



Limits and Guarantees of the Power in Public Administration of Republic of Bulgaria

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Abstract: The power is a propulsion in public administration. They call it the management in dynamics. It is inherent to the management bodies. They give it under the power of Law. It is well known the ascertain that the best of all powers is the invisible power. But invisible doesn't mean infinite. The imaginer sense of the notion power implies when using the public administration of Republic of Bulgaria to be supplied with certain parameters: Limits and guarantees, to prevent misuse and reducing asymmetry at administering.

The limits are given according to the form and functions of the authoritative organ, while the guarantees are set in the fundament of state governing.

Keywords: power, public administration, limits of power, guarantees.

JEL: H83; K23; O15

I. INTRODUCTION

Power in state institutions and in particular the state administration of the Republic of Bulgaria is a variety of public authority.

Like every power it corresponds to determinants of the power and it is given under certain competences in precisely determined quantities and quality [1].

Independently of variety of the activity they perform, the form and functions they are imposed to, the authorities in the state administration of Republic of Bulgaria possess common parameters in regard to the power. This understanding is accepted by many authors, who are investigating the management – M. Andreeva and public administration – E. Kandeveva, N. Arabadzhiiski and it is in unison with the system approach in the research of the power.

The purpose of the power is to provide order, orderliness, safety of the public, defense of its basic rights and freedoms. It is an important moment for the power in general and in that type in particular of state administration is the human being with its personal and public characteristics, which predetermines the ways and forms of forcing the power.

II. THESIS

The dynamics of time, increasing and expanding of public requirements in the face of State imply setting precise and clear parameters of the government authorities in the country. Without clear vision from where to where is it possible to operate how much and in which way, the functions of the state apparatus would be infringed. For needs of the present research we will separate the parameters into two groups: limits of power and guarantees of power.

The sense of limits is not to restrict, but imposing of precise and clear rules in regard of work in administration. The conditional power, the power of knowledge implies higher requirements to the figure of traditional administrator. The dynamics of our time, complicated processes, which should be covered by service require maximum specificity in regard to what, where, when and who can order to do certain activity. The limits of the power can be differentiated into four components [2]:

1. Objective – these are topics, matter that the subject of the power is competent for. They are comprehensively exposed in a number of normative documents, regulations and provisions. The authority can take a position on these issues only.

2. Territorial – this is the place, territory, system in the frame of which the subject has power. It can be the country territory, village, town the working structure, directorate, department.

3. Time – this is the period of time as astronomical characteristic, when it is possible and it should be taken a position by the subject of the power. The time is crucial as in administration they work with deadlines. Certain action has sense only for certain period. Before that period has come we cant require while after its exhausting we fall into delay.

4. Subjective – this is an option for a specific person, who is a bearer of power to influence the behavior of other specific parson in order to fulfill certain activities, that are under his/her competency.

If the power is within these limits it is legitimate, it is structured in such a way that it provides effective performance. The state administration in Republic of Bulgaria is closed organization system. As such every subject withinhas the power according to his/her position in the hierarchy. That view is shared by I. Stoyanov, who claims that in order to make use of the full power one has to occupy a certain level in the organizational hierarchy [4].

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The limits of power are an essential element in the work of state administration in Republic of Bulgaria. Removal of these limits would violate the norms of public order and safety in the country, will lead to chaos in social and economic life of the country.

Besides limits in order to provide precise and correct use of the power it is needed to put guarantees. These guarantees can be external, directed to the citizen and internal, that concerns relations within the organizational structure. Because of the significance of the processes, which are going into the administration here the internal guarantees of the power will be examined.

The guarantees are included in state structure and the form of government, which is political in its nature and it is integral part of administrative apparatus. The fundamentals of guarantees are put in the Constitution and in the Law of government administration. This view is shared by N. Arabadzhiski, E. Kandeва.

For the purpose of the research we can divide them conditionally in the following groups [3]:

1. Material guarantees – here we count laws, instructions, regulations and all type of normative documents and institutions that arrange the activities, rights, working mode. These guarantees are put in the base of the power, without them no process nor organizational guarantees would exist. They are the beginning of the process of practicing power.

2. Process guarantees – this is the order, the way, the stages, the steps to impose power and decisions. It is related to principals of publicity, openness, and availability. They are natural continuation of material guarantees and transition to the organizational guarantees.

3. Organizational guarantees – the way of determining and giving competences to every authority.

They are related to responsibility, coordination, subordination in administering.

Being divided in such way the groups are characterized with conventionality. It depends on the topic, the place, the time, the subject who want to impose it and use it what is the type of guarantee - material, process or organizational. One could not say here is the process, here is the organizational guarantee.

The limits and guarantees of the power are in direct, causative and indirect, mediated relationship. Direct is the relation limit- guarantee. The sense, the background here is defense providing of the specific power limit. Without guarantee the limits will be notions deprived of content and core. The guarantee are those which give stability, the cause and the effect in working process. In such a way they can be determined, as limits in dynamics. We can have certain limits in any area, but would there is no guarantees for their keeping, they make pointless. State administration in Republic of Bulgaria is the place where the power of the State is realized and its appropriate use is crucial. Indirect, intermediate relation is imposed by the relation guarantees- limits. Every limit serves as guarantee of the power. To say it in this way the limit is visible, determinable specific one, which serves to provide

guarantee – pledge, value we want to provide – in this case order, safety, calmness, a legal system, public interests in the state.

III. CONCLUSION

We can say in general, that in order to keep the limits of power in the government administration of Republic of Bulgaria there is a need of guarantees that are adequate to the situation. Each of the cited groups of guarantees has its own role and place in the four of the numbered limits.

A synopsis is done in the paper state administration the in the paper of Republic of Bulgaria

- limits and guarantees of the power in the state administration of Republic of Bulgaria.

- the relation between limits and guarantees is investigated in Republic of Bulgaria.

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