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Rebuilding with Care: Keys for Good Post-Conflict Public Administration¹

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Abstract:

This essay, based on a keynote address, suggests three keys for good public administration in post-conflict reconstruction. It emphasizes the importance of carefully selecting advisors, focusing on building administrative capacity, and truly finishing the conflict, especially against a lethal enemy within or without, before initiating reconstruction efforts. Drawing on case studies from Kosova, Myanmar, and broader international contexts, the essay underscores the complexities of reconstructing public administration structures and the need for innovative, yet stable, approaches to governance.

Keywords:

Administrative Capacity, Advisor Selection, Governance Innovation, Kosova, Myanmar

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For Hsan Win, especially section 3

Introduction

In this essay, built on a keynote address delivered at the 32nd NISPAcee Annual Conference in Tbilisi, Georgia, and addressing Public Administration (PA) in post-conflict reconstruction, I will discuss three topics that are vital for PA also beyond the eponymous context. Three, because as my former dean at the Lee Kuan Yew School, National University of Singapore – a country which poses a big challenge to liberal democracy, not that there would not be enough of those already these days – because non-liberal-democratic countries that deliver, and deliver better, are just not planned in (Shanmugam, 2024). Kishore Mahbubani used to say that you should only make three points in a speech because that is all people can remember.

I largely agree with that, and I also agree with another point of his, namely that the fact that people in an audience, let alone when reading something, are always online and therefore can Google any assertion one makes, is not scary for the speaker or writer, but rather liberating. It means that one doesn't have to get every number, every date right, because someone in the audience will check on you – this sets the speaker free, and they can speak with, rather than to, the audience, which is what you need to do in order to engage. It frees you from saying everything, from being overly correct, from sourcing all your points.

Specifically, for keynotes, what has changed the game once more is Artificial Intelligence (AI), especially the LLM-based text writers. Traditionally, keynotes were supposed to give you a broad frame for the topic of the conference, ideally recounting where we are and then suggesting how to forge ahead. I don't need to do that anymore today; ChatGPT can do that better than me, especially the summary part, and particularly in a mainstream, slightly dull way (and it is to be thanked for a first draft of abstract and conclusion of the current essay). If you want a generic keynote, your phone will be able to deliver it in an instant. And that, in turn, means that I am freer to talk about more unusual points, provoking or controversial, as some might say.

So, the three points that I want to cover briefly are these:

First, in post-conflict reconstruction, check who your advisors are, meaning: Don't assume that your advising organizations are doing the best for you. Very often, they do not.

Second, focus on capacity, as that is the generic winner, even in dark days and ages for responsible and responsive bureaucracies, as ours have seemingly become.

And **third**, don't hurry too much, i.e., don't get into reconstruction before the fight is actually over. This is perhaps the most uncommon point that I want to make here.

1. Check advisors

To illustrate why it is important to check advisors, my case study, which I know the best because I am most involved in it currently, is the ongoing PA reform in Kosova, which is of course truly post-conflict, and truly challenged. Now, what is the risk in West-Balkan reconstruction generally is that the reconstruction is worse than the actual destruction that happened before. And we see that only too frequently. The metaphor for such a “second destruction” often used in Germany is the reconstruction of Cologne after World War II, when that city was bombed to the smithereens, but the Wiederaufbau actually created a very inhuman city based on urban fashions at that time – so bizarre from today’s perspective – where pedestrians were seen as a problem and the quality of the city was measured in how fast car traffic flows (Wiktorin, 2005). (The brilliance of Ancient Roman city planning was that it calculated in that later generations would have different priorities, and thus proceeded in a genuinely sustainable manner – but that remained a rarity; Vitruvius, 1931.)

