



COMPARATIVE ANALYSIS OF SOCIAL SERVICES REFORM IN SLOVENIA, AUSTRIA AND CROATIA: LEGAL-ADMINISTRATIVE PERSPECTIVE

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Abstract

Social services within predominantly service-based public administration are undergoing constant reforms in response to evolving social circumstances. These reforms should align with international and constitutional principles, including the rule of law, the welfare state, and public governance, and rely on the assessment of the gap between the current state of affairs and the desired situation. Reforms of the competences and organisation of social work institutions should be analysed in comparison with related systems, taking into account national and sector-specific characteristics. The objective of this research was to examine, from a legal-administrative perspective, the reforms of social services in three systems building on the *Rechtsstaat* tradition: Slovenia, Austria, and Croatia. A qualitative approach was employed as the most suitable for evaluative research. The methodology included a literature review, semi-structured interviews, relational content analysis of reform policy documents and public administration performance reports, and a systemic analysis of the codification of administrative procedure as the formal legal framework for providing social services. The results show that the reforms of social services in Slovenia and Croatia share similarities as they focus on the Weberian context, with all the challenges associated with such formalised reforms. In contrast, Austrian reforms, influenced by a hybrid public management, are more results-oriented and thus able to provide user-oriented services.

Keywords

Public Administration Reform, Social Services, Weberianism, Administrative Procedures, Comparative Analysis

I. Introduction

Systemic social changes call for public administration reforms and new governance modes to effectively address the increasingly complex issues and crises emerging nowadays (Bouckaert and Jann, 2020), both in a general context and within specific sectors. To run

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these reforms effectively, it is important to first establish the state of affairs in a selected field and then design improvements in the context of data-based decision-making.

The paper focuses on the social services sector in Central and Eastern Europe to gather relevant information on comparative legal regulations that will enable an evaluation of systemic social reforms conducted in Slovenia in 2018. The three countries selected – Slovenia, Austria, and Croatia – are all European Union members that, at least to some extent, also share historical development, culture, governance modes, and legal order. The latter is particularly important in the social domain since relations between the state or delegated holders of social services and users are defined as administrative matters (Babšek et al., 2020). Consequently, social rights are predominantly decided through legally determined social administrative procedures aimed to prevent the misuse of power and ensure users' rights and constitutional guarantees within a state governed by the rule of law.

However, such complex and in-depth changes in the social environment and public governance patterns act both as a key incentive and a result of public administration reforms. Recently, the notion of good governance, which can well be used as an umbrella term, has been recognised as a key doctrine in theory at least (Venice Commission, 2011). In such regard, eight fundamental principles are emphasised, including the rule of law (RoL), participation, effectiveness, and efficiency. Contemporary governance is (to be) conducted through networking and open structures rather than authoritative top-down approaches, but these guidelines trace their roots to core Weberian and New Public Management (NPM) legacies. Designing reforms that align with the prevailing governance mode in each country is of critical importance. Slovenia, Croatia, and partially their role model Austria with its public law driven services are considered rather conservative in such reforms and need to modernise their public administration in various dimensions, such as taking into account the *Rechtsstaat* legacy and hence mostly a Weberian system as opposed to the more flexible systems found in other Western or Eastern Europe countries (Kuhlmann and Wollmann, 2019). Moreover, public administration reforms in Central Eastern Europe (CEE) reflect the transition from post-socialist to contemporary public governance (Kovač and Bileišis, 2017; Babšek et al., 2020).

Countries adhering to the Weberian public administration model, such as Slovenia, Austria, and Croatia, should therefore tailor their reforms to the characteristics of this public governance model to be successfully implemented. Here, for instance, the principles of legality and legal certainty prevail over efficiency or other elements of good governance. Moreover, organisational changes are introduced formally, with the state being the main policymaker and provider of (social) services, while users and other stakeholders typically play advisory roles or just receive these services, exercising an active role merely through legal remedies and judicial control over administrative acts issued by social services entities. Reforms are enforced through an efficient bureaucracy rather than various stakeholder networks, with officials being experts and legalists rather than mediators between public and private legal interests (Raadschelders et al., 2015). Consequently, more inquisitorial than adversary procedures are conducted in all administrative areas, including the social domain.

