisco, USA) (see Table 1). In the case of companies from Romania, they were located in different cities throughout the country, such as Bucharest, Sfântu Gheorghe, Bistrița, and Sighetu Marmației. The NAARC identified that one company from Bistrița hosted two websites (<https://romania-veche.ro> and www.justitiarul.ro). In March 2023, only three of the 15 websites were active. In one case, the most recent articles published were from June 2021. According to the information extracted from the NAARC, when the decision to block access to five articles published on the website www.stiridemoment.ro was made, the website was no longer active. Thus, the measure of elimination at the source of several articles containing false information was no longer relevant.

Most of the decisions against disinformation were to block access to the websites. In three cases, the decisions were to block access to articles. However, in two of these cases, the NAARC made a subsequent decision to block access to websites because they continued to publish false information (see Table 2). In the other case, when the NAARC adopted the decision, the website was no longer active. Just one company contested the NAARC's decision (www.justitiarul.ro), and, as a consequence, access to this website was granted again with the requirement to block access to two articles. However, the NAARC revised the decision the next day and decided to block access to the website again because it had continued to post false information.

Table 2:
Types of NAARC decisions to sanction disinformation

	Websites	Decisions
1.	www.stiridemoment.ro	block access to 5 articles
2.	www.bpnew.ro	26.03.2020 – block access to one article 16.04.2020 – block access to the website
3.	www.breakingnews.xyz	immediately block access to the website
4.	www.cohortaurbana.ro	block access to the website
5.	www.blacktopics.wordpress.com	immediately block access to the website
6.	www.r.news-romania24h.xyz	immediately block access to the website
7.	www.new-romania24h.xyz	immediately block access to the website
8.	www.genocid.ro	block access to the website
9.	https://veghepatriei.wordpress.com	immediately block access to the website
10.	https://vremuriturburi.com	immediately block access to the website
11.	http://romania-veche.ro	block access to the website
12.	www.justitiarul.ro	23.04.2020 – block access to the website 29.04.2020 – The company contested the previous NAARC decision and the NAARC decided to permit access to the website, but to block access to two articles. 30.04.2020 – block access to the website because it had continued to post false information
13.	https://ortodoxinfo.ro	immediately block access to the website
14.	https://ortodox.info.ro	immediately block access to the website because it had continued the disinformation campaign started through the old website https://ortodoxinfo.ro
15.	https://danielvia.wordpress.com	immediately block access to the website

Source: author's own, 2023

Since the companies that hosted the websites had the right to start administrative litigation against the NAARC's decisions at the Bucharest Court of Appeal, we checked for cases brought against this institution related to the decisions to block access to websites. We did not find any legal complaints submitted by the companies that had had their websites blocked. In addition, there was no decision made by the Constitutional Court of Romania regarding the limitations on freedom of expression during the state of emergency, as no complaint had been brought by the Romanian Ombudsman or any other party to the Constitutional Court.

The Presidential Decrees that established the state of emergency and introduced sanctions against disinformation did not include a definition of false information, only that it should be related to the COVID-19 pandemic. Therefore, we extracted those elements used to define information as disinformation from the NAARC decisions. Definitions of disinformation encountered in the literature argue that it has a misleading nature of the information, intends to cause harm (which does not need to have occurred), and economic or political gain. It was impossible to analyze the gain obtained out of disseminating disinformation; therefore, we concentrated on the other

two elements. Table 3 summarizes the elements that we identified. Finally, we found that many articles did not cite the official sources used to document the information analyzed or presented information that contradicted the statements of public institutions or associations of private companies.

In many cases, articles either overestimated or underestimated the real danger of the pandemic and presented different types of conspiracy theories. In some cases, a discrepancy existed between the title of articles (which was alarming and had the intention to capture attention) and the content of the article. In the case of one website, there was a suspicion that some of the authors had not used real names.

Table 3:
Elements used by the NAARC to classify information as disinformation

Characteristics of disinformation		
1.	Type of information	News does not cite official sources used for documentation.
		Information contradicts the statements of public institutions or associations of private companies.
		Overestimation or underestimation of the real danger of the pandemic
		Some authors used fake names.
		The news was created using different conspiracy theories.
		There is no strong connection between the title of the article (which is alarming) and the content of the article.
2.	Intention of disinformation	To create panic
		To induce unjustified fears or a state of artificial social dissatisfaction
		To weaken the credibility of public institutions responsible for the management of the pandemic
		To lower trust in some professional categories, such as medical staff
		To instigate disobedience against restrictive measures

Source: author’s own, 2023

The conspiracy theories promoted by these websites were about

- the scarcity of food,
- the extermination of pensioners in concentration camps,
- the reduction of the population,
- the beginning of a new world war,
- the introduction of microchips into the human body through vaccination,
- increasing the profit of Big Pharma,
- and artificial creation of coronavirus in a laboratory.

More specific examples of articles that promoted conspiracy theories can be found in Appendix 1. Disinformation intended to alarm the population and create panic, create unjustified fear, weaken the credibility of public institutions responsible

for the management of the pandemic, lower trust in some professional categories, such as medical staff, and overall instigate disobedience against restrictive measures.

However, in a few cases, the decision to classify information as disinformation can be debatable, especially since we know the developments that took place after the end of the state of emergency. For example, an article published on April 25, 2020, promoted the idea that the fines were illegally imposed and encouraged citizens to circulate without declaring their responsibility necessary for leaving their homes because if they were fined, they would win the case in court. Another article instigated citizens against isolation, a violation of human rights, and would cause severe depression in the population. Aside from instigating noncompliance, these articles did not contain false information. For example, the Constitutional Court invalidated the fines for not filling out the declaration through Decision No. 152 on May 6, 2020 (Ștefan & Grama, 2020), and citizens received the right to request a refund if they had paid fines. In this case, even though the purpose of the decision to block access to a website was to discourage citizens' noncompliance, the decision to categorize this news as false information is debatable, and illustrates that a clear definition of false information should have been included in the two Presidential Decrees that sanctioned disinformation.

5.2. Sanctioning disinformation by audio-visual media service providers

The National Audio-visual Council sanctioned audio-visual service providers for

- portraying the COVID-19 pandemic as a global criminal conspiracy,
- not making a clear distinction between facts and opinions,
- not ensuring unbiased and good faith information in relation to COVID-19,
- inducing panic among the population,
- allowing people who were not specialists to encourage population against vaccination,
- discrediting some professions such as medical staff and police officers, and
- presenting information that is not verified or validated by specialists about the origin of COVID-19 and how it spread.

Even though the broadcasting companies received sanctions and had to publicly present a message with the sanction received and the motive at a peak-viewing time, they continued not to comply with the legislation. In addition, by the time sanction was applied, disinformation might already have had an effect because there were a few days gap between the sanctions being applied and the presentation of those news subject to sanctions. Therefore, we question the effectiveness of such legislation in discouraging disinformation and reducing citizens' exposure to false information.

5.3. Effectiveness of financial support for mass-media

A study conducted by Mureșanu & Sălcudean (2022) regarding the perception of journalists on the financial allowances granted by the Government to mass media showed that these allowances impacted mass media differently. Since money was granted based on ratings, local media received tiny monthly amounts, such as EUR 100. Therefore, some media outlets criticized this measure and perceived it as a measure to subdue the press before elections (Mureșanu & Sălcudean, 2022).

6. Conclusion and discussion

The experience of Romania with sanctioning the spread of disinformation during the state of emergency showed some of the limitations of this endeavor. This legislation was in force for only two months, and had limited effects because after the state of emergency was lifted, the National Authority for Administration and Regulation of Communications revoked the decisions. Therefore, access was granted again to those websites and articles blocked initially for disinformation. However, important policy conclusions can be drawn from this experience.

Blocking access to a website, as a sanctioning measure, might not be a very efficient tool because the company can move the information to a new website or create another website containing new false information (O'Sullivan, 2022). However, some websites that spread disinformation tend to have a short existence, as the present analysis illustrated. Another recommendation based on Romanian experience is that public institutions should regularly check the information posted on websites that are sanctioned by blocking access to some articles because these websites might ignore the sanctions and continue posting false information.

Any piece of legislation attempting to prevent the spread of disinformation should contain clear guidelines on how to classify actions as disinformation and how to act in such situations. These guidelines need to be discussed with a broad range of stakeholders in order to reach a shared understanding and acceptance and to create mechanisms that prevent the exercise of discretionary power of public authorities. In order to prevent abuses by public institutions, companies should be provided with the right to contest the decisions and bring any such abuses to administrative courts. If a decision is made to restrict freedom of speech, it should be for a limited period and should be proportional to the gravity of the situation. In addition, the restrictions should be revised at some limited periods, such as 30 days, by legitimate legislative bodies, usually the Parliament. However, any limitations on citizens' rights raise many criticisms, and should be well thought out in advance since these limitations could be more efficient.

Hungary's case illustrates that the COVID-19 pandemic was used as a window of opportunity to consolidate the government's political position (Hajnal et al., 2021) by

passing legislation that allowed for stricter control of information. The limitation was perceived as being targeted to silence dissenting voices (Cox, 2020; Nemeč, Drechsler, et al., 2020). At the end of March 2020, the Penal Code was modified, and dissemination of false information was punishable by up to five years in prison. Within two months, 131 criminal procedures had been launched against people accused of spreading false information (Hajnal et al., 2021), which was perceived as a measure to threaten the opposition. From this perspective, the analysis that we performed on Romania showed that the decisions were not influenced by political interests but aimed at controlling disinformation, and did not have dramatic consequences as in the case of Hungary. Actually, in Romania, during the first months of the COVID-19 pandemic, the opposition political parties put aside their animosities and voted for a prime minister against whom they had passed a vote of censure just before the pandemic outbreak. Even though the sanctions applied in Romania against disinformation were not as severe as in Hungary, civil society and international organizations still expressed concerns about how the government would use its power to regulate access to information (Niță, 2019).

Since countries have different regulations on disinformation, citizens can access fake news published on websites from other countries. Afterward, they can disseminate the information in their own countries, making challenging to contain fake news. Therefore, international organizations should coordinate their actions to combat disinformation, and more robust collaboration should exist between countries and other equally important stakeholders.

Even though the National Council of Audio-visual sanctions television or radio stations that misinform the audience or do not present a balanced perspective on a subject, there is a time gap between the time when the news is aired and the time when the sanction is applied, and the audience might already form an opinion on the subject of the false news. Therefore, providing access to correct information is a means to form correct beliefs, and mass media is instrumental during crises.

The spread of false information is an important issue for public administration. However, it is not only the responsibility of public authorities to identify and sanction disinformation; social media providers should also be permanently involved in checking the information posted online. Preventing citizens' exposure to false news is problematic because there are also psychological and procedural barriers. Psychological studies show that individuals continue to rely on fake news even after viewing explicit corrections, a phenomenon called the 'continued influence effect' (Basol et al., 2020). Furthermore, human cognition tends to display a confirmation bias, and resists modifying beliefs (Bronstein & Vinogradov, 2021). Citizens share and discuss biased headlines, without any deep reading and identifying false information (Corbu et al., 2020). In the long term, citizens' digital literacy and the eHealth literacy of all social groups in society should be increased as it will last longer (Horvat et al., 2021). It will help people to be more aware of the trustworthiness of information to which they are exposed.

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Appendix - Tables

Table 1. Synthesis of the NAARC's decisions

	Title of the website/Locati on of the company hosting the website	Decision	Sanction
1.	<p>www.stiridemome nt.ro (Website does not exist in March 2023)</p> <p>No information about the location of the company that hosted the website is provided in the NAARC's decision.</p>	<p>Decision No. 431/20.03.2020 to block users' access to five articles that contained false information or were written to create panic. For example, one article titled 'Kaufland, Auchan, Metro, Carrefour, and Lidl will close on Monday' published on March 15, 2020, contained information that was denied by the representatives of the companies in question through the press release published on March 18, 2020 by the Association of Large Retail Chains from Romania. Another article titled 'Government secretly prepares a mega-operation to bring into the country some Romanians from several countries' contained incorrect information that had no connection with the decisions of the Romanian institutions. In the other three articles, declarations of politicians and doctors were presented truncated and in such a way as to create panic ('Doctor from Bucharest from Emergency Intensive Unit: You do not know what happens in hospitals! First of all, there are no tests! We do not test, we do not report' published on March 17, 2020).</p>	<p>Block access to five articles (from March 17-18, 2020) At the time of checking the website, it was no longer active. Thus, the measure of elimination at the source of several articles containing false information was no longer relevant.</p>
2.	<p>www.bpnew.ro (Website does not exist in March 2023)</p> <p>Location: Sighetu Marmatiei, Romania</p>	<p>Decision No. 453/26.03.2020 to block access to the article titled 'Coronavirus, killed by Polidin!'. The medicine Polidin, which was produced in Romania until 2010, is no longer produced.</p>	<p>Block access to one article. The company that hosted the website was informed that noncompliance would be sanctioned with a fine between 1,000 to 7,000 RON (between approximately EUR 200 and EUR 14,000).</p>
3.	<p>www.breakingnew s.xyz (Website does not exist in March 2023)</p> <p>Location: San Francisco, USA</p>	<p>Decision No. 454/26.03.2020 to immediately block access to the website because it disseminated fake news that aims to produce panic and disinformation. Examples of such fake news are: '24 hours to leave the capital: Citizens who do not have a residence visa in the capital will be sent home to quarantine' (published on 18.03.2020), 'Video! A courier infected with COVID-19 spat in the pizza and then delivered it to the customer. Now he risks hard years behind bars...' (published on 18.03.2020), 'Italy has started the human experiment, 50% of the population will be affected by COVID-19' (published on 17.03.2020)</p>	<p>Since the website was hosted by a company located outside the country, NAAC decided that the providers of electronic communication networks immediately block the access of Romanian users to the content of the website. Noncompliance would be sanctioned with a fine between 1,000 to 70,000 RON (between approximately EUR 200 and EUR 14,000).</p>
4.	<p>www.cohortaurba na.ro</p>	<p>Decision No. 482/7.04.2020 to block users' access to the website because it constantly</p>	<p>The company hosting the website is obliged to</p>

	(Website does not exist in March 2023) Location: Sfântu Gheorghe, Romania	distributes false and alarmist information about the new Coronavirus and promotes conspiracy theories such as the virus was created in a laboratory to be used as a biological weapon, respectively that this virus is a biological weapon directed against China and Iran, but which backfires against its creators, as it results from the article titled 'Russia is worried about the proximity of American biological laboratories near its borders' (published 30.03.2020), 'SARS, Bioterrorism and mass-media' (published 28.03.2020), 'Who is behind the COVID-19 pandemic chickens (chickens come home for the roast' (published 28.03.2020).	immediately interrupt transmission of the information to the users via an electronic communication network or the storage of the content available through the website. Noncompliance would be sanctioned with a fine between 1,000 to 70,000 RON (between approximately EUR 200 and EUR 14,000).
5.	www.blacktopics.wordpress.com (Website does not exist in March 2023) Location: USA (no information about the city)	Decision No. 485/10.04.2020 to immediately block access to the website because it publishes false and alarmist information about COVID-19, and the author/authors concentrate the information they publish, constantly and periodically, to induce panic and misinform the public. Examples of articles' titles are: 'Brochure - 3 - 4 - Coronavirus is the scapegoat for the radiation of 5G antennas', 'Interview that deserves to be read! COVID, manipulation, genocide, 5G, new global order, and others'.	The providers of electronic communication networks have the obligation to immediately block the access of users from Romania to the content of the site. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between approximately EUR 2,000 and EUR 14,000).
6.	www.r.news-romania24h.xyz (Website does not exist in March 2023) www.new-romania24h.xyz (Website does not exist in March 2023) These websites were hosted by servers outside Romania (without any other information about location).	Decision No. 495/14.04.2020 to immediately block access to the websites because the materials hosted on these platforms are completely false and they distort information and have the potential to create panic among Romanian citizens currently in other European states, and potentially create a massive influx at the border that could lead to pressure on certain systems of the Romanian state - medical, social, public order, etc. Examples of titles: 'Official: Italy, Germany and France permanently close their borders for two years!', 'Russia comes to help Romania! The Russian army will fight the coronavirus in Romania!'.	The providers of electronic communication networks intended for the public have the obligation to immediately block the access of users from Romania to the content of the two websites. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between approximately EUR 2,000 and EUR 14,000).
7.	www.genocid.ro (Website exists in March 2023) Location: Bucharest, Romania	Decision No. 498/16.04.2020 to block access to the website because it constantly disseminates information completely false or distorted regarding the evolution of COVID-19 and the protection and prevention measures. It contains conspiracy theories and instigates people against several public institutions from Romania. An example of a title is 'We are stopping the genocide of the Romanian people, a so-called public disinfection is being done with irritating and toxic substances'.	The company hosting the website is obliged to immediately interrupt transmission of information to the users via an electronic communication network or the storage of the content, by eliminating it at the source, available through this website. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between approximately EUR 2,000 and EUR 14,000).

8.	<p>https://bpnew.ro (Website does not exist in March 2023)</p> <p>Location: Sighetu Marmatiei, Romania</p>	<p>Decision No. 499/16.04.2020 to block access to the website because the authors who publish on this website persist in launching conspiracy theories that instigate citizens to disobey the provisions of Military Ordinances regarding social distancing. For example, the article 'Vaccination – a mass experiment' stated that the current epidemic is an invention of the Big Pharma industry, and incites citizens to revolt and protest with pitchforks and axes.</p>	<p>The company that owns the website is obliged to immediately interrupt transmission of information to the users via an electronic communication network or the storage of the content, by eliminating it at the source, available through this website. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between approximately EUR 2,000 and EUR 14,000).</p>
9.	<p>https://veghepatriei.wordpress.com (Website does not exist in March 2023) Location: USA (no information about the city)</p> <p>https://vremuriturburi.com (Website does not exist in March 2023) Location: USA (no information about the city)</p>	<p>Decision No. 500/16.04.2020 to immediately block access to the websites because the materials hosted are completely false or distorted information and have the potential to create panic among citizens. The article titled 'The Grand Plan behind the COVID-19 Project' presents the main goals behind the induced pandemic, namely population reduction and crowd control by establishing a way of life without rights and freedoms, controlled by a single global government designed to exclude Russia and China from the geopolitical foreground.</p>	<p>The providers of electronic communication networks intended for the public have the obligation to immediately block the access of users from Romania to the content of the two websites. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between approximately EUR 2,000 and EUR 14,000).</p>
10.	<p>http://romania-veche.ro (Website does not exist in March 2023) Location: Bistrița, Romania</p> <p>www.justitiarul.ro (Website exists in March 2023, but the most recent articles are from June 2021) Location: Bistrița, Romania</p>	<p>Decision No. 506/23.04.2020 to block access to the website www.romania-veche.ro because the articles published were not supported by scientific evidence or relevant sources, and the pandemic was portrayed as a conspiracy that attempts to introduce CHIPs into the human body through vaccination ('Attention: Trick & Deception or 5G Antennas & COVID-19???').</p> <p>The materials available on the website www.justitiarul.ro present obviously false information regarding the fact that the SARS-COV-2 pandemic was created artificially in a laboratory. In some cases, the materials presented conspiracy theories.</p>	<p>The company that owns the websites is obliged to immediately interrupt transmission of information to the users via an electronic communication network or the storage of the content, by eliminating it at the source, available through these websites. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between approximately EUR 2,000 and EUR 14,000).</p>
11.	<p>https://ortodoxinfo.ro (Website exists in March 2023)</p> <p>Location: San Francisco, USA</p>	<p>Decision No. 508/24.04.2020 to immediately block access to the website because it presents false information that has the potential to create unjustified social behavior and panic among citizens. The decision makes reference to articles titled 'The killing of pensioners in concentration camps is being prepared' (21.04.2020), 'Storing the information under the skin, like an internal tattoo, through nanocrystals inserted together with a vaccine can be done right now!', 'Corona crisis – the slide to global digital identity, chips, digital tattoos, and total control'. The information presented in</p>	<p>The providers of electronic communication networks intended for the public have the obligation to immediately block the access of users from Romania to the content of the website. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between</p>

		these articles is able to generate insecurity among the public and mistrust in public institutions.	approximately EUR 2,000 and EUR 14,000).
12.	<p>www.justitiarul.ro (Website exists in March 2023, but the most recent articles are from June 2021)</p> <p>Location: Bistrița, Romania</p>	Decision No. 511/29.04.2020 revised the previous Decision No. 506/23.04.2020 to block access to the website. The company that hosted the website contested Decision No. 506, and the NAARC decided to permit access to the website, but block access to two articles. The motivation was that the purpose is not to censor publications but to prevent disinformation campaigns.	Block access to two articles. Noncompliance would be sanctioned with a fine between 10,000 to 7,000 RON (between approximately EUR 2,000 and EUR 14,000).
13.	<p>www.justitiarul.ro (Website exists in March 2023, but the most recent articles are from June 2021)</p> <p>Location: Bistrița, Romania</p>	Decision No. 517/30.04.2020 to block access to the website because it continued to post false information that has the potential to manipulate public opinion and even continued to post materials that attracted the initial closure of the website.	The company that owns the websites is obliged to immediately interrupt transmission of information to the users via an electronic communication network or the storage of the content, by eliminating it at the source, available through this website. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between approximately EUR 2,000 and EUR 14,000).
14.	<p>https://ortodox.info.ro (Website does not exist in March 2023)</p> <p>Location: San Francisco, USA</p>	Decision No. 519/5.05.2020 to immediately block access to the website because it continues the disinformation campaign regarding the evolution of the new type of coronavirus started through the old website https://ortodoxinfo.ro that was blocked through Decision No. 508/24.04.2020. The new website posted articles that were initially published on the old website. Examples of titles: 'Do not be afraid of FINES, they are illegal. They are only for intimidation. After the emergency situation ends, they will be canceled, 'Europe revolts against home arrest. The effects of forced isolation are catastrophic for the population and the economy'.	The providers of electronic communication networks intended for the public have the obligation to immediately block the access of users from Romania to the content of the website. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between approximately EUR 2,000 and EUR 14,000).
15.	<p>https://danielvia.wordpress.com (Website does not exist in March 2023)</p> <p>Location: USA (no information about the city)</p>	Decision No. 523/6.05.2020 to immediately block access to the website because it constantly posted false information that has the potential to manipulate public opinion. One article titled 'Do not vaccinate yourself in any way! Since 2005, they prepared a vaccine caused by a respiratory virus, which (they say) will inhibit the gene responsible for belief in God' has the potential to diminish trust in public institutions or in medical staff.	The providers of electronic communication networks intended for the public have the obligation to immediately block the access of users from Romania to the content of the website. Noncompliance would be sanctioned with a fine between 10,000 to 70,000 RON (between approximately EUR 2,000 and EUR 14,000).

Source: author's own, 2023



A Case Study on the Development of Digital Competences of Teachers at the University of Ljubljana

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Abstract

The renewed 2017 EU Higher Education Agenda expresses the intention to “develop and implement a digital readiness model” to assist higher education institutions, their staff, and students in implementing digital learning strategies and maximising the potential of cutting-edge technologies such as learning analytics. The anticipated digital transformation will only be successful if higher education institutions and teachers strengthen their digital competences and skills and “become” digitally competent. Many of the incentives for these processes were prompted by the unexpected Covid-19 crisis, which highlighted the importance of higher education teachers’ digital skills in the need to digitise the higher education environment. The Covid-19 crisis experience and the accelerating development of digitalisation are changing both the conditions for education and education itself, which is why higher education teachers face the challenging task of lifelong development of digital competences. To complete this task, they must learn about information and communication technology (ICT)/digital technologies and how they can be integrated into the pedagogical process. The challenge for higher education teachers is to develop ICT-based teaching. This is not about how higher education teachers (and students) master ICT, but about how to make ICT one of the tools for carrying out pedagogical activities in general.

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The article addresses the development of digital competences among higher education teachers as a critical issue in the renovation of higher education didactics. To that end, various digital competence models and concepts are presented. Among other things, the European Digital Competence Framework for Teachers is highlighted. The case study of activities aimed at developing digital competences of higher education teachers at the University of Ljubljana (Slovenia), and thus higher education teachers working in the field of education for public administration. Based on the analysis of activities, we discover an increased interest in the development of digital competences, which is reflected in various forms of institutional (university) support for educators (e.g. training), as well as an increased interest in the development of digital competences among higher education teachers.

Keywords:

Digital Competence Framework for Educators (DigCompEdu), digital literacy, higher education, teachers' digital competences

1. Introduction

We live in a digital society characterised by rapid and profound knowledge-based changes (OECD, 2016). Citizens in this society are expected to acquire knowledge, to be able to handle this information, and to use it appropriately in their personal and professional lives by selecting the information available. Rapid technological progress, societal development, and the expansion of digitalisation highlight the importance of special skills, new skills, and competences. Among them are digital competences, which serve as a “bridge” to understanding and promoting digitalisation challenges, including in higher education. As such, digitalisation is a response to the challenges confronting policymakers and the labour market, who “communicate” that creativity, adaptability, and innovation are desirable qualities of the workforce and society. It follows from the preceding that there is a need to reform “education systems” in order to develop those abilities. With an increasing ability to use digital technologies in learning, new generations of students expect to use at least the digital tools they use in their daily lives during their studies. Many expect even more. As a result, they bring a new dimension of expectations to higher education, necessitating a new level of digital competence from teachers. This is especially true given that, on the one hand, there are often environments marked by increased access to information technology and, on the other hand, existing approaches to education, teaching, and learning are often still very traditional (without digital elements).

Prior to the outbreak of the Covid-19 pandemic, higher education institutions (e.g., UL) took advantage of the opportunities provided by digitalisation, owing to the attitude of higher education teachers toward this issue. Many higher education teachers still prefer to spend their time researching the profession rather than honing

their teaching skills (pedagogy). Furthermore, there are few study programmes that have been implemented online (except during the Covid-19 crisis). We believe that one of the possible reasons for this is the (low) level of competence development required to operate in the digital learning environment, as well as the lack of incentives for teachers to change their teaching practices. During the Covid-19 crisis, higher education institutions were forced to improve the practice of implementing study programmes and, as a result, teaching. Some foreign experiences (Eliasson, 2020) demonstrate significant changes in the incorporation of technology into the pedagogical process, a significant contribution of teachers and other (support) staff to the creation of “effective pedagogy”, increased cooperation among higher education institutions, and the need for institutional support in the further development of higher education digitalisation. As a result, higher education institutions have been identified as critical players in the development of digital skills among higher education teachers and students. However, there are numerous obstacles to the development of digital literacy in higher education (in addition to access to technical equipment and ensuring adequate access to the Internet). The lack of knowledge and skills of higher education teachers in designing high-quality distance learning appears to be primarily due to (previous) limited incentives to digitalise teaching. Simultaneously, the rapid transition to the new system (Covid-19 crisis) appears to have provided incentives in and of itself, and most higher education teachers’ knowledge has expanded significantly faster than it would have in “normal” circumstances. Differences in the development of digital competences of higher education teachers and their use in the implementation of study programmes, on the other hand, can lead to significant differences in the quality of distance learning in the event of non-systemic development. To avoid this, the development of digital skills of higher education teachers should be supported and mapped at the institutional level. The definition of digital competence (digital competences), digital literacy, and the appropriateness of using different digital competence models should all be addressed.

