

A CASE STUDY IN HUNGARIAN EDUCATION POLITICS: THE 2005 REFORM OF MIDDLE SCHOOL FINAL EXAM AND UNIVERSITY ENTRANCE EXAM

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ABSTRACT: *This study attempts to show how a public policy issue can contribute to abandoning the traditional model of public administration and government in favour of what has been called the model of public administration management and the theory of good governance. The chosen issue is the Hungarian reform of Middle School Final Exam and University Entrance Exam that took place in the course of overarching governments from the initial steps in 1993 until its realization in 2005. As we follow the process it becomes clearly visible how the experience of social demand has affected the policy of the government and increased the capacities of the educational policy. On the other hand, the successes and failures of the implementation reflect the attitude of the citizens, in other words have had considerable impact upon those requirements of the citizens which the society expected the educational governance to fulfil.*

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State of service – public administration of service

Prominent representatives of jurisprudence would tend to cry out loud to see a word such as “service” attached to “state”: state as being a political embodiment that practices the uttermost power over a certain geographical area, with its own classical branches of power – how could it be a service?

The state can be defined much more as an organization of violence, an organization that owns the monopole rights of using physical force in a legitimate way, as Max Weber’s (Weber, Max, 1919) famous description states it; - and let us be honest – this thought crystallizes in most experts or citizens mind, when it comes to explain the meaning of the word.

We can find the first cultural-historical reference to the definition of the state in The State from Plato. It is a really simple and rational definition that says that a state

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becomes a state only when the citizens recognize that living in a community gives much more benefits than struggling for survival alone. (Plato) This first thought was then widened and followed up by a number of great thinkers, from the definition of the social state to the definition of the theory of welfare state, from Kant to Hayek, from Marx to Nietzsche, from Spengler to Lenin.

Kant (Kant, Immanuel, 1795) identifies the state as humans' right to live together controlled by juridical laws. This "co-living" being frame-worked by the state can mean different things: for the individual it is freedom, for the citizen it is independence. These are the columns upon which Kant's theory is built. The importance of law and law-creation clearly appears. Kant provides a key position to the laws, which were intended by him to be created with the cooperation of such law-creating organization, that consisted of the electors of the people, and by which means the people could emphasize their own interests, their own will.

This way, the law is the public will itself that makes it possible that laws can represent the interests of the community, indeed. This made Kant to draw another consequence: that is, no one can be forced to oblige such a law, in which creation he did not participate. As it is, we can attach the theory of the acting citizen to Kant's theory, which leads us to the new idea of the good governance. The theory that intends to use the knowledge of "The Management" of public economy, market economy and market companies in the public administration of the 20th century, because of the following reason: good governance sees the inseparable symbiosis of demand and supply and its dynamism of creating profit as it sees the citizen who pays tax and the state that provides services, allocate funds from the taxes paid by its citizens to provide a safer life.

The state (as the public power) has a comprehensive responsibility for the functioning of the different subsystems in modern democracies as well. The state is responsible for those basic social goals that conceptualize the process of the democratic political will-formulating to be prevailed in various subsystems – such as, e.g., the educational system. To reach these goals which follow from the role of the state a well built and continuously updated public administration is needed. I am most certain that the complexity of our modern world demands the public policy attitude and methodology carried out by national governments.

In the Hungarian public administration the public policy approach, what is more, the concept of public policy is hardly known: instead, the traditional juridical attitude prevails. The juridical approach identifies not the social but the juridical problem, and thus, it identifies decision-making with legislation. In the Hungarian public administration, the view of legal and organizational authority dominates over aim-rational approach.

Neither on the level of the whole of the government nor on the level of the ministries doing sector management is those structural units to be found that focus on identifying exploring and solving the demands or problems of society.

