

COMPARATIVE PUBLIC ADMINISTRATION

COURSE CODE: M23PA07DC

Postgraduate Programme in Public Administration

Discipline Core Course

Self Learning Material



SREENARAYANAGURU
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The State University for Education, Training and Research in Blended Format, Kerala

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Pathway

Access and Quality define Equity.

Comparative Public Administration

Course Code: M23PA07DC

Semester - II

Discipline Core Course
Postgraduate Programme in Public Administration
Self Learning Material
(With Model Question Paper Sets)



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MESSAGE FROM VICE CHANCELLOR

Dear learner,

I extend my heartfelt greetings and profound enthusiasm as I warmly welcome you to Sreenarayanaguru Open University. Established in September 2020 as a state-led endeavour to promote higher education through open and distance learning modes, our institution was shaped by the guiding principle that access and quality are the cornerstones of equity. We have firmly resolved to uphold the highest standards of education, setting the benchmark and charting the course.

The courses offered by the Sreenarayanaguru Open University aim to strike a quality balance, ensuring students are equipped for both personal growth and professional excellence. The University embraces the widely acclaimed "blended format," a practical framework that harmoniously integrates Self-Learning Materials, Classroom Counseling, and Virtual modes, fostering a dynamic and enriching experience for both learners and instructors.

The University aims to offer you an engaging and thought-provoking educational journey. The MA programme in Public Administration provides an in-depth understanding of modern governance challenges and solutions. It integrates cutting-edge theory with real-world applications, emphasizing innovative approaches to public service delivery. The curriculum spans strategic planning, policy analysis, public sector economics, and governance-related spheres. Through these, learners cultivate advanced problem-solving and decision-making skills. This programme also equips future leaders to drive positive change in public institutions, NGOs, and international bodies. The Self-Learning Material has been meticulously crafted, incorporating relevant examples to facilitate better comprehension.

Rest assured, the university's student support services will be at your disposal throughout your academic journey, readily available to address any concerns or grievances you may encounter. We encourage you to reach out to us freely regarding any matter about your academic programme. It is our sincere wish that you achieve the utmost success.



Regards,
Dr. Jagathy Raj V.P.

01-01-2025

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BLOCK 1

**Understanding
Comparative Public
Administration**

UNIT 1

Defining Comparative Public Administration

Learning Outcomes

By the completion of this unit, the learner will be able to:

- describe how Comparative Public Administration (CPA) arose as a distinct focus area within public administration
- examine important theoretical frameworks, methodologies, and approaches used to compare administrative structures in a range of socio-political environments
- understand the role of cultural, economic, political, and ecological factors in shaping governance and administrative processes
- evaluate how CPA contributes to administrative reforms, more efficient governance, and responses to global challenges in public administration

Background

Initially, public administration was often studied as if all administrative systems worldwide were alike, heavily influenced by Western paradigms. This view disregarded the substantial influence of historical, cultural, and socio-political differences among nations. As newly independent countries searched for administrative models fitting their own contexts—and with globalization encouraging deeper cross-border collaboration—thinkers began to doubt the universal applicability of dominant Western frameworks.

This conceptual awakening gave birth to Comparative Public Administration (CPA), a branch concerned with understanding governance in diverse national contexts, investigating factors that foster or hinder administrative success, and exploring how institutions adapt to their surrounding environments. Today, CPA is a dynamic field dedicated to using comparative analysis to strengthen governance, guide policy reforms, and advance knowledge exchange among different administrative settings.

Keywords

Comparative Analysis, Cross-Cultural Governance, Global Public Administration

Discussion

- Cultural differences

- Transferability of Western administrative arrangements

- Administrative designs reflecting local complexities

For a long time, scholars tended to treat public administration as if it operated similarly everywhere, giving little attention to the local nuances of culture, politics, and economics. American and Weberian administrative designs were frequently held up as the global “gold standard.” However, as global interactions grew and decolonization took shape, many began to doubt the idea that a “one-size-fits-all” blueprint could work for every nation. This skepticism led to the formal emergence of Comparative Public Administration (CPA)—born out of both academic curiosity and the tangible need for governance models that align with specific national realities.

Following World War II, questions about the direct transferability of Western administrative arrangements to countries with varying cultural, economic, and historical backgrounds became ever more pressing. Scholars noted that institutions effective in the West often did not function similarly elsewhere. This realization underlined the significance of studying governance comparatively—paying special attention to the local environment. Pioneering figures like **Robert Jackson** called for a scientific basis in public administration that would draw from cross-national patterns to form broader theoretical understandings. The **Comparative Administrative Group (CAG)** took this mission further, conceptualizing CPA to encompass both the scholarly study and real-world application of administrative theories in culturally unique settings.

Over time, CPA has broadened from merely describing which models succeeded or failed in different places to an analytical framework that explores how administrative systems can be reshaped to meet local needs. It offers insights into why some governance structures endure while others do not, and it strives to guide policymakers toward administrative designs reflecting local complexities. CPA maintains a fundamental conviction that governance structures, far from being uniform, are rooted in specific historical and socio-political contexts. Embracing this perspective has made CPA increasingly relevant in a globalized world where diverse, adaptive, and inclusive governance solutions are in demand.

1.1.2 Meaning of Comparative Public Administration

Comparative Public Administration (CPA) involves studying governance frameworks in different national, cultural, and institutional contexts to understand their structures, pro-



cesses, behaviours, and impacts. It examines how external forces—such as politics, economics, and culture—shape these systems, identifying commonalities and differences among them.

- Comparative Administrative Group (CAG): “Comparative public administration is a theory of public administration applied to diverse cultures and national environments, alongside the empirical data required for analysis.”
- Nimrod Raphaeli: He describes CPA as the comparative study of public administration, tracing its roots to the 1952 Princeton Conference on Administration. Raphaeli underscores how CPA’s novel approach addresses emerging governance challenges by highlighting its focus on real-world variances.

By clarifying the ways administrative institutions are influenced by local contexts, CPA seeks to explain why certain systems flourish while others struggle. This understanding not only informs cross-cultural policy transfer but also assists policymakers in orchestrating governance reforms tailored to specific environments.

- Governance frameworks in different contexts

1.1.3 Nature of CPA

In 1962, Fred W. Riggs, writing for the *International Review of Administrative Sciences*, spotlighted three broad trends defining CPA’s evolution:

1. **From Normative to Empirical** – Shifting from prescribed principles to systematically gathered evidence.
2. **From Ideographic to Nomothetic** – Moving from studying single, isolated cases to constructing broader, general theories.
3. **From Non-ecological to Ecological** – Recognizing how administrative environments dynamically affect and are affected by governance structures.

- Evolving character

These approaches—normative vs. empirical, ideographic vs. nomothetic, non-ecological vs. ecological—overlap in CPA research today, illustrating the field’s eclectic and continuously evolving character.

1.1.3.1 Normative Approach

The normative approach grew from the traditional pursuit

- Improving efficiency and cost-effectiveness

of improving efficiency and cost-effectiveness in governance. It foregrounded principles like hierarchy, unity of command, or specialized roles. While this approach focuses on “what ought to be” rather than describing real-world operations, it still resonates in Comparative Public Administration, especially concerning how reforms are designed for developing countries. Concepts such as “administrative development” and “development administration” exemplify this normative thrust in modern CPA.

- How organizations react to societal issues

1.1.3.2 Empirical Approach

An empirical lens prioritizes tangible data—surveys, experiments, or fieldwork—to understand the real functioning of administrative systems. Scholars apply empirical methods at multiple levels (national, regional, local) to see how organizations react to societal issues like healthcare, education, gender equality, and more. These investigations often receive funding from international bodies, private foundations, or NGOs. Empirical studies thereby add a grounded, evidence-based dimension to CPA, informing practical governance insights.

- Generalizations that transcend individual contexts

1.1.3.3 Nomothetic Studies

Coined by Riggs, nomothetic studies aim for generalizations that transcend individual contexts, forming testable hypotheses and robust theories. While ideographic research narrows in on specific cases, it can serve as a stepping stone for constructing broader, nomothetic insights. Classic works by Riggs, Berger, and Crozier, though often case-specific, offer overarching lessons that propel fresh inquiry into CPA’s general principles.

- Legal or formal structure of governance

1.1.3.4 Non-Ecological Studies

Historically, many comparative studies emphasized the legal or formal structure of governance—examining administrative laws, personnel policies, or budgets—without delving into how broader socio-political factors shape them. Even today, certain administrative law or personnel administration works remain somewhat non-ecological. Nonetheless, such analyses continue to be valuable, especially for clarifying the legal underpinnings of public administration.

1.1.3.5 Ecological Studies

The ecological orientation, championed by Riggs, underscores the dynamic interplay between administrative systems and the environment. This perspective acknowledges



- Interplay between administrative systems and the environment

that governance is neither formed nor executed in a vacuum but is constantly shaped by and shaping its environment. Modern CPA heavily features ecological thinking, investigating how different contexts—from economic to cultural—affect the functioning of administrative structures.

1.1.4 Scope of Comparative Public Administration

The scope of Comparative Public Administration is as broad as the entire field of public administration itself. This means that any aspect of public administration—whether it's structures, processes, behaviour, impact, or the environment—can be examined from a comparative perspective within this field.

1.1.4.1 Cross-institutional analysis

One key type of study within the scope of Comparative Public Administration is cross-institutional analysis. This involves comparing two or more institutions or organizations based on their structure, functions, processes, environment, and impact. For example, a comparison could be made between the Police Department in Uttar Pradesh and Tamil Nadu, or between the Agriculture Department in different states of India. Similarly, one could compare the School Education Department with the Higher Education Department of West Bengal to evaluate their efficiency and innovation.

- Comparing two or more institutions or organizations

This type of analysis is common in traditional comparative studies, where diverse examples are explored to understand how different institutions perform in various contexts.

1.1.4.2 Intra-national and Cross-national

Intra-national comparisons involve comparing administrative structures within the same country. This could include comparisons at various levels such as inter-district, inter-division, or inter-state levels. For example, comparing the health administrative systems of Punjab, Himachal Pradesh, and Bihar would be considered an intra-national comparison because it focuses on different regions within India.

- Comparing administrative structures within the same country

On the other hand, cross-national comparisons involve comparing administrative systems or their subsystems across different countries. For instance, comparing India's health administrative system with that of Bangladesh would be classified as a cross-national comparison, as it involves comparing systems from two different nations.

Such cross-national studies are less common because they require significant resources and a unique methodology to conduct effectively.

1.1.4.3 Cross-national but Intra-Cultural

Cross-national but intra-cultural comparisons occur when the administrative systems of two or more nations are compared, but these nations belong to the same culture. Defining “culture” in this context can be challenging, but it is often assumed that developed nations and developing nations represent different cultures.

- Nations belonging to the same culture

For example, comparing the status of women in the administrative systems of India, Bangladesh, and Sri Lanka would be considered cross-national but intra-cultural because these countries, while distinct, share certain cultural and historical similarities. However, a comparison between Germany and Nepal would be classified as cross-national as well as cross-cultural, as these nations come from different cultural backgrounds.

1.1.4.4 Cross-national and Cross-cultural

Cross-national and cross-cultural studies involve comparing administrative systems in two or more nations that differ significantly in their socio-economic development and culture. For example, comparing the administrative structures of social justice in the U.S., Argentina, UAE, and Nigeria would fall under cross-national and cross-cultural analysis, as these countries come from distinct cultural backgrounds and have varying levels of socio-economic development.

- Comparing administrative systems in two or more nations

Culture also influences the nature of a country’s political system. For instance, the People’s Republic of China and Vietnam share a similar culture, being both communist and economically progressive. In contrast, comparing India with Vietnam or Cuba with Italy would be considered cross-cultural, as these nations come from very different cultural and political traditions.

It’s important to note that cultural categories of nations can evolve over time, affecting how these comparisons are classified.

1.1.4.5 Cross-temporal Studies

Cross-temporal studies compare administrative systems or practices across distinct time periods and focus on how systems



- Across distinct periods

or practices evolve over time. For example, comparing district administration in the pre-independence and post-independence periods in India would be considered a cross-temporal study. Similarly, comparing environmental administration during the Mauryan period and independent India would also fall under cross-temporal analysis, as it involves examining administrative changes across different historical periods.

1.1.5 Significance of CPA

The positive influence and contribution of Comparative Public Administration (CPA) can be summarized in several key areas:

1. Scientific Study of Public Administration

Robert Dahl, in his influential article 'The Science of Public Administration: Three Problems' (1947), argued that the science of public administration cannot exist without comparative analysis. James Coleman, a prominent scholar in comparative politics, similarly stated, "You cannot be scientific if you are not comparative." By comparing administrative systems across nations, new insights are gained into how different systems function. These insights can be treated as hypotheses, which are then tested empirically. This process helps to form generalizations that can apply to multiple countries or specific groups of nations, contributing to a more scientific and evidence-based understanding of public administration.

- Public administration cannot exist without comparative analysis

2. Inter-disciplinary Orientation

Comparative Public Administration draws on concepts and methodologies from a variety of disciplines, including Political Science, Sociology, Economics, Anthropology, Psychology, and others. This inter-disciplinary approach has significantly broadened and enriched the study of public administration. Scholars from these diverse fields have contributed to the development of Comparative Public Administration, bringing in different perspectives that help to better understand administrative systems in their various cultural, political, and socio-economic contexts. This broader approach enhances the depth and complexity of the field.

- Broadened and enriched the study

3. Strengthening Ecological Orientation

Traditional public administration primarily focused on describing the administrative structures of certain Western

countries, such as the U.S., Great Britain, and France, without considering the environment in which these systems operated. The environment was often treated as a fixed or “given” element, with little emphasis on how it influenced administrative systems.

- Relationship between administrative systems and their environments

In contrast, contemporary Comparative Public Administration has strongly advocated for adopting an ecological approach. This approach examines the dynamic relationship between administrative systems and their environments, making administrative systems more realistic and adaptable. It recognizes that administrative systems are not isolated entities but are shaped by and, in turn, affect the social, economic, and political contexts in which they exist.

4. Universalism

Comparative studies in public administration have challenged the parochialism of Western-focused studies. While traditional public administration is often centred on Western models, the non-Western world has developed its own unique administrative realities, which have been explored and elaborated on by numerous comparative scholars, many of whom are Western.

- Moving beyond narrow, Western-centric views.

This broader perspective has led to a conceptual transformation in Western administrative analysis, as insights from diverse global contexts have contributed to a more universal understanding of public administration. By incorporating the experiences and practices of non-Western countries, comparative public administration has enriched the field, moving beyond narrow, Western-centric views.

5. More Rational Use of Foreign Assistance

- How foreign assistance can be used

Comparative public administration has played a crucial role in improving the capacity building of nations receiving aid from international agencies and major powers. By examining the administrative systems of various countries, these studies have provided valuable insights into how foreign assistance can be used more effectively. As a result, the implementation of aid programs has become more prudent and strategic, guided by lessons learned from the experiences of different nations. This approach ensures that foreign assistance is better aligned with the specific needs and contexts of the countries receiving it.

6. Holistic Approach

While the grand theories of comparative public



- Comprehensive view of public administration

- Socio-economic and political development

- Goal-oriented and change-oriented

- Administrative change

administration, influenced by fields like Political Science, Sociology, and Anthropology, may not have always strengthened the scientific analysis of administrative realities, they have significantly expanded the field's vision. These theories have helped scholars and practitioners recognize the importance of viewing administrative systems from a holistic perspective. This systemic approach has deepened the understanding of various administrative systems and their subsystems, enabling a more comprehensive view of public administration.

7. Administrative Development

Comparative public administration has emphasized the need for continuous improvements in the structures, processes, and behavioural patterns of administrative systems across diverse settings. This approach underscores that socio-economic and even political development can be accelerated through effective administrative practices, highlighting the critical role of administration in driving broader development goals.

8. Development Administration

A key outcome of studying comparative public administration is the emergence of the concept of 'development administration'. This concept has become a central strategy for the holistic transformation of societies. Development administration is widely recognized as goal-oriented and change-oriented, driving a country's overall progress. It focuses on using administrative systems to implement development strategies that bring about long-term social and economic improvements.

9. Administrative Reforms

The cross-national experiences of administrative reforms in countries such as Britain, Zaire, Indonesia, Bolivia, Sweden, and India have played a significant role in inspiring goal-directed administrative change globally. These examples have influenced administrative reform efforts in various nations. International organizations like the UNDP and World Bank have further supported this movement, promoting reforms to enhance the effectiveness of administrative systems. Consequently, good governance has become a key strategy for administrative change, especially in many non-Western countries, where reforms aim to improve governance and public administration.

10. Responsiveness

One of the key outcomes of the systems and ecological

- Responsive to the needs and aspirations

approaches in comparative public administration is the emphasis on inputs from the environment, which include demands and support. These inputs reflect the needs and aspirations of the general public and social groups, making them central to the analysis of governance systems. The expectation is that the outcomes of administrative systems, in the form of decisions and actions, should align with these inputs. This approach has made administrative systems more responsive to the needs and aspirations of the people. Additionally, the throughputs (processes within the system) of administrative systems have become more rational, improving their overall functioning.

- Competence of administrative systems

11. Overcoming False Impressions

Traditional administrative theory often adopted a purely structural approach, which led to the false impression that non-Western countries, lacking Western-style structures, were less developed. The structural-functional approach in comparative public administration has corrected this perception. It has demonstrated that while administrative systems in developing countries may not have the same conventional structures as those in Western countries, they still perform many of the same functions. Moreover, in many developing nations, administrative structures are often multi-functional, meaning that a single structure may serve multiple purposes. This insight has highlighted the competence of administrative systems in developing countries, challenging outdated views of their development.

In summary, the comparative study of public administration has had a positive impact on the discipline's intellectual development. It has broadened our understanding of administrative structures, processes, roles, and behaviours, offering new perspectives on governance and administrative practices worldwide.

Summarised Overview

This unit explores the foundational aspects of Comparative Public Administration (CPA), tracing its evolution from traditional, Western-centric perspectives to a diverse, interdisciplinary field. It defines CPA as the comparative study of administrative systems across nations, emphasizing their interaction with cultural, social, and political environments. Key methodologies, including normative, empirical, nomothetic, and ecological approaches, are discussed, along with CPA's scope in intra- and cross-na-



tional, cross-cultural, and cross-temporal analyses. The document highlights CPA's significance in fostering scientific study, ecological awareness, universalism, effective use of foreign aid, and administrative reforms. By bridging theoretical insights and practical applications, CPA enhances governance and responsiveness globally.

Assignment Questions

1. Explain the origins and evolution of Comparative Public Administration (CPA) and its significance in the study of governance.
2. Discuss the key methodologies used in CPA, including normative, empirical, and ecological approaches, with examples.
3. How does Comparative Public Administration address the influence of socio-economic and cultural factors on administrative systems?
4. Differentiate between intra-national, cross-national, and cross-cultural analyses within the scope of CPA.
5. What are the contributions of CPA in promoting administrative reforms and improving governance globally?

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Suggested Reading

1. Sahni, Pradeep and E. Vayunandan. 2009. Administrative Theory. New Delhi: Prentice-Hall.
2. Waldo, Dwight. 1955. The Study of Public Administration. New York: Double day.

Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU



UNIT 2

Evolution of Comparative Public Administration

Learning Outcomes

By studying this unit, the learner will be able to:

- trace the historical evolution and significance of *Comparative Public Administration (CPA)* within diverse cultural, political, and administrative contexts
- critically analyse *Fred Riggs' ecological approach* and the *Prismatic Society model* as frameworks for understanding administrative systems in transitional societies
- evaluate the contributions of the *Comparative Administration Group (CAG)* in shaping CPA as an academic discipline and its influence on administrative reforms
- assess the contemporary relevance of CPA in addressing governance challenges, enhancing policy effectiveness, and fostering institutional development in emerging nations

Background

In the mid-20th century, as newly independent nations sought to establish effective governance structures, a critical question emerged: *Could the administrative frameworks that functioned successfully in Western nations be directly applied to these diverse cultural, political, and socio-economic landscapes?* Scholars quickly recognized that the *one-size-fits-all* approach to public administration often failed to address the unique governance challenges of developing countries. This realization gave rise to Comparative Public Administration (CPA)—a field dedicated to analysing and understanding the variations in administrative practices across different national contexts.

A pivotal moment in CPA's development was the formation of the Comparative Administration Group (CAG) in 1960. Comprising leading scholars, including Fred Riggs, CAG sought to move beyond Western-centric models of governance and develop new theoretical frameworks tailored to transitional and developing societies. Riggs' Prismatic Society model, for instance, provided a lens through which scholars could examine the complex interplay between traditional and modern administrative structures in societies undergoing rapid transformation.

Through cross-national research and empirical studies, CPA evolved into a powerful analytical tool for diagnosing administrative inefficiencies, guiding policy reforms, and fostering innovation in governance. Today, it remains indispensable in understanding governance challenges and designing context-sensitive administrative solutions that promote sustainable development.

Keywords

Prismatic Society, Comparative Administration Group, Development Administration

Discussion

1.2.1 Introduction

Having established what Comparative Public Administration is and why it matters, the next step is to explore how CPA itself emerged and evolved—including key pioneers, such as Fred Riggs, and the landmark contributions of the Comparative Administration Group. Unit 2 will discuss these historical developments, showing how early efforts shaped the CPA we know today and set the stage for its ongoing relevance in addressing contemporary governance challenges. The rise of Comparative Public Administration marks a shift away from purely Western-based understandings of governance to a more contextual approach, recognizing variations in culture, politics, and economics. From the 1950s onward, academics increasingly questioned why classical administrative templates often missed the mark in newly decolonized or rapidly developing states. At the heart of CPA's formalization was the Comparative Administration Group (CAG), established in 1960 under the American Society for Public Administration (ASPA). Tasked with weaving empirical evidence into theoretical constructs, CAG critiqued the universal application of Western doctrines to all nations, aiming to cultivate a more adaptable and empirically grounded model of administrative excellence. Through conferences, publications, and worldwide research, CAG not only broadened global interest in CPA but also laid a robust conceptual framework that guides the field to this day.

- Shift away from purely Western-based understandings

1.2.2 The Comparative Administrative Group (CAG)

The Comparative Administration Group (CAG), established in 1960 as a committee of the American Society for Public



- Limited relevance in different cultural contexts

Administration (ASPA), made a significant contribution to the development of comparative public administration. It was supported by the Ford Foundation. Key scholars involved in CAG included Fred Riggs, Alfred Diamant, Ferrel Heady, Dwight Waldo, Wallace Sayre, Martin Landau, William Saffin, John Montgomery, Ralph Braibanti, Bertram Gross, and others.

Fred Riggs is considered the leading figure in comparative public administration and is often referred to as the father of the field. He chaired CAG for a decade (1960-1970) and was succeeded by Richard Gable. Riggs noted that the CAG primarily consisted of scholars who had worked on technical cooperation missions in various parts of the developing world. These experiences revealed that American administrative doctrines had limited relevance in different cultural contexts, prompting CAG members to reconsider and refine these doctrines based on a deeper understanding of the forces influencing administrative behaviour in these nations.

The turning point for comparative public administration came in 1962 when the CAG received financial backing from the Ford Foundation. With this support, the CAG set out with three main objectives:

- To promote research in comparative public administration.
- To support the teaching of comparative public administration.
- To contribute to the development of more effective public policies in the field of development administration.

Current Status

As of 2021, the field of Comparative Public Administration (CPA) is marked by several significant institutional developments:

1. Academic Integration: CPA is widely taught at both undergraduate and postgraduate levels in numerous universities and colleges, both in India and abroad.
2. Scholarly Attention: Nearly all leading public administration journals feature articles on comparative administrative systems, reflecting the field's growing importance.
3. Institutional Support: The Section on International and

Comparative Administration (SICA) of the American Society for Public Administration (ASPA) is actively promoting research, teaching, and communication related to CPA.

Despite these advancements, the discipline faces certain challenges:

1. There is a scarcity of books dedicated to CPA, which limits the availability of comprehensive resources.
2. Very few Ph.D. theses focus on comparative aspects of administration in developing countries, including India.
3. To strengthen CPA further, there is a pressing need to expand scholarly work and resources, thereby giving the discipline a much-needed boost.

1.2.3 Contributions of Fred W Riggs

Fred Riggs' ecological theory of public administration was heavily influenced by his early life experiences. Born in 1917 in Kuling, China, a mountain resort on the Yangtze River in Kiangsi province, Riggs was the son of American missionaries who arrived in China in 1916 to help improve farming methods. His parents, like many Western experts of their time, believed that modern, scientific agricultural techniques could solve the challenges faced by local farmers, leading to increased productivity. However, Riggs later realized that these Western methods were not effective in the Chinese context due to the unique socio-economic and environmental conditions. His father, an agricultural expert, eventually adapted to the local circumstances, developing an indigenous approach that better addressed the realities of the region.

- Unique socio-economic and environmental conditions

In 1935, Riggs moved to the United States to study journalism and political science at the University of Illinois. His initial aspiration was to become a foreign correspondent, but with the economic depression limiting opportunities, he stayed in academia. Riggs later earned a master's degree from the Fletcher School of Law and Diplomacy in 1941, followed by a doctorate in political science from Columbia University, specializing in international relations. His dissertation, later published as a book in 1950, focused on the repeal of the Chinese Exclusion Acts.



- Disconnect between form and substance

Although Riggs did not formally study public administration, this absence proved beneficial. His early work with the Foreign Policy Association in the 1940s made him increasingly aware of the disconnect between form and substance in many developing countries' governance. He became critical of American public administration, which often idealized its own practices as universally applicable, ignoring the diversity of administrative systems worldwide.

- Ford Foundation grant

In 1951, Riggs began working at the Public Administration Clearing House in New York under Rowland Egger, who had received a Ford Foundation grant to improve global public administration. While working there, Riggs became increasingly disillusioned with the American-centric view of public administration. By 1955-56, he co-taught one of the first graduate seminars on comparative public administration at Yale University. In 1956, he joined Indiana University's Government Department, where his ideas on the convergence of different administrative systems in modernizing countries began to take shape.

Riggs sought field experience to further develop his theories, spending time in Thailand in 1957-58, studying government programs related to rice farming. He also worked in the Philippines in 1958-59, teaching at the newly established Philippine Institute of Public Administration. This hands-on experience in different countries helped him refine his ideas about the paradoxes of public administration in transitional societies. His work culminated in three significant books: *The Ecology of Public Administration* (1961), *Administration in Developing Countries: The Theory of Prismatic Society* (1964), and *Thailand: The Modernization of a Bureaucratic Polity* (1966).

1.2.3.1 Theory of Prismatic Society

- Functions are universal, and the structures are not

Fred Riggs' Theory of Prismatic Society drew on the social science approach known as structural-functionalism. This approach posits that all societies perform certain essential functions—such as resolving disputes, making laws, managing health, and disposing of waste. While these functions are universal, the structures societies use to carry them out vary greatly.

In traditional societies, the structures used to perform these functions are few and integrated, while in industrial societies, there are many distinct structures, each designed for a specific function. Riggs used this framework to understand

modernization, which he viewed as a process of increasing structural differentiation. Influenced by the work of Harvard sociologist Talcott Parsons, who promoted structural-functionalism, Riggs aimed to conceptualize the complexities of transitional societies, which were neither purely traditional nor fully industrialized.

- The analogy of light

To communicate his ideas clearly, Riggs used the analogy of light. Just as white light from the sun is a combination of all visible wavelengths, traditional societies have fused structures. When light passes through a prism, it splits into a rainbow of individual colours—symbolizing the differentiated structures of industrialized societies. Riggs described transitional societies as existing within a “prismatic” state, where old and new structures coexist and interact. Unlike the commonly misunderstood “escalator model” of modernization, Riggs argued that prismatic societies were not temporary or transitional but rather represented a distinct type of society with its own dynamics.

A key feature of prismatic societies is formalism, where leaders borrow structures and practices from industrialized nations—such as bureaucracies, banks, or markets—without adapting them to local cultural and social contexts. The imported structures often serve as facades, masking traditional practices that continue to influence daily life. Riggs compared this to the façades built in American frontier towns, which looked modern but concealed less developed conditions inside. In prismatic societies, the structures might appear modern, but their operation often reflects traditional practices, leading to discrepancies between appearance and reality.

- Importance of using new terminology

Riggs emphasized the importance of using new terminology to understand these societies, rejecting Western concepts that might mislead analysts into thinking that prismatic institutions operated the same way as their Western counterparts. For example, a “bureau” in a prismatic society, while similar in name to a modern bureaucracy, operates differently. Riggs used the term sala to describe such offices—not just formal places of business but also spaces where personal and official duties intersect, reflecting the blend of old and new systems in a transitional society.

Riggs’ vocabulary was extensive and complex, designed to challenge conventional understanding. Terms like clects (a fusion of “cliques” and “sects”) described groups in prismatic societies that resembled Western interest groups but



functioned more like traditional families or clans. Similarly, poly-normativism referred to the coexistence of multiple, often contradictory, normative systems, where legal rules could be varied or selectively enforced based on status, and traditional beliefs were integrated with modern legal practices.

- Reciprocal relationships and personal power

In prismatic societies, economic activities, while resembling market structures, often operate according to reciprocal relationships and personal power dynamics. Prices fluctuate based on bargaining, status, and negotiation skills, much like in bazaars. Similarly, political and social norms are often influenced by status and privilege, with leaders using coercion, charisma, or financial power to maintain control rather than relying on formal legal systems. Riggs' theory thus provides a framework for understanding the complex, hybrid nature of public administration in societies undergoing modernization, where both traditional and modern elements coexist and influence one another.

1.2.4 Contributions of Edward Weidner

Edward Weidner made significant contributions to the field of comparative public administration, particularly in the context of understanding and analysing public administration in developing countries. His work emphasized the importance of examining public administration through a comparative lens, recognizing that each country's administrative system operates within a unique cultural, political, and historical context. Weidner was particularly concerned with the need to adapt administrative theories from developed countries to the specific realities of developing nations, rather than applying Western models directly.

- Relationship between political structures and administrative systems

One of Weidner's key contributions was his focus on the relationship between political structures and administrative systems. He argued that public administration cannot be understood in isolation from the political environment in which it operates. For Weidner, the political system and administrative structures are deeply intertwined, and the way in which public administration functions is often shaped by the political dynamics, power structures, and cultural values of a given society.

In the early 1960s, Weidner proposed a model that classified public administration systems into various types based on their structure, function, and relationship with the political system. He identified the need to examine administrative systems

through a framework that takes into account each country's specific conditions, such as its level of development, political stability, and socio-cultural influences.

- Recognizing the role of the bureaucratic elite

Weidner also emphasized the importance of recognizing the role of the bureaucratic elite in shaping the policies and actions of government institutions, especially in developing nations. He noted that in many post-colonial countries, the bureaucratic elite often wielded significant power, and their actions had a profound impact on both policy outcomes and the relationship between the government and the public.

Another significant aspect of Weidner's work was his focus on public administration as a means to promote development in emerging nations. He argued that effective administration was crucial for fostering economic development, promoting social justice, and enhancing governance in these countries. Weidner suggested that public administration in developing nations should be evaluated not only in terms of efficiency and effectiveness but also in terms of its ability to promote the broader goals of development.

- Taking local contexts into account

Furthermore, Weidner's work contributed to the growing emphasis on the comparative method in public administration research. By advocating for the comparative study of different administrative systems, Weidner helped to pave the way for a more nuanced understanding of how public administration functions in diverse political and cultural settings. His work underscored the importance of taking local contexts into account when developing theories and practices in public administration.

In summary, Edward Weidner's contributions to comparative public administration were pivotal in expanding the field's scope beyond Western-centric models. His emphasis on the political and cultural context, his focus on the bureaucratic elite, and his recognition of the role of public administration in development provided valuable insights that continue to influence the study and practice of public administration, especially in developing countries.

1.2.5 Comparative Public Administration as a study of developing areas

Comparative Public Administration (CPA) has gained significance as a tool for understanding and addressing the administrative challenges of developing nations. The field



- Administrative challenges of developing nations

emerged during the post-World War II period when many countries in Asia, Africa, and Latin America gained independence. These nations faced complex socio-economic challenges, requiring robust administrative frameworks to support policy-making, planning, and governance. CPA offers a comparative lens to study the administrative systems of these developing areas, emphasizing their unique socio-cultural and economic contexts.

The study of CPA in developing regions focuses on various dimensions:

- 1. Understanding Administrative Structures:** CPA examines the administrative frameworks of developing nations, often influenced by colonial legacies. This analysis helps identify strengths and weaknesses in governance structures.
- 2. Addressing Development Challenges:** Developing areas often grapple with issues like poverty, illiteracy, and inadequate infrastructure. CPA contributes by providing insights into how administrative reforms and innovations can effectively address these challenges.
- 3. Learning from Cross-national Comparisons:** By comparing administrative systems globally, CPA helps developing nations adopt successful practices from other contexts while adapting them to local conditions. For instance, strategies for healthcare or education reforms from one region may inspire solutions in another.
- 4. Administrative Reforms and Capacity Building:** CPA has been instrumental in promoting administrative reforms in developing areas. Initiatives supported by international organizations, like the UNDP and World Bank, have benefited from CPA's insights into governance and capacity-building strategies.
- 5. Promoting Development Administration:** CPA emphasizes the concept of development administration, which is goal-oriented and change-driven. It serves as a vital framework for driving holistic transformation in developing societies, focusing on social and economic progress.

CPA plays a pivotal role in enhancing the administrative capacities of developing nations by offering comparative insights

and practical frameworks. It not only addresses the immediate governance needs of these countries but also facilitates long-term socio-economic growth. Through its interdisciplinary and dynamic approach, CPA continues to be a valuable resource for scholars, policymakers, and practitioners aiming to strengthen administration in the developing world.

Summarised Overview

Comparative Public Administration (CPA) emerged in the mid-20th century as scholars recognized the limitations of Western administrative theories in addressing the unique challenges of developing nations. The establishment of the Comparative Administration Group (CAG) in 1960 marked a turning point, with pioneering scholars like Fred Riggs introducing innovative frameworks such as the Prismatic Society to analyze transitional systems. Edward Weidner further enriched the field by emphasizing the interplay of political and administrative structures in diverse contexts. CPA has since evolved into a vital discipline, offering comparative insights to improve governance, drive administrative reforms, and address socio-economic challenges in developing areas while promoting cross-national learning and development administration.

Assignment Questions

1. Outline the evolution of Comparative Public Administration and its importance for modern governance.
2. Discuss the Comparative Administration Group (CAG) and its major contributions to CPA.
3. Summarize Fred Riggs' Prismatic Society concept and apply it to a transitional society.
4. What is Edward Weidner's perspective on CPA, particularly regarding developing nations?
5. In what ways does CPA tackle the administrative hurdles faced by emerging states?

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Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU

UNIT 3

Approaches and Methods to the Study of Comparative Public Administration

Learning Outcomes

By the completion of this unit, the learner will be able to:

- understand the key concepts and applications of the Institutional and Behavioural Approaches in comparative public administration
- analyse the significance of the Structural and Functional Approaches in examining administrative systems across different societies
- evaluate the contributions of the Ecological Approach in understanding the impact of the environment on public administration
- explore the Bureaucratic and Systems Approaches to study the organization and dynamics of administrative systems worldwide

Background

In the quest to understand public administration across different countries and cultures, scholars have developed various approaches and methods to examine how administrative systems function and evolve. During the mid-20th century, the Institutional and Behavioral Approaches emerged as dominant frameworks, focusing on the formal structures of governance and the behaviours of individuals within these systems. Meanwhile, the Structural and Functional Approaches sought to analyse the interrelationships between various components of administrative systems, offering insights into the roles and functions that drive effective governance. The Ecological Approach introduced the idea that the environment—social, political, and economic—shapes administrative practices and outcomes, while the Bureaucratic and Systems Approaches emphasized the importance of organizational structures and systemic dynamics. Each of these approaches, with its unique lens, has contributed significantly to the comparative study of public administration, helping scholars navigate the complexities of governance across the globe.



Keywords

Bureaucratic, structural-functional, systems, behavioural

Discussion

Having explored the origins of Comparative Public Administration (CPA) and the key scholars who contributed to its development, we now focus on the different approaches and methods used to compare administrative systems. Unit 3 introduces various frameworks, including the Bureaucratic Model, Structural and Functional perspectives, and Ecological analyses, each offering a distinct way of understanding governance across different contexts. These perspectives help researchers examine how administrative structures function, how they adapt to different political and social environments, and how they influence public policy and service delivery. By applying these frameworks, scholars can identify patterns, assess strengths and weaknesses, and gain a deeper understanding of governance in a comparative context.

1.3.1 The Bureaucratic Approach

Max Weber (1864–1920), a German sociologist, developed a series of “ideal-type” models. As a historical sociologist, he examined the administrative systems of various nations across history and logically constructed relationships and events associated with them. To understand Weber’s work, it is essential first to grasp his concept of authority.

Weber defined authority as “the probability that a command with a given specific content will be obeyed by a given group of persons.” Unlike classical Public Administration thinkers such as Henri Fayol and Harvey Walker, who primarily associated authority with a legal foundation, Weber took a different approach. He emphasized the concept of authority as being rooted in its acceptance by those to whom commands are directed. According to Weber, authority exists only when it is acknowledged and accepted by individuals. If they do not comply, the authority effectively ceases to exist. Thus, authority, as per Weber, is not merely imposed but is a relationship shaped by both the one who issues the command and the one who receives it. Importantly, this relationship depends significantly on the receiver’s perception of the command as legitimate.

The legitimacy of authority, according to Weber, may be based on one of the following three factors:

- Authority with a legal foundation

1. **Rational Grounds:** This type of authority, referred to as legal-rational authority, is based on a belief in the legality of normative rules and the right of those in authority to issue commands within the framework of these rules.
2. **Traditional Grounds:** Known as traditional authority, this form rests on the sanctity of established traditions and the legitimacy of those who derive their authority from these traditions.
3. **Charismatic Grounds:** This is referred to as charismatic authority and relies on faith in the exceptional qualities or charisma of the individual issuing commands, often perceived as possessing extraordinary or even supernatural attributes.

Each type of authority corresponds to a distinct administrative system shaped by the characteristics of the underlying authority.

- In traditional authority systems, administrative structures are guided by customs and conventions, often lacking defined roles, hierarchical organization, systematic appointments, promotions, or formal training.
- In charismatic authority systems, administration revolves around the leader's discretion, with decisions on recruitment, responsibilities, promotions, and rewards based on their personal preferences.
- Legal-rational authority gives rise to bureaucracy, characterized by structured rules and regulations, as explored in detail in the subsequent section.

The Bureaucratic Model

Max Weber's bureaucratic model is characterized by the following features:

1. **Formal Authority:** Administrators are bound by authority only in their official roles. Informal authority is not considered legitimate.
2. **Hierarchical Structure:** Positions within the administrative system are organized in a hierarchy, with roles ranked based on the importance of their authority and



responsibilities. At the top of this hierarchy is typically a non-bureaucrat, such as an elected representative of the people.

3. **Defined Roles:** Each position in the bureaucracy has clearly defined competencies and responsibilities.
4. **Merit-Based Appointments:** Officials are appointed through an open selection process based on merit and technical qualifications.
5. **Technical Competence:** Entry into the bureaucracy relies on specialized knowledge, which is also the foundation of its superiority.
6. **Fixed Salaries and Benefits:** Bureaucrats receive fixed salaries according to graded pay scales. Retired officials are granted pensions as per rules based on their service, responsibilities, and status.
7. **Full-Time Occupation:** Bureaucratic roles are full-time occupations. Members are prohibited from engaging in part-time jobs or other parallel employment.
8. **Career Progression:** Bureaucracy offers a career-oriented system, with promotions based on seniority, achievement, or merit.
9. **Separation of Office and Property:** Bureaucrats are prohibited from using organizational resources for personal benefit aimed at curbing corruption.
10. **Discipline and Conduct Rules:** To ensure accountability, officials are subject to a code of conduct, with penalties for violations.
11. **Rational Administration:** The system operates on rational principles, ensuring the optimal use of resources such as money, manpower, and time to achieve maximum results.
12. **Efficiency:** Bureaucracy is considered the most efficient administrative system compared to those based on traditional or charismatic authority.

Bureaucracy and Capitalism

Weber noted that the rise of capitalism played a significant role in the development and expansion of bureaucratic systems. Capitalism relies on large-scale organizations, which require

- Development and expansion of bureaucratic systems

bureaucratic management for their operation. Importantly, Weber's concept of bureaucracy is not limited to government systems—it applies to all large organizations, including those in the private sector.

Weber's intriguing observation was that he recognized the Vatican, the highest seat of the Catholic Church, as one of the most advanced examples of bureaucratic organization.

Merits of Bureaucracy

Max Weber's bureaucratic model, though an ideal type or "utopia," has significantly influenced administrative systems worldwide. While no actual system perfectly embodies Weber's ideal, his framework remains the most universally accepted model of bureaucracy, praised for its unique strengths:

1. **Governance by Rules:** Bureaucracy is governed by established laws and rules, ensuring consistency and fairness.
2. **Objectivity:** It follows an impartial approach, minimizing biases in decision-making.
3. **Efficiency and Rationality:** Bureaucratic systems are more efficient and rational compared to traditional or charismatic administrative systems.
4. **Hierarchical Organization:** A well-defined hierarchy clarifies roles and responsibilities, facilitating smooth decision-making and accountability.
5. **Specialization:** Expertise is prioritized, ensuring that tasks are performed by qualified individuals with relevant skills.
6. **Defined Job Responsibilities:** Clear-cut job roles prevent ambiguity and promote accountability.
7. **Structured Compensation:** Bureaucrats receive fixed salaries and pensions, ensuring financial stability and motivation.
8. **Merit-Based Administration:** Recruitment and promotions are based on merit, with opportunities for improvement through training.
9. **Discipline and Conduct Rules:** These ensure ethical behaviour and adherence to professional standards.
10. **Social Equity:** Bureaucracy promotes social levelling



by providing equal opportunities for all segments of society to compete for positions.

11. Anti-Corruption: By separating office and personal interests, the bureaucratic model discourages misuse of power.

Global Impact of Bureaucracy

Most countries, whether developed or developing, have institutionalized bureaucratic systems based on Weber's model. Even monarchies and single-party states have incorporated its principles to varying degrees. While the application of bureaucratic features differs across governance structures, the influence of Weber's framework is undeniable.

- Application of bureaucratic features

Ideal vs. Real Bureaucracies

It is essential to differentiate between Weber's ideal type bureaucracy and the actual bureaucratic systems seen in practice. The former is an imagined, fully developed administrative system, while the latter often falls short of the ideal. These shortcomings are not flaws in Weber's model but arise from the practical challenges and conduct of real-world bureaucracies.