In this paper we discuss a recent example of institutional activities to develop digital competences of university teachers. Primarily, we were interested in the strategies and recommendations identified for the development of digital competences of HEI teachers. To this end, we present different approaches to defining and investigating the digital competences of HEI teachers based on the method of secondary source analysis. On this basis, we applied the case study method to analyse the approach and scope of digital competence development of university teachers at the University of Ljubljana (UL). As part of the study, we were also interested in how teachers at UL are institutionally supported in developing digital competences, and thus in understanding the content of digital competences. UL’s activities in the area under study were analysed, and some examples of good practice were identified. Based on the theoretical findings and the case study conducted, eight dimensions and categories that contribute to achieving the expected level of digital competence development are highlighted as a result of the study.

2. Digital competences of higher education teachers

Living in an information society is a challenge for each individual because it necessitates the development and maintenance of a wide range of competences related to the use of ICT/digital media in a specific practice. Their application is not always obvious because these competences range from traditional literacy to more in-depth competences, such as an understanding of complex contexts (Livingstone et al., 2008). We can define digital competence in general terms as a dynamically structured combination of skills, knowledge and ways of thinking in the field of information, communication and digital technology (Saienko et al., 2022, p. 44). The need to strengthen digital competences also applies to higher education teachers who “guide” the development of knowledge and knowledge transfer through their pedagogical (professional) practice. Digitalisation is an even greater challenge for them. The development of digital competences is a feature of their functionality because it is directly related to the teacher’s use of ICT in the learning process. Strengthening higher education teachers’ digital competences affects not only the teaching, but also the higher education space as a whole. This includes professional practice developed by higher education teachers.

Digitalisation is defined as one of the major trends in the short- and long-term change of procedures, processes, and activities in society, individual social systems and subsystems, as well as the individual’s relationship to those systems and to himself as an individual. The potential for digitisation and expectations for the transition to a digital (and green) society are high, as highlighted in strategy papers by both the European Commission (EC) and national policy, e.g. the 2030 Policy Programme “Path to the Digital Decade”, EU 2030 Digital Compass (European Commission, 2021), Development Strategy of Slovenia 2030 (Vlada Republike Slovenije, 2017). The activities of the European Commission provide the most general insight into the situation, as it has been monitoring (measuring) the “skills of Internet users” and “advanced skills and development” throughout the EU since 2014, in order to stimulate and ensure people’s competence for the digital decade (the EC aims to have at least 80% of adults with basic digital skills by 2030). The Digital Economy and Society Index (DESI) (European Commission, 2022) measurement includes the measurement of digital skills across the EU by presenting digital competence indicators across the EU. The measurement emphasises human capital in particular (one of the four main directions of the EU digital compass).

In the field of higher education, the 2017 Renewed EU Agenda for Higher Education (European Commission, Directorate-General for Education, Youth, Sport and Culture, 2017) stated the intention to “develop and introduce a digital readiness model” to assist higher education institutions, their staff, and students in implementing digital learning strategies and maximising the potential of cutting-edge technologies, such as learning analytics. Based on the need to digitise the university environment, higher education teachers’ digital competences are the focus, and higher

education teachers have a different attitude toward them (in terms of affection). Their self-evaluation of their own digital competence development is frequently unrealistic. When higher education teachers, for example, assessed their skills in using digital tools and social networks (Facebook, Twitter, LinkedIn, Instagram, and YouTube), they assessed themselves as competent (Casillas Martín et al., 2020, str. 217), but when asked to assess their skills in various, more demanding digital concepts that can be used in teaching (e.g. cloud storage, cyber activism, podcasts, and web 3.0), many teachers gave themselves a grade that demonstrates a low level of digital competence. Teachers recognise that they have a low or medium-low digital competence, as well as the absence of certain competencies, especially those related to the evaluation of educational practice (Teachers' digital competencies in higher education: a systematic literature review (Basilotta-Gómez-Pablos et al., 2022, p. 1).

On this basis, we can conclude that digital tools are still used for social integration rather than pedagogical work (Casillas Martín et al., 2020; Kimbell-Lopez et al., 2016).

3. Technologically supported education, learning and digitization

Technology is humanity's innovation. The use of technology in education enables educators to create a differentiated learning environment for each student. Views on the role of information technology in education are influenced by beliefs about the role and importance of education in general. At the forefront are issues such as, Does it aim to be economic, social or occupational? Is its role to assess and issue diplomas to students or to promote their intellectual and social development? Should higher education aim to assist individuals in their lifelong development, provide the economy with an adequately trained workforce or provide educational products that institutions can market (Harpur, 2010)? Whatever the issues, the fact that future higher education will be very different from traditional higher education is precisely because of technology and all that man can do with its help. As a result, the digital competence gap between higher education teachers will widen further. However, technology will not replace good higher education teachers, but it can further improve them and act transformatively (Couros, 2015). Educational technology, both online and offline, changes students' attitudes toward learning, making it more interactive and thus more appealing. This does not mean that higher education teachers need to become ICT specialists. Rather, it means that they have interesting answers to the challenges posed by ICT and thus new opportunities for work (teaching).

This necessitates higher education teachers devoting time and resources to content development and, more importantly, the "extension" of their pedagogical methods, which will include digital technologies and practices. Many in higher education refuse to accept this transformation or modernisation (Selwyn, 2014), but it

is becoming increasingly clear that this transformation is a new reality, which means that the transformation will be successful when higher education institutions and teachers increase their digital capacities in order to create an environment in which students can further develop (upgrade) their own digital competences. Given that such a transformation necessitates additional effort, the norms of direct and indirect pedagogical burden of the higher education teacher should be strictly adhered to.

There are various approaches and strategies for meeting the demands of digitalisation. For example, The Irish National Forum for the Improvement of Teaching and Learning in Higher Education has issued four recommendations for the advancement of digital capacities in higher education. These recommendations (National Forum, 2014) are as follows:

- Give priority in institutional and national policy and quality frameworks to the strategic development of digital capabilities in a way that supports innovation to achieve impact.
- Enhance and support collaboration within and between institutions, as well as with other parts of the higher education sector; create common policies and infrastructure that reflect the complexity of an increasingly digital world.
- Create a consistent, seamless, and coherent digital experience for students while actively engaging students and higher education teachers in the development of their digital skills and knowledge.
- Develop a solid evidence base for improved higher education pedagogy.

The Norwegian Digitalisation Strategy for the Higher Education Sector 2017–2021 (Departementenes sikkerhets- og serviceorganisasjon (DSS), 2017) emphasises the importance of utilising digital opportunities to provide all students with stimulating and diverse methods of learning and assessment. It states that students must acquire more general ICT and digital judgement skills (identification, access, evaluation, use, creation, and sharing of trusted digital information in a personal, professional, and academic context) in addition to academically relevant digital skills. Digitalisation makes research more efficient and creates new opportunities for collaboration, development within existing disciplines, development of new disciplines, and knowledge transfer to higher education practice. It also provides new ways to share research data and results, while posing new challenges in terms of data security and proper data management. One of its objectives is to integrate students into the academic community by utilising digital opportunities as part of active and diverse learning and assessment methods. As a result, students receive academic and digital qualifications as part of their study programmes, resulting in the best possible learning outcomes. Digitally literate higher education teachers can “pass on” adequate knowledge to them.

Universities are well aware of the rapid pace of technological change affecting education, which is why they provide adequate resources and plans for “correct and timely” implementation of change in many places. To this end, some universities (e.g. State University of Arizona, University of Missouri, RWTH Aachen University) have

designed a strategic framework of digitisation and curricular support to discover, evaluate and adopt new technologies in relation to the university, students and employees, which includes accessibility to solutions and best practices. They have developed recommendations for the planning of individual (technological) solution teaching, as well as information on the strengths and weaknesses of various tools (e.g. tools for assessing learning outcomes, compiling e-portfolios). Designed strategies and solutions “bring” opportunities for higher education teachers to learn about, test, and implement new technologies, tools, and resources. These include, for example, links to resources that facilitate learning about and using technology, web solutions, exercise files, or various approaches to experimentation in learning the profession (technology). The activities are intended to assist educators in educating on evolving technology and higher education pedagogy, resulting in a digital learning environment. They promote inclusive higher education pedagogy, as well as andragogy and heutagogy (heutagogy fully delegates control and responsibility for learning to the individual, understanding it as the most important learning factor). Higher education teachers are thus prepared and capable of “breaking down” the use of technologies, allowing them to do interesting things in the classroom by knowing technologies “from the inside and outside”.

Although such measures are contingent on the development of institutional digital capacity strategies and the provision of adequate technical infrastructure, they appear to be a major impediment to human development, particularly on the part of higher education teachers. It is therefore necessary to design (develop) appropriate programmes for the development of digital literacy of teachers. Digital skills based on this need to be meaningfully integrated into the educational process. In these activities, particular attention should be paid to younger teachers.

This implies the need to ensure digital literacy of higher education teachers. On the basis of the report *Digital Education at School in Europe* (European Education and Culture Executive Agency, 2019), recommendations, and the adapted framework of digital competences for citizens, some general conclusions can be drawn (DigComp; information literacy, communication and cooperation, production of digital content, security, and problem-solving). In its broadest sense, digital literacy is defined from three perspectives: a know-how approach, a plural form of digital literacy (emphasising non-generic and multifaceted notion placement), and a reflexive approach (critical perspective). Discussions on the definition and evolution of digital literacy outline different levels or areas of digital literacy, such as social practices and open practices in digital spaces, or taxonomy as a more effective way of distinguishing significant differences between literacy and types of literacy (Stordy, 2015).

In EU and OECD documents, digital literacy is strongly linked to an individual’s ability to live, learn, and work in a digital society, communication and cooperation skills, and learning to use digital tools and media to make informed decisions and achieve goals. The concept of digital literacy is linked to a number of different programmes and perspectives, from technical “knowledge”, cognitive skills and social

practices, to proactively engaging in digital content (Spante et al., 2018, p. 14). As a result, it is possible to conclude that the issue of defining digital literacy or the necessary digital competences that result from it is primarily a matter of defining the framework of digital competences and the approach to strengthening them in a specific institution, all with the aim of creating excellent higher education teachers.

4. Digital competences and digital literacy of higher education teachers

Expectations for the development of digital content in education are high, which highlights the importance of developing educators' digital competences. Curricula renewal in terms of potential convergence with labour market requirements and the associated new vision of education through the development of digital competences applies not only to student learning but also to employee learning. It relates to increased responsibility for "own" learning, as the needs for developing digital competences are frequently individual and highly variable. Additionally, we need to understand educators' digital competence to support their professional development and consequently the quality of education migrating to more online teaching and learning (Sillat et al., 2021, p. 10). Various models (definitions, links) related to digital competences are presented below and can assist us in the definition and development of digital competences of higher education teachers.

4.1 Key competences for lifelong learning

The European Parliament and the Council of the European Union adopted a Recommendation on key competences for lifelong learning in 2006 (European Parliament, Council of the European Union, 2006), the content of which was later updated (European Commission, Directorate General for Education, Youth, Sport and Culture, 2019) or adapted in the field of work, including in the field of education and higher education. Digital competence, which includes the safe and critical use of information society technology in work, leisure, and communication, is one of the key competences for lifelong learning. Unlike other key competences, almost all European countries have a specific national strategy linked to digital competences, which is a unique feature of this article. These strategies can be broad, covering e-government, infrastructure and broadband connectivity, ICT security and e-skills development, and ICT in schools, or they can be narrowly focused on ICT in education.

Digital competence involves the confident, critical and responsible use of, and engagement with, digital technologies for learning, at work, and for participation in society. It includes information and data literacy, communication and collaboration, media literacy, digital content creation (including programming), safety (including digital well-being and competences related to cybersecurity), intellectual property related questions, problem solving and critical thinking (European Commission,

Directorate General for Education, Youth, Sport and Culture, 2019, p. 10). According to the EU, the ability to seek, collect, and process information is one of the skills required for digital competence and related digital literacy. Digital competence also includes knowledge of the risks associated with the use of the Internet, communication via electronic media, exchange of information, cooperation in networks, research, and learning. Part of digital competence is understanding how physical and virtual reality interact and how they should be distinguished.

4.2 Skills for a Digital World (OECD)

The OECD Ministerial Meeting on the Digital Economy (2016) produced a report (analysis) on the effects of digital technologies on labour-market demand for skills and discussed key policies for the development of skills adapted to the digital economy in support of the New Market and Jobs panel. It was stated that the spread of digital technologies is altering the way people work, increasing the demand for additional skills such as information processing, self-direction, problem-solving, and communication. In this context, a description of digital skills or an OECD categorisation of digital skills has been prepared which includes ICT generic skills, ICT specialist skills, ICT complementary skills and Foundation skills (OECD, 2016, pp. 6–12).

ICT expertise includes skills that enable the development of products and services based on ICT solutions such as software, web solutions, e-commerce platforms, network management, and application development. Complementary competences include skills needed in the context of rapid digital development, such as flexibility for more agile work, leadership and planning, problem solving, and change management. Overall ICT competences include the ability to manage IT solutions in everyday work situations, such as obtaining information online and using various types of software.

A range of specialist ICT skills can be considered a version of digital excellence within this classification. Although the category of complementary skills does not explicitly require technical knowledge, it does include skills that enable the full exploitation and proper implementation of digital opportunities.

4.3 The Technological Pedagogical Content Knowledge (TPACK) framework

The TPACK framework (Mishra & Koehler, 2006) represents a way of thinking about the integration of technology in the teaching and learning process, and it can be used to understand the digital literacy skills required by higher education teachers. According to Mishra & Koehler, today's higher education teachers face a difficult task because all new technologies place new demands on their knowledge and teaching (Mishra & Koehler, 2008, p. 61). The TPACK framework contains technological-pedagogical-content knowledge, and the framework's theory can be interpreted as a

more precise way of understanding and analysing the use of digital tools in the context of teaching. The framework defines three competences: technological knowledge (TK), pedagogical knowledge (PK), and substantive knowledge (CK) (Mishra & Koehler, 2006, pp. 1026–1027).

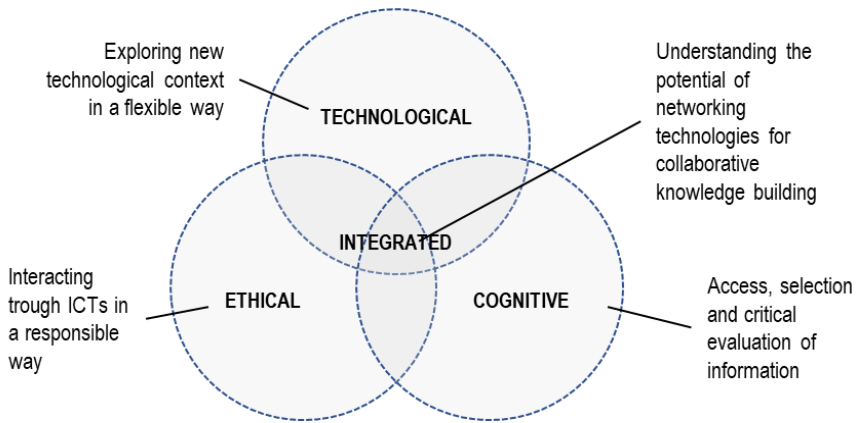
Technological knowledge refers to understanding technology and how the teacher employs digital tools in the classroom. Because technology is a tool that is constantly changing and evolving, adaptation and learning in response to these changes are required. Different approaches to the use of methods and learning processes in teaching are referred to as pedagogical knowledge. Prior knowledge and skills of learners influence the teacher's approach to planning, assessing, teaching, and taking on leadership roles in the classroom. A higher education teacher's pedagogical competence refers to how strategies and methods are used in the learning process to help students develop and gain a deeper understanding of knowledge. The term "content knowledge" refers to the subject matter, which varies depending on the class in which it is presented. Higher education teachers must be knowledgeable about the subjects they teach, including facts, concepts, and theories in the subject area.

According to the theory, in order to achieve a meaningful whole in teaching, a higher education teacher must be able to combine these three competences. Finally, it is the interaction of various competences that allows for the successful use of technology in schools. As a result, the TPACK framework provides a means of understanding and reflecting on how current higher education teachers can successfully integrate digital tools into their teaching (Mishra & Koehler, 2008, pp. 2–3). The TPACK framework discusses how higher education teachers meet various competences when using digital teaching tools. To include technology in the course, the higher education teacher must have knowledge of technology as well as knowledge of the subject and knowledge of how to connect digital tools with the subject's content.

4.4 Digital Competence Assessment Model

The Digital Competence Assessment Model or DCA Model defines digital competence as a set of different ICT-related competences and other life skills. The definition emphasises the coexistence of dimensions distinguished by technological, cognitive, and ethical characteristics, as well as their integration (Calvani et al., 2009, p. 187). While the findings are based on a study of adolescents, the framework's elements can be meaningfully applied to the general population.

Figure 1:
Digital Competence Framework



Source: Calvani et al., 2009, p. 187

Technological competency involves the use of digital tools and media. It focuses on understanding the various functions of digital tools and media, as well as how to adapt to digital tools and deal with the various complications that may arise during their use. This includes the ability to solve technical problems and interact with various digital media, as well as selecting the appropriate approach and method for solving technical problems. This includes the ability to practice and apply a logical approach, as well as describe the process and the progression of the work process. This could include, for example, the ability to differentiate between how information and facts can be perceived and interpreted differently depending on whether they occur in digital media or in real life.

Cognitive skills include information management, innovation, content evaluation, and problem-solving. Information management includes access to information, identifying and organising it, developing critical thinking skills, and contributing to the next process (innovation). It is about being able to create new content with digital tools and media, as well as solving problems and thinking creatively. Working with digital tools and media requires the ability to critically verify information and thoroughly investigate relevant facts.

Ethical competence is the ability to communicate and share information in digital form in a respectful and responsible manner, while keeping ethical considerations in mind. It represents a respectful and responsible approach to expressing and sharing opinions on websites and social media, accepting responsibility for publishing content and being aware of how individual viewpoints and modes of expression can affect them and others in the digital world. It focuses on the abilities to use digital tools and media

to create and interact with others in a productive manner, as well as understanding how their creations can affect the environment and events in the real world. This may include, for example, protecting one's own personal information as well as the personal information of others when using social media. The integration of the three dimensions represents a specific aspect. It is about realising the potential of technologies that allow people to share information and collaborate to create new knowledge.

4.5 Digital Competence Framework for Educators (DigCompEdu)

The Digital Competence Framework for Educators (DigCompEdu) is the European framework for the digital competence of educators. It helps teachers at all levels of education to strengthen digital competences specific to the teacher's professional life. The main potential relates to the possibility of effective integration of technology in teaching and thus enabling the development of students' digital competences. Digital competences enable educators to maximise the potential of digital technologies. As a result, they are critically important for innovative education. However, just because someone is technically proficient does not mean they are a digitally competent educator. The digital competences of general users are not specific to teaching. DigCompEdu was developed on the basis of The Digital Competence Framework 2.0 (Vuorikari et al., 2016), which identifies the key components of digital competence in 5 areas which can be summarised as below (European Commission, Joint Research Centre et al., 2017):

- Information and data literacy: To articulate information needs, to locate and retrieve digital data, information and content. To judge the relevance of the source and its content. To store, manage, and organise digital data, information and content.
- Communication and collaboration: To interact, communicate and collaborate through digital technologies while being aware of cultural and generational diversity. To participate in society through public and private digital services and participatory citizenship. To manage one's digital identity and reputation.
- Digital content creation: To create and edit digital content. To improve and integrate information and content into an existing body of knowledge while understanding how copyright and licences are to be applied. To know how to give understandable instructions for a computer system.
- Safety: To protect devices, content, personal data and privacy in digital environments. To protect physical and psychological health, and to be aware of digital technologies for social well-being and social inclusion. To be aware of the environmental impact of digital technologies and their use.
- Problem solving: To identify needs and problems, and to resolve conceptual problems and problem situations in digital environments. To use digital

tools to innovate processes and products. To keep up-to-date with the digital evolution.

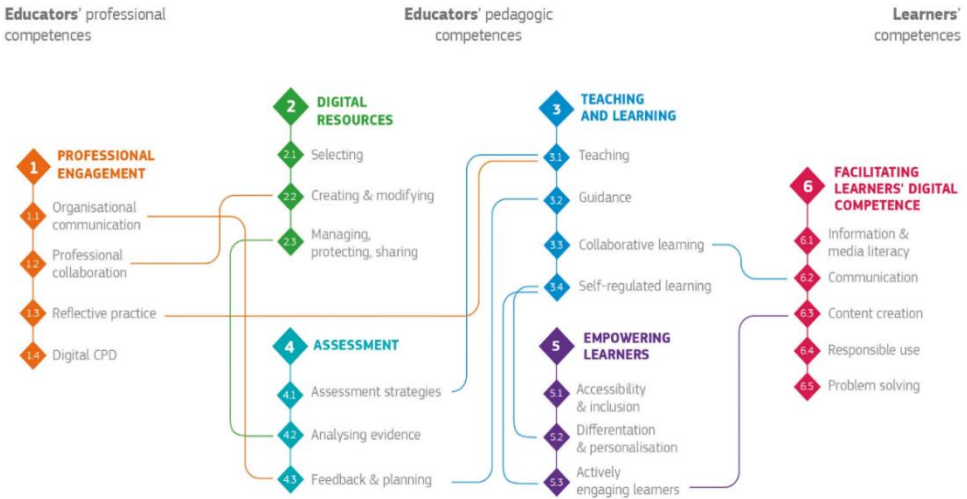
The reason for the upgrade was that higher education teachers would require even more digital competences than other individuals. The ability of education to responsibly and creatively use digital technologies to collect information, communicate, create content, well-being, and solve problems is an important and complex task mentioned in DigCompEdu. Given its significance, we have included it below.

The European Framework for the Digital Competence of Educators (DigCompEdu) is a scientifically sound framework describing what it means for educators to be digitally competent. It provides a general reference frame to support the development of educator-specific digital competences in Europe. DigCompEdu is directed towards educators at all levels of education, from early childhood to higher and adult education, including general and vocational education and training, special needs education, and non-formal learning contexts. DigCompEdu details 22 competences organised in six Areas. The focus is not on technical skills. Rather, the framework aims to detail how digital technologies can be used to enhance and innovate education and training. The DigCompEdu study builds on previous work carried out to define citizens' Digital Competence Search for available translations of the preceding link (European Commission & EU Science Hub, 2022). It aims to help Member States in their efforts to promote the digital competence of their citizens and boost innovation in education. The framework is intended to support national, regional and local efforts in fostering educators' digital competence, by offering a common frame of reference, with a common language and logic (European Commission, Joint Research Centre et al., 2017). It responds to the growing awareness among many European Member States that educators need a set of digital competences specific to their profession in order to be able to seize the potential of digital technologies for enhancing and innovating education.

The DigCompEdu Framework aims to capture and describe these educator-specific digital competences by proposing 22 elementary competences organised in 6 areas (Figure 2: Area 1 is directed at the broader professional environment, i.e. educators' use of digital technologies in professional interactions with colleagues, learners, parents and other interested parties, for their own individual professional development and for the collective good of the organisation. Area 2 looks at the competences needed to effectively and responsibly use, create and share digital resources for learning. Area 3 is dedicated to managing and orchestrating the use of digital technologies in teaching and learning. Area 4 addresses the use of digital strategies to enhance assessment. Area 5 focuses on the potential of digital technologies for learner-centred teaching and learning strategies. Area 6 details the specific higher education teacher competences required to facilitate students' digital competence (European Commission, Joint Research Centre et al., 2017, p. 9). The core of the DigCompEdu framework is represented by areas 2 to 5, in which technologies are

integrated into teaching in a pedagogically meaningful way (Caena & Redecker, 2019, p. 363).

Figure 2:
The DigCompEdu Framework



Source: European Commission, Joint Research Centre et al., 2017, p. 10

On the one hand, the model represents the required digital competences of higher education teachers, and on the other, it enables additional tools to verify the development of own competences and potential approaches to improving various areas of digital competences. The model is complex, but it is intended to help an individual identify learning needs and define learning objectives as they progress. The “step-by-step” approach enables a higher education teacher to analyse and select the resources and activities that are most appropriate for them. Thus, the individual determines the current level of development of individual digital competences, as well as advantages, disadvantages, and areas for improvement. The Self-reflection on Effective Learning by Fostering use of Innovative Educational Technologies (SELFIE) was developed for self-assessment of digital competence development. It has two versions: one for teachers and one for schools. SELFIE for teachers (European Commission, 2022) helps the individual reflect on how they use digital technologies in their professional practice. On this basis, they can receive customised feedback with actionable suggestions for future development.

5. Case study of higher education teachers' digital competence development at the University of Ljubljana

The University of Ljubljana (UL) promotes digital competence development, responsible and safe use of digital technologies, and interaction with them in study, work, and social engagement. It recognises that digital competences are one of the key competences for individual lifelong learning, and that in order to appropriately transfer knowledge to students, it primarily requires higher education teachers with appropriately developed digital competences.

The case study is based on an examination of UL's activities in the field of developing digital competences in higher education teachers. Particular emphasis is placed on those aspects that have significantly contributed to the establishment of the current system. In addition to these examples, there are numerous other initiatives and activities, both at UL and among its members who have found a place in higher education practice in the field of digital competence development. They are not specifically mentioned because the content goes beyond the scope of this article.

The wider awareness of the importance of digitalisation and development of digital competences was presented by UL by joining the initiative "Slovenska digitalna koalicija – digitalna.si" in 2016 (Digitalna Slovenija, 2016, 2019). The initiative's primary objective was to use an open forum to discuss and actively direct Slovenia's digital development. The initiative is based on the idea that, with the accelerated development of the digital society, Slovenia will take advantage of the development opportunities provided by ICT and the Internet, becoming an advanced digital society and a reference environment for the introduction of innovative digital-technology-based solutions.

The Digital University of Ljubljana (2017–2020) project was the first institutional approach to modernising the pedagogical process with advanced technology (digitalisation) and finding an answer to one of the key challenges of higher education at the University of Ljubljana. With it, UL began to address one of the key challenges of modernising higher education: ensuring higher quality education through the implementation of innovative ICT-supported learning methods and approaches. The project's aim was to improve flexible forms of learning and teaching by incorporating the didactic use of ICT into the pedagogical process across all UL fields of study. UL recognised that in order to successfully integrate ICT into the pedagogical process with appropriate digital competences, higher education teachers and staff needed to be empowered (Jedrinović et al., 2020, p. 5).

The project's findings indicate that management and higher education teachers support innovative forms of teaching; however, due to a lack of guidelines and appropriate incentives, there are significant differences in the level of understanding and involvement of these methods, and thus in their contribution to teaching quality. As a result of the project, recommendations and guidelines aimed at teachers were

developed in terms of developing their digital competences. It has also led to the recognition that UL's innovative forms of teaching and learning using ICT will enable it to create the conditions for the education of critically thinking scientists, artists, and experts trained to lead sustainable development and with a developed responsibility towards fellow humans, communities, nature, and the wider society in a globalised and digitised world (Radovan et al., 2018, p. 5). In terms of the development of digital competences of educators, this is the first example of regulating the development of digital competences at the level of UL. It demonstrates that higher education teachers have gained access to the necessary professional and technical skills through developed solutions (materials).

