

## **Democratic Governance and Policy Analysis: Interpenetration or Confrontation of Procedures**

Good Governance and Democratic Governance. Public Administration and Democratic Governance. Democratization of Governance.

Public Policy cycle. Policy Process – priorities for impact of Democratic Governance. Universal procedures of Policy Analysis.

Policy Analysis and Democratic Governance: interplay of procedures using comparative analysis. Procedures of policy design and coordination. Chain of processes in Policy Analysis: problems-objects-tools and Democratic Governance priorities (using comparative analysis). Interpenetration or confrontation of procedures of Democratic Governance and Policy Analysis. Stakeholders' analysis: Democratic Governance priorities impact: case for Ukraine. Democratic Governance impact on methods of Policy analysis using example of Policy analysis under the impact of political issues in 2013-2014.

Civil Society Institutions and Public Policy makers: balance of confrontation practical aspects of civil society involvement according to existing legislative base. Public consultations or common decision making: de-jure and practical aspects for decision making in Ukraine. Democratic Governance impact to cooperation and communication in Policy analysis, practical issues.

Implementation: Public Policy recommendations taking into account Democratic Governance priorities base on examples of practical approach. Public administration in ensuring Democratic Governance. Monitoring and Evaluation: products, output, outcome and impact Democratic Governance: proceeding in Crimea 2008-2012, 2014. Requirements of Democratic Governance for Analytical Papers: samples of normalized and existing analytical papers in Ukraine. Good governance is epitomized by predictable, open and enlightened policy making; a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions; a strong civil society participating in public affairs; and all behaving under the rule of law.

Good governance is a relatively new subject of international debate around the issue of development strategies. Governance is about how a country's economic, political and administrative affairs are managed. It is the complex mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests, exercise their rights and obligations, and mediate their differences.

*Sound* (or 'good') **governance** is a subset of **governance**, where public resources and problems are managed effectively, efficiently, and in response to critical needs and interests of the society. The various conceptions of **governance** and the corresponding strategies for implementation differ considerably, due to a lack of international consensus on development strategies, even among the supporters of the market orientation.

Some donors (e.g. the World Bank) have a relatively narrow approach, restraining their **governance** strategies mostly to economic considerations. Others put emphasis to a more democratic and participative meaning of sound **governance** (e.g. OECD, UNDP), underlining the importance of **equality**, **equity**, and political sustainability of decision-making, or shape the concept of **governance** in the light of a more efficient fight against **poverty** (UNDP). Nevertheless, there is a broad consensus on some abstract key elements of **governance** which are considered of (although differing) importance by all actors. Those elements, sometimes overlapping and very much interlinked with each other, include the concepts of **accountability**, **transparency**, sound public sector management, and sound legal system, respecting the Rule of law.

Responsive governance. While **public management** originated in an admiration for businesslike efficiency, more recently a new model has evolved that focuses on "creating public value". This view counters the bottom-line mentality derived from many business models and emphasizes a focus on the management of multiple **stakeholders** and conflicting values in an overtly political or public-interest context.

The significance of such a view of public administration is that it is in part a reaction to what are seen by some as the excesses of New Public Management, but it also carries the seeds of a wider set of contemporary changes in both thinking and practice. Openness and transparency are thus part of this emerging model. Accountability in the responsive governance model calls for new forms of skills and leadership on the part of civil servants, requiring that they be both politically impartial and socially responsible yet also politically aware and sensitive. Professional and personal ethics may be increasingly important in such circumstances and will require increasing attention in future human resource strategies.

Good governance and good government. Procedures of policy analysis are necessary component for good governance. The crisis time: test for good governance. Crisis is test for public policy procedures. Ukraine only developed the good governance. Why public policy procedures are not supporting good governance development in crisis time? Public policy procedures are not universal system. We need really think about environment influence.

“Globalized thinking and localized actions” is a good motto, but a difficult task for implementation too.