If we think of how to optimally design a PA structure in a country, a renewed country, a province, that is a true intellectual challenge – Plato’s *Nomoi* is about that. But the truth is that we have various options to do so. One of the aspects which are particularly interesting in this case is that the governing party in Kosova, Vetëvendosje, had PA reform as one of its three main platform planks in the elections that they won.³ So, given its landslide victory, we have an overwhelming endorsement of the citizens of the actual PA structure as envisioned (EFDS, 2021). That is unusual because, as we know, people don’t really care about PA reform. If normal people scroll through their news, and there is something about PA reform, they scroll on very quickly. But here we have this genuine, legitimizing endorsement. The *SIGMA Principles of Public Administration* (OECD, 2023) actually talk about the necessity of public administration reform being a main item of the democratic discussion as their very first point (1.a, p. 14), and that is precisely what we have here.

And if there is a PA reform with such a legitimization that fits within the ‘Overton window’ of what we say in PA scholarship and practice is legitimate, then that is obviously where the reform has to go. The problem is that, not only in Kosova, but certainly there, we get international organizations – not only money-granting ones but also PA reform bodies – as well as international representatives who want to push their own models through, which may be somewhat legitimate as long as there is no other viable model at hand. But once there is such a model, you need to learn to be self-critical.

Now, if you’re Aristotle, you can still disagree with a democratically-decided-on PA reform. And it’s always interesting to listen to Aristotle, meaning if you have the intellectual capacity of a thinker like Aristotle, or at least a very high one, you can push

³ See future Prime Minister Albin Kurti’s detailed post about consulting with the author for this purpose, on 20 October 2020, at <https://www.facebook.com/albini2017/posts/pfbid0GK27MnXjX12JNSHDjRG9Ebpb3gSfV7wNKAi2KtqpefdR9i5UcgCEbCWTj5KzNHsil>.

more what you are saying for post-conflict reconstruction. But if you are not Aristotle, and in fact not even close, that's the time to be quiet.

Unfortunately, the aforementioned SIGMA principles (OECD, 2023) are overall unexciting, both regarding their generation as well as their outdated, pedestrian contents, which at best reflects one possibility for PA that we have today. I wish there had been, or would be, more discussions with serious scholars and practitioners. But a fortiori is this the case for SIGMA opinion on Kosova PA Reform, which seemingly reflects more of a disappointment with not being obeyed (I am saying this based on personal observation). This is particularly regrettable seeing SIGMA's previously excellent track record as regards Central and Eastern European PA reform. Even more unfortunate, but not without political motivation, the EU's Kosova representation aligns with SIGMA here, often in an entirely uncalled-for tone (e.g. European Union 2024 European Union Office in Kosovo... 2024). Even in ancient, nearby Athens, democracy eroded and collapsed, and "When Democracy Breaks" (Fung et al., 2024), it is too late to regret having been casual about it.

What those cases do, however, is to highlight how important it is to whom one listens in reconstruction, and when who is saying what – even those supposed to be 'good guys' might not always be, and those who think of themselves as good advisors should occasionally self-reflect in a self-critical way.

2. Focus on Capacity

Among the recent sets of promulgated PA reform and quality measures, clearly the best one, and the one that differs most from the SIGMA one because it is future-oriented and less about catching up than forging ahead, is the "Enhancing the European Administrative Space (ComPact)" (European Union, 2023), which offers a framework for the 'old' EU member states to develop.⁴ And here we have three pillars,

- 1) public administration skills agenda,
- 2) capacity for Europe's digital decade, and
- 3) capacity to lead the green transition.

Regarding the second, some digital lyricism seems unavoidable, such as the use of that problematic phrase, seamless service provision, although I don't want to live in a country that supplies things for me seamlessly because it is at the seams that I as a human

⁴ The third such framework is the Ghent declaration (EUPAN, 2024), which is an EUPAN initiative and especially that of the recent Belgian presidency. Since one point of EUPAN is not to have institutional memory, and not to be too powerful by not interfering, given the member states' traditional monopoly on national PA (inadvertently, see Demmke, 2017), this set seems already now more or less written into water (also how things are phrased), but by quality it is somewhere between the SIGMA principles and ComPact.

decide what I want – in the age of AI more than ever. As Plato, once again, said, the state of pigs is a problematic state to be in because if you are not paying for your lunch, you're the lunch (Drechsler, 2020).