Following the completion of the project, UL established the University of Ljubljana Centre for the Use of ICT in the Pedagogical Process (hereinafter referred to as the Centre). With it, UL continues its good practice in the field of education and dissemination from the *Digital UL* project (2017–2020), the *ICT project in the UL pedagogical study programmes* (2017–2018), and other projects, and provides education in the field of innovative didactic approaches using ICT, preparation of appropriate teaching materials, access to examples of good practices, and organisation of experience exchange between higher education teachers and colleagues (Center UL za uporabo IKT v pedagoškem procesu, 2022b).

The Centre provides activities for the development of digital competences in higher education teachers, individual counselling, multimedia and e-content production, support for the introduction and use of ICT, and active counselling to faculty leaders, teaching staff, and students, among other things. The Centre promotes the sustainability of more modern forms of learning and provides operational support in the development of general and digital competences in both higher education teachers and students. Activities are carried out in four thematic areas (Center UL za uporabo IKT v pedagoškem procesu, 2022b): teacher consultations, online workshops, live workshops and webinars, and materials.

Consultations with teachers aim to exchange good practices and experiences in the field of ICT use in the pedagogical process. Here are a few examples (Center UL za uporabo IKT v pedagoškem procesu, 2022a):

- Combined study in the post-Covid-19 period, where the consultation is divided into two parts. Foreign experts in the field of ICT use in the pedagogical process present their experiences and perspectives on learning and teaching in the post-Covid-19 period in the first part. The second part of the consultation will present examples of best practices for updating courses of study with ICT among UL higher education teachers.
- Exchange of experience with the use of ICT in the pedagogical process; “regular” dedications on the topic of exchanging good practices in the use of ICT in the pedagogical process, via the sharing of experience of UL higher education teachers.
- Examples of knowledge evaluation in distance studies; consultation focused

on demonstrating some of the possibilities for evaluating students' knowledge in distance studies through the use of ICT, as well as the limitations arising from the GDPR in the case of the use of ICT in the conduct of distance examinations.

- Providing an accessible learning environment for all students; the consultation focuses on presenting the possibility of providing an accessible learning environment for all students. It focuses on how higher education teachers can help make study materials more accessible by designing presentations and documents.
- Days of the UL Centre for the Use of ICT in the Pedagogical Process; the event focuses on the presentation of various possibilities for active participation of students using ICT in the pedagogical process both in classrooms and in combined study, distance study, and hybrid modes of study.

The online workshops are a central part of the Centre's activities. 24 online workshops are currently being developed to promote the didactic use of ICT among higher education teachers and UL staff. Workshops can be completed at their own pace, and a team of facilitators is always available to answer any questions. Workshops are divided into three types in order to best address the various needs of higher education teachers: (1) intensive online workshops (scope of activities: 16 hours, workshop duration: 1 month), which include a wider presentation of selected content, (2) focused online workshops (scope of activities: 8 hours, workshop duration: 14–16 days) – focused on individual segments of selected content of intensive online workshops and (3) classroom workshops (scope of activities: 4 hours on the same day) – intended for higher education teachers and colleagues who want to familiarise themselves with selected content in direct contact in the classroom or in support of work in online workshops. Currently, in May 2022, there are nine workshops (Center UL za uporabo IKT v pedagoškem procesu, 2022a), among which:

- Digital competences of higher education teachers: Participants in the workshop will learn about the extended core competences of the European DigCompEdu framework, as well as the model of advancement and the new SELFIEforTEACHERS tool for self-evaluation of ICT use in their own pedagogical practice.
- Learning analytics in ICT-supported environments: The workshop introduces participants to best practices and tools for analysing their own teaching and learning analytics opportunities in various learning environments that support the teaching process.

During the difficult situation with Covid-19, live workshops and webinars were replaced by webinars or virtual meetings in which current tools and their use in the pedagogical process were presented. There are nine current webinar topics, including “Advanced use of the Zoom videoconferencing system in the pedagogical process” and “Using the Mendeley automatic citation tool”. There are currently 23 topics of focused

online workshops, including “Using the pedagogical wheel in planning learning activities for students” and “Using game elements within online learning environments”. Workshops in the classroom are also returning following the cessation of measures due to the Covid-19 epidemic. Among the current topics, we can find 15 workshops, including “Creating interactive learning materials” and “Learning analytics in the Moodle web classroom”.

The Centre regularly updates and adds new examples of good practice in the use of ICT in the pedagogical process, as well as various materials that can serve as a starting point for new ideas or answers to questions that may arise when using different ICTs, to the Centre’s website. Currently, the following materials are available:

- Learning approaches, methods and forms of work: dichotomous key, documented problem solutions, concept mapping, student-generated test question, branching scenarios, key to class, guided note taking, dialogical teaching method, guided video viewing, pause procedure and think-pair-share.
- SAMR model.
- Materials in support of distance knowledge evaluation: guidelines for knowledge evaluation by ICT, examples of knowledge evaluation during distance learning, knowledge evaluation with Exam.net.
- Examples of good practice in the use of ICT in the pedagogical process; more than 50 examples of good practice have been prepared for various subject areas and are classified according to study areas, levels of ICT integration according to the SAMR model, exposed learning approaches, methods and forms of work, and ICT used.
- ICT toolbar with examples of ICT use in the pedagogical process, such as Exam.net, Formative, BookWidgets, Iorad, Screencast-O-Matic, Google Drive, Socrative, Quizizz, 1KA, H5P, Kahoot, Edpuzzle, Padlet, Geogebra, Trello, Moodle, Nearpod, Mentimeter, MS Teams and Zoom.
- Hints and tricks: more than 60 hints for using different ICTs, such as how to use ICTs to support collaborative project learning, interactive textbooks, table imaging tools, comparison of game making tools, creating a word cloud in the Mentimeter tool, ...
- Frequently asked questions and answers, e.g. on the topic of user experience in working with Zoom, MS Teams, Exam.net, Moodle web classrooms, ...

The Centre also holds consultations, such as the Digital UL consultation: the development of digital competences of higher education teachers, which aimed at exchanging experience and presenting pilot upgrades of subjects within the Digital UL project, as well as with the participation of representatives from the European Commission who participated in the development of a tool for self-testing competences for the higher education space within the Digital UL project (DigCompEdu).

Regarding the subject of this article, it is worth noting the intensive online

workshop Digital Competences of Higher Education Teachers – DigCompEdu, which aims to familiarise participants with the European Digital Competence Framework for Educators (DigCompEdu). It has 8 chapters in addition to the introductory and concluding sections. The participants are introduced to DigCompEdu and the self-evaluation tool SELFIEforTEACHERS before being given a presentation on all six areas of the European Digital Competence Framework for Teachers (DigCompEdu): (1) Professional development covering the following competences: organisational communication, management of online learning environments, professional cooperation, digital technologies and infrastructure, reflective practice, digital life, professional learning on digital technologies, computer thinking. (2) Digital resources covering the following competences: digital resource search and selection, digital resource creation, digital resource change, digital resource management and protection, digital resource sharing. (3) Teaching and learning covering the following competences: teaching, leadership, collaborative learning, self-regulatory learning, and emerging technologies. (4) Evaluation covering the following competences: evaluation strategies, evidence analysis, feedback, and planning. (5) Active student involvement covering the following competences: accessibility and inclusion, differentiation and personalisation, active student involvement, distance study, and combined study. And (6) encouraging the development of digital competences in students covering the following competences: information and media literacy, communication and cooperation, content creation, safety and well-being, responsible use, and problem solving.

During the workshop, participants are guided to reflect on their digital competences using extensive self-assessment tools. They learn about various digital technology teaching tools and strategies. They also learn how to use digital assessment strategies and tools to provide feedback and analyse their students' progress. Participants will leave the workshop with a comprehensive understanding of digital competences for teachers and the ability to design a personal learning pathway for the professional development of their own digital competences. They also know how to identify, modify and create appropriate digital resources. Attending the workshop requires no prior technological knowledge because the DigCompEdu framework focuses on non-technical skills and details on how to use technology to improve and innovate education at various levels.

In September 2021, the Institute of Multipliers for the Didactic Use of ICT was founded within the framework of the Digital UL. This is a community of university lecturers and UL staff who ensure the transfer of knowledge about the use of ICT in the teaching process in various formats. The activities of the multipliers deal with various issues related to the use of ICT in the work of educators, mostly at the level of the individual member (faculty). The activities take place both at the collective level (e.g. meetings of a large number of interested colleges, meetings, workshops on collaborative work of students in the e-classroom, review of the existing e-learning path in the online classroom, suggestions for improvement, support in working with

applications) and at the individual level (concrete steps, content, tools to increase the quality of work of HEI). Teachers participating in individual mentoring implement ICT updated activities and tasks with “mentoring” (multipliers are available for questions and individual support). The idea of the cooperation is also that the UL member institutions involved in the cooperation with the multipliers present their improvements and experiences in the courses of the faculty and thus contribute to the development of digital competences of education in the institutions.

In 2021, UL also started designing and developing an integrated learning environment for all UL members, lecturers and other UL staff. The integrated learning environment will include a series of interconnected web-based applications that support the delivery of the teaching process. In addition to online classrooms, the environment will include web applications supporting multimedia/video and various specialised applications linked to student information systems and single sign-on, providing access to all content and activities related to the study process in one place. In order to ensure the operational implementation of specific services related to the establishment of the Integrated Learning Environment, cooperation with the University Information Technology Service and the Integrators Group, which includes technical experts from individual UL members who have experience in the use of multimedia or, more generally, in the use of web-based ICT solutions in the educational process, or who have a special interest in this area and wish to contribute actively to the development of the Integrated Learning Environment, was strengthened in 2021.

On the one hand, the course of activities shows a great potential and awareness of the need to develop these topics. This is also confirmed by the data on the activities carried out (Jedrinović, 2022):

- Dissemination area: Teachers for teachers: 4 workshops, 336 participants; Website, FB, Instagram: 202 posts, 10,350 users, 27,300 views; Newsletter: 3 PubliKaTors, 395 users.
- Education area: Online workshops: 58 workshops, 254 participants; Live workshops: 113 live workshops, 2495 participants.
- Counselling area: Didactic counselling: 517 counselling sessions, 329 participants; Technical counselling: 122 counselling sessions, 113 participants.
- Area of research and development activities: Materials on the website: 256 materials, 27,300 hits on the website; Establishment and maintenance of online classrooms and integration with student information system for 6 UL members and UL Career centre.
- Pilot modernisation of course offerings with didactic use of ICT: Calendar year 2021: 36 course updates; Calendar year 2022: 39 course updates (additional applications possible); 22 of 26 UL members involved.
- Community of multipliers for the didactic use of ICT: 41 participants; 23 of 26 UL members involved.

- Community of integrators for the design of an integrated learning environment: 22 participants.

The activities carried out and the programme development show that the UL Centre for the Use of ICT in the Teaching Process is successfully fulfilling the basic task for which it was founded. It is about imparting didactic knowledge and supporting a quality pedagogical process through appropriate didactic methods and approaches and the innovative use of information and communication technologies, applications and services for all university teachers, students and staff at the University of Ljubljana.

6. Discussion

The technological advancement of society places new demands on the skills of higher education teachers, including the ability to manage the potential of modern ICT. New technologies that enter the higher education sector on a daily basis and are related to both professional areas and higher education pedagogy of student work play a significant role in improving or reforming higher education. As a result, in addition to professional competence in the field of work and work with students (higher education, didactics), the higher education teacher must also develop ICT competences.

The case study illustrates UL's awareness of the importance of the digital transformation of higher education to support the digital transformation of society. To this end, in 2016 UL joined an association (Slovenian Digital Coalition – digitalna.si) which (in cooperation with stakeholders from business, research and development, civil society and the public sector) aims to coordinate Slovenia's digital transformation in line with the adopted strategic documents "Digital Slovenia 2020". The promotion of digitalisation as a contribution to social development and the improvement of economic performance, employment opportunities, quality of life and social inclusion has made it necessary for UL to define the "content" of digitalisation. This is content that is both "technical" and educational in nature and internationally comparable.

Several (international) documents identify the needs for ICT-related knowledge and digital competency, ranging from the EU's key competences for lifelong learning to the digital competences of higher education teachers. Simultaneously, numerous educational theories and perspectives explain why the use of ICT in higher education is essential. The socio-cultural perspective and connectivism are highlighted. The socio-cultural perspective assumes that our knowledge of the world is not found in the objects or events themselves, but rather in our discourses and tools (artifacts). Knowledge is made up of external and internal constructs that are linked to the social world around us as well as the individual's world. According to the socio-cultural perspective, social practices necessitate their own higher education pedagogy in order for us to maintain and transfer our complex knowledge of the world. Our physical and communication experiences have resulted in the management of today's intellectual

and physical artifacts (Säljö, 2005; Wertsch, 2002).

As a result of the advancement of ICT, learning will increasingly focus on mastering new technology in its various forms. Rather than learning how to memorise information, we must learn how to transform it into knowledge.

The second aspect is connectivism. The basic idea of connectivism (Siemens, 2005) is that learning occurs in networks in which the individual is involved, rather than within the individual. Networks can consist of different individuals and computers. According to connectivism, learning occurs when we see or discover a new connection in what we read. The Internet and Web 2.0 technology enable students to participate in the creation and dissemination of information, emphasising the significance of non-formal learning, or what students learn outside of the formal higher education process.

The case study shows that UL has pursued both aspects in the digitisation process. First with the Digital University of Ljubljana project, which, based on theoretical findings, policy guidelines and best practices, investigated the requirements, needs and possibilities of integrating the didactic use of ICT into the pedagogical process. Lessons learned from the project, and in particular from the Covid 19 crisis, have accelerated staff and student empowerment activities, with a particular focus on teachers. In this context, experience in relation to self-assessment of digital literacy development shows that the focus is often only on “technical” mastery of a particular ICT tool (e.g. Zoom, MS teams, exam.net) and the requirements of digital literacy models (e.g. DigComp 2.0, DigCompEdu).

The above findings highlight the need to develop digital competences across multiple categories, which UL has done on a larger scale by offering various training, counselling and mentoring programmes (setting up multipliers). Based on the literature and the case study, we believe that the following categories need to be addressed in the process of digital development of HEI teachers:

- Theoretical knowledge: knowledge of information technology, teaching and learning, understanding the interaction between learning and technological support, knowledge of the ability to use the appropriate ICT tool when working with students. This also includes (non-)formal pedagogical competence.
- Technological competency: involves the use of digital tools and media. It focuses on understanding the various functions of digital tools and media, as well as how to adapt to digital tools and deal with the various complications that may arise during their use.
- Practical skills: the ability to practice the use of ICT. It refers to a logical approach to obtaining, managing, preparing, processing, and storing information. It is also referring to the ability to describe the process and develop the workflow. It is useful in searching for information in different databases using different search tools and in using different ICT tools for presentation, communication, and reporting within the subject.

- Interactive skills; ability to use different learning platforms to communicate, inform, discuss and collaborate, and to engage in different expert groups and networks.
- Reflexive skills: the use of ICT and Internet access presents a number of challenges that a higher education teacher must be able to evaluate critically. You need to know the advantages and disadvantages of the Internet as a source of information, as well as the potential risks associated with the use of ICT, the Internet, and electronic communication (credibility and reliability of available information).
- Cognitive skills include information management, innovation, content evaluation, and problem-solving. Information management includes access to information, identifying and organising it, developing critical thinking skills, and innovative action. It is about being able to create new content with digital tools and media, as well as solve problems and think creatively.
- Legal issues; ICT raises new issues relating to the legal aspects of the work of a higher education teacher (copyright, personal data, digital cooperation rules, ...).
- Ethical competence; the ability to communicate and share information in a digital form in a respectful and responsible manner, to take responsibility for publishing content, and to be aware of the impact of such content.

Categories do not exclude one another, and they best contribute to achieving the expected level of digital competence development. According to experience, the user aspect of ICT receives the most attention in practice, which refers to theoretical knowledge and practical skills, as well as technological competence. The other categories are given far less weight. This means that there are still many challenges to overcome in the process of developing higher education teachers' digital competences. It is true that practical skills in the use of ICT are critical, but it appears that too many higher education teachers are satisfied with practical skills, search techniques, and a focus on a very narrow range of ICT tools. Furthermore, the practical application of ICT is inextricably linked to the opportunities and risks of electronic media communication and Internet use. This includes the credibility of the information sought (e.g., novelties, case studies, teaching materials, support for teacher work) and received (e.g., plagiarism detection), which relates to both legal and ethical knowledge on the use of ICT.

To use ICT in teaching, higher education teachers must consider how ICT can help the educational process. It is not enough for a higher education teacher to focus on the "formal" development of digital competences in accordance with the profession's "highest" criteria (e.g., DigCompEd), but he must also consider the fact that his digital competences "live" in his work with students. We also refer to the interaction between digitalisation and socialisation, which is "blurred" in many studies because it relies too much on the experience of the Covid 19 crisis. The problem is that this was not a carefully planned and gradual change, but a sudden change in learning

methods. Fully digital education went hand in hand with complete closure, so that opportunities to socialise became very limited and/or restricted to the online space. Nevertheless, they highlighted important aspects of digital education that are closely linked to socialisation and that also need to be carefully considered from the perspective of the future of higher education (Fűzi et al., 2022, p. 504).

Given the anticipated digital transformation of society, higher education institutions (universities) should prioritise the development of digital competences among higher education teachers over other development priorities. Perhaps also in such a way that, in addition to achieving research excellence in the career process of a higher education teacher, they would pay more attention to higher education teachers' pedagogical competence, including the development of digital competences. In addition to lifelong learning in this field, candidates should be given the opportunity for such development, particularly when "entering" the higher education system, and formal evidence (e.g. accumulated credit points in the field of pedagogical education, which would include the development of digital competences) would also be required for employment in this field. Furthermore, it appears reasonable to devote more attention in the future to staff development, which would ensure meaningful selection (transparency, usability, licenses) and integration into each institution's environment, as well as professional support in the introduction or transfer of knowledge regarding the management of that technology to higher education teachers. Only institutional conviction of the need to exploit the boost of the digital revolution and the solid commitment of students, professors, researchers, staff and managers, will allow the university to be successful in the digital era (Kaputa et al., 2022, p. 65).

This case also shows that institutional support, collaboration between higher education teachers with different profiles of experts in higher education and ICT, collaboration with professional colleagues, even beyond the boundaries of their department and institution, is a good starting point for the development of digital competences among higher education teachers. It is particularly beneficial when students participate in this collaboration. Therefore, more space should be devoted to this "concurrent" education in the future. This collaboration's experience can help higher education teachers develop their digital skills and take responsibility for their own development. All of this enables higher education teachers to provide students with the knowledge they require in today's global information society.

7. Conclusion

The advancement of scientific fields, technological advancements, and social development all have an impact on expectations for "new" pedagogical capabilities of higher education teachers, particularly with regard to the use of digital technology. Digital technology and related services are constantly changing. To avoid digital exclusion, higher education teachers must develop digital competences in tandem with

technological advancement. As digital tools become more widely available, students' expectations for their use in the learning process rise. We are saying that digital competence is becoming an increasingly important skill for higher education teachers, but that teachers who lack digital competence risk gradually drifting away from professional development requirements. Digital competences are also required for participation in the academic community and the completion of various tasks, such as information and data management, content preparation, communication, etc.

Higher education teachers must keep up with the rapid digital development of education. As a result, the list of competences that the teacher must possess is always growing. This is followed by UL's activity in the area of institutional support for the development of digital competences of higher education teachers. The University of Ljubljana's Centre for the Use of ICT in the Educational Process is the focal point in this context. The Centre offers continuing professional development as well as direct advice to higher education teachers and staff on the didactic and technical use of ICT. Furthermore, it monitors national and international trends in the use of ICT in education and translates them into UL practice through collaboration in the renewal and updating of study programmes and the development of digital competences. All of this is done to improve higher education teachers' digital competences so that they can effectively integrate digital technology into teaching and learning. Digitally competent higher education teachers will always use pedagogical considerations when selecting digital tools and resources, rather than the other way around, knowing that it is teaching and learning that are at the forefront, not tools. As a result, higher education teachers are among the most important factors for successful digitalisation, which will provide quality higher education in the future. Technology will never replace excellent higher education teachers, whether they are excellent or not: any higher education teacher who can be replaced by a computer deserves to be replaced.

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Feedback Monitoring Tools of the Russian Federal Tax Service

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Abstract

In recent years, the Russian Federal Tax Service has increasingly focused on processing taxpayer feedback through various communication channels. In this paper, we investigate the impact of this feedback system on the effectiveness of tax collection over the regions of the Russian Federation for 2017-2021. Using a unique dataset of feedback received and a bunch of control variables with instruments, we show that the spread of feedback channels resulted in a small but significant increase in tax proceedings. We provide behavioral interpretation for this result: the introduction of feedback systems signals taxpayers that the tax offices have started to pay attention to what people think about their service. This simple signal transforms the relationship between taxpayers and tax administration from that of surveillance and authority to customer relations, which is reciprocated by the taxpayers and has contributed to the improvement of tax discipline.

Keywords:

digital public administration, feedback, government digital platforms, tax revenues

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1. Problem statement

In recent years, digital platforms are becoming increasingly more common in public administration, ranging from standard public services to taxation.³ Besides technological reasons, this tendency represents an increasing orientation to a human-centered approach to citizen services aimed at the continuous and efficient improvement of their quality in light of the received feedback. In parallel with the broadening scope and quality of digital services, citizens demonstrate ever-increasing usage and satisfaction with digital (in particular, online) public services.

What do digital services contribute to the quality of public administration? According to modern theories of public administration (Andrews & van de Walle, 2013; Nigro et al., 2014; Cohen, 2016), the first-best way of public services provision is the interaction between the providers and society. Public authorities should make sure that citizens feel comfortable receiving public services. The paradigm of participatory governance sees the state not as a set of functions, but as a dispositive part of network governance, which includes other actors⁴. Accordingly, citizen participation in innovations of public administration (participatory theory of government – Arnstein, 1969), in particular the digitalization of public administration at the level of civil society, is productive for the system of public administration (Lindgren et al., 2019), and should lead to higher degrees of cooperation.

This article examines one particular aspect of the interaction between government and citizens, namely the interconnection between tax discipline and the feedback system of taxpayer satisfaction with the service provided by the tax offices. Specifically, we investigate the impact of the number of feedback messages on tax collections, controlling for the level of economic activity and other indicators at the regional level of the Russian Federation over the period 2017-2021. Due to the specificities of Russian data (discussed below in detail), we cannot make direct use of the *values* of marks given to the offices by the client taxpayers. Instead, we use the intensity, or *the number* of marks given to each office by 84 regions and 5 years, and show that this indicator has had a significant and positive impact on tax collections. Given that the tax system over this period has been stable⁵ subject to these considerations, the relationship between the intensity of feedback provided and tax proceedings may be interpreted in a causal sense. The intuition behind this result is quite simple; traditional tax administration has had a limited mission to collect money and chase and prosecute evaders. By contrast, introducing a digital feedback system has transformed this relationship into a client-oriented service, which is appreciated and reciprocated by the taxpayers. This

3 e.g., <https://www.banki.ru/news/lenta/?id=10968771>

4 With the important exception of an increase in the rates of individual tax from 13 to 15% for the richest in 2020, since this change coincided with the COVID-19 lockdown, both effects can be controlled in the same way using an appropriate dummy.

interpretation is, by and large, behavioral, and related to nudging (Thaler & Sunstein, 2004); small changes in the context of collective decisions can alert perceptions, improve taxpayers' attitude governance, and altogether result in more extensive tax compliance.

Currently, only some studies are analyzing tax compliance factors and the relationship of tax administration to behavioral economics. For example, scholars have examined the relationship between tax rates and tax revenues (Houdek & Koblovsky, 2015), particularly the use of odd taxes to minimize the political costs of taxation while maximizing revenues (Olsen, 2013) and responses to tax reflections to price tags (Chetty et al., 2008). Some authors place greater emphasis on the irrationality of taxpayers, with the result that savvy politicians can manipulate public opinion. The design of the tax system can be unsustainable because of the ability to induce changes in preferences through purely formal rhetorical means (McCaffery & Baron, 2006). Other authors assess the impact of introducing digital payments on citizens' accountability (Finkelstein, 2009). To the best of our knowledge, the interrelation between tax administration, tax revenues, and feedback from the citizens has yet to be studied.

The rest of this paper is organized as follows. Section 2 briefly describes the current state and development of digital services introduced by the FEA since the early 2010s. Section 3 describes our data, and section 4 provides the results of the data analysis. Finally, section 5 presents the conclusions.

2. Digitalization of the public management system

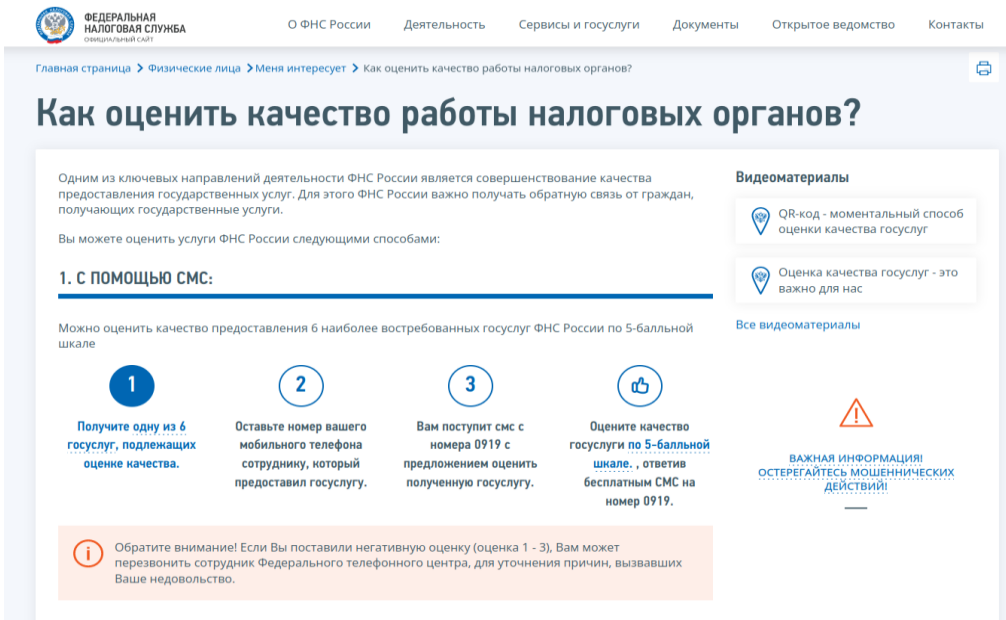
The Federal Tax Service (in the future abbreviated as FTS) has been one of the pioneers of digitalization among the Russian executive authorities. The introduction and functioning of the governmental digital platforms are regulated by Federal Law 210⁶, as well as internal interdepartmental letters describing the functioning of digital platforms. Since January 2020, all public services in Russia are set to be gradually converted into electronic form. This move has been actively debated before, resulting in amendments to Federal Law № 210-FL of 27.07.2010). In general, public authorities drift towards a client-oriented approach aimed at the convenience of the citizens, analysis of their quality assessment, and satisfaction with online services.