"National governments of nearly all colours, embarrassed by responsibilities they cannot or will not discharge, are devolving authority to lower levels and loosening the grip of public bureaucracies on the provision of some services. Others are wholly privatized. At times central government abets these changes simply by tolerating local experimentations, waiving formally – or through inaction – their statutory rights to specify how programs are administered." (Sabel, 2001)

In more countries, public administrative reforms were consciously introduced following the logic above and arching through more electoral cycles, often referred to as "New Public Management". Based on the literature specialized on public administrative

reforms (Hood, 1955; Pollitt-Bouckaert, 2000) we can contrast the New Public Management to the ordinary or “old” public administration in many dimensions. In the ordinary public administration the actions are defined by high level regulations and rules, emphasis is laid on the set goals and the legislative process, the public administration organizes the service directly, the action itself is controlled, attention is paid to the processes, the direct office dependency prevails, and it is described by the continuous sponsoring of the comprehensive specialized areas.

On the other hand, the so called new public administration is described by the following: the actions are defined by the local procedures defined by high level regulations; the emphasis is on feasibility and law enforcement, public administration employs outsiders to organize services, the output is controlled, and attention is paid to the results. It is described by “intersectional” view the holistic approach towards everyday problems, and the usage of aimed programs for periodical sponsoring (remedial course for disadvantaged students). The inner structure and functioning of the institutes needed to be redesigned in order to create service-oriented public institutes.

Back to the Kantian model: what is the method to make this public will function in the world of “sollen”?

The public will and the law, law-creation led Kant to a so called dual-threshold concept of legality. This means that two criteria are needed for the law to be valid:

- has to pass the formality criteria
- there is a criterion against the content as well: it is the expression of public will, therefore it has to be rational

John Stuart Mill (Mill, J. S., 1848) was the first to point out the dual obligation of the state: 1, to help those who are in need 2, to fulfil public functions.

Well, according to the semantic of words, taking care of and servicing might be used sometimes as synonyms. We are not too far from the truth, if we rise up the juridical defence of those unable to defend themselves to the connotation of the meaning of the state – according to the definition of Mill.

The deeper insight is that public policies are not just products of government or politics but also create the political arena and capacities for the next policy making.

Educational policy case study – the reform of school leaving exam in 2005

In the modern societies the quality of education is becoming more and more determinative. The background to this besides the basic income levels are the educational system and its financing. The Hungarian educational system was shaped by three factors in the last decade, and they are going to play an important role in the near future as well.

First of them to mention is globalization. The international relocation of work has a great importance in the field of education as well. The way the different regions can participate is greatly depends on whether the previous educational attainment of the labour force enables them to intake the newest technology, or how great force they can accumulate to catch up with those who stand out in the field of education.

The other factor is the adherence to the European Union, the preparation and then the adjustment to the expectations. All of these basically defined the steps of the educational policy between 1992 (the start of the Dutch-Hungarian project of National Public Education Institute (OKI) and 2005 (the first school leaving exams organized based on the regulations of Gov. Reg. 100/1997.) Public education, particularly the increase of the duration of general education, the raising of the standards of vocational training, the

increase of the number of participants in higher education were the cornerstones that formulized as the requirements of the adherence to the EU, and those are also the foundation of the new educational system after the transition, still valid today. (Moussis, Nicholas, 2002)

The third factor is the radical transformation in the society and the economy that forced instant changes in the educational system as well. There were numerous problems to be solved, like the issue caused by the mass disappearance of training facilities in the vocational training system, or the new demand for private and religious schools beside the state schools.¹ (Heidenheimer, Hecló, Adams, 1990)

My purpose with the evaluation of the educational reform is to make visible that there is a tight correlation between the public policy making and the above mentioned radical change of the role of the state, in other words the state of service, public administration of service as the embodiment of the theory of the modern good governance.

Let us put under thorough surveillance whether the legalized public will and the care that grants fairness are realized by a rational purpose, way and measure in a specific area of public policy – or – in other words – let us see, what morality and false solutions can be observed amongst those indicators of the service state identified and described as desirable beforehand.