The system of democratic governance based on international standards of management, as it involves bringing to policy-making civil society that is the implementation of democracy. It should be noted that modern Ukrainian society belongs to transitional, which means the transition from one quality of administration to another.

The correlation of the concepts of “democracy” and “governance” can be explained by the following: People Power + Public Policy = Democratic Governance, which has become the basis of many theoretical generalizations and political positions.

The experience of European countries in the areas of democracy, human rights and rule of law are summarized in to twelve principles of good democratic governance:

1. Fair elections, representation and participation to provide real opportunities for all citizens to have a voice in local public affairs;
2. Sensitivity, the local authority sensitively responds to the legitimate needs and expectations of citizens;
3. Efficiency and effectiveness to achieve the goals with and the most rational use of resources at the same time;
4. Openness and transparency to provide public access to information and facilitate understanding of how public affairs are conducted;
5. Rule of law that ensures fairness;
6. Ethical behavior of public servants to provide an advantage of public interest over private;
7. Competence and ability to provide the ability of representatives and officials of local authorities to fulfill their duties;
8. Innovation and openness to changes to ensure receipt of benefits of new solutions and best practices;
9. Sustainable development and a focus on long-term results, to take into account the interests of future generations;
10. Reliable financial management to provide economical and productive use of public funds;
11. Rights, cultural diversity and social cohesion to ensure the protection of and respect for all citizens;
12. Accountability: representatives and officials of state and local governments take responsibility and are prosecuted for their illegal actions.

Democratic governance is seen primarily as public authorities, which is carried out by equal citizens through direct participation in the discussion of public affairs by free choice or cooperation in partnership between the public and private sectors. In the conditions of democratic governance at every level of social structuring of society, the formation of democratic governance is carried out upward through the formation of representative government.

Good governance is based on the following principles:

- The principle of people’s participation;

- The principle of transparency, the right of free access to the truth;
- The principle of governments' responsibility or accountability;
- The principle of force or responsibility for the results.

The implementation of these principles has the practical effect as rethinking of the role of the government and the division of responsibilities between the state and civil society; extension of the participation of people in guaranteeing citizens the real power in the self-government, participation of civil society in policy making.

Due to the fact that Ukraine and other countries of Central and Eastern Europe have defined European integration as a key vector of foreign policy, the European Council formulated the Copenhagen criteria (1993) as a conditions of EU membership for the countries of Central and Eastern Europe. These include political criteria, which require stability of institutions that should ensure democracy, the rule of law, human rights, including the protection of minorities. Economic criteria – requires a functioning market economy able to compete and withstand the pressure of market forces in the EU internal market. “Membership” criteria “previses the ability to fully benefit from the rights and fulfill the obligations that derive from EU law and of membership in the Community.