- Practical challenges and conduct

Despite its limitations in implementation, the Weberian model remains a foundational paradigm in public administration, providing a blueprint for effective governance.

1.3.2 The Behavioural Approach

During the mid-20th century, particularly during the late 1940s, 1950s, and 1960s, the behavioural movement emerged as a leading approach for studying societies and organizations. This movement focused on the scientific analysis of human behaviour across various settings. In the fields of political science and public administration, it arose as a response to the traditional reliance on historical and normative methods of analysis. The behavioural approach in public administration drew heavily from disciplines such as Sociology, Anthropology, Psychology, and Political Science.

- Scientific analysis of human behaviour

Key Features of the Behavioural Approach

The behavioural approach, including its applications in comparative public administration, is characterized by the following:

1. Descriptive and Analytical Focus: This approach em-

phasizes understanding “what is” rather than prescribing “what ought to be.” Its literature is analytical and descriptive rather than normative.

2. **Rigorous Methodology:** It employs robust research methods, including field studies, experimentation, and systematic observation.
3. **Quantitative Techniques:** Many studies within this framework use mathematical models and quantitative analysis to support findings.
4. **Theory Development:** A core goal of the behavioural approach is to develop formal theories through systematic methodologies and empirical testing.
5. **Interdisciplinary Nature:** This approach integrates concepts and methods from various disciplines, highlighting its broad and collaborative scope.

Contribution to Comparative Public Administration

The behavioural approach has significantly contributed to the growth of comparative public administration by encouraging the development of theories and testing hypotheses across different organizational, societal, national, and cultural contexts. Scholars using this approach have conducted numerous cross-national studies of administrative systems. Notable contributors to the field include Robert Presthus, Morroe Berger, Michael Crozier, Kuldeep Mathur, and Richard Taub.

- Development of theories and testing hypotheses

Decline of the Behavioural Approach

By the late 1960s, the dominance of the behavioural approach began to wane with the rise of the Post-Behaviouralism movement. This shift brought a renewed focus on the normative aspects of public administration, sparking the emergence of the New Public Administration movement. This new perspective emphasized that addressing questions of “what should be” is as crucial as analysing “what is.” It underscored the importance of integrating values and ideals alongside empirical facts in the study of public administration, including its comparative dimensions.

- Focus on the normative aspects of public administration

The Shift in Comparative Public Administration

Post-Behaviouralism redirected comparative public administration toward addressing real-world social and economic challenges. The focus expanded beyond mere theory-



- Applications for problem-solving

building to include practical applications for problem-solving in areas such as poverty alleviation, education, healthcare, environmental protection, and gender justice. This evolution resulted in contemporary studies that are policy-driven and action-oriented, while still adhering to rigorous research methodologies.

Positive Impact of the Behavioural Approach

The behavioural approach has contributed significantly to the development of comparative public administration, bringing about the following positive influences:

1. **Shift from Normative to Empirical Studies:** This transitioned comparative public administration from normative analysis to empirical research. Fred W. Riggs notably highlighted this shift in his 1962 article.
2. **Scientific Advancement:** By emphasizing data collection, observation, and quantification, the approach laid a strong foundation for the discipline's scientific evolution, enhancing its methodological rigor.
3. **Introduction of Dynamics:** The focus on the behaviour of administrators and organizations in diverse cultural and national settings introduced dynamism into public administration studies. This broadened the scope from merely studying organizational structures to understanding their functioning within varying contexts.
4. **Ecological Awareness:** It emphasized the importance of environmental factors in public administration, fostering a more ecological approach to comparative studies.
5. **Global Intellectual Collaboration:** The approach encouraged cooperation and exchange of ideas among scholars and institutions worldwide, enriching the study of public administration.
6. **Broader Impact on Public Administration:** Beyond comparative studies, the behavioural approach positively influenced the overall discipline by making it more scientific and expansive in its outlook.

Limitations of the Behavioural Approach

Despite its significant contributions, the behavioural approach in comparative public administration faced several challenges that hindered its continuation in its original form:

1. **Challenge from Post-Behaviouralism:** The rise of post-behaviouralism criticized the emphasis on facts alone, calling for a more balanced approach that integrated empirical data and normative concerns.
2. **Difficulty in Cross-Cultural Comparisons:** The behavioural approach struggled to apply uniform operational definitions and methodologies across diverse cultural contexts. Administrative structures, perspectives, and behaviours vary widely across nations, making cross-cultural comparisons complex and often problematic.
3. **Lack of Focus on Non-Western and Communist Countries:** There was a notable lack of scholarly attention to comparative public administration in non-Western countries, communist nations, and even certain Western countries. This limited the scope and inclusivity of comparative studies.
4. **Resource Constraints:** The financial and technical resources required for conducting cross-national studies were often unavailable, especially after the disbanding of the Comparative Administration Group in 1970.

Despite these limitations, the impact of the behavioural movement on comparative public administration research remains indelible. Over time, the nature of behavioural studies has evolved, incorporating both empirical and normative perspectives. Its methodologies continue to be a significant feature of contemporary comparative public administration research.

- Analysing a society

1.3.3 General Systems Approach

The General Systems Approach has its origins in Sociology and Anthropology. It focuses on analysing a society, its components, and the interdependence between them. Talcott Parsons popularized the approach through his seminal work, *The Social System* (1951), which introduced the concept of a social system.

The core elements of the systems approach are:

1. **Parts of a System (Sub-systems):** A system consists of various parts, or subsystems, each with specific roles



within the broader system.

- 2. Interdependence and Interaction:** These subsystems interact with one another, creating interdependencies that are crucial for the system's functioning.
- 3. Dynamic Interrelationship with the Environment:** A system is not isolated; it interacts with its environment, and this relationship is dynamic. The environment influences the system in two key ways: through demands (needs or pressures) and support (resources or assistance).

Key Concepts in the General Systems Approach

- 1. Throughputs:** The processing of inputs, known as "throughputs," integrates these inputs into the system, ensuring its functionality.
- 2. Outputs:** The system responds to its environment through outputs—decisions and actions that reflect its responses to external and internal factors.
- 3. Feedback:** The system incorporates feedback, where outputs lead to new inputs, creating a continuous cycle of input-throughput-output.
- 4. Dynamic Equilibrium:** A balance is maintained among the various subsystems and processes within the system and between the system and its environment. This is known as dynamic equilibrium, a state where the system remains stable despite ongoing changes.

- Emerging approaches in social sciences

Initiatives in Comparative Public Administration

Dwight Waldo, in his influential book *The Study of Public Administration* (1955), suggested that the emerging approaches in social sciences should be applied to the study of public administration. This idea was further developed by Fred W. Riggs, who, in 1957, utilised the general systems approach in his typology of Agraria-Transitia-Industria. This typology, which categorizes systems based on their stage of development, marked a significant application of the systems approach in public administration. Later, Riggs expanded this framework to

include his fused-prismatic-diffracted typology, exploring how different types of societies and their administrative systems operate within the systems approach.

Merits of the General Systems Approach in Comparative Public Administration

The general systems approach has contributed positively to the study of comparative public administration in several ways:

1. **Focus on the Whole Administrative System:** Instead of examining isolated components, the general systems approach emphasizes the study of the entire administrative system, offering a holistic perspective.
2. **Emphasis on Interactions and Interdependence:** This approach highlights the dynamic interactions and interdependencies among various sub-systems (e.g., personnel administration, financial administration, planning, policy-making, and decision-making), bringing a sense of dynamism to the analysis of administrative systems.
3. **Ecological Context of Administration:** The approach promotes the study of how the political, economic, social, and cultural environment influences administrative systems. It also considers how the system responds through its policies, decisions, and actions. This integration of environmental factors gave momentum to the ecological approach, emphasizing the interrelationship between a system and its broader context.

Limitations of the General Systems Approach in Comparative Public Administration

Despite its positive influence, the general systems approach faced certain challenges that hindered its application in comparative public administration:

1. **Abstract Concepts:** Key concepts like environment, system, input, throughput, output, and dynamic equilibrium were abstract and difficult to operationalize for empirical research purposes, limiting their practical use.



2. Lack of Empirical Application: The approach was too general to be applied directly in empirical studies, particularly because of the absence of clear operational definitions and empirical methodologies.
3. Selective Analysis: Identifying all possible inputs, throughputs, and outputs within a system proved challenging. As a result, the analysis tended to be selective, missing out on parts of the system that could have been important for a more comprehensive study.
4. Resource-Intensive Studies: Analysing an entire administrative system required substantial resources, including a team of scholars, shared analytical tools, and significant financial and time investments. These challenges were amplified for comparative studies of administrative systems.

As a result, the general systems approach lost much of its influence after the mid-1960s, especially with the decline of “grand” theories. However, it did contribute to a broader understanding of administrative systems, fostering awareness of the need for a holistic approach and the importance of considering a system within its ecological context.

1.3.4 Structural-Functional Approach

The structural-functional approach is a major theoretical framework in comparative public administration, drawing on the work of sociologists like Talcott Parsons and Robert Merton and political scientists like Gabriel Almond and Fred Riggs.

Premise

In this approach, structure refers to the standard patterns of behaviour within a social system, which can be concrete (e.g., government agencies) or analytic (e.g., authority, power, accountability). Function, on the other hand, refers to the relationships and impacts between structures, focusing on the interdependence between various parts of the system

Key elements of the structural-functional approach include:

- Standard patterns of behaviour

1. Interdependence between structures, such as the relationship between financial management and planning.
2. Influences of structures on each other, for example, how personnel policies impact the overall performance of the system.
3. Multi-functionality and Multi-structurality: Multi-functionality refers to structures performing multiple roles. For example, the Prime Minister's Office may handle a range of functions. Multi-structurality means that functions are not only performed by bureaucrats but also by other actors in society, such as politicians, economic systems, and social groups.
4. Requisites and Pre-requisite Functions: Requisite functions are necessary for the health and continuity of a system, such as policy-making or financial management. Pre-requisite functions are essential for the creation and survival of the system, like the establishment of laws and resources.

Scholars like Gabriel Almond, David Apter, and Fred Riggs have applied the structural-functional approach to understanding administrative systems. Riggs uses it extensively in his typologies, such as Agraria-Transitia-Industria and fused-prismatic-diffracted societies.

Merits of the Approach

1. Provides a dynamic view of administrative structures and functions.
2. Focuses on interactions and relationships among structures.
3. Is value-neutral, avoiding ideological bias. Acknowledges that some functions may be performed by alternative structures in different contexts.

Limitations

1. The approach is too grand to offer practical, operational definitions.
2. Identifying all functions performed by a structure



is difficult.

3. It is general, making cross-national comparisons challenging.

Despite these limitations, the structural-functional approach provides valuable insights into the diversity and complexity of administrative systems across nations.

1.3.5 Ecological Approach

- Relationship between administrative systems and their environmental contexts

The ecological approach in comparative public administration emphasizes the relationship between administrative systems and their environmental contexts. It draws from ecological concepts to analyse how various environmental factors influence administrative systems and how these systems, in turn, respond to those influences.

Premise

- Environment in the ecological approach refers to the broader political, economic, social, and cultural context in which an administrative system operates. The system is seen as part of an interconnected whole, influenced by and influencing its environment.
- The approach suggests that administrative systems cannot be studied in isolation; their structure and function are deeply intertwined with the external environment.

Key Concepts

1. **Adaptation:** Administrative systems adapt to their environment by responding to political, social, and economic changes. For instance, a change in the political system may lead to reforms in public administration.
2. **Interdependence:** The relationship between the environment and the administrative system is one of mutual influence. Administrative systems are shaped by their surroundings.
3. **Ecological Balance:** A well-functioning administrative system requires a balance between internal structures and external pressures. Disruptions in

the environment, such as economic instability, can affect the system's functioning.

- How administrative systems adapt

The ecological approach highlights the importance of understanding the environment when analysing public administration systems. Scholars use this approach to examine how administrative systems adapt to various environmental factors such as economic conditions, social values, and political ideologies.

Merits of the Approach

1. Recognizes the interdependence of administrative systems and their environment.
2. Focuses on adaptation and how systems evolve in response to external pressures.
3. Provides a holistic view of public administration by considering the broader context.

Limitations

1. The approach is broad and lacks specificity, making it difficult to apply consistently across all cases.
2. It is challenging to quantify and measure environmental influences on administrative systems.
3. The relationship between system and environment is complex and difficult to isolate in empirical studies.

Despite these challenges, the ecological approach has enriched the study of comparative public administration by encouraging a broader understanding of the context in which administrative systems operate.

1.3.6 Institutional Approach

The institutional approach in comparative public administration focuses on the role of institutions in shaping administrative systems. Institutions are seen as the formal and informal structures that govern the behaviour of actors within an administrative system. This approach emphasizes understanding how these institutions affect public administration and how administrative practices are institutionalized within a society.

- How institutions affect public administration



Premise

- Institutions are the established laws, norms, and practices that guide the functioning of public administration. They shape the behaviour of bureaucrats, politicians, and citizens.
- The institutional approach examines both formal institutions (such as constitutions, laws, and government organizations) and informal institutions (such as customs, traditions, and informal networks).

The approach stresses that institutions play a key role in defining administrative behaviour, determining policies, and shaping outcomes in public administration.

Key Concepts

1. **Formal Institutions:** These include legal frameworks, government bodies, regulations, and policies that structure public administration.
2. **Informal Institutions:** These include unwritten norms, traditions, and practices that influence administrative behaviour and decision-making.
3. **Institutionalization:** The process through which certain administrative practices and behaviours become standardized over time and accepted as the norm.

The institutional approach is widely used to analyse how administrative systems evolve and function within different political and cultural settings. By focusing on both formal and informal institutions, this approach helps scholars understand the continuity and change in public administration practices.

Merits of the Approach

1. Focuses on institutional structures and their impact on public administration.
2. Highlights the role of both formal and informal institutions in shaping administrative behaviour.
3. Encourages a historical perspective, examining

how past institutional arrangements continue to influence administrative systems.

Limitations

1. The approach can be static, as it focuses more on the existing institutional arrangements rather than on dynamic changes within public administration.
2. It may overemphasize formal institutions while neglecting the importance of informal networks and practices.
3. Comparing institutions across countries or regions can be challenging due to differing legal systems, cultures, and historical contexts.

The institutional approach offers a deep understanding of the structures that define public administration, providing insights into how institutions shape administrative systems across different countries.

Summarised Overview

The study of comparative public administration involves several key approaches that offer distinct perspectives on how administrative systems function across different cultures and societies. The Institutional and Behavioural Approaches focus on the formal structures of governance and the behaviour of individuals within them. The Structural and Functional Approaches examine the relationships and roles of various components within administrative systems. The Ecological Approach highlights the influence of the environment on public administration, while the Bureaucratic and Systems Approaches emphasize organizational structures and systemic dynamics. Together, these approaches provide a comprehensive framework for analysing the complexities of governance in diverse contexts.

Assignment Questions

1. How do the Institutional and Behavioural Approaches contribute to the study of comparative public administration?
2. What is the significance of the Structural and Functional Approaches in analysing administrative systems?
3. How does the Ecological Approach influence the understanding of public administration?



4. What are the key differences between the Bureaucratic and Systems Approaches in comparative public administration?
5. How do these various approaches complement each other in the study of comparative public administration?

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Suggested Reading

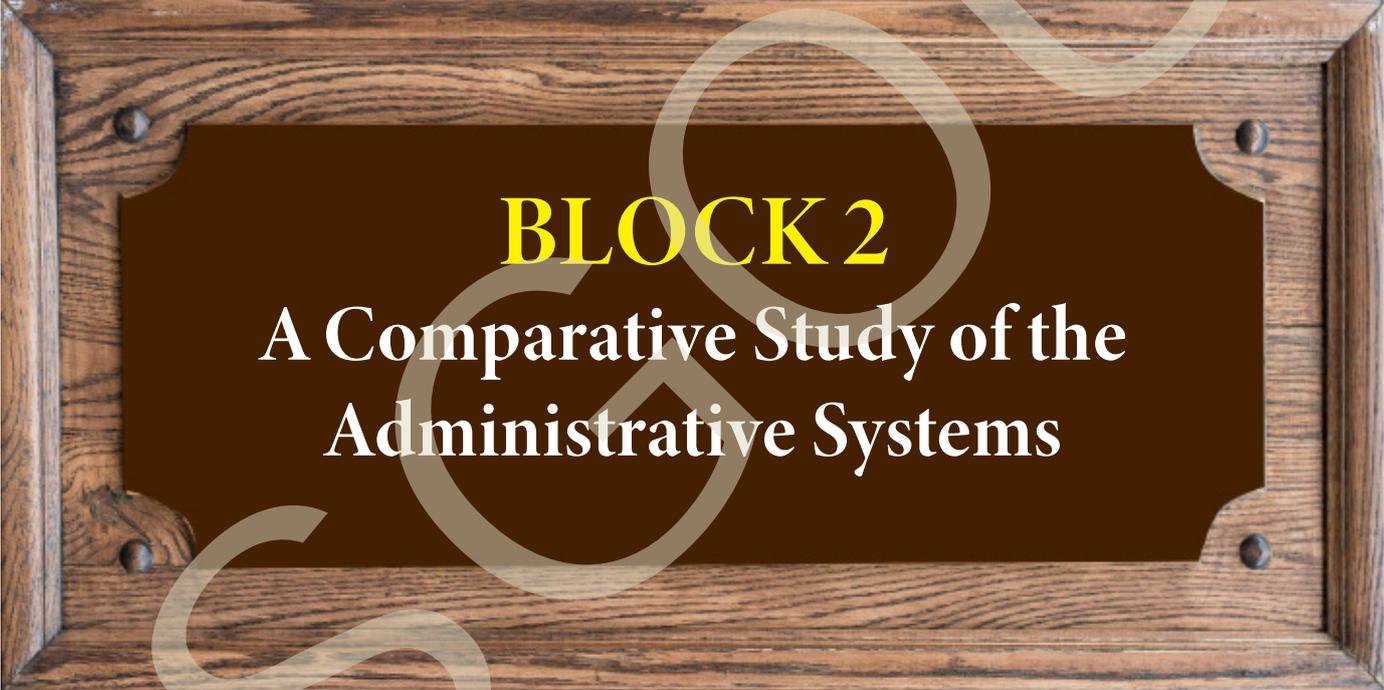
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Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU



A wooden frame with a dark brown interior and a lighter brown wood grain exterior. The frame is rectangular and has four small dark circular fasteners at the corners. The text is centered within the frame. A large, faint, light-colored watermark is visible in the background.

BLOCK 2

**A Comparative Study of the
Administrative Systems**

UNIT 1

Comparative Study of Administrative Systems

Learning Outcomes

By the completion of this unit, the learner will be able to:

- identify the distinctive constitutional features and governance frameworks of Great Britain, the USA, Japan, and Sweden
- compare the executive structures of these nations and their roles in legislative, administrative, and ceremonial functions
- analyze the relationship between executive authority and legislative accountability in different political systems
- evaluate how constitutional principles are integrated into practical governance across diverse administrative contexts

Background

The study of administrative systems across nations reveals a rich and diverse landscape of governance shaped by distinct historical, cultural, and political influences. Each country's system reflects unique constitutional traditions and approaches to executive power. Great Britain, with its unwritten yet highly adaptable constitution, relies on conventions and parliamentary sovereignty to govern. In contrast, the United States operates under a rigid and codified constitution, emphasizing a clear separation of powers and a system of checks and balances. Japan's post-war constitution redefined the role of the Emperor, shifting the nation toward a democratic framework rooted in pacifism and parliamentary governance. Meanwhile, Sweden's fundamental laws uphold transparency, equality, and participatory democracy, reinforcing its commitment to an open and accountable government. This comparative analysis highlights not only the varied structures and responsibilities of executive authorities but also the broader quest for effective, responsible, and citizen-centric governance. By studying these systems, we can better understand how nations balance tradition and modernity, authority and accountability, and individual rights with collective responsibilities in shaping their administrative frameworks.



Keywords

Executive functions, constitutional frameworks, legislative accountability

Discussion

In the first block, we explored the foundations of Comparative Public Administration (CPA), including its definition, scope, nature, key approaches, and theoretical models. We examined how scholars have developed different frameworks to analyze administrative systems, understanding the factors that shape governance structures and public administration across nations. With this foundation in place, we now move to the second block, which focuses on the actual comparative analysis of administrative systems. Here, we will study how different countries organize their governments, the constitutional principles that guide their administration, and the relationship between executive, legislative, and judicial authorities. By comparing the governance models of nations like Great Britain, the USA, Japan, and Sweden, we will gain deeper insights into how executive power is structured, how accountability mechanisms function, and how different political systems balance tradition with modern governance demands. This analysis will not only highlight differences and similarities but also help understand the effectiveness of various administrative frameworks in addressing contemporary governance challenges.

2.1.1 Administration in Great Britain

2.1.1.1 Salient Features of The British Constitution

The British Constitution is a unique framework of governance that stands apart due to its unwritten nature, combining elements of formal laws, traditions, and precedents. Unlike many constitutions formed through deliberate drafting, it has evolved organically over centuries, adapting to the changing needs of society. As a living constitution, it allows for flexibility while maintaining continuity and stability. The British Constitution establishes the foundation for a unitary state and a parliamentary system of government, where the monarch is a ceremonial head of state, and real executive power resides with the Prime Minister and the Cabinet. This dynamic yet historically grounded document reflects the balance between tradition and adaptability, making it a cornerstone of democratic governance in Great Britain.

- A living constitution

The distinguishing characteristics of the British Constitution are discussed below:

- Powers are not codified

- No distinction between constitutional law and regular legislation

- Powers are concentrated in a single central authority

- Executive originates from the legislature

1. **An Unwritten Constitution:** Unlike the American Constitution, the British Constitution is largely unwritten. Most principles governing the distribution and exercise of governmental powers are not codified. Only a small part of the Constitution is documented. It has evolved and is not a product of deliberate enactment but of historical development. It is considered both a product of chance and thoughtful design, making it dynamic and adaptable. L.S. Amery, in his book *Thoughts on the Constitution*, describes it as “a blend of formal law, precedent, and tradition.”
2. **A Flexible Constitution:** The British Constitution is inherently flexible. Unlike the American Constitution, which requires a special procedure for amendments, the British Constitution can be modified by Parliament in the same way as ordinary laws. Thus, there is no distinction between constitutional law and regular legislation.
3. **A Unitary Constitution:** The British Constitution establishes a unitary state where all governmental powers are concentrated in a single central authority. Local governments are created for administrative convenience and operate under the control of the central government in London. These local bodies derive their authority from the central government, which also retains the power to dissolve them at any time.
4. **Parliamentary Government:** The Constitution provides for a parliamentary form of government where the executive originates from the legislature and remains accountable to it. Key features of this system include:
 - The monarch serves as the nominal executive, while the Cabinet acts as the real executive. The monarch is the head of state, while the Prime Minister is the head of government.
 - The political party that wins a majority in the House of Commons forms the government, and its leader is appointed as Prime Minister by the monarch.
 - Ministers are individually and collectively accountable to the House of Commons and remain in office as long as they have its confidence.



- No distinction between constituent and legislative authority

- Rights of individuals as defined

- Monarch serving as the head of state

- The Prime Minister can advise the monarch to dissolve the House of Commons.
 - Members of the executive are also members of Parliament, ensuring better coordination and minimizing conflicts between the two branches.
5. Sovereignty of Parliament: Parliamentary sovereignty is a cornerstone of the British constitutional and political system. This principle includes the following:
- Parliament has the authority to create, amend, or repeal any law. De Lolme famously remarked, “The British Parliament can do everything except make a woman a man and a man a woman.”
 - Constitutional laws can be enacted through the same process as ordinary legislation, as there is no distinction between constituent and legislative authority.
 - Judicial review does not exist in Britain; courts cannot declare parliamentary laws unconstitutional.
6. Rule of Law: The doctrine of the rule of law is fundamental to the British constitutional framework. A.V. Dicey, in his book *The Law and the Constitution* (1885), highlighted three key aspects of this doctrine:
- The absence of arbitrary power: no one can be punished except for a breach of law.
 - Equality before the law: all individuals, regardless of status, are subject to the ordinary law administered by regular courts.
 - The primacy of individual rights: the Constitution reflects the rights of individuals as defined and upheld by courts, rather than being the source of those rights.
7. A Constitutional Monarchy: Great Britain is a constitutional monarchy with a hereditary monarch serving as the head of state. The Crown symbolizes supreme executive authority, but real power resides with the Cabinet, led by the Prime Minister. The Cabinet is collectively responsible to Parliament and ultimately to the electorate. This arrangement ensures that the monarch reigns but does not rule. The distinction between the Crown

and the monarch underscores the difference between the institution of monarchy and the individual monarch. As the saying goes, “The King is dead; long live the Crown,” emphasizing the continuity of the institution despite changes in the individual occupying the throne.

8. Bicameralism: The British Parliament comprises two houses: the House of Lords and the House of Commons.

- The House of Lords: This is the upper house, consisting of lords, peers, and nobles, and represents the aristocratic element of the system. It is primarily hereditary and currently includes approximately 1,150 appointed members categorized into seven distinct groups.
- The House of Commons: The lower house is more significant and powerful than the House of Lords. It consists of 650 members elected by the public through universal adult suffrage. These seats are distributed among England, Wales, Scotland, and Northern Ireland.

- Two houses

- Responsible for forming the government

- Collectively discuss and decide

2.1.1.2 Structure and functions of the UK executive

1. Prime Minister: The Prime Minister is the head of the UK executive, typically the leader of the political party with the most seats in the House of Commons. They are responsible for forming the government, appointing Cabinet members and junior ministers, and setting the overall policy direction. The Prime Minister leads Cabinet meetings, coordinates the work of government departments, represents the UK in domestic and international affairs, and exercises significant influence over the legislative agenda. They also wield Royal Prerogative Powers, including conducting diplomacy, granting honours, and advising the monarch on proroguing Parliament.
2. The Cabinet: The Cabinet is the most senior decision-making body in the UK government, chaired by the Prime Minister and composed of senior ministers, including those holding the “Great Offices of State” (e.g., Chancellor of the Exchequer, Foreign Secretary, and Home Secretary). Cabinet members collectively discuss and decide on key government policies and



strategies. Operating under the principle of collective cabinet responsibility, all members must publicly support decisions made within the Cabinet, regardless of personal opinions. Cabinet members oversee their respective departments, ensuring policy implementation and responding to parliamentary scrutiny.

- Handle day-to-day responsibilities

3. **Junior Ministers:** Junior ministers, including Ministers of State and Parliamentary Under-Secretaries of State, assist Cabinet members in specific areas of departmental work. They handle day-to-day responsibilities, such as overseeing policy development, representing their departments in Parliament, and managing legislative initiatives. Junior ministers ensure that their departments function effectively and that government policies are implemented at all levels.

- For specific policy areas

4. **Government Departments:** Government departments are the operational arms of the executive, each headed by a Secretary of State or equivalent. These departments are responsible for specific policy areas, such as health, education, defense, and transport. Departments manage the development and execution of government policies, often introducing legislation or programs to address national issues. They work closely with the Civil Service to deliver services and meet policy objectives.

- Provides expertise

5. **Civil Service:** The Civil Service is a non-political body that supports the executive in implementing government policies. It ensures continuity and provides expertise across various government functions. Civil servants assist ministers in drafting legislation, developing policies, and managing public services. They play a key role in executing decisions made by the executive while maintaining neutrality and professionalism, regardless of changes in political leadership.

- Detailed rules and policies

6. **Delegated and Secondary Legislation:** The executive has the authority to create delegated or secondary legislation, allowing ministers to develop detailed rules and policies within the framework of primary legislation passed by Parliament. This process enables the government to implement policies efficiently without the need for a new Act of Parliament for every modification. Ministers must act within the limits of the enabling legislation, as any overreach can be challenged through judicial review.

- Subject to public and parliamentary scrutiny

- Specific aspects of governance

- System of checks and balances

7. Royal Prerogative Powers: Royal Prerogative Powers, historically vested in the monarch, are now largely exercised by the executive. These powers include conducting foreign policy, signing treaties, deploying the armed forces, granting honours, and advising on the prorogation of Parliament. While these powers give the executive significant discretion, their use is often subject to public and parliamentary scrutiny.
8. Independent Regulatory and Advisory Bodies: The executive is supported by independent commissions, boards, and agencies that regulate various sectors and provide policy advice. These bodies, such as Ofqual and advisory groups, ensure that specific aspects of governance are managed effectively. They contribute to the implementation of government objectives while maintaining independence from political interference.

2.1.2 Administration in the USA

2.1.2.1 Features of The American Constitution

The United States Constitution, adopted in 1787, is the supreme law of the land and serves as the foundation for the American government. It outlines the structure of the federal system, establishing three branches of government: the legislative, executive, and judicial, each with distinct powers and responsibilities. The Constitution was designed to create a system of checks and balances to prevent any one branch from becoming too powerful. Additionally, it guarantees fundamental rights and freedoms to the citizens through the Bill of Rights, the first ten amendments. The Constitution's enduring flexibility has allowed it to adapt to changing times while maintaining the core principles of democracy, liberty, and justice.

1. Written Constitution: The U.S. Constitution, the world's oldest written constitution, was created after the 13 American colonies declared independence in 1776. The Articles of Confederation provided initial unity, but the current Constitution was framed by a specially convened assembly. Despite its brevity, its survival is a testament to the foresight and moderation of its framers.
2. Rigid Constitution: The U.S. Constitution is rigid and cannot be amended through ordinary legislative processes. Amendments require either a two-thirds majority in both houses of Congress or a convention called by two-thirds of state legislatures. Ratification then re-



• Enduring flexibility

- quires approval from three-fourths of state legislatures or conventions.
3. **Supremacy of the Constitution:** The Constitution is the supreme law of the land, as stated in Article VI. Unlike the UK, where Parliament is sovereign, the U.S. Constitution binds all laws and government actions, with judges required to adhere to it, overriding state laws if necessary.
 4. **Federal Constitution:** The U.S. Constitution establishes a federal system, originally among 13 states, now 50. Power is divided between the national government and the individual states, each having its own legislative, executive, and judicial branches. The distribution of powers between state and federal governments was not explicitly outlined in the original Constitution.
 5. **Republican Constitution:** The U.S. Constitution establishes a republican form of government, with elected officials rather than a hereditary monarch. The President serves as the head of the federal government, and each state has its own elected governor.
 6. **Separation of Powers:** Influenced by Montesquieu's ideas, the Constitution adopts a separation of powers into three branches—legislative, executive, and judicial. This system was designed to prevent any one branch from becoming too powerful. James Madison emphasized that concentrating all powers in one branch would lead to tyranny.
 7. **Presidential System:** The President, as both the head of state and executive, is elected directly by the people for a fixed term of four years. The President is independent from the legislature (Congress) and cannot be removed except through impeachment. The President and Cabinet members do not participate in Congress and are solely responsible for executive functions.
 8. **Checks and Balances:** The framers of the Constitution also recognized the need for checks and balances between the branches. For example, the President can veto bills passed by Congress, but Congress can override the veto. Similarly, the Senate must approve Presidential appointments and treaties. Congress has the power to impeach and remove the President.
 9. **Judicial Review:** The U.S. judiciary, particularly the federal courts, has the authority to review the constitutionality of laws passed by Congress or state legisla-

tures. If a law conflicts with the Constitution, the judiciary can declare it unconstitutional and void, ensuring that government actions conform to constitutional principles.

10. Bill of Rights: The original U.S. Constitution did not include a Bill of Rights, but public demand led to its adoption. The first ten amendments, known as the Bill of Rights, limit the actions of the federal government and guarantee fundamental freedoms, such as speech, assembly, and the right to bear arms. It also prohibits laws that establish or restrict religion.

2.1.2.2 The US executive

2.1.2.2.1 The President

The Role and Functions of the President of the United States

The President of the United States serves as both the head of state and head of government, with an extensive range of powers and responsibilities that shape the nation's executive leadership. As outlined in Article II of the U.S. Constitution, the President is tasked with executing and enforcing the laws created by Congress, ensuring the smooth operation of the federal government. The President's authority extends to overseeing various executive departments, each led by a member of the Cabinet, along with numerous other agencies like the CIA and the Environmental Protection Agency. These departments and agencies play vital roles in the day-to-day administration of government activities.

- Head of state and head of government

Presidential Powers and Responsibilities

The President's powers include the ability to sign or veto legislation passed by Congress. While Congress may override a veto with a two-thirds majority, the President's veto power represents a significant check on the legislative process. Additionally, the President conducts diplomacy with other nations, negotiates and signs treaties (subject to Senate ratification), and holds the power to issue executive orders that clarify and enforce existing laws. Another key responsibility is the President's authority to grant pardons and clemencies for federal crimes, offering a degree of mercy within the federal legal system.

- Significant check on the legislative process

A crucial constitutional duty of the President is to provide Congress with information on the "State of the Union" and recommend measures for consideration. This is typically



delivered through the State of the Union address, an annual speech to a joint session of Congress, wherein the President outlines their legislative agenda and national priorities.

Electoral Process and Qualifications for the Presidency

The U.S. Constitution specifies three qualifications for presidential candidates: a minimum age of 35 years, natural-born citizenship, and at least 14 years of residence within the United States. Although citizens vote for the President every four years, they do not directly elect the individual to office. Instead, voters elect members of the Electoral College, which then formally selects the President. The Electoral College consists of 538 electors, with the number of electors apportioned based on state populations. This indirect election system remains a key feature of American democracy.

- Indirect election system

The Presidency and the White House

The President and their family traditionally reside in the White House, located in Washington, D.C., where the Oval Office is situated. The White House serves as both a residence and a place of work, with various offices for senior staff. When traveling, the President uses designated vehicles such as Air Force One for air travel and Marine One for helicopter transport. On the ground, the President's movement is protected by an armored limousine, reflecting the security and logistical considerations of the office.

The Presidential Term Limit

Under the 22nd Amendment, ratified in 1951, a U.S. President is limited to two terms in office, with a maximum of eight years. Prior to this amendment, Presidents could serve an unlimited number of terms, leading to the unprecedented four terms of Franklin Delano Roosevelt. His long tenure marked a significant moment in American history, influencing the eventual establishment of term limits for future presidents.

- Two terms in office

The President of the United States holds a central role in shaping the nation's governance, exercising both symbolic and practical leadership. Through a complex system of checks and balances, the President is empowered to execute laws, manage foreign relations, and ensure the smooth operation of the federal government. Despite the indirect election process, the office remains one of the most powerful in the world, with far-reaching impacts on both domestic and international affairs.

- One of the most powerful in the world

2.1.2.2.2 The Vice President

The Role and Functions of the Vice President of the United States

The Vice President of the United States holds a position of significant responsibility and authority, primarily tasked with being ready to assume the Presidency should the President become unable to perform their duties. This could occur due to reasons such as death, resignation, or temporary incapacitation. Additionally, if the Vice President and a majority of the Cabinet determine that the President is unable to discharge their duties, the Vice President may step into the role. This contingency ensures continuity in leadership, a vital aspect of the U.S. government's stability.

- Ready to assume the Presidency

The Vice President is elected alongside the President through the Electoral College. Each elector casts one vote for the President and another for the Vice President. Prior to the 12th Amendment in 1804, electors voted only for President, with the person receiving the second-highest number of votes becoming the Vice President. The 12th Amendment was ratified to address the potential conflicts and ensure that the President and Vice President would run on the same ticket.

- Electoral Process and Constitutional Role

As President of the United States Senate, the Vice President has the constitutional duty to cast a deciding vote in the event of a tie. However, aside from this responsibility, the Vice President typically does not preside over Senate sessions. Instead, the Senate selects a member, often from the majority party, to perform the day-to-day role of presiding officer.

- Through the Electoral College

The Vice President's Role Beyond the Constitution

While the Constitution enumerates certain duties for the Vice President, additional responsibilities are determined by the sitting President. The Vice President's role may vary widely depending on the President's preferences. Some Vice Presidents have taken on specific policy portfolios, while others have served primarily as trusted advisers to the President. The flexibility of this position has allowed for a diverse range of contributions from different Vice Presidents over time.

- Flexibility of the position

The Vice President's role is not limited to a ceremonial or advisory position. Throughout U.S. history, the Vice President has occasionally been called upon to step into the Presidency, either through succession or election. Of the 48 Vice Presidents before Kamala D. Harris, nine succeeded in the presidency due to the death or resignation of a sitting president. Additionally,

- Historical Context and Succession to the Presidency



five Vice Presidents have been elected to the office of the President in their own right. This underscores the importance of the Vice President as a potential leader of the nation.

The Vice President's Residence and Official Duties

The Vice President maintains an office in the West Wing of the White House, as well as in the nearby Eisenhower Executive Office Building. The Vice President also has an official residence, the United States Naval Observatory, a peaceful mansion in Northwest Washington, D.C., which has been the home of the Vice President since 1974. Prior to this, Vice Presidents lived in their own private residences. Like the President, the Vice President has access to security and logistical resources, including a dedicated limousine, referred to as the "Vice President's limo," and aircraft designated as Air Force Two or Marine Two when the Vice President is aboard.

- Constitutional and discretionary responsibilities

The Vice President of the United States plays an indispensable role in ensuring the continuity of government, with both constitutional and discretionary responsibilities. While often serving as a close advisor to the President, the Vice President's capacity to step into the presidency itself highlights the gravity of the position. The office's flexibility allows each Vice President to tailor their role according to the needs of the administration, making it a critical and dynamic part of U.S. governance.

2.1.2.2.3 The Executive Office of the President (EOP)

The Executive Office of the President (EOP) plays a critical role in supporting the President of the United States by providing the necessary administrative infrastructure to carry out the executive functions of government. Created in 1939 by President Franklin D. Roosevelt, the EOP was designed to help manage the increasingly complex tasks of governance, ensuring that the President has the resources, advice, and support needed to make decisions on a daily basis. These responsibilities range from communicating the President's agenda to the public, to handling foreign trade relations, and managing national security issues.

- Manage the increasingly complex tasks of governance

Structure and Oversight

The EOP is overseen by the White House Chief of Staff, who coordinates the flow of information and manages the President's schedule and priorities. While some key advisers, such as the Director of the Office of Management and Budget,

must be confirmed by the Senate, the majority are appointed at the President's discretion. The number and scope of offices within the EOP have evolved over time to meet the specific needs of each administration. Some offices were created by Congress, while others were established as new issues or priorities emerged, highlighting the flexibility and adaptability of the EOP.

Key Offices within the EOP

The EOP consists of several important offices that provide crucial services to the President. One of the most visible is the White House Communications Office, which is responsible for managing the President's public messaging. This includes media relations and the Press Secretary's Office, which conducts daily briefings to inform the media and the public about the President's activities, policies, and priorities. Another prominent office is the National Security Council (NSC), which advises the President on issues of foreign policy, intelligence, and national security, playing a key role in the administration's handling of international relations and security matters.

- Operational aspects

Additionally, there are offices focused on the operational aspects of maintaining the White House and ensuring that the President's logistical needs are met. The White House Military Office is in charge of services such as Air Force One and other transportation, as well as dining facilities for the President. The Office of Presidential Advance prepares for the President's visits to locations outside the White House, ensuring that events run smoothly and meet the President's requirements.

2.1.2.2.4 The Cabinet

The Cabinet is a vital part of the executive branch of the U.S. government, consisting of the heads of 15 key executive departments. The President appoints these individuals, and they must be confirmed by the Senate. Members of the Cabinet are often the President's closest advisors, guiding the administration on critical matters in their respective areas of expertise. The Cabinet also plays an essential role in the Presidential line of succession, following the Vice President, Speaker of the House, and Senate President pro tempore. The order of succession then continues with the Cabinet members, based on the creation of their respective departments.

President's closest advisors

Each Cabinet member holds the title "Secretary," with the



exception of the Attorney General, who heads the Department of Justice. The major ones are –

1. Department of State: The Department of State is responsible for managing the nation's foreign policy and diplomatic relations. It handles issues such as international affairs, foreign assistance, and maintaining U.S. representation abroad.
2. Department of Defense (DOD): The DOD ensures national security by maintaining military forces, managing defense operations, and addressing threats to the country. It includes the Army, Navy, and Air Force, along with various defence agencies.
3. Department of Justice (DOJ): The DOJ enforces federal laws and ensures justice within the U.S. It oversees law enforcement agencies such as the FBI, DEA, and U.S. Marshals and handles legal matters related to national security and criminal justice.
4. Department of Health and Human Services (HHS): HHS is responsible for public health and providing essential services, particularly for vulnerable populations. It manages Medicare, Medicaid, and public health research agencies like the Centers for Disease Control and the FDA.
5. Department of the Treasury: The Treasury Department manages U.S. economic policy, fiscal matters, and financial systems. It produces currency, collects taxes, and safeguards financial infrastructure, while also working on national security related to financial systems.
6. Department of Homeland Security (DHS): DHS protects the U.S. from a variety of threats, including terrorism, natural disasters, and border security. It manages agencies like the Secret Service, TSA, and FEMA, focusing on national safety and immigration policies.
7. Department of Commerce: The Department of Commerce supports economic growth and international trade. It gathers financial data, issues patents and trademarks, and formulates policy on industries like telecommunications and technology.
8. Department of Education: The Department of Education promotes educational opportunities, ensuring access to quality education and providing financial aid for students. It also works to advance policies related to

educational equity.

2.1.3 Administration in Japan

2.1.3.1 Features of the Japanese Constitution

- Constitutional monarchy

The Constitution of Japan, adopted in 1947, serves as the country's fundamental law. It was drafted under the guidance of the Allied Occupation forces after World War II and marked a significant departure from Japan's previous militaristic constitution. The Japanese Constitution is renowned for its pacifist Article 9, which renounces war and prohibits Japan from maintaining military forces for offensive purposes. It establishes Japan as a constitutional monarchy, with the Emperor serving as a ceremonial figurehead, while sovereignty rests with the people. The document guarantees fundamental human rights, including freedom of speech, religion, and assembly, and it outlines the framework of Japan's government, which includes the legislative, executive, and judicial branches. Known for its emphasis on peace and democracy, the Japanese Constitution has been a cornerstone of Japan's post-war identity.

1. **Preamble Reflecting Peace and Cooperation:** The Preamble emphasizes the Japanese people's commitment to peace, liberty, and human rights. It renounces war and calls for peaceful cooperation with all nations while upholding the universal principles of political morality.
2. **Symbolic Role of the Emperor:** The Emperor is a symbol of the state and unity of the people. He derives his position from the will of the people and exercises only ceremonial functions as defined by the Constitution, under the advice and approval of the Cabinet.
3. **Renunciation of War (Article 9):** Japan unequivocally renounces war and the use of force to settle international disputes. It prohibits maintaining land, sea, and air forces or other war potential and denies the state's right to belligerency.
4. **Fundamental Rights and Duties of Citizens:** The Constitution guarantees a wide array of fundamental rights, including freedom of thought, speech, religion, and assembly. All citizens are equal under the law, with discrimination based on race, creed, sex, social status, or origin explicitly prohibited. Rights to education, work, and a wholesome standard of living are safeguarded, and citizens are obligated to ensure compulsory educa-



tion for children and pay taxes.

