



## The Relationship between Public Administration and Public Service

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**Abstract.** Along with the change in infrastructure, there are economic and sociocultural issues, etc., which have a significant impact on issues related to the superstructure, which is typically the role of The state that has gradually moved from public management to public administration. A small change in terminology but a big change in terms of academics and research because it is associated with the state's public administration function, which is the responsibility to provide legal frameworks to regulate and maintain public order. society and fine customs. In addition, the state develops an appropriate mechanism to properly allocate resources by providing appropriate public services to sectors and fields and plays the role of protecting the legitimate rights and interests of the public. people when violated with the accompanying mechanism. Public governance goes hand in hand with the principles of governance that form the basis for keeping up with society's requirements for the public service that the governance model provides.

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### 1. 1. Public Administration and Governance Principles

The term " Public Governance " or " Government " has only been used since the 1990s, associated with implementing public sector reforms in countries and regions. implementing a new public management model with many changes in the concept of state management. According to Huther and Shah, public governance is exercising power through formal or informal institutions to manage all resources assigned to the state (Huther & Shah, 1996). Kaufmann defines public governance as the traditions and institutions that exercise power in a country, including (i) How to choose the country's leaders, how to supervise them, and when to replace them Star; (ii) the Government's capacity to formulate and implement sound policies and deliver public services; (iii) Respect by the people and the state for the institutions that regulate economic interactions (Kaufmann, 1997). The change from " Public Management " to " Government " is not only a change in terminology but also implies advances in thinking in public management theory. If " state management " is understood as the state's management of society in which the state plays the role of the managing subject, then with the term "state governance", the state appears with two statuses in governance: The state is both a legal subject performing social governance and an object governed by citizens and other social institutions. Therefore, accountability and the consequences of the state's accountability to citizens and society are

indispensable features of the state governance model. The main concern of governance or public administration here is to recognize the power, determine to whom and how that power is vested, and organize policy-making and public service delivery so that effective and ensures the supervision and participation of the people. Public governance is moving towards the concept of " Good governance" mentioned in the 1990s in the context of increasing globalization and expanding democratization movements. Accordingly, the World Bank has introduced the concept "Good governance is a way of using state power to manage social resources for national development" (World Bank (1996). According to UNDP, good governance is the exercise of all kinds of powers such as economic, political, and administrative to manage well all matters of the country at all levels of government (UNDP, 1997). From the above concepts, it can be seen that the common elements required to implement public governance include: (1) State capacity - the level of problem-solving of governments and leaders; (2) Responsiveness - whether public policies and institutions respond to citizens' needs and uphold their rights; (3) Accountability - the ability of citizens, civil society and the private sector to monitor and monitor the accountability of public and government institutions. The "public governance" model towards good governance has eight basic characteristics, or eight core values, that have been adopted by many international organizations such as the

World Bank, the United Nations Development Organization (UNDP), and the United Nations Development Organization (UNDP). recognized by OECD countries (OECD 2003).

First, participation: Public governance must mobilize the participation of social actors in state management activities, namely the issuance of administrative decisions, policies, and measures. act. The participation in management activities of all subjects in society must show equality, regardless of gender, ethnicity, or social status, and legal entities can participate directly or through their representative institutions. The reality seen in the reform process of many countries shows that increasing people's participation in administrative management activities and providing public services brings many benefits. Firstly, the decisions and policies of the state are promulgated closer to reality, so efficiency and effectiveness are improved. Second, through participation in state management, people's trust in the state is increased (Meenu, 2015).

Second, the rule of law: The state needs to create a fair legal framework and corridor and give people the habit of living and working within the framework of the law. The state must have a judicial system, an executive system for the people, without corruption, and the practice of state management must comply with the provisions of the law on public administration, which requires not only adequate legal provisions but also ensure objectivity and fairness. Implementing the law must have relative independence from judicial activities, the activities of the armed forces, and the rule of law state also emphasize the protection of human rights, especially those of the disadvantaged group. minority in society (United States Council for international business, 2015).

Third, transparency: The process of issuing and organizing the implementation of decisions must comply with the provisions of the law. The State must ensure the right of access to information from the mass media, accordingly, information related to government activities must be fully disclosed, updated, clear, easily accessible, and understandable to all people (Weiss, 2006).

Fourth, responsive: Organizational institutions and administrative processes must serve the organization and its citizens at an appropriate time. The provisions of the law must be promulgated in a timely and correct manner according to the requirements of real life. Law enforcement individuals and organizations need to be creative and flexible in the process of performing their duties to well meet the requirements of citizens (Department of Economic and Social Affairs, 2015).

Fifth, towards a consensus: According to the common understanding, the consensus is to agree with, and agree with the opinions and facts raised. This is the result of people's voluntary, voluntary consent to each other without any coercion or imposition, according to which social consensus is the result of the social contract,

negotiation, and social agreement. The basis of consensus is the similarity based on common values and standards. In fact, the implementation of factors related to public governance shows that the consensus factor is not a self-generated factor among groups of people with different interests in society, but the issue of concern is to indicate find a way to find social consensus with the government through activities to harmonize the interests of individual citizens, organizations and the state, thus establishing a society high consensus and ensure the interests of the whole community.