Under any governance model, reforms must be effective, meaning they should pursue predefined objectives. However, effectiveness – a fundamental principle of social change and legal institutions (such as measures for the efficient management of social procedures) – is not as straightforward as it may seem. A reform or regulatory framework element must always be placed in the context of the (administrative) legal system and the (current) social relevance of the applicable regulations. An effective institution can be defined as one that, in practice, achieves the objective of the regulation. In administrative procedure, efficient is typically what contributes to the fundamental definition of the purpose of administrative procedure, i.e., to balance the rights of the parties and the public interest (Auby, 2014). However, when defining overall efficiency, it is crucial to consider the efficiency of the entire administrative system, not just a specific institution. This implies that – even in the context of the RoL or Weberianism (Kovač, 2020) – multiple dimensions intertwine: sociological efficiency, i.e., the ability of the authorities to maintain the stability of the social system; legal efficiency, implementing a positive legal order as part of good governance; and economic efficiency, achieved through the rational organisation of the government apparatus and the coordinated functioning of different parts of the administrative system.

However, the current body of scientific and professional literature lacks comparative analyses of social services reform, a gap addressed by this paper in the case of Slovenia, Austria, and Croatia. The social services systems of these countries were selected given the importance of understanding their functioning and improvement, particularly from a legal point of view, considering their historical affinity, as well as in terms of ensuring better accessibility of each country's population to the rights of the welfare state and the protection of their fundamental procedural guarantees in these procedures. This is particularly relevant in cases of cross-border movements for the purpose of living and working in neighbouring countries. Therefore, the primary objective of the comparative analysis presented in this paper is to examine the reforms of social services in Slovenia, Austria, and Croatia from an administrative-legal perspective. The analysis aims to offer insights into the similarities, differences, and potential interdependencies of the reform processes in these neighbouring countries, with a focus on the interplay between the legal, administrative, and organisational aspects of their functioning and processes of reform. Therefore, the following hypothesis was formulated at the beginning of the research: *The reforms of the social services systems in the selected countries are comparable in terms of the design of the reforms, the objectives of the reformers, and the results or effectiveness of the reform processes.*

Within the framework of the comparative analysis, various qualitative methods were employed. These included a review of foreign and domestic scientific and professional literature, detailed semi-structured interviews, relational content analysis of reform policy documents and public administration performance reports, and a systemic comparative analysis of the codifications of the administrative procedure using comparative-legal, normative-dogmatic, sociological, and axiological-deontological methods. Each of these methods was applied to analyse the three systems under consideration, namely Slovenia and its two neighbours. The paper is structured as follows: first, a comprehensive literature

review is presented, including a presentation of the welfare systems of the European Union, social reforms in Central and Eastern European countries, the regulation of social services in the countries under consideration (Slovenia, Austria, Croatia), and the historical context of social services reforms in these countries. This is followed by a presentation of the research methods and data collection methods employed. The third part presents the results of each research phase and provides an interpretation or discussion of the results. The final part summarises the key findings from hypothesis testing, the limitations of the research presented, and the opportunities for future research.

II. Literature Review

Continental Europe is characterised by welfare systems reflecting Weber's definition of the modern state, based on the principles of legality, equality before the law, and political neutrality (Kuhlmann and Wollmann, 2019). The modernising state, while still all-encompassing, solves most of the social problems previously – i.e., before the emergence of modern welfare states – handled by informal social mechanisms (Bertram, 2011). However, given the diverse legal, cultural, and historical development of the countries in this region, the realisation of a single European welfare state remains challenging, despite the European Union's tendency to coordinate social security systems in pursuit of legal and technical harmonisation (Bouckaert and Jann, 2020). The arrangements of individual welfare states are thus largely path dependent (Bertram, 2011), sharing the common characteristics of significant administrative rigidity. This rigidity poses challenges to vulnerable populations in accessing social rights (Ranchordás, 2021). To align democratic social systems with citizens' needs, these systems undergo reforms, primarily in substantive, procedural, legal, and organisational terms. The new social services manifest in *improved* rather than *increased* efficiency (e.g., prioritising higher quality in line with social work objectives rather than a mere expansion of services), while the role of the state in these systems reflects a commitment to the principle of good governance (cf. OECD/Sigma; De Vries and Nemec, 2013). In this respect, the pursuit of social accountability and consensus orientation as advocated by pluralist governance paradigms (e.g., post-NPM, neo-Weberian state, network governance, cf. Tomažević, 2019) is crucial, as these alternatives prioritise hybrid aspects over classical governance approaches.

In this context, special attention should be directed towards the trend of innovation-based governance of social systems (Potts and Kastle, 2010; Randma-Liiv and Drechsler, 2017). This approach offers advantages in terms of streamlining and efficiency in service delivery, particularly with regard to speed of procedure and improved user communication (Mania, 2022). However, it also presents challenges, notably the digital divide, acting as a barrier to access welfare state services for disadvantaged populations. According to Ranchordás (2020), the digital divide extends beyond technological capabilities and competencies, encompassing urban-rural disparities, differing educational opportunities, migrations, and the diverse material and personal statuses of individuals. This becomes particularly important during periods of economic and social uncertainty when fiscal consolidation forces authorities to make budget cuts, especially in social services, which reduces the universality of these services under the standard Keynesian approach (Machová and Kotlán,

2014). The erosion of social rights and the decreasing significance of procedural guarantees in their enforcement are further exacerbated, depending on the social climate, by recurring criticism of regulatory solutions in welfare systems in terms of fair redistribution of resources and prevention of abuse (Bína et al., 2023). In this context, it is noted that more flexible social legislation is closely linked to public trust in the work of authorities. This connection is particularly heightened during crises when trust in state subsystems either strengthens or weakens depending on the government's adoption of appropriate, necessary, and proportionate decisions in given situations (Pečarič, 2021).