The COVID pandemic, which began in 2020, has dramatically accelerated the digitalization of public services, including taxation. Many FTS services have been transferred to online platforms and made accessible via smartphone with an appropriate app or personal computers. At the same time, COVID had an expected depressing impact on the extent of overall economic activities, causing a decline in tax interactions (see below for details). Ultimately, in parallel, a digital feedback system technique has

6 and other decrees.

been set up; Users of all major FTS services (see below for their complete list), both individuals and company representatives, following their contact with the tax office, received a request for feedback in the form of a push-up message on their mobiles and a web link. Upon login, users are asked to report their evaluation of the quality of services on a 5-point scale, 1 being the lowest and 5 the highest (consistent with the most common school grading system in Russia). For a sample online screen, see Figure 1.

Figure 1:
Sample online screen.



Source: https://www.nalog.gov.ru/rn77/fl/interest/ocenka_kachestva/

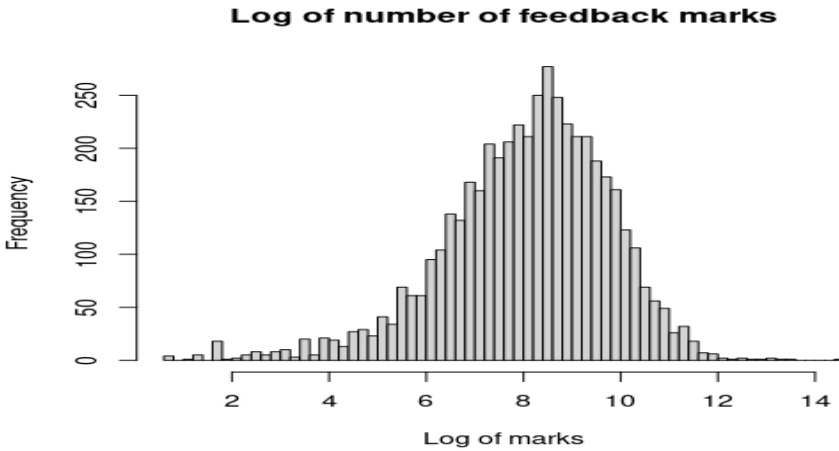
If services are provided electronically, taxpayers might receive this invitation at any stage of interaction with the system. In contrast, taxpayers who physically attend an FTS office are explicitly asked to authorize sending a push-up message at the end of their interaction with the tax office for feedback. Hence the grades provided by this system are neither random nor complete. At the same time, offices receive firm instructions to collect them, resulting in many evaluations, ranging from 6.5 to 13 million feedbacks per annum 2017 to 2021⁷.

⁷The dynamics of scores during the period were uneven; the number of scores fell until 2020 when the popularity of online services during the Covid pandemic increased.

Feedback is collected on different digital platforms. The first class of these can be conventionally classified as centralized federal, created under the auspices of the Office of the Government, and named "Your control" (<https://vashkontrol.ru>). This platform aggregates data from 'external' services where the user can evaluate the service, including the form presented in Figure 1. Another class of platforms can be designated as 'local'; they include direct messages, or 'infomats' (physical grading devices installed on the premises of tax offices). Management of these platforms is the responsibility of the local tax office - subordinate to the tax administration of the subject of the federation (region – oblast, krai, republic, or district). The number of tax offices ranges from 1 to 48 (on average, 10 per region); this number may change year to year at the discretion of the FTS, but the collection of feedback follows the same procedures all the way through since the introduction of the system in 2012. Altogether, from 2017 to 2021, the total volume of feedback received has generally been growing, corresponding to increased population exposure to online services. Over the same period, the number of mobile numbers used to provide feedback increased from 1.927 to 2.241 million, evolving in line with the number of evaluated services. The number of feedback marks provided was also higher, corresponding to the fact that each service receives more than one mark, reflecting, e.g., the timing of service provision, competence of the public officer, and overall quality of the service.

As units of observations, we take yearly numbers from all the tax offices of 84 subjects of Russia, which on average over 5 years amounts to 963 observations per year, with a maximum of 1 052 (2018) and a minimum of 863 (2021). Hence all values of feedback marks, ranging from 1 (very bad) to 5 (excellent) are aggregated within each office. A primary reason for this is institutional; positive evaluation marks are administratively required to be over 90%, which induces tax offices to push them higher by all means and through every channel. The self-selection of taxpayers whose experience has been positive or a strong impression of taxpayers about services provided are other reasons which may contribute to this picture, but arguably are of secondary importance. At the same time, values of feedback marks should be contrasted with the number of marks received - processing the latter is not needed as long as the mean marks are 'good enough'. The aggregate distribution of the number of feedback marks received is provided in Figure 2; featuring 4 817 values, it is bell-shaped, suggesting this variable likely came from natural sources and reflects the actual dynamics of the intensity of feedback provided through every channel as reflected in the FTS records.

Figure 2:
Distribution of the number of feedbacks, cumulative 2017-2021.



Source: authors' own, 2023

We are interested in the impact of taxpayer feedback on tax discipline and tax revenues. Despite the mean values being unreliable, we argue that the introduction and spread of feedback channels already had their impact.

To establish this causal relationship, we regress the log of tax proceedings by region and year on the log number of feedback marks received in the respective territorial unit and time. This outcome is, of course, to be evaluated *ceteris paribus*, controlling for the changing tax base and legislation. We use gross regional products by regions (GRP) and population by regions as the main variables accounting for these effects. Concerning the tax base, there were no changes in the rewards for proper or penalties for improper tax compliance, and minor changes in income tax were introduced in 2020, which coincided with the COVID-19 quarantine. Both exogenous shocks can be controlled by the same dummy variable, which we also add to the regression. Over that, taxpayers' feedback is endogenous to tax revenues; feedback in year t may result in a further increase in tax proceedings via enhancement of the qualities of FTS service through various channels. One of these is a substantive response to comments and critiques received. However, it seems to be of limited worth amid the biased distribution of marks. Of more importance is the behavioral channel; requests for taxpayers' feedback, unprecedented beforehand, transform the image of the FTS from a surveying and punishing body to service provider, triggering a positive behavioral response.

We examine the effect of this channel using various regression techniques, starting from OLS to panel data IV, and establish a positive and significant effect of the feedback system on tax proceedings, controlling for the tax base across years. The selection of instruments, however, is not trivial. One natural approach would be to take the mean marks (grades on a 5-point scale) received per region and year; however, as argued above, this indicator is entirely uninformative. We use a combination of two other instruments: the percentage of people per region having access to broadband internet over regions and years and the relative number of separate mobile numbers per grade received. The former instrument measures access to reliable internet channels which facilitate feedback provision. The latter shows feedback channels' relative (in)efficiency; the lower the number, the more grades received per mobile phone. Typically this ratio is below one, but in some cases, it is greater than one, reflecting the communication breakout. Both indicators are significantly correlated with the number of feedbacks, and together constitute appropriate instruments for the number of feedback marks while observing exclusion restrictions.

3. Data

For our study, we have collected the following data for all 84 regions of the Russian Federation for the period 2017 to 2021:

1. Tax revenues (federal, regional, and local taxes, and taxes related to special tax regimes), provided by the FTS and collected from the Russian FTS web platform, <https://analytic.nalog.gov.ru/>.
2. The number of assessed services represents feedback from taxpayers. The data are collected by the FTS portal "Your Control" (<https://vash-kontrol.ru/>), which accumulates information about citizens' satisfaction with the quality of public services. The assessment identifies the citizen's opinion on the quality of public services (with a score on a 5-point scale). In the case of public services provided electronically, citizens can be assessed at all stages of their provision, which can happen when citizens are informed about the procedure for obtaining a public service, when making an appointment, submitting an application, receiving the result of public service, and the like. Some data are publicly available, but we have used an extended, proprietary version of the dataset, which includes the number of feedback marks, number of services (several marks per service), and unique mobile phones per tax office per year.
3. Broadband internet coverage, showing the number of people per 100 having access to reliable internet channels per region per year, publicly provided by the Ministry of Digital Development of Russia, <https://digital.gov.ru/opendata/7710474375-abonentsHPD/download/>.
4. Gross regional products by regions and years, provided by Russian Statistical Agency, Rosstat, <https://rosstat.gov.ru/folder/210/document/13205>.

5. The population of the regions of the Russian Federation, also provided by Rosstat, <https://rosstat.gov.ru/folder/12781>.

As of 2021, the Russian FTS officially provided 25 public services online and owns more than 70 services subject to feedback evaluation. These services are listed below and together represent approximately 30% of all services provided by the Russian FTS:

As of 2021, the Russian FTS officially provided 25 public services online and owns more than 70 services subject to feedback evaluation. These services are listed below and together represent approximately 30% of all services provided by the FTS:

1. Free information (including written information) about:
 - 1.1 taxpayers, payers of fees, and payers of insurance premiums,
 - 1.2 tax agents on applicable taxes, fees, and insurance premiums,
 - 1.3 legislation on taxes and fees and adopted per normative legal acts,
 - 1.4 the procedure for calculation and payment of taxes, levies, and insurance contributions,
 - 1.5 the rights and obligations of taxpayers, payers of levies, payers of insurance contributions and tax agents, and
 - 1.6 the powers of tax authorities and their officials.This information is provided upon taxpayers' requests or by an FTS initiative and can be conducted in written or oral form.
2. State registration of legal entities, individuals as individual entrepreneurs, and private farms.
3. Provision of information contained in the disqualified persons register to interested parties. The register contains records of persons whose rights have been restricted in legal terms and who have been restricted from carrying out certain types of professional activity. Information from the disqualified persons register is provided to all interested parties based on a request which can be sent to any tax authority both in hard copy - directly by the applicant (their authorized representative) or by post to a territorial tax authority or via a multifunctional center, and in electronic form - using the Internet via the Federal Tax Service official website or the single portal to the authorized organization.
4. Provision of information and documents contained in the Unified State Register of Legal Entities and the Unified State Register of Individual Entrepreneurs.
5. Submission of an extract from the Unified State Register of Taxpayers.
6. Receipt of tax returns (calculations). One of the most popular services directly related to tax revenues - approximately 40% of all contacts of taxpayers with the FTS falls into this category.

The connection between received feedback and tax proceedings is positive and linear in logs, with an overall correlation coefficient of 0.3945. See Figure 3a for 2018 and Figure 3b for 2020. These figures show some increase in variation in the COVID year, but generally, the picture remains relatively robust.

Figure 3a:

2018 Data

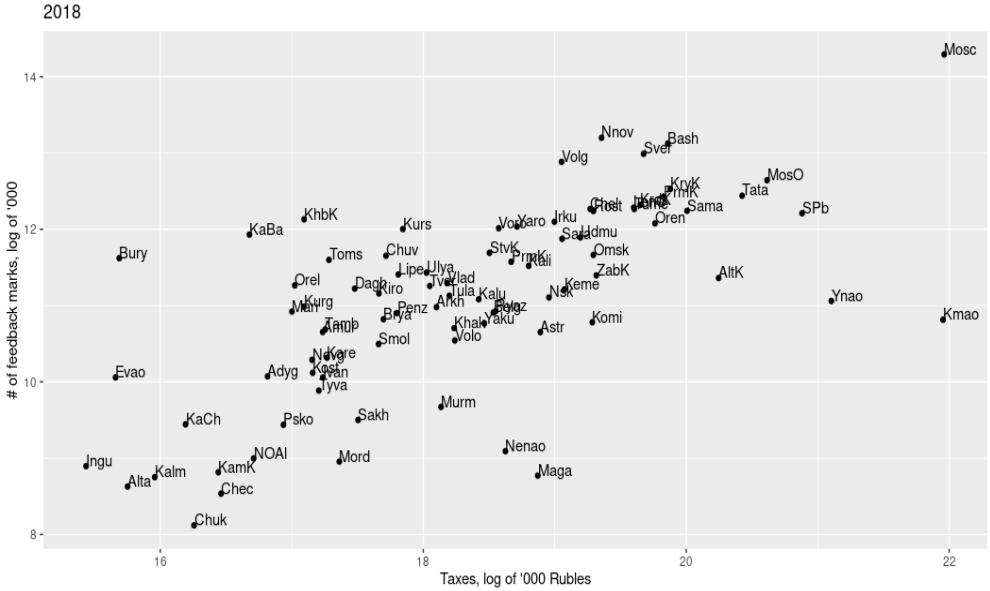
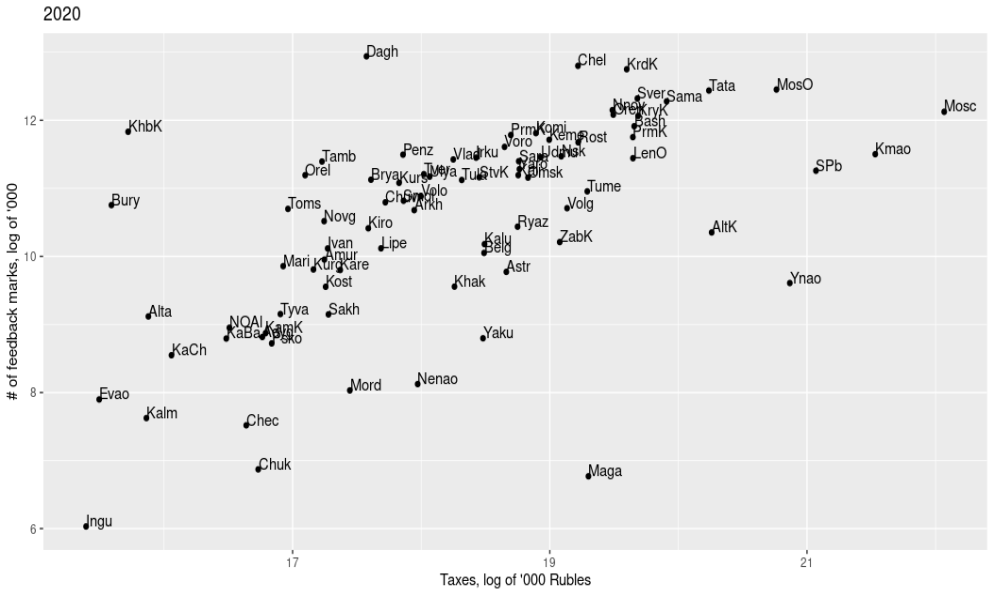


Figure 3b:

2020 Data



Significant variations in logarithms reveal substantive heterogeneity among Russian regions. On one extreme, there is Moscow City, whose tax revenues increased from RUB 3 trillion (about EUR 42 billion) in 2017 to RUB 5 trillion (about EUR 55 billion) in 2021. At the other extreme, the Republic of Ingushetia in the Caucasus has raised 1,000 times less than that – in the range of RUB 4 to 5 billion. This heterogeneity is, of course, reflected in other indicators, such as GRP differences – see Table 1 for the statistics summary.

Table 1:
Summary statistics

	mean	median	st.dev.	min	max
Tax proceedings, bln RUB	248.28	81.02	559.45	-21.73	5 087.62
GRP, bn RUB	1 200.76	559.16	2 427.59	48.41	23 989.90
Population, mln people	1.752	1.168	1.804	0.044	12.678
Feedback marks					
Feedback marks by region, '000	114.115	67.934	169.150	0.108	1 933.966
Number of services evaluated, '000	1.974	1.458	3.039	0.008	54.094
Mean feedback marks by the tax office, '000	8.742	6.804	8.452	0.034	107.443
Instruments					
Mobile numbers per mark	0.352	0.281	0.393	0.040	6.308
Broadband internet coverage, % of people	19.79	20.33	6.51	0.95	39.20

Note: all money-related data are in current Russian Rubles (RUB) per annum per region. Negative minimal taxes refer to a budgetary subsidy to one region (Murmansk region, 2020).

Source: authors' own, 2023

The number of services evaluated is typically lower than the number of feedback marks because each particular service might be evaluated more than once. For example, mobile numbers per mark show that a typical mobile phone (single user) gave about 3 marks on average. Most active evaluators provided as many as 25 marks, while the least active feedback provider gave only 0.15 marks (=1/6.308), which is explained by the repeated failures to leave feedback for technical reasons. Broadband internet coverage is relatively robust over time but varies substantively across regions, which calls for random effect estimation.

4. Regression analysis

Regression estimates are collected in Table 2. We begin with simple linear OLS, which shows the expected positive impact of the number of feedback marks on tax proceedings, controlling for the economy size of the region and population density (number of people and ease of tax collection, which is vital in a large country such as Russia). To account for the negative shock of COVID and other changes, a dummy for 2020 is included, although it turns out to be non-significant in this specification. The model implies a strong and significant positive impact of feedback intensity on tax discipline; a 1% increase in the number of feedback marks results in a 0.36% increase in tax collections. As robustness checks, we have also estimated separate models for the period before 2020 and 2020-2021. Coefficients of log number of feedback are similar qualitatively, ranging from 0.40% for the former and 0.29% for the latter period, in response to a decrease in economic activity. Pooled cross-section IV estimate shows an even more significant effect of 0.79%; our instruments are the broadband coverage log and mobiles used per grade as exogenous instruments. F-statistics for the weak instrument test is 49.587, suggesting that the instruments are robust, and the Sargan test statistic of 2.13 ($p < 0.12$) shows the validity of overidentifying restrictions. The Wu-Hausman test (21.135, $p < 0.000$) reveals that IV estimates are indeed superior to OLS – however, model (2) is still inefficient because it does not exploit the panel data structure.

The above is done in models 4 for cross-sectional and 5 for random effects panel data model, using the plm package for R 2022,.12.0, build 353. The low variance of regional covariates and instruments suggests that the random effects model is superior; the Hausman test resulting in a chi-square of 4.3907 ($p\text{-value} = 0.3557$) implies it is also unbiased and, therefore, superior to the FE model. The coefficient of instrumented log number of feedback marks of 0.17 suggests that a 1% increase in the number of marks provided results in about a 0.17% increase in tax proceedings. This number is lower than the OLS estimate but quite significant on a country scale, given the diversity of regions and years, so we take it as a conservative first-best estimate. All other variables are significant and have the expected signs, including the COVID year dummy.

Table 2:

Linear models of determinants of tax proceeding

	<i>Dependent variable: log of tax proceedings</i>				
	<i>OLS</i>			<i>Instrumental Variables</i>	
	1) Pooled	2) OLS year<2019	3) OLS year> 2019	4) IV PCS	5) RE IV
Log number of feedback marks	0.365*** (0.044)	0.408*** (0.044)	0.292*** (0.058)	0.789*** (0.157)	0.174*** (0.064)
Log of GRP per capita	1.363*** (0.095)	1.358*** (0.097)	1.412*** (0.158)	1.259*** (0.106)	1.171*** (0.150)
Log of population density	0.328*** (0.029)	0.315*** (0.029)	0.359*** (0.046)	0.261*** (0.042)	0.322*** (0.059)
COVID year dummy (2020)	-0.025 (0.119)			0.082 (0.141)	-0.072** (0.031)
Constant	15.718*** (0.335)	15.348*** (0.341)	16.128 (0.469)	12.787*** (1.099)	16.966*** (0.564)
Observations	424	339	169	424	424
R²	0.539	0.547	0.515	0.445	0.222
Adjusted R²	0.534	0.543	0.507	0.440	0.214
Residual Std. Error (df = 419)	0.960	0.946	0.997	1.053	
F Statistic / Wald test	122.322*** (df = 4; 419)	135*** (df=3,335)	58.5*** (df=3,165)	100.4*** (df=4,419)	144.974*** (df=4)

Note: *p<0.1; **p<0.05; ***p<0.01. Robust standard errors are in parentheses. Balestra and Varadharajan-Krishnakumar method from the plm package in R has been used to obtain panel IV estimates.

Source: authors' own, 2023

5. Conclusion

We have analyzed the efficiency of feedback system provision to the Federal Tax Service of the Russian Federation by regions throughout 2017-2021. The results from our analysis support our main hypothesis, namely the intensity of feedback signals establishes a loopback channel between taxpayers and the FTS and contributes to improving

tax discipline. The fact that taxpayers are asked about the quality of the FTS is interpreted by them as a positive, customer-oriented signal, to which they reciprocate, which manifests itself in improved tax discipline.

The robustness of this interpretation is confirmed using various subsamples of data, including pre-COVID and COVID times and panel data IV estimates. Notwithstanding the significant cross-regional and time differences (not least due to the COVID-19 restrictions), we find reliable instruments for the number of feedback and select a conservative estimate of its effect on tax proceedings at 0.17% in relative terms. This effect may appear small, but it implies quite some changes at the country level. For instance, an increase in feedback by 1% at a mean (19.73 replies) is predicted to yield, on average, an increase in tax proceedings of RUB 422 million 086 thousand. However, our estimation strategy does not allow us to establish the specific channel within FTS responsible for this effect, but it robustly confirms the direction of this relationship.

It is worth addressing several potential critiques related to our analysis. One of these is potential omitted variables, such as changes in the techniques of tax collection or penalties for tax evasion. None of these were in place over the period under consideration, which makes these concerns redundant. Another critical channel may be changes to tax rates. The only significant change dealt with personal income tax, which was flat at 13% until 2020 and has since been raised to 15% for early earnings over RUB 5 MM. This policy change coincided with the dummy for the COVID years, capturing both effects. The population and GRP per capita control the number of taxpayers and the tax base, respectively. Finally, as mentioned above, feedback marks are provided not only for taxation operations but for a range of services provided by the FTS, including registrar and information services. While these do not directly impact tax proceedings, they characterize the volume of services provided by the FTS to client citizens. Accordingly, the cumulative effect of feedback on any of these services characterizes qualitatively the role played by all feedback channels. It strengthens rather than weakens our argument about the effect of the existence of such channels on tax proceedings. The possibility to leave feedback and even the mere fact of being asked to evaluate the services of the tax offices appears to be reciprocated by the taxpayers whose revealed preferences were to increase their compliance with the norms of tax legislation. Thus, our results suggest that behavioral instruments, including small changes in the attitude of the public authority to citizens, may trigger positive responses of these latter and improve social efficiency.

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Blatant, not Latent: Patronage in Top-Level Appointments in Serbia

Slobodan Tomić¹, Dušan Pavlović²

Abstract

This paper examines the model of party patronage in Serbia and its impact on the professionalisation of public administration. Drawing on case studies of the appointment and subsequent performance of heads of three prominent public organisations – the National Bank of Serbia, the Anti-Corruption Agency, and the Electro Industry of Serbia – we demonstrate that, despite efforts to implement the Weberian principle of “neutral competence”, which involves the prevalence of meritocracy over partisan affiliation, patronage in Serbia has not only persisted but has become more overt and invasive. The given model of patronage involves the pursuit of multiple functions of partisan patronage – resource extraction, partisan campaigning (including through clientelism), and policy control. We suggest that this model results in the appointment of unqualified individuals to top positions, leading to poor governance and low efficiency of public institutions. The findings point to a “reform reversal” scenario, which departs from the trajectory of mild progress or stagnation usually observed in other cases across post-communist Europe that follow the adoption of Weberian standards. As a conceptual contribution, the paper develops a typology, centered around the question of perniciousness of various patronage models, that captures patronage models and trajectories of anti-patronage developments in a more nuanced manner than the existing frameworks that compare patronage patterns.

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Keywords:

patronage; politicisation; Serbia; Weberian standards; post-communist Europe; appointments

1. Introduction

Party patronage is a key phenomenon in the study of public administration, particularly in new democracies, including those in post-communist Europe. Patronage is usually framed as a negative phenomenon that might hamper the development of professionalised public administration (Rauch & Evans, 2000; Piattoni, 2001; Bearfield, 2009; Dahlström et al., 2012; Kopecký et al., 2012; Nistotskaya & Cingolani, 2016; Dávid-Barrett, 2023), damage policy efficiency (Nakrošis, 2015, p. 1), fuel state capture, and enable the misuse of public resources for illicit enrichment and partisan purposes (O'Dwyer, 2006; Grzymala-Busse, 2008; Stojanović-Gajić & Pavlović, 2021; Pavlović, 2022a, b). In some contexts, however, evidence has been found that patronage can have positive effects, such as improved policy implementation and coordination and enhanced monitoring within bureaucracy (Panizza et al., 2022; Toral, 2022).

In this paper, we explore the model of party patronage in Serbia, a transitional country in Southeast Europe and a “troubled” EU candidate (Radeljić, 2017; Kmezić, 2019; 2020)³, by analysing leadership appointments (2015–2022) in three institutions that belong to the group of least likely candidates for experiencing party patronage: the National Central Bank (NBS), a traditional paragon of technocracy and non-politicisation (Fischer, 1995); the Anti-Corruption Agency (ACA), whose mission mandates strict separability from partisan politics; and Serbia’s largest public enterprise, the Electro Industry of Serbia (EPS), which has been expected to professionalise over the last decade, in accordance with the adopted professionalisation agenda centred around the Weberian standards of neutral competence (Charron et al., 2016, p. 500), as promoted by external reform advocates, namely the EU (Meyer-Sahling & Toth, 2020, p. 110) and other international “good governance clubs” (see e. g. OECD, 2017, p. 44, or World Bank, 2021). Our central question is: Has patronage in Serbia reduced and/or become less blatant following its adoption of the Weberian standards in the 2010s?

Through a qualitative analysis of the three above-mentioned case studies, we diagnose a model of patronage that is more blatant and pernicious than the classic models of patronage set out in the literature. The model that we observed in Serbia is

3 In the last decade, Serbia has undergone a process of democratic backsliding, under the reign of the Serbian Progressive Party (SNS), and its leader Aleksandar Vučić, which coincided with the country’s continuing EU accession process and integration into the global economy (Freedom House, 2023).

based on the appointment of a cadre that is not only partisan but does not meet the competence criteria either, who then in practise undertake multiple negative patronage functions, including resource extraction, clientelism-based use of public resources for partisan campaigning, and policy manipulation or obstruction.

In setting out the “Serbian model” of patronage, we argue that its key motivation is to extract public resources for partisan purposes to sustain hyper-incumbency (Grzymala-Busse, 2007, 2008) rather than mobilise resources for public governance (Kopecký & Mair, 2012) or improve policy delivery (Panizza et al., 2022; Toral, 2022). Further, the appointment of an unqualified cadre – we suggest in our theoretical exposition – is not only instrumentally damaging (i. e. leading to less governing capacity) but also hampers appointees’ autonomy to filter out, mediate and resist the patron’s expectations of pursuing a never-ending range of patronage functions.

