HISTORY OF PUBLIC ADMINISTRATION IN SLOVAKIA

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Abstract

The history of public administration could be examined from several points of view. In the past the territory of present Slovakia belonged to different states. The first stable administration was created in the Hungarian Kingdom but the Christian church founded its own administration. The Osman invaders formed their specific public administration to achieve only one goal: to collect enough tax revenues. The Habsburg supremacy tried to modify the traditional county system twice, from 1781 to 1790 and from 1850 to 1860. The foundation of Czechoslovakia brought a new age. The historical public administration was completely reconstructed. After the fall of iron curtain and fifteen years later, when Slovakia became o member of EU not only the system but the function of public administration was changed. There were realised some waves of reform to make the public administration modern, more effective and "citizen friendly".

Introduction

Our present and future is based on the past. The history offers wide range of experience, which we have to utilize. The history of public administration begins in the far past and has several roots. The optimal design of the state administration was described both in ancient Greek polis states and Chine. Plato, one of the greatest philosophers in the world, already wrote a book about the favourable attributes of the states. There were already published articles about the history of public administration in Slovakia, e. g. Koišová, Masárová, Habánik, 2016; Masárová, Koišová, Habánik, 2017; Klierová, Kútik, 2017. In this proceeding we listed all the specific forms of public administration which exited in the territory of Slovakia including the Osman or Christian administration.

1. Outline of state administration development in the Middle Ages

During the Middle Ages and the New Age, the territorial division of the area of present-day Slovakia had been unchanged for centuries. It started to form at the beginning of the 11th century, and the same frontiers remained unchanged until 1922.

In the area of Northern Carpathian Mountains there was no public administration before Slovakia was incorporated into the Hungarian state. The first state, which arose in Europe and which created public administration, was the Roman Empire. This state did not immediately reach the territory of present Slovakia, however, created some military and commercial settlements on the left bank of the Danube. After the migration of peoples, 4th – 6th century AD, the Barbarian tribes have completely disproved the Roman administration. During the Middle Ages in Central Europe some nations created so called states, but those were rather densely populated settlements without any characteristic features of the state as the sovereign's stronghold, universally valid and recognized laws, more or less designated borders and taxation. Their existence was generally short. Some have lasted several generations – e. g. the Empire of the Longobards, existed only during a single ruler – Empire of Samo, or they could have a multi-year duration – Empire of the Avars, but nevertheless did not attempt to create frameworks of the state in medieval perception. Many other nations lived on our territory, left nothing but archaeological sites. It is to be said that even in the case of Great Moravia we cannot talk about the state, because it lacked many attributes of statehood, it still had the character of a free union of separate tribes which was unified by a powerful chief.

Among the territorial division of public administration should also mention the views of the Christian Church. During the 3rd and 4th centuries A. D. this religion became the dominant belief in the whole of the Roman Empire. Christianity at first was persecuted by the emperors, later they supported it. The believers of Jesus' teaching began to build their own administration network based on the bishopric.

During the existence of the Roman Empire, even the area of Catholic Church activity still did not reach Slovakia, it did so in the period of Great Moravian and Franc Empire. At the time of the Christianization of the Danubian Slavs there were serious political and diplomatic efforts which political-cultural centre has the prerogative to propagate the Christian faith in our area. Two ideas were fought with each other: the Eastern Franconia, which represented the bishops of Salzburg and Passau, and the Byzantine, based on the historical law at that time for several centuries ceased bishopric in Sirmium, today Sremska Mitrovica, Croatia. As is well known, the Western branch of Christianity, subordinate to the Roman Pontiff, won. Although for a time the Eastern Church had a greater impact. In this process the foundation of a church in Nitra, dated to 830, was a remarkable milestone. This church became the basis of the Nitra bishopric, founded around 1083. The Christian Administration later developed autonomously alongside the state administration and in the New Age during the Reformation, the individual departments of Christianity created their parallel networks of administrations.