Sixth, fairness and attraction: The State must ensure fair service to all different social subjects, regardless of class, ethnicity, or religion. No exclusion should be made to the participation and supervision of citizens and organizations in social governance. The Government must have mechanisms to encourage and create conditions to maintain the participation of all subjects in society in management activities, especially for the most vulnerable, on which basis. , the new state ensures that all members of society benefit, are not disconnected from the flow of life, and have the opportunity to improve their lives (World Bank, 2018).

Seventh, effectiveness and efficiency: Effectiveness in public administration means that the results of promulgating and implementing legal regulations must ensure the compliance of the subjects subject to regulation. Here, efficiency is the result achieved that must meet the needs of society in the most rational and economical use of resources. the sustainable use of natural resources and the protection of the ecological environment.

Eighth, accountability: Accountability includes all issues related to the responsibility of the state apparatus in general, of those who hold and exercise public power in particular, expressed in two ways: direction: the responsibility of subordinates to superiors (internal responsibility), and responsibility of the public authority to society (outward responsibility, or downward responsibility). State agencies must account for the impacts of the decisions they make. The subjects that promulgate and implement this legal provision are accountable to superior agencies, elected bodies, districts, and localities. The private sector, civil society organizations, the public, and other stakeholders involved in such regulations and accountability cannot be achieved without transparency and an adequate and accurate legal system (World Bank, 2019).

It can be seen that the eight basic characteristics of public governance under the good governance model have a close interrelationship and influence each other, and each feature can only be realized if there is a complementarity from the implementation of the model. implement other characteristics that to implement public governance, it is necessary to fully implement the above-mentioned characteristics. For example, creating conditions for citizens and organizations to easily, accurately, and timely

access information on the operation of the state administrative apparatus is the basis for ensuring the transparency of the administrative system. ; it is also possible to increase people's participation in policy-making and decision making, i.e. realizing the ethos of participation. The transparency of the administration is also the basis for good accountability, increasing the responsibility of the state in public service provision and diversifying the forms of feedback of organizations, citizens for public services are manifestations of responsive character; thereby promoting the important role of citizens in evaluating state activities, encouraging citizens to participate in the development and development of criteria for evaluating the performance of state agencies. is a manifestation of the characteristics of increasing people's participation in governance (Black's Law Dictionary, 2023).

## 2. Public Service and Requirements

Public service in English is "Public Service" defined by the Black Law Dictionary: "A service provided or supported by a government or its agency. This agency provides a public service from or on behalf of that government". Therefore, public services are understood in association with the category of public goods. When the provided goods satisfy some of the following basic characteristics, the service will be called a public service: It is good that everyone must use or the object provided is a public service. essential goods for everyone. Fairness and equality are guaranteed, regardless of social class, region, and ethnicity, this type of service is provided equally to everyone. And maintained goods do not run after economic profit. Even when not consumed, public goods are maintained (Carter, et al., 2016). So it is clear that economic profit is not a decisive factor for the existence of this commodity, but the main purpose is stability, social development, and ensuring essential living conditions for people. There are even public goods that are partially or fully subsidized by the state, making many people think that public services are always associated with the state's role. It can be said that a public service is a service that provides goods that have just been clarified as public goods.

According to the Le Petit Larousse dictionary: " Public service is an activity for the common good, undertaken by a public or private agency ". This definition provides a general understanding of public services, but there is no distinction between the State and the private sector in providing public services, thus failing to detract from the "public" nature of this service. Therefore, researchers of administrative law come from the perspective of the subject of state management, saying that public services are activities of state agencies in the performance of administrative management and maintenance functions. ensure the supply of public goods to serve the common and essential needs of most of the

community. In this understanding, the role and responsibility of the state are emphasized for the activities of providing public goods, and from the point of view of the beneficiaries of public services can be understood, the main characteristics of public service. Public service is an activity that meets the essential needs of society and the community, and the conduct of such activities can be undertaken by state and non-state actors. But the increasing public interest tasks due to the increase in social needs have led to some private involvement in providing these services leading to an organizational element (persons directly involved in the provision of services). public service delivery) is no longer the determining factor in determining whether a service is a public service. From that fact, the problem is not who directly provides a service for the common good, but who is ultimately responsible for providing this service to society. Thus, an activity of the common interest undertaken by a private person is not considered a public service, unless there is an impact of the State on the provision of that service " (Le Chi Mai, 2009).

The concept of public services also changes from time to time, depending on the context of each country and the priority of providing this type of service. essential rights and obligations of organizations and citizens directly performed by the State or transferred to non-state establishments for efficiency and fairness" is the concept of services (United Nations Development Program, 2009). Public service is defined by the United Nations development agency UNDP as universal and is applicable to matters relating to the determination of public services to be provided or authorized by the state to the communities. in social.