But even this point emphasizes capacity, and the other pillars, PA skills agenda and capacity to lead the green transition, brings us to the central point of what PA must go for if in doubt: Administrative capacity, however defined. So, in post-conflict reconstruction, focus on capacity, and then discuss what this capacity can look like today and in the immediate future. This includes Innovation and innovation policy – innovation has become such a Mickey Mouse term, used to denote something new that the speaker likes. But that is not what innovation means, and that is, with Schumpeter, the successful inclusion of something new into the market process. And if you miss what innovation means, you miss the trigger effect development we actually have (Drechsler, 2001).

The problem with promoting innovation both in and through the public sector is very often that we encounter a policy bias, which means that people think that if you have a good innovation policy, innovation policy will happen. But we PA people know that a good policy is worthless if you don't implement it. So, the question is how do you implement innovation policy, among others? And how should the organization look like that implements this? This is the topic of, apologies for seemingly plugging a book that I wrote, together with Rainer Kattel and Erkki Karo, *How to Make an Entrepreneurial State: Why Innovation Needs Bureaucracy* (2022).

One important concept we came up in this book with is the notion of agile stability, meaning that the administration of innovation policy needs to be done in an agile and stable way at the same time. Neither is enough. Neither is the start-uppy, bean-baggie, not-shaven, Bermuda-pants kind of administration, nor the classic grey-suited, filing-in-triplicate, stamp-happy bureaucracy of yore, but your innovation bureaucrat, or bureaucracy, needs to be both, and you need to be able switch during the administration of it. It's terribly difficult, but it leads to optimal results.

If you focus on capacity, you focus on the truly advanced role of bureaucracy – a term which we PA people can use in a neutral way – for economic growth. To achieve the agile and stable within one person is extremely difficult, but it is the optimum, something education, selection, training, and promotion should privilege. To attain agile stability within the organization or at least within the ecosystem is much easier. That could mean, for example, that we have a ministry that is more agile, we have an office with a prime minister's office that is more stable, and that is a good scenario. This Agile Stability concept was originally designed for innovation bureaucracy, but it has in general discussion also moved to general bureaucracy.

But, as I asked already before, don't we have now AI, so we can leave all of PA to AI? Well, it's the exact opposite. You never needed so much agile and stable capacity in the public sector as with AI, because somebody needs to manage it, somebody needs to interpret it, somebody needs to check it in the end. That is again a lesson we have learned

from Plato: You can't outsource judgment by moving up and up and up some hierarchy in the review process, because at some point, the decision must be made – the “Who watches the watchmen?” problem (Rheinstein, 1947). This is only one reason why the need for administrative capacity in the age of AI is greater, not smaller.

As anyway, and I say that as a proud Estonian academic, we should remember that rather than creating good PA, digital governance is premised on it, meaning you need to have a high-quality public sector in place already if you want to bring off and maintain decent digital governance. If you throw iPads at the innocent, you don't get a good PA reform automatically. That is something we've really learned in the last decade and a half (see Drechsler, 2018). In that sense, and here maybe a small tribute to the late, great professor and NISPAcee *grande* György Jenei, who fought for the Weber spirit when nobody dared to do that in Central and Eastern Europe (Drechsler, 2024), Max Weber wins once again, with the insight that a truly capacity-based administration of a world that is essentially public-managed is necessary for human welfare (Weber, 1922) – and, we might add, for the planet to survive.

3. Don't hurry too much

But even when doing so, i.e. to (re)build capacity, don't hurry too much, with which point I'll allow myself an apparent detour, given our topic. We have heard about the Russian invasion of Ukraine, one of the two big war crises dominating the headlines of today, Ukraine and Gaza, but the one such conflict that is of particular interest to me personally is Myanmar, where you have a criminal junta regime that is fighting its own people in the bloodiest way. So, we have the take-over of a terrorist military, by the way often with weapons supplied by Moscow, that is killing kids left and right, bombing villages, schools, and hospitals, and the last, most gruesome incident was the burning alive of two kids from the resistance, one 20, one 21, a fire made under them, hanging them from a tree, and then making a video of it (Regan et al., 2024). That is the situation we have in Myanmar.