Our findings contribute to the moderately sceptical sentiment prevalent in scholarship that recognises that Weberian standards alone will not lead to major reductions in patronage (Lapuente & Nistotskaya, 2009, p. 443; Grindle, 2012; Gajduschek, 2013; Meyer-Sahling et al., 2015; Schuster, 2017), and that implementation in practice will be susceptible to various mechanisms of obstruction and “creative compliance” (Meyer-Sahling et al., 2015, p. 7; Panizza et al., 2018a, p. 7). However, we also suggest that when acknowledging that Weberian standards are being evaded and thus do not prevent patronage from happening, it is crucial to question which of the Weberian standards are being breached. We argue that violating the non-partisanship criterion is far more malign if the competence criterion is violated as well. The literature so far has given little attention to constellations of patronage that go beyond the proverbial “loyalty – yes, but competence ensured” trade-off (Zakharov, 2016; Hollibaugh, 2018; Hong & Kim, 2019). Our case study fills this gap and provides indications that when the competence criterion is violated, the implications are not only instrumental (less governing capability) but are motivational as well, leading to a model of patronage that is more pernicious than the models usually observed in post-communist Europe and more widely. The latter models either involve “scope-shrinkage” (Panizza et al., 2018b; 2022; Di Mascio et al., 2010), where patronage, even when remaining present, “recedes” mainly to the core of the executive and civil service (Meyer-Sahling, 2017; Zankina, 2017; Rybář & Podmaník, 2020; Staronova & Rybář, 2021; Kohoutek & Nekola, 2021) or “migrates” to lower positions in the public sector (e. g. Volintiru, 2016) and/or becomes more latent over time with less overt and blatant political intrusion, similar to the “sophisticated” forms of politicisation seen often observed in Western contexts (van Thiel, 2009; Ennser-Jedenastik, 2014; 2016; Bach & Veit, 2018).

As a conceptual contribution, the paper provides a newly proposed taxonomy of patronage models centered around their perniciousness. This enables us to go beyond the usual binary indicators of whether patronage is or is not observed/experienced in a given context (Dahlström et al., 2015; Kopecký et al., 2016) and contextualise

particular patronage models against their societal cost. The framework consists of three dimensions, namely: (1) the number of observed patronage functions; (2) the ease and intensity of the discharge of those functions – an indicator of the damage they cause per unit of time; and (3) the scope of patronage across the public sector’s breadth – whether patronage is pervasive beyond the usual “hotbed” of patronage situated in the government and civil service.

2. Patronage, Weberian standards and patronage models

Patronage refers to party control over public sector appointees holding non-elective positions (Kopecký et al., 2012; Panizza et al., 2022, p. 5). Patronage involves politicisation of public bureaucracy, although politicisation is a broader term that might involve various attempts to influence the work of public officials (Cooper, 2021, p. 565; Peters & Pierre, 2004, 2022; Bach et al., 2020a). One of the motivations behind patronage is clientelism – the exchange of public sector resources for support in partisan and electoral campaigning (Piattoni, 2001; Kitschelt & Wilkinson, 2007), a practice particularly widespread in the Western Balkans (Radeljić & Đorđević, 2020). Clientelism, though, is a narrower term than patronage; the latter can involve other motivations, such as policy control (Page & Wright, 1999; Christensen & Lægneid, 2006; Kopecký & Spirova, 2011; Bearfield, 2009; Jalali & Lisi, 2015; Kopecký et al., 2012, 2016, p. 420) or extraction of public resources.

In the context of the post-communist European space, patronage is seen as something that needs to be tackled. It is a widespread view in this part of Europe that patronage primarily serves partisan intentions to extract resources and sustain incumbency, thus hampering state-building (Grzymala-Busse, 2007, 2008). Across the CEE and SEE states, therefore, legislation has been adopted over the last decade to suppress patronage, putting in force the Weberian notion of “neutral competence”, which mandates that, in public sector appointments, candidates’ merit and qualifications should prevail over their partisan affiliation; for some positions, including those in semi-autonomous agencies and technocratic regulators the appointment of party members is often legally prohibited.

2.1 Towards a conceptualisation of patronage models: factoring in appointees’ autonomy

Patronage has so far been gauged through the binary notion of presence/absence (Kopecký et al., 2012, 2016; Dahlström et al., 2015), which refers to whether there is partisan influence over an appointee or not. However, to understand the impact of patronage on public governance and the public good, we need to go a step further and understand the nature of patronage and particularly the damage that it causes to the society. Current patronage models may not be suitable for this purpose, as a binary

observation of whether patronage was observed/experienced or not does not tell us much about the extent of harm caused by the pursuit of the patronage in question.⁴ The amount of damage will be determined by: (1) what functions are exercised in a particular context; and (2) how often those functions are exercised, i. e., how unconstrained the public officials are in exercising them. The framework provided later in this section offers a typology of different models of patronage, which orders the models according to their perniciousness.

While using Weberian standards may not completely prevent patronage, as there are means to bypass them (Meyer-Sahling et al., 2015, p. 7; Panizza et al., 2018a, p. 7), we argue that the way these standards are disregarded will have an impact on the model of patronage and its harmful effects in a given case. Weberian standards could be breached not only when political affiliations outweigh a candidate's merit, but also when the minimum competency requirements are not met. We suggest that blatant breaches of Weberian standards, where a candidate does not meet the competency criteria (i. e. lacks the required qualifications and/or professional experience), will result in more pernicious models of patronage.

When the competency criterion is violated in public sector appointments, the implication is not only that the appointed unqualified cadre will lack governing capacities. We suggest that such a cadre will have reduced personal autonomy to process, filter out, and mediate the ever-expanding expectations of serving the patron's interests. As a result, in practice, there will be minimal, if any, constraints on how far the appointee will go in abusing institutional resources to perform varying patronage functions.

Usually, appointees are not just "porous conduits" for the patron's will. They face internal and societal constraints that define how far they will go in serving others' preferences. Despite their dependence on the patron who facilitated their appointment, appointees might still have some reservations regarding the abuse of institutional resources they are expected to commit. First, personal ethical constraints limit how far one will go in abusing institutional resources. Second, reputational considerations exist. Appointees' actions are watched by audiences and, when perceived negatively, can inflict reputational damage (Carpenter, 2001; Busuioc & Lodge, 2016). This could affect their subsequent careers after they complete their given term in office. However, unqualified cadres appointed to lead public organisations will face fewer reputational constraints. Their professional fortunes are not steeped in so-called epistemic communities (Haas, 1992), whose judgments and norms can significantly shape the forms of acceptable and unacceptable conduct. Also, the immediate social surroundings of unqualified cadres are less progressive and less likely to sanction them. This surrounding value system, where integrity breaches are more

4 One also needs to consider whether the positive functions of patronage, recently diagnosed in some empirical settings (Panizza et al., 2022; Toral, 2022), even potentially outweigh the negative functions of patronage that are in place.

permissive, will further reduce the reputational cost for unethical conduct. Finally, alternative career options for unqualified cadres are scarcer. They will therefore stake their bets on party patronage as the only and/or main self-realisation mechanism, making them more ready to commit abuse by following the expectations of the party patron.

The bigger point that we are proposing here is that, in a patronage relationship, appointees have some personal autonomy to choose the patronage activities they will undertake based on their internal values and societal pressures. Appointees who lack competence or alternative career options, however, are likely to have lower autonomy and face fewer social constraints. We should therefore consider Weberian standards as not being there only for making sure that partisan motivations do not prevail. They also set a virtual threshold that filters in the “pool” of cadre for potential appointees; such appointees would have some societal and personal constraints to unbridled abuse of institutional resource in the subsequent work post-appointment.

2.2 Models of patronage: a framework for gauging patronage perniciousness

Measuring the impact of a particular patronage model with precision can be challenging. However, we can create a taxonomy of different patronage models to distinguish the most pernicious from the less pernicious ones. Our proposed framework has two main dimensions. The first dimension pertains to the extent of patronage functions carried out in a given patronage model. The second dimension refers to the scope of the public sector where these functions are pursued, i. e. whether patronage is present mainly in the core executive, or has captured a wider range of organisations, such as public enterprises, semi-autonomous agencies, and other public bodies structurally insulated from the government hierarchy. A third dimension could be added to indicate the intensity or ease of pressing public appointees or employees to perform patronage. This affects how frequently a given patronage function is performed. The perniciousness of abusing public resources for political purposes or extracting resources is not the same if it occurs once a year versus every month.

The net effect of a particular patronage model is based on the multiplier of those three dimensions. The following table summarises the models:

Table 1:
Possible models of patronage

<i>What patronage is prevalent</i>	<i>Exercised functions of patronage + their intensity</i>			
	Negative functions + High intensity	Negative functions + Low intensity	Positive functions + High intensity	Positive functions + Low intensity
In core executive	<p>MODEL 1</p> <p>Multiple functions Resource extraction; and/or</p> <ul style="list-style-type: none"> • Clientelism (electoral support); and/or • Policy control (in a negative sense) <p>Practiced easily/with high intensity/frequency.</p> <p>Provisional utility: -5</p> <p>Note: The fewer negative functions are performed, the more the model is "benevolent".</p> <p>E. g. a Model 1.1 (a benign version of Model 1) would involve one or two negative functions performed rather than all three. The approximated utility would then be less than the above mentioned -5 (e. g. -3)</p>	<p>MODEL 2</p> <p>Multiple functions</p> <ul style="list-style-type: none"> • Resource extraction; • Clientelism (electoral support), and/or • Negative policy control, <p>Practiced, but not with high intensity.</p> <p>Provisional utility: -2</p> <p>Note: The fewer negative functions are performed, the more is the model "benevolent".</p> <p>E. g. a Model 2.1 (a version of Model 2) would involve one or two negative functions performed rather than all three. The approximated utility would then be less than the above mentioned -2 (e. g. -1)</p>	<p>MODEL 3</p> <p>Policy control (seen through positive functions, i. e. improved coordination, monitoring etc.).</p> <p>Practiced (relatively) frequently</p> <p>Provisional utility: +5</p>	<p>MODEL 4</p> <p>Policy control (seen through positive functions, i. e. improved coordination, monitoring etc.).</p> <p>Practiced occasionally</p> <p>Provisional utility: +2</p>
	In the wider public sector	<p>MODEL 5</p> <p>Multiple functions</p> <ul style="list-style-type: none"> • Resource extraction; and/or • Clientelism (electoral support); and/or • Policy control (in a negative sense). <p>Practiced easily/with high intensity/frequency.</p> <p>Practices across a wider public sector (beyond the core executive)</p> <p>Provisional utility: -10</p>	<p>MODEL 6</p> <p>Multiple functions</p> <ul style="list-style-type: none"> • Resource extraction; and/or • Clientelism (electoral support), and/or negative policy control). <p>Practiced, but not with high intensity.</p> <p>Practices across a wider public sector (beyond the core executive)</p> <p>Provisional utility: -5</p>	<p>MODEL 7</p> <p>Policy control (seen through positive functions, i. e. improved coordination, monitoring etc.).</p> <p>Practiced across a wider public sector (not limited to the core executive only)</p> <p>Provisional utility: +10</p>

Note: Possible models of patronage, as approximated through the overall damage and benefit that they produce in a given country. The functions are taken from prior literature, negative

functions including resource extraction, abuse of public resources for election/campaigning purposes, and policy control. The model in the bottom left cell (denoted as "Model 5" is the most pernicious one, followed by Models 1 and 2; the most "benevolent" models are Model 7 and Model 8, followed by Model 5. Those are ideal types and in reality, patronage models can oscillate between two adjacent ideal types).

Source: authors' own, 2023

2.3 Weberian standards and patronage: always a trajectory of progress?

As mentioned, in the last decade or so, most countries in Central and Southeastern Europe have adopted Weberian legislation (OECD, 2020a, pp. 65–66), mandating that public sector appointments should be based on the standard of “neutral competence” and that partisan loyalties should not override competence. However, it is debatable how effective these standards have been in practice. While they have led to some sophistication of patronage, to a certain extent bringing it under control, this legislation has also proven susceptible to various coping strategies by political parties. Studies have shown that politicians can resort to various mechanisms, such as organisational restructuring (Zankina, 2017), creating legal loopholes, producing procedural delays, or suspending or even ignoring the new legal framework (Verheijen, 1999; Meyer-Sahling et al., 2015, p. 7; Sedlačko & Staroňová, 2018), to circumvent or undermine Weberian standards in ministries and civil service. Panizza et al. summarise such undermining mechanisms as circumventing, evading, distorting, or even openly violating legally adopted Weberian standards (2018a, p. 7). Today, there is a widespread consensus in the literature positing that the adoption of Weberian standards alone will not lead to the eradication of patronage (Meyer-Sahling, 2006; Meyer-Sahling & Jager, 2012, p. 7; Gajduschek, 2013; Schuster, 2017).

“Sophistication of patronage” means that patronage has become less permissible and is performed in a less overt manner as political parties seek to avoid admitting it. It is distinct from direct party control, where the appointee regularly receives and carries out orders from the party and reports to it. Patronage politics has “receded” mainly to the government bureaucracy and civil service, where studies still observe its presence (see, e. g., Meyer-Sahling, 2017; Zankina, 2017; Rybář & Podmanik, 2020; Staronova & Rybář, 2021). The focus of patronage politics also tends to shift to middle and lower positions and jobs in local governments and public enterprises, as observed in Romania (see, e. g., Volintiru, 2015). Even where politicisation persists in parts of the public sector outside the “core” of the public sector, i. e. beyond the ministerial bureaucracy and civil service, it has generally become more discreet and exercised through softer forms of politicisation that are not unseen even in developed Western democracies (van Thiel, 2009; Ennsner-Jedenastik, 2016; Bach & Veit, 2018).

2.4 Weberian legislation and trajectories of patronage sophistication

In the context of the sweeping legal “Weberisation” of public administration in post-communist Europe, one might expect to observe the prevalence of models wherein patronage focuses on the core of the executive apparatus, which attracts the most patronage effort by incumbents and has attracted the most interest in empirical studies in post-communist Europe. Such models would probably tend towards the more benevolent forms of Model 2, such as Model 2.1 or even Model 4 or Model 3. This expectation is based on the observations of previous studies, including data on the prevalence of patronage in the core executive (Kopecký et al., 2016), and recurring remarks that observed patterns of patronage usually serve one or two, but not three, negative functions. Due to Weberisation, where patronage is still present, it is softened in the sense that it is practised less overtly, and this also means less intensively than usual in the cases where patronage is not prohibited or monitored. For the worst-performing outliers from Central and Southeastern Europe (CEE and SEE) in the fight against patronage, one might exceptionally expect models from the lower part of the matrix, such as Model 6 in its softer variant, perhaps with two negatives but not all negative functions to be prominently pursued in the country of observation.

However, our forthcoming empirical analysis will provide empirical indications that the “Serbian model” is to be classified as Model 1 introduced above – the most pernicious model of patronage. It is a much more malign form of patronage than those observed so far across post-communist Europe, let alone the cases where patronage plays a positive role (e. g. through improved policy implementation – Panizza et al., 2022; Toral, 2022) and as such belong in the right half of the above matrix/table.

3. Methods: case selection and data selection methods

Our empirical analysis is based on a qualitative case study analysis in which we examine how the selected appointments unfolded and whether the appointees showed signs of patronage abuse during their subsequent tenure. The selected cases involve institutions and policy sectors that are among the most likely cases for professionalisation, i. e. patronage-free functioning.

For national central banks, professionalisation has been a norm since the 1990s’ wave of de-politicisation of monetary policy (Goodman, 1992). This norm has been embraced in Serbia since the early 2000s when legislation mandated that the National Bank of Serbia’s Governor – elected by a majority in Parliament – must not be a party member (Law on National Bank of Serbia, 2003). Anticorruption agencies, by design, should not be subject to political control and abuse. This was a key rationale for the creation of the Serbian ACA in the early 2010s (Tomić, 2019), as part of the ongoing “agencification” in Serbia (Tomić & Jovančić, 2012). Finally, the Electro Industry of

Serbia (EPS) – a monopolistic public enterprise in the electricity sector – was expected to professionalise in line with the wider agenda of Serbian public enterprises professionalisation, as demanded by the EU and other international reform assisters (see e.g. European Commission 2018, p. 3; OECD, 2020b), and as set out in domestic legislation. . The sectors of monetary policy and electricity, which are highly technical, belong to the group of policy areas that have been found to be less prone to patronage empirically (Peters, 1988; Meyer-Sahling & Jager, 2012, p. 2; Bach et al., 2020a, 2020b).

Overall, the three selected institutions offer strong falsification potential (Flyvbjerg, 2011). If patronage is observed in those cases, then it indicates that patronage has likely remained pervasive across the wider public sector in Serbia, even where the expectation or pressure for professionalisation is lower, thus going beyond the core executive and civil service which are traditionally subject to continuous political interest for patronage and susceptible to various mechanisms of backdoor politicisation (Zankina, 2017; Gajduschek & Staronova, 2021) and creative compliance mechanisms (Panizza et al., 2018b). In other words, signs of patronage in the three selected cases would indicate that the expected professionalisation of the public sector has failed to materialise in Serbia on a large scale following the adoption of Weberian standards in the 2010s.

To analyse whether there was patronage involved in the cases mentioned, we combined data from press reports, public officials' statements, and parliamentary debates. We looked first for indicators of whether appointments were based on party patronage or meritocracy. We checked if appointed candidates were party members or affiliates, and, thereafter, we checked if they met the expected criteria of competence, based on their professional and educational backgrounds. All three cases provided clear indicators that both criteria were not met.

Second, we looked for indicators of committed patronage functions, such as partisan control over policy, abuse of institutional resources for electoral campaigning, and extractive use of institutional resources, during the appointees' tenure. Proving that a certain patronage function actually happened can be difficult, as such actions are usually agreed upon behind closed doors, often "covered" as legally permissible, defended by politicians through alternate justifications, and publicly denied by those involved. However, even without "bullet-proof" evidence of patronage functions, there are still indicators widely seen as indicating patronage abuse. Conveniently, the cases we have selected produce multiple strong indicators of this kind. Those involve appointees' statements that their measures are driven by political authorities or evidence that their actions target ruling parties differently from opposition members. Additionally, there is evidence of appointees' involvement in electoral campaigns or the employment of party members for political campaigning. Finally, there is data showing that companies whose owners were affiliated with the main ruling party (SNS) won the majority of tenders called by some of the observed public organisations. These indicators do not refer to institutional adjustment to politicisation pressures (Tomic &

Radeljic, 2022), but involve appointees' active pursuit of patronage functions. Overall, the data obtained has yielded multiple strong indicators for every patronage function, leaving little doubt that such abuse occurred in reality.

4. Empirical analysis

4.1 The National Bank of Serbia

Maintaining the independence of the National Bank of Serbia (NBS) from political interference has been seen as crucial for ensuring macroeconomic stability, particularly after the hyperinflation that devastated Serbia in the mid-1990s due to the Milošević regime's excessive money printing (Dinkić, 1995). In the early 2000s, legislation was passed granting the NBS autonomy from the government and prohibiting the appointment of party officials as NBS governors (Law on National Bank of Serbia 2003, Article 20). Although this legislation could not completely prevent the appointment of governors with close ties to certain parties, it did establish a clear boundary between party officials and those eligible to lead the NBS.

Between 2000 and 2012, no NBS governor was appointed from within party ranks, in accordance with the law. However, this changed shortly after the Serbian Progressive Party (SNS) took office in 2012 when the newly-formed parliamentary majority appointed one of the vice-presidents of the SNS, Ms Jorgovanka Tabaković, as NBS governor. At the time of her appointment, Ms Tabaković was the third most powerful person in the party.

Critics raised concerns about the legality of Tabaković's appointment, especially after she announced that her party position would be frozen but not relinquished (Trivić, 2012). This meant that she would not be actively involved in party life but would remain a member of SNS. As the law does not specify whether an appointee can hold a frozen party function prior to their appointment or during their term as governor, it was widely believed that Tabaković may have circumvented the law through a "grey zone". In addition to questions about the legality of the appointment, concerns were also raised about Tabaković's qualifications for the post. Tabaković's experience in the banking sector consisted of working as a clerk in a local branch of a state-owned bank in the 1980s and 1990s (Istinomer, 2021). She also claimed to hold a PhD in management and economics, which she obtained in 2012 from a private Serbian university, which is widely seen as one of several suspect diploma mills that flourished in Serbia after 2000, occasionally accused of awarding "gift degrees" to local politicians (Jelovac, 2022). An investigative journalist from the Centre for Investigative Journalism (CINS) published an analysis that revealed dozens of examples of plagiarised text in Tabaković's doctoral thesis (Milivojević, 2016). To date, Tabaković has not commented on the allegations, and the university has refused to investigate the claims of plagiarism.

Throughout her tenure (2012–), Tabaković repeatedly demonstrated that her work was subject to the will of the political establishment and its leader (see e. g. Miladinović, 2021). This was evident in her statements as well as in some unorthodox measures taken by the NBS after 2012. Tabaković openly acknowledged that she owed her position as NBS governor to President Vučić, and she consistently praised Vučić’s economic policies, using her position to support his narrative of economic progress. In all election campaigns after 2012, she promoted the ruling party and its leader, Vučić, with statements suggesting that economically Serbia was on the right track, attributing this supposed success to Vučić’s “responsible and skilful governance” (e. g. Bulajić, 2020). For critics, such appearances constituted evidence that the NBS was engaging in “electioneering”, a practice that contradicted the principle of non-politicisation.

In addition to the alleged “electioneering”, there were certain measures taken by Tabaković (i. e. NBS under her leadership) that were seen as signs of extractive and politicised management. For example, in 2020, NBS purchased €100 million worth of corporate bonds from Telekom, a state-owned mobile phone operator that has long held a dominant position in the market with the help of state support and under the control of the ruling party. Despite being a “cash cow” for every political establishment in the last few decades, Telekom had accumulated an unprecedented debt under the current political establishment, which was eventually resolved by NBS’s intervention in financial markets. NBS did not disclose the purchase of Telekom bonds until journalists leaked the details (Obradović, 2020). Later, in mid-2021, NBS began purchasing corporate bonds from struggling companies in defence production and construction, which were either state-owned and controlled by the ruling party or privately owned by donors of the ruling party (Obradović, 2021).

During the last few years, NBS was also accused of “forcibly” keeping an unrealistic interest rate of the Serbian currency (“dinar”) in order to suit the political establishment’s interest by allowing it to present its macroeconomic results better than they actually are, a practice criticised as politically opportune but substantively harmful beyond the current political moment (see e.g. Nova, 2022). NBS was also accused of taking a few other measures that were allegedly driven by the intention to suit the political establishment’s interests, rather than act in accordance with its mission’s spirit and law.⁵ There were also occasional reports that, during Tabaković’s governorship, NBS employed party cadre (e.g. RAS, 2014), although these were rarer and less prominent than the reports about partisan employment in other public organisations including the EPS, discussed below.

5 One such occasion was the NBS’ failure to protect the customers who had taken out loans from commercial banks in Swiss Francs prior to the unprecedented strengthening of this currency, and who were, according to a later legal ruling, illegally overcharged by the commercial banks in their loan repayments, many of whom went bankrupt and lost their property (see e.g. Beta, 2015).

4.2 The Anticorruption Agency (ACA)

The Anti-Corruption Agency (ACA) was established in 2010 to regulate, investigate, and sanction conflicts of interest among public officials and the misuse of public funds by political parties. Two of the main tasks of the ACA are to investigate the concealment of personal assets by public officials, who are required by law to declare them every year, and to monitor whether political parties exploit public resources or spend undeclared campaign funds (Law on Anticorruption Agency, 2008).

During its first seven years of operation from 2010 to 2017, the ACA had several directors, none of whom were politically affiliated. In 2017, the newly appointed director, Mrs. Kršikapa, unexpectedly resigned from her position after only two months. While she did not disclose her reasons for resignation, media reports alleged that she had received threats after initiating an investigation into claims that the Finance Minister at the time, a close confidant of the regime's leader, had undeclared properties in a neighbouring country (Bulgaria), purchased through an offshore company from the British Virgin Islands, in which, it was revealed later, he served as director for years (Trivić, 2017).

Following Mrs. Kršikapa's unexpected resignation from the ACA in 2017, the ACA Board, which in the meantime was filled with new members appointed by the ruling majority in Parliament, appointed Mr. Dragan Sikimić as the new director. Unlike his predecessors, Mr. Sikimić lacked relevant experience related to the rule of law and had a background in local politics, having been engaged in local elections back in 2012 on behalf of the ruling party (SNS) (Radivojević, 2018). Furthermore, it was later discovered that he was one of the thousands of individuals who donated €340 to the SNS during the 2017 presidential election campaign, which was suspected to be a scheme to legalise "black party funds" as small donations from members (*ibid.*).

The appointment of Mr. Sikimić was criticised for conflicting with the legal requirement of political neutrality for ACA staff, particularly its leadership. Transparency Serbia called on the ACA Board and the court to investigate the alleged links between Mr. Sikimić and the ruling party and, if confirmed in a formal procedure, to annul his appointment (Transparency, 2018). Yet, despite calls from watchdog organisations, the appointment was not formally challenged by any relevant institution in Serbia). Mr. Sikimić eventually denied briefly that he was presently a member of the ruling party but refused to comment on his previous political involvement (B92, 2018).

Under Sikimić's leadership, ACA kept a low profile, reducing its public appearances to a minimum. Mr. Sikimić only appeared in the media to present ACA's annual reports, which usually referred to cases of petty corruption and misdemeanour. This lowering of the ACA's profile led critics to accuse him of "quietly" marginalising the ACA, thus suppressing the main watchdog function over conflicts of interest and partisan abuse of public resources.

Also, under Sikimić's leadership, ACA was accused of displaying political

selectivity and an uneven approach towards controlling integrity breaches of ruling officials compared to opposition members. The ACA was slow to react on several occasions when ruling officials were discovered to possess undeclared assets, such as property, showing little initiative or resolve to investigate the allegations. In some cases, such as with the former mayor of Belgrade, the ACA altered his declared asset form post-hoc after an investigative journalist discovered that he owned an undeclared house; ACA's explanation was that the originally declared data were erroneously typed into the electronic system which was later available on the ACA's website (Pećo, 2018). This move led some journalists and critics to accuse the ACA of tampering with the data to protect prominent public officials and let them go with impunity. Similarly, the ACA repeatedly rejected to fine high-ranking officials for alleged abuse of public resources for the purposes political campaigning (see e. g. Beta, 2019). At the same time, on several occasions where opposition members were publicly accused of breaching some of the set integrity standards, the ACA swiftly reacted, at least rhetorically, indicating that those might have committed integrity breaches.

The ACA failed to adequately perform its duties during and after the 2020 election campaign, particularly in the area of checking party funding reports, which is one of its main functions (Nikolić, 2020). The failure to provide timely party funding reports for the electoral campaign was seen as beneficial to the ruling party, as it had access to public funds, which could have provided a significant competitive advantage over the opposition.

4.3 EPS

The Electro Industry of Serbia (EPS) is the largest state-owned company in Serbia, which enjoys a monopoly position in the electricity sector. In 2020, its annual turnover was 2.1 billion euros, its annual profit was almost 100 million euros, and the number of employees was around 30,000 (Fiscal Council, 2022). EPS has traditionally figured as a major party spoil in Serbian politics, and almost all of its directors over the last 30 years were close to the government. However, until 2012, few of them were party members, and those who were had experience in management in the context of large organisational systems or in the electricity sector.

Between 2012 and 2016, EPS was led by Mr. Aleksandar Obradović, a professional manager who was also a member of SNS. Obradović publicly acknowledged the existence of party patronage in EPS but pledged to put an end to it in 2015 (Janković, 2015). However, in 2016, the government replaced him with Milorad Grčić as the new CEO of EPS. Grčić was a member and local functionary of SNS, but lacked relevant professional and educational experience (Istinomer, 2023). Prior to 2012, Grčić had been running a café-bar and a barbecue shop called "Phantasy". Before being appointed as the CEO of EPS, he had briefly served as a manager of one of the "subsidiaries" of EPS.