The foundations of public and ecclesiastical administration began to be built by King Stephanus Sanctus I. (997-1038). The public administration unit was the county (lat. comitatus). Its centres were castles and hill forts often founded during the Great Moravian times – these especially to north from the Danube, or they had Franconian or Roman tradition – these especially to south and west from the Danube. They were administrative, judiciary and military areas. The head of this unit was comes of the castle. Later this function became rather formal, the real head became the vice comes. The process of establishing counties lasted two-three centuries. There were also border counties, which later merged with other counties, resp. some counties split, other ones united. Example for first case is County Nitra and a small border county, for second is Zvolen, which was dived into county Zvolen, Turiec, Liptov and Orava and for the last case is example County Malohont-Gemer (Žudel, 1984, p. 11-15, Marsina 1986, p. 170). By the end of the 14th century the following counties were formed which partially or totally situated on the territory of today's Slovakia: Bratislavská, Nitrianska, Trenčianska, Tekovská, Liptovská, Turčianska, Zvolenská, Oravská, Spišská, Abovská, Šarišská, Zemplínska, Užská, Turnianska, Gemerská, Novohradská, Hontianska, Ostrihomská and Komárňanská. The smaller units were districts (lat. districtus and processus), which began to form from the 13th century.

The development of territorial administration is closely related to the progress of the settlement of the country. The territory of Slovakia is inhabited since the Stone Age, but the number of inhabitants increased gradually. Even in this case was valid the general rule: the lower areas were inhabited first. After the Celts and Germans from the 5th century the Slavs appeared here, since the end of the 9th century they followed the Hungarians. From the 12th century the so-called the guests (lat. hospes) began to come to this territory to colonize the uninhabited areas, to bring special professions or expanding mining activities. From the sovereign many of them received special rights, self-government, or relying on a foreign legal model. In the case of the founding of cities it was the Magdeburg and Nuremberg Laws, and in case of the colonization of mountainous territories used the Vallachian Law because the colonizers were Wallachians. The Wallachian Law is a summary of legal norms and customs of the Wallachian population living in Slovakia from the 14th to 17th centuries. According to this law, the Wallachs was for some time exempt from all duties of a servant, later from the payment of a church ninth and robots, on the other hand they have to guard roads, borders and perform military service. Their rights have ceased since the mid-16th century.

In Hungary there were other self-governing units that were excluded from the jurisdiction of the countie. These were the free royal cities. We could mention about the curious situation when the Hungarian king Sigismund gave to pawn to the king of Poland Vladislav II. thirteen towns in Spiš in 1412. The region returned to the Hungarian administration during the first division of Poland in 1772.

2. Public administration in the New Age

After the acquisition of the Hungarian crown by the Habsburgs the centralization tendencies began. Taking in to account that the central territories of the country were occupied by the Ottoman Empire, the main Hungarian authorities had to been resettled. The Hungarian parliament was moved to Bratislava. This fact facilitated to Habsburgs to establishment of new central offices. Ferdinand I, for the internal administration of Hungary established the Council of Gubernium, which replaced the then elected land official, the palatine. The Austrian rulers' family secured the state incomes for themselves. In the first half of the 16th century the tax administration was reorganized. They established the Hungarian Treasury, but for example the administration of the Chambers of Mines and the mints of the Central Slovak Mining Towns, some thirty-day stations and the administration of some royal estates came into the hands of the Lower Austrian Chamber. In order to collect taxes and other payments in the northeastern

part of the country, the Chamber of Spiš was founded. The geographical name of the Hungarian Chamber became Lower Hungary, the Chamber of Spiš the Chamber of Upper Hungary (Matula, Vozár, 1987, pp. 28-29, Kohútová, Vozár, 2006, p. 17).

The system of counties was exceptionally stable. Their privileges, borders were unchanged even during the Turkish invasion, when about a third of Hungary, a large part of Slovakia, became part of the Ottoman Empire. An important interference to their self-government, but not territorial distribution, was the reform of Joseph II. In 1781 the king several counties merged into three districts. The sovereign revoked his reform before his death in 1790 (Žudel, 1984, p. 14). After the revolutionary years of 1848/49, the Vienna Court redistributed the territory of Hungary again, this time to five districts, which Bratislava and Košice included the territory of Slovakia. The reorganization lasted shortly, only until 1860. However, the revolutionary years brought a significant change: from the noble (self-governing) counties became administrative territorial units of the state. During this period, the borders of the counties were modified only partially. The last significant changes were realized in 1873.