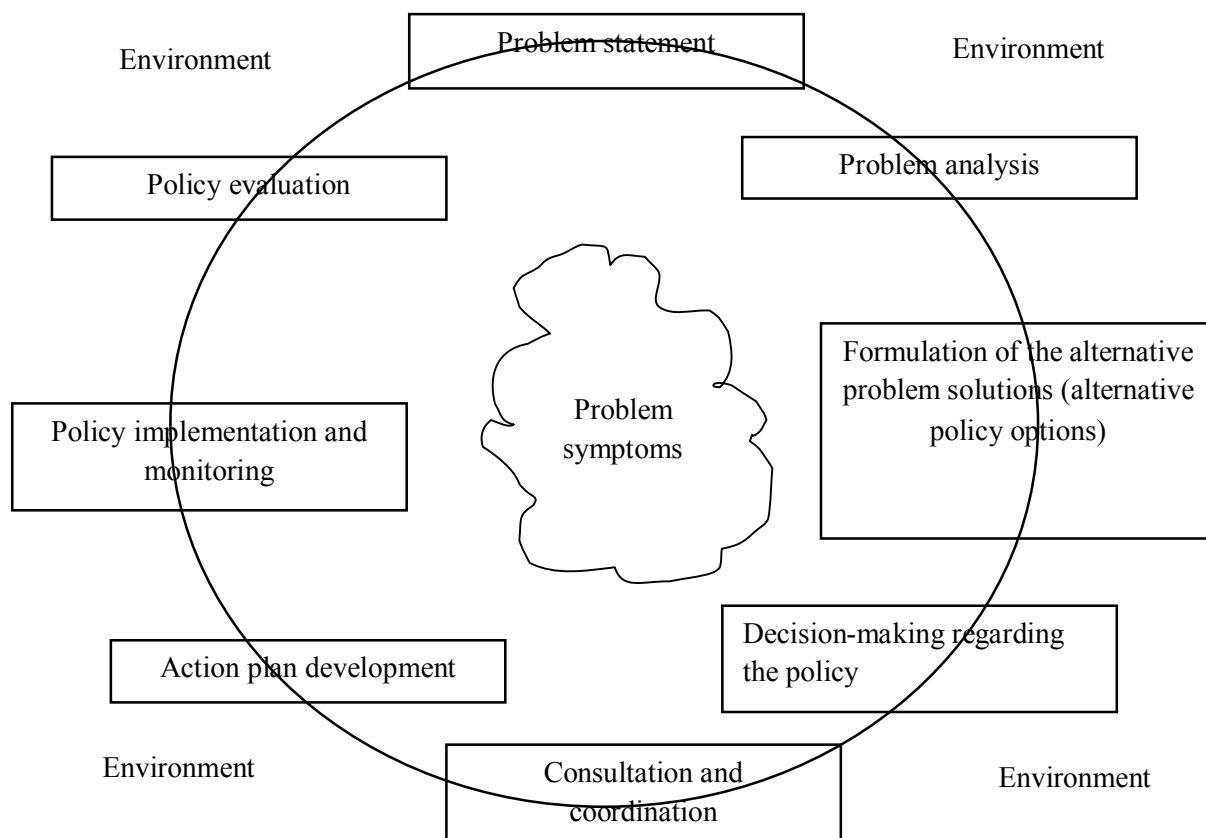
The abovementioned criteria have been offered to candidate countries, as the states that are in the process of democratic society building, there are disadvantages of governance that slow down the process of European integration, in particular:

- The state is trying to regulate all aspects of life from top to bottom, dominated by vertical hierarchical administrative structure;
- Irrational division of responsibilities between different agencies: some functions are duplicated, while others dropped out of sight;
- The traditional administrative culture based on the principles of secrecy that does not involve horizontal collaboration, coordination mechanisms & conflict resolution are not developed;
- There is neither clear division of responsibilities between different departments, nor personal responsibility of heads of ministries, departments for operation mistakes or committed crimes;
- Great emphasis is laid on procedural technical aspects, rather than policy-making and coordination strategies;
- Government (state) programs and strategies are often contradictory.

There is a tendency to consider the concept of governance as the most efficient and most effective way to guide the public in the conditions of globalization and the multiplicity of social actors such as public administration, private companies, NGOs, consumer associations and others. In the modern transformation period, the domestic management practice indicates the inefficiency of traditional organizational and management methods and measures, and the need to find new ways to solve the issues of governance and forms of government that will meet the complexity of contemporary problems and needs of the times. Governance can be seen as the use of economic, political and administrative authority for the successful conduction of affairs of the country at all levels. It includes a mechanism, processes and institutions through which individuals and certain groups of people argue and express their interests, exercise their legal rights and fulfill the responsibilities governing contradiction. It is based more on focusing efforts on negotiating and overcoming difficulties than imposing accountability and freedom.

Modern public administration in developed countries is based on the principles of good governance, proposed in 1997 in the United Nations Development Programme documents. Such administration meets the objectives of democratic governance, which defines effectiveness and democracy. The main ways and principles to achieve them are the separation of powers, democracy, elections and turnover of senior officials, accountability of executive power institutions, rule of law, political pluralism, participation, transparency, and the independence of the media. So the first part of the mission of public administration in the process of democratization is to bring its operations in accordance with the objectives, directions and tasks of good governance.