We realized that the expansion of the school leaving exam makes necessary the diversification of the functions of it: the issue of a paper that makes it possible to find a job (middle level) and the selection for higher education (advanced level). This revelation was done by our experts when the expansion of the middle level has just begun. They acted really quickly, and managed to reach that every government from 1994 treated this question as a priority. According, the regulations for the two level school leaving exam were introduced in 1997², and then the professional training and education followed. However, when the Law of Higher Education was changed because of the adjustment of the so called Bologna-method and after the adherence to the EU in 2004, both events put the question of the two level school leaving exam under a different perspective. Still, no one was willing to care about these, nor with the possible consequences of the decision of the Rektori Tanács that refused to treat advanced level exam as the requirement of entering higher education. The traditional Hungarian political particularities were dominant in this: with many historical and social failures behind us there was no long-term trust neither in individual level, nor in the level of different social groups. In Hungary, the main motivation of people was survival for a long time, and reforms were treated like some kind of threat as well. And as survival is always particular, short term, based on emotions, we cannot talk about sound planning based on calculating with rational and irrational elements, or the need for preliminary impact studies, and we cannot also talk about the demand for evaluating and measuring the events that followed the decisions. In Hungary, there is only accountability based on emotions, and no rational effectiveness and efficiency studies.³

¹ „Is it fair that children from wealthy families should be able to buy their way into better private schools? Is it fair that their families should have to pay taxes to support public schools their children do not attend?”

² Gov. Reg. 100/1997. (VI. 13.) about the school leaving exam

³ The three most often used concept of evaluating the utility of education are: economy, efficiency and effectiveness (see: Polónyi István – Tímár János: Az oktatás költségei – OTKA kutatás, from the internet:

www.econ.unideb.hu/userfiles/File/tudomany/competitio/folyoirat/5evfolyam_1szam/comp_konyvek_501_polonyi_timar.pdf -)

According to the interpretation of the EC - 1605/2002/EC (on the Financial Regulation applicable to the general budget of the European Communities) –: „The principle of economy requires that the resources used by the

In 2005 the 100/0997 (VI. 13.) Gov. Regulation's all aspect took full effect about the school leaving exam, the exam regulation of the school leaving exam's edition that introduced the two level (middle and advanced) school leaving exam. This fact indicated a fundamental reform in public and higher education. Not only did the successful exam close the high school studies and the compulsory schooling, extended to 18 years in the meantime but also terminated the entrance exam necessary to start the higher education studies. The original purpose of the introduction of the advanced level exam was that it would be only possible to enter a university by passing this exam, but the universities struggling with budget-problems due to the normative system of the state based upon per capita – they satisfied with the middle level exam.

However, this fact meant that the importance and role of the exam increased significantly, as the school leaving exam Committee's first level decision also made a decision if the student reaches the necessary threshold drawn by the admittance procedure to get into a university (the exam results – measured in percentage – were transformed into points). Therefore the exam rules regulation widened and clarified the rights for applying of the participant against the first level decision of the Committee. On the second level, the exam regulation gave authority to OKÉV (National Public Education Evaluation and Examination Centre), then later OH (National Authority of Education).

Joining with our thoughts about public administration of service, this formal act of law can be interpreted as the juridical defence of the "weak" – in this case the participant – who barely has any rights exposed to the power of the Committee and the Chairman of the Committee; a service, a care handed over to the person who can stand up for his right.

It is out of question, that two contradictory statements can be observed after the analysis⁴ of the appeals handed in from 2005 until nowadays. First, the Committee and the chairman of the Committee was inspired for more accuracy, more accurate preparations by the possibility, that any disregard, false, not compliant decision can cause a possible second level decision after a possible appeal, which considers its decision not founded, unprofessional, and could withdraw it. Thus, the attitude of the Committee and the chairman of the Committee became more law-centred, and they started to try not to overtake their own competencies regarding examination and decision-making, in other words not to use arbitrary, biased, high personal ways of examination that can badly affect the students and to provide all the circumstances prescribed by the law.

Or, it became grantable that every student gets the same amount of preparation and exam time, cannot be disturbed during his presentation by many and unnecessary questions, the same utilities are used in every high school of the country, there are no extreme differences between the exam conditions, the evaluation of the written tests and the oral exams are rated according to the same patterns and practices nationwide. This has made the school leaving exam results comparable nationwide, and the exam as an evaluation transparent and valid.