5. **Supremacy of the Constitution:** The Constitution is the supreme law of the land. No law, ordinance, or government act can override its provisions, and it binds all branches of government, including the Emperor.
6. **Democratic Governance and Universal Suffrage:** Sovereign power resides with the people, and public officials are considered servants of the whole community. Universal adult suffrage ensures equal voting rights for all citizens in electing their representatives.
7. **The Diet as the Supreme Legislative Body:** The Diet is the highest organ of state power and the sole legislative authority in Japan. It comprises two Houses—the House of Representatives and the House of Councillors—whose members are elected to represent the people. Laws and budgets must pass through the Diet, highlighting its central role in governance.
8. **Parliamentary System with Executive Accountability:** Executive authority is vested in the Cabinet, headed by the Prime Minister, who is designated by the Diet. The Prime Minister appoints and removes Ministers of State, ensuring their accountability. The Cabinet is collectively responsible to the Diet and must resign if the House of Representatives passes a no-confidence resolution unless the House is dissolved within ten days.
9. **Independent Judiciary with Judicial Review:** The judiciary is independent, with its powers vested in the Supreme Court and other lower courts. Judges are bound only by the Constitution and laws and cannot be removed except through public impeachment or in cases of mental or physical incompetence. The Supreme Court holds the authority to interpret the Constitution and review the validity of laws and government actions.
10. **Decentralized Local Self-Government:** Local public entities are granted autonomy to manage their affairs, property, and administration. They have elected assemblies and executive officers, ensuring that governance is responsive to local needs while operating within the framework of national laws.
11. **Rigidity in Constitutional Amendments:** Amendments to the Constitution require a two-thirds majority in both Houses of the Diet and ratification by a majority vote in a national referendum. This process ensures that constitutional changes reflect broad public consensus.

12. **Bill of Rights:** The Constitution enshrines a comprehensive Bill of Rights, guaranteeing freedoms such as speech, assembly, religion, and equality under the law. It also prohibits discrimination, torture, and slavery, emphasizing individual dignity and protecting fundamental human rights.
13. **Checks and Balances:** A system of checks and balances ensures that the executive, legislature, and judiciary regulate one another. The Prime Minister can dissolve the House of Representatives, while the Diet can pass a vote of no confidence against the Cabinet. The judiciary ensures that laws and executive actions comply with constitutional principles.
14. **Focus on Human Welfare:** The Constitution prioritizes the promotion of social welfare, public health, and education. It guarantees equal educational opportunities, fair wages, and humane working conditions, underscoring the state's commitment to improving the quality of life for all citizens.
15. **International Cooperation and Legal Obligations:** Japan adheres to international law and treaties, emphasizing its role in global peace and cooperation. The Constitution reflects a commitment to the banishment of oppression, intolerance, and slavery worldwide, aligning national policies with universal principles of justice.

2.1.3.2 Structure and Functions of the Japanese Executive

2.1.3.2.1 The Emperor

The Emperor of Japan is considered the symbol of Japan and represents the unity of the people. He performs several ceremonial functions in matters of state, but always with the advice and approval of the Cabinet. These functions include the promulgation of constitutional amendments, laws, cabinet orders, and treaties, the convocation of the Diet, the dissolution of the House of Representatives, the proclamation of general elections, the attestation of the appointment and dismissal of Ministers of State and other officials as prescribed by law, the attestation of instruments of ratification and other diplomatic documents, and the receipt of foreign Ambassadors and Ministers. The Emperor also performs various ceremonial duties, such as the award of honours. Despite these roles, the Emperor has no powers related to the government itself.

- Ceremonial functions in matters of state

In terms of appointments, the Emperor formally appoints the Prime Minister as designated by the Diet and the Chief Justice of the Supreme Court as recommended by the Cabinet. However, the Emperor's position in postwar Japan is symbolic, a significant departure from prewar times when the Emperor was the source of sovereign power. The Imperial Throne is dynastic, passed down from father to son.

2.1.3.2.2 The Prime Minister

- Shaping Japan's domestic and foreign policies

The Prime Minister of Japan is the head of government and holds significant authority over the executive branch. Appointed by the National Diet, which consists of the House of Representatives and the House of Councillors, the Prime Minister serves a term of four years or less, with no term limits. The Prime Minister's powers include leading the Cabinet, controlling the executive branch, serving as commander-in-chief of the Japan Self-Defense Forces, presenting bills to the Diet, signing laws, and declaring a state of emergency. Additionally, the Prime Minister has the power to dissolve the House of Representatives at will, triggering elections. The appointment process begins with the Diet designating the Prime Minister through a run-off system. If there is no agreement between the houses, the House of Representatives' decision prevails. After being defined by the Diet, the Prime Minister is formally appointed by the Emperor. To be eligible, the Prime Minister must be a civilian and a member of either house of the National Diet. The role is central in shaping Japan's domestic and foreign policies, with the Prime Minister leading the Cabinet to implement laws and manage governance.

2.1.3.2.3 The Cabinet of Japan

The Cabinet of Japan consists of the Prime Minister and Ministers of State, with the Prime Minister appointing the Cabinet members. According to the Cabinet Law, the number of members, excluding the Prime Minister, must be fourteen or fewer, though it can increase to nineteen in special cases. All Cabinet members must be civilians, with the majority chosen from members of either house of the National Diet, although the Prime Minister can appoint some non-elected Diet officials. The Cabinet is required to resign en-masse under certain circumstances, such as when the House of Representatives passes a non-confidence resolution or when there is a vacancy in the Prime Minister's post.

- Responsible to the Diet

The Cabinet is responsible for the Diet and exercises its powers in two main ways: primarily through the Prime

Minister and nominally through the Emperor. As outlined in Article 73 of the Constitution, the Cabinet's functions include administering the law, managing foreign affairs, concluding treaties (with prior or subsequent Diet approval), administering the civil service, preparing and presenting the budget to the Diet, and enacting cabinet orders to implement laws and the Constitution. These cabinet orders cannot include penal provisions unless authorized by law. Additionally, the Cabinet has the authority to decide on matters such as amnesty and commutation of punishment.

For laws and cabinet orders to be formally enacted, they must be signed by the competent Minister, countersigned by the Prime Minister, and promulgated by the Emperor. Cabinet members cannot be subjected to legal action without the consent of the Prime Minister, although legal action may still be taken without impairing the right to do so.

2.1.4 Administration in Sweden

2.1.4.1 Features of the Swedish Constitution

The Swedish Constitution is composed of several fundamental laws that regulate how Sweden is governed and protect democracy. These laws are more difficult to amend than ordinary legislation, ensuring stability and thoughtful consideration of any changes. Sweden's four fundamental laws include the Instrument of Government, the Act of Succession, the Freedom of the Press Act, and the Fundamental Law on Freedom of Expression. Additionally, there is the Riksdag Act, which occupies an intermediate position between constitutional and ordinary law.

- Four fundamental laws

1. Instrument of Government: The Instrument of Government is the cornerstone of Sweden's democracy, setting out the foundational principles by which the country is governed. It establishes that all public power in Sweden derives from the people, who elect representatives to the Riksdag, the parliament. This law defines the roles of various governmental entities, including the Riksdag, the Government, the courts, and the head of state. It also enshrines essential citizens' rights and freedoms, such as freedom of expression, assembly, and religion. It prohibits practices like capital punishment and discrimination based on ethnicity, sexual orientation, and gender.



2. **The Act of Succession:** The Act of Succession governs the rules of who may ascend to the Swedish throne. Initially, Sweden had male-only succession rights, but in 1979, this was amended to allow both male and female descendants equal rights to the throne. Today, the King of Sweden, as head of state, holds a purely symbolic position with no political power, and the laws governing succession ensure that the monarchy remains an enduring institution.
3. **Freedom of the Press Act:** The Freedom of the Press Act is vital in maintaining Sweden's democratic principles, guaranteeing the right to publish books, newspapers, and other printed material without government censorship. It also provides citizens with the right to access public documents from government agencies and courts. This law promotes transparency and public access to information, further safeguarding the democratic process by ensuring that citizens can scrutinize government actions.
4. **The Fundamental Law on Freedom of Expression:** This law extends the protection of free expression beyond the written word to include broadcast media, the Internet, and other forms of communication. It ensures individuals have the right to express themselves freely through various media, with limits only in cases such as defamation or threats to national security. This law ensures Sweden's media environment remains free from government interference, promoting a culture of open dialogue.

The Riksdag Act

The Riksdag Act outlines the operational procedures of Sweden's legislature. While it is no longer classified as a fundamental law, it occupies an intermediate status between constitutional and ordinary law. It governs the structure and function of the Riksdag, including its meetings, parliamentary committees, and legislative processes. This law ensures that the Riksdag operates efficiently and in accordance with Sweden's democratic values.

- Operational procedures

Amendment Procedures

- More challenging to amend

Sweden's constitution is designed to be more challenging to amend than ordinary laws. To amend a fundamental law, the Riksdag must pass two decisions with identical wording, separated by a general election. This process allows the public to engage with constitutional changes and ensures that amendments are well-considered. Additionally, the possibility of holding a referendum on constitutional matters was introduced in 1980, although it has not yet been used.

2.1.4.2 The Executive of Sweden

2.1.4.2.1 The Swedish Monarchy

- Symbol of national unity

The Swedish monarchy is one of the oldest continuous monarchies in the world, dating back over a thousand years. Representing both continuity and tradition, the monarchy has adapted over time in response to societal changes while maintaining its status as a symbol of national unity. Sweden's current monarch, King Carl XVI Gustaf, ascended to the throne on September 15, 1973, and holds the title of Sweden's 74th monarch. The King is Sweden's longest-reigning monarch, and his guiding motto, "For Sweden – With the Times," reflects his dedication to representing Sweden while remaining attuned to the modern world.

Sweden as a Constitutional Monarchy

- Ceremonial and regulated by law

Sweden operates as a constitutional monarchy, meaning that while the King is the Head of State, his duties are largely ceremonial and regulated by law. The Instrument of Government, one of Sweden's constitutional laws, mandates that the country must have a King or Queen as its Head of State. As a non-political Head of State, the monarch's role is symbolic, providing unity to the nation without direct involvement in political decision-making.

The King's Duties

The King's primary responsibilities include fulfilling ceremonial and official duties within the framework established by the Instrument of Government. These duties include:

1. Opening the Parliamentary Session: The King marks the beginning of the parliamentary year in a ceremony held in the Riksdag, where he delivers a speech to the members of Parliament.



2. **Chairing Meetings:** The King presides over councils held at the Royal Palace, including the Change of Government Council when a new government takes office and the Advisory Council on Foreign Affairs, which facilitates discussions on foreign policy between the Government and the Riksdag.
3. **State Visits:** The King carries out both incoming and outgoing state visits, representing Sweden in diplomatic and cultural exchanges with other nations. These visits promote Swedish interests abroad and help to strengthen international relationships.
4. **Receiving Foreign Ambassadors:** Each year, the King receives newly appointed foreign ambassadors at formal audiences, a tradition that symbolizes the recognition of new diplomatic relations.

Promoting Swedish Interests

As Head of State, the King actively promotes Swedish interests across a wide range of areas, including:

1. **Foreign Relations:** The King maintains relations with international representatives and governments, building connections with key stakeholders worldwide.
2. **Domestic Affairs:** The King engages with Swedish regional and national authorities, organizations, and industries, fostering domestic collaboration.
3. **Cultural and Charitable Engagements:** Through royal foundations and other initiatives, the King supports various cultural, scientific, and environmental causes, contributing to Swedish society in diverse ways.

The Line of Succession

Sweden introduced full cognatic succession in 1980, allowing both male and female descendants of the monarch to inherit the throne. This change, which made Sweden the first country to adopt this system, ensures that the eldest child, regardless of gender, will succeed to the throne.

- Cognatic succession

- Negative parliamentarism

2.1.4.2.2 The Prime Minister and Government of Sweden

In Sweden, the Prime Minister is appointed through a process known as negative parliamentarism, which is facilitated by the Speaker of the Riksdag. This method of

selection requires the nominee to be confirmed unless at least 175 members of the Riksdag vote to oppose the nomination, irrespective of the number of supporting votes or abstentions

1. **Government Formation:** Following national elections, the formation of a government may involve complex negotiations, especially in cases where no party secures an outright majority. The Prime Minister leads the government, and often, minority governments are formed with support from other political parties. These coalitions are typically based on agreements concerning policy support or confidence motions.
2. **Resignation and Transition of Power:** The transition of leadership in Sweden's executive branch is marked by significant political processes. If the sitting Prime Minister resigns, a new leader from the ruling party or coalition may be appointed, subject to parliamentary approval. The process involves negotiation and, at times, the formation of new coalition agreements that can influence the direction of government policy.
3. **New Leadership Dynamics:** Changes in leadership may also reflect shifts in political power. Coalition governments may form based on ideological agreements, such as those related to domestic policy, foreign relations, or social issues, which are vital for ensuring legislative stability.

The Executive Government

The executive authority in Sweden resides within the Government, which consists of the Prime Minister and ministers heading various ministries. The Government is responsible for the day-to-day administration of the state and its policy implementation.

- The day-to-day administration

- **Appointment Process:** The Prime Minister is nominated by the Speaker of the Riksdag and confirmed through a parliamentary vote. The monarch holds no direct role in this process, as the appointment is constitutionally separate from royal functions.
- **No Confidence Motions:** The government is accountable to the legislature, and its tenure can be ended through a motion of no confidence in the Riksdag. A successful no-confidence motion requires the support



of a majority of the legislature, typically at least 175 votes, reflecting the parliament's role in holding the executive accountable.

- **Budgetary Authority:** The government plays a crucial role in the economic governance of the country, particularly in proposing and managing the national budget. The Riksdag generally approves the government's proposed budget unless a majority of its members oppose it. This system allows for stable governance, even when the government does not command a majority in the legislature.

Key Functions of the Government

The Swedish Government is entrusted with several essential functions, which include:

1. **Legislative Initiative:** The Government is responsible for drafting and presenting bills to the Riksdag, setting the legislative agenda in line with national priorities.
2. **Implementation of Laws:** Once laws are passed by the Riksdag, the Government is tasked with ensuring their execution and overseeing the functioning of the central administration.
3. **Fiscal Responsibility:** The Government manages the public finances, including the proposal and execution of the national budget, subject to parliamentary approval.
4. **European Union Affairs:** The Government represents Sweden in the European Union, ensuring that the country's interests are adequately represented in EU policy-making and negotiations.
5. **International Relations:** The Government negotiates and enters into agreements with foreign states and international organizations, reflecting Sweden's diplomatic and economic priorities.
6. **Administrative Oversight:** The Government supervises the activities of the central government, ensuring that ministries and agencies function effectively in the implementation of public policy.

2.1.5 Comparison of Executive functions

Aspect	Great Britain	USA	Japan	Sweden
Head of State	Monarch (Constitutional; ceremonial role)	President (elected; head of state and government)	Emperor (Symbolic; ceremonial role)	Monarch (Symbolic; ceremonial role)
Head of Government	Prime Minister (leader of the majority in Parliament)	President (independent of the legislature; fixed term)	Prime Minister (elected by the Diet)	Prime Minister (appointed through parliamentary confirmation)
Executive Leadership	Cabinet (appointed by the Prime Minister, drawn from Parliament)	President and Cabinet (members not part of Congress, Senate confirms appointments)	Prime Minister and Cabinet (majority of Cabinet must be Diet members)	Prime Minister and Government (Cabinet includes ministers heading various ministries)
Executive-Legislative Relationship	Parliamentary system (executive originates from and is accountable to Parliament)	Separation of powers (President and Congress operate independently; checks and balances exist)	Parliamentary system (Cabinet accountable to the Diet; Diet can pass no-confidence motions)	Parliamentary accountability (government must resign upon a no-confidence vote in the Riksdag)
Judicial Review	Absent (Parliamentary sovereignty; no law can be declared unconstitutional)	Present (Judiciary can invalidate laws conflicting with the Constitution)	Present (Supreme Court ensures laws comply with the Constitution)	Present (Judiciary independent and ensures laws adhere to constitutional principles)
Legislative Role of Executive	Strong (Prime Minister and Cabinet members are part of Parliament and initiate most legislation)	Limited (The President cannot introduce legislation but can veto bills; Congress has legislative authority)	Moderate (Prime Minister presents bills to the Diet and oversees law implementation)	Moderate (Prime Minister and Government draft legislation for Riksdag approval)

Cabinet Responsibility	Collective and individual accountability to the House of Commons	Responsible to the President; serves at their discretion	Collective accountability to the Diet	Collective accountability to the Riksdag
International Relations	Conducted by the Prime Minister and Foreign Secretary; the monarch plays a ceremonial role	President conducts foreign relations, negotiates treaties (with Senate approval)	Prime Minister leads foreign affairs with Cabinet support	Government represents Sweden in the EU and international organizations
Ceremonial Functions	Monarch performs ceremonial duties, such as opening Parliament	President combines ceremonial and functional leadership	Emperor carries out ceremonial roles under the Cabinet's guidance	Monarch performs ceremonial duties, including opening Parliament and representing Sweden during state visits
Power Source	Parliamentary sovereignty (legislature supreme)	Constitution supreme (President and other branches derive powers from the Constitution)	Constitution supreme (Diet legislation and executive actions must comply with constitutional provisions)	Constitution supreme (fundamental laws outline governance, requiring public involvement for amendments)

Summarised Overview

This unit provides a comparative analysis of the administrative systems of Great Britain, the USA, Japan, and Sweden, focusing on their constitutional frameworks and executive structures. It examines the British parliamentary system, which operates with an unwritten constitution, a ceremonial monarchy, and an executive led by the Prime Minister accountable to Parliament. In contrast, the USA follows a rigid, codified constitution, featuring a clear separation of powers, an independent executive presidency, and a system of checks and balances. Japan's governance model blends traditional and modern elements with a symbolic Emperor and a parliamentary executive responsible for the Diet. Sweden, known for its commitment to democracy, transparency,

and equality, operates under a constitutional monarchy, where governance is driven by strong democratic principles and participatory governance. Through this study, learners will gain insights into how these nations structure executive power, ensure legislative accountability, and promote citizen participation in governance.

Assignment Questions

1. What are the key features of the British Constitution, and how do they shape governance and the functioning of the executive?
2. Analyze the role and powers of the President in the United States, focusing on executive authority, legislative interactions, and checks and balances.
3. Explain the symbolic and functional roles of the Emperor in Japan's governance system, highlighting the constitutional framework and executive accountability.
4. How does Sweden's constitutional framework uphold principles of transparency, equality, and public accountability in governance?
5. Compare the executive-legislative relationship in Great Britain and the USA, examining differences in power distribution, accountability mechanisms, and decision-making processes.

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Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU

UNIT 2

Legislature

Learning Outcomes

By studying this unit, the learner will be able to:

- understand the composition and features of legislatures in Britain, the United States, Japan, and Sweden
- compare legislative, financial, and oversight powers across these countries' legislatures
- examine the steps and mechanisms in law-making within different legislative systems
- recognize the role of cultural and political factors in shaping legislative functions

Background

Legislatures around the world reflect the unique historical, cultural, and political contexts of their nations, serving as vital pillars of governance and democracy. In Britain, the Parliament embodies centuries of tradition, with the House of Commons leading legislative efforts while the House of Lords provides a revising role. Across the Atlantic, the United States Congress exemplifies a federal balance, with the Senate safeguarding state interests and the House of Representatives reflecting the people's voice. In Japan, the Diet's bicameral structure, influenced by post-World War II reforms, ensures a delicate balance between the House of Representatives and the more stable House of Councillors. Meanwhile, Sweden's unicameral Riksdag emphasizes proportional representation and progressive democratic values, functioning as a unified decision-making body. Despite their differences, these legislative systems share a common purpose: to make laws, oversee governments, and represent the will of their people.

Keywords

Legislatures, bicameral, unicameral, law-making.



Discussion

Introduction

The constitution of a country establishes the foundation for its governance, defining the distribution of power, the role of the executive, and the structure of the legislature. While the executive branch is responsible for implementing laws and policies, it operates within the framework set by the legislature, which holds the authority to enact laws, approve budgets, and oversee the executive's actions. In parliamentary systems like Great Britain and Japan, the executive is directly accountable to the legislature. In contrast, in presidential systems like the USA, there is a clear separation of powers between the two branches. Sweden, with its strong democratic traditions, ensures legislative supremacy and transparency, reinforcing public participation in governance. Understanding how legislatures function in different countries, how they interact with the executive, and how they exercise their legislative, financial, and oversight powers is crucial for analyzing the balance of power, accountability, and law-making processes in different political systems.

2.2.1 The British Legislature

The British legislature, known as Parliament, is a bicameral institution comprising the House of Commons and the House of Lords. It operates within the framework of an unwritten constitution and follows the Westminster model, which emphasizes parliamentary sovereignty. The House of Commons, composed of elected representatives (MPs), holds the primary legislative and financial powers. At the same time, the House of Lords, consisting of appointed and hereditary members, acts as a revising chamber, scrutinising legislation. The British legislature plays a crucial role in law-making, government oversight, and budget approval, ensuring executive accountability through mechanisms like the Prime Minister's Questions and parliamentary committees.

- Parliamentary sovereignty

2.2.1.1 The House of Lords

The House of Lords is the Upper House of the British Parliament, often referred to as the second chamber. Its membership exceeds 1,000, though this fluctuates due to deaths and new peerages.

Categories of Members

1. Princes of the Royal Blood: Typically, two or three male members of the royal family qualify, but they rarely attend.

2. Hereditary Peers: Comprising about 90% of members, these individuals inherit their titles or receive peerages from the monarch. The Peerage Act of 1963 allows them to disclaim peerage, forfeiting their seats but becoming eligible for the House of Commons.
3. Scottish Peers: 16 members were previously elected for each Parliament, but since 1963, all Scottish peers have been able to sit in the Lords.
4. Lords Spiritual: Includes 26 senior clergy of the Church of England, such as the Archbishops of Canterbury and York and senior bishops.
5. Law Lords: Appointed under the Appellate Jurisdiction Act of 1876, nine members serve for life to assist in judicial matters.
6. Life Peers: Introduced by the Life Peerage Act of 1958, these are distinguished individuals granted peerages for life.

Formerly, Irish peers had representation, but this ceased with the establishment of the Irish Free State.

Organisation

The Lord Chancellor serves as the presiding officer of the House of Lords. In their absence, several peers appointed by the Crown take turns occupying the “Woolsack” based on precedence. The Lord Chairman of Committees, appointed for each parliamentary session, is the first deputy speaker to act in the Lord Chancellor’s place. This role involves presiding over all committees unless otherwise directed by the House. Additionally, several Deputy Lord Chairmen of Committees are appointed to assist.

Some of the House’s business is conducted in the Committee of the Whole House, comprising all members present. This committee is chaired by the Lord Chairman of Committees. While the House lacks standing committees, it does maintain one for textual revisions, to which bills are referred after consideration by the Committee of the Whole House.

Sessional and select committees are formed to review specific types of legislation and gather further information on bills under consideration. The Lord Chancellor, who is also a Cabinet member, is usually a peer. If the appointee is not a peer,

- Presiding officer of the House



- Review specific types of legislation

they are elevated to peerage upon appointment. In certain cases, a commoner can also be selected for the position. However, the Lord Chancellor's authority as the presiding officer is minimal, and they do not possess a casting vote.

Powers and Functions

The House of Lords is often regarded as the weakest second chamber globally due to its limited powers. Its functions and authority include the following:

1. **Executive Powers:** The House of Lords retains a role in executive functions. Some ministers, typically two to four out of around 20 cabinet members, belong to the Lords. Members have the right to question the government, seek information on administrative matters, and debate policies. However, ministers are neither individually nor collectively accountable to the Lords, and the government is not bound by adverse votes in the chamber.
2. **Legislative Powers:** The legislative authority of the House of Lords has been significantly diminished by the Parliament Acts of 1911 and 1949. Under the 1911 Act, a public bill passed by the House of Commons in three consecutive sessions could become law without the Lords' approval, provided at least two years elapsed between its first and final passage in the Commons. The 1949 Act further reduced this delay period from three sessions to two and from two years to one. Currently, a bill can bypass the Lords' disapproval if it passes the Commons in two consecutive sessions and at least one year has passed between the second reading in the first session and its final approval in the second.
3. **Financial Powers:** The House of Lords has no authority over money bills. According to the Parliament Act of 1911, money bills passed by the House of Commons automatically became law without requiring the Lords' approval. The term "money bill" encompasses legislation related to taxation, appropriations, loans, and audits. The Speaker of the House of Commons has sole discretion to determine whether a bill qualifies as a money bill under the Act.
4. **Judicial Powers:** The House of Lords serves as the Su-

preme Court of Appeal for cases in the United Kingdom and also functions as a court of impeachment for high-ranking crown officials. However, impeachment trials are obsolete due to the well-established principle of ministerial responsibility. Judicial responsibilities are handled exclusively by the Law Lords, as the full House does not convene for such matters.

2.2.1.2 The House of Commons

Membership

The House of Commons has 635 members: 516 from England, 36 from Wales, 71 from Scotland, and 12 from Northern Ireland. British citizens aged 18 and above, regardless of gender, have the right to vote. There are no racial, educational, property, or tax-related qualifications for voting. However, individuals legally incapacitated, such as those with severe mental illness or imprisonment, cannot vote.

Any British citizen aged 21 or older is eligible for election to the House, except for clergy of certain churches (e.g., Church of England, Church of Scotland, Roman Catholic Church), undischarged bankrupts, holders of specific public offices, civil servants, and peers. The House of Commons is elected for five years but can be dissolved earlier by the sovereign on the Prime Minister's advice. Its term may also be extended during times of war or emergencies.

• Qualifications

Organisation

The Speaker presides over the House of Commons and is elected by its members at the beginning of a new Parliament. Upon election, the Speaker renounces party affiliations and adopts a non-partisan stance. The Speaker's responsibilities include maintaining order, overseeing debates, granting permission for speeches and motions, allowing bills to be introduced, conducting votes, and announcing results.

• Neutrality of the speaker

The Speaker has exclusive authority to determine whether a bill qualifies as a money bill. The Chairman of Ways and Means and one or two deputy chairmen assist the Speaker and can act as deputy speakers.

The House of Commons relies on various committees to manage its legislative work:

1. Committee of the Whole House
2. Standing Committees



3. Sessional Committees
4. Select Committees on Public Bills
5. Committees on Private Bills

These committees review and evaluate bills assigned to them.

Powers and Functions

The House of Commons performs a wide range of functions, with lawmaking being its most significant role. As the sovereign legislative body in the United Kingdom, Parliament operates within legal limitations, although in practice, its authority in lawmaking is largely formal.

1. **Legislative Powers:** The House of Commons holds the primary authority to introduce and deliberate on any legislative measure. Most major bills originate in the Commons, and their approval often determines their success. Once a bill is passed in the Commons, it moves to the House of Lords and then to the monarch for royal assent, which is almost always granted. The legislative powers of the House of Lords have been significantly reduced by the Parliament Acts of 1911 and 1949. Under the 1949 Act, if the House of Lords rejects a non-money bill passed by the Commons in two consecutive sessions, and at least one year has elapsed between the second reading in the first session and final passage in the second, the bill can become law without the Lords' approval. However, the Lords may delay a bill's passage for up to one year.
2. **Financial Functions:** The House of Commons holds supremacy in financial matters. All money bills originate in the Commons, and the Parliament Act of 1911 ensures their passage even without the approval of the House of Lords. The Act specifies that if a money bill, passed by the Commons and sent to the Lords at least one month before the session's end, is not passed by the Lords without amendments within a month, it will still be presented to the monarch for royal assent and become law. The definition of a "money bill" includes measures related to taxation, appropriations, loans, and audits. The Speaker of the House of Commons has the

- Primary authority to introduce and deliberate on any legislative measure

- Holds supremacy in financial matters

- Individually and collectively accountable

exclusive authority to determine whether a bill qualifies as a money bill, and this decision is final, with no provision for appeal.

3. Controlling the Executive: The House of Commons exercises significant control over the executive branch. The ministry is formed from the majority party in the Commons, with the monarch inviting its leader to become the Prime Minister. Most cabinet members are also from the Commons, reflecting its pivotal role in governance. Ministers are individually and collectively accountable to the Commons, and their tenure depends on maintaining its confidence. Should they lose this confidence, they must resign, underscoring the necessity for the government to align with the Commons, which represents the nation's will.

The Commons employs several mechanisms to enforce ministerial accountability:

1. Question Time: Members interrogate the government, compelling explanations for actions or inactions.
2. Adjournment Motions: Urgent public matters are debated, exposing ministerial failures and addressing public grievances.
3. Censure Motions or No-Confidence Votes: The opposition can initiate these to challenge the ministry, potentially leading to its fall.
4. Cut Motions: During discussions on budgetary grants, members scrutinize departmental operations, ensuring effective governance.

Since the Commons controls public finances, no government can afford to disregard its directives. This ensures the executive operates in alignment with the Commons' expectations.

2.2.1.3 Law-Making Procedure in England

1. Legislative Initiative: In the English legislative process, the Cabinet holds primary responsibility and initiative. Although individual members of Parliament can propose Private Members' Bills, these are given limited time for discussion. The majority of legislative proposals come from ministers and are called Government Bills.
2. Types of Bills: Bills in England are categorized as either



public or private. Public Bills address issues of general interest and apply to the entire public or significant segments of it. Private Bills, on the other hand, pertain to specific individuals, groups, or localities and aim to alter the law in specific circumstances.

3. **First Reading:** The process begins with the first reading, which is largely a formal step. A member or minister gives notice of their intent to introduce a bill and places it on the Clerk's table. The Clerk reads the bill's title aloud. No debate occurs at this stage, and the bill is printed for further consideration.
4. **Second Reading:** The second reading is a critical stage in the bill's progression. At this point, the member responsible for the bill moves for its second reading. A debate on the bill's principles follows, allowing for discussion between supporters and opponents. However, there is no clause-by-clause analysis. Once debated, the bill is put to a vote. If approved, it advances to the committee stage.
5. **Committee Stage:** In the committee stage, the bill undergoes detailed examination. Every clause is discussed, and amendments may be proposed, debated, and accepted or rejected. British committees differ from their American counterparts in that they cannot block a bill but are limited to refining and improving it.
6. **Report Stage:** If the committee makes amendments to the bill, these are debated during the report stage. Any member may propose additional changes. For bills without amendments, this stage is typically brief, and the bill moves swiftly to the next step.
7. **Third Reading:** The third reading focuses on the overall principles of the bill rather than its specifics. There is no detailed debate at this stage. Members vote on whether to pass or reject the bill.
8. **House of Lords Consideration:** Once passed by the House of Commons, the bill is sent to the House of Lords. It goes through similar stages of debate and review.
9. **Royal Assent:** After both Houses approve the bill, it is presented to the Sovereign for royal assent. This step is

typically a formality, with assent granted by commission. Once the royal assent is given, the bill becomes law.

Parliament Acts of 1911 and 1949

In cases where the House of Lords rejects a bill, the Parliament Acts of 1911 and 1949 allow the House of Commons to bypass the Lords. If a non-money bill is passed by the Commons in two successive sessions, and at least one year elapses between the second reading in the first session and its second passage, the bill can become law despite the Lords' disapproval.

Financial Legislation (Budget)

The procedure for financial legislation differs significantly. Money bills always originate in the House of Commons and are referred to the Committee of the Whole House, bypassing standing committees. The House of Commons can allocate funds or impose taxes only on the Crown's recommendation. The House of Lords has no authority over financial matters, affirming the Commons' supremacy in these areas.

- Commons' supremacy

2.2.2 The US Legislature

The United States Congress is a bicameral legislature, comprising the Senate and the House of Representatives. The Senate serves as the upper chamber, representing the states, while the House of Representatives is the popular chamber, representing the people.

- Bicameral legislature

2.2.2.1 Senate

The Senate is the upper house of Congress and symbolizes the federal structure of the United States by representing the states equally. It is considered the most powerful second chamber globally, surpassing other bicameral systems in authority and influence.

Composition

The Senate consists of 100 members, with each state, regardless of population size, electing two senators. This arrangement ensures equality among the states, as mandated by the U.S. Constitution, which states that "no state, without its consent, shall be deprived of equal suffrage in the Senate." This equality principle makes changes to state representation nearly impossible.

- Equality among the states



Term and Elections: Senators serve six-year terms, with elections staggered so that one-third of the Senate is elected every two years, ensuring it functions as a continuous body.

Eligibility: A senator must meet the following qualifications:

- Be at least 30 years old.
- Have been a U.S. citizen for at least nine years.
- Reside in the state they represent.
- Not hold any federal office at the time of election.

- Determined by the states

Suffrage Requirements: The right to vote for senators aligns with the requirements for electing members of the House of Representatives. These requirements are determined by the states but are subject to constitutional amendments, such as the Fifteenth Amendment (prohibiting discrimination based on race) and the Nineteenth Amendment (prohibiting discrimination based on sex).

Presiding Officers

Vice President: The Vice President of the United States serves as the Senate's presiding officer but votes only in the case of a tie.

President Pro Tempore: In the Vice President's absence, the Senate elects a President Pro Tempore from among its members to preside over proceedings.

The Senate's composition and functions reflect its critical role in balancing state equality with federal governance in the United States' bicameral legislative system.

- Significant legislative and other powers

Powers and Functions of the Senate

The Senate in the United States holds significant legislative and other powers, many of which are shared with the House of Representatives. These powers enable the Senate to play a key role in the federal legislative process.

Legislative Powers of the Senate

The legislative powers of the Senate are coequal with those of the House of Representatives. The two chambers of Congress function as coordinate bodies, meaning neither can override the other. While both the House and the Senate can introduce bills, bills related to revenue must originate in the House of Representatives, as stipulated by the Constitution. However, the Senate has the power to propose amendments to these revenue bills.

- Coequal

Though the Constitution does not specify the origin of appropriation bills, tradition has established that these bills primarily originate in the House of Representatives. However, the Senate retains the ability to propose amendments to these bills as well.

Other Powers Shared with the House of Representatives

In addition to its legislative role, the Senate shares several other powers with the House of Representatives:

1. **Proposing Amendments:** The Senate shares the power to propose amendments to the U.S. Constitution, either through a two-thirds vote in both Houses or via a convention called by Congress when two-thirds of state legislatures apply for one.
2. **Admitting New States:** The Senate also shares the power to admit new states into the Union, an essential aspect of maintaining and expanding the nation's political structure.
3. **Declaring War:** The power to declare war rests with Congress as a whole, meaning the Senate and House of Representatives share this responsibility equally.

Through these powers, the Senate plays a central role in the legislative process and the governance of the United States.

Special Powers of the Senate

The Senate holds several special powers that distinguish it from the House of Representatives, granting it significant influence over key areas of governance, particularly in terms of executive actions and foreign policy.

1. **Share in Appointing Power:** One of the Senate's most important special powers is its role in confirming presidential appointments. According to the Constitution, the President can appoint ambassadors, Supreme Court judges, and other high-ranking officers of the United States, but only with the advice and consent of the Senate. This power serves as a critical check on the President's authority, as the Senate must approve or reject appointments. The Senate's role ensures that key positions in the government are held by individuals who are subject to Senate scrutiny, preventing the President from unilaterally placing individuals in positions of power.

- Confirming presidential appointments



- Shaping the nation's judicial and foreign policies

2. **Share in Treaty-making Power:** The Senate also shares the power of treaty-making with the President, playing a crucial role in shaping U.S. foreign policy. The Constitution states that the President, with the advice and consent of the Senate, can enter into treaties. However, the Senate's approval is not automatic—two-thirds of the senators present must concur. This high threshold means that a minority of Senators, numbering just 34 members, can block a treaty, regardless of the President's negotiation efforts. Over the years, the Senate has used this power to reject treaties, with one of the most notable examples being the Treaty of Versailles after World War I, which was not ratified by the Senate despite being concluded by President Woodrow Wilson. Through these special powers, the Senate plays a crucial role in shaping the nation's judicial and foreign policies, adding layer of accountability and oversight in the federal governance system.

- The Senate conducts the trial

3. **The Senate as a Court of Impeachment:** The Senate also serves a critical role as a court of impeachment, a power that distinguishes it from other legislative bodies. According to the U.S. Constitution, impeachment proceedings can be initiated by the House of Representatives, which frames the charges against an official for committing treason, bribery, or other high crimes and misdemeanours. Once the House has acted, the Senate conducts the trial to determine whether the official should be removed from office. The Chief Justice of the Supreme Court presides over these proceedings. For the official to be convicted, a two-thirds majority vote of the Senate members present is required. If convicted, the penalty can include removal from office and disqualification from holding any future office of honour, trust, or profit in the United States. This power provides the Senate with an important check on the executive and judiciary branches.

- Choosing the Vice-President

4. **Election of the Vice-President in Special Situations:** In cases where no candidate receives a majority in a Vice-Presidential election, the Senate plays a decisive role. The Senate is tasked with choosing the Vice-President from the top two candidates who have received the highest number of votes. To make this decision, a quorum of two-thirds of the Senate is required, and a majority of the whole Senate must agree on the choice. This provision ensures that the Senate has a direct influence on the

executive branch in certain situations, particularly when there is no clear winner in the Vice-Presidential election.

5. **The Strongest Second Chamber:** When comparing the Senate to other important second chambers around the world, such as the British House of Lords, the U.S. Senate stands out as one of the most powerful second chambers. In the United Kingdom, the House of Lords holds much less legislative power, especially regarding money bills. For example, even if the House of Lords rejects a bill, the House of Commons can pass it into law after two successive sessions. In contrast, the Senate has coequal legislative powers with the House of Representatives in the U.S. It plays a significant role in shaping laws, particularly in areas like finance and appointments. Additionally, the Senate shares the power of treaty-making with the President and is involved in the appointment process for key officials. In this regard, the Senate's powers far surpass those of the House of Lords, making it one of the most robust second chambers in the world.

- Coequal legislative powers

2.2.2.2 House of Representatives

The House of Representatives is the lower chamber of the American Congress and represents the popular will of the people. Unlike the Senate, which represents the states, the House is based on population, with each state receiving a proportional number of representatives based on its population. There are currently 435 members in the House, with the number of seats in each state being reapportioned every ten years following the decennial census. Every state has at least one representative, with the remaining seats distributed among states based on their population.

- Popular will of the people

Composition and Eligibility

To be eligible for election to the House, a candidate must meet certain qualifications. They must be at least twenty-five years old, have been a citizen of the United States for at least seven years, and be a resident of the state they seek to represent. However, they do not need to reside in the district they represent. Representatives serve a two-year term, with elections held every two years, ensuring that the House remains responsive to the public. The right to vote in these elections is determined by the individual states, though the Fifteenth and Nineteenth Amendments guarantee that no citizen's right to vote is denied based on race, colour, or sex.



Organization and Leadership

- Speaker presides over the chamber

The House of Representatives elects its own Speaker, who presides over the chamber and plays a key role in guiding legislation and maintaining order. The House is organized into twenty-one standing committees, each focusing on a specific area, such as finance, foreign affairs, and defense. The chairpersons of these committees are also elected by the House.

Powers and Functions

- Ensuring that laws reflect the will

The House has the power to initiate legislation, especially concerning revenue bills. It can also propose amendments to the Constitution, approve the budget, and exercise impeachment powers by bringing charges against a President or federal official. Though the Senate shares many of these legislative powers, the House is the chamber closest to the people, given its election every two years, and thus plays a key role in ensuring that laws reflect the will of the populace.

Disagreements Between the Houses

- Conference to reconcile

In cases where the House and Senate disagree on legislative matters, they often engage in a process of conference to reconcile their differences. If the two chambers cannot resolve their differences, the President may intervene and decide the date of adjournment. Despite these tensions, both Houses must adjourn simultaneously, marking the conclusion of a legislative session.

Powers and Functions of the House of Representatives

The House of Representatives possesses a range of important powers and functions, many of which it shares equally with the Senate. These powers enable the House to play a crucial role in the legislative process, financial matters, constitutional amendments, and more.

Ordinary Legislation: The Constitution grants the House of Representatives the authority to enact laws on any subject in the federal list, but this power is shared equally with the Senate. While the House is the more populist chamber, it is not superior to the Senate in terms of law-making power. Suppose there is disagreement between the two chambers on a proposed law. In that case, the matter is referred to a Conference Committee comprising members from both chambers to reconcile the differences and reach a final version of the bill.

1. Finance: The House of Representatives holds sole authority over taxation bills, meaning all bills for raising

revenue must originate in the House. However, the Senate can propose amendments to these bills. While the Constitution is silent on whether appropriation bills must originate in the House or the Senate, it is customary for these bills to also originate in the House. In practice, the financial powers of the House and Senate are effectively equal, as both chambers must work together to pass financial legislation.

2. **Constitutional Amendments:** The House of Representatives shares the power with the Senate to propose amendments to the Constitution. Amendments can be proposed in two ways: either by a two-thirds majority vote in both the House and Senate or through a convention called by Congress upon the application of two-thirds of the state legislatures. Thus, the House plays an integral role in any change to the Constitution.
3. **Admission of New States:** The Constitution empowers Congress to admit new states to the Union. The House of Representatives shares equal power with the Senate in this regard, making it a coequal participant in decisions about the expansion of the United States.
4. **Declaration of War:** The power to declare war rests with Congress as a whole, with the House of Representatives having the same authority as the Senate. This shared power ensures that both chambers decide to go to war collectively.
5. **Impeachment:** The House of Representatives has the power to initiate impeachment proceedings against the President, Vice-President, or other civil officers of the United States. If the House votes to impeach, the Senate then acts as the court of trial, presided over by the Chief Justice of the Supreme Court. A two-thirds majority in the Senate is required to convict and remove the official from office.
6. **Election of the President:** If no candidate secures a majority in the Presidential election, the House of Representatives has the responsibility of electing the President from the top three candidates who received the most votes. This election is carried out by ballot.
7. **Investigation:** Like the Senate, the House of Represent-



tatives has the authority to appoint investigation committees. These committees investigate the actions of the executive departments, ensuring accountability and transparency in the administration.

The Weakest Popular Chamber

- Does not have superior powers

When compared to other popular chambers around the world, the House of Representatives is often considered the weakest. Chambers like the House of Commons in England and the Lok Sabha in India are far more powerful in terms of both legislation and financial matters. For example, the House of Commons in England is supreme in both legislative and economic matters, and the House of Lords holds limited powers. In contrast, the House of Representatives in the U.S. does not have superior powers, especially in areas like finance, where the Senate enjoys special powers not granted to the House.