Public Policy cycle (Fig.1).



The Policy cycle is the term used to describe the lifespan of a policy, from its formulation, to the review. It comprises needs assessment / agenda setting; planning / policy formulation; policy implementation; policy monitoring; and (policy) evaluation and feedback.

Policy-analytic procedures [1].

General intellectual operations that constitute the logic of policy inquiry. Policy-analytic procedures are one or more of five procedures for solving policy problems: problem structuring, forecasting, recommendation, monitoring, and evaluation.

Policy-analytic methods – relatively general procedures for producing and transforming policy-relevant information in a variety of contexts. Cost-benefit analysis, time-series analysis, and research synthesis (meta-analysis) are methods.

Policy-analytic techniques.

Relatively specialized procedures used in concert with policy-analytic methods to answer a more restricted range of questions. The estimation of serial correlation in time-series data by calculating the Durbin-Watson statistic is a technique.

Does the analytical techniques to refine the problem into the problem, suitable for analysis? Analyzed policy problems in the context of the political situation in Ukraine: what are changes?

How environment changed the public analysis methods in crisis time? Which components of environment have point impact to change the public analysis methodology? Are four environment components enough? Will think about added the new environment components or restructured old system? Globalization influence to native juridical system: where are analyses it? Is it possible to apply environment approach to the analysis of impact similar to PEST-analysis (PEST, PESTEL, PESTELID- analysis), thus to supplement it with other components? We have to think over it, because the list of factors is ignored by classic four components of environment. In addition, we have to think about the targeted orientation of the environment analysis: values' correlation,

outputs, outcomes, and influences. The decrease of terms of public policy-making makes us to short-term tactics oriented at the results. Taking into account the outcomes becomes less valuable, and the policy influences sometimes stays aside.

Domination of the authority as main policy actor demonstrates fast and short-term resulted actions, however does not contain full consideration of the outcomes, and influences policy. Besides that, other policy actors are ignored. Apparently, the attraction of institutes of civil society to public policy-making would contribute to full consideration of the environment influences. Are institutes of civil society have enough potential for policy-making and understanding procedures of policy process?

One of the goals of public administration science is to improve the governance capacity of the state apparatus to ensure proper quality of administration at the level of political governance and the level of professional administration, improve its efficiency and effectiveness, not only for state officers, but also for citizens.

Characteristics of the administrative process is now expressed through the formula of “good governance”. The concept of “good governance” displaces popular concept of “new public administration” with its one-sided focus on efficiency. It fills the concept of public administration with humanitarian and social components; creates a new approach to the understanding of good governance, which has now not only meet the requirements of efficiency, but also be open, accessible, accountable and controlled, and consequently – sensitive to the demands of citizens, their needs and requests. According to the UN concept [2], good governance has the features, which are shown in Fig. 2.