The literature (Pollitt and Bouckaert, 2011; Dan and Pollitt, 2015; De Vries and Nemec, 2013; Koprić and Kovač, 2017; Kovač and Bileišis, 2017; Randma-Liiv and Drechsler, 2017) highlights the transition of CEE countries from former socialist to 21st-century democratic regimes, delineating a unique pathway for reforming the regulation of the rule of law and the welfare state in the EU. Unlike social reforms in other countries, which predominantly target economic aspects such as excessive public spending and inefficient public sector outcomes relative to invested resources, reforms in the CEE region have primarily concentrated on establishing democratic mechanisms for the functioning of services in the public interest, alongside intensive Europeanisation in the context of moving closer to EU membership (Bouckaert et al., 2011). This marks a crucial point in comparative analyses of CEE countries with other continental European regimes. The former underwent radical political system changes in the 1990s, while the latter implemented social reforms within the existing political systems. Today, the regulation of CEE countries' social systems is largely characterised by excessive legalism. Instead of acting as an anti-discrimination tool, law often creates additional administrative barriers to accessing social rights (Nevická, et al., 2021).

In both Slovenia and Croatia, once part of the common state of Yugoslavia, social work centres (SWCs) serve as single entry points into the (state) social protection system and thus the primary, central, and coordinating organisations in this field. Legally, they are entities of public law, classified as public institutes founded by the state and endowed with public powers. Operating according to professional criteria, they maintain an apolitical stance and operate independently of any government, despite being de facto highly reliant on their founder in terms of funding. Moreover, their councils, acting as collegial management bodies, are predominantly comprised of government representatives exercising the state's founder rights, thus influencing crucial decisions concerning the operations of these institutes.

Social services in Slovenia remained largely unchanged since the establishment of SWCs in the 1960s until 2018 when they underwent reorganisation. In addition to the establishment of new organisational structures, the 2018 reform introduced a social activation service for the long-term unemployed, the informational calculation of social assistance payments, and various managerial and (procedural) legal adjustments (ACSW, 2018). The reform, however, fell short of its goals of reducing administrative burdens and bringing services closer to citizens' needs, mainly due to political rather than professional considerations in shaping reform policies and the absence of participation of the relevant stakeholders in decision-making processes (Babšek et al., 2020). In this context, the most successful aspect

of the reform was the introduction of the informational calculation of social assistance payments such as child benefits or kindergarten subsidies. However, this objective was only implemented in 2021 after years of legislative delays and adjustments (Babšek and Kovač, 2022). In the absence of a central governmental coordinating body for its implementation, this structural reform, lacking sufficient public debate and cross-sectoral coordination (Kovač and Bileišis, 2017), resulted in an inadequate operationalisation of the welfare state principle in the Slovenian context, falling short of the publicly declared objectives of the reform.

The reform of social services within the SWCs in Croatia has been planned several times in the past, mainly in terms of organisational changes. Proposals included establishing a single entry point or creating regional social services in each county to align with a modern and active user-oriented system, following the European social welfare model (Žganec, 2008). It should be noted here that modern concepts of new management models were never fully integrated into the Croatian social welfare system (Kekez, 2018) but rather added to the existing systems. The social welfare system did not undergo any major reforms until 2023 when all SWCs were merged into one public institute for the entire country. The merger of the previously independent 82 SWCs into one public institute, with branches covering the entire country, holds the potential to unify social planning and service delivery across the country. It could also facilitate the development of a network of providers and service deliverers, as well as the education and empowerment of service users. On the other hand, the reform does not address the essential conceptual and professional issues in working with people and lacks consideration for organisational aspects of change management in social welfare organisations (Urbanc and Ajduković, 2010).