2.2.2.3 The Process of Law-Making in the United States

- Multiple stages in both chambers of Congress

The process of law-making in the United States follows a structured procedure that involves multiple stages in both chambers of Congress—the House of Representatives and the Senate—before a bill can become law. While the executive branch does not participate directly in the law-making process, it plays an indirect role by initiating legislative measures, which are usually introduced by members of the President's party. Here is a detailed overview of the law-making process:

1. Introduction of a Bill

- A bill is introduced by a member of either the House of Representatives or the Senate. It is formally deposited on the table of the House or Senate clerk.
- The bill is given its first reading, which is usually by title, and then referred to the appropriate standing committee for detailed examination.

2. Committee Stage

The committee reviews the bill in depth, holding public hearings, if necessary, to gather input from experts, interest groups, and the public. The committee can decide to:

- Report the bill to the House or Senate unamended (rarely done).
- Amend the bill and recommend it for adoption.

- Redraft the bill entirely (except its title) and recommend the new version.
- Pigeonhole the bill, meaning it is not reported out of committee, effectively killing it.

If a bill is pigeonholed, it may only be retrieved by a majority vote of the full House, though this is difficult in practice.

3. House Floor Debate

Once reported by the committee, the bill is placed on the House calendar. The Rules Committee determines the schedule for debate, and the bill may be given priority if it is deemed important.

The second reading occurs, where the bill is read in full, and members debate it. Amendments can be proposed and voted on. For bills dealing with revenue or expenditure, the House may sit as a Committee of the Whole, which simplifies the debate process and removes procedural obstacles. After debate and amendments, the bill is read for a third time. No further discussion occurs during this reading, and a final vote is taken. If passed, the bill is signed by the Speaker and sent to the Senate.

- Readings

4. Senate Consideration

In the Senate, the bill is referred to the appropriate standing committee, which may hold hearings if necessary. After the committee's report, the bill is placed on the Senate calendar. The Senate follows the same basic procedure as the House but does not use the Committee of the Whole. Bills are debated and amended in the Senate, and a third reading occurs before the final vote. If the Senate passes the bill without amendments, it is sent directly to the President. If amended, the bill returns to the House for consideration.

- Bill in the Senate

5. Resolving Differences Between the House and Senate

If the Senate amends the bill and the House does not agree with those amendments, the bill is sent to a Conference Committee. This committee consists of an equal number of Senators and Representatives who work to reconcile differences. If the committee cannot reach an agreement, the bill fails. If a compromise is reached, the revised version is sent back to both Houses for approval. If both Houses accept the revised bill, it moves on to the President.

- Conference Committee



6. Presidential Action

Once both the House and Senate pass an identical version of the bill, it is sent to the President. The President can either:

- Sign the bill into law.
- Veto the bill, sending it back to Congress with reasons for rejection.

Congress can override a presidential veto by a two-thirds vote in both chambers. If Congress does not override the veto, the bill fails. If the President takes no action for ten days while Congress remains in session, the bill automatically becomes law. If Congress adjourns within ten days and the President has not signed the bill, it lapses and does not become law. This is known as the pocket veto.

Through these stages, the law-making process ensures that bills are carefully considered, debated, and refined before becoming law. This extensive process of checks and balances ensures that all relevant perspectives are taken into account, although it can also lead to delays and inefficiencies in passing legislation.

- Veto and becoming an Act

2.2.3 Legislature of Japan

The Japanese legislature, known as the Diet (Kokkai), is a bicameral body established under the Constitution of 1947. It replaced the previous legislative system under the Meiji Constitution and significantly altered both the structure and powers of the national legislature. The Diet plays a central role in the governance of Japan, serving as the primary body for law-making, policy formulation, and executive oversight. The Diet is composed of two houses: the House of Representatives (Shūgiin) and the House of Councillors (Sangiin), which collectively represent the legislative branch of government.

- Bicameral body

Structure of the Japanese Diet

House of Representatives (Shūgiin): The House of Representatives is the lower house of the Japanese Diet. It is composed of 467 members who are elected for a term of four years. Members are elected from 118 electoral districts, with each district electing between three to five representatives. Voters cast a single vote, and the candidates receiving the highest number of votes are elected. The House of Representatives holds significant power in terms of legislative action and control over

- Lower house of the Japanese Diet

the budget. It can be dissolved at any time by the government, triggering new elections within 40 days. This house is the primary decision-making body, and in case of a deadlock with the House of Councillors, the decisions of the House of Representatives prevail.

- Cannot be dissolved

House of Councillors (Sangiin): The House of Councillors serves as the upper house, replacing the old House of Peers under the Meiji Constitution. It has a membership of 250 members, composed of two categories: 100 councillors elected nationwide and 152 elected from prefectures. The House of Councillors serves for six-year terms, with half of the members being elected every three years. Unlike the House of Representatives, the House of Councillors cannot be dissolved by the executive, making it a more stable body. However, its influence is limited compared to the lower house.

Functions of the Japanese Diet

The Diet holds a broad range of powers and functions under the 1947 Constitution. While its structure and functions are designed to balance the powers of the executive and legislative branches, certain powers rest more heavily with the House of Representatives.

1. **Legislation:** The Diet is responsible for passing laws and creating policy. Legislative measures typically originate from the executive branch but can be introduced by members of the Diet as well. While both houses participate in the legislative process, the House of Representatives holds greater influence in matters such as the budget, treaties, and the selection of the Prime Minister. If the House of Councillors rejects a bill or fails to act upon it within 60 days, the House of Representatives can pass it by a two-thirds majority.
2. **Budget Approval:** The House of Representatives has the exclusive right to initiate and approve the national budget. If the two houses cannot agree on the budget, the lower house's decision prevails after 30 days. Similarly, for treaties, the House of Representatives holds the decisive vote in case of a disagreement between the two houses.
3. **Prime Minister Selection:** The Diet plays a key role in selecting the Prime Minister. In case of a deadlock between the two houses regarding the selection, the vote of the House of Representatives takes precedence.



4. Oversight and Accountability: The Diet holds the power to scrutinize and hold the executive accountable. This includes questioning members of the government, conducting investigations, and ensuring that policies align with public interest.

The committee system in the Diet allows for detailed examination of government actions, with members participating in debates and providing insights from their party perspectives.

2.2.3.1 Law-Making Process in Japan

The process of drafting a legislative bill in Japan begins with the relevant ministry responsible for the subject matter. If a new law needs to be enacted, or if an existing law requires amendment or abolition to meet a policy goal, the ministry drafts the initial proposal. This first draft is based on the ministry's objectives as outlined in its administrative duties.

- Formulation after consultations

Once the initial draft is prepared, consultations occur with other concerned ministries to ensure coordination and address any inter-ministerial concerns. In certain cases, the bill may also be referred to advisory councils or subject to public hearings to gather external input. After these steps, the ministry refines the draft into its final statutory form, making it ready for submission.

Examination by the Cabinet Legislation Bureau

Before a bill can be presented to the Cabinet, it undergoes an examination by the Cabinet Legislation Bureau. In recent practices, the Bureau has conducted a preliminary examination of the bill after consultations were completed. This allows the government to review the bill's legal and technical aspects, ensuring that it aligns with the Constitution and existing laws.

Key areas reviewed during this process include:

- Constitutional and legal alignment: Ensuring the bill's content adheres to constitutional provisions and does not conflict with existing laws.
- Clarity of intent: Confirming that the bill's purpose and goals are clearly articulated in the text.
- Structure and organization: Ensuring that the order and structure of the bill's articles are appropriate.
- Technical accuracy: Verifying the correct usage of legal terms and expressions.

- Cabinet meeting to discuss its submission

Once the preliminary examination is complete, the ministry responsible for the bill requests a Cabinet meeting to discuss its submission to the Diet. The Cabinet Legislation Bureau conducts a final review, making any necessary revisions before returning the results to the Cabinet Secretary.

Cabinet Decision to Submit the Bill to the Diet

- Administrative procedures

Following the review process, if the Cabinet approves the bill without objections, the Prime Minister submits the bill to the Diet (the Japanese legislature), which may be either the House of Representatives or the House of Councillors.

The administrative procedures for submitting the bill are handled by the Cabinet Secretariat.

Examination by the Diet

- Committee level scrutiny

Once the bill reaches the Diet, it is referred to an appropriate committee by the Speaker (House of Representatives) or President (House of Councillors). The committee examines the bill, with the state minister in charge presenting an explanation of the bill's purpose. During the examination, the committee may ask questions, and the minister responds, offering clarifications and further details.

After completing the examination, the committee votes on whether to approve the bill. If the bill is approved by the committee, it moves to the plenary session of the House for further deliberation and a vote.

The bill must pass both the committee and plenary sessions in the first House before it is sent to the second House. The second House follows a similar procedure of committee review and plenary approval.

Enactment of the New Law

- Formal approval by the emperor

Once a legislative bill has passed both Houses, it is submitted to the Emperor via the Cabinet for formal approval. The Emperor's approval is largely ceremonial, and the law is enacted once it has passed through this stage.

Promulgation of the New Law

Following the Emperor's approval, the law must be promulgated within 30 days. Promulgation involves a Cabinet decision to officially announce the law, which is published in the official gazette. An outline of the law is also provided to ensure the public understands its content.



- Informing the new law

This process serves to inform the people of the new law, and a law becomes effective only after it has been promulgated. Typically, laws include provisions that specify when they will come into effect, but this is not always immediate.

Finally, when the law is promulgated, it is assigned a serial number and signed by both the state minister responsible for the law and the Prime Minister, completing the legislative process.

2.2.4 The Swedish Legislature

The Swedish legislature, known as the Riksdag, is the supreme decision-making body in Sweden, responsible for enacting laws, approving budgets, and overseeing the work of the government. It is a unicameral parliament, meaning it consists of a single chamber.

2.2.4.1 Structure of the Riksdag

- Primary legislative functions

The Riksdag consists of 349 members, known as Members of Parliament (MPs), who are directly elected through proportional representation. Elections are held every four years, and all Swedish citizens over the age of 18 are eligible to vote. The number of MPs in each constituency is determined by the population size, ensuring that the Riksdag is representative of the country's diverse regions.

The Riksdag's primary legislative function is to pass laws, but it also plays a crucial role in approving the national budget, controlling the executive, and influencing foreign policy. Members of the Riksdag are organized into various parliamentary parties or groups based on their political affiliation. These parties vary in size and influence, and the distribution of seats often reflects the outcome of general elections, with larger parties holding more seats in the parliament.

2.2.4.2 Functions of the Riksdag

The functions of the Riksdag are broad, ensuring its role as a key actor in Swedish democracy:

1. **Legislation:** The primary function of the Riksdag is to enact laws. A bill can be introduced either by the government or by MPs. Once a bill is proposed, it is examined by parliamentary committees before being debated and voted on in the plenary sessions of the Riksdag.
2. **Budget Approval:** The Riksdag has exclusive authority over the national budget. The government proposes a

budget, which must be approved by the Riksdag. If the budget is rejected, the government may be forced to resign or revise its proposal.

3. **Control of the Executive:** The Riksdag exercises control over the government by questioning ministers, debating policies, and investigating the government's actions. This ensures a system of checks and balances between the executive and legislative branches. MPs can also call for votes of no confidence against ministers or the entire government.
4. **Ratification of Treaties:** Any international agreements or treaties signed by the government must be ratified by the Riksdag before they can take effect.
5. **Electing the Prime Minister:** The Riksdag plays a role in the selection of the Prime Minister. The Speaker of the Riksdag nominates a candidate for Prime Minister, who must then receive a majority vote in the Riksdag to be elected.
6. **Oversight and Investigations:** The Riksdag has several tools at its disposal to oversee the actions of the government. It can conduct inquiries into matters of national interest and issue reports to guide future policies.
7. **Amendments to the Constitution:** Changes to Sweden's constitution require a special process, involving at least two parliamentary elections and approval by a two-thirds majority in the Riksdag.

2.2.4.3 Legislative Process in Sweden

- Structured and transparent system

The Swedish legislative process is a structured and transparent system that ensures laws are developed, debated, and enacted efficiently and in accordance with democratic principles. The process involves several stages, from the initial proposal to the final promulgation of a law. Below is a detailed overview of the legislative process in Sweden.

Initiative for Legislative Change

Most legislative proposals in Sweden are initiated by the Government, which has the authority to draft and present bills to Parliament. However, Members of Parliament (MPs) and parliamentary committees also have the right to propose new



- Initiated by the Government

legislation. This system ensures that a wide range of issues can be addressed, including those that may arise from within Parliament itself, the public, or external organizations.

The Inquiry Stage

Before the Government can draft a legislative proposal, the issue at hand must be thoroughly analyzed and evaluated. The task of examining the proposed change is often assigned to the relevant ministry, though the Government can also appoint a committee of inquiry. These committees are typically made up of experts, public officials, and sometimes politicians, who are tasked with examining the matter in depth.

- Works independently

Committee of Inquiry: This body works independently from the Government but is appointed by the relevant minister. Its role is to assess the issue and propose solutions based on the specific terms of reference outlined by the Government. The committee's report is made public, ensuring transparency and accountability throughout the process. It also allows for early involvement of the public, the opposition, and interest groups, who can track and influence the reform process.

The Consultation Process

Once a committee of inquiry presents its findings and proposals, the consultation process begins. The inquiry report is circulated to relevant consultation bodies for feedback. These bodies can include government agencies, local authorities, non-governmental organizations (NGOs), and any other entities whose work may be impacted by the proposed changes.

- Gather diverse perspectives

The purpose of the consultation is to gather diverse perspectives and ensure that the legislative proposal is well-rounded and balanced and considers the potential effects on different sectors of society. These bodies provide their comments, which are then considered by the Government before it proceeds with drafting the bill for Parliament.

The Council on Legislation

Before a bill is formally submitted to Parliament, the Council on Legislation plays a crucial advisory role. The Council is a body composed of judges from Sweden's Supreme Court and the Supreme Administrative Court. Its purpose is to review major draft legislation to ensure that it conforms with existing legal norms and is compatible with Sweden's constitutional framework.

- Review major draft legislation

Consultation with the Council on Legislation is mandatory for major bills. However, it is important to note that the Council's role

is consultative; it does not make binding decisions but provides expert opinions to ensure the proposed law's legal soundness.

The Parliamentary Process

- Referred to one of the standing committees

Once the Government has finalized the bill and taken into account the feedback from the Council on Legislation and consultation bodies, the bill is presented to Parliament (Riksdag). The bill is then referred to one of the standing committees, where MPs from various parties examine the proposal.

- **Counter-Proposals and Amendments:** During the parliamentary process, MPs have the right to propose amendments or counter-proposals to the bill. If a counter-proposal is formally adopted by Parliament, the Government must implement its provisions.
- **Committee Deliberations:** The committee debates and scrutinizes the bill. Once the committee reaches a decision, it submits a report, which is debated by the full Riksdag.
- **Approval:** After deliberation in the Riksdag, the bill is voted on. If it passes the vote, it becomes law.

Adoption of Laws

Most laws in Sweden are enacted by a simple majority vote in Parliament. However, fundamental laws (i.e., constitutional amendments) require a more stringent process:

- The proposed amendment must be adopted by a simple majority in Parliament.
- Following this decision, a general election must take place, and the newly elected Parliament must then adopt the same proposal by a second majority vote.

This two-step process ensures stability and prevents hasty changes to Sweden's constitution.

Promulgation

Once Parliament has passed a bill, the Government formally issues it as law. This is known as promulgation. All new laws and ordinances are published in the Swedish Code of Statutes, a public register that ensures transparency and accessibility for all citizens.

The publication of a law marks its official adoption and



establishes its legal effect. Laws generally specify when they will come into force, and this is often done through attached clauses within the law itself.

2.2.5 Comparison of Legislatures

Feature	Britain	United States	Japan	Sweden
Type of Legislature	Bicameral (House of Lords, House of Commons)	Bicameral (Senate, House of Representatives)	Bicameral (House of Representatives, House of Councillors)	Unicameral (Riksdag)
Membership	House of Lords: Varied categories (Life Peers, Bishops, etc.) House of Commons: 635 members	Senate: 100 members (2 per state) House: 435 members (proportional representation)	House of Representatives: 467 members (elected for 4 years) House of Councillors: 250 members (elected for 6 years)	349 members (proportional representation, elected every 4 years)
Powers	Limited powers for the House of Lords; House of Commons holds legislative and financial supremacy	Senate: Significant powers, including treaty ratification House: Initiates revenue bills	House of Representatives: Initiates budget and legislation; holds greater power in deadlocks.	Holds supreme legislative authority, including law-making, budget approval, and executive oversight
Law-Making Process	Bills pass both Houses; the House of Lords can delay but not block legislation permanently	Bills pass both chambers; the President can veto, overridden by a two-thirds majority in Congress	Bills pass both Houses; House of Representatives can override the House of Councillors in deadlocks	Bills are proposed, scrutinized by committees, debated, and voted on; constitutional amendments require multiple elections
Unique Features	Monarch's formal assent Money bills bypass the House of Lords	Senate has impeachment trial powers. Revenue bills originate in the House	Emperor's approval is ceremonial Lower house's decisions prevail in budget deadlocks	Proportional representation ensures regional representation Two-step constitutional amendment process

Executive Oversight	Question Time in Commons; limited executive accountability in Lords	Senate confirms appointments and treaties House oversees budget and impeachment	Prime Minister is chosen by Diet; committees scrutinize executive actions	MPs question ministers, debate policies, and conduct inquiries
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Summarised Overview

The legislatures of Britain, the United States, Japan, and Sweden reflect distinct governance models shaped by their constitutional frameworks, historical evolution, and political cultures. Britain's bicameral Parliament upholds legislative supremacy, with the House of Commons holding primary law-making authority and the House of Lords serving a revisory function. In contrast, the United States Congress follows a federal model, balancing equal state representation in the Senate with population-based representation in the House of Representatives to ensure both national and regional interests. Japan's National Diet, restructured after World War II, prioritizes the House of Representatives as the more powerful chamber, while the House of Councillors provides stability and review. Meanwhile, Sweden's unicameral Riksdag, characterized by proportional representation, emphasizes transparency, consensus-based decision-making, and centralized governance. These legislative structures illustrate different approaches to law-making, executive oversight, and public representation, reflecting each nation's broader political philosophy and governance priorities.

Assignment Questions

1. Explain the composition, powers, and functions of the British Parliament, with a focus on the distinct roles of the House of Lords and the House of Commons.
2. Describe the legislative process in the United States Congress, highlighting the roles and interactions of the Senate and the House of Representatives.
3. Compare the structure and functions of Japan's National Diet, analyzing the relationship between the House of Representatives and the House of Councillors in governance and law-making.
4. Examine the legislative process and key characteristics of Sweden's unicameral Riksdag, emphasizing its unique approach to governance and representation.
5. Evaluate the similarities and differences in the legislative systems of Britain, the United States, Japan, and Sweden, focusing on their law-making procedures and executive oversight mechanisms.

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Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU



UNIT 3

Judiciary

Learning Outcomes

By the completion of this unit, the learner will be able to:

- understand the structure and functions of the judiciary in Britain, the United States, Japan, and Sweden
- analyse the principles of judicial independence and their application in various legal systems
- compare unique features of the judiciary, such as the Saiban-in system in Japan and the Rule of Law in Britain
- evaluate the role of judicial systems in safeguarding individual rights and promoting justice in diverse administrative contexts

Background

Imagine a world where justice is the foundation of society, yet its delivery varies dramatically across borders. From the historic halls of Britain's judiciary, steeped in common law traditions and the Rule of Law, to the United States' dynamic system shaped by federalism and judicial review, each country reflects its unique approach to maintaining legal order. Meanwhile, Japan intertwines traditional *wakai* settlements with its innovative *Saiban-in* system, inviting ordinary citizens to share the mantle of justice. In Sweden, a blend of statutory and case law underscores its commitment to fairness, supported by specialized courts for issues like migration and labour. Together, these systems highlight the diversity and complexity of judicial administration, each tailored to its cultural and constitutional context while sharing a common goal: upholding the principles of fairness, independence, and accountability.

Keywords

Judicial Independence, Rule of Law, Saiban-in System, Specialized Courts.

Discussion

The judiciary plays a crucial role in the functioning of a nation's administrative system, acting as the guardian of the constitution, the interpreter of laws, and a check on the executive and legislative power. In the previous units, we explored the constitutional frameworks, executive structures, and legislative functions of Britain, the United States, Japan, and Sweden, analyzing how these branches of government interact and balance power. While the executive implements policies and the legislature enacts laws, the judiciary ensures that these actions remain within constitutional limits and uphold principles of justice, accountability, and the rule of law. The structure and authority of the judiciary vary across political systems, reflecting different legal traditions such as common law, civil law, and hybrid models. This unit examines the judicial systems of the selected countries, focusing on their composition, independence, functions, and role in governance, providing a comparative perspective on how legal frameworks influence administrative decision-making and public accountability.

2.3.1 Judiciary in Britain

The judiciary in Britain is a cornerstone of the country's constitutional framework, functioning independently from the executive and legislative branches. Rooted in a common law tradition, it upholds the principles of the rule of law and ensures that government actions adhere to legal boundaries. The Supreme Court of the United Kingdom, established in 2009, serves as the highest court, replacing the House of Lords' judicial functions. British judges interpret and apply laws, set legal precedents, and ensure justice in civil and criminal cases, while maintaining strict neutrality and independence. The judiciary also plays a vital role in safeguarding individual rights, especially under the Human Rights Act 1998, which incorporates the European Convention on Human Rights into domestic law. This system reflects the UK's commitment to fairness, accountability, and legal integrity.

- Independent judiciary

2.3.1.1 Structure of the Judiciary

Supreme Court

At the apex of the UK judiciary is the Supreme Court, established in 2009 to achieve a complete separation between the judiciary and Parliament. It serves as the ultimate appellate court, addressing arguable points of law of significant public importance. Its jurisdiction extends to civil cases across the UK and criminal cases in England, Wales, and Northern Ireland.



- Complete separation between the judiciary and Parliament

Additionally, the court resolves devolution issues concerning the powers and actions of the devolved administrations in Scotland, Wales, and Northern Ireland. The Supreme Court operates with a panel of justices who deliberate collectively, ensuring that judgments reflect comprehensive legal reasoning. Its establishment underscores the importance of judicial independence and transparency in the UK legal system.

Court of Appeal

- Consistency and fairness

The Court of Appeal is a pivotal intermediary in the judiciary, divided into two specialized divisions: the Civil Division and the Criminal Division. The Civil Division hears appeals from significant cases originating in the High Court, County Courts, and specific tribunals, focusing on errors in law or procedure. The Criminal Division addresses appeal against convictions and sentences handed down by the Crown Court, often involving complex legal arguments or significant procedural issues. Cases in the Court of Appeal are typically heard by panels of three senior judges, including Lords or Ladies Justice of Appeal, whose decisions set binding precedents for lower courts. This appellate mechanism ensures consistency and fairness across the legal system.

High Court

- Complex, high-value, and precedent-setting cases

The High Court occupies a critical role in handling complex, high-value, and precedent-setting cases. It operates through three specialized divisions. The Queen's Bench Division addresses a wide range of civil matters, including commercial disputes, tort claims, and defamation cases, and oversees specialist courts like the Admiralty and Technology and Construction Courts. The Chancery Division focuses on intricate areas such as trusts, insolvency, patents, and intellectual property. The Family Division manages sensitive and emotionally charged cases, including divorce, child custody, and probate. The High Court also acts as an appellate body for certain lower courts and tribunals, reinforcing its authority as a cornerstone of the judiciary.

Crown Court

The Crown Court primarily deals with serious criminal cases that exceed the jurisdiction of magistrates' courts. These include offences such as murder, rape, and armed robbery. The court operates with a judge and a jury, where the judge provides guidance on legal principles and imposes sentences, while the jury determines the guilt or innocence of the defendant. In

- Deals with serious criminal cases

In addition to original jurisdiction, the Crown Court hears appeals from magistrates' courts and determines cases referred for sentencing. Its role is central to ensuring that justice is served in the most serious and complex criminal matters.

County Court

- The principal forum for resolving civil disputes

The County Court serves as the principal forum for resolving civil disputes of lower value and complexity. Cases commonly addressed include debt recovery, landlord-tenant disputes, property claims, and personal injury cases. Circuit Judges and District Judges preside over these cases, with assignments based on their complexity and monetary value. The court's processes are designed to be accessible and efficient, reflecting its role as the primary venue for the public to seek redress in civil matters. It also plays a key part in promoting alternative dispute resolution methods, such as mediation, to facilitate quicker and less adversarial outcomes.

Magistrates' Courts

- Handle the majority of criminal cases

Magistrates' Courts handle the majority of criminal cases at their first instance, as well as some civil matters, including family proceedings and licensing disputes. They adjudicate less serious offences, known as summary offences, and conduct preliminary hearings for indictable offences that are subsequently referred to the Crown Court. Cases are heard either by a bench of three lay magistrates, who are trained volunteers or by a legally qualified District Judge (Magistrates' Court). Magistrates' Courts are instrumental in ensuring swift and localized justice, forming the foundation of the UK's criminal justice system.

Specialized Tribunals

- Disputes in specific areas

Specialized tribunals address disputes in specific areas, such as employment, immigration, tax, and social security. They are organized into a two-tier system: the First-tier Tribunal, which hears initial cases, and the Upper Tribunal, which handles appeals and can set binding precedents. Tribunals operate with streamlined and less formal procedures compared to traditional courts, ensuring accessibility and cost-effectiveness for individuals seeking redress. Tribunal panels typically include legally qualified judges and subject-matter experts, ensuring both legal rigour and specialized knowledge in decision-making.



- For family-related cases

Family Court

Established in 2014, the Family Court unified the jurisdiction for family-related cases under a single entity, enhancing consistency and efficiency. It handles a broad range of issues, including child custody, adoption, domestic violence, and financial disputes following divorce. The court is organized into designated Family Judge areas, with a centralized listing system to streamline case management. By consolidating various family law functions, the Family Court minimizes delays and ensures sensitive handling of emotionally charged matters.

2.3.1.2 Rule of Law

The Rule of Law is a fundamental principle of the British constitution, emphasizing that government should be conducted according to law, rather than by the whims of individuals. Lord Hewart described it as the “supremacy or dominance of law,” in contrast to arbitrary rule or alternative methods that do not follow established legal norms for determining individual rights. A.V. Dicey, a prominent legal scholar, outlined three key aspects of the Rule of Law:

1. Protection Against Unlawful Punishment: No one can be punished or made to suffer in terms of their person or property unless there has been a clear violation of the law, which has been established through the regular legal process and adjudicated by ordinary courts.
2. Equality Before the Law: The Rule of Law ensures that everyone is subject to the same law, meaning no one, including government officials, is exempt from obeying the law or from the jurisdiction of ordinary courts.
3. Protection of Fundamental Rights: In the UK, fundamental rights, such as personal liberty, the right to public assembly, and protection from trespass, are primarily derived from judicial decisions that interpret and uphold these rights in individual legal cases brought before the courts.

2.3.2 Judiciary in the US

The federal judiciary in the United States consists of three primary levels: district courts (which serve as trial courts), circuit courts (the first level of appeal), and the Supreme Court,

which represents the final level of appeal in the federal system. There are 94 district courts, 13 circuit courts, and a single Supreme Court across the country.

- Initial venue for cases

Federal courts operate differently from state courts in several key respects, particularly in civil cases. The primary distinction lies in the types of cases federal courts are authorized to hear. As courts of limited jurisdiction, federal courts can only hear cases that are specified by the U.S. Constitution or federal statutes. The federal district courts serve as the initial venue for cases arising under federal law, the Constitution, or international treaties, which is referred to as “original jurisdiction.” In some instances, state and federal courts have overlapping jurisdiction, meaning that certain cases could potentially be brought in either court. In such situations, the plaintiff typically has the option to choose the court, although the defendant may sometimes request a case to be “removed” from state to federal court.

- Criminal prosecutions

Federal courts also have the authority to hear cases based on state law under the principle of “diversity jurisdiction.” This allows a plaintiff from one state to file a lawsuit in federal court when the defendant resides in a different state. However, all plaintiffs must be from different states than all defendants, and the “amount in controversy” must exceed \$75,000 for diversity jurisdiction to apply. Importantly, criminal cases cannot be brought under diversity jurisdiction. Criminal prosecutions are exclusive to either state or federal courts, depending on the nature of the offense. Furthermore, the double jeopardy principle, which prevents a person from being tried twice for the same offense, does not apply across state and federal jurisdictions. This means that a defendant could potentially face charges in both state and federal court for the same conduct, if the offense violates both state and federal law.

- Appointed by the President and confirmed by the Senate

Federal judges, including Supreme Court justices, are appointed by the President and confirmed by the Senate. They hold their positions for life, as long as they maintain “good behaviour,” though many choose to resign or retire before reaching the end of their terms. Judges can be removed from office through impeachment by the House of Representatives and subsequent conviction by the Senate. In contrast to lifetime appointments, magistrate judges are selected by district judges and serve fixed terms. Throughout U.S. history, 15 federal judges have been impeached due to allegations of misconduct.

2.3.2.1 District Courts

District courts serve as the general trial courts within the



- General trial courts

federal judicial system. Each district court is staffed with at least one United States District Judge, who is appointed by the President and confirmed by the Senate to serve a life term. These courts handle both civil and criminal trials at the federal level. The district court system aligns with the geographical divisions used by U.S. Attorneys, who act as the primary prosecutors for the federal government within their designated regions.

District court judges are responsible for overseeing the court's operations and managing its staff. They hold office for life, contingent on maintaining "good behaviour," and can only be removed through impeachment by Congress. Currently, there are over 670 district court judges across the country.

- Delegated to federal magistrate judges

Certain functions within the district courts are delegated to federal magistrate judges. These magistrates are appointed by a majority of district court judges and serve fixed terms—eight years for full-time positions and four years for part-time roles. They may be reappointed upon the expiration of their term. Magistrate judges are authorized to oversee specific criminal cases, issue search and arrest warrants, conduct initial hearings, set bail, and rule on motions such as motions to suppress evidence. In civil cases, they handle pre-trial motions, discovery, and other procedural matters.

- Handle specific legal areas

In addition to general district courts, specialized federal trial courts exist to handle specific legal areas. For instance, each federal district has its own bankruptcy court for bankruptcy-related proceedings. There are also courts with nationwide jurisdiction for particular legal matters, such as the United States Tax Court (for tax-related cases), the United States Court of Federal Claims (for claims against the federal government), and the United States Court of International Trade (for cases involving international trade).

2.3.2.2 Circuit Courts

- Appealed to a court of appeals

Once a case is decided in a federal district court, it can be appealed to a court of appeals. The United States is divided into twelve federal circuits, each covering different regions. For example, the Fifth Circuit includes Texas, Louisiana, and Mississippi, with appeals from those states heard by the United States Court of Appeals for the Fifth Circuit.

Each circuit court has multiple judges, with the number varying by circuit. Judges are appointed for life by the President and confirmed by the Senate.

Appeals are typically heard by a panel of three judges who review written briefs from the parties. The court may also schedule an oral argument where lawyers present their case. In some cases, the entire circuit court may hear the appeal in an “en banc” hearing, which involves all judges in the circuit.

- Panel of three judges

In addition to the regional circuit courts, there are specialized appellate courts, such as the United States Court of Appeals for Veterans Claims and the United States Court of Appeals for the Armed Forces, which handle specific types of cases.

2.3.2.3 Supreme Court of the United States

The Supreme Court of the United States is the highest court in the American judicial system, with the authority to hear appeals from federal courts and state courts involving federal law. For example, cases related to constitutional rights, such as the First Amendment, can be appealed to the Supreme Court if they involve federal questions, even if the case was decided by a state supreme court. However, if the case is solely based on state law, the Supreme Court cannot hear it.

- Highest court in the American judicial system

After a case is decided by a circuit court or state supreme court, either party may petition the Supreme Court for an appeal by filing a “writ of certiorari.” The Supreme Court is not obligated to hear all appeals, and it grants certiorari only in a small percentage of cases—typically when there are conflicting decisions in lower courts or when there is a significant legal issue at stake. If certiorari is denied, the decision of the lower court stands.

- Writ of certiorari

The Court consists of nine justices: one chief justice and eight associate justices. Justices are appointed by the President and confirmed by the Senate for life terms. While the Constitution sets no specific qualifications for justices, all current members have legal backgrounds, often having served as circuit court judges or law professors. The chief justice is selected by the President and approved by Congress when the position is vacant.

- Selected by the President and approved by Congress

The Supreme Court convenes in Washington, D.C., for its annual term, which begins on the first Monday of October and typically ends in late June.

2.3.2.4 Judicial Review

The U.S. Constitution does not explicitly mention the power of judicial review granted to the Supreme Court. Some scholars



argue that this power is not conferred by the Constitution. President Thomas Jefferson, for example, viewed judicial review as a violation of the separation of powers and the principle of limited government. However, other constitutional scholars believe that the power of judicial review is inherent in the structure of the Constitution itself.

- Power of judicial review

Proponents of this view refer to the authority provided by Article III and Article VI of the Constitution. Article III, Section 2, states that “The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made under this authority...”. Likewise, Article VI asserts that “This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.” These provisions are often cited as the constitutional foundation for the Supreme Court’s power of judicial review.

2.3.3 Judiciary in Japan

In Japan, the judiciary is guaranteed independence by the Constitution, ensuring judges are only bound by the Constitution and laws (Article 76). They cannot be removed unless declared unfit for duty, and they are immune to disciplinary action by executive agencies (Article 78). However, Supreme Court judges can be removed through a public referendum held at the first general election after their appointment and every ten years thereafter.

Japanese courts emphasize *wakai* settlements, where disputes are resolved by mutual agreement, with no clear loser or winner. These settlements have the same legal effect as a court judgment.

- Judges are only bound by the Constitution and laws

Historically, Japan’s courts followed an inquisitorial system, influenced by European legal models after the 1890s. Following 1948, Japan’s legal system was influenced by the American adversarial system, separating the roles of judge, prosecutor, and defence.

2.3.3.1 Courts and Judges

In Japan, the judiciary is structured around five types of courts, each with specific roles and responsibilities:

- Minor civil cases

- First instance for most civil and criminal cases

- Matters related to family law

- The appellate courts

Summary Courts

These courts primarily handle minor civil cases with claims up to 900,000 yen and criminal cases related to less serious offenses, such as those punishable by fines or lighter penalties. They also manage civil conciliations. Summary courts are located in 438 locations nationwide, and cases are typically decided by a single judge. Summary courts are designed to provide a swift and accessible resolution for simpler legal matters.

District Courts

District courts serve as the courts of first instance for most civil and criminal cases, including more serious offenses that could lead to significant penalties. There are 50 district courts across Japan, with branch offices in 203 locations. Cases are generally heard by a single judge, but more serious or complex cases, such as those involving crimes punishable by at least one year of imprisonment, are decided by a panel of judges. District courts play a crucial role in Japan's judicial system by handling a broad range of cases.

Family Courts

Family courts handle matters related to family law, including issues such as divorce, custody, inheritance, and juvenile delinquency cases. These courts also oversee cases involving domestic disputes or welfare. Family courts are located in the same locations as district courts, with additional local offices across Japan. Cases in family courts are typically decided by a single judge, and the court aims to facilitate amicable resolutions for sensitive family-related issues.

High Courts

High courts are the appellate courts that review decisions made by lower courts, such as district courts, family courts, and summary courts. These courts are situated in eight locations across Japan, including major cities like Tokyo, Osaka, and Fukuoka. High courts operate with a panel of three judges who review the lower court's rulings. High courts play a vital role in ensuring that decisions made by lower courts are in accordance with the law and provide an opportunity for a more detailed review of the case.



- Highest judicial authority

Supreme Court

As the highest judicial authority in Japan, the Supreme Court handles appeals from the high courts. It is composed of a Chief Justice and 14 Justices, all appointed by the Emperor on the advice of the Cabinet. The Court has a Grand Bench consisting of all 15 justices, which hears constitutional cases and important legal matters. Most cases are first reviewed by one of the three smaller panels known as Petty Benches, each composed of five justices. Cases involving constitutional issues or significant legal precedents are often transferred to the Grand Bench for a more thorough review. The Supreme Court has the final say on matters of law, and its rulings are binding on all lower courts in Japan.

2.3.3.2 Saiban-in (Lay Judge) System

The Saiban-in system, introduced in Japan in May 2009, involves lay judges who are randomly selected from the electorate to serve alongside professional judges in district courts. This system applies to cases involving serious crimes, including those punishable by the death penalty, indefinite penal servitude, or imprisonment, as well as crimes resulting in the death of a victim. In principle, a panel consists of six lay judges and three professional judges.

Lay judges participate in the criminal trial by reviewing evidence, questioning the accused and witnesses, and contributing to decisions on both guilt and sentencing. While professional judges guide the legal aspects, lay judges bring a citizen's perspective to the trial. This system shares similarities with a jury system, where lay judges are randomly chosen from voter lists, and their involvement helps bridge the gap between the legal system and the public.

The Saiban-in system aims to enhance public participation in the judiciary, emphasizing the principles of direct participation and the importance of oral testimony. Trials under this system involve intensive court hearings with a focus on making the evidence and testimony accessible and comprehensible to all participants. This system represents a significant step towards democratizing Japan's legal processes, ensuring that citizens have a direct role in the justice system.

- Lay judges

2.3.4 Judiciary in Sweden

The Swedish legal system, while traditionally classified as a civil law system, does not fully conform to either civil or common law traditions. Unlike countries with unified legal codes, Sweden's most recent general codification dates back to 1734. However, specialized codes exist for areas such as judicial procedure, the Penal Code, and the Environmental Code. Some areas, like property rights, are mainly governed by case law with little statutory regulation.

Sweden's legal system is part of the Nordic legal family, which blends statutory and case law. Judges interpret the law based on legislative intent rather than creating new law, reflecting a system that differs from Anglo-American models. A unique feature is the delegation of quasi-legislative power to private organizations in labour and employment law, allowing self-regulation in areas like contract law, insurance, and corporate law.

Swedish law is divided into public and private law, with public law being mandatory and private law often serving a gap-filling function. Certain private law provisions, such as those protecting consumers, are mandatory, even if parties agree otherwise. The distinction between mandatory and gap-filling law can be unclear, as some private law statutes also include public law elements.

2.3.4.1 Structure of Swedish Judiciary

Sweden's court system is divided into two main branches: general courts for criminal and civil cases, and general administrative courts for disputes between individuals and authorities. These two systems each consist of three levels, and leave to appeal may be required for cases at the second and third levels. Additionally, there are special courts for specific types of cases.

General Courts

The general courts handle criminal and civil cases, and their structure is similar to the U.S. court system with district courts, courts of appeal, and a Supreme Court.

- District Courts: There are 48 district courts in Sweden. These courts handle first-instance civil and criminal cases, such as disputes over busi-

- Blends statutory and case law

- Divided into public and private law

- Two main branches



ness agreements, adoption, bankruptcy, and conflicts between individuals and companies. Unlike the U.S., all prosecuted individuals will undergo a trial if sufficient evidence exists and there are no randomly selected juries. Verdicts are decided by a presiding judge and a group of lay judges, who are appointed for four-year terms.

- Courts of Appeal: Sweden has six courts of appeal. They review cases from district courts where there is legal dissatisfaction. The courts of appeal accept around 40% of civil appeals and hear all serious criminal cases. A majority of cases are criminal matters. Criminal defendants granted a new trial in the courts of appeal must attend the hearing, while witnesses and victims are rarely required unless necessary for the case.
- Supreme Court: The Supreme Court is the final appeal court for the general courts, mainly reviewing cases that could establish legal precedents. The court consists of 16 justices appointed by the government. In 2016, only about 2% of criminal cases appealed to the courts of appeal were granted a new hearing by the Supreme Court. The average time to reach a decision is around 0.9 months for cases appealed from the courts of appeal, with more complex cases taking up to 15.9 months.

• Division of courts

General Administrative Courts

These courts deal with disputes between individuals and public authorities, such as appeals against decisions by government agencies (e.g., tax or social insurance cases).

- Administrative Courts: There are 12 administrative courts, which serve as the court of first instance in general administrative cases.
- Administrative Courts of Appeal: Four administrative courts of appeal handle appeals from lower administrative courts. Leave to appeal is required

• Disputes between individuals and public authorities

except in certain cases like tax issues or compulsory care matters.

- **Supreme Administrative Court:** This is the highest level for administrative court cases, granting leave to appeal only when a case has significant precedent value.

Special Courts

Special courts handle specific areas of law, as defined by legislation. Some operate as divisions within the general or administrative courts, while others have independent jurisdictions.

• Handle specific areas of law

- **Land and Environmental Courts:** These courts handle matters related to land use and the environment.
- **Migration Courts:** There are migration courts in Stockholm, Malmö, and Gothenburg that deal with matters of residence and nationality.
- **Maritime Courts:** Seven district courts handle maritime cases.
- **Labour Court:** This court resolves disputes between employers and employees.
- **Market Court:** Deals with cases regarding marketing practices.
- **Court of Patent Appeals:** Reviews decisions on patents, trademarks, and intellectual property matters.
- **Defence Intelligence Court:** Handles issues related to national defence intelligence.

2.3.5 A Comparison of Judiciary

Aspect	Britain	United States	Japan	Sweden
Legal Tradition	Common law, with significant reliance on judicial precedents and statutory interpretation.	Common law, with a federal system and emphasis on judicial precedents.	A mix of civil law (historical) and common law (modern), influenced by European and American systems.	Civil law with Nordic influences; statutory law dominates but case law is also important.