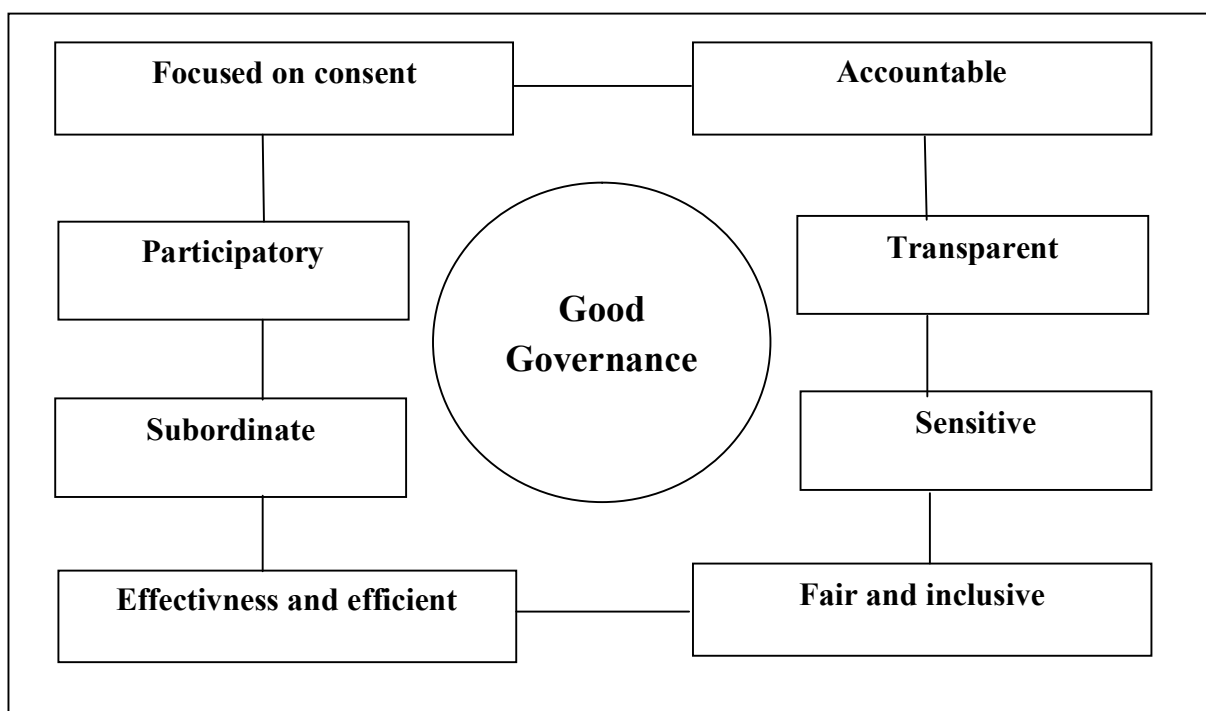


Fig. 2. Good governance components

In Western countries, “good governance” is seen as part of the democratic paradigm and includes most of the characteristics inherent to the system board (or ideal model) in advanced liberal democracies. “The problem is - says Canadian expert on issues of democratic governance PhD. John Perlin - that “good governance” has always been just a descriptive concept. The theoretical literature on ... Good Governance ... focused on explaining why the quality of governance is important for other items”; background literature on democracy has “set of proposals for achieving and maintaining “good governance” [3]. So no wonder that young democracies “good governance” describe it as a “democratic good governance”.

Application of democratic paradigm requires a wider awareness for those who has to implement it, with some subtleties and difficulties of the theory of democracy, one of which is the presence of a huge number of theoretically constructed more or less relevant practice of some

countries, “ideal types” or “models of democracy”. John Perlin underlines that describing the model of democracy, and even more – their opposition to each other, to distinguish between the cases:

a) when it comes to proliberal values which are used as basis for the objectives of public policy and development;

b) when talking about the working principles that are derived from these values are the foundation for the creation of certain administrative mechanisms to implement these values;

c) when it comes to these same mechanisms as tools in democratic policy. [3]

A democratic society is debating and discussing. This is one of its indigenous characteristics, which is reflected in the notion deliberation. The term derives from the Latin “deliberation”, means “diligent weighing”, “discussion”, “thinking”. Only together, these synonyms sufficiently reflect its content. Thus, the word is very roomy and inherent nuances are not amenable to unequivocal Ukrainian translation. Therefore, we prefer foreign language version, although Ukrainian translation is used in political science literature: “deliberative process”, “deliberative democracy”.

Philosophical basis for model of deliberative democracy or “discussion democracy” is a communicative theory of the famous German philosopher Jürgen Habermas. [4] Scientist associates beginning of the formation of the communicative process of deliberation with state government, although its limits this process, according to Habermas, has not yet received adequate development. In the previous period the protective variant of liberal democracy took the leading, which does not take into account “that the current model of relations between the state and citizens should be built not by the traditional principle of subject- object relations, but the mechanisms of “communicative behavior”, i.e. subject- subject relations, on the basis of the definition of equality of “state human” and “private human” [4]. The main democratic procedure in such circumstances is “interactive communication” of the government and free publicity and as a consequence – achieved compromise.