I am talking about this in our specific context not because this still seems to be a 'forgotten conflict', but because of the specific reaction of the Myanmar bureaucracy. Much of Central and Eastern European PA has a German root; that may be unfortunate, that may be fortunate, but so it is. And one of German PA's basic texts a century ago was Otto Mayer's *Deutsches Verwaltungsrecht*, German administrative law (1924). He hadn't changed it much from before to after World War I, from Monarchy to Republic. We assume civil servants to serve whoever is in power, and this is so along his quip, 'constitution disappears, administration remains' (after Mayer, 1924, p. xi). Never mind the government - its bureaucrats can anyway do the job for whoever is the master. That is how PA usually is, but that is sometimes a problem, not an answer.

And it is especially a problem because no regime, no government can exist without administrative support. Just imagine a public sector that refuses, on a large scale, to work

for a terror regime – nothing could possibly happen anymore. And the only reason this never happens, or almost, is that the costs for the people would be too high, and as has been argued, heroism cannot be demanded (Bovens, 1998), least of all perhaps from civil servants, who, after all, have been selected and self-selected to comply rather than to protest.

But what we have in Myanmar is just such a movement called CDM, the Civil Disobedience Movement, with a large-scale resignation of bureaucrats, of public-administration officials, including teachers, and therefore incapacitating the illegitimate terror regime to a large degree. The public servants are kicked out of their homes, they are prosecuted, but still CDM happens, and there are hundreds of thousands who are not working for that terror regime (Drechsler, 2021). And that shows you a true, an ultimate level of capacity. Even if you're perhaps tortured to death for it, the highest price you can possibly pay (Irawaddy, 2021), civil servants are still risking that.

Resisting a tyranny, and even more so as a public servant, is the toughest challenge, and most of us need to be excused because we need to get along with our lives, yet the ideal is not to obey when we should not and when we know that we should not. And while there are plenty of excuses for why one should not risk one's life, Myanmar shows that it is actually possible to do so and to profoundly sabotage a tyranny that is deeply illegitimate. And in fact, the resistance – CDM, opposition forces, and the people – is winning; in fact, the coup never really succeeded, and today, the junta controls less than 50% of the country (Rist, 2024). In the end, the highest capacity of public administration officials is not to function when this is called for.

So when reconstructing, it must be clear that the terror is over, and that it is legitimate to go on with one's life, and with capacity building, to begin with. Returning to Kosovo, if on another level, just to tie it all together, it is important to discern when to start stabilizing – is this already a wise movement, or does it cement the old, counter-productive structures and especially people?

4. Conclusion: strategic imperatives for post-conflict public administration

In this essay, I have discussed three crucial aspects of post-conflict public administration: the careful selection of, and critical attitude to, advisors, the focus on administrative capacity, and the importance of not rushing into reconstruction before conflicts are fully resolved. Each of these strategic imperatives can potentially contribute to a more nuanced and effective approach to post-conflict public administration. Together, they emphasize the need for a holistic and context-sensitive strategy that recognizes the unique challenges and opportunities of each post-conflict situation.

In sum, post-conflict reconstruction is not merely about rebuilding what was lost; it is about creating a governance structure that is resilient, ethical, and capable of leading

the nation towards a peaceful and prosperous future. The cases discussed here—Kosova, Myanmar, and others—offer valuable lessons on how to navigate the complex landscape of post-conflict public administration. By prioritizing ethical integrity, building robust administrative capacity, and exercising patience in reconstruction efforts, not starting before it is possible and legitimate, one can better ensure that the scars of conflict do not dictate the future but instead pave the way for a better governance system.

These are the keys I would propose for rebuilding with care, ensuring that process and results in public administration are good, and that means, not only effective and future-oriented, but also just and equitable.

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