Structure of Courts	Supreme Court, Court of Appeal, High Court, Crown Court, County Court, Magistrates' Courts, and Specialized Tribunals.	District Courts (trial courts), Circuit Courts (appellate), and the Supreme Court (highest appellate court). Specialized courts like bankruptcy and tax courts exist.	Summary Courts, District Courts, Family Courts, High Courts, and Supreme Court.	General Courts (District Courts, Courts of Appeal, and Supreme Court) and General Administrative Courts (Administrative Courts, Administrative Courts of Appeal, Supreme Administrative Court). Specialized courts like Migration and Labor Courts exist.
Supreme Court	Established in 2009; highest appellate court; ensures separation of powers and transparency.	Nine justices, life tenure; final appellate authority on constitutional and federal law.	Chief Justice and 14 Justices; final arbiter of constitutional and legal matters.	16 justices; final authority for precedent-setting cases. Primarily reviews cases with broader legal significance.
Judicial Independence	Strong; rooted in the principle of separation of powers and strict judicial neutrality.	Strong; lifetime appointments for federal judges to ensure independence, subject to impeachment for misconduct.	Guaranteed by the Constitution; judges cannot be removed unless declared unfit; Supreme Court judges face periodic public referendums.	Strong; judges interpret legislation based on parliamentary intent. Lay judges assist in decision-making.
Unique Features	Rule of Law emphasized by A.V. Dicey, with principles like equality before the law and protection against unlawful punishment.	Judicial review established through Marbury v. Madison; federal and state jurisdictions; double jeopardy principle does not apply across jurisdictions	Saiban-in (Lay Judge) System involves citizen participation alongside professional judges in serious criminal cases.	Blend of civil and case law; quasi-legislative power delegated to private organizations in labour and employment law. Specialized courts handle issues like environment and migration.
Role in Civil Rights	Protects individual rights, especially under the Human Rights Act 1998, incorporating the European Convention on Human Rights into domestic law.	Strong emphasis on safeguarding constitutional rights; handles federal and state-level civil rights disputes.	Emphasis on wakai (amicable settlements) and adjudicating disputes without clear winners or losers.	Focuses on individual rights and disputes between public authorities and individuals, especially in administrative courts.

Appointment of Judges	Senior judges are appointed through an independent process; strict criteria ensure neutrality and competence.	Federal judges and Supreme Court justices are nominated by the President and confirmed by the Senate; lifetime tenure.	Supreme Court judges are appointed by the Emperor on the advice of the Cabinet; judges for lower courts follow civil service appointment processes.	Judges are appointed by the government; lay judges are chosen for four-year terms to assist in decision-making in District Courts.
Citizen Participation	Limited direct participation; legal proceedings emphasize judge-led decisions and legal arguments.	Jury system for trials; citizens have a significant role in deciding criminal cases.	Saiban-in system allows lay judges to participate actively in trials involving serious crimes, contributing to both verdicts and sentencing.	Lay judges assist in District Court verdicts alongside professional judges. Focuses on ensuring broader public involvement in judicial processes.

Summarised Overview

The judiciary systems of Britain, the United States, Japan, and Sweden represent distinct legal traditions shaped by their historical, constitutional, and cultural contexts. Britain's judiciary, grounded in common law, upholds the Rule of Law and judicial neutrality, ensuring legal consistency through precedent. In contrast, the United States judiciary, operating within a federal framework, wields significant authority through judicial review, reinforcing constitutional rights and the separation of powers. Japan's legal system blends traditional dispute resolution (wakai) with modern reforms, including the Saiban-in system, which enhances public involvement in serious criminal trials. Meanwhile, Sweden's judiciary, as part of the Nordic legal tradition, integrates statutory and case law, with specialized courts addressing key societal issues such as migration and environmental law. Despite their structural and procedural differences, these judicial systems are united by their commitment to independence, fairness, and accountability, ensuring justice and the protection of individual rights.

Assignment Questions

1. Discuss the principles and importance of judicial independence in Britain, the United States, Japan, and Sweden, highlighting its role in ensuring fair and impartial justice.
2. Examine the distinctive features of Japan's judiciary, with a focus on the



- Saiban-in system and its impact on public participation and judicial outcomes.
3. Compare the structure, jurisdiction, and functions of the Supreme Court in the United States and Britain, analyzing their roles in constitutional interpretation and legal oversight.
 4. Analyze the role of specialized courts in Sweden, exploring their contribution to the legal system and their impact on areas such as migration, labor disputes, and environmental law.

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Suggested Reading

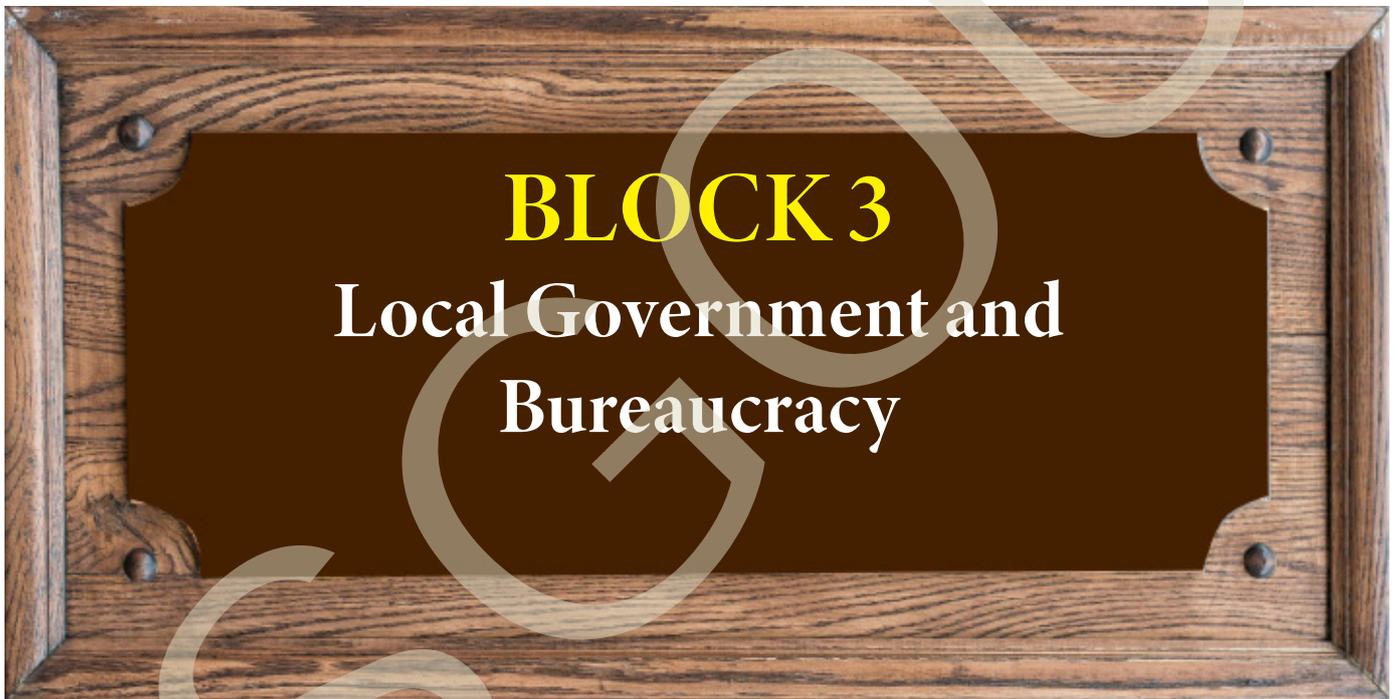
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Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU





BLOCK 3

Local Government and
Bureaucracy

UNIT 1

Study of Local Government in the UK, USA, Sweden and Japan

Learning Outcomes

By the end of this unit, learners will be able to:

- identify the unique structures and functions of local government systems in the UK, USA, Sweden, and Japan
- analyze how decentralization and citizen participation shape local governance in different countries
- compare the legislative, administrative, and service delivery roles of local governments within diverse socio-political settings
- assess the influence of governance models on regional development and community welfare

Background

Imagine a vibrant community space—perhaps a bustling town square or a local market filled with people and activities. Amidst the lively atmosphere, public officials work diligently to maintain order and provide services to the community. This is the heart of local governance.

Across the world, local government systems have adapted to meet the specific needs of their societies. In the United Kingdom, a structured tiered system harmonizes historical traditions with contemporary administrative demands. In contrast, the United States features highly decentralized local units that mirror the country's cultural and geographical diversity. Meanwhile, Japan balances regional autonomy with centralized oversight, focusing on efficiency and active citizen involvement. In Sweden, the deep-rooted tradition of local self-governance emphasizes decentralization and democratic practices.

Despite their differences, all these systems aim to enhance community well-being and ensure responsive, effective governance.



Keywords

Decentralization, Citizen Participation, Service Delivery, Governance Models

Discussion

Introduction

The previous chapter offered a comprehensive exploration of the executive, legislative, and judiciary systems in the United Kingdom, the United States, Japan, and Sweden, emphasizing how these fundamental pillars of governance are shaped by distinct historical, constitutional, and cultural contexts. The executive structures showcased varied approaches to leadership and administration, ranging from parliamentary systems to presidential and hybrid models, while the legislative frameworks demonstrated how representative bodies formulate laws and shape policy directions. The judiciary systems, grounded in diverse legal traditions, upheld the rule of law, ensuring justice and protecting individual rights. Despite their differences, these institutions collectively represent the core governance mechanisms that maintain stability, accountability, and democratic governance in their respective nations. Having analyzed the interactions and functions of the executive, legislature, and judiciary, we now shift our focus to an equally vital dimension of public administration — local government.

This chapter examines the local government structures of the United Kingdom, the United States, Japan, and Sweden, offering a comparative analysis of how local governance is organized, managed, and influenced by historical and socio-political factors. While the executive, legislative, and judiciary systems shape national policies and administer justice, local governments serve as the foundational layer of governance, directly addressing community needs and implementing policies at the grassroots level. Each country's local governance system reflects its broader administrative framework and societal priorities, demonstrating how decentralized administration complements the functions of central institutions. By analyzing these diverse local government structures, we gain insights into how local authorities function within the broader political landscape, highlighting both the challenges they face and the innovative approaches they adopt to enhance public service delivery and community engagement.

3.1.1 Local Government in the UK

Distinct Systems in the United Kingdom

- Unique system of local government

Each part of the UK—England, Scotland, Wales, and Northern Ireland—has a unique system of local government. While local governments have limited legislative powers, they can enact regulations and levy council taxes (property taxes) within limits set by the central government. These governments derive their funding from council taxes, business rates, service fees, and central government grants, with responsibilities including education, social services, and sanitation.

Ministerial Oversight

In the UK, various government departments oversee local government policy and legislation. In England, this responsibility lies with the Ministry for Housing, Communities, and Local Government (MHCLG). For Scotland, the Local Government and Communities Directorate takes charge, while in Wales, it is managed by the Department for Local Government and Local Government Business. In Northern Ireland, the Department of the Environment oversees these functions.

- Operate autonomously

Ministers responsible for local government in these departments manage legislation and monitor policy implementation. Despite this oversight, local authorities are independently elected and operate autonomously, with minimal central government intervention. Central intervention is limited to instances specified in legislation. For example, in England, the Local Government Act 1999 permits ministerial action in cases of severe service delivery failures, which could include directing an authority to take corrective measures or transferring responsibilities to another body. Similar provisions exist in Scotland, Wales, and Northern Ireland through their respective legislative frameworks.

3.1.1.1 Structure of Local Government in the UK

Three Levels of Local Government

Local governance in the United Kingdom is organized into different tiers, reflecting the historical evolution and regional diversity of administrative arrangements. In some regions, there is a three-tier structure, while others function with fewer levels. The tiers of local government and their respective roles are outlined as follows:



- Representing small communities

- Broader responsibilities

- Uppermost tier of local government

- **Parish and Town Councils (Lowest Tier):** Parish and town councils form the most localized level of governance, primarily found in England. These councils play a critical role in representing small communities, often centered around villages or small towns. Their functions include maintaining public spaces such as parks, cemeteries, and commons, managing recreational facilities, and contributing to environmental conservation. Additionally, they have limited involvement in the planning process, offering input on development proposals that affect their localities. Community councils in Wales and Scotland perform similar roles; however, in Scotland, these bodies are largely voluntary and lack statutory authority. Northern Ireland does not have an equivalent tier, as its local governance structure operates differently.
- **District, Borough, or City Councils (Middle Tier):** The middle tier of local government exists in some parts of the UK, particularly England and Northern Ireland. These councils manage broader responsibilities, such as housing, local planning, waste collection, and leisure services. In Scotland and Wales, this is the sole tier responsible for all major local government functions, providing a more centralized framework for delivering public services. This tier varies in name—district, borough, or city councils—but its core administrative functions remain consistent, addressing the needs of larger geographical areas compared to the lowest tier.
- **Administrative Counties (Highest Tier):** Administrative counties represent the uppermost tier of local government in regions where a two-tier system is employed, particularly in England. County councils are tasked with overseeing services that require coordination across a wider area, such as education, social care, highways, and transportation planning. These councils ensure strategic alignment and resource allocation across multiple

districts or boroughs within their jurisdiction.

This tiered structure allows for the division of responsibilities, enabling each level to focus on specific areas of governance, ranging from localized services to broader administrative functions. However, not all areas in the UK follow this three-tier model; some regions, such as Scotland, Wales, and parts of England, operate with single-tier unitary authorities that consolidate these functions under a single administrative body.

3.1.1.2. Local Government in England

In England, the structure of local government is characterized by a mix of single-tier and two-tier systems, each with distinct responsibilities and administrative frameworks.

- **Single-Tier Authorities:** In some areas of England, local government functions are consolidated into a single-tier system. This includes unitary authorities and metropolitan boroughs, which are responsible for managing all local government services within their jurisdiction. Unitary authorities combine the roles typically divided between county councils and district councils in two-tier systems, encompassing areas such as education, social services, transportation, and planning. Metropolitan boroughs, which function similarly to unitary authorities, manage local governance within larger urban areas, typically found in metropolitan counties like Greater Manchester, West Yorkshire, and Merseyside.
- **Two-Tier Authorities:** In regions where the two-tier system is in place, local governance is divided between two levels of government. The county councils form the upper tier, handling strategic services such as education, social care, and transportation planning. The district or borough councils, which represent the lower tier, manage more localized functions such as housing, waste collection, leisure, and local planning. This arrangement is common in much of England, particularly in rural and suburban areas.
- **Greater London:** In Greater London, local government operates with a slightly different structure. The 32 Lon-

• Combine the roles

• Divided between two levels of government



- Oversees strategic functions

don boroughs manage most local government functions, including housing, education, and social services. However, the Greater London Authority (GLA), which comprises an elected Mayor of London and a 25-member London Assembly, oversees strategic functions such as public transport, policing, emergency services, and planning at the metropolitan level. The GLA's role is to coordinate policies and initiatives across the entirety of London, ensuring a cohesive approach to urban governance.

3.1.1.3. Local Government in Scotland, Wales, and Northern Ireland

The local government structures in Scotland, Wales, and Northern Ireland are primarily based on single-tier unitary systems, where local councils handle a wide range of services and functions within their respective areas.

- Have comprehensive responsibility

- Scotland: In Scotland, local government operates through unitary authorities, known as council areas. These councils have comprehensive responsibility for a wide range of local services, including education, social care, housing, and transportation. However, certain functions, such as health services, are managed by the National Health Service (NHS) in Scotland. The Scottish government also has legislative powers, which allow it to direct some policy areas, while local councils ensure the delivery of public services at the community level.

- Addressing the specific needs

- Wales: Wales follows a similar structure, with unitary authorities known as either counties or county boroughs. These councils are responsible for the delivery of services such as education, social services, transport, and local planning. However, much like Scotland, some policy areas—particularly those concerning health and economic development—are managed by the Welsh Government. Local councils in Wales play a vital role

• Community-level services

in implementing national policies while addressing the specific needs of local communities.

- Northern Ireland: In Northern Ireland, the system of local government is also based on unitary authorities. These councils manage functions such as planning, waste management, and community services. However, significant areas of governance, particularly those related to health, education, and justice, fall under the jurisdiction of the Northern Ireland Assembly, which is responsible for devolved government functions. Local councils are thus more focused on community-level services, while the regional government oversees larger strategic functions.

While all three countries operate within a unitary system of local government, the regional governments in Scotland and Wales and the Northern Ireland Assembly add an additional layer of governance by managing specific functions, particularly in health, education, and social services. This division allows for both localized decision-making and a broader policy framework set by the respective regional governments.

3.1.1.4. Ceremonial and Historic Counties

• Ceremonial and symbolic purposes

- Ceremonial Counties: Ceremonial counties are geographic areas that function primarily for ceremonial and symbolic purposes rather than administrative ones. They often correspond to historic counties, though their boundaries may not align precisely with those of the historic units due to modern administrative reorganizations. Each ceremonial county has a lord lieutenant and a high sheriff, who are the monarch's representatives and perform ceremonial duties. These counties hold no administrative power but serve as a link to the country's historical and cultural heritage. They are important in contexts such as national celebrations, the awarding of honours, and other ceremonial events.
- Historic Counties: The historic counties of the United Kingdom have their origins in the Middle Ages, where they were administrative units that played central roles



- Symbols of local identity and heritage

in local governance, justice, and taxation. Although the administrative roles of these counties have been replaced or reorganized over time, they continue to hold cultural significance. Historic counties serve as symbols of local identity and heritage. Many community-based institutions, such as sports associations and cultural organizations, often retain the names of historic counties, helping to preserve a connection to the past. Despite their lack of administrative authority, historic counties remain important as markers of local tradition and identity, contributing to a sense of regional pride and continuity.

3.1.2 Local Government in the US

- Decentralized framework

The local government in the United States operates under a decentralized framework where authority is derived from the state constitutions and statutes. This system is characterized by diversity in forms, powers, and responsibilities, which vary significantly across states and even within state boundaries. The primary units of local government include counties, municipalities, special districts, and town meetings. Each unit has a unique structure designed to address specific administrative, policy-making, and service delivery needs of the community.

- Administrative divisions

3.1.2.1 Structure of Local Government

1. **Counties:** Counties serve as administrative divisions of the state. In most states, counties are autonomous units with defined powers granted by the state government. Their structure often includes an elected executive or a board of commissioners, responsible for overseeing various government functions, such as law enforcement, public health, and infrastructure maintenance. However, the scope of their powers and responsibilities varies from state to state, with some states maintaining a high level of control over county activities.
2. **Municipalities:** Municipalities include cities, towns, villages, and boroughs, with their incorporation criteria set by the state. They are established to provide more localized services such as sanitation, utilities, public safety, and infrastructure development. Municipal governments may operate under different forms, such as mayor-council, council-manager, or

- Provide more localized services

commission forms of government, depending on the specific needs and preferences of the community.

- Perform specific functions

- Voters participate directly

3. **Special Districts:** Special districts are created to perform specific functions, such as water supply, public transportation, or school administration. They operate independently of other local government units and have the authority to levy taxes, collect fees, and incur debt to finance projects. Governance is typically overseen by elected or appointed boards.

4. **Town Meetings/Representative Town Meetings:** Predominantly practiced in New England, these forms of governance represent direct democracy. In town meetings, eligible voters participate directly in policy-making and budgetary decisions. Representative town meetings function similarly but with elected representatives acting on behalf of the population.

3.1.2.2 Functions of Local Government

Local governments in the United States are tasked with providing essential services and ensuring the well-being of residents within their jurisdictions. Their primary functions include:

- Essential services and ensuring the well-being of residents

1. **Policy Making and Governance:** Local governments adopt ordinances, resolutions, and policies tailored to meet the needs of their communities. Municipal councils or boards serve as legislative bodies that establish local laws and regulations.

2. **Service Delivery:** Local governments are responsible for providing vital services, including water supply, sanitation, public safety, education, transportation, and infrastructure maintenance. Counties and municipalities collaborate to deliver these services efficiently.

3. **Budgeting and Financial Management:** Local governments manage revenue collection through property taxes, fees, and state grants. They prepare budgets to allocate resources for various programs and services while ensuring fiscal accountability.

4. **Planning and Development:** Local governments oversee urban planning, zoning regulations, and development initiatives to ensure sustainable growth and equitable resource distribution.

5. **Public Participation:** Local governments encourage civic



engagement through public hearings, advisory committees, and direct democracy mechanisms like town meetings. This ensures that governance remains transparent and accountable to the people.

3.1.2.3 Forms of Local Government

1. **Mayor-Council Form:** This traditional form separates executive and legislative functions. The mayor, elected at-large, serves as the executive authority responsible for administration, while the council acts as the legislative body. The mayor's powers vary from strong to weak, depending on the municipality.
2. **Council-Manager Form:** This form emphasizes professional management. A city manager, appointed by the council, oversees daily operations and implements policies. The council, including the mayor, functions as the legislative authority. This structure minimizes political interference and enhances administrative efficiency.
3. **Commission Form:** In this form, elected commissioners collectively perform legislative and executive roles. Each commissioner oversees specific government functions. This form is less common due to challenges in coordination and consistency.
4. **Town Meeting Form:** Practiced primarily in New England, this form involves direct citizen participation in decision-making. Representative town meetings operate similarly but delegate decision-making to elected representatives.

3.1.3 Local Government in Japan

- Balance national oversight with regional autonomy

Local government in Japan represents a cornerstone of its democratic framework, emphasizing a decentralized approach to governance. Rooted in the nation's Constitution and elaborated upon by the Local Government Law, the system seeks to balance national oversight with regional autonomy. This dual-tier structure comprises prefectures and municipalities, designed to address the diverse administrative and service-related needs of a geographically and demographically varied nation. By integrating mechanisms for public participation, accountability, and specialized administration, Japan's local government system plays a pivotal role in fostering regional development and ensuring the well-being of its citizens.

3.1.3.1 Structure of Local Government

Local government in Japan is rooted in the nation's Constitution, specifically in Chapter VIII, which provides a robust legal foundation. The Local Government Law further elaborates on the organization and functioning of local authorities. Japan follows a two-tier system of local governance comprising prefectures and municipalities, each serving specific administrative and service delivery roles.

- Two-tier system

- Responsible for providing services

- Delivering services directly to residents

- Ensure specialized functions

1. **Prefectures:** Japan is divided into 47 prefectures, which are regional entities responsible for providing services that cover broader geographical areas. Each prefecture is headed by an elected governor and an assembly, which serve as the executive and legislative branches, respectively. The prefectures manage services such as public health, education, infrastructure development, and disaster response.
2. **Municipalities:** Municipalities form the second tier of local governance and include cities, towns, and villages. They are tasked with delivering services directly to residents, including waste management, local road maintenance, and community welfare. Some larger municipalities, known as designated cities, core cities, or special cities, take on additional responsibilities typically managed by prefectures.
3. **Special Entities:** Independent administrative committees within local governments, such as boards of education, public safety committees, and election committees, ensure specialized functions are managed efficiently and autonomously. These entities operate under specific legal mandates and are integral to the governance structure.

3.1.3.2 Functions of Local Government

The functions of local government in Japan are extensive and encompass a wide range of activities necessary for regional and community development. These include:

1. **Policy Formulation and Legislative Functions:** Local assemblies enact ordinances, approve budgets, and make decisions on policies affecting their jurisdictions. This legislative process ensures that local governance aligns with residents' needs and priorities.
2. **Service Provision:** Prefectures and municipalities share responsibilities for public services, including education, healthcare, environmental protection, and transportation.



While prefectures handle broader regional services, municipalities focus on community-specific needs.

3. **Financial Administration:** Local governments manage significant budgets, funded through local taxes, national subsidies, and other revenue sources. They ensure efficient allocation of resources to meet administrative and developmental needs.
4. **Urban Planning and Development:** Local governments play a critical role in land-use planning, zoning, and infrastructure development to promote sustainable growth and enhance the quality of life for residents.
5. **Civic Engagement and Accountability:** Residents actively participate in governance through direct elections for governors, mayors, and assembly members. Mechanisms like public petitions and referenda ensure transparency and responsiveness to citizen concerns.

3.1.3.3 Special Features of Local Government

1. **Executive and Legislative Separation:** Japan's local governments operate on the principle of separation of powers. Governors and mayors, elected by direct popular vote, lead the executive branch, while assemblies manage legislative responsibilities. The governance model follows a presidential system, emphasizing checks and balances between branches.
2. **Election Processes:**
 - **Governors and Mayors:** These key executive officials are directly elected by residents for a four-year term. They hold significant responsibilities, including drafting budgets, enacting regulations, and appointing members of administrative committees. Governors oversee prefectures, while mayors manage municipalities.
 - **Assemblies:** Members of local assemblies are also directly elected by the populace. Their primary roles include budget approval, policy deliberation, and local ordinance enactment. The number of assembly members is determined based on local bylaws.
3. **Decentralized Authority:** Local governments have significant autonomy to manage their affairs, as enshrined in the

• Principle of separation of powers

• Directly elected by residents

Constitution and Local Government Law. This decentralization allows for tailored governance based on regional characteristics and community needs.

4. Specialized Administrative Committees: To prevent the concentration of power, administrative committees independently manage areas such as education, public safety, and elections. These committees ensure professional and impartial administration of critical functions.

Japan's local government system exemplifies a balance between autonomy and central oversight, fostering efficient governance while maintaining strong connections to the local populace. This structure supports diverse administrative needs across the country's regions, ensuring a high standard of public service delivery and civic participation.

3.1.4 Local Government in Sweden

Sweden's local government system is a cornerstone of its democratic governance, founded on principles of local self-rule and decentralization. The system is constitutionally enshrined and further detailed in the Local Government Act of 1991, ensuring a clear framework for local autonomy. Comprising municipalities and county councils, this system enables efficient service delivery and community-centric governance while fostering regional development through collaboration and public participation.

- Principles of local self-rule and decentralization

3.1.4.1 Structure of Local Government

1. Municipalities: Sweden has 290 municipalities, which serve as the primary providers of essential services to their local populations. These services include education, childcare, elderly care, water supply, waste management, and local cultural activities. Each municipality is governed by an elected municipal council, which serves as the main decision-making body responsible for enacting policies, approving budgets, and overseeing local governance.
2. County Councils: Sweden's governance includes 21 county councils, each responsible for regional services such as healthcare, public transportation, and cultural development. The county councils are managed by an elected assembly that ensures regional planning and service delivery meet the needs of their constituents. These councils focus on overseeing larger-scale public services that extend beyond the municipal level.

- Governed by an elected municipal council

- Responsible for regional services



- Handle specific administrative tasks

- Enactment of ordinances and the approval of budgets

- Levy taxes and manage budgets

- Ensuring transparency and accountability

3. **Special Entities:** In addition to municipalities and county councils, Sweden also features special entities that handle specific administrative tasks. These independent committees focus on sectors such as education, social services, and public safety, operating autonomously to address specialized responsibilities efficiently and effectively.

3.1.4.2 Functions of Local Government

1. **Policy Formulation:** Local governments in Sweden are actively involved in policy formulation through the enactment of ordinances and the approval of budgets tailored to address the unique needs of their communities. Local councils engage with residents to ensure that their legislative actions align with local priorities and challenges.

2. **Service Delivery:** One of the core functions of local government in Sweden is service delivery, covering critical areas such as healthcare, education, infrastructure, public transportation, and environmental services. These services are integral to maintaining the welfare and quality of life of residents, ensuring that the needs of the population are met at the local level.

3. **Financial Administration:** Local governments are responsible for the financial administration of their municipalities and regions. They levy taxes and manage budgets to ensure effective and equitable resource distribution. Financial planning is crucial for maintaining the sustainability of services while addressing the community's long-term development needs.

4. **Urban Planning:** Local governments in Sweden play a significant role in urban planning, overseeing land-use policies, zoning regulations, and development projects. They work to promote sustainable growth, ensuring that urban development aligns with community well-being and environmental concerns, thereby fostering balanced, thriving urban and rural areas.

5. **Civic Engagement:** Civic engagement is a cornerstone of Sweden's local governance, with active public participation ensuring transparency and accountability. Citizens engage in the decision-making process through elections, consultations, and referenda, giving them a direct voice in local governance and helping to hold elected officials accountable for their actions.

3.1.4.3 Special Features

- Elected for four-year terms

- Operating independently

- Joint committees and federations

1. **Representative Democracy:** Sweden's local government structure operates under a representative democracy, where municipal council members are elected for four-year terms using proportional representation. This system ensures that the diverse political views of the population are reflected in local governance. Executive committees, appointed by the councils, are tasked with implementing policies and managing the day-to-day administrative functions.
2. **Election Processes:** In Sweden, local elections are open to all residents, including non-citizens who have lived in the country for at least three years. Both voting and candidacy are accessible to all eligible individuals, ensuring a broad representation of the population in local governance.
3. **Decentralized Authority:** Sweden's local government model emphasizes decentralized authority, with municipalities and county councils operating independently in line with national legislation. This structure allows local governments the freedom to tailor services and policies to the specific needs of their communities while maintaining adherence to the broader legal framework established by the state.
4. **Inter-Municipal Collaboration:** Sweden encourages inter-municipal collaboration through joint committees and federations. These collaborative efforts enable municipalities and county councils to work together on cross-regional initiatives, sharing resources, expertise, and best practices. This collaborative approach enhances operational efficiency and ensures that services are provided effectively across multiple jurisdictions.

Summarised Overview

Local government systems worldwide exhibit diverse structures and functions, reflecting their unique historical, cultural, and political contexts. The United Kingdom features a tiered system with varying levels of autonomy, while the United States emphasizes decentralization and diverse governance models tailored to local needs. Japan's two-tier system balances regional autonomy with national oversight, integrating citizen participation and specialized administrative bodies. Sweden exemplifies strong local self-rule through its municipalities and county councils, prioritizing decentralization, collaborative governance, and civic engagement. Despite their differences, these

systems share a common purpose: delivering efficient services, fostering regional development, and ensuring responsive governance for their communities.

Assignment Questions

1. Explain the tiered structure of local government in the United Kingdom and its role in governance.
2. Discuss the decentralized framework of local government in the United States and the functions of its key units.
3. Describe the two-tier system of local governance in Japan and its emphasis on citizen participation.
4. Analyse the principles of local self-rule in Sweden's local government system and their impact on service delivery.
5. Compare the governance models of local government in the UK, USA, Sweden, and Japan, highlighting their unique features and similarities.

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Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU



UNIT 2

Role of Bureaucracy

Learning Outcomes

Upon completion of this unit, the learner will be able to:

- understand the role and structure of bureaucracy in the United Kingdom, United States, Sweden, and Japan
- analyse the functions and governance models of bureaucratic institutions in different administrative systems
- compare accountability mechanisms and ethical frameworks guiding bureaucratic operations across countries
- evaluate the strengths and challenges of bureaucratic systems in ensuring efficient public administration

Background

Bureaucracy is the backbone of modern governance, ensuring the effective implementation of policies, regulations, and public services. This unit explores the role and structure of bureaucracy in four different administrative contexts—the United Kingdom, the United States, Sweden, and Japan—each with distinct governance models. The UK's neutral Civil Service, the USA's politically influenced federal bureaucracy, Sweden's decentralized agency-driven administration, and Japan's elite, centralized bureaucracy highlight the diverse approaches nations take to balance efficiency, accountability, and political oversight. By examining their functions, organizational frameworks, and challenges, this unit provides a comparative understanding of how bureaucracies shape governance, public service delivery, and policy execution across different political systems.

Keywords

Bureaucracy, Governance Models, Policy Implementation, Accountability Mechanisms

Discussion

- Wide array of structures and functions

- Different approaches to balancing efficiency and accountability

Introduction

Local government systems around the world display a wide array of structures and functions shaped by their distinct historical, cultural, and political backgrounds. The United Kingdom employs a tiered system with varying degrees of autonomy, while the United States favours decentralization and diverse governance models that address local needs. Japan's two-tiered approach strikes a balance between regional autonomy and national oversight, promoting citizen participation through specialized administrative bodies. Meanwhile, Sweden stands out for its strong tradition of local self-governance, with municipalities and county councils prioritizing decentralization, collaborative governance, and community engagement. Despite their structural differences, these systems share a common goal: delivering efficient public services, promoting regional development, and ensuring governance that responds to the needs of their communities.

Moving from local governance to another essential dimension of public administration, the next section focuses on bureaucracy — the backbone of modern governance. Bureaucracy plays a critical role in implementing policies, enforcing regulations, and delivering public services across various administrative contexts. This section provides a comparative analysis of bureaucratic systems in the United Kingdom, the United States, Sweden, and Japan, each characterized by distinct governance models. From the UK's impartial Civil Service and the politically influenced federal bureaucracy of the USA to Sweden's decentralized agency-based administration and Japan's elite, centralized bureaucracy, these systems reflect different approaches to balancing efficiency, accountability, and political oversight. By examining their structures, functions, and challenges, we gain a deeper understanding of how bureaucracies influence governance and public service delivery across diverse political systems.

3.2.1 Role and structure of bureaucracy in the United Kingdom

The United Kingdom's Home Civil Service is the politically neutral backbone of government, responsible for advising elected officials, implementing policies, and delivering public services. As an integral part of the Crown, it plays a vital



- Politically neutral backbone

role in shaping governance and ensuring that essential services reach every citizen. Regardless of political leadership, the Civil Service remains committed to impartiality, efficiency, and accountability, overseeing key services such as social benefits, pensions, employment support, and regulatory oversight.

3.2.1.1 Functions and Scope of the Civil Service

The Civil Service performs a range of critical functions that keep the machinery of government running smoothly:

- Range of critical functions

- **Advisory Role** – Civil servants provide expert, evidence-based advice to elected officials, ensuring that policymaking is guided by facts rather than political ideology.
- **Policy Development and Implementation** – Beyond drafting policies, the Civil Service is responsible for executing them through a structured administrative framework, ensuring national interests are upheld.
- **Public Service Delivery** – From managing pensions and employment services to issuing driving licenses, civil servants act as the primary link between the government and the public.

The Civil Service extends across England, Scotland, and Wales, ensuring consistency and coordination in governance while allowing for regional adaptations where necessary.

3.2.1.2 Structure of the Civil Service

The governance model of the Civil Service is designed to ensure accountability, efficiency, and strategic leadership through a hierarchical structure:

1. Governance and Leadership

At the top of the hierarchy stands the Crown, represented by the Monarch and the Prime Minister, who provides overall leadership and direction to the Civil Service.

- **Cabinet Secretary and Head of the Civil Service** – These senior officials serve as the Prime Minister's top policy advisor and ensure the smooth functioning of government administration.

Chief Operating Officer for the Civil Service – Reporting to the Cabinet Secretary, this individual oversees the Civil Service Board (CSB), aligning departmental objectives with broader government priorities.

2. Permanent Secretaries

Permanent secretaries are the highest-ranking civil servants in government departments, providing non-partisan support to ministers. Their key responsibilities include:

- Highest-ranking civil servants

- Managing day-to-day operations.
- Overseeing policy implementation.
- Allocating and managing departmental budgets.

Each devolved administration—Scotland and Wales—has its own permanent secretaries, who report to their respective ministers and ensure financial accountability.

3. Boards within the Civil Service

To enhance efficiency and informed decision-making, the Civil Service operates through several boards:

- Civil Service Board (CSB) – Provides strategic leadership and is chaired by the Chief Operating Officer.
- People Board – Manages policies related to workforce development, pensions, and pay structures.
- Civil Service Shadow Board (CSSB) – Comprising junior civil servants, this board offers fresh perspectives on governance issues.

3.2.1.3 Departments within the Civil Service

The Civil Service is composed of various government departments and agencies, each with a distinct mandate. Some of the most prominent include:

- Attorney General’s Office – Provides legal advice to the government.
- Cabinet Office – Supports the Prime Minister and ensures the smooth coordination of government operations.
- Department for Work & Pensions (DWP) – Oversees social security, pensions, and employment programs.
- Home Office – Responsible for immigration, security,



- With a distinct mandate

and policing.

- Ministry of Defence (MOD) – Manages the UK’s defense and armed forces.
- Ministry of Justice (MOJ) – Oversees the judicial system and legal affairs.
- Department of Health and Social Care (DHSC) – Manages public health and the NHS.
- Foreign, Commonwealth & Development Office (FCDO) – Handles international relations and foreign aid.

Additionally, specialized agencies such as the Crown Prosecution Service (CPS), Government Digital Service (GDS), and National Crime Agency (NCA) contribute to governance and public administration.

3.2.1.4 Civil Service Code: Core Values

Introduced in 1996, the Civil Service Code defines the ethical framework within which civil servants must operate. The four core values are:

- Honesty – Ensuring transparency and truthfulness in all government dealings.
- Integrity – Placing public service duties above personal interests.
- Impartiality – Maintaining political neutrality in decision-making.
- Objectivity – Making informed decisions based on evidence rather than personal bias.

Civil servants are encouraged to report any breaches of this code, either internally within their departments or to the Civil Service Commission.

3.2.2 Role and Structure of Bureaucracy in the USA

Bureaucracy is a fundamental component of governance, ensuring the implementation and administration of public policies through organized structures and standardized procedures. In the United States, the bureaucracy operates within a complex framework, balancing political oversight with admin-

- The ethical framework

- Implementation and administration of public policies

istrative autonomy. The transformation from a patronage-based system to a meritocratic civil service has significantly reshaped the role and functioning of bureaucratic institutions. This paper examines the role and structure of bureaucracy in the United States, highlighting its types, functions, and operational dynamics.

The Role of Bureaucracy in the USA

The primary role of bureaucracy is to implement laws, policies, and programs enacted by the legislative and executive branches of government. Bureaucratic agencies translate broad legislative mandates into actionable policies and regulations, ensuring their effective enforcement. The functions of the bureaucracy can be categorized as follows:

1. **Policy Implementation:** Bureaucracies execute and enforce laws passed by Congress and signed by the President. They develop detailed regulations and procedures to operationalize legislative directives.
2. **Regulation and Oversight:** Many bureaucratic agencies have regulatory authority, ensuring compliance with laws and protecting public interests. Agencies such as the Environmental Protection Agency (EPA) and the Securities and Exchange Commission (SEC) establish and enforce rules governing various sectors.
3. **Service Delivery:** Bureaucracies provide essential public services, ranging from education and healthcare to infrastructure development and national security. Agencies such as the Department of Health and Human Services (HHS) and the Department of Veterans Affairs (VA) administer programs benefiting citizens.
4. **Administrative Adjudication:** Certain bureaucratic agencies function as quasi-judicial bodies, resolving disputes and interpreting regulatory laws. For example, the Federal Trade Commission (FTC) adjudicates cases related to consumer protection and antitrust violations.
5. **Budgetary Management:** Bureaucracies manage vast financial resources, ensuring the effective allocation and expenditure of government funds. Agencies employ budgetary strategies to secure adequate funding while demonstrating fiscal responsibility.

- Implement laws, policies, and programs



Structure of Bureaucracy in the USA

The federal bureaucracy in the United States comprises various organizational entities, each with distinct responsibilities and governance structures. These institutions operate under different levels of political oversight and administrative autonomy. The key categories of bureaucratic organizations include:

1. Cabinet Departments

Cabinet departments are the largest bureaucratic entities, directly accountable to the President and responsible for broad policy domains. There are currently fifteen cabinet departments, including the Department of State, Department of Defense, and Department of Education. Each department is headed by a Secretary (except for the Department of Justice, which is led by the Attorney General) appointed by the President and confirmed by the Senate.

- Directly accountable to the President

Cabinet departments are further divided into bureaus, agencies, and offices that specialize in various aspects of governance. For example, within the Department of State, undersecretaries oversee diplomatic affairs, economic growth, and cultural exchanges.

2. Independent Executive Agencies

Independent executive agencies operate outside the direct control of cabinet departments but remain accountable to the President. These agencies have focused mandates and perform specialized functions. Prominent examples include:

- Outside the direct control of cabinet departments

- National Aeronautics and Space Administration (NASA): Responsible for space exploration and technological innovation.
- Central Intelligence Agency (CIA): Engaged in intelligence gathering and national security operations.

Unlike cabinet departments, independent executive agencies have greater flexibility in decision-making but must adhere to executive directives.

3. Regulatory Agencies

Regulatory agencies exercise autonomous rulemaking and enforcement powers to oversee specific economic or social sectors. These agencies are designed to operate independently

- Autonomous rulemaking and enforcement powers

of political influence to ensure objective regulation. Notable examples include:

- Securities and Exchange Commission (SEC): Regulates financial markets and enforces securities laws.
- Federal Communications Commission (FCC): Oversees broadcasting, telecommunications, and digital communication regulations.

Regulatory agencies possess quasi-legislative and quasi-judicial powers, allowing them to issue binding regulations and adjudicate disputes within their jurisdictions.

4. Government Corporations

Government corporations function as quasi-business entities, providing services that are partly market-driven but remain under government control. These corporations are distinct from private businesses as they do not have shareholders and reinvest any profits into service improvements. Examples include:

- Financial self-sufficiency with public service

- U.S. Postal Service (USPS): Provides nationwide mail delivery services.
- Amtrak (National Railroad Passenger Corporation): Maintains passenger rail services across the country.

Government corporations balance financial self-sufficiency with public service obligations, ensuring the continuity of essential services.

Challenges and Criticisms of Bureaucracy

While bureaucracy plays a crucial role in governance, it is often criticized for inefficiencies, excessive regulations, and a lack of responsiveness. Some key challenges include:

1. Bureaucratic Expansion and Waste: Agencies may engage in budget-maximizing behaviours, utilizing all allocated resources to justify future budget increases, leading to inefficiencies.
2. Red Tape and Procedural Rigidities: The bureaucratic process often involves extensive paperwork and procedural formalities, delaying decision-making and service delivery.
3. Lack of Competition and Incentives: Unlike private enterprises, bureaucratic agencies lack competitive pressures, leading to complacency and inefficiencies.



4. Political Influence and Administrative Discretion: Despite institutional safeguards, bureaucracies remain susceptible to political interference, influencing decision-making and policy implementation.

3.2.3 Role and Structure of Bureaucracy in Sweden

3.2.3.1 Dual System: Ministries and Agencies

Sweden follows a dual system of administration, meaning that ministries do not directly control day-to-day administration. Government ministries are small and policy-oriented, focusing primarily on policy formulation and strategic decision-making. The actual implementation of policies is handled by independent government agencies, which operate autonomously and are not subject to direct ministerial interference. This separation ensures political neutrality, prevents excessive centralization, and enhances administrative efficiency.

- Political neutrality

3.2.3.2 Independent Government Agencies

Swedish government agencies are highly autonomous, with more than 300 agencies responsible for executing policies in different sectors. These agencies implement government decisions in areas such as taxation, social welfare, law enforcement, transportation, environmental protection, and education. Unlike in many other countries, ministers cannot directly instruct agencies on specific matters, ensuring that the administration remains professional, neutral, and insulated from political influence.

- Highly autonomous

For example, the Swedish Tax Agency (Skatteverket) is responsible for collecting taxes, processing personal and corporate tax returns, and handling population registration. It operates independently, ensuring tax policies are applied fairly and efficiently. Similarly, the National Board of Health and Welfare (Socialstyrelsen) oversees public health and social services, including setting national guidelines for healthcare and ensuring compliance with medical regulations. The Swedish Police Authority (Polismyndigheten), which operates under the Ministry of Justice, maintains law and order but has operational independence in handling law enforcement and criminal investigations.

In addition to these, the Swedish Transport Administration (Trafikverket) manages national roads, railways, and public

- Function efficiently without political interference

transportation infrastructure, ensuring safe and sustainable mobility. The Swedish Environmental Protection Agency (Naturvårdsverket) enforces environmental laws, monitors pollution levels, and promotes sustainability policies. Another key agency, the Swedish Migration Agency (Migrationsverket), handles asylum applications, residence permits, and immigration regulations.