Mr. Grčić not only lacked relevant professional experience but also had

questionable educational qualifications. Despite claiming to have a university degree from Educon (*ibid.*), the same private university from which the NBS Governor allegedly graduated, this degree was not mentioned in his earlier biographies. Mr. Grčić never provided further details about when and where he studied or obtained this degree, nor did he clarify the master's degree he later declared in his biography submissions.

During Grčić's tenure (2016–2022), EPS remained Serbia's largest state-owned company but began to decline financially. EPS suffered business losses (of €11 million in 2018 and €50 million in 2019) for the first time in its history. The Fiscal Council, the state's watchdog for public spending, attributed EPS's poor performance to low investments, losses in electricity distribution, excess workforce, inflated salaries, as well as organisational and financial mismanagement (Fiscal Council, 2019, 2022). In a major incident in December 2021, one of EPS's power plants went out of service due to the company using sludge instead of "proper" coal to generate electricity. EPS was forced to buy electricity from international markets and incurred significant losses. The government had to offset the losses incurred in the winter of 2022–2023 with a large financial package (Georgievski, 2022).

The State Audit Office discovered that EPS had spent €250 million on public tenders in 2018 and 2019 in which procedures were violated (State Audit Institution, 2021). Meanwhile, the Serbian Fiscal Council conducted an analysis that showed EPS had a staff surplus of 10 percent (Fiscal Council, 2019, 2022). EPS union leaders have also repeatedly reported party patronage within the company, with many stating that EPS employed a large number of members from the ruling party who were then obligated to attend party rallies, participate in campaign canvassing, and collect "sure votes" for the party during electoral campaigns (Vlaović, 2022).

EPS was found to have regularly awarded public tenders to two private companies, Južna Bačka and Elektomontaža, both owned by a donor of the ruling party, SNS. Južna Bačka was the sole bidder in 302 out of 317 tenders in 2019, and Elektomontaža the only bidder in 549 out of the 564 tenders it won (Đorđević & Marković, 2021). Recently, a Serbian deputy prosecutor launched an investigation against members of the EPS leadership for embezzling millions of euros by paying for the construction of a fictitious 7 km long local railway that was never built (Savić, 2023). This is yet another instance of resource extraction within the company.

5. Discussion

5.1 Patronage present – despite Weberian standards

The developments in the three presented case studies point to several findings. First, patronage politics is still present in Serbia, even in leadership positions that should be

“islands of professionalisation”, devoid of party patronage and politicisation. NBS and ACA had the status of professionalised institutions for a long time, and EPS was supposed to become professionalised in the meantime. However, as the empirical analysis shows, during the observed period, all were led by party apparatchiks (Panizza et al., 2018b) who took over the respective institutions through politicised appointments. In two cases (NBS and ACA), such appointments were in the grey zone of violating the legal prohibition on the appointment of party cadre, as one appointee, the Governor of NBS, just froze her party function, and the other, the ACA Director, had a history of partisan engagement in local elections without a clear demonstration that the party affiliation had stopped at the time of his appointment. Additionally, in all three cases, the appointees had questionable qualifications relating to both their educational background and professional experience.

Table 2:

Summary of the nature of breaches of Weberian standards in the three observed cases, the mechanisms through which those breaches were made, and the resultant patronage functions

	National Bank of Serbia (NBS)	Anticorruption Agency (ACA)	Electro Power Industry of Serbia (EPS)
Breaches of the Weberian standards			
	<p>Competence criterion Questionable qualifications:</p> <ul style="list-style-type: none"> • Governor lacks relevant work experience. • Questionable degree. <p>Non-partisan criterion:</p> <ul style="list-style-type: none"> • Governor (2012–) appointed as a vice-president of the ruling party. 	<p>Competence criterion Questionable qualifications:</p> <ul style="list-style-type: none"> • Director (2018–) lacks relevant work experience. <p>Non-partisan criterion:</p> <ul style="list-style-type: none"> • A history of party membership & electoral campaign engagement. 	<p>Competence criterion Questionable qualifications:</p> <ul style="list-style-type: none"> • CEO (2016–2022) lacks relevant work experience. • Questionable degree. <p>Non-partisan criterion:</p> <ul style="list-style-type: none"> • CEO appointed from party ranks, remaining a party functionary throughout his mandate.
Mechanisms			
	Circumventing the legal ban on appointment of party members to the position of NBS Governor through the freezing of a party function.	Circumventing the spirit of the law through post-hoc statements of non-membership in the ruling at the time of appointment.	Direct appointment of party cadre.
Patronage functions			
Policy control	Alignment of measures in monetary policy or regulation of the banking sector with government's preferences.	Indirect – dismantling of anticorruption checks. Blunted the anticorruption policy through a lowered public profile and non-engagement with reported cases of conflict of interest.	The ability to impose, through the party-delegated CEO, direct control over the social and economic aspects of electricity policy (e. g., price-setting; electricity import and export decisions – as admitted by President during the winter crisis in December 2021/January 2022); investment decisions etc.)
Resource extraction	NBS' investment of its (public) cash, through the purchase of corporate bonds, into mismanaged public enterprises (e. g. Telekom).	Failure to use its powers, as per statutory mandate, to investigate cases featuring indications of extraction of public resources.	Numerous contracts and jobs awarded to companies close to donors of the ruling party, with large values. An unprecedented financial deficit.
Clientelism & "electioneering"	Campaigning for the regime in electoral campaigns. Employment of excess workforce, allegedly from the ruling party membership base.	Failure to investigate multiple reports of massive clientelist employment across the public sector, which constitutes an instance of abuse of public resources, subject to Agency's statutory investigation.	Campaigning for the regime (largest ruling party) in electoral campaigns. Employment of excess workforce, admittedly of members of the ruling party.

Source: authors' own, 2023

5.2 The “Serbian model”

The empirical analysis shows that patronage has not only persisted but has become even more blatant in its form than what is usually seen throughout the post-communist space in Eastern and Central Europe. This tendency towards the “blatantisation” of patronage in Serbia has been evident in at least two respects. First, the appointments in the three observed institutions involved members, even high officials, of the ruling party. Whether politicised appointments involve non-member party loyalists or party members is not a trivial difference. The difference could have implications for the nature and extent of party control over the work of institutions. Overt patronage politics, relying on appointed party members, enables easier pursuit of several patronage functions simultaneously⁶, as set out in the theoretical section of this paper, and as will be elaborated below, in section 5.3.

The second aspect that makes the observed patronage even more outstanding is the lack of qualifications of the appointees. In all three observed cases, the political appointees had questionable qualifications. They lacked relevant professional experience in each case, and in two out of the three cases, they had questionable degrees, which raises the question of whether they met the educational background criterion for appointment. This means that not only was the autonomy of their institutions subjected to political interests, but these institutions’ capacity was reduced as well. In comparative practice, even when appointing loyalists, political principals seek to appoint competent loyalists (Dahlström et al., 2012; Lewis & Waterman, 2013; Kopecký et al., 2016; Bach & Veit, 2018) in order to preserve the capacity of the institution, not least out of self-interest in preventing policy failures that may cause electoral damage. However, the patronage observed in the sample studied in Serbia is more pernicious. It brings about a combination of low autonomy and low capacity, which has far more negative effects on the governance process than when, despite lowered autonomy, some capacity is still preserved (Fukuyama, 2013; Bersch et al., 2017).

Patronage is typically driven by one primary function, with previous studies highlighting policy control (Page & Wright, 1999; Christensen & Læg Reid, 2006; Bearfield, 2009; Jalali & Lisi, 2015; Kopecký & Spirova, 2011; Kopecký et al., 2012, 2016, p. 420), resource extraction (Van Biezen & Kopecký, 2007), or clientelism aimed at achieving electoral advantage (Sorauf, 1959, p. 29; Laver & Schofield, 1998, p. 166; Blondel, 1995; Katz & Mair, 1995; Piattoni, 2001; O’Dwyer, 2006, p. 521; Kitschelt & Wilkinson, 2007, p. 7; Kopecký & Spirova, 2011; Meyer-Sahling & Jager, 2012, p. 23; Meyer-Sahling & Veen, 2012, p. 911–914; Stokes et al., 2013; Gherghina & Volintiru, 2017, 2021) as the predominant driving force. Although it cannot be ruled out that, in certain cases, other functions may coexist alongside a primary driver of patronage, it is typically assumed that one function is dominant, and the other functions are either

6 Resource extraction and/or political campaigning in exchange for clientelism (i. e. rewarding loyalists) and/or policy/institutional control.

absent or not extensively pursued. However, the patronage observed in the case studies in Serbia appears to be more all-encompassing than usual.

It has enabled the institutions under study to pursue multiple patronage-based functions. The first function was to increase policy control over the three institutions, as implicitly or explicitly demonstrated and confirmed by their leaders at various points in their work. The second function was to extract public funds, including siphoning off public funds through tenders where large contracts are awarded to party loyalists or donors. The third function, which is related to the extraction of public resources but also constitutes a separate function in itself, was the employment of party members in public enterprises and, as in the case of EPS, in other areas of public administration and the public sector (Pavlović, 2022b). The ruling party thus uses posts in the public sector to secure jobs for its members, who, in return, remain available for the party's promotional activities, including electoral campaigning.

The "Serbian model" of patronage corresponds to Model 1 of patronage set out in the theory chapter (Section 2, Table 1). This model involves performing multiple functions without significant constraints on patronage intensity and frequency. Despite belonging to the "outer perimeter" of the public sector, the three institutions observed in Serbia were still affected by patronage. This suggests that Serbia has not seen a reduction in the scope of patronage, as observed in other countries (Di Mascio et al., 2010, p. 5; Panizza et al., 2018b, 2022), and that patronage encompasses the entire breadth of the public sector, rather than being concentrated on the executive government or civil service, which are typically regarded as key partisan "battlegrounds" for perpetuating patronage (Meyer-Sahling, 2017; Zankina, 2017; Rybář & Podmaník, 2020; Staronova & Rybář, 2021; Kohoutek & Nekola, 2021).

Although repeated surveys indicate that patronage is still far from eradicated across post-communist Europe (Kopecký et al., 2012, 2016), states in this space have generally made progress in adopting Weberian standards, with some possible periods of stagnation and very few instances of "reform reversal". Such reform reversals were observed in Hungary and, to some extent, in the Baltic States in the late 2000s (Meyer-Sahling, 2006; Nakrošis & Gudžinskas, 2012, p. 108). However, it is uncommon for patronage to remain extensive in the public sector following the "Weberisation" of the public administration, in terms of breadth (i. e. spread across the entire public sector, including non-majoritarian institutions) and depth (i. e. permeating from senior management to frontline positions). Even if, in a particular state, patronage retains a significant presence, its scope typically diminishes over time (Hagemann, 2019) after the adoption of Weberian standards, and it often transforms from overt, intrusive party interference to more subtle forms of political influence in some areas of the public sector. While this does not necessarily indicate significant progress towards eradicating patronage, it could be a step towards weakening it. However, the developments in Serbia suggest a pattern of reform reversal that contrasts with the usual pattern of reform progress or stagnation observed in previous studies on Central

and Eastern Europe and elsewhere.

5.3 “Conduits” or “agents of patronage”? zooming in on party cadres and their autonomy

The experience of Serbia suggests that Weberian standards can be helpful not only as patronage preventers but also as patronage mitigators. In previous literature, a key concern related to breaches of Weberian standards has been to explore whether, in public sector appointments, partisan loyalty overrides merit (Zakharov, 2016; Hollibaugh, 2018). However, as discussed in the theoretical section, violations of Weberian standards may not only result from “partisation” but also from “de-competencisation” of appointments, which occurs when the appointed individual does not meet the set qualification criteria. Our study highlights a function of Weberian standards that has not received enough attention in the literature thus far. Namely, in public sector appointments, the “competence threshold” plays a “gatekeeping” role by preventing the appointment of individuals who lack qualifications, thus indirectly reducing the risk of having institutional leaders who face fewer constraints on abusing institutional resources when in power.

In other words, the way Weberian standards are breached can indirectly influence the way in which subsequent patronage is exercised. The case studies from Serbia demonstrate that when an unqualified cadre is appointed, the extent and intensity of negative patronage functions performed tends to be greater. In Section 2, we provide theoretical explanations for this mechanism, which involves personal autonomy and societal constraints on appointees’ choices in fulfilling the patron’s extractive needs. These constraints are influenced by reputational costs and alternative career costs, which are significantly lower for unqualified cadre, putting them in a position of greater dependency on the patron party and its interests in executing negative patronage functions, such as resource extraction (Grzymala-Busse, 2007, 2008), policy control (Christensen & Lagreid, 2006; Jalali & Lisi, 2015; Kopecký et al., 2012), and political campaigning.

6. Conclusion

The paper has demonstrated that despite the adoption of Weberian principles of meritocracy and professionalisation – a process encouraged by EU accession – patronage politics remains prevalent in Serbia, even in top-level appointments in institutions that are regarded as “must” cases of depoliticisation and prime candidates for professionalisation. Patronage politics took the form of appointments of party cadres with questionable qualifications, resulting in reduced institutional capacity and autonomy (Fukuyama, 2013; Bersch et al., 2017). This lends empirical support to the argument that the introduction of Weberian standards does not necessarily curb

patronage in practice (Meyer-Sahling et al., 2015; Gajduschek, 2013; Schuster, 2017). The form of patronage observed in Serbia involved multiple patronage functions, including policy control, resource extraction, and political and electoral mobilisation. This is a more pernicious form of patronage than in comparable post-communist transitions (Kopecký et al., 2016), where fewer of the mentioned patronage functions are typically observed, usually without being exercised extensively in an unbridled manner.

The case of Serbia highlights that (a) to better understand patronage, it is useful to deploy frameworks capable of comparing patronage models based on their perniciousness, rather than mere presence/absence indicators of patronage; (b) the trajectory of anti-patronage policy, in the context of transitional reforms in the EU neighbourhood, can lead to regression rather than progress or stagnation, as is commonly observed across the CEE and SEE space (Meyer-Sahling & Toth, 2020, p. 110); and (c) Weberian standards are relevant not only for preventing patronage – which has proven to be a difficult challenge – but also for mitigating patronage by filtering out party cadres who, due to their low reputational and career costs, would have no constraints in abusing institutional resources for partisan purposes.

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Municipal Participatory Budgeting Designs in the V4 Countries

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Abstract

Research on PB in CEE has been rather fragmented and has focused on the diffusion of PB, and sometimes on determinative factors inside the countries. Some comparative studies exist but address primarily initial steps of PB. This paper presents the outcomes of a research that focused on the design of participatory budgeting in the Visegrad countries (Czech Republic, Hungary, Poland, and Slovakia). The main method is a secondary comparative analysis of existing literature and information on the subject. The findings are based on recently published country studies and other available information related to the national context in the countries. We use the country studies as input for a multi-case study analysis (Zongozzi & Wessels, 2016) to make comparisons and, if possible, generalize some of the findings, but also to point out specifics determined by the context in which PB is being implemented and practiced. As the subsidiary method we used expert evaluation. To obtain extra information we consulted experts in all selected countries during July and August 2022. Analyzing PB processes in these countries showed similar features and that, on the whole, PB processes still belong to the group of “the Porto Alegre model adapted for Europe”, as concluded in the literature published almost a decade ago. But this is only valid at a more abstract level of PB designs. Looking at PB processes in practice, it is seen in the V4 region that the actual practices vary over municipalities, even within one and the same country.

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1. Introduction

Participatory budgeting (PB) is defined as a decision-making process through which citizens deliberate and negotiate over the distribution of public resources (Shah, 2007). It is viewed as a direct-democracy approach to budgeting that offers citizens an opportunity to learn about government operations and to deliberate, debate, and influence the allocation of public resources (Shah, 2007). It is considered to be a slight add-on to the existing democratic process, e.g. compared to the quantum budget and ideas of liquid democratic decision-making that are currently being discussed and experimented with as another, but more radical, innovation of participatory democracy (Paulin, 2019).

PB is on the rise (Miller et al., 2019). It is perhaps the most widespread and popular form of democratic innovation (Soukop et al., 2021). It started in Porto Alegre in 1989 and has travelled all over the world (de Vries et al., 2021a). Central and Eastern European (CEE) countries started implementing PB later, but soon after they were fast in joining the community of practitioners, and today they represent almost 50% of the entire cases of European PB (Mączka et al., 2021). The transfer of PB from Brazil to Europe has been a highly differentiated process (Sintomer et al., 2008), and PB has been implemented in various ways, largely as a result of legal, social, political, and historical traditions that exist in different countries (Harkins & Escobar, 2015; Brun-Martos & Lapsley, 2017). As time has passed, the substance of PB, i.e. the redistribution of a significant part of the municipal funds through actual deliberation with previously marginalized groups, has lost importance compared to achieving effects that were originally seen as side-effects (de Vries et al., 2021a), and still there is broad variation in how PB programmes function. This means that the effects of PB on accountability, the decentralization of decision-making authority, and empowerment are conditioned by the local, social, political, and economic environment (Wampler, 2007a). That is why it has been stressed that there is a need to examine PB's functioning in different contexts (Kurdyś-Kujawska et al., 2019).

This might be especially an issue in the Visegrad countries (Czech Republic, Hungary, Poland, and Slovakia: "V4") central in this paper. These countries are in the middle between Western European countries and Eastern European countries such as Belarus, Russia, and Ukraine. This is not just a matter of geography, but also in terms of politics, economics, socio-cultural features and administrative arrangements. Politically, although these countries do belong to the EU, at the national level a tendency toward less democratic leadership is seen (cf. Freedom House, 2022). Economically, their ranking among 48 European countries regarding GDP per capita

is in the middle – between position 12 and 18 in 2019 (IMF, 2022). Socio-culturally, these four countries score relatively high on power distance, i.e. the degree to which the less powerful members of a society accept and expect that power is distributed unequally; masculinity, i.e. a preference in society for achievement, heroism, assertiveness, and material rewards for success, and high on restraint instead of indulgence, i.e. suppressing gratification of needs and regulating it by means of strict social norms (Hofstede & Hofstede, 2004). Also special are the opinions of local policymakers (politicians and administrators) of which many more in the V4 than in Western European countries are of the opinion that decisions should be made by experts, that one should rely on leaders in decision-making, and that only the fully informed should have a say in politics (de Vries, 2004, p.59). In terms of administrative arrangements, the four countries are special, given the huge number of municipalities. In Poland there are almost 2500, in the Czech Republic over 6000, in Slovakia somewhat less than 3000 and in Hungary over 3000. Hence, the size of local government in these countries is mostly very limited. Such contextual features might be crucial in the design of PB.

The academic literature (and, also, practice) describes many benefits from PB. It is said to be able to create a stronger civil society (among other things through enhanced learning of citizens), improve transparency, lead to greater public accountability, and allocate resources more effectively (Jaramillo & Alcázar, 2017; Montambeault, 2016; Sæbø et al., 2008; Touchton et al., 2019; Wampler, 2007b). It is also argued that compared to other participatory initiatives like (e-)consultations, PB may be more attractive to citizens as it is less abstract, i.e. a more pragmatic activity, and, therefore, motivates citizens to be engaged at the local level (Royo et al., 2020; Špaček, 2022). On the other hand, several critical points have been raised in the literature regarding PB, for instance, concerning the low actual participation of participants, the marginalization of parts thereof, the procedural power of administrators monitoring and controlling the process, and the low quality or even absence of deliberation (Röcke, 2014; Fung, 2006; Irvin & Stansbury, 2004; Kuruppu et al., 2016; Lowndes & Wilson, 2001; Musso et al., 2011; Nyamori et al., 2012).

PB practices have been researched in developed countries as well as in developing and transition economies, including countries from Central and Eastern Europe. It is striking that analyses of what is going on in processes of PB, what it is about, and how citizens benefit from such processes are limited to a few critical case studies (Goldfrank, 2007; High, 2009; Kuruppu et al., 2016; Röcke, 2014; Boc, 2019; Svaljek et al., 2019; Klimovský & Nemeč, 2021). Also, regarding its practices in CEE countries, despite the widespread attention for PB, research has been rather fragmented (Klimovský et al., 2021) and has just focused on the diffusion of PB as a democratic innovation. Determinative factors inside the countries are only sometimes considered (Klun & Benčina, 2021). A few comparative studies exist but primarily address the initial steps of PB (e.g., Mikuš et al., 2021) or are not up to date or propose only partial information on some countries, (e.g., data in Dias et al., 2019, have not been updated;

regarding the Czech Republic, they offer only partial information). Nonetheless, researching PB in the CEE region is important because, on the one hand, PB in Eastern Europe represents about 46% of PB in Europe (Dias et al., 2019). However, the levels of political participation in this region are generally lower, civil society is typically weaker than in Western Europe and Scandinavia (Gherghina et al., 2019), and citizens are much less organized than in Western countries (de Vries & Sobis, 2022).

All this could have its impact on the way PB processes are designed in the V4 region. This article presents the outcomes of a research pointing out whether that is indeed the case. The research questions this article plans to answer therefore reads “What is the dominant design in PB in the V4?”

The structure of this paper is as follows. After briefly introducing PB processes in the V4 we focus on the design of PB processes because it is determinative for the practices. Previous research points out that although the PB implementation has the character of a cyclical process that includes certain common stages (diagnosis, deliberation, collective decision-making, execution, and monitoring), it varies in the level of process democratization (Kozłowski & Bernaciak, 2021).

2. Participatory budgeting and its designs – points from literature

Research into PB forms part of a larger field of interest in democratic innovations, both theoretical and practical (Sintomer et al., 2008 or Dias et al., 2019). According to many authors (like Krenjova & Raudla, 2013 or Mikuš et al., 2021), there is no universal definition of PB, and the topic of PB interweaves with discourses on participatory democracy/governance, deliberative democracy, public-sector modernization, and public-management reform.

Sintomer et al. (2008, p. 168) see PB as a process that allows for the participation of non-elected citizens in the conception and/or allocation of public finances. They add five criteria: (1) the financial and/or budgetary dimension must be discussed; participatory budgeting involves dealing with the problem of limited resources; (2) the city level has to be involved, or a (decentralized) district with an elected body and some power over administration (the neighbourhood level is not enough); (3) it has to be a repeated process (one meeting or one referendum on financial issues is insufficient to constitute an example of participatory budgeting); (4) the process must include some form of public deliberation within the framework of specific meetings/forums (the opening of administrative meetings or classical representative instances to “normal” citizens is not participatory budgeting); (5) some accountability for the output is required.

Mikuš et al. (2021, p. 166) propose a slightly different set of criteria: According to them, (1) the subject of PB is a defined part of the public budget; (2) civic participation has a direct impact on budget creation; (3) protecting the interests of the community by applying a deliberative element is essential; (4) long-term repetition of the process is required; (5) an institutional framework is established to ensure the control function of the management of public finances; (6) process settings with redistribution elements are present; (7) citizens do co-decide on the rules of the process.

The definitions might formally differ, but the essence of PB becomes clear in both. Due to the absence of a universal definition of PB, the shortcomings of a nominalist definition (as it cannot fully encompass the diversity of existing practices), and an ontological definition aimed at defining what PB should be, other authors have used a methodological definition with minimal requisites in order to distinguish PB from related practices while providing sufficient leeway for the different specificities of procedures. In the following text, we mainly use the representative approaches of Sintomer et al. (2008, 2010 and 2013), combined with a few additional illustrative inputs.

The original typology suggested by Sintomer et al. (2008) suggested that six models of PB can be distinguished. These six are strongly influenced by path-dependency: the Porto Alegre model adapted for Europe, the participation of organized interests, community funds at the local level, the existence of a public/private negotiating table, proximity participation, and consultation on public finances. The six models of PB as distinguished by Sintomer et al. (2012, 2013) are labelled democratic participation, democratic proximity, participative modernization, multi-stakeholder participation, neo-corporatism, and community development. These models vary in intensity, scale, normative devices, technique, technology, and ideas (de Oliveira, 2017, p. 40) and can be summarized as follows:

- a) In the first distinguished form, non-elected inhabitants (and possibly their delegates invested with a “semi-imperative mandate”) have de-facto decision-making powers, although de jure the final political decision remains in the hands of elected representatives (p. 14).
- b) In the proximity democracy form, only those citizens or organizations are involved that are trusted and have been “cherry-picked” by the administration. It “is grounded in informal rules and leaves civil society with only marginal autonomy” (p. 17).
- c) The third model, “participative modernization”, consists only of consultation and addresses mainly managerial issues and the modernization of service delivery. It is not about neighbourhood issues, social policies or marginalized groups (p. 17).

- d) In the fourth model, multi-stakeholder participation dominates. Non-organized citizens are excluded and replaced by private enterprises, NGOs, and local government itself.
- e) In the neo-corporatism model, the citizens have completely disappeared and are replaced by “those who matter”, i.e. organized groups like NGOs, trade unions and professional associations, social groups (the elderly, immigrant groups, and so on), and various local institutions/agencies.
- f) Only in the last model, called “community development”, do the origins as developed in Brazil re-appear. It includes procedural rules and requires a relatively high quality of deliberation. The most active participants tend to be the upper segment of the working class, involved in running the community associations. In this model, the role of NGOs is often decisive, especially when they advocate for the rights of disadvantaged or marginalized groups (Sintomer et al., 2013, p. 20).

The typology suggested by Sintomer et al. has been revised several times. Krenjova & Raudla (2013), for instance, attempted to outline existing PB models and discuss them with respect to the environmental variables influencing PB in CEE countries. They modified the Sintomer typology and suggested five European models, namely Porto Alegre adopted for Europe, proximity participation, consultation on public finance, community participatory budgeting, and multi-stakeholder participation. According to them (p. 24), the model of Porto Alegre adapted for Europe can be seen as the “genuine” type of PB, as it has preserved the basic features of the Brazilian case, where this participatory process has its roots. The other models have made “concessions” that diverge from the original model on two fronts: proximity participation, as well as consultation on public finance, are of a consultative nature (rather than implying binding constraints on the elected representatives), while multi-stakeholder and community participatory budgeting are oriented towards organizations only (rather than all individual citizens).

Although such typologies exist and are available, they have not been sufficiently linked with existing PB cases. The available literature on PB in CEE countries is usually oriented toward adoption as such (this can also be seen in the most recent conclusions by the editors of special issues dedicated to PB in the CEE countries – e.g., in Klimovský et al., 2021).

It might be obvious that if the dominant type of design of PB as chosen in the V4 is partly determined by the contextual features, one would not expect the most encompassing model to be dominant, i.e. the model including deliberation and decision-making by the non-elected participants on a substantial part of the municipal budget. Rather one would expect many concessions in the design. If, however, PB in the V4 is substantial in all elements, this implies that we should reflect on the relation between contextual features and the design of PB. We will return to this point in the conclusions. First, this article continues with a brief presentation on the methodology

and the outcomes of our research.