However, we can say, that the overdriven, wrongly interpreted attitude of law get into conflict with the realistic, humanitarian and able to see through the complete process attitude sometimes. The Chairmen forgot that it were the regulations for the controllable,

institution for the pursuit of its activities shall be made available in due time, in appropriate quantity and quality and at the best price. The principle of efficiency is concerned with the best relationship between resources employed and results achieved. The principle of effectiveness is concerned with attaining the specific objectives set and achieving the intended results" 1605/2002/EK 7. chapter, 27. article (2) paragraph (see: Az Európai Közösségek Hivatalos Lapja 2002. 9. 16. <http://www.bmbah.hu/tan%E1cs1605.pdf>)

⁴ The regional directorates of OKÉV – OH summarize the incoming requests on an annual basis.

successful school leaving exam process, and not the teachers and students representing the colourfulness and wide variety of life were to be uniformed to the rules. It requires time for an attitude of law promoting good measures, good results and good exam atmosphere at the same time to tangle roots. Nowadays, after 6 years and more than 10 successful exam periods, we can say that there are significant improvements in this field.

On the other side, this regulation system that prefers the rights of students too much has turned to its back, as more and more students (in case of underage students, the parents) have lost their sense of measure.

This Exam Regulation that puts great emphasis on students' right and that has been worked out with great thoroughness, caused the false illusion, that students have anything to be afraid of and be always alert not to let the Committee or the Chairman of the Committee to make a harmful decision, disregarding the students' rights. If we take a look at the fact, that only 15-20 % of those applies handed in were proved harmful decisions to the participant made by the Committee, and then have been nullified, then we can draw two conclusions. One is, that the culture of examination should be improved indeed, by for example making the decision of the Committee, of the Chairman transparent as part of a procedure, and being able to analyse as broken down to its parts. The second is, that the regulations should reach that exam takers trust the professionalism and objective decisions of the Committee.

One purpose of good governance and the political purpose behind the slogan of the public administration of service was, that the citizen should accept those decisions that are harmful for him going through some kind of enlightenment process, but not because of fear of the authority, but because its long term only-in-complex-structure-visible interests require the same. To accomplish this, the decisions must become transparent, accountable.

The exam takers and the Chairmen of the Committee have changed their attitude in the last 6 years according to the dictate of "Sapere aude" (Dare to think!). The decisions are more like to be accepted because the exam taker sees how it is made, and not because there is no appeal against the command of the authority, the fear of the authority. The Chairmen of the Committee are prepared to make objective, well-founded decisions – both in professional and mental means.

The essence of the public administration of service is to have the citizen see not the fearful officer, neither the patronizing "father" in the state. The public administration of service grows up from its childhood, learns to cooperate with active purposefulness and self-confidence with the state that – hopefully – allocate the produced wealth fairly.

The key question for the "knowledge-based societies" of the 21st century or as it is the societies that follow the modern path of knowledge-intensive technological-economic development is how to provide the possibility of modernization being amongst internationalized challenges and increasing social tensions.

At the end of the 20th century, beginning of the 21st there was more or less a transition in the Middle and East- European countries from the totalitarian political system to a multiparty, parliamentary and institutional state, from the state directed economy to a market economy. Related to these changes there were public administration management reforms, modernization of the public administration that caused overall functionality change of the state as well.

In these processes the role of the state, the public administration, social sector and social factors were reinvented, re-evaluated.

In Middle- and Eastern-Europe, it became obvious during the beginning part of the transit period, that the transition to market economy could not take place without the

versatile economic and social political engagement of the state. A new state needed to be built with new functions, and the public administration, the public sector were to be made able to manage the occurring changes.

The state before 1989 in this region – the one-party state – had four functions: economy-organizer, cultural-educational, external-defensive and internal-integrative functions.

After the fall at the end of the 80es, the question occurred in Middle and Eastern Europe: what changes are imminent in the role of the state that enables the Western-European style market economy, parliamentary democracy and rule of law to be established. The change of the state engagement meant the change of functionalities of all. A displacement was needed in the practice of internal integrative functions from the integration based on political majority towards a social integration that promotes the build-up of the civil society, and is takes effect in the same time, towards a strengthening social cohesion, towards the enforcement of subsidiary.