From an economic point of view, public services are activities that provide society with public goods to society, but in a narrow sense, public goods are goods that, when created it's really hard to exclude anyone from using. Each person's consumption does not reduce the other's consumption. A public good benefits not only those who buy it but also those who do not have to pay for it, and that is what causes the government to become the producer, supplier, or guarantor of the supply. provide public goods. In a broader sense, public services are "goods and services provided by the State for the benefit of all or the majority of the people". Public services are activities that provide public goods in a broad sense, including essential personal goods that are guaranteed to be supplied by the State, such as electricity and domestic water.

Currently, the concept of public service in our country still has many different opinions, but many legal documents have regulated the issue of public service in the functions and tasks of state administrative agencies. According to the Law on Organization of the Government 2001, Article 8 Clause 4 stipulates the tasks of the Government: " Unifying the management of the construction and development of the national economy, the development of culture, education, healthcare, science and



technology, public services” (National Assembly, 2001). or Article 22 stipulates: “Ministry, the ministerial-level agency is an agency of the Government, performing the function of state management over a branch or field of work nationwide; State management of public services, sectors, and fields...”. Law on Organization of the Government 2015 No. 76/2015/QH13 recently approved by the National Assembly June 19, 2015, once again affirmed in Clause 1 of this Article. 25, Article 39: "Ministry, ministerial-level agency means an agency of the Government that performs the function of state management of one or several branches, domains and public services in branches and domains nationwide" (National Assembly, 2015). This means that the state through administrative agencies has an important role in providing and managing public services, exploiting resources in society, and improving the quality of public services to serve the people.

Therefore, the concept of public service in Vietnam is understood as the service function of the state to provide services to the community without having to be legislative, executive, or judicial. Many people believe that public services serve the essential needs of society, for the common interests of the community and society, which are directly undertaken or authorized by the state and create favorable conditions for the region. privately performed.

To achieve the above-mentioned purposes of providing public services to all subjects in need in social life, the construction of a public service delivery model needs to meet relevant criteria to ensure equal access, and quick and convenient provision to subjects in society according to a model suitable to the level of socio-economic development, feasible and satisfying the requirements of the society. which sets out the requirements that public services must meet such as:

First, public services must be activities of a social nature, serving the common interests of the whole community. These are services that serve the essential interests of society to ensure a normal and safe life. Public services are performed according to the mechanism of not taking profit to perform the service, but here this service is provided for the function of regulating and managing the activities of subjects in society according to a framework. common framework and build mechanisms to protect those relationships.

Second, public services must be activities performed by public agencies or entities authorized by the government. To provide public services, government agencies, and organizations authorized to provide them have communicated with the people at different levels when performing service delivery to be able to understand issues according to their needs. the extent and nature of the incident. This is associated with decentralizing public service provision management according to the functions and tasks of central or local agencies that are performed or commissioned by the state.

Third, the exchange of public services through full market relations that the users of public services do not directly pay, or rather have paid in the form of tax payment to the state budget so that the State can pay taxes. The country organizes the supply regularly as an “advance agreement”. But there are also services for which the user still has to pay part or all of the cost; however, for these types of services, the State still has the responsibility to ensure that the supply is not aimed at profit. All citizens (regardless of whether they pay more or fewer taxes, or do not pay taxes) have the right to a minimum level of public service provision, as a subject of government service and the amount of service provided. contribution to each consumer regardless of the tax rate to which he or she contributes.

Finally, unlike normal services, which are understood as service activities that do not create products in the form of objects, public services are activities of the state apparatus to serve the essential needs of the people. society, regardless of whether the products are created in the form of goods or non-materials and are made not for profit, but also must meet the condition that all subjects in society have the right to access public services.

### **3. The relationship between public administration and public service**

Public administration and public services are two closely related activities, where public governance is the premise for the state to address the requirements set forth for public services so that public services can follow the right path. With the governance trend of that state, public services are the consequence of the development of the state governance model. Going through the state models from the past to the present, it can be seen that if the state moves towards a good governance model with the previously analyzed characteristics, public services have the opportunity to be able and likely to increase. citizen access as well as enhancing accountability is typical of the good governance model that is accountability.

Vietnam is facing the challenges of socio-economic development in which changing the public governance model and the form of public service delivery is a prerequisite factor in maintaining and ensuring public order. society, and providing social services such as health and education for the population, this needs to start right in the state management thinking of legislators. The building of a model of public service provision under the OSS mechanism has now been implemented in practice and certain achievements have been achieved in the reform of state administrative procedures to fulfil the requirements of the role of public service providers. public governance of the rule of law. However, the current public service delivery model still has many shortcomings, therefore, the study of new models such as the NPM (New Public Management ) model is a model of public service delivery that is suitable for the needs of the public. developing

countries like Vietnam align with the goal of public governance towards building a rule-of-law state.

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