Unlike Slovenia and Croatia, where social services are centrally organised as part of the state, the Austrian system presents a combination of centralised and decentralised social services.⁴ The nine *Länder* (federal states) enjoy considerable autonomy in the organisation, financing and structure of social services, aligning with the constitutional principle of subsidiarity according to which social services should be provided locally whenever possible and centrally whenever necessary (Wimmer, 2007). This means that social welfare systems in Austria vary, and that social security may depend on an individual's place of residence, particularly due to the differences between Vienna (the only urban federal state) and the other federal states (Austrian Association of Social Workers, 2011). Since 1990, the Austrian social protection system has undergone a modernisation process, transforming the otherwise traditional Weberian (administrative) legal system into one that focuses on results and the implementation of NPM principles, with significant contributions from the Administrative Innovation Programmes I and II⁵ – a major public administration reform that introduced performance measurement and a focus on results (Strehl and Hugl, 1997). Thereby, Austria transitioned from the traditional welfare state of the Second World War to the lean state of modern times (Wimmer, 2007). This represents a hybrid institutional logic,

⁴ Certain services, such as social insurance and universal benefits, fall within the responsibility of the state, while the *Länder*, districts and municipalities regulate housing policy, most social services, childcare programmes, and social assistance.

⁵ In German: *Verwaltungsinnovationsprogramm I, II*, also *Verwaltungsmanagement*.

where traditional and locally conditioned systems coexist with NPM concepts (cf. Meyer and Hammerschmid, 2006). In the last decade, Austrian social welfare organisations have faced not only the requirement to report on services delivered and demonstrate their impact but also intense competition for funding allocations. This has placed non-governmental organisations in combined and increasingly uncertain funding arrangements (Pennerstorfer and Zierer, 2018).

In conclusion, the literature review highlights common design weaknesses and systemic misalignments in social reforms in Slovenia and Croatia, resulting in inadequate outcomes due to a lack of strategic action. In Slovenia, the deficiency lies in the absence of comprehensive and consistent reforms, irrespective of the current government, to align with modern principles of good governance (Kovač and Bileišis, 2017). Conversely, in Croatia, the issue is the lack of planning, monitoring, and evaluation of reforms, stemming from insufficient and non-transparent cooperation between different governance levels, coupled with excessive political influence on the professional aspects of reforms (Đulabić, 2013). In Austria, where local government is robust, social reforms emerge from hybrid governance models. These models intertwine aspects of the traditional rule-of-law-based welfare state with adapted NPM approaches (Meyer and Hammerschmid, 2006), with an emphasis on tailoring solutions to local needs (Altreiter and Leibetseder, 2015). While reforms in the context of multilevel governance align with societal value frameworks and moral expectations (Hasenfeld, 2010), they also lead to notable fragmentation and unequal access to services at the national level. To delve deeper into these findings, focusing on enacted policy documents related to civil service reforms and the reorganisation of the SCWs in Slovenia in 2018, various research methods were employed. They are presented below.

III. Methodology and Data

Considering the nature of the topic studied and the hypothesis set, the comparative analysis relied on qualitative research methods to explore the similarities and differences among the three systems across temporal, cross-level and cross-national dimensions (Raadschelders et al., 2015). This research approach, combining elements of complexity and dynamics, allowed to understand the interdependence of reform processes by intertwining institutional and organisational aspects (Koprić, 2011) for the analysis of the three selected countries. The research was conducted in three consecutive phases during 2022 and 2023. In the first phase, in-dept semi-structured interviews were conducted with representatives of the social services system in all three selected countries. In Slovenia, two interviews were held with representatives of the Ministry of Labour, Family, Social Affairs and Equal Opportunities – the first with a representative of the Directorate for Family Policy and the second with a representative of the Directorate for Social Affairs. This approach was necessary due to the internal organisation of the Ministry, which provides social services through the two directorates. In Croatia, the interviewee was the Ministry of Labour, Pension System, Family and Social Policy, namely a representative thereof responsible for the functioning of the social services in the country. Given the different institutional setup of social services in Austria (compared to Slovenia and Croatia), a representative of the Austrian Association of Social Workers was interviewed instead of a government agency

representative. This decision was made based on a preliminary literature study, expecting it would provide data that is more relevant and informative for the comparative analysis. In the second phase, a relational content analysis was employed to examine comparable core national policy documents related to the formulation of administrative and social reform policies. Additionally, European Commission reports on the recent development and performance of the administrative systems of EU Member States were analysed from a qualitative and quantitative perspective within the framework of the European Public Administration Country Knowledge (EUPACK) project. Various documents on administrative and social reforms and their outcomes were selected for country-specific analysis and are labelled as follows: (P) Policy documents and (R) Performance reports:

(i) Slovenia:

- * Resolution on the National Social Assistance Programme 2022–2030⁶ (2022) (P)
- * Digital Public Services Strategy 2030 (2023) (P)
- * Public Administration Development Strategy 2015–2020⁷ (2015) (P)
- * Slovenian Development Strategy 2030 (2017) (P)
- * European Commission, Public administration and governance – Slovenia (2022) (R)

(ii) Austria:

- * National Reform Programme 2023 (2023) (P)
- * Government Programme 2020–2024 (2020) (P)
- * Austria's E-Government Strategy 2023 (2023) (P)
- * European Commission, Public administration and governance – Austria (2022) (R)

(iii) Croatia:

- * National Plan for the Development of Social Services 2021–2027 (2021) (P)
- * Digital Croatia Strategy for the period until 2032 (2022) (P)
- * National Plan for the Development of Public Administration 2022–2027 (2022) (P)
- * European Commission, Public administration and governance – Croatia (2022) (R)

In the third and final research phase, a comparative analysis of the codification of administrative procedure in the three countries was conducted, employing comparative-legal, normative-dogmatic, sociological, and axiological-deontological methods. The Slovenian General Administrative Procedure Act (GAPA)⁸, the Croatian General Administrative Procedure Act (GAPA)⁹ and the Austrian General Administrative Procedure Act (GAPA)¹⁰ were analysed as *leges generales* of the selected administrative-social-procedural arrangements. The analysis embraced the broader concept of codification, not only in terms of providing procedural guarantees for individuals in their relations with the authorities but

⁶ OGRS, No. 49/22.

⁷ In Slovenia, no strategy or similar document has been adopted after 2020.

⁸ GAPA in Slovenian: *Zakon o splošnem upravnem postopku* (ZUP), OGRS, No. 80/99 and amendments.

⁹ GAPA in Croatian: *Zakon o općem upravnom postupku* (ZUP), OGRC, No. 47/09 and amendments.

¹⁰ GAPA in German: *Allgemeine Verwaltungsverfahrensgesetz* (AVG), OGRA, No. 51/91 and amendments.

also as a tool to enhance the overall functioning of social services (Auby, 2014). The regulation of procedural rules in this context represents the result of good administration as a legal foundation for formulating social policies within a specific regime (Venice Commission, 2011).

IV. Results and Discussion

The findings from the first research phase, involving semi-structured interviews with representatives from each system regarding the reforms under examination, are summarised in Table 1. The reorganisation of SWCs in both Slovenia and Croatia involved changes in organisational structure, with Slovenia merging 62 formerly independent public institutes into 16 new entities in 2018 and Croatia merging 82 formerly independent public institutes into a single entity with several branches in 2023.

Table 1: Interview results by aspect of comparative analysis

	Slovenia	Austria	Croatia
Multi-level governance	State and local communities	State, federal states, and local communities	State, regions, and local communities
Type of authority	Public institutes	Public agencies	Public institutes
Impact of reform	Neo elements of Weberian state	Hybrid, neo-Weberian with impacts of NPM	Neo elements of Weberian state
Legislation	Uniform for the entire country	Specific for each federal state (9)	Uniform for the entire country
Social-administrative decision-making	Legalism, inconsistent practice	Inconsistent due to varying legislation	Legalism, inconsistent practice
Structural reform in the past 20 years	SWC reorganisation (2018)	Needs-based minimum benefits system (2010) ¹¹	Regionalisation (2011) – pending; SWC reorganisation (2023)
Type of reform	Predominantly organisational	Predominantly content-related	Predominantly organisational
Objective of reform	Unification of decision-making, red tape reduction	Unification of rights in substantive terms	Unification of decision-making, shortening of procedures
Stakeholder participation	Poor, good in individual procedures	Good, especially at systemic level	Suitable in terms of legislation, poor implementation
Result of reform	Unsatisfactory	Moderately satisfactory	Unsatisfactory
Future challenges	Staff shortages, red tape reduction, bringing services closer to citizens	Centralisation of control, staff shortages, unification of rights at national level	Centralisation vs. decentralisation, red tape reduction, unification of decision-making procedures

Source: own research

¹¹ In German: *Bedarfsorientierte Mindestsicherung*.

The institutional setup of social services in Austria differs. These are not organised as public institutes but operate as part of the regional administration. Thanks to a strong local government, social service reforms in Austria primarily address the needs of the local population (Strehl and Hugl, 1999), while Slovenian and Croatian reforms generally focus on standardising services across the country. In these two countries, standardisation largely implies the unification of decision-making in administrative procedures as part of specific reforms, whereas Austria aims to bring services closer to the needs of citizens, following the principles of NPM.