The autonomy of these agencies allows them to function efficiently without political interference, ensuring continuity in governance, impartial service delivery, and long-term policy implementation. This model promotes transparency, reduces bureaucratic inefficiencies, and upholds Sweden's strong democratic values.

3.2.3.3 Ombudsman System and Accountability

- Tradition of bureaucratic accountability

Sweden has a strong tradition of bureaucratic accountability, supported by the Ombudsman system, which ensures that public authorities act lawfully and uphold citizens' rights. The Parliamentary Ombudsman (Justitieombudsmannen, JO), established in 1809, is one of the oldest of its kind in the world. It is appointed by Parliament and has the authority to investigate complaints against government agencies, courts, and officials. Citizens who feel that their rights have been violated can file complaints, and the Ombudsman can take corrective actions, issue recommendations, or even initiate legal proceedings.

- Principle of Public Access

A key feature of Sweden's accountability system is the Principle of Public Access (Offentlighetsprincipen), which allows citizens and media to access government documents and records. This transparency mechanism ensures that bureaucratic decisions are open to public scrutiny, strengthening trust in governance. Sweden also has a Chancellor of Justice (Justitiekanslern, JK), appointed by the government, who serves as a legal adviser and investigates cases of administrative misconduct. Together, these institutions safeguard against corruption, protect individual rights, and promote good governance.

3.2.3.4 Functions of Swedish Bureaucracy

- Reinforce accountability and transparency

The Swedish bureaucracy plays a crucial role in implementing government policies, ensuring efficient public service delivery, and maintaining legal oversight. Independent agencies are responsible for executing policies in areas such as taxation, healthcare, education, and law enforcement, while municipalities manage essential public services like waste management,

public transport, and infrastructure. The decentralized governance model ensures that local authorities have significant autonomy to make decisions tailored to their communities.

Legal oversight mechanisms, such as the Ombudsman system, further reinforce accountability and transparency, preventing misuse of power and ensuring that citizens' rights are upheld. By combining decentralization, transparency, and citizen participation, Sweden's bureaucracy remains one of the most efficient, impartial, and democratic in the world, serving as a model for public administration globally.

3.2.4 Role and Structure of Bureaucracy in Japan

3.2.4.1 Centralized Bureaucracy and Administrative Structure

Japan has a highly centralized bureaucratic system, where ministries and agencies play a dominant role in policy formulation and implementation. The Japanese bureaucracy has traditionally been regarded as one of the most powerful in the world, influencing economic planning, public administration, and regulatory governance.

- Administrative authority is concentrated

The government operates under a unitary system, meaning that administrative authority is concentrated at the national level. The Prime Minister leads the government, but much of the actual governance is conducted by ministries and agencies, which function with significant autonomy and expertise. The National Diet (Parliament) provides legislative oversight, but bureaucrats play a key role in shaping policies before they reach the legislative stage.

3.2.4.2 Ministries and Agencies: Policy Formulation and Implementation

Japan's central bureaucracy consists of 11 main ministries under the Cabinet Secretariat, each responsible for a distinct policy area. These ministries include:

- Ministry of Finance (MOF): Oversees fiscal policy, taxation, and budget management. It has historically been one of the most influential government bodies.
- Ministry of Economy, Trade, and Industry (METI): Plays a critical role in economic planning, industrial

- Have varying degrees of independence

policy, and technological innovation.

- Ministry of Health, Labour, and Welfare (MHLW): Regulates healthcare, social security, labour policies, and welfare services.
- Ministry of Land, Infrastructure, Transport, and Tourism (MLIT): Manages public infrastructure, transportation systems, and urban development.
- Ministry of Internal Affairs and Communications (MIC): Oversees local government administration, telecommunications, and public service reforms.
- Ministry of Foreign Affairs (MOFA): Handles Japan's diplomatic and international relations.

These ministries function through a hierarchical structure, where bureaucrats draft policies, oversee their execution, and regulate industries and public services. The decision-making process involves career civil servants who often hold long-term positions, ensuring policy continuity across different political administrations.

Additionally, numerous independent administrative agencies (IAAs) support policy execution, similar to Sweden's model of autonomous agencies. These agencies operate under ministry supervision but have varying degrees of independence, handling regulatory enforcement, research, and administrative functions.

3.2.4.3 Elite Bureaucracy and Career Civil Servants

Japan's bureaucracy is traditionally characterized by an elite civil service, where top bureaucrats are recruited from prestigious universities, particularly the University of Tokyo (Todai) and Kyoto University. The National Civil Service Examination serves as the gateway to high-ranking government positions.

- Lies between the government and private sector

Career progression within the bureaucracy follows a structured path, where officials rotate between different roles and ministries to gain broad administrative experience. Many high-ranking officials retire early and take leadership positions in private-sector companies or government-affiliated institutions—a practice known as “amakudari” (descent from heaven). While controversial, this system has historically strengthened ties between the government and private sector, facilitating Japan's rapid post-war economic development.



3.2.4.4 Role of Bureaucracy in Economic and Social Development

Japan's bureaucracy has played a crucial role in economic planning, industrial policy, and technological development, particularly during the post-war period. The Ministry of International Trade and Industry (MITI) (now part of METI) was instrumental in Japan's economic miracle, guiding industrial growth and fostering strategic industries.

- Ensures the delivery of public services

The bureaucracy also ensures the delivery of public services such as healthcare, pension administration, public transportation, and disaster management. Japan's public administration is known for its efficiency, meticulous planning, and long-term strategic vision, often balancing state intervention with market-driven policies.

At the local level, Japan has a two-tiered system of governance consisting of 47 prefectures and municipal governments. Prefectural and municipal bureaucracies handle education, urban planning, and local economic development, working closely with national ministries to implement policies.

3.2.4.5 Accountability, Transparency, and Reform Efforts

Although Japan's bureaucracy is efficient, it has faced criticism for excessive centralization, lack of transparency, and over-reliance on bureaucratic discretion. Several reforms have been introduced to increase political oversight, enhance transparency, and reduce bureaucratic rigidity:

- Overseeing public financial management

- Administrative Reform (1990s–2000s): Streamlined ministries, reduced excessive regulations, and promoted e-governance initiatives.
- Public Information Disclosure Law (2001): Established freedom-of-information mechanisms to improve transparency in government decision-making.
- Civil Service Reform: Introduced performance-based evaluations and reduced the influence of amakudari.

The Board of Audit of Japan functions as an independent body overseeing public financial management, while the National Personnel Authority (NPA) regulates civil service ethics and recruitment standards. Additionally, Japan has an Ombudsman-like system at the local level, where citizens can

file complaints against administrative decisions.

3.2.4.6 Strengths and Challenges of Japanese Bureaucracy

Strengths:

- **Expertise and Long-Term Planning:** Career bureaucrats ensure policy stability and continuity.
- **Economic Development and Industrial Policy:** Bureaucracy played a central role in Japan's economic rise.
- **Efficient Public Service Delivery:** Japan's civil service is known for high-quality public services, disaster preparedness, and regulatory efficiency.
- **Strong Coordination Between Public and Private Sectors:** Ensures smooth implementation of industrial and technological policies.

Challenges:

- **Bureaucratic Rigidity:** Complex administrative procedures and slow decision-making processes can hinder reforms.
- **Lack of Political Oversight:** Bureaucrats have traditionally wielded more power than elected politicians, leading to concerns about accountability.
- **Amakudari and Ethical Concerns:** While declining, post-retirement bureaucratic placements in private companies raise issues of regulatory capture and conflicts of interest.
- **Declining Workforce and Demographic Pressures:** Japan's ageing population presents challenges in sustaining a highly skilled civil service.



3.2.5 Comparative analysis of bureaucratic systems

Aspect	United Kingdom	United States	Sweden	Japan
Parliamentary system with a neutral Civil Service	Presidential system with a politically influenced bureaucracy	Dual system with independent agencies	Highly centralized bureaucracy Role of Bureaucracy	Implements government policies and delivers public services with political neutrality
Implements laws, regulates industries, and provides public services	Implements policies independently from ministries	Plays a dominant role in policy-making and economic planning Structure	Hierarchical, headed by the Monarch and Prime Minister	Complex with cabinet departments, independent agencies, regulatory bodies
Ministries focus on policy, while independent agencies handle administration	Ministries dominate governance, supported by independent agencies Governance Model	Civil servants provide neutral support to elected officials	Mix of political appointees and career bureaucrats	Bureaucracy is independent of political control
Bureaucrats wield significant influence over policy Key Governing Bodies	Cabinet Secretary, Civil Service Board, Permanent Secretaries	Cabinet Departments, Independent Agencies, Regulatory Agencies	Small ministries, large autonomous agencies	Ministries under the Prime Minister's Office Accountability Mechanisms
Civil Service Code (Honesty, Integrity, Impartiality, Objectivity)	Congressional oversight, budgetary scrutiny, and judicial review	Ombudsman system, Principle of Public Access, legal oversight	Board of Audit, National Personnel Authority, civil service reforms Policy Implementation	Bureaucracy ensures consistency in service delivery
Bureaucracy translates broad laws into actionable regulations	Independent agencies execute policies with little ministerial interference	Ministries and agencies manage implementation Recruitment System	Merit-based, politically neutral civil service	Combination of merit and political appointments

Career-based with high bureaucratic autonomy	Elite bureaucracy recruited through national exams Challenges	Ensuring impartiality under political pressures	Bureaucratic expansion, red tape, and political interference	Balancing agency independence with government oversight
Bureaucratic rigidity, amakudari (post-retirement job placements in private sector) Notable Strengths	Efficient service delivery, clear governance hierarchy	Strong regulatory oversight, decentralized administrative functions	Transparent administration, public accountability	Expertise-driven policy-making, long-term planning

Summarised Overview

This unit provides a comparative analysis of the role and structure of bureaucracy in the United Kingdom, United States, Sweden, and Japan, highlighting their distinct administrative models. The UK operates a neutral Civil Service, ensuring policy implementation without political bias, while the US bureaucracy blends political appointments with career officials, balancing regulation and service delivery. Sweden follows a dual system, where ministries focus on policy-making while independent agencies execute decisions autonomously. Japan's centralized and elite bureaucracy plays a dominant role in governance, economic planning, and long-term policy formulation. The unit also examines accountability mechanisms, recruitment processes, and key challenges such as political influence, bureaucratic rigidity, and transparency concerns, offering insights into how these systems function to uphold public administration.

Assignment Questions

1. Describe the role and structure of bureaucracy in the United Kingdom and its key governing bodies.
2. Explain the functions of the U.S. bureaucracy and the different types of bureaucratic organizations.
3. Discuss Sweden's dual system of administration and the role of independent government agencies.
4. Analyse the centralized nature of Japan's bureaucracy and its impact on policy-making and governance.



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Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU



UNIT 3

Significance of Local Government and Bureaucracy

Learning Outcomes

Upon completion of the unit, the learner will be able to:

- understand the evolution of public service delivery in the UK, tracing its journey from early reforms during the Industrial Revolution to contemporary digital governance practices
- analyze the impact of decentralization and local governance on public service delivery across the UK
- examine how e-government and digital transformation have enhanced accessibility, efficiency, and citizen engagement in public services
- identify key challenges and recent reforms in UK public service delivery, including issues related to budget constraints, healthcare demands, and sustainability initiatives

Background

Public service delivery systems have developed uniquely across countries, influenced by historical, political, and socio-economic factors. In the United Kingdom, public service delivery has transformed significantly, evolving from early sanitation reforms during the Industrial Revolution to the establishment of the welfare state, with the National Health Service (NHS) marking a major milestone. The United States witnessed the expansion of public welfare through the New Deal and, more recently, digital governance initiatives such as USA.gov. Sweden's robust welfare state model prioritizes universal access to healthcare and social services, driven by digital innovation and community engagement. Meanwhile, Japan has focused on achieving efficiency through technological advancements, implementing e-government and smart governance solutions to modernize public service delivery.

Despite these advancements, all four nations continue to face similar challenges, including budget limitations, regional disparities, and the increasing need for digital inclusion. These challenges prompt ongoing reforms and policy adjustments to ensure that public services remain accessible, efficient, and responsive to the evolving needs of their populations.

Keywords

Public service, Digital transformation, Local government

Discussion

Introduction

The previous chapter offered a comparative analysis of bureaucratic systems in the United Kingdom, the United States, Sweden, and Japan, emphasizing their distinct administrative models and approaches to governance. From the UK's neutral Civil Service to the US's politically influenced federal bureaucracy, Sweden's dual structure of ministries and autonomous agencies, and Japan's centralized, elite bureaucracy, each system reflects unique strategies for balancing efficiency, accountability, and political oversight. By examining their structures, functions, recruitment processes, and challenges, we gained valuable insights into how bureaucracies shape public administration and policy execution in different political contexts.

Building on this understanding of bureaucratic structures, the next chapter explores how public service delivery has evolved in these four nations, shaped by their unique historical, political, and socio-economic backgrounds. From the UK's transition to the welfare state and the US's New Deal expansions to Sweden's robust welfare model and Japan's focus on technological innovation, public service delivery reflects each country's priorities and governance philosophies. Despite differences in approach, all four nations face common challenges, such as financial constraints, regional inequalities, and the need for digital transformation, driving continuous reforms and modernization efforts.

3.3.1 Public Service Delivery in the UK

Public service delivery in the UK has evolved significantly over time, shaped by economic, political, and social chang-



- Evolution over time

es. The origins of modern public services can be traced back to the Industrial Revolution when rapid urbanization and poor living conditions necessitated government intervention in areas such as public health and sanitation. The 19th century saw the expansion of local government responsibilities, with laws like the Public Health Act of 1848 establishing sanitation standards. The early 20th century marked a shift towards the welfare state model, particularly after the Beveridge Report (1942), which laid the foundation for universal health care, social security, and housing policies. The creation of the National Health Service (NHS) in 1948 was a landmark moment, ensuring free health-care at the point of use. However, from the 1980s onwards, under Prime Minister Margaret Thatcher, there was a shift towards privatization and market-driven reforms, reducing the state's role in direct service provision. This trend continued into the 21st century, with outsourcing, public-private partnerships (PPPs), and digital governance becoming key aspects of service delivery. Today, the UK's public services continue to adapt to economic pressures, demographic changes, and technological advancements.

3.3.1.1 Public Service Delivery in the UK: Structure, Trends, and Challenges

Decentralization and Local Government

- Local governments' role in managing services

Public services in the UK are delivered through a decentralized model, with local governments playing a crucial role in managing services such as education, housing, transport, and social care. The devolution of powers to Scotland, Wales, and Northern Ireland has further empowered these regions to manage essential services, including healthcare and justice independently. Through the Localism Act 2011, local authorities gained greater control, fostering local decision-making and accountability in service delivery. These developments have created a more dynamic system where public services are tailored to the unique needs of different communities.

The Role of E-Government in Public Service Delivery

- Central hub for a wide range of public services

The integration of digital technologies into public service delivery has been a game-changer for the UK. E-government refers to the use of information and communication technologies (ICT) to improve the accessibility, efficiency, and quality of government services. The Government Digital Service (GDS), established in 2011, has played a central role in this transformation, focusing on creating digital platforms that enable citizens

to access government services quickly and easily. The Gov.uk portal, for example, serves as a central hub for a wide range of public services, from tax filings to benefits claims and vehicle registrations, offering citizens a user-friendly, accessible, and cost-effective way to interact with the government.

Digital Health and E-Health Initiatives

The healthcare sector has been at the forefront of the UK's digital transformation. The National Health Service (NHS) has adopted digital health technologies to enhance patient care and improve operational efficiency. Through initiatives like electronic health records (EHRs), the NHS has streamlined the management of patient data, enabling more coordinated care. NHS apps and online consultations have allowed citizens to access healthcare services remotely, reducing waiting times and improving accessibility. The NHS Digital initiative continues to drive the adoption of data-driven decision-making and artificial intelligence (AI) in healthcare, ensuring that the system remains efficient and responsive to the needs of the population.

- Adoption of data-driven decision-making

Digital Identity and Secure Access

A critical component of the UK's digital government efforts has been the development of a secure and reliable digital identity system. The Gov.uk Verify platform allows citizens to prove their identity online and access a wide array of public services securely. This platform enhances the security and convenience of public service delivery, eliminating the need for in-person visits to government offices and reducing the time spent on bureaucratic procedures.

- Eliminating the need for in-person visits

Citizen-Centric Services and Public Participation

In the UK, public service delivery is increasingly focused on being citizen-centric, with efforts to ensure that services are responsive to the needs of the people. The UK government has prioritized mechanisms such as public consultations, citizen assemblies, and complaint redressal systems to engage citizens in the decision-making process. By actively involving citizens, the government seeks to improve service quality and accountability, ensuring that the voices of those served are heard and considered in the policymaking process.

- Engage citizens in the decision-making process

Digital Inclusion and Accessibility

While the UK has made considerable strides in digital government, digital inclusion remains a priority. Ensuring



- Access digital services

that all citizens, including those from vulnerable or marginalized groups, can access digital services is essential for ensuring equitable access to public services. The government has taken steps to promote digital literacy through initiatives like community hubs, public libraries, and online support services, enabling citizens to improve their digital skills and participate fully in the digital economy.

Open Data and Transparency

- Promotes transparency

Another pillar of the UK's digital transformation is its commitment to open data. The government has embraced the principles of transparency and accountability by making vast amounts of public sector data available to the public. Through platforms like data.gov.uk, citizens and businesses can access government data on topics ranging from economic statistics to environmental information. This open data approach not only promotes transparency but also stimulates innovation as developers create new services and applications that leverage this data to benefit society.

The Future of Public Service Delivery and Digital Transformation

- Digital-first public services

The future of public service delivery in the UK is poised to be shaped by continued digital innovation. The government plans to expand the use of artificial intelligence (AI), machine learning, and blockchain technology to enhance service personalization, security, and efficiency. There is also a growing focus on sustainability, with green policies integrated into government operations to meet climate targets. The government's commitment to digital-first public services reflects a vision of a more efficient, inclusive, and responsive public sector.

Challenges in Public Service Delivery

Despite advancements, several challenges affect public service delivery in the UK:

- Budget constraints and austerity measures have led to reductions in local government services.
- Rising demand for healthcare and social care due to an aging population puts pressure on the NHS.
- Regional disparities in service provision persist, with some areas receiving better services than others.
- Brexit-related workforce shortages have impacted key

sectors such as healthcare and social services.

Recent Reforms and Trends

Several reforms aim to enhance public service delivery: The Levelling Up Agenda seeks to reduce regional disparities by improving infrastructure and local services.

- The NHS Long Term Plan focuses on healthcare improvements, including digital health initiatives.
- There is a growing emphasis on sustainability in public services, integrating green policies into government operations to meet climate targets.

3.3.2 Public Service Delivery in the United States

Public service delivery in the United States has evolved through significant historical, political, and economic changes. The development of public services can be traced back to the early years of the republic, with the federal government taking on limited roles in areas like post, defense, and infrastructure. Over time, as the country expanded and the population grew, the scope of public service delivery widened. The 20th century saw significant shifts, especially after the Great Depression, when the New Deal expanded government intervention in public welfare, housing, and social security. The creation of the Social Security Administration (SSA) and later the Medicare and Medicaid programs were monumental in providing federal support for healthcare and social services. The post-World War II era, along with the rise of civil rights movements, also spurred the development of public services aimed at achieving greater equity and social justice. From the late 20th century onward, reforms have focused on privatization, deregulation, and increasing the efficiency of government services, with varying levels of success. Today, public services in the U.S. continue to evolve to meet the challenges of a complex and diverse society.

3.3.2.1 Public Service Delivery in the United States: Structure, Trends, and Challenges

The Role of E-Government in Modern Service Delivery

E-government in the United States refers to the use of digital technologies to improve the delivery of government services and information. Over the past two decades, the U.S.



- Digitizing public services

government has made significant investments in digitizing public services, focusing on creating online platforms that make it easier for citizens to access government programs. The Office of E-Government and Information Technology within the U.S. Office of Management and Budget (OMB) has been responsible for promoting digital solutions, enhancing the efficiency of government operations, and making services more accessible to the public.

One of the key initiatives in this regard has been the USA.gov platform, which serves as the central digital portal for citizens to access federal, state, and local government services. From filing taxes to applying for government benefits, the platform allows users to interact with a range of public services online, streamlining interactions and reducing the need for in-person visits.

Digital Health and Public Service Delivery

- Health Information Technology

The healthcare sector has also seen substantial digital transformation in the U.S., particularly through the implementation of Health Information Technology (HIT) and the Affordable Care Act (ACA). The establishment of the HealthCare.gov platform made it easier for U.S. citizens to access healthcare services, compare insurance plans, and apply for subsidies. Additionally, the adoption of electronic health records (EHRs) and telemedicine solutions has enhanced coordination in patient care, enabling healthcare professionals to access and share patient data digitally. These digital healthcare innovations have streamlined service delivery and increased accessibility for patients across the nation.

Citizen-Centric Services and Public Participation

Public service delivery in the U.S. is increasingly focusing on being citizen-centric, ensuring that services are tailored to meet the unique needs of diverse populations. Mechanisms such as public consultations, town hall meetings, and online surveys allow citizens to engage in decision-making and provide feedback on government services. By emphasizing public participation, the government seeks to make its services more responsive, efficient, and equitable.

- Directly interact with government

Furthermore, digital tools have empowered citizens to directly interact with government agencies through online platforms and mobile apps. Services like MyUSA and the IRS2Go app allow users to access tax information, request

refunds, and track benefits, improving the convenience of public service delivery and ensuring that government programs are accessible to a wider audience.

The Role of State and Local Governments

In the U.S., state and local governments play a central role in service delivery, with federal agencies working alongside them to provide a wide range of services such as education, public safety, and transportation. State governments have taken the lead in implementing digital solutions tailored to their specific populations, including services like online voting, electronic driver's licenses, and digitalized public records.

- Implementing digital solutions

The decentralization of public services means that citizens can access a variety of government services at the local level, from applying for building permits to obtaining healthcare services. The transition to smart cities in many U.S. cities has further enhanced service delivery, integrating IoT (Internet of Things) and data analytics to create more sustainable, efficient, and liveable urban environments.

Digital Inclusion and Accessibility

While the U.S. has made great strides in the digital transformation of public services, challenges related to digital inclusion remain. Vulnerable populations, including rural residents, the elderly, and people with disabilities, still face barriers to accessing online services. To address these issues, the U.S. government has promoted initiatives aimed at increasing digital literacy and expanding broadband access across the country, especially in underserved areas. Programs such as the Connect America Fund and efforts to extend public Wi-Fi in libraries and community centers aim to bridge the digital divide and ensure that all citizens can benefit from e-government services.

- Barriers to accessing online services

Open Data and Transparency

The United States has also embraced the concept of open data, fostering transparency and accountability in public service delivery. Through initiatives like data.gov, the government makes a wealth of federal data available to the public, ranging from economic statistics to environmental information. This open data not only promotes transparency but also fosters innovation, as developers and organizations use this data to create new digital tools, apps, and services that can benefit the

- Promotes transparency and fosters innovation



public.

Challenges in Public Service Delivery

Despite the advancements, several challenges affect public service delivery in the U.S.:

- **Regional disparities:** Differences in service quality and access, especially in rural versus urban areas.
- **Health care accessibility:** While programs like Medicare and Medicaid provide support, healthcare inequities remain, particularly for marginalized groups.
- **Budget constraints and government shutdowns:** Frequent budgetary issues can limit the scope of public services.
- **Workforce shortages:** Critical sectors such as healthcare and education are struggling with labour shortages, exacerbated by the COVID-19 pandemic.
- **Aging infrastructure:** Many public service sectors, particularly transportation and housing, face aging infrastructure that requires significant investment.

Recent Reforms and Trends

Several recent reforms have been introduced to improve public service delivery:

- The Affordable Care Act (ACA) significantly expanded access to healthcare services, aiming to reduce the number of uninsured Americans.
- The American Rescue Plan (2021) provided funding to support pandemic relief, including expanding unemployment benefits and providing economic stimulus payments.
- Digital health initiatives and telemedicine are increasingly being incorporated into public health service delivery, expanding access to care.
- Sustainability is becoming a key focus, with increasing efforts to green government operations and invest in renewable energy.

3.3.3 Public Service Delivery in Sweden

- Tradition of universal welfare

Public service delivery in Sweden is built on a strong tradition of universal welfare, social equity, and high levels of government involvement in essential services. Sweden has a well-developed welfare state model that provides comprehensive public services to all citizens, from healthcare and education to social security and housing. The evolution of public service delivery in Sweden is deeply influenced by the country's commitment to social democracy, which aims to ensure that public services are accessible to everyone, irrespective of their socio-economic status. Starting in the early 20th century, Sweden expanded its public sector significantly, providing citizens with universal healthcare, free education, and extensive social welfare programs. The 1970s and 1980s saw a peak in government spending on welfare, but since the 1990s, Sweden has focused on ensuring efficiency, decentralization, and market-oriented reforms while preserving the integrity of the welfare state. Today, Sweden is known for its effective, high-quality public services and remains a model for other nations pursuing universal welfare and sustainable public service delivery.

3.3.3.1 Public Service Delivery in Sweden: Structure, Trends, and Challenges

The Role of E-Government in Service Delivery

Sweden has become a leader in digital governance, integrating digital technologies into the public service delivery system. E-government in Sweden refers to the application of ICT to improve the interaction between government authorities and citizens, businesses, and other stakeholders. The Swedish Government Agency for Digital Government (DIGG) oversees digital transformation efforts, ensuring that public services are easily accessible and efficient.

- Integrating digital technologies into the public service delivery system

A cornerstone of Sweden's e-government initiative is ministry-level digital platforms that facilitate easy access to government services. The Swedish public can access a wide range of services online, from applying for tax returns and social benefits to updating personal information and accessing government forms. The ID-kort (identity card), which is widely used in Sweden, supports secure and reliable identification for citizens accessing e-government services.

Sweden's public administration has also embraced



blockchain technology, particularly in areas like electronic voting and secure data management, to further enhance transparency and security in government services.

Digital Health Services

Sweden's healthcare system is one of the most advanced in terms of digital service delivery. The country has been quick to adopt e-health solutions, which allow citizens to manage their health and communicate with healthcare providers remotely. 1177 Vårdguiden, a digital health portal, provides information and services related to healthcare, allowing users to book appointments, access health records, and consult doctors online.

- e-health solutions

Moreover, Sweden's commitment to digital health has resulted in the development of electronic health records (EHRs), which are used nationwide. This system ensures that patient data is accessible to healthcare providers across the country, improving the quality and continuity of care while reducing administrative costs.

Citizen-Centric Approach and Public Participation

In Sweden, public service delivery is highly citizen-centric, with a strong focus on participation and transparency. Swedish citizens are actively engaged in the decision-making process, particularly through public consultations, surveys, and digital feedback mechanisms. The Transparency International Sweden organization ensures that government decisions and policies are made transparently and that citizens' voices are heard.

- Focus on participation and transparency

The Swedish government emphasizes a collaborative approach to governance, where citizens are encouraged to take part in policy development and public service planning. This is facilitated by e-participation tools, such as e-consultations and online forums, which allow people to contribute to the formulation of public policies.

Role of Local Government in Service Delivery

Sweden's decentralized model ensures that local governments are key players in the delivery of public services. Local authorities are responsible for a wide array of services, including education, childcare, elder care, and housing. This decentralization allows for greater flexibility and responsiveness to local needs, with municipalities empowered to design programs and services that best meet the demands of their populations.

- Greater flexibility and responsiveness

At the same time, the Swedish state provides substantial financial support to local governments, ensuring that public services remain accessible and equitable across the country. This collaboration between the national and local levels of government is central to Sweden's success in delivering high-quality public services.

Digital Inclusion and Accessibility

While Sweden is often praised for its digital prowess, the country is also committed to ensuring digital inclusion and addressing barriers that may prevent certain populations from accessing online services. Efforts to bridge the digital divide have included increasing access to broadband in rural areas, offering digital literacy programs for seniors, and ensuring that e-government services are accessible to people with disabilities.

- Universal design principles

Furthermore, Sweden has implemented universal design principles in the development of its e-government services, making them accessible to all citizens, regardless of their technological skill or physical ability. The government's commitment to digital accessibility ensures that no one is left behind in the transition to digital service delivery.

Open Data and Transparency

Sweden's approach to open data plays a vital role in maintaining transparency and accountability in public service delivery. Through initiatives like Open Data Sweden, citizens, businesses, and organizations are given access to large datasets from various government agencies, which can be used to create innovative services, foster research, and support informed decision-making.

- Maintaining transparency and accountability

The government's transparency efforts are also evident in its open government policies, which encourage citizens to monitor and evaluate the performance of public services. Digital platforms such as Dataportalen allow access to government datasets and foster innovation through the open release of public sector data.

Challenges in Public Service Delivery

While Sweden's public service delivery is often regarded as efficient and equitable, it still faces several challenges:

- Demographic shifts, including an aging population,



have placed increasing pressure on healthcare and elderly care services.

- Immigration has created challenges in the integration of new citizens, particularly in terms of housing, education, and employment.
- Regional disparities remain in service provision, especially in rural areas where access to healthcare and social services may be limited.
- The increasing reliance on digital services has raised concerns about the digital divide, where older citizens or those in rural areas may struggle to access online services.

Recent Reforms and Trends

Several recent reforms have aimed to improve public service delivery in Sweden:

- The Health and Medical Services Act and the Social Services Act have been updated to ensure the continued efficiency and accessibility of healthcare and social services.
- Sweden's focus on sustainability has led to green policies being integrated into public service delivery, including energy-efficient public transportation and sustainable urban planning.
- There is also a growing emphasis on digital health services to meet the needs of an aging population and improve healthcare access.

3.3.4 Public Service Delivery in Japan

Public service delivery in Japan is characterized by its high efficiency, accessibility, and commitment to public welfare. The country has built a robust system for delivering essential services, including healthcare, education, social welfare, and infrastructure, all of which are supported by a strong governance structure and an emphasis on public sector professionalism. Historically, Japan's public service delivery evolved in response to rapid industrialization and urbanization in the late 19th and early 20th centuries. Over time, the state expanded its role in providing social services, especially after World War II,

- Robust system for delivering essential services

as part of efforts to rebuild the country. Today, Japan's public service system is based on the principle of universal accessibility and social welfare, with public services being a fundamental right for all citizens. The country's government has focused on efficiency, innovation, and technological advancements to meet the challenges of an aging population, urbanization, and economic development. Public services in Japan are delivered through a well-organized system of central and local governments, public-private partnerships, and digital initiatives that enhance service accessibility.

3.3.4.1 Public Service Delivery in Japan: Structure, Trends, and Challenges

E-Government in Japan: An Overview

E-government in Japan is an integral part of the country's efforts to modernize and improve public service delivery. The Japanese government has implemented various digital initiatives over the years, aiming to streamline administrative processes, reduce costs, and provide citizens with easier access to government services. The e-Japan Strategy, initiated in the early 2000s, was Japan's first comprehensive plan to promote the digitalization of public services.

- A single identification number

The government established Gov.jp, the national portal for accessing public services, and introduced online services for taxation, social insurance, and public records. The government has also launched initiatives such as the My Number System, a personal identification system aimed at simplifying administrative processes and improving service delivery. The system allows citizens to access various government services through a single identification number, enabling faster and more secure transactions.

Digital Health and Social Welfare

Japan's public service delivery system places a high emphasis on healthcare and social welfare, both of which have seen significant digital transformations. The Japanese healthcare system is known for its efficiency and accessibility, and the government has been increasingly integrating digital technologies into healthcare delivery. For instance, Japan has developed electronic health records (EHRs), which are used across hospitals and clinics to ensure that patient information is shared efficiently among healthcare providers.

- Integrating digital technologies into healthcare delivery



In social welfare, Japan introduced the My Number System, which links citizens to a variety of services, including public pensions, social security, and welfare benefits. This system has allowed for greater efficiency in delivering social welfare programs and has reduced the administrative burden on both citizens and government agencies.

Citizen-Centric Approach and Public Participation

Public service delivery in Japan is largely focused on being citizen-centric, with an emphasis on transparency and accountability. While Japan's political system is often seen as hierarchical and top-down, there are mechanisms for public participation and feedback. Citizen engagement has grown through public consultations, town hall meetings, and online surveys, all designed to solicit public opinion on government policies and services.

- Mechanisms for public participation and feedback

E-government has played a crucial role in encouraging participation by making government processes more transparent and accessible. Citizens can now access public documents, participate in discussions, and even engage with government officials through online platforms.

Digital Transformation in Local Government Services

Japan's local governments are responsible for delivering a wide range of public services, from healthcare and education to emergency response and municipal planning. Local governments have embraced digital transformation in various ways. Many municipalities now provide online services for administrative tasks such as renewing driver's licenses, paying taxes, and registering for local programs.

- Wide range of public services

The Digital Local Government Reform initiative aims to promote digital services across Japan's local governments, ensuring that citizens can access municipal services through digital channels. This initiative also encourages digital literacy among citizens and local officials to facilitate a smoother transition to online services.

Challenges in Public Service Delivery

Despite the successes of Japan's public service delivery, the country faces several challenges:

- Ageing population and the increasing need for elderly

care have put pressure on healthcare services and welfare programs.

- Regional disparities in service quality, particularly between urban and rural areas.
- Labor shortages in key public sectors, especially in healthcare and social services, exacerbated by an aging workforce.
- The need to adapt to technological changes while ensuring that digital literacy remains accessible to all citizens, especially the elderly.

Recent Reforms and Trends

- Several recent reforms aim to address these challenges and improve public service delivery:
- The government is focusing on healthcare reforms, including expanding digital health services, improving elderly care, and ensuring sustainability in the healthcare system.
- Digitalization efforts are expanding with initiatives like the Digital Agency to centralize and streamline e-government services.
- Japan’s regional revitalization programs are aimed at reducing regional inequalities by promoting local economic development and improving public service access in rural areas.

3.3.5 Comparison of Public Service Delivery

Aspect	United Kingdom	United States	Sweden	Japan
Historical Evolution	Industrial Revolution reforms, Beveridge Report (1942), NHS (1948), privatization (1980s), digital services (2000s).	New Deal (1930s), Social Security, Medicare & Medicaid, digitalization of services in recent decades.	Welfare state model, expansion in the 20th century, digital transformation since the 1990s.	Post-WWII welfare expansion, strong digital governance since early 2000s.

Structure of Service Delivery	Decentralized; strong local government role, devolution in Scotland, Wales, NI.	Federal system; services provided by federal, state, and local governments.	Decentralized with strong municipal-level service provision.	Centralized with significant local government involvement.
Role of E-Government	Government Digital Service (GDS), Gov.uk,	USA.gov, MyUSA, IRS2Go, digital tax filing digital IDs (Verify).	DIGG (Digital Government Agency), e-identity systems.	Gov.jp, My Number System, Digital Local Government Reform.
Healthcare Services	NHS (universal, tax-funded), digital health records, telehealth services.	Mixed system (public & private); Medicare & Medicaid for specific groups, ACA.	Universal healthcare, e-health services (1177 Vårdguiden).	Universal healthcare, digital health initiatives, EHRs.
Citizen-Centric Approach	Citizen assemblies, consultations, feedback mechanisms.	Public consultations, town hall meetings, digital participation.	Strong citizen engagement through digital platforms.	Citizen engagement via digital tools and government transparency efforts.
Challenges	Budget cuts, NHS pressure, regional disparities, Brexit workforce issues.	Regional disparities, healthcare accessibility, government shutdowns, infrastructure aging.	Aging population, rural service gaps, immigrant integration challenges.	Aging workforce, labour shortages in healthcare and social services, regional disparities.
Recent Reforms & Trends	Levelling Up Agenda, NHS Long Term Plan, green policies.	ACA reforms, American Rescue Plan, telemedicine expansion.	Health & Social Services Act updates, green policies in public services.	Digital Agency reforms, regional revitalization programs, expanded elderly care services.

Summarised Overview

This unit provides a comparative analysis of public service delivery in the UK, US, Sweden, and Japan, highlighting their historical evolution, structural frameworks, and key trends. It explores how each country has adapted its governance model to changing economic, political, and technological landscapes. The UK has transitioned from a welfare state to market-driven reforms, while the US balances federal and state responsibilities with increasing digital integration. Sweden upholds a strong welfare model with decentralized governance and advanced e-government services, whereas Japan emphasizes efficiency, innovation, and digital transformation. Across all four nations, challenges such as budget constraints, regional disparities, aging populations, and digital inclusion persist, prompting ongoing reforms to enhance service accessibility, efficiency, and sustainability.

Assignment Questions

1. How has public service delivery evolved in the UK, US, Sweden, and Japan over time?
2. What role does decentralization play in shaping public service delivery in different countries?
3. How have digital governance and e-government initiatives transformed public service delivery globally?
4. What are the key challenges and recent reforms in public service delivery across the UK, US, Sweden, and Japan?

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Suggested Reading

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Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU



BLOCK 4
Control Mechanisms Over
Administration



UNIT 1

Control Mechanisms Over Administration

Learning Outcomes

Upon completing this unit, the learner will be able to:

- identify the key control mechanisms that regulate public administration in Sweden, the UK, the US, and Japan
- examine the roles of legislative, judicial, executive, financial, and civil society oversight in shaping administrative accountability in each country
- compare the structure and implementation of control mechanisms across these four countries
- evaluate the significance of checks and balances in ensuring transparency, accountability, and efficiency within public administration systems

Background

Control mechanisms in public administration play a vital role in promoting transparency, accountability, and operational efficiency within governance systems. These mechanisms encompass a range of processes designed to monitor, guide, and, when necessary, restrain administrative actions, thereby preventing the abuse of power and aligning government activities with the public interest. While countries like Sweden, the UK, the US, and Japan each employ distinct frameworks shaped by their unique political and cultural contexts, they share core elements such as legislative oversight, judicial review, executive supervision, financial accountability, and citizen engagement. A comparative examination of these mechanisms reveals how different nations maintain administrative responsiveness and uphold democratic values through robust systems of checks and balances.

Keywords

Control mechanisms, Public administration, Accountability, Governance.

Discussion

Introduction

The previous chapter examined how public services are delivered in the UK, US, Sweden, and Japan, focusing on their historical evolution, institutional structures, and reform trends. It highlighted how each country adapts to shifting political, economic, and technological conditions to improve service accessibility and efficiency. Building on this foundation, the current chapter turns to the control mechanisms that ensure these administrative systems operate with transparency, accountability, and responsiveness. It explores how different countries monitor and regulate their public administration through legislative, judicial, executive, financial, and civic instruments, offering a comparative perspective on governance oversight.

4.1.1 Control Mechanisms Over Administration in the UK

Control over administration in the UK operates through multiple mechanisms to ensure accountability, efficiency, and adherence to democratic principles. These control mechanisms can be categorized into parliamentary, judicial, executive, financial, and public (civil society) controls.

4.1.1.1 Parliamentary Control Over Administration in the UK

Parliamentary control is one of the most significant mechanisms ensuring accountability and transparency in the UK's administrative system. It allows elected representatives to oversee government actions, scrutinize policies, and ensure that public administration functions in accordance with democratic principles. This control is exercised through various means, including Question Time, Select Committees, legislative scrutiny, financial oversight, and the role of the Parliamentary Ombudsman.

- Elected representatives to oversee

Question Time

Question Time is a key parliamentary mechanism where Members of Parliament (MPs) hold ministers accountable for government actions. The most prominent session is Prime Minister's Questions (PMQs), held every Wednesday, where MPs question the Prime Minister directly on policy decisions and national issues. Other ministers also face ministerial questions, during which they must justify their department's actions.

- MPs question the Prime Minister directly



In addition, MPs can submit written questions, which require ministers to provide detailed responses. Urgent questions can be raised when an immediate response is needed on pressing matters. This process ensures that ministers remain answerable to Parliament and the public, fostering transparency and responsiveness in governance.

Select Committees

Select Committees are specialized parliamentary bodies that conduct in-depth scrutiny of government departments and policies. Each major department has a corresponding Departmental Select Committee, such as the Home Affairs Committee, which examines the performance and policies of the Home Office. Additionally, the Public Administration and Constitutional Affairs Committee (PACAC) reviews broader governance issues, while the Public Accounts Committee (PAC) focuses on financial accountability and is supported by reports from the National Audit Office (NAO). These committees have the authority to summon ministers, civil servants, and experts to provide evidence, ensuring rigorous oversight of administrative functions. Their reports and recommendations often lead to policy improvements and administrative reforms.

- Specialized parliamentary bodies

Legislative and Delegated Legislation Control

Parliament exercises control over administration through its legislative powers, ensuring that laws governing public administration are debated, amended, and enacted democratically. While primary legislation undergoes detailed scrutiny during parliamentary readings, a significant portion of administrative decisions is made through delegated legislation, where ministers are granted authority to issue regulations under existing laws. To prevent misuse of this power, Parliament employs mechanisms such as the Joint Committee on Statutory Instruments, which reviews the legality and implications of delegated legislation. Scrutiny committees also assess statutory instruments to ensure they align with legislative intent and do not exceed executive authority. This oversight helps maintain a balance between efficiency in governance and democratic accountability.

- Detailed scrutiny during parliamentary readings

Financial Oversight

Financial accountability is a crucial aspect of parliamentary control, ensuring that public funds are used efficiently and transparently. The Public Accounts Committee (PAC), chaired by an opposition MP, plays a key role in examining government

- Examining government expenditure

expenditure and investigating financial mismanagement. It relies on reports from the National Audit Office (NAO), which audits public spending and evaluates cost-effectiveness. The Treasury Committee also reviews government financial policies and public sector spending. Through these mechanisms, Parliament ensures that taxpayers' money is spent responsibly, preventing corruption and wasteful expenditure.

Parliamentary Ombudsman

The Parliamentary and Health Service Ombudsman (PHSO) provides an additional layer of administrative oversight by investigating complaints from citizens regarding maladministration in government departments and public services. The Ombudsman acts as an independent authority that reviews cases of injustice caused by administrative failures, such as delays, unfair decisions, and service deficiencies. Reports from the Ombudsman often lead to corrective actions and policy changes, reinforcing government accountability and responsiveness to public grievances.

- Independent authority

4.1.1.2 Judicial Control Over Administration in the UK

Judicial control is an essential mechanism for ensuring that administrative actions in the UK adhere to the principles of legality, fairness, and justice. The judiciary acts as an independent body that reviews government decisions, ensuring that they comply with the law and do not violate citizens' rights. This control is primarily exercised through judicial review, the rule of law, the Human Rights Act 1998, and tribunals. By providing checks on administrative actions, judicial control safeguards democratic governance and prevents the abuse of executive power.