In the newly established Czechoslovakia the county establishment was preserved until 1922. The first reform was realized on January 1, 1923, when they created six so-called large counties. In 1928 were established the system of regions. In the new scheme the only administrative units became sub-districts and the whole of Slovakia became one region of four. During the first independence of Slovakia the county establishment was reintroduced in 1940. In 1949, the basic units became districts again. By the words of Žudel (1984, p. 179-181), this was the last period, when in the case of Žilina district was partly taken into account on the county system. In this year were set up six districts. Originally were created additional 89 sub-districts, but later their number changed.

Another significant reorganization of administrative units can be dated to 1960. As the part of the general centralization effort, the number of districts decreased to three plus one (capital). In the beginning the number of sub-districts was 33, but this figure fluctuated.

3. Alternative forms of administration

In some historical moments in our territory were created extraordinary administrative units. During the Turkish invasion, large parts of the country were occupied by the enemy. The highest level of Ottoman public administration was the vilayet or elayet, which was established in Buda and later in Timisoara. On the head of these units stood beylerbey, in the Buda his title was pasha. The vilayets further divided into sandjaks, these further to nahiyes. The first administrative units run the beys. The borders of these units did not correspond to the Hungarian county system. In the years 1545-46 were established sandjaks in Ostrihom and Novohrad, between years 1553-54 in Sečen and in the following year also in Fiľakovo. The task of these territorial units was to ensure the tax collection.

Hungary and the Habsburg court were ready to defend the country, and therefore created military districts called "Captainity". In the years 1563-64 created the Cis Danubean Captainity, in the territory of Western Slovakia and the western part of Transcarpathian Ukraine was formed the Upper Hungarian Captainity. Later in Central Slovakia was also founded the Captainity of Mining Cities. These units came to an end in the finish of Turkish wars (Matula, Vozár, 1987, p. 32-33).

The county system was exceptionally durable and did not change even during the hundred and fifty year long Ottoman rule. It is true that there were territories where the rule of law of the king and the nobility did not take hold, but the tradition was nevertheless maintained. For example, the congregations of the Ostrihom county were called in Nové Zámky after its conquest by Turkish troops in Komárno. Novohrad congregation were called to Fiľakovo, then to Zvolen, Banská Bystrica, again to Fiľakov, to Lučenec, to Gács and to Sečén, according to the current military situation. It has to be said that there was a more or less wide frontier of double, sometimes even triple taxation, where regularly visited the tax collectors of the Ottoman Empire, the Kingdom of Hungary and the Duchy of Transsylvania (Varga, 1986, p. 6-7).

Table 1 Overview of the territorial structure of Slovakia

Period	Administrative regions		Number of main administrative regions		Number of small administrative regions
11th -12th century	counties/comes of the castle		8 completely, 9 partly, 2 insignificantly		castle districts
from 13th century	counties		11 completely, 7 partly, 2 insignificantly		generally 4 to county
1785-1790	districts	counties	3	Stable	stable
1849-1860	districts	counties	2	Stable	stable
1878-1884	counties		11 completely, 8 partly, 2 insignificantly		*62 completely, 31 partly
1918-1922	counties		16		95
1923-1928	large counties		6		79
1928-1939	regions		1		79+2
1940-1945	large counties		6		60
1945-1948	regions		1		79
1949-1960	districts		6		89+2
1960-1998	districts		3+1		33-38
1998-present	districts – larger territorially units		8		79

Source: Výrostová (2010, p. 238, amplified);

*there were municipal towns as well, which were administratively equal with the counties, four of them were situated in the territory of Slovakia, also there were cities with bylaws, in the territory of Slovakia were 36 of these towns

4. Slovak Republic Public Administration Development after 1989

Following significant political and social events (1989), the changes have also begun in the field of public administration (e.g., territorial and administrative arrangements). These changes are linked to previous states and measures. As an example is the Procedure for elaboration of the long-term concept of settlement development No. 100/1967. As a result of this process till 1989, was the reduction in number of municipalities in Slovakia by 20% (from 3344 to 2694). The decline of the settlement structure occurred when small municipalities were merged into cities or merged several smaller municipalities. However, the precedent is the fact arising from the adoption of Act no. 369/1990 Coll. about the general establishment. As a result of this law, the disintegration process is initialized. The number of municipalities increased, in 1991 there were 2825 municipalities in Slovakia.