The analysis confirms the theoretical premise proposed by Kuhlmann and Wollmann (2019), highlighting that all three examined countries share a common tradition of the Weberian *Rechtsstaat*. Austria, categorised within the Euro-Federal group, distinguishes itself with a strong emphasis on local and regional self-government. Despite having evolved in a manner akin to Slovenia and Croatia, the Austrian welfare state has successfully integrated certain principles of NPM, ensuring greater adaptability to the diverse needs of its service users. In contrast, the welfare states of Slovenia and Croatia are characterised by centralisation, unification, and a more pronounced state-centric approach vs. weak local self-government. Influenced in part by their shared socialist history, these two countries face similar problems in their social reforms, primarily marked by a top-down approach relying on political acceptability rather than expert input (Koprić, 2011). Consequently, these reforms are inadequately planned, monitored, and evaluated, and cooperation among stakeholders is often insufficient and non-transparent (Đulabić, 2013). The subsequent research phase involved an analysis of the principal national policy reform documents associated with social reforms in the selected countries, as well as an analysis of European Commission reports assessing the effectiveness of their administrative functioning, as outlined in Chapter III. The results are presented in Table 2, employing the SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis method.

Common to all three countries is that their reform programmes predominantly focus on issues related to digital transformation, addressing current social, economic, and other challenges, and bringing public services closer to citizens by simplifying procedures for claiming these rights and services. Within the social domain, the strategies address three key reform areas:

- (i) preventing and reducing the risk of poverty and social exclusion among marginalised groups,
- (ii) fostering diversity and enhancing the accessibility of services and programmes, and
- (iii) improving the conditions for the work of social organisations, encompassing financial, organisational, human resources, and legislative aspects.

Table 2: SWOT Analysis of the administrative social system in selected countries

Strengths: small country, some stability provided by the Ministry of Public Administration (MPA), above-average number of internet users compared to the EU average, high level of personal data protection, effective access to public information	S L O V E N I A	Weaknesses: governance fragmentation, political instability, over-regulation of public administration, lack of ex-post RIAs, fragmentation and insufficient cooperation between decision-making bodies, weakening trust in public institutions and the Executive, weakening of the country's competitiveness and readiness for digitalisation
Opportunities: reform of procedural legislation (GAPA) towards more concise and transparent regulation, MPA as a centre of governance for effective strategic management, red tape reduction as a result of digitalisation		Threats: solutions reflecting political compromise with questionable legitimacy, lack of strategic vision for the development of state subsystems, incoherent functions at national and local level
Strengths: focus on current challenges related to green transition, long-life society, migration, etc., interoperability in the context of digital transformation, strengthening multi-level-governance partnership initiatives, Once Only Reform Project	A U S T R I A	Weaknesses: tradition of legalism, hierarchy and formalised procedures, far-reaching and structural reforms too slow, focus on efficiency and effectiveness of systems rather than coherence, social aspects, and values
Opportunities: services focusing on people's needs, digital sovereignty, consensus-building through stakeholder involvement, state as a guarantor of multiplicity of service providers, inclusiveness, and efficiency		Threats: decentralisation as unequal access to services, fragmentation of services at national level, potential for (excessive) political influence
Strengths: EU funding a major driver for reform (e.g., digital transformation, quality of services, decentralisation), transparency and accountability of authorities comparable to EU average, development of a competency model for civil servants	C R O A T I A	Weaknesses: public policies lack continuity, regional inequalities, lack of reforms, limited analytical capacity among ministries, lack of coherence and coordination of reforms, virtually no ex-post RIAs, no common standards for digitalisation
Opportunities: accessibility, quality of service and balanced regional development, development of a national interoperability and digital transformation framework, modern procedural legislation (GAPA)		Threats: political influence, incoherent cross-sectoral approaches, rigid bureaucracy, inhibiting administrative culture, status quo rather than much-needed structural reforms

Source: own research

According to the European Commission (2022), Austria stands in the top third among EU countries in terms of overall government effectiveness, with Slovenia in the middle and Croatia in the bottom third. Austria ranks in the top third for virtually all elements of the administrative system, including transparency of government, maturity of open data, citizens' trust in federal, local, and public authorities, provision of public services, user-centricity of public services, cross-border mobility, and digital services for businesses. Slovenia and Croatia generally find themselves in the middle and bottom third for these aspects, respectively, except for Croatia that ranks in the middle third for transparency of government and maturity of open data. While Austria stands in the bottom third concerning the perception and experience of corruption in accessing public services, Slovenia and Croatia rank in the top third in terms of perception of corruption (Croatia even ranks third!). In terms of experience of corruption, Croatia ranks in the top third and Slovenia in the middle third of EU countries. In both countries, trust in the government and local authorities and in the work of the public administration falls in the bottom third, which confirms the findings from literature showing a general public mistrust in state authorities (Pečarič, 2021). Slovenia and Croatia rank in the top third of EU countries also as regards rapidly changing legislation and public policies, impacting the stability and predictability of the legal and economic environment. In terms of the share of the population using e-government services, all three countries fall in the middle third among EU countries. Slovenia and Austria rank in the top third in citizens using the internet to interact with authorities, while Croatia lags behind in the bottom third. As regards obtaining information online and downloading official forms, Austria ranks in the top third while Slovenia and Croatia rank in the middle third. In terms of submitting completed forms online, Slovenia ranks in the bottom third, Croatia in the middle third and Austria in the top third of EU countries. As regards public spending as a share of GDP on public service delivery, Austria, as expected, ranks in the top third and Slovenia in the middle. Surprisingly, Croatia also ranks in the top third of EU countries, indicating its inefficiency in budget spending on PA performance (cf. Đulabić, 2013; Kekez, 2018; Koprić, 2011).