- Reviews government decisions

Judicial Review

Judicial review is the most significant tool of judicial control, allowing courts to examine the lawfulness of administrative decisions made by public bodies. It ensures that government actions do not exceed their legal authority (*ultra vires*) and are made in accordance with due process. Courts assess administrative decisions based on three key principles: illegality, where a decision is made beyond legal powers; procedural impropriety, where the correct legal procedures are not followed; and irrationality, where decisions are deemed unreasonable. If a decision is found unlawful, the court can declare it null and void, forcing

- Declare it null and void



the administration to reconsider its action. Judicial review thus ensures that government authorities act within their legal limits and respect citizens' rights.

Rule of Law

- Laws are applied consistently

The rule of law is a foundational principle of the UK's legal system, ensuring that all individuals, including public officials, are subject to the law. It establishes that administrative actions must be lawful, transparent, and non-arbitrary. The courts play a crucial role in upholding this principle by intervening in cases where government actions violate constitutional principles or fundamental rights. The rule of law guarantees that laws are applied consistently and that no public authority operates beyond its legal mandate.

Human Rights Act 1998

- Declaration of incompatibility

The Human Rights Act 1998 (HRA) provides another layer of judicial control by incorporating the European Convention on Human Rights (ECHR) into UK law. It allows individuals to challenge administrative decisions that infringe upon their fundamental rights, such as the right to a fair trial, freedom of expression, and protection from discrimination. Courts can review government policies and administrative actions to ensure they comply with human rights standards. If a law is found incompatible with the HRA, courts can issue a declaration of incompatibility, prompting Parliament to amend the legislation accordingly. This ensures that administrative power is exercised in a manner consistent with fundamental rights and freedoms.

Tribunals and Administrative Justice

- Alternative to regular courts

Tribunals serve as an alternative to regular courts for resolving disputes between individuals and public authorities. They provide a specialized and accessible means of reviewing administrative decisions in areas such as immigration, employment, social security, and tax. The First-tier Tribunal hears cases initially, while the Upper Tribunal handles appeals. These tribunals operate independently of government departments, ensuring impartial adjudication of disputes. By providing an efficient and cost-effective means of challenging administrative decisions, tribunals strengthen judicial oversight and protect individuals from bureaucratic injustices.

4.1.1.3 Executive Control Over Administration in the UK

- Mechanisms within the government

Executive control refers to the internal mechanisms within the government that ensure public administration functions efficiently and in alignment with established policies. The Prime Minister and the Cabinet exercise primary control over administration by setting policy directions, overseeing departmental performance, and ensuring ministerial accountability. Ministers are responsible for the functioning of their respective departments and must answer to both Parliament and the Prime Minister. The Civil Service Code provides ethical guidelines and ensures that civil servants act with integrity, impartiality, and transparency. Additionally, internal departmental audits and regulatory frameworks help monitor administrative effectiveness. Through these mechanisms, executive control ensures that governance remains efficient, coordinated, and aligned with national policy objectives.

4.1.1.4 Financial Control Over Administration in the UK

- Resources are allocated appropriately

Financial control is essential for ensuring transparency, accountability, and efficiency in the use of public funds. The HM Treasury oversees government expenditure, ensuring that resources are allocated appropriately and in line with economic policies. The Public Accounts Committee (PAC), chaired by an opposition MP, scrutinizes public spending and investigates financial mismanagement based on reports from the National Audit Office (NAO). The NAO audits government accounts and evaluates the cost-effectiveness of public expenditure. Additionally, government departments must comply with the Government Financial Reporting Manual (FRM), which sets out principles for financial transparency. These financial oversight mechanisms prevent wasteful expenditure, detect corruption, and ensure that taxpayer money is used efficiently.

4.1.1.5 Public and Civil Society Control Over Administration in the UK

Public and civil society control acts as an external check on administrative power, ensuring that governance remains transparent, responsive, and accountable to the people. The Freedom of Information Act 2000 allows citizens to request government records, promoting transparency. The media and

- Exposing administrative inefficiencies

investigative journalism play a critical role in exposing administrative inefficiencies, corruption, and policy failures. Civil society organizations, non-governmental organizations (NGOs), and pressure groups advocate for policy changes and better governance. Local government bodies, empowered by devolution, provide another layer of accountability by ensuring that the administration is responsive to regional needs. Through these mechanisms, public and civil society control enhances democratic participation and ensures that governance remains people-centric.

4.1.2 Control Mechanisms Over Administration in the US

- System of checks and balances

Control over administration in the United States is exercised through various mechanisms to ensure accountability, transparency, and efficiency in governance. These mechanisms include legislative control (Congress), judicial oversight, executive control, financial accountability, and public participation through civil society and media scrutiny. Together, they create a system of checks and balances that prevents abuse of power and ensures that public administration functions in accordance with democratic principles.

4.1.2.1 Legislative Control Over Administration in the US

- Oversees the executive branch

Legislative control over administration in the United States is primarily exercised by Congress, which oversees the executive branch to ensure transparency, accountability, and adherence to the rule of law. This control is implemented through mechanisms such as congressional oversight, budgetary control, legislative enactments, investigations, and approval of appointments. These mechanisms form an essential part of the checks and balances system, preventing administrative overreach and ensuring that policies align with legislative intent.

Congressional Oversight

- Through its standing committees

Congress exercises oversight over executive agencies through its standing committees, special committees, and subcommittees. Each major administrative department has a corresponding congressional committee responsible for reviewing policies, evaluating performance, and ensuring that agencies comply with federal laws. Through hearings and testimonies,

executive officials are required to justify their decisions and actions. The House Oversight and Accountability Committee and the Senate Homeland Security and Governmental Affairs Committee are key oversight bodies that investigate inefficiencies, corruption, and administrative failures. Congress can also use subpoena power to compel government officials to testify and provide documents, ensuring transparency in governance.

Budgetary Control

Congress controls the financial operations of the administration through its power of the purse, granted by the U.S. Constitution. The House and Senate Appropriations Committees determine the funding for government programs and agencies, ensuring that taxpayer money is used efficiently. No public funds can be spent without congressional approval, and Congress can reduce, increase, or eliminate funding for specific programs. Additionally, the Congressional Budget Office (CBO) provides independent analyses of budgetary and economic policies, assisting lawmakers in making informed decisions regarding financial allocations. This financial oversight ensures that administrative agencies operate within fiscal limits and that government expenditures align with national priorities.

- Power of the purse

Legislative Enactments and Policy Control

Congress shapes administrative functions by passing laws that define the scope and authority of executive agencies. Enabling legislation creates administrative agencies and outlines their powers and responsibilities. Congress can also modify or repeal laws that govern agencies, thereby altering their authority and scope of operations. Additionally, through the Congressional Review Act (CRA), Congress has the power to review and overturn federal regulations issued by executive agencies within a specified period. This mechanism ensures that administrative policies align with legislative intent and public interest.

- Laws that define the scope and authority

Investigations and Impeachment Power

Congress has the authority to conduct investigations into misconduct, inefficiency, or corruption within the administration. Committees such as the House Oversight Committee and the Senate Judiciary Committee examine allegations of administrative abuse and hold inquiries to ensure accountability. If misconduct is identified at the highest levels, Congress can initiate impeachment proceedings against the President, Vice

- Conduct investigations



President, or other high-ranking officials. The House of Representatives holds the power to impeach, while the Senate conducts the trial and determines whether removal from office is warranted. This power serves as a critical check on executive overreach and administrative malpractice.

Approval of Appointments

- Confirming key executive appointments

Congress exercises control over the administration by confirming key executive appointments. Under the Appointments Clause of the U.S. Constitution, the Senate must approve the President's nominations for cabinet positions, federal judges, and heads of regulatory agencies. This process includes hearings, during which nominees are questioned about their qualifications, views, and administrative plans. If the Senate disapproves of a nominee, it can reject the appointment, preventing unqualified or controversial individuals from holding influential positions in public administration.

4.1.2.2 Judicial Control Over Administration in the US

- Check on executive and legislative

Judicial control ensures that administrative actions comply with the U.S. Constitution, statutory laws, and principles of due process. The judiciary acts as a check on executive and legislative actions, preventing administrative agencies from exceeding their legal authority. Courts intervene in cases of unconstitutional policies, abuse of power, or violations of individual rights, ensuring fairness and legality in public administration.

Judicial Review

- Marbury v. Madison

Judicial review, established in *Marbury v. Madison* (1803), allows courts to assess the constitutionality of laws and administrative actions. Federal courts can strike down executive decisions, agency regulations, or congressional acts that violate the Constitution. The Supreme Court, as the highest judicial authority, plays a crucial role in defining administrative boundaries through its rulings.

The Administrative Procedure Act (APA) 1946

- Guidelines for agency rulemaking

The APA sets guidelines for agency rulemaking and decision-making, ensuring transparency and accountability. Courts review whether agencies have acted within their legal authority, followed proper procedures, and made rational decisions based on evidence. This prevents arbitrary or politically

motivated administrative actions.

Protection of Individual Rights

Courts ensure that administrative agencies respect constitutional rights, including due process (Fifth and Fourteenth Amendments) and equal protection under the law. In cases of discrimination, unlawful surveillance, or unjust policies, courts provide remedies and enforce corrective actions.

- Respect-constitutional rights

4.1.2.3 Executive Control Over Administration in the US

The President, as the head of the executive branch, exercises direct control over administration through appointments, executive orders, budgetary decisions, and policy directives. This control ensures that administrative agencies function in alignment with the President's policy agenda.

- Direct control over the administration

Appointments and Removals

The President appoints top officials, including Cabinet members, agency heads, and regulatory commissioners, with Senate approval. The power to remove executive officials, though limited to independent agencies, allows the President to maintain administrative discipline and policy consistency.

- Maintain administrative discipline

Executive Orders and Directives

The President issues executive orders to direct agency operations without requiring congressional approval. These orders shape administrative priorities, modify agency practices, and implement policies swiftly. However, they are subject to judicial review and congressional oversight.

- To direct agency operations

Office of Management and Budget (OMB)

The OMB, under the Executive Office of the President, monitors agency performance, evaluates policy effectiveness, and ensures financial accountability. It reviews regulations before implementation, ensuring they align with presidential policies.

- Reviews regulations

Regulatory Oversight

Through the Office of Information and Regulatory Affairs (OIRA), the executive branch reviews agency regulations,

- Cost-benefit standards



ensuring they meet cost-benefit standards and do not impose excessive burdens on businesses or the public.

4.1.2.4 Financial Control Over Administration in the US

- Funds are used efficiently

Financial control ensures that public funds are used efficiently, transparently, and in alignment with legislative and executive policies. Key institutions, including Congress, the Office of Management and Budget (OMB), and the Government Accountability Office (GAO), oversee financial administration.

Congressional Budgetary Power

Congress exercises the power of the purse, determining the funding levels for federal agencies through annual appropriations bills. The House and Senate Appropriations Committees evaluate budget proposals and ensure that spending aligns with policy objectives.

Office of Management and Budget (OMB)

The OMB prepares the President's budget proposal, monitors agency expenditures, and ensures fiscal discipline. It plays a key role in evaluating program efficiency and eliminating wasteful spending.

Government Accountability Office (GAO)

The GAO, an independent agency reporting to Congress, audits government spending, investigates financial mismanagement and assesses the effectiveness of public programs. Its reports guide policy reforms and administrative improvements.

Inspector General System

Each federal agency has an Inspector General (IG) responsible for detecting fraud, waste, and abuse within administrative operations. IGs conduct audits, investigate misconduct, and recommend corrective actions.

4.1.2.5 Public and Civil Society Control Over Administration in the US

- External check on administration

Public and civil society control acts as an external check on administration, ensuring transparency, responsiveness, and citizen participation. Mechanisms such as freedom of informa-

tion laws, media scrutiny, advocacy groups, and public involvement enhance government accountability.

Freedom of Information Act (FOIA) 1966

- Transparency and preventing secrecy

The FOIA grants citizens the right to access government records, promoting transparency and preventing secrecy in administration. Journalists, activists, and researchers use FOIA requests to uncover administrative failures, inefficiencies, or corruption.

Media and Investigative Journalism

The press serves as a watchdog, exposing government inefficiencies, misconduct, and policy failures. Investigative journalism has played a critical role in uncovering scandals, such as the Watergate affair and financial mismanagement in federal programs.

Advocacy Groups and NGOs

Civil society organizations, such as the American Civil Liberties Union (ACLU) and Common Cause, advocate for policy changes, government accountability, and ethical administration. They influence decision-making through legal challenges, lobbying, and public campaigns.

Public Protests and Citizen Engagement

Citizens exercise control over administration through protests, petitions, and participation in public hearings. Movements advocating for environmental protection, human rights, and social justice have led to policy changes and administrative reforms.

4.1.3 Control Mechanisms Over Administration in Sweden

In Sweden, control mechanisms over public administration ensure transparency, accountability, and efficiency in governance. These mechanisms include legislative, judicial, executive, financial, and public/civil society control. Together, they create a system that upholds democratic principles, ensuring that the government remains responsive and accountable to both citizens and institutional standards.

- Upholds democratic principles



4.1.3.1 Legislative Control Over Administration in Sweden

In Sweden, Parliament (Riksdag) plays a central role in controlling public administration. Legislative control mechanisms include parliamentary oversight, approval of budgets, and the passing of laws that define the functioning of government agencies. These powers ensure that public administration aligns with national policies and constitutional values.

- Controlling public administration

Parliamentary Oversight

The Riksdag exercises control over the executive branch through regular scrutiny of government actions. Parliamentary committees, particularly the Constitutional and Finance Committees, are tasked with evaluating the effectiveness and legality of administrative activities. Members of Parliament (MPs) question ministers, review government proposals and investigate issues relating to public administration through parliamentary inquiries. These inquiries provide transparency and hold public officials accountable for their actions.

- Scrutiny of government actions

Approval of Budget and Financial Oversight

Parliament controls the allocation of public funds through the annual budget process. The Finance Committee plays a crucial role in reviewing and amending budget proposals submitted by the government. Parliament's control over budgeting ensures that resources are used efficiently and in line with policy objectives. MPs also examine reports from various agencies, ensuring that public funds are allocated appropriately.

- In line with policy objectives

Legislative Control Through Lawmaking

The Riksdag also enacts laws that govern the functioning of public administration. These laws regulate the authority, structure, and functioning of administrative agencies. Furthermore, Parliament can amend or repeal laws to address evolving challenges in governance, ensuring that public administration remains adaptable and in line with societal needs.

- Address evolving challenges

4.1.3.2 Judicial Control Over Administration in Sweden

Judicial control in Sweden ensures that administrative actions adhere to the rule of law, upholding individual rights and pre-

venting abuse of power. Courts, through judicial review, safeguard citizens against arbitrary government actions and ensure that public administration remains within legal bounds.

Administrative Courts and Judicial Review

Sweden has a distinct system of administrative courts that oversee the legality of decisions made by public authorities. The Supreme Administrative Court is the highest court in this area, providing final rulings on cases involving administrative law. Individuals can challenge administrative decisions in these courts if they believe that a government action has violated their rights or exceeded legal authority. The courts ensure that public authorities follow proper procedures and make decisions based on sound reasoning.

- Providing final rulings

Constitutional Review

In Sweden, the Constitutional Court ensures that legislation passed by Parliament complies with the Constitution. While Sweden does not have a system of abstract judicial review (like the U.S. or Germany), the courts can annul laws or regulations if they conflict with constitutional provisions. Through this control, the judiciary acts as a safeguard against unconstitutional government actions.

- Can annul laws

Protection of Rights and Equal Treatment

Swedish courts play an essential role in ensuring the protection of human rights. For example, the Ombudsman system, which involves specialized ombudsmen (such as the Parliamentary Ombudsman), allows individuals to lodge complaints about administrative decisions that violate rights. The Ombudsman's office can initiate investigations into administrative practices, ensuring that public administration respects citizens' rights and is accountable for any abuses.

4.1.3.3 Executive Control Over Administration in Sweden

The Swedish executive, represented by the Prime Minister and the Cabinet, exercises control over the administration by setting policy directions and overseeing government agencies. Executive power is exercised through appointments, executive directives, and coordination of government functions.



Appointments and Ministerial Oversight

- Answering for the performance

The Prime Minister and Cabinet ministers play a significant role in overseeing public administration. The Prime Minister appoints ministers responsible for various sectors of government, and these ministers supervise the activities of the corresponding government agencies. Ministers are accountable to Parliament, answering questions about the performance of their departments during parliamentary sessions. The Ombudsman's office also investigates complaints about the executive's misuse of power, which enhances executive accountability.

Executive Orders and Policy Directives

The Cabinet issues executive orders and policy directives that guide the actions of government agencies. These orders set specific goals for public administration and ensure that agencies align their activities with the government's overall policy objectives. However, these orders are subject to judicial review and must comply with Swedish law and constitutional norms.

Coordination of Agencies

The Government Offices of Sweden help coordinate the work of government agencies, ensuring that the various arms of the administration work together efficiently. These offices provide the Prime Minister and ministers with advisory services, and they play a central role in implementing policy decisions. This coordination ensures that government departments do not operate in isolation and that policy decisions are executed effectively across all areas of government.

- Do not operate in isolation

4.1.3.4 Financial Control Over Administration in Sweden

Financial control mechanisms in Sweden ensure the responsible use of public funds and prevent financial mismanagement within public administration. Parliament, the Swedish National Audit Office (Riksrevisionen), and the Ministry of Finance play key roles in overseeing the financial management of government activities.

- Overseeing the financial management

Parliamentary Oversight of Public Spending

As with legislative control over administration, Parliament has significant influence over financial control. The Finance Committee reviews government budgets and scrutinizes

- Funds are spent responsibly

financial expenditures, ensuring that spending aligns with national policy priorities. This oversight ensures that public funds are spent responsibly and effectively.

Swedish National Audit Office (Riksrevisionen)

The Swedish National Audit Office conducts audits of government spending and evaluates the efficiency and effectiveness of public administration. The Riksrevisionen reports its findings to Parliament, helping legislators identify areas of inefficiency, fraud, or mismanagement in government spending. The office plays a critical role in ensuring financial accountability in public administration.

- Ensuring financial accountability

Ministerial Accountability and Auditing

The Ministry of Finance supervises the budgetary process and ensures that public funds are allocated efficiently. It is also responsible for monitoring the financial performance of state-owned enterprises and other public entities. Regular audits ensure transparency and help identify areas where financial practices can be improved.

- Ensure transparency

4.1.3.5 Public and Civil Society Control Over Administration in Sweden

Public and civil society control ensures that Swedish public administration remains transparent, accountable, and responsive to the needs of citizens. Civil society organizations, media, and citizen engagement are all integral to holding the administration accountable.

Freedom of Information and Transparency

The Freedom of the Press Act (Tryckfrihetsförordningen) guarantees transparency in government actions by ensuring citizens' right to access public records. The Public Access to Information Act allows individuals to request government documents, fostering openness in administrative practices and giving citizens the tools to hold public officials accountable.

- To request government documents

The Role of Media and Investigative Journalism

The Swedish media plays an active role in scrutinizing government actions, investigating administrative failures, and exposing corruption. Investigative journalism helps ensure that public administration functions ethically and efficiently by drawing attention to issues that may otherwise go unnoticed.



Civil Society and Public Engagement

- Shape public discourse

Sweden has a vibrant civil society, with numerous NGOs and citizen groups advocating for environmental protection, human rights, and social justice. These organizations participate in the policy-making process, offer public consultations, and help shape public discourse around governance. Public protests and campaigns also serve as vital tools for influencing administrative reforms and policy changes.

4.1.4 Control Mechanisms Over Administration in Japan

- Responsive to the needs

In Japan, public administration operates under a framework of checks and balances designed to ensure efficiency, accountability, and transparency in governance. These mechanisms include legislative, judicial, executive, financial, and public/civil society control. Each system plays a critical role in maintaining a well-functioning and accountable administration that is responsive to the needs of the people and adheres to democratic principles.

4.1.4.1 Legislative Control Over Administration in Japan

The National Diet of Japan, comprising the House of Representatives and the House of Councillors, holds significant authority in controlling public administration. Legislative control mechanisms in Japan ensure that the executive branch remains accountable to the people through oversight, the budgetary process, and lawmaking.

Parliamentary Oversight

- Overseeing the activities of the executive

The Japanese Diet exercises control over the administration through parliamentary inquiries, committee reviews, and questioning of ministers. Parliamentary committees, such as the Budget Committee and the Audit Committee, review the government's actions, policies, and implementation of laws. MPs question ministers on their decisions, ensuring that government operations are transparent and consistent with national laws. In particular, the House of Representatives plays a central role in overseeing the activities of the executive.

Approval of Budget and Financial Oversight

The budgetary process is one of the primary mechanisms

- Spending aligns with public priorities

through which the Diet controls public administration in Japan. The Diet must approve the national budget, which the executive (Prime Minister and Cabinet) submits annually. Parliament has the power to amend or reject the budget, and the House of Councillors reviews and monitors government expenditure. This ensures that government spending aligns with public priorities and is carried out efficiently.

Legislative Control Through Lawmaking

The Diet enacts laws that define the structure and functioning of administrative agencies. These laws govern everything from administrative procedures to the scope of governmental powers, ensuring that public administration operates in line with constitutional and legal principles. The Diet also has the authority to amend or repeal laws affecting public administration.

4.1.4.2 Judicial Control Over Administration in Japan

- Boundaries of the Constitution

Judicial control ensures that public administration in Japan operates within the boundaries of the Constitution, statutory laws, and individual rights. Courts intervene when government actions exceed legal authority or violate constitutional rights, providing a safeguard against abuses of power.

Judicial Review

- Strike down unconstitutional laws

In Japan, the Supreme Court has the authority to review the constitutionality of laws and administrative actions. This system of judicial review ensures that government actions do not violate fundamental rights or exceed the scope of the law. Though Japan lacks the broad system of judicial review seen in countries like the U.S., the Supreme Court can still strike down unconstitutional laws and administrative decisions.

Administrative Litigation and the Role of Courts

- Lawsuits against government

Japanese courts also provide a mechanism for individuals to challenge administrative decisions that they believe are unjust or illegal. The Administrative Case Trial Law allows citizens to file lawsuits against government agencies or officials seeking a review of administrative decisions. The judiciary ensures that public authorities adhere to legal procedures, and in cases of administrative error or abuse, courts offer remedies for affected individuals.



Human Rights Protection

Japanese courts protect individual rights against administrative violations, such as illegal detention or discrimination. The Constitution of Japan guarantees fundamental rights, and the judiciary enforces these rights by ruling on cases that involve abuses by administrative authorities.

4.1.4.3 Executive Control Over Administration in Japan

The Prime Minister and Cabinet are the key figures in Japan's executive branch, exercising significant control over public administration. Executive control is primarily exerted through appointments, policy directives, and the coordination of government agencies.

Appointments and Ministerial Oversight

The Prime Minister, as the head of government, appoints ministers responsible for various policy areas. Ministers oversee the activities of their respective government agencies and ensure that administrative decisions align with the government's overall policy agenda. The Cabinet is collectively responsible for the functioning of the executive branch, and individual ministers answer to the Diet for the performance of their departments.

- Collectively responsible

Executive Orders and Policy Directives

The Japanese executive issues executive orders and policy directives to guide the functioning of administrative agencies. These directives serve as instructions for agencies to implement specific government policies or initiatives. However, these orders must comply with constitutional and legal standards and can be reviewed by the judiciary if they overstep the government's legal authority.

- Constitutional and legal standards

Government Offices and Coordination

The Prime Minister's Office (Kantei) plays a crucial role in coordinating the activities of various ministries and government agencies. It ensures that government agencies work together efficiently to implement national policies. The Office of the Cabinet Secretariat facilitates coordination between different parts of the government and helps monitor the progress of key policies and reforms.

- Agencies work together

4.1.4.4 Financial Control Over Administration in Japan

Financial control in Japan is designed to ensure that public funds are used effectively and in alignment with policy priorities. Parliament, the Ministry of Finance, and the Board of Audit are key players in overseeing government spending.

Parliamentary Oversight of Public Spending

As with legislative control over administration, the National Diet exercises significant authority over public finances. The Diet reviews and approves the national budget, ensuring that public funds are allocated in a way that reflects national priorities. The Budget Committee scrutinizes the proposed budget, ensuring that government spending is justified and reasonable.

- Reflects national priorities

Ministry of Finance and Fiscal Oversight

The Ministry of Finance (MOF) is responsible for overseeing Japan's fiscal policy, managing government revenue, and ensuring that budgetary decisions are in line with long-term economic goals. The Ministry plays a central role in the preparation and implementation of the national budget. It also supervises the financial operations of government-owned corporations and agencies.

Board of Audit

The Board of Audit of Japan (Kansai-in) audits government expenditures, investigating whether public funds are used efficiently and in accordance with the law. The Board conducts detailed audits of government agencies and submits reports to the Diet, helping to identify areas of inefficiency, waste, or financial mismanagement.

- Audits of government agencies

4.1.4.5 Public and Civil Society Control Over Administration in Japan

Public and civil society control ensures that the government remains responsive to citizens' needs and accountable for its actions. This control is exercised through public participation, freedom of information, media scrutiny, and civil society activism.

Freedom of Information and Transparency

Japan guarantees freedom of information through laws such



- Scrutinize administrative decisions

as the Act on Access to Information Held by Administrative Organs (2001), which allows citizens to request government documents. This law promotes transparency and accountability in government operations, enabling the public to scrutinize administrative decisions.

Media and Investigative Journalism

The media plays an important role in holding the government accountable by investigating administrative decisions, uncovering corruption, and raising public awareness about government actions. Investigative journalism helps ensure that administrative agencies function transparently and within the bounds of the law.

Civil Society and Public Engagement

Japanese civil society is vibrant, with numerous NGOs, advocacy groups, and community organizations actively participating in policy discussions, advocating for reforms, and holding the government accountable. Public consultations and petitions also allow citizens to have their voices heard in the policy-making process. Civil society groups, such as the Japan Civil Liberties Union (JCLU), play a significant role in advocating for human rights and social justice, while public protests serve as a direct way for citizens to express dissatisfaction with administrative practices.

- Citizens to express dissatisfaction

4.1.5 A Comparative Analysis

Control Mechanism	Sweden	UK	US	Japan
Legislative Control	Parliament (Riksdag): Oversight through committees, budget approval, and lawmaking.	Parliament: Scrutiny through committees, questioning ministers, budget approval, and lawmaking.	Congress: Oversight via hearings, investigations, budget approval, and lawmaking.	National Diet: Oversight through committees, budget approval, and lawmaking.
Judicial Control	Administrative Courts: Judicial review, administrative litigation, and human rights protection.	Judicial Review: Courts ensure administrative actions comply with the law and constitutional rights.	Judicial Review: Courts can review executive actions and laws, with a strong focus on constitutional rights.	Supreme Court: Judicial review of laws and administrative decisions for constitutionality, administrative case trials.

Executive Control	Prime Minister and Cabinet: Appointments, policy directives, coordination of agencies.	Prime Minister and Cabinet: Appointments, policy directives, oversight of agencies.	President and Cabinet: Appointments, executive orders, agency oversight.	Prime Minister and Cabinet: Appointments, policy directives, coordination of government agencies.
Financial Control	Parliament and Ministry of Finance: Budget approval, financial audits by the Swedish National Audit Office (Riksrevisionen).	Parliament and Treasury: Budget approval and financial audits by the National Audit Office (NAO).	Congress and OMB: Budget approval, financial oversight by the Government Accountability Office (GAO).	National Diet and Ministry of Finance: Budget approval, financial audits by the Board of Audit of Japan.
Public and Civil Society Control	Freedom of Information Act, Civil Society Engagement: Public participation through NGOs, media scrutiny, and access to information.	Freedom of Information Act, Civil Society Engagement: Public participation through NGOs, media scrutiny, and access to information.	Freedom of Information Act, Civil Society Engagement: Public participation through protests, media scrutiny, and advocacy groups.	Freedom of Information Act, Civil Society Engagement: Public participation through NGOs, media scrutiny, and community activism.

Summarised Overview

This unit examined how control mechanisms over public administration operate in Sweden, the UK, the US, and Japan. Each country utilizes a combination of legislative, judicial, executive, financial, and public oversight to ensure transparency, accountability, and efficiency in governance. UK, US, Sweden, and Japan have developed diverse approaches, including ombudsman offices, judicial review, administrative appeal systems, and independent regulatory bodies to address citizen complaints. While the UK and Sweden have strong ombudsman systems, the US relies on federal oversight and inspector generals, and Japan integrates bureaucratic review with judicial intervention. The UK and USA emphasize parliamentary scrutiny and civil society involvement, while Sweden relies on decentralization, transparency, and administrative courts. Japan blends bureaucratic efficiency with gradual reforms toward greater citizen engagement and legal accountability.

Despite differences in institutional structures and political traditions, all four countries prioritize checks and balances to curb administrative overreach and promote responsive governance. Judicial review, financial audits, ombudsman systems, and



citizen participation serve as essential tools for aligning public administration with democratic values. Despite these frameworks, common challenges such as bureaucratic delays, political interference, and limited enforcement of ombudsman recommendations persist. Strengthening citizen awareness, institutional independence, and digital accessibility is crucial for making grievance redressal more efficient and responsive across different governance models.

A comparative understanding of these systems highlights how political culture, legal frameworks, and civic engagement shape administrative accountability and effectiveness across different governance models.

Assignment Questions

1. How do legislative control mechanisms ensure accountability in public administration across different countries?
2. In what ways does judicial review serve as a check on the actions of public administration in Sweden, the UK, the US, and Japan?
3. How does executive control influence the functioning of public administration, and what role do executive orders or directives play in this?
4. What are the primary financial control mechanisms in Sweden, the UK, the US, and Japan, and how do they contribute to transparent governance?

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Suggested Reading

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Space for Learner Engagement for Objective Questions

Learners are encouraged to develop objective questions based on the content in the paragraph as a sign of their comprehension of the content. The Learners may reflect on the recap bullets and relate their understanding with the narrative in order to frame objective questions from the given text. The University expects that 1 - 2 questions are developed for each paragraph. The space given below can be used for listing the questions.

SGOU



UNIT 2

Citizen and Administration

Learning Outcomes

Upon completion of this unit, the learner will be able to :

- understand how citizen participation influences public administration in different countries
- analyse governance structures and control mechanisms over public administration
- identify challenges in citizen-centred governance and explore solutions
- compare global approaches to transparency, accountability, and public engagement

Background

Public administration plays a crucial role in governance, ensuring the efficient delivery of services and the implementation of policies that impact citizens' daily lives. However, the extent of citizen participation and government accountability varies across countries, shaped by historical, political, and cultural factors. Nations like Sweden emphasize decentralization and transparency, while Japan's governance remains bureaucratically driven. In contrast, the UK and the US have strong legislative and civil society oversight. Understanding these differences helps in assessing the effectiveness of public administration models and the challenges they face in promoting citizen-centred governance.

Keywords

Citizen Participation, Governance Controls, Transparency, Public Accountability

Discussion

4.2.1 Citizen Participation and Public Administration in the UK

Public administration in the UK is designed to serve the needs of its citizens by ensuring efficiency, accountability, and inclusivity in governance. A key component of this system

is citizen participation, which allows individuals to engage in decision-making processes, contribute to policy formation, and hold public institutions accountable. In a democratic society like the UK, the active involvement of citizens strengthens the legitimacy of governance and fosters trust between the government and the public. This chapter explores the concept of citizenship and rights in the UK, the mechanisms of citizen participation in public administration, and the strategies used to overcome challenges in citizen-centered governance.

Introduction to Citizenship and Their Rights

Citizenship in the UK is a legal status that grants individuals specific rights and responsibilities within the nation. British citizens have fundamental political, civil, and social rights that enable them to engage in civic life and influence governance. The British Nationality Act of 1981 defines different categories of citizenship, including British citizens, British overseas citizens, and other designations. However, the key focus of public administration is on those with full citizenship rights, allowing them to participate actively in governance.

- Engage in civic life and influence governance

Fundamental Rights of Citizens

The UK follows a constitutional democracy, where the rights of citizens are protected by law. Some of the key rights include:

- Right to Vote and Stand for Office – Citizens over the age of 18 have the right to vote in parliamentary, local, and devolved government elections and to run for political office.
- Freedom of Speech and Expression – Citizens can express their opinions freely, subject to laws on defamation and incitement to violence.
- Access to Public Services – Every citizen has the right to education, healthcare (through the National Health Service), and other public welfare services.
- Legal Protection and Due Process – The rule of law ensures that all citizens are treated equally in legal matters and have the right to a fair trial.
- Freedom of Information – The Freedom of Information Act 2000 grants citizens access to government-held information, ensuring transparency.



Responsibilities of Citizens

Alongside rights, UK citizens are expected to fulfill certain responsibilities, including:

- Obeying the law and respecting the rights of others.
- Paying taxes to support public services.
- Serving on a jury when required.
- Engaging in civic duties such as voting and community service.

The balance between rights and responsibilities ensures that governance remains participatory and accountable to the needs of society.

Citizen Participation and Engagement in Public Administration

Citizen participation is essential for democratic governance and effective public administration in the UK. It allows individuals to influence decision-making, provide feedback on government policies, and collaborate with institutions to improve public service delivery. Participation can take various forms, ranging from voting to active involvement in policy-making.

Key Avenues for Citizen Participation

1. Elections and Referendums

- General elections, local elections, and referendums provide citizens with the opportunity to choose their representatives and directly influence national policies.
- The UK has held national referendums on key issues such as EU membership (2016 Brexit referendum) and Scottish independence (2014 referendum).

2. Public Consultations and Citizen Assemblies

- The UK government often conducts public consultations, inviting citizens and stakeholders to provide input on proposed policies.
- Citizen assemblies, such as those on climate change, enable deliberative discussions where a representative group of citizens can shape policy recommendations.

3. Local Government and Community Engagement

- Local councils empower citizens to shape decisions regarding community planning, social services, and infrastructure.
- Neighbourhood forums and participatory budgeting allow residents to have a say in how local government funds are allocated.

4. Digital Participation and E-Government

- The UK government has adopted digital platforms to enhance citizen engagement, including online petitions, virtual town halls, and government websites where citizens can access services and provide feedback.
- Websites like gov.uk serve as a central hub for interacting with government agencies.

5. Civil Society and Advocacy Groups

- NGOs, think tanks, and advocacy groups play a critical role in mobilizing citizen participation. Organizations like Citizens UK and Transparency International UK work to influence policies and increase government accountability.
- Through these mechanisms, UK citizens are empowered to contribute to governance, ensuring that public administration remains responsive, inclusive, and democratic.

Strategies for Overcoming Challenges in Citizen-Centered Public Administration

Despite established mechanisms for citizen participation, several challenges hinder effective engagement in public administration. Issues such as political disengagement, digital exclusion, bureaucratic barriers, and mistrust in institutions can reduce citizen involvement. To address these challenges, the UK government has implemented various strategies:

- **Enhancing Transparency and Open Data Initiatives:** The Open Government Partnership (OGP) promotes open data policies, allowing citizens to access infor-

- Open data policies



• Increase civic engagement

• Localized decision-making

• Increase broadband access

• Challenge unfair administrative decisions

mation about government spending, decision-making, and policy outcomes. The Freedom of Information Act ensures that citizens can request information from public bodies, increasing government accountability.

- **Promoting Inclusive Participation:** Engaging underrepresented groups (e.g., minorities, disabled citizens, and youth) is crucial for an equitable democratic system. Programs such as Citizenship Education in schools and voter registration campaigns aim to increase civic engagement among younger demographics.
- **Strengthening Local Governance and Community Decision-Making:** Devolution in the UK has granted greater autonomy to Scotland, Wales, and Northern Ireland, as well as city regions like Greater Manchester. Strengthening parish councils and community initiatives enables localized decision-making, making governance more accessible.
- **Expanding Digital Engagement and Reducing the Digital Divide:** The government has launched initiatives to increase broadband access in rural areas, ensuring digital platforms remain an inclusive tool for participation. Online platforms such as e-democracy forums and digital petitions allow for greater citizen engagement, even among those who may not traditionally participate in political processes.
- **Rebuilding Trust in Government and Institutions:** Public institutions have prioritized greater responsiveness to citizen concerns, including commitments to public ethics and accountability reforms. Strengthening the Public Services Ombudsman system ensures that citizens can challenge unfair administrative decisions.

By addressing these challenges, the UK aims to create a more citizen-centered governance model, where public services are designed and delivered in a way that truly reflects the needs of the people.

4.2.2 Citizen Participation and Public Administration in the US

The United States follows a democratic governance model that emphasizes active citizen participation in public administration. Citizens play a vital role in shaping government policies, holding public officials accountable, and contributing to the decision-making process. The US Constitution and various federal and state laws guarantee citizenship rights, provide mechanisms for public engagement, and establish frameworks for citizen-centred governance. However, challenges such as political disengagement, bureaucratic complexity, and disparities in participation remain. This section explores citizenship and rights in the US, mechanisms for citizen participation, and strategies to enhance citizen-centred public administration.

Introduction to Citizenship and Their Rights

Citizenship in the US is defined by birthright (jus soli), naturalization, and legal status under the Fourteenth Amendment of the Constitution. Being a US citizen grants individuals certain rights and responsibilities that enable them to participate in the political, legal, and social systems of the country.

Fundamental Rights of Citizens

The US Constitution and Bill of Rights protect the core rights of American citizens, including:

- Voting Rights – Citizens have the right to vote in federal, state, and local elections, ensuring their participation in representative democracy.
- Freedom of Speech and Expression – Citizens can express their opinions freely without government interference, except in cases of hate speech or threats to national security.
- Right to Petition the Government – Citizens can engage with elected officials through petitions, lobbying, and grassroots advocacy.
- Access to Public Services – Citizens benefit from government-provided services such as education, healthcare, and social security.
- Due Process and Legal Protection – The judicial sys-

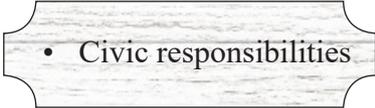
- Core rights of American citizens



tem guarantees legal protection, ensuring fairness in government actions affecting individuals.

Responsibilities of Citizens

Along with rights, US citizens have civic responsibilities, such as:



• Civic responsibilities

- Obeying laws and respecting the Constitution.
- Paying taxes to support public programs and infrastructure.
- Serving on a jury when summoned.
- Participating in civic activities, including voting and community service.

The balance between rights and responsibilities strengthens democratic governance and public administration in the US.

Citizen Participation and Engagement in Public Administration

The US government provides multiple formal and informal avenues for citizen participation in policymaking and public service administration. These mechanisms ensure that governance is transparent, accountable, and responsive to the needs of the people.

Key Avenues for Citizen Participation

1. Elections and Referendums

- The US follows a federal system, where citizens vote for representatives at the national, state, and local levels.
- Presidential, congressional, gubernatorial, and municipal elections allow direct participation in shaping government leadership.
- Some states allow ballot initiatives and referendums, where citizens vote directly on policy issues.

2. Public Consultations and Congressional Hearings

- The Federal Register allows citizens to comment on proposed regulations before they become law.
- Congressional hearings invite public testimony on key policy matters, ensuring that diverse voices influence lawmaking.

3. Local Government and Community Engagement

- State legislatures, city councils, and town hall meetings provide platforms for citizen engagement in local decision-making.
- Community-based governance initiatives encourage participation in areas such as education boards and neighbourhood associations.

4. Digital Engagement and E-Government

- Online petitions, e-government services, and virtual town halls enable digital participation in governance.
- Websites like whitehouse.gov and usa.gov facilitate direct interaction with federal agencies.

5. Civil Society and Grassroots Movements

- Nonprofits, advocacy groups, and social movements play a key role in mobilizing citizen action on political, social, and economic issues.
- Organizations like Common Cause and the American Civil Liberties Union (ACLU) advocate for transparency, voting rights, and civil liberties.

Through these participation mechanisms, the US ensures an open and democratic governance structure, though challenges persist in providing equal access to engagement opportunities.

Strategies for Overcoming Challenges in Citizen-Centered Public Administration

Despite established participation mechanisms, barriers such as political polarization, voter suppression, bureaucratic inefficiencies, and digital exclusion limit effective citizen engagement. The US government and civil society organizations employ various strategies to address these challenges.

- Reduce voting restrictions

- Increases public access

- Strengthening Voter Participation and Electoral Integrity: Efforts to expand voter registration and reduce voting restrictions aim to increase electoral participation. Reforms such as automatic voter registration and mail-in ballots make voting more accessible.
- Enhancing Transparency and Open Government Initiatives: The Freedom of Information Act (FOIA) al-



- Active citizenship

- How public funds are spent

allows citizens to access government records, ensuring accountability. The Open Government Data Initiative increases public access to federal data, empowering citizens with information.

- Encouraging Inclusive Participation: Policies focus on increasing engagement from marginalized groups, including minority communities, women, and the disabled. Education programs promote civic literacy to encourage active citizenship from a young age.
- Improving Local Governance and Citizen-Led Decision-Making: Participatory budgeting initiatives allow citizens to decide how public funds are spent in local communities. Decentralization efforts empower state and municipal governments to engage directly with residents.
- Expanding Digital Engagement and Bridging the Digital Divide: Federal programs aim to expand broadband access in rural and underserved areas. Digital platforms and mobile-friendly applications make government services more accessible.

These strategies ensure that citizen-centered governance remains a core principle of US public administration, fostering a responsive and participatory democracy.

4.2.3 Citizen Participation and Public Administration in Sweden

Sweden is known for its strong democratic traditions and citizen-centric governance, where public administration operates with high levels of transparency, accountability, and public engagement. The Swedish model is built on decentralization, open government policies, and active civic participation, ensuring that citizens play a central role in shaping policies and influencing decision-making. The Instrument of Government (Regeringsformen), a part of Sweden's Constitution, outlines the rights and responsibilities of citizens and the mechanisms through which they can participate in governance.

- Built on decentralization

Introduction to Citizenship and Their Rights

Swedish citizenship is governed by the Swedish Citizenship Act, which defines citizenship as a legal status granting individuals political, social, and civil rights. While residents (including non-citizens) enjoy many rights in Sweden, full political participation, such as voting in national elections, is reserved for citizens.

Fundamental Rights of Citizens

Sweden's Constitution and international human rights commitments guarantee key rights, including:

- Human rights commitments

- Right to Vote and Political Participation – Swedish citizens over 18 years old can vote in Riksdag (parliamentary) elections, while non-citizens can vote in municipal and regional elections if they meet residency requirements.
- Freedom of Speech, Press, and Expression – Sweden upholds strong press freedom, protected by the Freedom of the Press Act (1766), the world's first such law.
- Right to Public Information – The Principle of Public Access ensures that citizens can access most government records, reinforcing transparency.
- Access to Public Services – Citizens benefit from universal healthcare, free education, and a strong welfare system.
- Legal Protection and Human Rights – Sweden follows strong anti-discrimination laws and guarantees equal treatment before the law.