Deliberative democracy is rather a continuation and development of the concept of procedural model of democracy, which also involves broad participation of citizens in the policy-making process, but not in all its forms and not at all stages of the policy cycle. One step forward, as it does deliberative democracy in the interpretation of the role of the people is certainly more in line with the demands of the present and better opportunities consistent with the late XX - early XXI century, than, say, Schumpeter’s elitist democracy, which mainly emphasized on the importance of election procedure. However, this model can be estimated up as a compromise between the elite and participatory democracy. Its goal – to raise awareness of people and giving them advisory functions – while the emphasis on the complexity of the procedures of democratic decision-making and its role in the experts and professional managers.

The basis of deliberation is the development of civil society and mass movements (which is not always party-political) and rise of general civil education and political culture of the people. Public opinion plays an important role in the deliberation. The empirical trend in the development of this concept has formed in North America. It works out the mechanisms of general citizenship in shaping the agenda of public policy and in the deliberation process. Famous American sociologist George Gallup and S. Reysche in 1940 called for a systematic survey of citizens on the basis of representative samples of public opinion. These surveys included the practice of Western democracies, but collected information in this way has not become an important tool of deliberation because it has not been thoroughly thought-out set of judgments of the informed people. The survey results were not suitable for the separation of “superficial, makeshift views (mass opinion) by carefully advised judgments (public statement)” [5].

Another well-known sociologist – D. Yankelovich paid attention to this aspect. He proposed a series of measures to create a society of competent civil judgment and its detection through the forums. In sociology, the study of the direction was “enriched” public opinion, [5], proposed by J.S. Fishkin. According Fishkin process of deliberative public participation would involve four steps: ascertain the views of the population through normal interrogation; selection of respondents to participate in the advisory forum ; re-survey of forum members on the issues that were discussed; information disseminating on the weighted according to forum participants through the media [6].

Proposal for a combination of polls with forums was tried in Britain and the United States, but has not yet become the norm of decision-making in democracies. After the Orange Revolution in Ukraine popular public hearings (advisory forum), with some rare exceptions, have not gone beyond the experimental or formal (“for show”) action. But their success depends on the legitimacy and effectiveness of management efforts of the officials, who declared democratic choice, increase credibility, the presence of the actions of those qualities that are roomy in the concept of good governance. Therefore, those executives and public figures who seek to develop deliberative aspects of democratic governance must be familiar with the theoretical and methodological developments on this issue, as well as some experience of Western countries. As the conduction of the forum on a particular question of public policy is not complicated. It is much harder to achieve real benefit from it. And even more difficult to create the conditions for institutionalizing of this form of democratic process across the country.

Stakeholder’s analysis in crisis time: what’s new? Another component, which needs to be taken into account in policy analysis procedures is stakeholders analysis. What changes? Does the changes appear in stakeholders themselves, stakeholders influence to policy outputs, outcomes and policy analysis? Maybe stakeholders analysis is out of date in crisis time? Or maybe it needed to be modified, because the majority of analytics use it to consult with stakeholders?

The analysis of policy must be directed on authentication of stakeholders – all those persons (groups of persons) which relate to the process policy (both at the mercy of and out of organs of power). That all, who is touched by existence of problem and possible ways of its decision (expenses, issue and consequences of realization of policy, are related to it). These persons are in certain sense the “stakeholders” of process of policy, because they have a “stake” – with them it is needed to be considered in the process of policy.

During realization of analysis of policy it costs to conduct consultations with two groups of stakeholders – with the representatives of interest and interested organs of power groups.

Interest groups are institute groups of participants (formal and informal copulas which combine participants in groups can be taken into account), which have general interest in the process of policy. An example are groups of businesses-interests, groups of lobbyism of businessmen; political parties and motions. With the representatives of interest groups it is necessary to conduct the proper consultations in the process of policy, especially, before acceptance of some decisions.