After the strengthening of the non-state propriety there was need for a radical displacement in the economy-directing function from the direct controlling towards the regulation of conditions.

For the cultural-educational function, it was replaced by an activity that was lacking all political-ideological priority and promoted culture.

Another change was, that instead of using state tools, the administrative obligations of a state built upon market economy was needed to be built up.

The place of democratic centralism was gradually taken by the horizontal and vertical diversification of power, and the role of socialist system's state-party, party-monopoly was overtaken – at least on paper – by the law and economy based on laws and regulations.(György, Jenei, 1995)

These changes were started and carried out in the early 90s via reforms, rebuilds, and the change of the elite.

The measure, directions, core values of the engagement of the state formulates the essentially important parts of the modernization and transition processes that took place on different levels.

The aforementioned case of the national educational policy is just a late example, that the redefinition of the role of the state has become unavoidable in the end of the 20th century. It is clearly visible that the expanded welfare state – that is called social and law-state in Germany – is moving on a so called forced path, and it is defined by the expansion of care and the greater responsibility. This is based on a continuous social pressure, and the great dilemma of the politics was how to control this pressure - after all the impairments of resources and the need of social cohesion would force this out sooner or later – without escalating the political tensions.

The first question was: whether moving towards the “night-guard state” based on Anglo-Saxon theoretical basis could avoid the escalation by privatizing the state-functions and decreasing the responsibility of the state. This possibility was later dropped by the social democratic government and chose to work out an alternate solution because of the occurring pressure of the social lobbies.

This concept of the activating state is based on the renewals of self-organizing, self-help and subsidiarity of the German tradition.⁵

Under the definition of activating state, we understand a state that keeps the responsibility that overwhelms the society, but gives up its comprehensive services. This task is shared with the private enterprises and the civil organizations. The actual function of this new type of “statehood” is the activation of different social groups and public officers. It inspires the social groups, and demands from the public officers that all their strength and skills are used to solve the problems. This statehood doesn’t like the minimalist state at all that functions only where it is needed by society. Right on the contrary: it demands activation from social groups and individuals alike.

According to the German interpretation, only by means of the help of the activating state are we able to get out of the bear trap, that means on one hand the overall responsibility of the state, on the other hand the privatization of the responsibility. In this sense governing means those social, political and administrative tasks that aims the orientation of economical-social processes; and are inspired, directed, controlled, and managed by the state.

Back to the analysed two level school leaving exam reform: we can see the embodiment of this idea, what’s more, overarching government cycles with opposite signs. Namely, the 100/1997. (VI. 13.) Gov. Reg. that took effect in 2005 was started to be carried out in the beginning of the 90s, and as it is in the name of the regulation, it was legalized in 1997, also, it is signed by Fodor Gábor – Magyar Bálint – Pokorni Zoltán and Magyar Bálint again (Ministers of Education), left- and right-side politicians and educational policy experts all supporting it.

For the theoretical founding of the so called activating state theory, the American winner of the Nobel Prize in Economy winner Douglas North (Jenei, 1996) is referred, who evinced that in the latest centuries those institutions that were necessary for the economical functionality, increased their share of the GNP from 25 to 45%.

The statehood of authority and the state of service were contrasted many times at the beginning of the new way of governing. It was said that the state is neither a private business nor a trade house when it came to understanding the categories of business aspect in the context of state activities. The German roots of this debate sets back until the beginning of the 19th century, when the enlightened citizenship was seeking the decrease of the state’s rights. At that time, the so called “policy” state was intended not only to keep the public order and the public safety, but was also trying to control the private welfare and the individuals “getting on” as well. The liberalist philosopher and lawyer, W. von Humboldt tries to end this tradition. (Humboldt, 1791)

This prerequisite, however, did not materialize during the centuries after Humboldt’s statement and the reason of the non-clarifications that it opposes the legitimacy of the authority and the obligation to provide services. The dilemma of the opposition was avoided during the development of the state of service by using market inspiring management reforms – required by the symptoms of crisis and the obvious lacks of services -until so far that they could not threaten the fulfilment of the official functions of the state. It is necessary to refer to the thoughts of Tamás Sárközi about the governance of the modern state.(Tamás, Sárközi, 2012) The Hungarian governance had to fight against