3. Methodology

In order to answer the main RQ outlined in the introduction of this paper, we focused our comparison on the following:

1. How long has PB been experienced in the countries?
2. How is PB regulated in national legislation?
3. How is PB being carried out in practice?
4. What main features of PB can be identified in individual countries?
5. Do PB practices inside the countries mostly follow a similar model or are they relatively heterogenous?

As for the amount of money involved, we opted to take the percentage of the total municipal budget. This was done to make results comparable. If we took absolute amounts of money involved in PB processes, the outcomes would show a variation which is due to the size of municipalities instead of the relevance of PB processes.

The PB design was determined by investigating what the procedure entailed in terms of proposal, projects, who is eligible to deliberate and to vote, and whether the local council had to accept the outcomes or could still reject outcomes of the PB process.

The main method is a secondary comparative analysis of existing literature and information on the subject. The findings are based on the most recently published country studies we collected during January 2022 using Google Scholar. We used the country studies as input for a multi-case study analysis (Zongozzi & Wessels, 2016) to make comparisons and, if possible, generalize some of the findings, but also to point out specifics determined by the context in which PB is being implemented and practiced.

To obtain extra information we consulted experts in all selected countries during July and August 2022. In each country, two experts were contacted for direct interviews (face-to-face or online). The selection of the experts was based on the requirement that they belonged to top-level national academicians, being the authors of articles/book chapters related to PB. The experts provided their opinion about the main features of PB in their country based on the questions sent to them before the interview. The questions asked were: What is the approximate percentage of municipalities currently working with PB processes? Do the municipalities mostly follow a similar model, or are their approaches relatively heterogeneous?

If a similar model is applied and where variations can be seen, the experts were

offered a table containing the following: the size of the PB budget, the requirements on eligibility to participate, the applied procedure of proposal submission, the ways proposals are deliberated, the voting system applied, the final decision-making procedure and the implementation of the project. If the experts perceived any significant variations, they were asked to provide examples and explanations.

The selection of the V4 countries (Czech Republic, Hungary, Poland and Slovakia) is based on historical and geographical grounds. The selected countries share a common communist history, and all of them joined the European Union in 2004. From a geographical point of view, they represent a homogeneous block in Central Europe. The V4 countries belong to the Central and Eastern European region (CEE countries). In that regard, PB initiatives in this wider region face constraints from historical legacies: (1) citizens have been detached from decision-making for a long time as they were previously receivers of public services rather than active co-creators; (2) autonomous self-government at the sub-national levels and various collective forms of political and social organization are a relatively new concept in this region; (3) despite waves of decentralization, responsibilities and powers remain ambiguously assigned to sub-national governments without them enjoying fiscal autonomy; (4) revenues and expenditures of sub-national governments are often imbalanced, and subsidies or transfers from the central level are usually unreliable; (5) the autonomy of sub-national governments in decision-making is limited; and (6) there is general dissatisfaction concerning the quality of local services – citizens do not trust the government. Krenjova & Raudla (2013) confirm these legacies, pointing out that the limited financial autonomy of local governments in these countries, combined with the prevailing political culture, and rather weak civil societies, are determinative for the main challenges to the successful adoption and use of this democratic budgetary innovation among CEE countries. The importance of these legacies is widely acknowledged (e.g. in Klimovský et al., 2021).

The main limitation of this article is that it is not based on our own empirical data. Our aim was to summarize what is available on PB designs in the V4 countries and put forward some explanations as well as research gaps and an agenda for future research.

4. Actual practices in Participatory Budgeting in the V4

This section focuses on the evolution of PB in the four selected countries, taking into account that there are already several comprehensive sources describing the situations in detail (such as Mikuš et al., 2021, Bardovič & Gašparík, 2021; Klotz, 2021; Kozłowski & Bernaciak, 2021; Sedmihradská et al., 2021). This section should therefore be seen as a brief description of the practices in the V4 which integrates existing knowledge (because the countries are approached in the literature separately by the authors).

4.1 Poland

The first PB-like initiative in Poland is linked to the city of Płock. Between 2003 and 2005 – within the framework of the United Nations Development Programme – a public-private partnership was constituted between the municipality, local NGOs, PKN Orlen (a petrochemicals and gasoline company), and the Levi Strauss company. Projects that were explicitly titled participatory budgeting were introduced in 2011 and 2012. Sopot city is another example. PB processes emerged out of political rivalry between the mayor and the majority of the City Council, and both sides were looking for new ideas to win support (Prykowski, 2011; Koblowski & Van Criekingenb, 2014; Kozłowski & Bernaciak, 2021; Džinić et al., 2016). Until now, PB initiatives have been implemented by more than 300 local governments (out of a total of 2478). Most cities practicing PB are large and medium-sized cities, but PB processes are also found in rural areas (Leśniewska-Napierała, 2019).

Until 2019, a heterogeneous array of practices was in place, resulting in the need to adopt a legal framework. It stipulated that as of 1 January 2019, participatory budgeting would be a statutory obligation for municipalities with county (powiat) status (Madej, 2019). There are 66 such cities in Poland.

To make the picture even more complex, we need to mention that Poland also has an alternative participatory mechanism called the “Solecki Fund”. This is a central-level fund managed by the Ministry of the Interior, earmarked for the implementation of projects aimed at improving citizens’ quality of life at the village level (this was already legislated in 2009, and that is why it is presented as the “village fund” – Prykowski, 2011; Sześciło & Wilk, 2018). Compared to PB, this instrument is underresearched in Poland (cf. Mączka et al., 2021).

According to Kozłowski & Bernaciak (2021), the implementation of PB in Poland has two aims: 1) involving local communities in the co-management of the city and 2) removing decision-making authority from existing political rivalries. Regarding the first aim, the voter turnout varied (the highest recorded number was 73%, the lowest 3%). The participation was sometimes significantly lower than voter turnout in the national elections (Madej, 2019), although the minimum age for voting on PB proposals is usually set to 16, in some cases even to 13, or it is not regulated at all (Kurdyś-Kujawska et al., 2019). According to existing analyses, this might be also determined by the size of the funds that municipalities allocate on behalf of participatory budgets (from 0.2% to 1.5% of expenditures was allocated to PB, as indicated by Kozłowski & Bernaciak, 2021; in some regions PB did not reach 1% of municipal expenditures - Madej, 2019; in rural areas the percentage is usually even lower – Leśniewska-Napierała & Napierała, 2020).

4.2 Czech Republic

The history of PB in the Czech Republic (Czechia) is relatively short – the literature usually considers the 2014 PB project of the Prague 7 municipal district to be the first real PB project in Czechia. Nevertheless, as Brabec points out, procedures close to the key ideas were already introduced between 2012 and 2014 in four small municipalities where inhabitants could decide on proposals pre-selected by municipal bodies (not by inhabitants/citizens) (Brabec, 2019). PB has been diffused thanks to initiatives of non-governmental organizations, networks (especially the National Network of Healthy Cities, which has been promoting the Local Agenda 21), and the Czech Pirate Party (Kukučková & Bakoš, 2019; Sedmihradská et al., 2021).

PB has not been regulated by national legislation. Also, no soft law has been passed by responsible central bodies that would guide PB practices. Nor is there any national database of organizations that have implemented PB. Nonetheless, practices are monitored to some extent by the non-governmental organization Agora Central Europe. This organization also provides data on 2019 and 2020 practices on its web pages.³

According to Sedmihradská et al. (2021), in the Czech Republic, the so-called “project-oriented participatory budgeting” (see next chapter) prevails. Especially the larger municipalities have implemented PB, i.e. municipalities with more than 20,000 inhabitants. They represented about 60% of PB in 2019 (Minárik, 2020). The percentage of the total municipal budget allocated through PB is very low, ranging from 0.02 to 1.94%, with a median of 0.38%. Brabec (2019) summarized data on voter turnout in PB voting in municipalities in Czechia, clearly suggesting heterogeneity (from less than 1% to 38% of inhabitants voting on PB proposals).

Almost always, municipal bodies or officials are involved as technical evaluators in a pre-selection process prior to voting. In the case of larger cities or city districts, there is usually a PB coordinator who helps the proposers to adapt their projects to comply with the rules. On average, 71% of the project proposals were approved for (final) voting during the pre-selection process (Sedmihradská et al., 2021). According to Sedmihradská et al. (2021) most PB voting has been conducted online (57%) or in combination with physical voting (30%). ICT support of PB can be contracted out in larger cities.

4.3 Hungary

Similar to Czechia, there are no legal requirements on PB in Hungary. Local governments did start to experiment with PB only a few years ago. This was partly due to legislation that reduced the powers of local governments and increased state control

³ The data are available here: <https://www.participativni-rozpocet.cz/participativni-rozpocet/> (accessed 01.02.2022).

over them. Increased use of PB was caused by the emphasis on citizen participation during the municipal election campaigns in 2019 (Klotz, 2021).

Up to now, only a few of the 3155 Hungarian municipalities have any experience with PB (less than one per cent). Three local governments in particular have been acknowledged as the most experienced – two districts of Budapest (Kispest, where PB was announced in the programme “Community Budget 2017”, Budafok-Tétény, where PB started right after the elections in October 2019), and the Municipality of Budapest (where PB started in October 2020; Klotz, 2021). Following the 2019 municipal elections, in addition to the Municipality of Budapest (as many capital cities, Budapest has its own self-government as the city/at the city level, and all city districts also have their self-government), several local governments of Budapest (the 1st, 3rd, 8th, and 9th districts) earmarked a small sum (about 1% of their budgets) for local PB as part of their 2020 annual budget.

A very specific feature of PB in Hungary is the visible political motivation behind it – local politicians from opposition parties specifically started to implement PB to increase their parties’ local embeddedness by creating new contact opportunities (Oross & Kiss, 2021). Local politicians loyal to the government do not usually see any need for this kind of public participation (as an element of the strong re-centralization process, which is ongoing now in Hungary). However, NGOs have also initiated some PB practices, e.g. Transparency International Hungary recently cooperated with three municipalities, Szentendre, Óbuda-Békásmegyer and Terézváros, to introduce PB and provide them with professional support. The US Embassy funded the project (Transparency International Hungary, 2022).

4.4 Slovakia

Slovakia has a high fragmentation of municipalities, similar to Czechia and partly to Hungary and Poland. In Slovakia, there are 2927. The capital of Bratislava became the first municipality to use PB in 2011. During this first round of PB, money was not allocated from the city budget but rather was obtained from sponsors thanks to the initiative of the NGO Utopia. The total budget was rather modest (15,000 EUR). For the next rounds, it was promised that 1% of total expenditures would be allocated to PB by the city (i.e., around EUR 2 million). However, in 2012 the City Council allocated only EUR 29,975 and in 2013 EUR 46,000. This was perceived to be demotivating for volunteers involved in PB but did result in PB being implemented in some Bratislava city districts (Murray Svidroňová and Klimovský, 2021).

On-going PB processes have been identified in 59 municipalities (Murray Svidroňová et al., 2022). Municipalities and city districts in Slovakia have implemented various specific PB models. For instance, one of the Bratislava districts – Petržalka – used a model in which projects were presented by its bodies, and citizens were only allowed to vote. In Ružomberok, PB was implemented with the NGO Utopia in 2013 and 2014. Only citizens who were actively participating during thematic assemblies

could submit projects.

Available information indicates that from 0.05 to 0.39% of the total municipal budget has been allocated to PB in Slovakia (de Vries et al., 2021b).

Slovakia is the only V4 country where PB has also been identified at the regional level – the region Trenčín started to implement PB in 2017, the Bratislava region started in 2018, and the Trnava region in 2019. In the case of Trenčín, a project initiated with the Office of the Government Plenipotentiary for the Development of Civil Society was implemented in the school year 2018/2019, allocating one thousand Euro to all secondary and grammar schools in the region and allowing pupils to decide how to spend the money.

5. Comparison and discussion

The information provided in the previous section is indicative for the fact that the extent to which the actual practice of PB in the V4 region conforms to one of the designs distinguished by Sintomer depends on the level of abstraction. A summary thereof is provided in Table 1.

On a more abstract level, the Porto Alegre model adapted for Europe (as also suggested by Krenjova & Raudla, 2013) prevails in the V4 countries. The minor exception is Slovakia, where both the secondary literature review and experts involved show that the right of citizens to propose projects for voting can be restricted in some cases.

Usually, PB is designed as a project-oriented approach in which the process is characterized by the following phases:

1. a call for projects (in most cases the total predetermined amount already approved in the budget is also announced);
2. collection of project proposals;
3. pre-selection of projects (dominantly by municipal bodies based on project feasibility or technical analysis);
4. public deliberation on the proposals/projects;
5. voting on pre-selected projects; and
6. financial approval and implementation of successful projects.

Table 1:

PB in the V4 countries – summary of findings

Country and starting year	PB based in law?	Diffusion in municipalities	Main source of funding	Proposals subjected to deliberation with residents?	Who finally decides on proposals? (citizens / council)
Czechia: 2014	No	App. 2,5% of municipalities	Municipal (0.02–1.94% of the total budget)	Yes, usually	Co-decision (local council decides the total budget, citizens vote)
Hungary: 2017	No	Less than 0.5% of municipalities	Municipal (from 0.25 to 1.5% of the total budget)	Yes, usually	Co-decision
Poland: 2011	Yes, partly, for cities with county status.	About 30% of municipalities	Municipal funds (from 0.2 to 1.5% of the total budget)	Yes, usually	Co-decision
Slovakia: 2011	No	App. 2% of municipalities	Municipal (from 0.05 to 0.39% of the total budget)	Yes, usually	Co-decision

Source: authors, adopted from de Vries et al., 2021b, expert inputs

Table 1 shows that PB arrived in the V4 relatively late, i.e. less than 15 years ago. It also shows that the amount of money involved as a percentage of the total municipal budget is rather low. In terms of the “scale” of PB, the data indicate that from 0.02 to 1.94% of the municipal expenditures have been allocated to PB in the V4 countries. The amounts allocated to PB are especially low in Slovakia (from 0.05 to 0.39% of the total budget) and do not exceed the legally required minimum in Poland. In the rest of the V4 countries, PB reached 1.5% of the total budget. This result confirms our expectations presented in previous sections, where the contextual features of the V4 result in low expectations concerning the occurrence of substantial PB processes in the region. Nonetheless, the PB processes have become widespread, at least compared to Western European countries (cf. de Vries et al., 2021b) and Slovenia, where a clear decline in PB processes is witnessed (Klun & Benčina, 2021). PB processes in the V4 are often repeated over multiple years, there is public deliberation about proposals/projects, and there is co-decision involving the municipal council and the participants in the PB about the implementation of proposals with decisive voting by the participants on the preference of different projects.

At a more concrete level, a huge variance is seen in the design of PB. It would be more accurate to state that within the countries involved a huge variation is visible between municipalities in the design of PB. There is clearly no “one size fits all” model implemented by all municipalities. Although commonalities exist, the practice is at the

same time full of variations. This has two implications. First, available typologies of PB designs may not be sufficient for categorizing existing practices. This was confirmed in Poland. Mączka et al. (2021) recently published their findings on PB procedures in Western Poland. They concluded that none of the municipalities implementing PB used one of the “pure” PB models as suggested by Sintomer. Their research also revealed a large variety of configurations of PB used by municipalities. This variation is seen in the amount of money available for PB, the voting method on the projects proposed, the extent of participation, and the inclusion of different (also marginalized) societal groups. The great variation of practice was recently confirmed with regards to Czechia and the use of ICT in PB by municipalities – not only in the ways they inform about PB, but also in the way they use ICT to engage with citizens (Špaček & Navrátil, forthcoming).

The fact that there are differences in implementation of the Porto Alegre model adapted for Europe in selected countries was also confirmed by experts: Table 2 presents the opinion of experts about differences in PB design in all four countries. The table indicates that, according to the experts, local approaches differ, but not too much, except for the Slovak case, where in some municipalities municipal staff are the ones to propose projects instead of the citizens.

Table 2

The differences in implementation of PB by municipalities in selected countries

	Equal approach				Minor variation				Significant variations			
	CZE	HU	POL	SK	CZE	HU	POL	SK	CZE	HU	POL	SK
The % of the municipal budget involved					x	x	x	x				
The eligibility to participate		x	x		x			x				
The way proposals are made			x		x	x						x
The deliberation about proposals					x	x	x	x				
The voting system					x	x	x	x				
The decision-making process					x	x	x	x				
The implementation of the decision					x		x	x		x		
The perceived (by experts) quality of the process as a whole							x	x	x	x		

Source: authors' own, 2023

These outcomes have implications for the way PB processes are to be explained. We started this article by pointing to the specific features of the V4 region in terms of politics, economics, socio-cultural characteristics, and administrative arrangements. These are macro-factors, and if they had any explanatory power, we would expect to see commonalities in the way PB processes are designed rather than variation. At an abstract level such commonalities are indeed seen, but in the day-to-day practice of PB a lot of variation is visible. At this concrete level, macro-level factors might therefore have less explanatory power. Rather, the actual design of PB processes, whether to initiate them and how to design them, depends on individual actors at the local level.

In almost all cases, the initiative lies with civil sector organizations (the core actors during the starting phase of PB especially in Czechia and Slovakia) or the mayor. The latter often has some political goals, and PB is expected to serve these goals. The political motivation was especially stressed by the Hungarian experts:

It is always the mayor and the city council from the opposition who support PB. The government and government-friendly municipalities are ignorant towards PB.

This situation may be related to a general lack of accountability and responsibility in the region (see, e.g., Veselý, 2013). The “political background” at the local level seems most important for the initiation of PB. This aspect is most visible in Hungary, where local leaders from opposition parties use PB as a tool to promote themselves. The patronage of PB initiatives is also often politically based with the identification of an initiative with a party, or sometimes just a single politician.

Furthermore, the explanation of the elements distinguished within PB designs could differ. Whether or not PB processes are initiated most often depends on the goals and expectations of local actors and evaluations of pilots in PB at the local level elsewhere. The amount of money allocated for such processes is likely to be explained by an existing surplus or deficit in the municipal budget. The extent to which proposals are publicly deliberated upon or only evaluated regarding their feasibility by local officials might well be determined by the preferences of the local administration, and whether voting takes place. The outcomes thereof are determinative for the implementation of successful proposals, depending on the vision of the local council and whether they are willing to abandon part of its prerogative to decide upon the budget. However, more research into this (e.g. case studies focusing on PB practices in selected cities) is necessary to understand the practices better.

6. Conclusions

The goal of our paper was to conduct a comparative analysis of PB processes in the Visegrad 4 countries. The research question to be answered was formulated as follows: “What is the dominant design in PB in the V4?” Analyzing PB processes in these countries showed similar features. On the whole, PB processes still belong to the group of “the Porto Alegre model adapted for Europe”, as concluded in the literature published almost a decade ago. This answer is based on the analysis in which we first described what PB designs had been distinguished theoretically, secondly how to determine what the dominant design is in the V4 region, and third, an investigation into the type of design that is actually dominant in this region.

The answer given is, however, only valid at a more abstract level of PB designs. Factors and information investigated in case studies and their comparative analysis might explain the (small) amount of money involved, the (limited) participation by residents, and the (limited) extent to which local councils are prepared to abandon their prerogative to decide on the municipal budget. Looking at PB processes in practice, it is seen in the V4 region that the actual practices vary over municipalities, even within one and the same country. The explanations for the question of whether or not such processes are initiated in a certain municipality, what the amount of money involved is, whether deliberation and voting take place, and whether the final word is given to the local council or to the participants in the PB process, seem to be idiosyncratic. Mostly, the roles of local civic organizations, the mayor, and the opposition in the council are determinative for initiating such processes. The deficit or surplus in the municipal budget seems to determine the amount of money allocated for such processes. The preferences of the administration seem to determine whether they themselves decide upon the feasibility of proposals or whether the participants in the PB process can vote on the desirability of the proposals.

Hence, the specific fact on PB processes in the V4 countries is the “political background” of PB implementation. The patronage of PB initiatives is often political. It involves the identification of such an initiative with a party, or sometimes just a single politician (mayor). It may also determine the sustainability (continuity) of PB in a municipality. This (in combination with other critical issues mentioned) calls for in-depth research into the characteristics of local leaders and networks, their preferences, and the motivations resulting from the perspectives of local administrators, citizens, and NGOs.

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Social Media Use in Central and Eastern European Cities: Defining Local Government-Citizen Relationships through Phases

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Abstract

Research has shown the potential of social media to disseminate important information as well as transform citizen engagement with government. However, implementation proves difficult, especially in public sector organizations. The success, impact and performance of these new forms of networked interactions are yet to be fully explored, especially at the local level. Many municipalities are experimenting with social media use, but few actively measure their performance on these platforms and their interactions with users. Different frameworks have been proposed to describe government communication types and activity on social media. They are addressed here through three phases that refer to forms of government-citizen communication on social media. The original assessment method developed here contributes to the existing literature and provides guidance to practitioners. Empirically, our research relies on a database of cities that have between 100,000 and 500,000 inhabitants in European Union member states located in Central and Eastern Europe. It provides social media metrics for these cities (N=82) and compares various indicators on Facebook, Twitter and Instagram. This contributes to a better assessment of how social media platforms are used by local governments in the region.

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Keywords:

citizen engagement, digital public sector communication, participation, social media adoption, social media use

1. Introduction

In recent years, information and communications technologies (ICTs) have proliferated, promising efficiency, speed of information delivery, global reach and transparency. Web 2.0 applications and social media specifically represent one of the latest steps in ICT use by governments. In general, the merits of social media presence are almost unanimously accepted (Faber et al., 2020), since they provide innovative methods for immediate interaction between citizens and governments, thereby potentially improving the relationship between public organizations and the population (Mabillard et al., 2021).

In this regard, the adoption of social media tools has changed the landscape of bureaucracies. After some years of experimentation, testing and assessment, increasingly widespread social media use by governments is intended to change how bureaucracies operate internally and how they interact with the public (Criado et al., 2013). It has raised opportunities to foster two-way communicative interaction as the demand for digital dialogic and knowledge-sharing options has emerged. As a result, most European municipalities have registered on social media platforms. However, implementation is difficult, especially in governments (Meijer et al., 2012), and the success, impact and performance of these forms of networked interactions are yet to be fully explored. These observations have triggered researchers' interest in this matter, and social media use by local governments has become a central research topic.

Existing empirical research shows that government adoption of social media is mostly for purely "informational" purposes (Mergel, 2013a). In this sense, findings indicate that social media have not fundamentally affected the unilateral relationship between those who provide information and make decisions and those who receive the information and react (Falco & Kleinhans, 2018). Governments thus seem to be locked into the one-way communication and supply-side "paradigm" where citizens are not conscious producers or creators of information, data, ideas, solutions and decisions. Several frameworks have been proposed to describe the communication types and activity of governments on social media (e.g., Meijer & Thaens, 2013; Falco & Kleinhans, 2018).

Our study contributes to the Public Administration literature on the use of social media in three ways. First, it extends the current state of research from a theoretical perspective through the development of a new model of government-citizen exchanges. Second, it proposes a methodological approach to measure the phases of this model with relevant metrics. And third, it presents a unique dataset on Central

and Eastern European (CEE) cities of between 100,000 and 500,000 inhabitants (N=82), thereby contributing to a better assessment of how social media are used by local governments in the region. Our model involves evolving phases that describe the state of local government-citizen communication on social media. Consequently, it provides material enabling the phase or phases that prevail in CEE municipalities to be identified more accurately. Through these conceptual and empirical efforts, we aim at responding to two research questions (RQs): What are the phases that characterize municipalities' communication on social media (RQ1)? And where do CEE municipalities stand in terms of communication with their citizens on social media (RQ2)?

This article is structured as follows. Section 2 discusses social media use and communication phases in governments based on the literature. Section 3 presents the context and characteristics of the countries included in our study. Section 4 describes the metrics used to measure the phases of social media communication, whereas section 5 focuses on our chosen method of collecting and analyzing the data. The empirical results are presented and commented on in section 6. The final section sets out the conclusions and limitations.

2. Government communication on social media: engagement as an objective

Social media, defined as internet-based applications built on the ideological and technological foundations of Web 2.0, allow governments to provide real-time information to citizens, enhance service delivery and, through ease of use, encourage greater engagement and public participation (Haro-de-Rosario et al., 2018). They enable governments to enter into dialogue with the public, social media being characterized by a low entry cost and a widespread acceptance of their legitimacy as communication channels. Social media offer new opportunities for local governments to send local service-related messages to their citizens and to obtain user feedback. In this sense, incorporating social media into a municipality's communication strategy may enhance transparency and improve service delivery. Engaging with citizens can also help governments build social capital and foster a shared sense of responsibility and understanding with the citizenry (Brainard & Edlins, 2015).

However, the proliferation of web-based platforms enabling people to express their opinion, identify problems and propose solutions has not solved issues observed in other channels. Several contributions have shown that: a) social media have a limited capacity to create mutual-discourse communication (Williamson & Parolin, 2013); b) models of participatory sensing predominate over participatory decision-making through apps (Ertiö, 2015); and c) a large segment of the population still does not feel comfortable using emerging social media (Linders, 2012). Moreover, recent studies

have shown that local governments mainly use social media to deliver information and services online, but that interactivity is limited (Guillamón et al., 2016). Consequently, most local governments have adopted a “dissemination by default” approach, since they often lack a clear purpose and strategy for their social media channels (Mergel, 2013a). This is unfortunate, because both sides share the desire for more collaborative relationships between governments and their citizens as an outcome of modern governance, relying on multi-stakeholder dialogue.

Therefore, while social media provide a means to turn citizen engagement into practice, there is no clear evidence that citizens are using social media for interactive participation in the activities of local authorities (Haro-de-Rosario et al., 2018). It should also be remembered that government social media engagement starts with the staff that can create opportunities for the public to access and comment on information (Brainard & Edlins, 2015). Depending on the cultural context, people and governments in different countries tend to adopt social media in different ways. Thus, the existence of effective interactive participation by citizens through social media largely depends on the role played by public administrators, who may be either neutral or dynamic advocates of citizen participation (Bonsón et al., 2013). Although government agencies provide digital tools for participation, citizen engagement may be limited because social media cannot automatically overcome passivity. Government agencies must therefore take responsibility for encouraging interaction (Wukich, 2021).

Regarding interaction, the literature presents dissimilarities depending on the context considered. According to Bertot et al. (2010), governments in most Western countries are trying to capitalize on ICTs in general and social media specifically to restore trust in government and respond to citizens’ needs and aspirations. In contrast, Zheng & Zheng (2014) explain that, in other cases, governments tend to use social media for self-promotion and political marketing, and not for promoting transparent, participatory and citizen-oriented public services. Despite the evidence that social media are being adopted to promote citizen engagement, research is rather limited; and while various frameworks and metrics have been proposed (e.g., Bonsón et al., 2015), none has provided an integrated model to quantitatively measure the phases that characterize government-citizen relationships.

3. Social media use and role in CEE countries

This part presents the sample of countries used in our paper, together with the existing literature on the use of social media by local governments in Central and Eastern Europe. It should first be noted that drawing the borders of geographical regions can be politically sensitive. Here, we rely on the list of CEE countries established by the French National Institute of Statistics and Economic Studies (INSEE) in 2020, which

includes 11 European Union member states.⁴ Since we focus on cities between 100,000 and 500,000 inhabitants, the region includes only 10 countries (Figure 1).