Second group of stakeholders, with the representatives of which it costs to conduct previous consultations, make the interested organs of power – organs, to which those must conform or other questions which touch this process of policy. The circle of such organs of power is determined normative documents or expert way, taking into account expedience.

The analysis of stakeholders this finding out:

- looks and relation of the interested groups, leaders, Mass-media, and others like that to the problem (who is touched, a problem touches and who has levers of influence on the possible variants of the solved/ deepening of problem);
- organizations: establishments, that support/objected deny a decision.

In Ukrainian legislative the concept of stakeholders is rationed under the name the “interest groups” and for determination of the interested parties it is necessary to take into account the followings questions:

- who can turn to the account from Program?
- who can it influence on negatively?
- who is the Program supporters?
- who is the Program opponents?

It costs to carry out Assessment of measure of the personal interest by a scale from 0 to 4, where:

- strongly interested
- rather interested, than no
- not interested
- opponents
- 0 - it is not known

It is necessary to take into account for assessment influentialness of the interested party:

- plenary powers and status (political, social and economic) of every side
- degree of good organization
- resources which the interested party can mobilize
- unofficial influence
- relationships are with other interested parties

It costs to carry out Assessment of measure of influentialness by a scale from 0 to 4, where:

- very influential
- rather influential
- rather not influential
- quite not influential
- 0 - it is not known

Assessment of level of meaningfulness is carried out by a scale from 0 to 4, where:

- very meaningful
- rather meaningful
- rather not meaningful
- not meaningful
- 0 - it is not known

Stakeholders is the participants of process of policy, central figures in which are producers of policy, in particular, persons which make decision, and also analysts of policy. Producers of policy – it those, who «does» a policy, that persons, accountable for its development and making decision in the organs of power.

Policy implementation.

Policy implementation – “the process from formulated policy intention to observed impacts and consequences”; “the process of transforming the goals associated with a policy into results ... and involves such activities as the application of rules, interpretations of regulations, enforcement of laws, and delivery of services to the public”.

Policy instruments.

Policy instruments are the specific means whereby a policy, as a response to a problem, is implemented.

Policy instruments – what governments use to intervene in the economy or society to achieve a particular policy objective. For example, they may offer various financial incentives to induce a change in the behavior of individuals or corporations; they may seek to direct private behavior through regulations and statutes backed by legal sanctions; or they may rely on state-owned enterprises and use direct delivery by government agencies to ensure that certain products or services are available to citizens.

Policy instruments – economic and social variables, which are manipulated by the government to influence policy variables. Frequently referred to solely as instruments. We may distinguish four main economic categories: fiscal policy; monetary policy; exchange rate policy and most recently the direct control over prices and incomes policy. It ought also to be noted that governments seek to influence policy.

Why policy actors changed tools for policy implementation? Beyond policy analysis: public issue management in crisis times. Dynamic changes and static procedure in policy analysis: is bifurcation point for new?

The process of policy advocacy involves a large number of government institutions and people from governments, organizations, and stakeholders, civil society and others. Important components of this process is the policy papers that summarize research and advisory activity that accompanies the entire process of advocate policy.

For example, in Public Policy Science two parts are differentiated - policy research and policy analysis. In each of these two areas specific documents are used where public policy research is stated (eg, as part of scientific research for publication as scientific papers in specialized journals), or the results of policy analysis - the specific work is done in preparation of project specific solution for a specific customer.

A comparative analysis of these two types of documents: research and policy analysis is



presented in Table 1.

Table 1 Differences between the documents in the field of research and policy analysis

Fields of Differences	Analytical Document Type	
	Policy research	Policy analysis
Auditory	Other experts in public policy decisions	Decision makers / Politicians
Direction	Orientation on the problem: general advice and information on policy issues	Orientation on customer: design of the specific policies to be implemented in the real world
Methodology	May contain much primary research	Sometimes covers primary research
Language	Purely academic	Clear and simple
Size	20000 max	5000 max

In the general description of the policy papers note that they are divided into documents for internal and external use. Classification of documents for internal and external use are given in Table 2

Table 2 Classification of policy papers

External Use	Internal Use
Program documents (applications, analytical reports, policy concepts)	Memorandum
Green book	Corporate policy paper
White book	Analytical paper of ministries / departments

Documents for external use are intended for discussion in the community (in terms of stakeholders) government proposals for future action.