⁵ Public Private Partnership - Konzeption und Probleme eines Instruments zur Verwaltungsreform aus Sicht der Public Choice-Theorie, in: Budäus, D., Eichhorn, P. (Hrsg.), Public Private Partnership. Neue Formen öffentlicher Aufgabenerfüllung, Baden-Baden 1997, S. 27-68 (gemeinsam mit G. Grüning).

the contradiction that occurred when the people awaited an improvement of the standard of the public services, especially when – as in Hungary – the increase of the public power part of the state was to be experienced.

However, on the basis of the new, service-oriented statehood the official legitimacies have been redefined.

The service, performance and enterprise-like functions of the public sector has been harmonized with the demands of democratic legitimacy, law-statehood and social state.

The prestige of the state remained, but it ceased to govern on authority basis. The statehood of service demands more efficiency and effectiveness, but also demands the fulfilment of public functions on a basis of relationships based on partnerships and citizen focused attitude. In other words, there is no contradiction between official government and state services that resemble a market attitude, or between those services of the state, that provide services to the citizens by utilizing, miming certain elements of the market.

An inevitable part of good governance is that every government should enjoy some kind of public trust in the modern era. This means that it is impossible to talk about efficient governance without the legitimating of the government by the citizens. (József, Bayer, 1997)

In the – overarching cycles - governmental intention of creating a new school leaving/entrance exam system, and the public administration evaluation of the feasibility those social expectations articulated by the population against the modern state are clearly visible:

1. Easily accessible government services (user-friendly services)
2. Ensuring access to information for citizens
3. Enabling citizens to participate in decision-making
4. Quality evaluation of public services

The school leaving/entrance exam regulations created and operated between 1998 – 2010 maximally built on the modern realization of providing citizens' rights, from the regulations of the registration of data to the ensuring the protection of children's interests and the protection of information, or the electronic register systems researched for public education and the electronic public administration accessible to everyone. All these things raised the self-consciousness of the citizens. Our teenagers are aware of their rights more than ever before. And this is a necessary – however, not enough – ammunition towards the way of good governance.

“Public policies can shape political participation and attitudes. This effect can be positive or negative, enhancing or undercutting participation and conferring positive or negative messages about individuals' worth as citizens. These effects originate in elements of program design, such as the size, visibility, and traceability of benefits, the proximity of beneficiaries, and modes of program administration. Thus, public policy itself shapes the distance of citizens from government, with profound implications for democratic governance.” (Andrea, Campbell, 2012)

CONCLUSION

This piece of work has allowed to get a short insight into the history of public policy and the evolution of theories about the role of the state and its citizens. The study has examined the quite specific case of the Hungarian educational policy, and observed the way

it was changed after the transition of 1989-90. The example of the school leaving exam reform has highlighted the efforts politicians have put into complying with all the interests of the society, the politics and the new governance. Although many would argue, but the conclusions of this paper underline the fact that executing the Higher education reform was the common achievement of subsequent governments. Finally, it is also stated that the right-awareness of the citizens and professional communities became stronger by the public policy process. Taking into consideration every possible aspects of the reform - even those ones, that are not particularly positive for the politicians and the executive bureaucracy - one thing is sure: with this reform, the Hungarian society was able to step out of the shadow of the Byzantine cultural heritage⁶, which was the fear of the authoritarian state-system.

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⁶ „After 1990 the new political parties not only restricted the autonomy of the public administration, but also politicized the activities of the bureaucracy. The result of the impact of the new parties was a decrease in the professionalism of bureaucracy. It means that the legal-rational principle of the Weberian theory on bureaucracy was only partly accomplished. It turned out that no imitation of any Western models is possible, because of the impact of the Byzantine historical heritage. It resulted in that the legal- institutional framework was set up, but the political behaviour was not adequate to the framework and it caused serious deficiencies.” (György, Jenei 2009)

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