Figure 1:

Map highlighting the countries included in the study



Notes: N=10 countries (82 cities). Latvia is not included in our sample, since the only city over 100,000 inhabitants (Riga) had a population of 621,120 inhabitants in 2020. Source: Official Statistics of Latvia.

Sources: Bulgaria: National Statistical Institute (31 December 2018); Croatia: Croatian Bureau of Statistics (31 December 2018); Czech Republic: Czech Statistical Office (2018); Estonia: Statistics Estonia (2019); Hungary: Central Statistical Office (Jan. 1, 2019); Lithuania: Statistics Lithuania (1 July 2019); Poland: Statistics Poland (31 December 2018); Romania: National Institute of Statistics (1 January 2016); Slovakia: Statistical Office (31 December 2019); Slovenia: Statistics Slovenia (Q2, 2019).

After World War II, CEE countries became part of the Socialist Bloc. In 1989, some countries demanded political changes which, within the subsequent two years,

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<https://www.insee.fr/en/metadonnees/definition/c2055#:~:text=Bulgaria%2C%20Croatia%2C%20Estonia%2C%20Hungary,Slovenia%2C%20Slovakia%2C%20Czech%20Republic.>

led to the disintegration of the “East vs. West” configuration that prevailed in Europe (Glińska & Rudolf, 2019). Demands that democratic standards be adopted, together with reforms of the economic system, became the basis for political and economic changes (Randma-Liiv & Drechsler, 2017). CEE countries have tried to implement subsequent phases of transformation on their own, a process that has occurred at varying rates, appreciably influencing the style of public administration and communication activities carried out by local governments (Bonsón et al., 2015). Social media use conforms with expectations and is associated with higher personal support for democracy. This shows that the internet’s interactive capabilities are an essential factor that differentiates them from traditional media (Placek, 2017).

As social media in post-communist cities are emerging, research on this issue remains scarce. Nevertheless, we have identified studies that examined the use of social media in CEE local governments. For instance, Jukić & Merlak (2016) analyze the use of Facebook among 112 Slovenian state administrations. Špaček (2018) presents results of Facebook usage in 11 Czech regions, detecting that Facebook pages were used mainly for diffusing ex-post information, with calls for participation found sporadically. In the case of Slovakia, social media use has been investigated by Svidronova et al. (2019) from a political perspective (presidential elections), and also as a potential tool for stimulating more participation at the local level (see Svidronova et al., 2018). Jukić & Svete (2018) in Slovenia, Urs (2017) in Romania, as well as Mabić & Gašpar (2018) in the Western Balkan area have also contributed to the analysis of social media use in the region.

According to Urs (2017), CEE countries use new technologies for better government, and social media change the way citizens are consuming political information. Jukić & Merlak (2016) show that many municipalities (41%) created Facebook profiles in 2015 because of local elections, and adopting Facebook might have provided an advantage for individuals running for office. They also point out that public administrations have not capitalized on social media for improving service delivery, transparency and inclusive policy processes. Although most municipalities are active on Facebook, the majority of them neither respond to comments nor do they provide feedback, echoing the results obtained by Zheng & Zheng (2014).

4. A model for government-citizen relationships on social media

To identify the phases that characterize municipalities’ communication on social media, we referred to the literature that points to strategies (Mergel, 2013a; Wukich, 2021), missions (Harrison et al., 2012; Lee & Kwak, 2012), information directions (Grunig, 2013; Linders, 2012), communication flows (Mergel, 2017; Wukich, 2022) and tactics (Meijer & Thaens, 2013; Mergel, 2013a). We also considered the literature

concerning e-participation and e-government, in particular the contributions from Wirtz et al. (2018) and Siau & Long (2005). To encompass all these various aspects, we created an integrated model of government-citizen relationships on social media to respond to **RQ1**: what phases characterize municipalities' communication on social media? The phases are described and summarized in Table 1 below.

4.1 Dissemination phase

In the dissemination phase, municipalities want to increase transparency and inclusiveness through the voluntary release of government information on channels other than the traditional ones, such as a dedicated website (Mergel, 2013a). This type of communication has often been praised, since providing information to the general public remains an important avenue for democratic governments to fulfil their accountability mandate, although in this phase social media are only regarded as an additional channel.

Mergel (2013b, p. 127) describes this phase as a representation tactic (or strategy): "The overwhelming reason to participate in social media spaces can be summarized with one main goal: Representation of the agency on all potential interaction channels." The objective, therefore, is to reach audiences that do not routinely interact with local authorities and are excluded from policy-making processes. Municipalities that prefer a representation tactic mostly repost online content and use social media to notify their audiences about policy statements or major press releases. Few resources are invested into tailoring the content for social media and encouraging bidirectional interactions (Mergel, 2013b). Meijer & Thaens (2013) and DePaula & Dincelli (2016) describe this approach as a "push strategy". Social media are used to convey basic information to users about the activities of public bodies. This approach is also described as "one-way symmetric" (Grunig, 2013), referring to the provision of information from "one-to-many" (Wukich, 2022) and a communication flow that is unidirectional. For instance, in a study by De Paula & Dincelli (2016), most content published on Facebook (71.9%) consisted of one-way information diffusion. Other researchers have found similar results (Leston-Bandeira & Bender, 2013; Mabillard & Zumofen, 2019), confirming that the dissemination phase dominates among most municipalities in Europe.

4.2 Interaction phase

Social media may also be used by municipalities to generate inputs and comments regarding government matters (DePaula & Dincelli, 2016). In this second phase, the objective pertains to dialogue and participation, which could be defined as the act of incorporating public input into decision-making (Harrison et al., 2012), as some municipalities acknowledge that their traditional websites are no longer the locus of citizens' search for information (Mergel, 2013b). While social media tools were initially used similarly to static websites (Mergel, 2013a), municipalities following this strategy

have recognized the need to interact with users in a natural conversational style instead of pushing out reports or memos without providing opportunities for interaction (Mergel, 2013b).

In the interaction phase, municipalities actively try to encourage their audiences to create and share content with them (Mergel, 2013b). This is described by some authors as a two-way phase, using a “pull tactic,” since local governments are seeking information and feedback (DePaula & Dincelli, 2016). Because the municipality acquires input from the audience but does not engage in a reciprocal dialogue, this phase is considered asymmetric (Grunig, 2013) and characterized by a “one-to-one” communication flow (Wukich, 2022).

Over time, local governments in the dissemination phase tend to move from a representative and broadcasting tactic to a more interactive tactic (Meijer & Thaens, 2013), transiting toward an interaction phase. Today, it is expected that governments use social media to ask for feedback, conduct a survey or ask for opinions to foster a mutual conversation, although this goal is rarely achieved. Although certain governments engage in some form of interaction with their citizens, Leston-Bandeira & Bender (2013) mostly witnessed “bubble engagement,” meaning that inputs are not further acknowledged by public authorities.

4.3 Transaction phase

In the third phase, governments may connect with their audience to coproduce plans, policies or simply content. In the past, coproduction was constrained by governments’ limited ability to effectively coordinate citizen actions and the difficulty for citizens to self-organize. However, advances of the internet have gradually made a unique “many-to-many” interactivity possible and helped fulfil the promise of enabling coproduction on an unprecedented scale (Linders, 2012). Increased collaboration between government and citizens indicates a higher level of engagement in a reciprocated manner, allowing users to directly engage with government content and co-create government innovations (Mergel, 2013a).

Allowing audiences to reuse content posted by governments on social media is a first step towards this tactic and can be interpreted as an indicator of this strategy (Mergel, 2013b). In this phase, governments’ relationships with citizens become highly interactive and bidirectional. This often creates reciprocated feedback cycles and a snowballing effect through citizens’ own networks. This tactic allows governments to absorb comments, gain valuable insights into feelings about mission-relevant issues or topics discussed by their online audiences on social media (Mergel, 2013b). This type of dialogue is termed “two-way symmetric” and proposed as the best model for how organizations in general should interact with the public (Grunig, 2013). While social media account managers mentioned the objective of reaching this phase in prior studies, very few interviewees were able to point to concrete examples in the literature (Mergel, 2013b).

Table 1:
Social media government-citizen relationship phases model

<i>Phases</i>	<i>Missions</i>	<i>Tactics</i>	<i>Information directions</i>	<i>Strategies</i>	<i>Communication flows</i>
1. Dissemination	Transparency Inclusiveness	Push	One-way symmetric	Representation	One-to-many
2. Interaction	Participation Deliberation	Pull	Two-way asymmetric	Engagement	One-to-one
3. Transaction	Collaboration Coproductio	Networ king	Two-way symmetric	Mingling	Many-to-many

Source: authors' own, 2023

5. Method

First of all, to respond to **RQ2**, this contribution needed to present an effective way to measure the phases described above based on objective criteria. Certain local governments want to engage in higher levels of interaction in order to increase participation. However, vivid challenges remain, and most municipalities seem to be stuck in the dissemination phase, as highlighted above. We investigated this issue through the analysis of the Facebook, Twitter and Instagram accounts of CEE municipalities, these being among the most frequently used social media platforms globally. Moreover, most indicators included in our model are not available for other social media in the software package used (FanPage Karma).⁵

5.1 Definition of the metrics

Metrics used to characterize the dissemination phase usually include the number of posts, followers, page views or likes (Bonsón & Ratkai, 2013; Bonsón et al., 2015; Haro-de-Rosario et al., 2018; Silva et al., 2019). Here, we consider the number of posts per day (on a defined period) as the best indicator, since it is not influenced by municipality size and accurately indicates how often information is published. This indicator has been used in recent contributions (Bonsón et al., 2017; Silva et al., 2019).

The interaction phase shows higher levels of engagement and citizen willingness to work constructively with the content provided by municipalities and to give

⁵ <https://www.fanpagekarma.com/>.

feedback (Mergel, 2013a). Metrics such as the number and rating of comments, shares or re-posts of content are often used to assess this phase (e.g., Agostino & Arnaboldi, 2016). In this study, we built on the approach used by Bonsón & Ratkai (2013), which relies on the number of likes, comments and shares by Facebook users to measure citizen engagement with published posts. The reactions added by Facebook (sad, angry, love, etc.) are included here. The division by the number of posts and fans makes such metrics independent of municipality size, allowing for comparison of all profiles. On Twitter, we included users' likes, comments and retweets; on Instagram, we included users' likes and comments. The data come from the software, except for users' comments on Twitter (retrieved manually).

In the transaction phase, citizens are actively interacting with the content published, collaborating with local authorities, and seeking opportunities to repeat these actions (Mergel, 2013a). Measurement mainly involves the level of conversation that characterizes interactions between government and users (e.g., Linders, 2012; Wukich, 2021). Here, we focused on users' comments that triggered replies from the page (the municipality). As this metric is not systematically available for all platforms, we retrieved the replies manually. As a result, we were able to isolate these replies, sometimes leading to additional comments from the users, thereby generating a true "many-to-many" communication flow.

5.2 Selection of municipalities

The metrics were applied to all CEE cities with 100,000 to 500,000 inhabitants (N=82). It is compelling to focus on a region that has received less attention than Western countries. In addition, we concentrated on large municipalities, since prior research has shown that they are very active on social media (e.g., Haro-de-Rosario et al., 2018). We fixed the 500,000 threshold because the most populous cities (e.g., Bucharest, Budapest, Prague) are extremely big compared to the others. Data were collected through four stages. First, social media logos were browsed on the cities' websites. In the absence of a logo, we searched for potential accounts on all platforms. When needed, a search with the appropriate keywords was conducted on a search engine. Finally, municipalities were contacted in case of uncertainty. The data collected online and/or through direct contacts with certain cities were then gathered in a single file.

5.3 Data collection and processing

Information about the status of the accounts were available as of 31 March 2022. We decided to focus on the period running from 1 January to 31 March 2022 to determine the phases listed in section 4. This period allows for the identification of cities' behavior on social media. We extracted the data through FanPage Karma for all accounts on the defined period. Data retrieved manually were then added to the database in early April 2022.

This empirical investigation enabled us to respond to **RQ2**. We conducted two

different analyses: in the first one, we looked at the status of all cities (registration and activity) and their position in the phases – dissemination, interaction, and transaction (Table 2). To do so, we defined the cities that belong to each status and (mutually exclusive) category through a binary variable (0–1), following these criteria:

Registration: The city has an account but is inactive.

Phases: The city has published posts in the last month of the defined period.

Dissemination: The city has only published posts.

> Interaction: There has been at least one reaction, share or comment by users on the page's posts.

> Transaction: There has been at least one reply by the page to users' comments.

Table 2:

City status and presence in the phases (as of 31 March 2022)

	Registration		Phases		
	<i>Unregistered</i>	<i>Inactive</i>	<i>Dissemination</i>	<i>Interaction</i>	<i>Transaction</i>
Facebook	2	0	0 (0%)	16 (20%)	64 (80%)
Twitter	37	16	0 (0%)	19 (66%)	10 (34%)
Instagram	17	11	0 (0%)	27 (50%)	27 (50%)

Source: authors' own, 2023

In the second analysis, we measured the intensity within each phase: because certain cities can be included in a phase with only one post, reaction or reply, we relied on the following indicators to compare the “performance” of the cities between 1 January and 31 March 2022:

> Dissemination: Number of posts per day.

> Interaction: Number of comments, reactions (likes on Twitter and Instagram) and shares (or retweets) divided by the total number of posts and the number of fans as of 31 March 2022.

> Transaction: Number of replies by the page on users' comments.

6. Findings

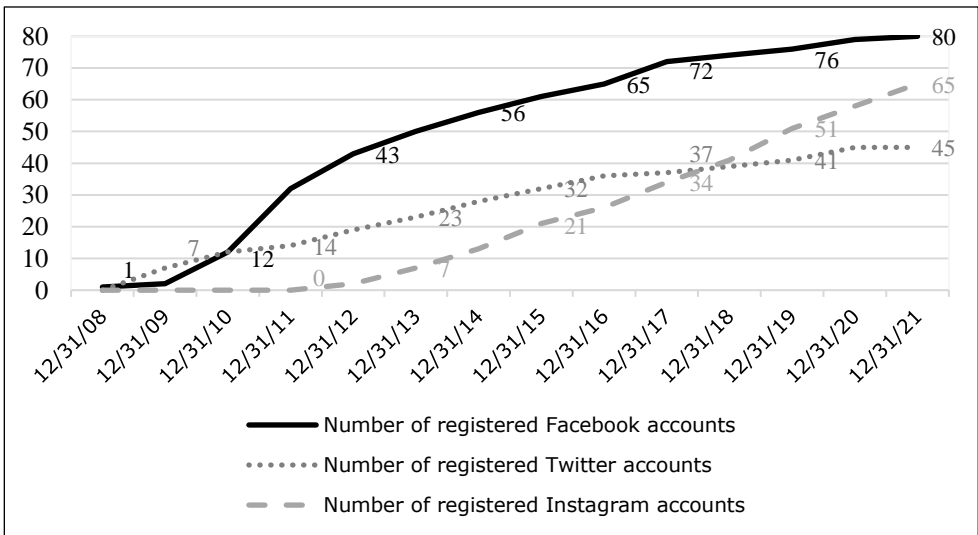
In this section, we will first describe the general situation in terms of the adoption, use and popularity of each social media platform in the CEE region. Second, we will focus on the empirical analysis of the city sample in terms of metrics and phases.

6.1 General situation

We start with the evolution of presence on Facebook, Twitter and Instagram since 2008 (Figure 2). Twitter generated much enthusiasm at the beginning, but was quickly overtaken by Facebook, which became the most widely used platform in CEE cities (80 cities out of 82). In contrast, some Twitter accounts have only been used sporadically at the start, and several accounts have never (re)tweeted. Instagram is the second most used platform, with 65 cities registered as of 31 December 2021.

Figure 2:

Number of registered accounts of cities on Facebook, Twitter and Instagram in our sample (2008–2021)



Source: authors' own, 2023

The lack of popularity of Twitter in CEE cities could be explained by the relatively low potential outreach (defined as the potential advertising audience in the population

over 13 years old).⁶ One notable exception here is Poland, where low potential outreach is not associated with a low number of cities being active on Twitter. We note that this observation points to Polish cities' high level of activity on all three social media platforms.

Active adoption as defined by Zumofen et al. (2022) refers to cities that have published at least one post in the last month of a predefined period. In the CEE region, active accounts are distributed almost equally among municipalities (33% with three active accounts, 35% with two active accounts, 29% with one active account; 3% with no active account). Poland has the highest number of cities in the sample (33), and all have at least two active accounts. The sample data are presented in Table 3. Facebook gathers the highest number of active accounts. Estonia stands out as scoring 100% on all three platforms, but this is biased since Tallinn is the sole city included in the sample. Slovak and Slovenian cities are active on Facebook and Instagram, while Bulgarian cities focus more narrowly on Facebook. Activity is generally high on Facebook, lower on Instagram, and much lower or nonexistent on Twitter.

Table 3:

Detailed data of the sample as of 31 March 2022

	<i>Number of cities</i>	<i>Active Facebook accounts</i>	<i>Active Twitter accounts</i>	<i>Active Instagram accounts</i>
Bulgaria	5	5 (100%)	0 (0%)	0 (0%)
Croatia	3	3 (100%)	2 (67%)	2 (67%)
Czech Republic	4	4 (100%)	2 (50%)	3 (75%)
Estonia	1	1 (100%)	1 (100%)	1 (100%)
Hungary	7	5 (71%)	0 (0%)	2 (29%)
Lithuania	3	3 (100%)	0 (0%)	1 (33%)
Poland	33	33 (100%)	21 (64%)	32 (97%)
Romania	22	22 (100%)	3 (14%)	9 (41%)
Slovakia	2	2 (100%)	0 (0%)	2 (100%)
Slovenia	2	2 (100%)	0 (0%)	2 (100%)
N	82	80 (98%)	29 (35%)	54 (66%)

Source: authors' own, 2023

Moreover, we were able to assess the use and popularity of social media. In Table

⁶ #Digital2021 (<https://datareportal.com/reports/digital-2021-global-overview-report>).

4, we observe a high recurrence of posting on Facebook compared to other platforms. However, the variance between countries is high: while Slovenia and Estonia publish posts sparsely, Poland is far more active in its usage of the various platforms. Instagram is used much less compared to Twitter and Facebook. Facebook also attracts more fans than the other platforms, especially Twitter, which is the least preferred and least followed platform in CEE countries. Caution should be exercised when interpreting these results, since Slovenia and Estonia only have a few cities represented in our sample.

Table 4:
Use and popularity of Facebook, Twitter and Instagram
(January–March 2022)

	Facebook		Twitter		Instagram	
	<i>Dissemination (Mean)</i>	<i>Ratio followers/pop</i>	<i>Dissemination (Mean)</i>	<i>Ratio followers/pop</i>	<i>Dissemination (Mean)</i>	<i>Ratio followers/pop</i>
Bulgaria	2.15	7.00%	- - -	- - -	- - -	0.36%
Croatia	1.71	17.35%	2.20	3.36%	0.44	9.87%
Czech Republic	2.14	11.26%	1.63	2.17%	0.41	3.99%
Estonia	0.67	0.42%	0.78	0.23%	0.24	0.82%
Hungary	2.80	12.52%	- - -	- - -	0.36	1.57%
Lithuania	2.37	17.76%	- - -	- - -	0.38	2.35%
Poland	3.49	24.04%	2.69	2.06%	0.72	5.56%
Romania	1.20	11.18%	1.41	0.24%	0.67	0.84%
Slovakia	2.11	11.72%	- - -	0.95%	0.49	4.59%
Slovenia	0.78	8.51%	- - -	- - -	0.35	2.84%
Mean	1.94	16.60%	1.74	1.98%	0.45	3.83%

Source: authors' own, 2023

6.2 Where do CEE municipalities stand in terms of social media use?

The analysis of the phases relied on the intensity of cities' communication on social media. Dissemination was measured through the number of posts per day; interaction represents $((\text{total number of comments, shares and reactions})/\text{number of fans}/\text{number of posts}) \times 1000$; the transaction phase was measured as the ratio of the number of replies from accounts to the number of comments. This allows for a comparison of

communication intensity across countries and platforms.

The situation on Facebook differs quite strongly from one country to another (Table 5). Regarding dissemination, Poland stands out from the other countries with almost four posts a day on average. In terms of interaction and transactions, the results are more homogeneous. The Czech cities are the most mature, with the highest mean for the transaction phase (7.21%). This figure must be interpreted cautiously, however, as there are only four cities in our sample. In Romania, while cities publish few posts, they trigger numerous reactions and comments, but very few replies.

Table 5:
Intensity in each phase for Facebook (January–March 2022)

	Facebook								
	<i>Dissemination</i>			<i>Interaction</i>			<i>Transaction (%)</i>		
	Min.	Max.	Mean	Min.	Max.	Mean	Min.	Max.	Mean
Bulgaria	0.48	5.34	2.15	0.78	3.87	3.03	0.81		
Croatia	0.66	2.51	1.71	0.74	16.0 0	11.00	0.99	3.00	1.99
Czech Republic	1.01	4.01	2.14	2.60	6.86	6.07	0.82	7.79	7.21
Estonia	0.67			8.19			4.65		
Hungary	0.26	9.06	2.80	0.59	7.64	2.82	0.26	0.29	0.28
Lithuania	1.20	3.19	2.37	2.20	14.4 8	9.93	0.52	2.01	1.18
Poland	1.00	7.33	3.49	1.32	12.2 5	7.37	0.19	13.9 6	2.50
Romania	0.06	3.11	1.20	1.23	39.3 2	9.19	0.06	1.82	0.55
Slovakia	1.41	2.80	2.11	3.52	6.74	5.13	0.88	5.30	3.09
Slovenia	0.61	0.96	0.78	4.24	10.1 3	7.18	0.51	6.39	3.45

Source: authors' own, 2023

Twitter use and citizen engagement are less developed compared to Facebook and Instagram (Table 6). This is especially true when looking at the transaction phase, in which there is almost no city from our sample (replies to comments are almost nonexistent). The transaction phase is extremely high in the Czech Republic; but with only one city in the phase, this should be interpreted cautiously.

Table 6:
Intensity in each phase for Twitter (January–March 2022)

	Twitter								
	<i>Dissemination</i>			<i>Interaction</i>			<i>Transaction (%)</i>		
	Min.	Max.	Mean	Min.	Max.	Mean	Min.	Max.	Mean
Bulgaria	---			---			---		
Croatia	0.48	3.91	2.20	0.24	1.22	0.73	---		
Czech Republic	0.32	2.94	1.63	0.82	1.96	1.39	40.28		
Estonia	0.78			11.86			---		
Hungary	---			---			---		
Lithuania	---			---			---		
Poland	0.01	14.17	2.69	0.34	25.17	3.38	1.52	32,14	9,91
Romania	0.26	2.56	1.41	0.28	15.63	7.95	---		
Slovakia	---			---			---		
Slovenia	---			---			---		

Source: authors' own, 2023

In contrast, Instagram metrics show a real propensity to stimulate interaction, and cities engage more intensively in transactions compared to Facebook and Twitter (Table 7). However, several countries limit themselves to dense interactions but do not engage in transactions. Hungary is a typical example, with a mean interaction coefficient of 27.22 and no cities in the transaction phase. The transaction level is quite low in Croatia and quite high in Slovakia; but with only one city in the phase, this should again be interpreted cautiously.

Table 7:
Intensity in each phase for Instagram (January–March 2022)

	Instagram								
	<i>Dissemination</i>			<i>Interaction</i>			<i>Transaction (%)</i>		
	Min.	Max.	Mean	Min.	Max.	Mean	Min.	Max.	Mean
Bulgaria	---			---			---		
Croatia	0.37	0.51	0.44	18.07	79.16	48.62	1.11		
Czech Republic	0.17	0.70	0.41	18.68	31.57	23.33	3.85	14.80	9.32
Estonia	0.24			55.70			31.58		
Hungary	0.02	0.68	0.36	4.63	49.82	27.22	---		
Lithuania	0.38	0.38	0.38	25.82	25.82	25.82	---		
Poland	0.07	3.93	0.72	17.08	91.04	42.54	0.58	28.75	6.32
Romania	0.03	2.86	0.67	11.36	83.39	37.83	---		
Slovakia	0.28	0.70	0.49	11.07	35.79	23.43	7.03		
Slovenia	0.10	0.59	0.35	12.24	47.16	29.70	6.67	10.40	8.54

Source: authors' own, 2023

7. Discussion and conclusion

The main contribution of this article is conceptual, since it proposes a new framework that includes the strategies, missions, information directions, communication flows and tactics related to public organizations' communication and citizen participation on social media. It builds on various literature streams to offer an integrated model that categorizes social media use by governments and their interactions with citizens through the definition of three phases.

This contribution is enriched by the empirical analysis of these phases in CEE cities. Previous contributions have focused on case studies (e.g., Jukić & Merlak, 2016; Urs, 2017; Špaček, 2018; Jukić & Svete, 2018); we have adopted a more encompassing approach, collecting data for three platforms (Facebook, Twitter and Instagram) in 10 CEE countries (N=82 municipalities). While many municipalities are inactive on Twitter and Instagram, Facebook use and popularity is quite high. Such disparity has already been observed in different European contexts (see Haro-de-Rosario et al., 2018; Mabillard & Zumofen, 2022).

These findings call for additional studies in the region and in other contexts as well as more systematic transnational comparisons. We assume that various socio-demographic and political characteristics of the cities and their mayors may play a role in defining what kind of behavior the city will adopt, as observed elsewhere (Silva et al., 2019; Faber et al., 2020). The community manager (if there is one) may also explain certain potential differences. This certainly opens promising avenues for future research, including further studies on the determinants of active adoption (Zumofen et al., 2022) of social media, as well as factors that may explain online participation. In the same vein, our model calls for further research on the engagement dimensions of social media platforms in local governments, especially in a comparative perspective. Currently, this remains theoretically underexplored, and systematic comparisons across countries are still lacking despite certain notable contributions (e.g., Bonsón et al., 2015; Guillamón et al., 2016).

This paper meets has limitations. First, it does not include all social media platforms used in public organizations. Indeed, cities in this sample have started communicating on Snapchat, TikTok and YouTube. Second, because of data collection difficulties, most of our measures are based on a three-month span (1 January–31 March 2022). Extending the timeframe would probably enable more robust analyses. Certain cities may have been in another phase earlier; however, we argue that the presence in a phase should be sustained, especially due to the nature of social media (immediate communication, the need to react quickly). Third, the selection of cities between 100,000 and 500,000 inhabitants is restrictive and the structure of municipalities in the selected countries is not described extensively. Details about such structures might be provided in the future, as we focused here on the municipalities' official account. Analyzing less or more populated cities would have enriched the sample and given a more reliable picture of the situation in certain countries, particularly Estonia, Lithuania, Slovenia, and Slovakia. In many cases, the results for the whole sample (and especially the mean) are significantly influenced by Romanian (22) and Polish (33) cities. This issue may be overcome with a larger sample, including less or more populated municipalities, which may also reveal compelling findings in terms of social media communication at the local level. Finally, our study did not address the content of the posts; this also opens avenues for further research, as content and sentiment analysis, for instance, may enrich the results presented in this paper.

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