Responsibilities of Citizens

In addition to rights, Swedish citizens are expected to:

- Participate in democratic processes, such as voting and public debates.
- Contribute to the welfare system through taxes.
- Respect laws and uphold democratic values, including gender equality and environmental sustainability.



- Sweden's social contract emphasizes civic engagement and collective responsibility, ensuring that public administration remains efficient, accountable, and responsive.

Citizen Participation and Engagement in Public Administration

Sweden has one of the highest rates of citizen engagement in public administration, facilitated by transparent governance, open access to decision-making, and strong local government participation.

Key Avenues for Citizen Participation

1. Elections and Direct Democracy

- Swedish citizens participate in parliamentary (Riksdag), regional, and municipal elections.
- Referendums are occasionally held on important national issues, such as Sweden's EU membership (1994).

2. Public Consultations and Advisory Bodies

- The government regularly consults citizens and stakeholders through public hearings, advisory councils, and online feedback systems.
- The Council for the Future (Framtidsrådet) provides long-term policy recommendations based on citizen input.

3. Local Government and Decentralized Decision-Making

- Sweden follows a decentralized governance model, where municipalities and county councils handle local services, including healthcare, education, and infrastructure.
- Local citizen initiatives allow residents to propose policy changes to municipal councils.

4. Digital Engagement and E-Government

- Sweden is a global leader in e-government, where citizens access public services, provide feedback, and engage in decision-making via digital platforms.

- The My Pages (Mina Sidor) system provides citizens with digital access to government agencies.

5. Civil Society and Public Advocacy

- NGOs, unions, and grassroots movements play a key role in policy advocacy.
- Organizations like Transparency International Sweden and the Swedish Association of Local Authorities and Regions (SALAR) work to enhance governance accountability.

Sweden's citizen-centered public administration fosters a collaborative governance model, where citizens are actively involved in shaping policies and ensuring government responsiveness.

Strategies for Overcoming Challenges in Citizen-Centered Public Administration

Despite Sweden's strong citizen participation, challenges such as political disengagement, administrative complexity, and digital disparities remain. To address these issues, Sweden has adopted several strategies:

- Promote political education

- Open to public scrutiny

- Administration more responsive

- **Strengthening Public Trust and Political Engagement:** Initiatives to increase voter turnout, particularly among young people and marginalized communities. Programs that promote political education and civic awareness in schools.
- **Enhancing Transparency and Open Government Practices:** The Principle of Public Access (Offentlighetsprincipen) ensures that government decisions remain open to public scrutiny. Strong anti-corruption laws and whistleblower protections safeguard against administrative misconduct.
- **Encouraging Local Participation and Decentralized Governance:** Sweden's local governance model ensures that decision-making is close to the people, making administration more responsive. Participatory budgeting allows citizens to have a direct say in how local funds are spent.



- Automation enhances efficiency

- Expanding Digital Democracy and Bridging the Digital Divide: AI-driven public service automation enhances efficiency and accessibility. Initiatives to ensure equal digital access in rural and underprivileged communities.
- Strengthening Civil Society and Public Consultation Mechanisms: Citizen dialogue programs at national and local levels to gather input on major policies. Continuous efforts to reduce bureaucratic barriers to civic participation.

These strategies ensure that Sweden's public administration remains inclusive, participatory, and citizen-focused.

4.2.4 Citizen Participation and Public Administration in Japan

Japan has a unique blend of democratic governance, bureaucratic efficiency, and cultural influences that shape its public administration. While the government follows a parliamentary system, the bureaucracy plays a dominant role in policymaking and administration. Citizen participation in Japan has traditionally been indirect, with a strong reliance on political parties, elected representatives, and administrative agencies. However, in recent years, efforts have been made to increase public engagement through local governance, digital initiatives, and civil society activism.

Introduction to Citizenship and Their Rights

Japanese citizenship is governed by the Nationality Act, which grants citizenship based on jus sanguinis (right of blood) rather than birthright citizenship. Japan does not allow dual nationality, and foreigners must go through a strict naturalization process to become citizens. Japanese citizens enjoy extensive political, civil, and social rights. Still, there are also certain restrictions, such as limitations on free speech in cases of national security and the lack of strong legal protections for minority groups.

Fundamental Rights of Citizens

The Japanese Constitution (1947), particularly its Chapter III (Rights and Duties of the People), guarantees key rights, including:

- Right of blood

• Key rights

- Right to Vote and Political Participation – Japanese citizens over 18 can vote in the House of Representatives and House of Councillors elections.
- Freedom of Speech and Expression – Citizens can express opinions freely, though certain speech laws restrict criticism of the imperial family.
- Access to Public Information – Japan has freedom of information laws, but bureaucratic culture often limits transparency.
- Right to Public Services – Japan offers universal health-care, public education, and pension systems to its citizens.
- Legal Protection and Human Rights – The Constitution guarantees due process, equality under the law, and protection from discrimination, though enforcement is sometimes weak for minorities and women.

Responsibilities of Citizens

Japanese citizens are expected to:

- Obey laws and respect social order, reflecting Japan's culture of harmony (Wa).
- Pay taxes to support national infrastructure and social programs.
- Participate in civic activities, including voting and community service.
- Japan's citizen-government relationship is built on trust in bureaucracy, but recent efforts have focused on increasing direct citizen engagement in policymaking.

Citizen Participation and Engagement in Public Administration

Traditionally, Japan's governance system has been bureaucrat-driven, with limited direct citizen involvement. However, changes in technology, decentralization, and global influences have led to an increase in participatory governance.

Key Avenues for Citizen Participation

1. Elections and Representative Democracy



- Japan follows a parliamentary system, where citizens vote for representatives in the National Diet (Kokkai).
- Local elections allow participation in municipal and prefectural governance.
- Despite electoral opportunities, low voter turnout, especially among youth, remains a challenge.

2. Public Consultations and Advisory Councils

- The government conducts public hearings and advisory councils (Shingikai) to collect citizen feedback on policies.
- Ministries often consult with industry and professional associations rather than the general public.
-

3. Local Government and Community Engagement

- Japan follows a decentralized governance model, with 47 prefectures and over 1,700 municipalities handling local administration.
- Neighbourhood associations (Chonakai) and local councils play a major role in local governance.

4. Digital Engagement and E-Government

- Japan is improving e-government services, allowing citizens to access public services online.
- My Number (personal identification system) enables digital interactions with government agencies.
- However, digital participation is still underdeveloped compared to other developed nations.

5. Civil Society and Advocacy Movements

- Nonprofit organizations (NPOs) and social movements are increasingly active in areas such as environmental issues, disaster response, and human rights.
- Japan's civil society sector remains smaller than in Western democracies, with limited public protests and activism.
- While Japan's citizen engagement mechanisms are ex-

panding, cultural and structural barriers still limit direct participation in public administration.

Strategies for Overcoming Challenges in Citizen-Centred Public Administration

Despite a highly developed administrative system, Japan faces challenges such as low political engagement, bureaucratic dominance, and limited transparency. To address these issues, various reforms and strategies have been implemented.

- **Increasing Voter Participation and Political Awareness:** Programs encourage youth engagement in politics, including educational campaigns and social media outreach. Efforts to simplify voting procedures and allow early voting aim to increase turnout.
- **Enhancing Government Transparency and Open Data Initiatives:** The Information Disclosure Law (2001) allows citizens to access government records, though bureaucratic reluctance remains a hurdle. Digital transparency initiatives seek to improve public access to government reports and policy decisions.
- **Strengthening Local Governance and Decentralization:** Prefectural and municipal governments are encouraged to engage citizens in policy discussions through town hall meetings. Participatory budgeting and citizen-led urban planning projects are being tested in some areas.
- **Promoting Digital Government and E-Participation:** Expansion of online government services and AI-driven public administration. Digital inclusion programs to bridge the gap between the elderly and rural populations.
- **Encouraging Civil Society and Public Advocacy:** Reforms to ease bureaucratic restrictions on NPOs to enhance their role in governance. Increased public funding for advocacy groups and NGOs working on social issues.

These strategies reflect Japan's gradual shift toward a more citizen-centric public administration model, though challenges persist in ensuring broader public involvement.



Summarised Overview

This unit focused on the role of citizen participation and governance controls in public administration across different countries, including Japan, Sweden, the UK, and the US. We explored various mechanisms—legislative, executive, judicial, financial, and civil society controls—used to ensure accountability and efficiency in governance. While Sweden prioritizes decentralization and transparency, Japan relies on a bureaucratic-driven system with limited direct citizen engagement. The UK and the US emphasize parliamentary and civil society oversight. Despite these structural differences, common challenges such as political disengagement, administrative barriers, and the digital divide persist. Addressing these issues through policy reforms, digital governance, and enhanced public participation is crucial for strengthening citizen-centred administration globally.

Assignment Questions

1. Explain the various control mechanisms over public administration in Sweden, Japan, the UK, and the US. How do they differ in their approach to governance?
2. Discuss the role of citizen participation in public administration. How do different countries encourage or limit public engagement in policymaking?
3. What are the key challenges in implementing citizen-centered governance, and what strategies have been adopted by various countries to overcome them?
4. Compare the role of civil society in governance across Sweden, Japan, the UK, and the US. How does civil society influence public administration in each country?

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Suggested Reading

1. Robson W. (ed.) (1956) Civil Service in England and Sweden: Hograth
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UNIT 3

Machinery for Redressal of Citizen's Grievances

Learning Outcomes

Upon completion of this unit, the learner will be able to:

- understand the concept and significance of grievance redressal mechanisms in public administration
- compare the grievance redressal frameworks of the UK, US, Sweden, and Japan
- analyze the role of ombudsmen, administrative appeals, and judicial review in addressing citizen complaints
- identify key challenges in implementing effective grievance redressal systems across different governance models

Background

In any democratic society, citizen grievances against public administration are inevitable, arising from bureaucratic inefficiencies, unfair policies, or administrative misconduct. To address these concerns, grievance redressal mechanisms serve as essential tools for ensuring accountability, transparency, and citizen trust in governance. While some countries rely on ombudsman systems and judicial oversight, others emphasize administrative appeal processes, independent regulatory bodies, and public participation mechanisms. The effectiveness of these systems varies based on legal frameworks, institutional structures, and government responsiveness. A comparative analysis of the UK, US, Sweden, and Japan highlight both best practices and challenges, offering insights into how different governance models approach citizen complaints and ensure fair, efficient, and transparent public administration.

Keywords

Grievance Redressal, Ombudsman, Judicial Review, Citizen Accountability

Discussion

- Seek redress

- Mechanisms through which citizens can seek resolution

- Investigates complaints

- Complaints against government agencies

4.3.1 Machinery for Redressal of Citizens' Grievances in the UK

The UK has a well-established system for addressing citizens' grievances, ensuring that individuals can seek redress when they face administrative injustices, service failures, or government misconduct. Various institutions and mechanisms work together to provide a transparent, accountable, and efficient grievance redressal system, balancing legal, administrative, and public scrutiny.

Concept of Grievance Redressal

Grievance redressal refers to the mechanisms through which citizens can seek resolution when they experience unfair treatment, inefficiency, or maladministration by public authorities. In the UK, redress mechanisms include ombudsman services, tribunals, judicial review, and parliamentary oversight, ensuring that public bodies remain accountable and responsive to citizens' concerns. The system aims to provide quick, impartial, and effective remedies while upholding principles of fairness, transparency, and justice.

Key Grievance Redressal Mechanisms in the UK

1. The Parliamentary and Health Service Ombudsman (PHSO)

The PHSO investigates complaints about government departments, the National Health Service (NHS), and other public bodies. Citizens can approach the ombudsman if they have already exhausted internal complaint procedures within the concerned organization. The ombudsman provides an independent review and can recommend corrective actions, including compensation, apologies, or policy changes.

2. The Local Government and Social Care Ombudsman

For grievances related to local councils, social care services, and housing associations, citizens can turn to this ombudsman. It ensures that complaints about unfair treatment, administrative errors, or service failures in local governance are properly addressed.

3. The Independent Case Examiner (ICE)

ICE reviews complaints against government agencies like the Department for Work and Pensions (DWP). It serves as



an impartial mediator when internal complaint systems fail to resolve citizens' concerns.

4. Administrative Tribunals

- Resolving specific grievances

Tribunals provide a legal forum for resolving specific grievances related to taxation, immigration, employment, social security, and health services. They operate independently from government departments and ensure that administrative decisions are fair and just.

5. Judicial Review

- Whether an authority has acted lawfully

Citizens can challenge government decisions in court through judicial review, which examines whether an authority has acted lawfully. Courts do not reconsider policy decisions but ensure that public authorities act within their legal powers and follow due procedures.

6. Members of Parliament (MPs) and Constituency Services

MPs play a crucial role in grievance redressal by raising complaints in parliamentary debates, question sessions, or directly with government agencies on behalf of their constituents.

7. Regulatory Bodies and Public Service Regulators

- Ensure compliance with regulations

Institutions like the Financial Ombudsman Service, the Information Commissioner's Office, and Ofcom handle complaints related to financial services, data protection, and communications. These specialized bodies ensure compliance with regulations and uphold citizens' rights in their respective sectors.

Challenges of Implementing Effective Grievance Redressal Mechanisms

1. Complexity and Bureaucratic Delays

- Multiple steps

Many grievance redressal processes involve multiple steps, requiring citizens to first exhaust internal complaints before seeking external review. This can result in delays, excessive paperwork, and frustration for complainants.

2. Limited Awareness and Accessibility

- Unaware of their rights

Despite having well-structured redress mechanisms, many citizens are unaware of their rights and the available channels for filing complaints. Language barriers, digital literacy issues,

and lack of legal knowledge can further prevent individuals from accessing these services effectively.

3. Resource Constraints and Backlogs

- Delays in resolution

Ombudsman offices and tribunals often deal with high caseloads and limited resources, leading to delays in resolution. This backlog can undermine the effectiveness of redress mechanisms and reduce public trust in the system.

4. Government Compliance and Enforcement Issues

- Not always legally binding

Although ombudsman recommendations are influential, they are not always legally binding. Public authorities may delay or resist implementing suggested remedies, limiting the effectiveness of grievance redressal.

5. Digital Exclusion and Vulnerable Groups

- Limited internet access

With an increasing reliance on online complaint systems and digital services, individuals with limited internet access, particularly elderly citizens, low-income groups, and people with disabilities, may struggle to seek redress. Ensuring inclusive, offline alternatives remains a challenge.

6. Political and Institutional Limitations

Certain complaints, especially those involving high-level government decisions or politically sensitive matters, may not receive a fair hearing due to political influences. The judiciary provides oversight, but legal challenges are often expensive and time-consuming.

The UK's grievance redressal system is well-developed, independent, and diverse, offering multiple channels for citizens to seek remedies against maladministration. While institutions like ombudsmen, tribunals, and judicial review provide crucial checks on public authorities, challenges such as bureaucratic delays, lack of awareness, and compliance issues persist. Strengthening accessibility, enforcement mechanisms, and digital inclusion will be essential for ensuring a more responsive and citizen-friendly grievance redressal system.

4.3.2 Machinery for Redressal of Citizens' Grievances in the US

The United States has a comprehensive system for addressing citizens' grievances, ensuring that individuals can seek



- Political influences

redress for government misconduct, administrative failures, and violations of rights. Grievance redressal mechanisms in the US operate through federal agencies, congressional oversight, independent watchdogs, and the judiciary, ensuring transparency and accountability in governance.

Concept of Grievance Redressal

Grievance redressal in the US refers to the mechanisms available to citizens for resolving complaints against government agencies and officials. These mechanisms aim to ensure that public services are fair, efficient, and accountable. The system includes ombudsman services, administrative appeals, congressional intervention, and judicial review, allowing individuals to challenge bureaucratic decisions and seek remedies for unfair treatment.

Key Grievance Redressal Mechanisms in the US

1. The Office of the Inspector General (OIG)

- Operate independently

Each federal agency has an Inspector General (IG) responsible for investigating complaints related to fraud, waste, abuse, and mismanagement within the government. IGs operate independently and report their findings to Congress, ensuring oversight and accountability.

2. The Office of Special Counsel (OSC)

- Whistleblower protection

The OSC is an independent agency that handles complaints related to whistleblower protection, prohibited personnel practices, and political interference in government agencies. Federal employees can file complaints against agencies that violate ethical and legal standards.

3. Administrative Appeals within Federal Agencies

- Citizens can challenge decisions

Many government agencies, such as the Social Security Administration (SSA), Internal Revenue Service (IRS), and Department of Veterans Affairs (VA), have internal appeals processes where citizens can challenge decisions affecting their benefits, taxes, or services.

4. Congressional Oversight and Constituent Services

Members of Congress assist constituents in resolving disputes with federal agencies. Senators and Representatives can intervene on behalf of citizens, raise complaints during congressional hearings, or push for policy changes to address systemic issues.

5. Administrative Tribunals and Review Boards

The US has various quasi-judicial bodies that review grievances, such as:

The Merit Systems Protection Board (MSPB) – Handles disputes related to federal employment.

The Board of Veterans' Appeals (BVA) – Reviews veterans' claims against the Department of Veterans Affairs.

- The Equal Employment Opportunity Commission (EEOC) – Investigates workplace discrimination cases.

6. The Government Accountability Office (GAO)

The GAO is an independent agency that conducts audits and investigations into government operations. It provides recommendations to Congress on improving efficiency, reducing waste, and ensuring accountability. Citizens can report concerns about government mismanagement to the GAO.

- Conducts audits and investigations

7. Judicial Review and the Court System

Citizens can challenge government decisions in federal courts, including district courts, appellate courts, and ultimately the Supreme Court. Judicial review ensures that government actions comply with the US Constitution and federal laws.

- Comply with the US Constitution

8. The Freedom of Information Act (FOIA) and Public Transparency

The FOIA allows citizens to request access to government records, promoting transparency and accountability. If agencies deny or delay providing information, individuals can file complaints and seek legal remedies.

Challenges of Implementing Effective Grievance Redressal Mechanisms

1. Bureaucratic Complexity and Delays

Government agencies have lengthy, complex complaint procedures, often requiring multiple levels of appeals. This can discourage citizens from pursuing their grievances due to time-consuming processes and administrative hurdles.

- Complex complaint procedures

2. Lack of Public Awareness and Accessibility

Many citizens are unaware of their rights and the available redressal mechanisms. Additionally, marginalized groups,

- Unaware of their rights



including immigrants, low-income individuals, and rural populations, face barriers to accessing grievance procedures.

3. Political Influence and Partisan Oversight

- Political influences

While oversight bodies such as Congress and the GAO investigate government misconduct, political influences can affect the objectivity and effectiveness of investigations. Partisan divisions may also delay or block grievance resolution efforts.

4. Overburdened Agencies and Resource Constraints

- High caseloads

Organizations such as the EEOC, VA appeals board, and administrative tribunals often face high caseloads, resulting in backlogs and delayed resolutions. Limited funding and staffing further hinder their ability to address grievances effectively.

5. Whistleblower Retaliation and Protection Gaps

- Enforcing protection and ensuring a safe environment

Despite whistleblower protection laws, government employees who expose corruption or misconduct often face retaliation. Enforcing protections and ensuring a safe environment for whistleblowers remains a challenge.

Digital Divide and Access to E-Government Services

With many grievance redressal systems shifting to online platforms, individuals without reliable internet access, particularly elderly citizens and those in rural areas, struggle to file complaints or track their cases.

The US has a robust and multi-layered grievance redressal system that ensures government accountability through independent watchdogs, congressional oversight, administrative tribunals, and judicial review. However, challenges such as bureaucratic delays, limited public awareness, political influences, and resource constraints continue to impact the system's effectiveness. Strengthening citizen engagement, improving agency responsiveness, and enhancing whistleblower protections will be crucial for ensuring a more accessible and efficient grievance redressal framework in the future.

4.3.3 Machinery for Redressal of Citizens' Grievances in Sweden

Sweden is known for its strong commitment to transparency, accountability, and citizen participation in governance.

The country has a well-developed grievance redressal system that ensures citizens can challenge administrative decisions, report misconduct, and seek justice. The mechanisms include the Parliamentary Ombudsman, administrative courts, public complaints procedures, and regulatory agencies, all designed to uphold fairness and efficiency in public administration.

Concept of Grievance Redressal

Grievance redressal in Sweden refers to the mechanisms through which citizens can raise concerns regarding maladministration, inefficiency, or unfair treatment by public authorities. The Swedish system is built on the principles of openness, decentralization, and legal accountability, ensuring that individuals have multiple avenues to question, appeal, and rectify government decisions. Citizens can file complaints through ombudsman offices, administrative courts, or government agencies, ensuring a transparent and independent review of their grievances.

Key Grievance Redressal Mechanisms in Sweden

1. The Parliamentary Ombudsman (JO – Justitieombudsmannen)

The Parliamentary Ombudsman, established in 1809, is one of Sweden's most powerful and independent grievance redressal bodies. Citizens can file complaints against government agencies, local authorities, and public officials, and the Ombudsman investigates cases of misconduct, abuse of power, or legal violations. The Ombudsman has the authority to issue recommendations, demand corrective actions, and refer serious cases for prosecution.

- Investigates cases

2. The Chancellor of Justice (JK – Justitiekanslern)

The Chancellor of Justice serves as the government's legal advisor and is responsible for handling complaints regarding state agencies and public authorities. Unlike the Parliamentary Ombudsman, who is appointed by Parliament, the Chancellor of Justice is appointed by the government. The office reviews claims for damages caused by government actions and ensures compliance with legal and administrative regulations.

- Government's legal advisor

3. Administrative Courts and Judicial Review

Sweden has a specialized administrative court system that allows citizens to challenge government decisions. These



- Legal remedies for disputes

courts provide legal remedies for disputes related to taxation, social benefits, immigration, and municipal administration. The courts ensure that public authorities act within the law and respect citizens' rights.

4. Public Access to Information and Transparency Laws

- Right to access

Sweden has some of the world's most progressive freedom of information laws. Under the Principle of Public Access (Offentlighetsprincipen), citizens have the right to access government records, documents, and official communications. This principle enhances transparency and enables citizens to scrutinize government actions, file complaints, and demand accountability.

5. Municipal Complaint Mechanisms

- Complaint-handling procedures

Sweden follows a decentralized governance model, meaning that local municipalities have their own complaint-handling procedures. Citizens can appeal municipal decisions, report service failures, and file complaints about local governance. Many municipalities have established local ombudsmen or complaint offices to handle issues efficiently.

6. The Discrimination Ombudsman (DO – Diskrimineringsombudsmannen)

- Specialized agency

The Discrimination Ombudsman is a specialized agency that handles complaints related to discrimination in employment, education, healthcare, and public services. It ensures that citizens' grievances regarding racism, gender bias, disability rights, and workplace discrimination are addressed effectively.

7. Consumer Complaints and Regulatory Authorities

Various independent agencies handle sector-specific grievances, such as:

- The Swedish Consumer Agency (Konsumentverket) – Resolves disputes related to consumer rights.
- The Health and Social Care Inspectorate (IVO) – Handles complaints about healthcare and elder care services.
- The Financial Supervisory Authority (Finansinspektionen) – Regulates and oversees financial institutions

and insurance companies.

Challenges of Implementing Effective Grievance Redressal Mechanisms

1. Bureaucratic Processes and Delays

Although Sweden has an efficient administrative system, some grievance redressal mechanisms involve lengthy procedures, especially in administrative courts and regulatory agencies. Backlogs and complex legal processes can delay justice for complainants.

- Lengthy procedures

2. Limited Public Awareness and Legal Complexity

Many citizens are unaware of their rights or find it difficult to navigate the complex administrative and legal frameworks for filing complaints. Legal aid services are available, but they may not always be easily accessible to all.

- Not always be easily accessible

3. Municipal Variations in Complaint Handling

Since Sweden follows a decentralized governance structure, the quality and efficiency of grievance redressal mechanisms vary across municipalities. Some local governments may have strong, citizen-friendly mechanisms, while others may struggle with resource constraints and inefficiencies.

- Vary across municipalities

4. Compliance with Ombudsman Recommendations

Although the Parliamentary Ombudsman and the Chancellor of Justice issue recommendations, these are not legally binding. Some public authorities delay or fail to implement suggested reforms, reducing the effectiveness of grievance redressal.

- Not legally binding

5. Digital Divide and Access to E-Government Services

Sweden is highly digitalized, and many grievance redressal mechanisms operate online. While this enhances efficiency, it can exclude elderly citizens, individuals with disabilities, and those unfamiliar with digital platforms from accessing complaint services.

6. Ensuring Accountability in Private Service Providers

With the increasing privatization of public services (such as education, healthcare, and transport), grievances related to private service providers are sometimes harder to resolve



- Increasing privatization

through traditional government mechanisms. Regulatory agencies play a role, but enforcement can be challenging.

Sweden's grievance redressal system is one of the most transparent, independent, and citizen-friendly in the world. Mechanisms such as the Parliamentary Ombudsman, administrative courts, local complaint offices, and regulatory agencies ensure that citizens can hold public authorities accountable. However, challenges such as bureaucratic delays, municipal variations, and limited public awareness persist. Strengthening citizen education, digital accessibility, and compliance with ombudsman recommendations will be crucial for further enhancing Sweden's grievance redressal framework.

4.3.4 Machinery for Redressal of Citizens' Grievances in Japan

Japan has a well-structured grievance redressal system that ensures citizens can seek justice against administrative misconduct, bureaucratic inefficiencies, and unfair treatment. The system is built on legal mechanisms, administrative tribunals, ombudsman offices, and independent commissions, allowing individuals to challenge government actions and demand accountability. The core institutions include the Administrative Evaluation Bureau, the judiciary, local government complaint mechanisms, and sector-specific regulatory agencies.

Concept of Grievance Redressal

Grievance redressal in Japan refers to the formal and informal mechanisms available to citizens to resolve complaints against public administration and government bodies. The system emphasizes efficiency, legal compliance, and citizen participation, ensuring that individuals have multiple channels to report grievances, seek resolution, and demand administrative reforms. Key actors in this system include ombudsman offices, administrative complaint-handling bodies, the court system, and local government agencies.

Key Grievance Redressal Mechanisms in Japan

1. The Administrative Evaluation Bureau (AEB)

The Administrative Evaluation Bureau (AEB), under the Ministry of Internal Affairs and Communications (MIC), is Japan's primary grievance-handling agency. Citizens can file complaints about government inefficiencies, policy

- Primary grievance-handling agency

implementation failures, and bureaucratic misconduct. The AEB conducts administrative reviews, evaluates governance quality, and suggests reforms to improve public service delivery.

2. The Administrative Appeal System

- Challenge decisions

Citizens dissatisfied with government decisions can file appeals under the Administrative Complaint Review Act. This system allows individuals to challenge decisions related to social security benefits, taxation, immigration, and public service delivery. Ministries and local governments have internal complaint-handling departments that conduct investigations and review grievances.

3. The Judiciary and Judicial Review

Japan's court system provides a legal avenue for citizens to challenge government actions. The system consists of:

District Courts – Handle civil cases, including administrative grievances.

High Courts – Review appeals against lower court rulings.

- The Supreme Court of Japan – Has the power of judicial review, ensuring that government policies and actions comply with the Constitution and administrative laws.

4. The Local Ombudsman System

- Independent watchdogs

Several municipalities and prefectures in Japan have established ombudsman offices to handle complaints related to local governance, public service delivery, and administrative mismanagement. These ombudsmen act as independent watchdogs, ensuring fairness, efficiency, and transparency in local government affairs.

5. The Board of Audit of Japan

- Investigates financial mismanagement

The Board of Audit is an independent institution that investigates financial mismanagement, wasteful public spending, and irregularities in government accounts. Citizens can report concerns about corruption and misuse of public funds, prompting audits and corrective actions.

6. The National Consumer Affairs Center (NCAC)

For consumer-related grievances, Japan has the National Consumer Affairs Center (NCAC) and local consumer complaint centers. These bodies handle complaints related



to fraudulent business practices, misleading advertisements, defective products, and unfair trade practices.

7. The Personal Information Protection Commission (PIPC)

With the rise of digital governance, the Personal Information Protection Commission (PIPC) handles grievances related to privacy violations, data breaches, and misuse of personal information by government or private entities.

8. The Dispute Resolution System in Public Services

Japan has specialized grievance redressal mechanisms for various public services, including:

- The Social Insurance Agency – Handles complaints regarding health insurance, pensions, and social security benefits.
- The Immigration Services Agency – Resolves disputes related to visa applications, deportation, and refugee status.
- The Labour Relations Commission – Investigates complaints of workplace discrimination, unfair dismissals, and labour rights violations.

Challenges of Implementing Effective Grievance Redressal Mechanisms

1. Bureaucratic Formalities and Slow Resolution

Despite having structured grievance redressal mechanisms, bureaucratic delays and complex administrative procedures often hinder timely resolutions. Many complaints require extensive documentation and multiple levels of approval, discouraging citizens from pursuing grievances.

- Extensive documentation

2. Limited Awareness Among Citizens

Many Japanese citizens are unaware of their rights and the procedures to file complaints. Although government agencies provide information, accessibility barriers, particularly for the elderly and non-Japanese residents, persist.

- Unaware of their rights

3. Dependence on Internal Administrative Review

Most grievances are handled within the same administrative departments that issued the original decision, leading to concerns about a lack of independence and impartiality. This

- Same administrative departments

self-regulation approach reduces public trust in the grievance-handling process.

4. Weak Enforcement of Ombudsman Recommendations

- Ignore or delay implementation

While the local ombudsman system plays a vital role, its recommendations are not legally binding. Government agencies may choose to ignore or delay implementation, limiting the ombudsman's effectiveness.

5. Digital Exclusion and E-Government Challenges

- Difficulties in accessing these services

Japan has increasingly shifted grievance redressal mechanisms to online platforms, but elderly citizens and those unfamiliar with digital processes face difficulties in accessing these services. Ensuring inclusive digital governance remains a challenge.

6. Increasing Public Distrust in Government Institutions

- Erosion in public confidence

Recent cases of corruption, bureaucratic inefficiency, and lack of transparency have eroded public confidence in grievance redressal mechanisms. Strengthening accountability, whistleblower protections, and independent oversight is necessary to restore trust.

Japan's grievance redressal system is comprehensive and well-structured, with mechanisms such as the Administrative Evaluation Bureau, judicial review, ombudsman offices, and sector-specific regulatory agencies ensuring that citizens can challenge government actions. However, challenges such as bureaucratic formalities, limited public awareness, weak enforcement of ombudsman recommendations, and digital exclusion hinder effectiveness. Strengthening citizen education, ensuring impartial administrative reviews, and enhancing the enforcement of grievance resolutions will be crucial in making Japan's grievance redressal system more accessible and efficient.

4.2.5 A Comparative Analysis

Aspect	UK	US	Sweden	Japan
Primary Grievance Redressal Body	Parliamentary and Health Service Ombudsman (PHSO), Local Government Ombudsman	Administrative Procedure Act (APA), Office of Inspector General (OIG), Congressional Committees	Parliamentary Ombudsman (JO), Chancellor of Justice (JK)	Administrative Evaluation Bureau (AEB), Local Ombudsman System

Legal Framework	Administrative Justice System, Ombudsman Act, Freedom of Information Act	Administrative Procedure Act (APA), Freedom of Information Act (FOIA)	Principle of Public Access (Offentlighetssprincipen), Administrative Procedure Act	Administrative Complaint Review Act, Public Records and Privacy Protection Laws
Role of Judiciary	Judicial review ensures compliance with administrative law	Judicial review by federal courts, Supreme Court oversight	Specialized Administrative Courts handle appeals against government decisions	Judicial review by District Courts, High Courts, and the Supreme Court
Local Government Redressal	Local government ombudsmen handle complaints related to councils and public services	State-level complaint mechanisms, independent ethics commissions	Municipal complaint-handling mechanisms and local ombudsmen	Prefectural and municipal ombudsmen handle local governance complaints
Ombudsman System	Strong national and local ombudsman system with investigative powers	Inspectors General at federal and state levels; not a centralized ombudsman system	Independent Parliamentary Ombudsman and specialized ombudsmen	Municipal-level ombudsmen with limited enforcement power
Citizen Participation Mechanisms	Public inquiries, petition system, advisory committees	Public hearings, petitions, direct appeals to lawmakers	Public access to government records, citizen feedback mechanisms	Citizens can file complaints with regulatory agencies, consumer protection boards
Transparency Laws	Freedom of Information Act (FOIA) allows citizens to access government documents	FOIA mandates disclosure of federal agency records	Strongest transparency laws under the Principle of Public Access	Strict data protection laws, but selective public access to information
Sector-Specific Redressal	Regulators like Financial Ombudsman Service (FOS), Information Commissioner's Office (ICO)	Federal Trade Commission (FTC), and Consumer Financial Protection Bureau (CFPB) handle consumer grievances	Discrimination Ombudsman (DO), Consumer Agency (Konsumentverket)	National Consumer Affairs Center (NCAC), Labor Relations Commission
Challenges	Bureaucratic delays, limited enforcement of ombudsman recommendations	Fragmented system, political interference in investigations	Variation in municipal handling, non-binding ombudsman recommendations	Slow resolution, complex bureaucracy, the digital divide in accessing services

Summarised Overview

Grievance redressal mechanisms are essential for ensuring accountability, transparency, and fairness in public administration. Countries like the UK, the US, Sweden, and Japan have developed diverse approaches, including ombudsman offices, judicial review, administrative appeal systems, and independent regulatory bodies to address citizen complaints. While the UK and Sweden have strong ombudsman systems, the US relies on federal oversight and inspector generals, and Japan integrates bureaucratic review with judicial intervention. Despite these frameworks, common challenges such as bureaucratic delays, political interference, and limited enforcement of ombudsman recommendations persist. Strengthening citizen awareness, institutional independence, and digital accessibility is crucial for making grievance redressal more efficient and responsive across different governance models.

Assignment Questions

1. Explain the significance of grievance redressal mechanisms in public administration and their role in ensuring accountability.
2. Compare and contrast the grievance redressal frameworks of the UK, US, Sweden, and Japan, highlighting their key features.
3. Discuss the role of ombudsmen, judicial review, and administrative appeals in addressing citizen grievances in different governance systems.
4. Identify the major challenges in implementing effective grievance redressal mechanisms and suggest possible solutions to improve their effectiveness.

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SECOND SEMESTER MA PUBLIC ADMINISTRATION EXAMINATION
M23PA07DC: COMPARATIVE PUBLIC ADMINISTRATION -Set-1
(CBCS - PG) 2023-24 - Admission Onwards)

Time: 3 Hours

Max Marks: 70

Section A

Answer any ten of the following questions in one word or sentence. (10×1= 10)

1. Who coined the term 'nomothetic studies' in Comparative Public Administration?
2. Which approach in CPA emphasizes "what ought to be" rather than what exists?
3. What major global event triggered concerns about applying Western administrative models to non-Western nations?
4. Name the 1952 event that Nimrod Raphaeli associates with the roots of Comparative Public Administration.
5. What type of comparative study involves analyzing administrative systems across different time periods?
6. Which country has a flexible, unwritten constitution?
7. What is the principle called where the UK Parliament can make or unmake any law?
8. Which U.S. institution has the power to declare laws unconstitutional?
9. How many terms can a U.S. President serve according to the 22nd Amendment?
10. What voting mechanism actually selects the U.S. President?
11. What is the lowest tier of local government in the UK?
12. Which U.S. local government form is characterized by direct citizen involvement in decision-making?
13. What are the two tiers of local government in Japan called?
14. Which UK parliamentary mechanism allows MPs to question the Prime Minister directly?
15. What landmark U.S. case established the principle of judicial review?



Section B

Answer any five of the following questions in one or two sentences. (5×2=10)

16. Explain how Fred W. Riggs contributed to the evolution of Comparative Public Administration.
17. Describe the significance of the ecological approach in Comparative Public Administration.
18. How does the flexibility of the British Constitution impact governance in the UK?
19. Compare the parliamentary system of Great Britain with the presidential system of the United States.
20. What are the key features of local government in Sweden that reflect its democratic traditions?
21. How does decentralization function in the local government system of Japan?
22. What role do Select Committees play in ensuring accountability in the UK's parliamentary system?
23. Explain the concept of "checks and balances" in the U.S. system of administration.
24. How does the role of the Vice President in the U.S. support the functioning of executive governance?
25. What mechanisms ensure financial accountability in public administration in the United Kingdom?

Section C

Answer any five of the following questions in one paragraph. (5×4=20)

26. Discuss the origin and development of Comparative Public Administration (CPA), highlighting the role of cultural and political diversity in its emergence.
27. Explain the different types of comparative studies (cross-institutional, cross-national, intra-national, etc.) used in CPA and their significance.
28. Compare the executive structures and functions of the United Kingdom and the United States, focusing on the relationship between the executive and the legislature.
29. Analyze how the principles of parliamentary sovereignty and the rule of law coexist within the British constitutional framework.
30. Describe the structure and functioning of local government in the United States, emphasizing its decentralized nature and key components.
31. Examine the role of judicial control in the UK's administrative system, including tools like judicial review and the Human Rights Act.
32. Compare the control mechanisms over public administration in Sweden and Japan, focusing on the role of civil society and formal institutions.

33. Assess the role of civil service in policy implementation in the UK and explain how it maintains neutrality despite political changes

Section D

Answer any three of the following questions in 300 words. (3×10 = 30)

34. Critically examine the significance of Comparative Public Administration in understanding global administrative systems. How does CPA help in designing context-specific reforms?
35. Compare and contrast the constitutional frameworks of the United Kingdom and the United States. How do their differences shape the structure and functioning of their administrative systems?
36. Discuss the role and significance of local government in democratic governance, using examples from any two countries studied (e.g., UK, USA, Japan, or Sweden).
37. Explain the various approaches used in Comparative Public Administration, such as normative, empirical, ecological, and nomothetic approaches. How do these contribute to the evolution of the discipline?
38. Analyze the mechanisms of legislative, judicial, and executive control over administration in the United Kingdom. How do they collectively ensure accountability and transparency?
39. Evaluate the role of civil society, media, and independent bodies in controlling public administration in modern democratic states. Use illustrations from at least two countries.



SREENARAYANAGURU OPEN UNIVERSITY

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SECOND SEMESTER MA PUBLIC ADMINISTRATION EXAMINATION
M23PA07DC: COMPARATIVE PUBLIC ADMINISTRATION -Set-2
(CBCS - PG) 2023-24 - Admission Onwards)

Time: 3 Hours

Max Marks: 70

Section A

Answer any ten of the following questions in one word or sentence. (10×1= 10)

1. What does “cross-national but intra-cultural” comparison mean in CPA?
2. Name one key factor that led to the rise of Comparative Public Administration after World War II.
3. Who described the British Constitution as a “blend of formal law, precedent, and tradition”?
4. In the UK, which body provides financial oversight based on reports from the National Audit Office?
5. What are “Royal Prerogative Powers” in the context of the UK executive?
6. Which amendment to the U.S. Constitution limits the President to two terms?
7. What is the function of the Prime Minister’s Questions (PMQs) in the UK Parliament?
8. Which country practices a system of “town meetings” as a form of direct democracy?
9. Name a way local governments in Sweden promote citizen participation.
10. What is the function of the Congressional Budget Office (CBO) in the U.S.?
11. What is meant by the term “ceremonial counties” in the UK?
12. How is the Japanese Emperor’s role defined under Japan’s post-war constitution?
13. Which body in the U.S. judiciary can review executive orders for constitutionality?
14. Name one source of revenue for UK local governments besides council taxes.
15. What is the purpose of the Freedom of Information Act 2000 in the UK?

Section B

Answer any five of the following questions in one or two sentences. (5×2=10)

16. How does the ecological approach differ from the non-ecological approach in CPA?

17. Briefly describe the role of the Cabinet in the UK's executive structure.
18. How does the U.S. system ensure judicial independence in reviewing administrative actions?
19. What is the function of Japan's prefectural governments under its two-tier system?
20. How do civil servants maintain neutrality in the UK?
21. How does the U.S. Constitution ensure a separation of powers among the branches of government?
22. Explain how the UK's parliamentary government differs from the U.S. presidential system in terms of executive-legislative relations.
23. What distinguishes Sweden's model of local self-governance from those of other countries?
24. How do parliamentary select committees in the UK influence administrative reform?
25. What role does the Vice President play in the U.S. Senate?

Section C

Answer any five of the following questions in one paragraph. (5×4=20)

26. Discuss the impact of globalization on the development of Comparative Public Administration.
27. How does the U.S. practice of "checks and balances" operate in controlling executive actions?
28. Describe the administrative roles of local governments in Japan and how they interact with the central government.
29. Compare the structure and role of the judiciary in the UK and the US with respect to administrative accountability.
30. Explain the significance of the Administrative Procedure Act (APA) of 1946 in the U.S. administrative system.
31. How do single-tier and two-tier local governments function differently in England?
32. Describe how financial controls ensure responsible governance in public administration across democratic states.
33. Analyze the importance of cultural context in determining the success or failure of administrative models in CPA.

Section D

Answer any three of the following questions in 300 words. (3×10 = 30)

34. Examine the inter-disciplinary nature of Comparative Public Administration and its role in shaping governance in developing countries.



35. Compare the executive control mechanisms over public administration in Japan and the United States.
36. Discuss the role of administrative accountability in democratic governance with reference to legislative and judicial control mechanisms.
37. Compare the functioning of local governments in the United States and Sweden. How do they contribute to participatory democracy?
38. Analyze the advantages and limitations of cross-national comparisons in public administration.
39. Critically evaluate the role of financial and civil society oversight in strengthening transparency in governance systems.

സർവ്വകലാശാലാഗീതം

വിദ്യാൽ സ്വതന്ത്രരാകണം
വിശ്വപൗരരായി മാറണം
ശ്രദ്ധപ്രസാദമായ് വിളങ്ങണം
ഗുരുപ്രകാശമേ നയിക്കണേ

കുതിരുട്ടിൽ നിന്നു ഞങ്ങളെ
സൂര്യവീഥിയിൽ തെളിക്കണം
സ്നേഹദീപ്തിയായ് വിളങ്ങണം
നീതിവൈജയന്തി പറണം

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ബോധരശ്മിയിൽ തിളങ്ങുവാൻ
ജ്ഞാനകേന്ദ്രമേ ജ്വലിക്കണേ

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NO TO DRUGS തിരിച്ചിറങ്ങാൻ പ്രയാസമാണ്



COMPARATIVE PUBLIC ADMINISTRATION

COURSE CODE: M23PA07DC



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