The central procedural law governing the enforcement of social rights and, consequently, serving as one of the cornerstones of social services reforms in all three countries is the GAPA, which is regarded as *lex generalis*. Its application in social procedures is crucial to ensure the constitutional rights of legality, equality before the law, the right to be heard, prohibition of retroactivity, and the right to a remedy and judicial review of administrative acts (Auby, 2014; Rusch, 2014). In this context, Table 3 presents the results of a comparative analysis of the codifications of the GAPA in the three countries in terms of RoL core elements (Venice Commission, 2016) and their impact on the efficiency of the administrative system.

Table 3: Analysis of the GAPA by RoL implementation benchmarks, by country

Rule of Law Implementation Benchmarks (Venice Commission, 2016)	Slovenian GAPA	Austrian GAPA	Croatian GAPA
Legality	Core principle, protection of the public interest, democratic nature of authoritative relations	Core principle with NPM elements as user-orientation, authorities' accountability	Core principle, modern institutions (administrative contract, guarantee act) as a basis for partnerships
Legal certainty	Adequate in individual relationships, lack of consensual regulation and proportionality in procedures	Ensured despite striving for efficiency and shortening of procedures, the goal is the result of the procedure	Adequate legal institutions but unfavourable impact of administrative culture and poor institutional support
Prevention of abuse (misuse) of powers	No systemic accountability of staff, poor systemic transparency	Mostly as accountability for results, strong informal forms of transparency	Transparency in the broader sense as public participation, poor accountability of staff
Equality before law and non-discrimination	Good in individual procedures, weak in terms of collaborative law, public participation	Predominantly in individual procedures, at the level of rules and principles of procedure	Many modern institutions have not been put into practice, mostly in individual procedures, as principles of procedure
Access to justice	Within the framework of the principle of legality, deadlines depending on the nature of procedure	Detailed rules and principles, specific law on service	In the rules and principles of procedure, deadlines depending on the nature of procedure

Source: own research, based on Koprić (2011); Auby (2014); Đulabić (2014); Galetta et al. (2015); Kovač (2020)

The analysed GAPA codifications all focus on legality, equality before the law, and legal protection aimed to safeguard the rights of individuals and prevent arbitrary interference by the authorities in their private sphere. The foundation of these laws can be traced back to the old 1925 Austrian GAPA, serving as the precursor to the current codifications. While the Slovenian GAPA is still evolving in terms of fostering a more open administration (Kovač, 2020), the Croatian GAPA offers opportunities for a more consensual regulation of relations (e.g., through administrative contracts) but its practical implementation is slow, with the legal system lacking the necessary flexibility (Đulabić, 2014). The presence of an implementation gap, despite relatively well-regulated procedures for disputes and relations between individuals and the authorities, is not uncommon in the transitional regimes of the CEE countries. Nevertheless, amid the Europeanisation and harmonisation of legal systems in Member States, the right to good administration,¹² as set out in Article 41 of the

¹² In the Slovenian edition of the EU Charter of Fundamental Rights (OJ C 83/391 of 30 March 2010), there is a misinterpretation in the translation of *good administration* as *dobro upravljanje* which, in fact, translates to

EU Charter of Fundamental Rights,¹³ is recognised as a fundamental right at the EU level in these systems. Thus, to contribute to the regulation of the relations between individuals and the community, the administrative procedure must embody good administration, ensuring the democratic nature of the social order and the pluralism of the welfare state. In addition to procedural standardisation, the Austrian GAPA is complemented by broad participation of the parties through elements adapted from the NPM within hybrid governance approaches (cf. Meyer and Hammerschmid, 2006). The Croatian codification, at least declaratively and with acknowledged deficiencies in implementation, provides mechanisms for collaborative governance. In this respect, the Slovenian GAPA lags behind the two compared codifications, a difference partially mitigated by more modern decision-making in individual administrative procedures, notably reflected in the case law of Slovenian courts (Kovač, 2020).

