

State of Public Administration in Libya
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State of Public Administration in Libya

“ Annotated Out Line “

Introduction :

- General information about Libya ; it's location , size , and population.
- A very brief history of the administrative heritage which goes back to the rule of Greeks and Romans , and the impact of the Ottoman Turks , Italians , and the allied forces after World War II on the present day administrative theory and practice .

Stages of Administrative Reform

- The concept of administrative reform in Libya has always been associated in theory and in practice , with decentralization and administrative organization .
- The contemporary experience of decentralization , organization , and re-organization took more than (40) years to materialize . it started with (3) provinces , and after several attempts of restructuring , in 2001 the Country was divided to (31) local authorities .
- Theory of (Popular Administration) had an impact on public administrative sector through people's participation in all stages of the administrative operations , popular committees replacing previous government bodies and assuming a new role in executing popular congresses decisions , and direct choosing of administrative leaders instead of elections or appointments by higher authorities .
- Delegation of central authority to the local and regional authorities was a new trend in decentralized planning and allocation of funds .

- Elements of administrative reform in this stage were ; procedures simplification , job description , administrative mechanization , and performance appraisal .

Administrative Organization

- The search for a suitable administrative organization formula took more than (40) years to materialize . But , still whenever a problem arises decision makers resorted to more re-organization of central and local bodies . this part of the paper displays the latest adopted administrative organization activities .
- Sha'abiyat is the plural of sha'abiyya * , which is the locality conglomeration , and the corner stone of the “ Popular Administration “ theory in achieving decentralization of authority and performance . A discussion of the actual administrative abilities in sha'abiyat would reveal that decentralization alone is not the magical remedy for development of local areas .
- The restructuring of the “ sha'abiyat “ many times , proved that other issues were to be addressed including : manpower re-distribution , institutional development , organizational development, and information .
- A discussion of administrative reform in sha'abiyat should reveal the needs and challenges in the modernization process of public administration and governance . Special attention needs to be devoted to problems related to planning and financial decentralization in the “ Sha'abiyat “ .
- The impact of informal decentralization on the present structure of formal decentralization is limited . The political considerations especially the philosophical motives to deepen the role of the people in to decision making , played a major role toward political and

* “ Sha'abiyat “ is an Arabic term transliterated her .

administrative decentralization . In addition , simplifying and facilitating delivery of necessary services to citizen in local areas was another important motive toward choosing decentralization .

Administrative Legislation

- Employment policies in public sector are governed by two main legislations , civil service law (55/1972) , and law of the salaries (15/1981) .

In addition there are several laws for special career paths like diplomatic career , judiciary men , and administrative control officers .

- Administrative legislations are based on principals of equal opportunity in employment , public service career is considered as a profession , combining seniority and merit , and salaries are based on factors related to years of experience and levels of education .
- Development of administrative legislations is a need and a challenge in terms of reconfiguration of the rule of the state . some of the shortcomings are :
 1. Multitude of legislations that govern one subject , and subsequent amendments which makes it difficult to be thoroughly acquainted with the subject .
 2. Contradiction between some legislations that deal with one subject . Sometimes contradictions can be found between a law and its executive regulation .
 3. Duality in the treatment of some subjects which lead to duality of duties and responsibilities between government bodies .
 4. A great deal of essential legislations enacted in the seventies and eighties of the last century , which

can't be implemented in a changing role of the state from the only employer to a private sector , and from public ownership to private ownership .

Human Resources

- In spite of the big investments in education and training in the last three decades , the development of human resources in public administration achieved limited success .
- The civil service sector suffered from over-employment since the beginnings of the seventies , to reach its peak in 1984 , when the number of employees in civil service reached a high percentage of (54%) of the total working force .
- Several policies were adopted to reduce the number of civil servants. One of which was to transfer certain employees to the (production sector) , and a second , was to encourage early retirement . These policies resulted in extra wage upon public companies which participated in their collapse . Early retirement resulted in heavy monetary burden on social security fund , and the loss of best experts in civil service who took advantage of early retirement for better opportunities in the newly born private sector .
- Responsibilities of training employees in administrative sector is assigned to the National Institute Of Administration and its five branches . In recent years private sector participated in the training process of civil service employees .
- Public administration training needs are ; information , tools , and budgeting . It is worth saying that managers seldom attend training courses . In-service training courses have to be introduced in the civil service , consultancies are faced with obstacles , and training courses have little difference from university lectures .

- There are no applicable procedures for employment in the civil service , such as advertising vacant jobs , or full and open competition between potential candidates . Recruitment is usually done from lists of graduates , lists from employment office , or on a personal bases .
- Problems related to human resources in public administrative sector can be attributed to poor training , and poor incentives schemes .

Public Service Delivery and Long term Organizational Projects :

- Delegation of authority and sovereignty to primary people's congresses was the legal base for better public services delivery * .
- The State determines public services which can be delivered in different localities (Sha'abiyyat) , then undertakes to cover their costs through annual financial transfers .
- A great deal of work is needed in relation to public service delivery and to prepare environment for private sector and investment . A comprehensive review of legislations can be an important step toward effective private sector .
- Administrative leaders and experts are convinced that public service delivery is faced by legislative and organizational obstacles , which can be identified in the long complex of administrative procedures .

Such procedures are usually costly and time consuming , and in some instances unobtainable for some citizens .

Law No (21) 1999 and its executive regulation No (49) 2000 concerning the practice of economic activities imposes several conditions for obtaining licenses such as : presenting too many certificates , filing unnecessary forms , obtaining difficult permissions, and paying high fees .

* Law No (1) 2001 concerning popular congresses and popular committees .

- **The enactment of law No (11) 2004 concerning income taxes is an example of the new trend in reforming legislations that affect the quality of public administration . The provisions of the law annulled the duality caused by general income tax , and introduced long-awaited tax reforms resulting in an increase in the actual income of civil employees .**
- **E. Government , one stop window , and electronic kiosks are projects under study . There are several papers and suggestions on these subjects presented mainly by the “ Civil Service and Employment Committee “ ,an advisory committee on matters of administrative reform and employment policies . Consultancy on how to design and execute these important projects is vital to administrative reform in general , and improve quality of public service delivery in particular .**

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