However, we will return back to 1989. As mentioned, the year 1989 is linked to the commencement of several significant changes affecting the Czechoslovak environment and society.

Changing the political regime, the institutional set-up of public administration, but especially the role and status of the citizen in the state, are steps that represent a shift towards democracy and respect for fundamental human rights and freedoms.

4.1 Public Administration Reform - Phase 1

During the former political regime, the public administration was highly centralized and socialized. Under the "transition period", e.g. in the first post-revolutionary years, only the most urgent changes were made. However, in many cases these can be classified as non-systemic.

Within the first stages of the reform we are talking about the abolition of national committees on all previously existing levels, e.g. local, urban, district and regional. In connection with this, a new scheme of public administration is being built that concern both central and local government. The creation of territorial districts (121 sub-districts) and the preservation of the district structure (38 districts) is a two-stage management of the local state administration. The districts were formed on the basis

of the division of sub-districts into 2-5 districts with the exception of Veľký Krtíš and Stará Ľubovňa. At this stage, we have combined two levels of artificial spatial units that are significantly different from the traditional natural sub- districts system.

As part of the first phase of the reform, was the abolition of the existing system of 4 regions and creation of an area for the real functioning of the self-government at its basic level. The revival of the level of territorial self-government meant the renewal of the local self-government. As a result, the municipality became an independent legal entity, which, in cooperation with Act no. 138/1991 Coll. on the property of the municipality, manages its own property, which has not yet been admissible. As Hajšová adds (2016), "it is the authorization of a particular social organism to carry out on its own responsibility the state's competencies in compliance with legal norms." It can be said that imposing obligations on municipalities or interfering with their responsibilities is possible only under the relevant

legislation forces. Under the terms of the SR we can talk about a law - The Constitution of the Slovak Republic, the Act on the General Establishment, etc.

The fact that reflects the problem of citizens' association is also worth mentioning. Institutions that justify their existence by constitutional law (the right to associate), fit into the concept of interest self-government, which has already acquired a significant status in the system.

4.2 Public Administration Reform - Phase 2

Activities related to the transformation of the public administration were officially launched in 1995. Their intention was to establish a functional organizational structure of the public administration. Consideration was given to the stabilization, integration and restitution model of local government (Table 2).

Table 2 The Visions of Functional Organizational Layout of Public Administration

Public administration model	
State Administration	**Local Government**
Stabilization model - asymmetry at region level - the stability of the district level - consolidation of the settlement structure	
3-4 higher administrative units 32-44 lower administrative units	12 higher self-governing territorial units 110-150 local administrative units
Integration model - model symmetry - the original boundaries of regions	
7 higher administrative units 110-170 lower administrative units	7 higher self-governing units 110-150 local administrative units
Restitution Model - asymmetry of the Territorial Structure of Public Administration - a new structure of districts - the original boundaries of the regions and counties - county territorial division	
7 higher administrative units 75-90 lower administrative units	16 higher self-governing units 250-300 local administrative units

Source: own processing according to Hamalová et al. (2014)

However, on the basis of a relatively long discussion, neither was accepted. Therefore, at the level of regions and districts, the offices of general government were built. This removed the system of region offices. Their competencies were transferred to 79 district offices (Act No. 221/1996 Coll., On the

Territorial and Administrative Arrangement of the Slovak Republic). A new administrative breakdown was introduced into which the 8 regions were re-established. Some of the original competencies of the district authorities have been transferred to the region. However, this newly adopted territorial government

(Bratislava, Žilina, Trnava, Banská Bystrica, Trenčín, Prešov, Nitra and Košice region) did not go beyond the historical or cultural-ethnic identity of the regions. The government's emphasis was mainly on political-strategic goals and size criteria.

However, even the results of the second stage did not produce the desired effect in the area of self-government. On the contrary, the imbalance between it and the state administration deepened.

4.3 Public Administration Reform - Phase 3

Trends in the development of public administration systems are built on the principles of good governance within the third stage. By adopting the Strategy for Reform and the principles of building a separate model of public administration, local level also forms the second, regional level. This concept consisted of the creation of up to 12 higher territorial units. The proposed model of self-governing regions was closest to the historical division of the territory of Slovakia, which were the former counties. The deviation from this original plan led to the establishment of the apparatus of 8 self-governing regions (Act No. 302/2001 Coll.). They have their sub-districts identical to the sub-districts of the regions. At the same time, these units are responsible for the management of public affairs within the territory of a specific region.