The conducted comparative analysis underscores the dependence of the effectiveness of social reforms on the legal tradition and administrative setup within a given system. The values embedded in the social environment play a defining role in shaping the public interest, subsequently influencing the functions that the welfare state offers to its citizens, including the formulation and evaluation of reforms in various domains (Koprić, 2011). From this perspective, the structural challenges faced in reforming social services in both Slovenia and Croatia are comparable and traceable to the historical legacy of their former common state (Kuhlmann and Wollmann, 2019). Specifically, they are manifested in the absence of baseline analyses, partial planning, inadequate inter-sectoral cooperation, and limited engagement of reform stakeholders (Đulabić, 2013; Kovač and Bileišis, 2017). This deficiency is further reflected in the political discourse of decision-makers, often diverging from the actual situation. As a result, social reforms tend to be implemented top down, relying excessively on political considerations and lacking professional foundations, which all contributes to an insufficiently monitored and evaluated system.

Following the example of Austria, the Slovenian and Croatian systems – given their common historical development – should adopt a sustainable, participatory, and systemically integrated approach, emphasising cross-sectoral strategic coordination. While analyses of social reforms in Austria also reveal certain shortcomings, particularly at the systemic level of multi-level governance and occasionally excessive political influence (Austrian Association of Social Workers, 2011), the Austrian system stands out in its primary emphasis on the results of reforms. In the social domain, this emphasis is evident in the delivery of services tailored to the specific needs of users, a focal point that distinguishes the Austrian approach from the Slovenian and Croatian ones.

good governance. To better understand these two terms and why they are not interchangeable, see Galetta et al., 2015; Venice Commission, 2011.

¹³ OJ C 364/1 of 18 December 2000.

V. Conclusion

Public administration reforms are imperative in response to societal changes, which also reflects in the definition and delivery of social services. Reformers must consider the social and legal context of the given country to ensure that the changes made are effective. In the countries selected for this analysis, this primarily entails pursuing the principles of (neo) Weberianism, with its relatively strong legalism, formal organisation, and predominantly one-sided relationships between social work centres and their users. Furthermore, in the context of European traditions and values, particular importance is attributed to the adherence to modern principles of good governance. This includes understanding the RoL within a social context, incorporating both the legality and legitimacy of authoritative decisions and greater user participation. However, given the diversity of the European landscape and the specific challenges faced by Slovenia and Croatia in their social reforms, particularly concerning the deficit in central strategies, the essential starting point for a comparative analysis of social service reforms in the three countries is their initial placement within the (administrative) legal-political system of each regime. Effective reforms are demonstrated to be those based on strategic guidelines, featuring coordinated central implementation of changes and continuous evaluation and improvement. This applies to both the organisation and the (procedural) legal aspects of social services or any other aspect of public administration.

The results of the comparative analysis indicate that the reforms of social services in Slovenia and Croatia can be directly compared within the context of the aspects studied. In contrast, reforms in Austria, influenced by hybrid governance, differ from those in Slovenia and Croatia as they are notably more result-oriented and thus provide for user-oriented services. This conclusion is drawn from the initial hypothesis concerning the comparability of social services systems, which was only partially confirmed. The hypothesis found support (only) insofar as it relates to the comparability of Slovenian and Croatian reforms, which shared a predominantly legalistic nature and aimed at standardising services across the country, reducing administrative burdens, and optimising business processes. In both countries, the effectiveness of these reforms was compromised by cross-sectoral inconsistencies stemming from inadequate ex-ante analyses and insufficiently prepared reform implementation plans. However, the hypothesis was not confirmed in the part concerning the comparability of the Slovenian and Croatian reforms with those in Austria. The Austrian reforms are based on hybrid models of public management, incorporating adapted elements of NPM into the otherwise traditional system. This is reflected mainly in the individualisation of services based on the needs of the local environment, public participation, measurement of reform effects, and holding implementers accountable for the results of the reforms.

These findings are undoubtedly influenced by the limitations of the research in terms of its substantive focus on social services and the chosen methods of analysis, including qualitative analyses of policy papers, reports and laws, and interviews. To comprehensively integrate reforms into an interdisciplinary evaluation, further research on the highlighted principles – such as efficiency and less legality, or the legal aspect – should be undertaken. Beyond the focused legal aspect of the organisation and management of administrative

procedures, reforms should also be studied through sociological, political science, and macro-economic lenses.

Any public administration reform, particularly in critical sectors like social services – the cornerstone of modern societies, especially in the context of achieving the Sustainable Development Goals – should therefore be executed in a manner that incorporates and engages all stakeholders at every stage, i.e., in the analysis of the situation and of the anticipated developments; in reform planning and organisation; in reform implementation; and, finally, reform evaluation. Only through such an approach can we achieve a socially responsible reform that regulates the social services sector in an integrated and systematic manner, reconciling the diverse needs and expectations of the stakeholders. This approach is essential for securing long-term success and efficiency of the social protection sector and, consequently, benefiting society in a given country.

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