Program documents – documents that help leaders to inform the public about the chosen course of action (the message the president to parliament, the cabinet action program).

Green Book is an informative document on a specific problem, which reflects the vision of the power of a certain problem, but does not contain specific measures and ways to solve it. Available to stakeholders involved in the consultation process.

White Book is a paper with specific proposals for future action, measures proposed relevant authority to resolve the problem. White Paper - results of further work on the Green Book; it brings authority to the public or stakeholder suggestions on how to solve the problem.

The documents are intended for indoor use to discuss future actions of the authorities, often contain projects future decisions / actions feasibility study their feasibility. Addressee is the government, suggesting the possibility of inspection by the public and stakeholders on their content.

Memorandum is designed to draw the attention of the existence of an actual problem and perhaps offer a variant of the solution.

Corporate policy paper is designed to provide the leaders with the analysis and acquaint with recommendations for most appropriate solutions to problems. (For example, a policy proposal - is prepared according to the regulations of Cabinet of Ministers).

Analytical paper of ministry – a document similar to the previous one, but the recipient is a certain ministry (department) responsible for the relevant policy direction.

The structure of a typical analytical instrument allows understanding the basic structural elements of analytical notes that may be encountered in a given variable form in different areas of work in government. A similar structure has “Memorandum of Cabinet of Ministers“, which was regulated for the preparation of analytical documents for the meetings of the Cabinet of Ministers in 2003-2005 according to the requirements of the Temporary Regulations of the Cabinet of Ministers of Ukraine (Cabinet of Ministers Regulation № 915, 05.06.2000)

The structure of a typical analytical document

1. Defining the problem / issue
  - 1.1. Formulation of the problem; customer analysis
  - 1.2. Symptoms of the problem situation
  - 1.3. The scale of the problem
  - 1.4. The novelty of the problem
  - 1.5. Brief Background
  - 1.6. The legal and institutional framework of the current implementation of the policy
  - 1.7. The urgency of addressing
2. Reasons for government intervention
3. Consultations (with stakeholders)
  - 3.1. Organized interest groups
  - 3.2. The concerned authorities
4. Modeling problems
  - 4.1. The purpose of the problem
  - 4.2. performance indicators
  - 4.3. Criteria for achieving the objectives
  - 4.4. Restrictions
5. Alternatives
  - 5.1. Option number 1 (the name of the option)
    - a) Option
    - b) The potential benefits of alternative
    - c) The potential disadvantages of alternative
6. Recommendations and Implementation
  - 6.1. Comparative Analysis
  - 6.2. Recommended option:
  - 6.3. Measures for implementation

There was a wide implementation of all the basic procedures of policy analysis in practice of the authorities, which was accompanied by normalization of the relevant policy documents in Ukraine in the last decade.

Examples: “Policy proposal – memorandum of Cabinet of Ministers of Ukraine”, “Concept of the program”, “Passport program budget”, “Regulatory Impact Analysis of the act”. As an experiment, a number of ministries and departments prepare White and Green Papers, where different offers from relevant authorities to solve certain social problems were described.

Taking into account the current realities of the global domestic basic task for the Ukrainian government is full implementation of procedures policy-making de facto. That consideration of stakeholder analysis is a key element for policy-making based on good governance.

Thus, the approximation of national policy-making to the international standards of democratic governance means the exercise of qualitative and quantitative changes in governance by the rule of law; democratic development of basic administrative support values (openness, transparency, and reliability), requires the implementation of political and legal instruments of state and corporate core values of the international democratic governance.

### **Literature**

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