For the public administration environment, this is a significant milestone in the transfer of competences from the state administration to the local self-government. This means that the division of responsibility for the economic and social development of the country has been divided between central government, self-governing regions and municipalities. This equivalent position is based on the Concept of decentralization and modernization of the SR public administration. As stated by Kútik (2006) *"This concept includes a list of decentralized competences in these sectors and areas of the public sector: education, health, culture, social affairs, transport, water management, spatial planning, regional development and tourism."* It was a rational strengthening of the power and responsibilities of self-government by bringing them closer to citizens. That is why, in the 2004, the local state administration is being prepared. District offices are being abolished. Of the original 79 district offices a set of 50 sub-district offices is established. Therefore, the districts remain only as circuit units. In addition, the apparatus of offices of specialized local government is being built. However, they have a network of up to 64 workplaces, so the big reduction can not be said even within the most optimal perspectives.

4.4 Public Administration Reform - Phase 4

Modernization of state administration, reduction and efficiency of public administration, raising the standard of transparency and openness are characteristic features of the epochal reform of the state administration of the Slovak Republic - Reform ESO (Effective Reliable Open). The global objective of the reform is the efficient and transparent functioning of the state administration through the restructuring of local state administration (bodies and processes), support for socio-economic growth of the Slovak Republic, informatisation and personal development at all levels of public administration. The ESO reform represents a fundamental qualitative change in the performance and availability of local government. The way to achieve this goal is to optimize the structures and processes of the local state administration, the services provided to citizens and electronization of the whole state environment, respectively. The local government, the second-level of local state administration, have been abolished the regional authorities. An analogous method of restructuring also occurs in the case of district offices and specialized local government agencies (Table 3). Their tasks and competences were taken over by the integrated local government bodies, whose representatives are district offices (72 district offices). Sub-districts of newly-built district offices are essentially identical to the districts of the abolished districts in 2004. All of these offices carry out civil protection, crisis management, economic mobilization, cadastre, state defence and environmental management agendas. However, district offices (49 sub-district offices) also carry out activities in the road and road sectors, agriculture, hunting and forestry, general internal administration and trades.

At the same time, new elements such as contact-administrative sites for citizens (KAMO Centers) and integrated service points (IOMs) are also being introduced into the system. Their role is to provide a wide range of services to public administration clients in the form of active and passive contact.

Table 3 Shift of local public administrations competences – ESO reform

Shift of the competences to the sub-districts	
Cadastral Office	– Office of Geodesy, Cadastre and Cartography of the SR
Regional Land Office	– Ministry of Agriculture and Rural Development of the SR
Regional office of Building	– Ministry of Interior of the SR
Regional office of Education	– Ministry of Education, Science, Research and Sport of the SR
Regional Office of Road Transport	– Ministry of Transport and Construction of the SR
Regional Office of Environmental Policy	– Ministry of Environment of the SR
Territorial military administrations	– Ministry of Interior of the SR
Shift of the competences to the districts	
Sub-district Land Office	
Sub-district Forest Office	
Sub-district Office for Road Transport and Communications	
Sub-district Office of the Environment	
Cadastral office	

Source: own processing according to Hamalová et al. (2014)

The parallel in the field of modernization of the state administration environment we find also within the existence of territorial self-government. It may be based on the issue of the transfer of competencies, which establishes the obligation for the municipality to carry out the transferred execution. At the same time, this concerns the issue of the arrangement of the territory of the Slovak Republic; e. g. basic units are regions and districts.

Conclusion

The system of public administration in the territory of Slovakia was stable for a long period. From the 11th century until 1922 there were only small border changes. These changes were caused by two main reasons: The Turkish occupation during the 16th and 17th century and the attempt the Habsburg court to centralise the state. The general and permanent reconstruction of public administration began at 1922 and followed during every change of political system. The main milestones of modification were in 1928, 1938, 1948, 1960 and 1996. After the EU membership has begun the process of broad reform of the public administration. The changes concerned both the increase of effectiveness and modernization included electronization and adoption of European rules.

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