

| RESUME

The work is focused on transformations of the function and the mechanism of functioning of public administration in the conditions of the Czech Republic, taking into account general trends of European development.

Currently, there are a lot of processes influencing the character of public administration, a majority of them being of a general nature. Some of those processes appear, in large measure, in the Czech Republic and other countries that have gone through a significant social transformation in the last twenty years. Present effects of formalisation and bureaucratisation in these countries are connected with relatively recent experiences of administratively-directive management.

Changes of the functions and mechanisms of public administration are connected, on one hand, with the position of executive power in the system of separation of powers and, on the other hand, with internal mechanisms of public administration itself; moreover, they can be perceived also as a manifestation of more general processes in the society.

With respect to the principle of separation of powers, the most important phenomenon is a weakening of the role of the State in relation to globalisation and integration processes, and, at the same time, strengthening of the self-government. That weakening affects mainly legislative and executive powers and

reduces the space for their decision-making. The judicial power is less affected – on the contrary, its checking role in relation to both executive and legislative powers has increased on the basis of postulates of the rule of law.

The changes mentioned above require an appropriate transformation of certain classical concepts of the theory of the State, administrative science and public law. One of the objectives of this work is to contribute to a new perception of the function of executive power in relation to two other powers (the legislative and the judiciary).

In the last decades, some new fields of public administration have appeared in the context of regulation e. g. environment, informatics or regional development. These fields use, much more than classical domains, a general decision-making and thus influence changes as regards decision-making situations and types of decisions in public administration. In relation to these changes, the work also accents the development of the decision-making mechanisms.

The interconnection of New Public Management and classical concept of continental European administration has changed also the opinion on the relation between private and public administration. The work explores some relations between public and private administration, possibilities of their mutual influence and certain development trends in this regard.

Further changes in functions of public administration refer to increasing formalisation of decision-making and legal limits of decision-making procedures. Growth of bureaucratisation and administrative burdens can be seen, mainly due to overestimating of formal aspects at the expense of contentual (material) ones. Some positive changes have been put into effect in the process of law-making in the field of public administration (e. g. regulatory

impact assessment); these changes are however partly devalued and sometimes even outweighed by their formal application and insufficient respect to real public interest and position of the recipients of legislative rules. Moreover, legal regulation and application of law by public administration authorities and courts cannot effectively substitute certain decrease of social control and loss of value preferences in respective material processes.

Changes in functions of public administration are reflected in the problems of the role of the bureaucracy as well. The work aims at analysis of changes leading to an increase of the role of the bureaucracy, but, at the same time, to a decreasing efficiency of its performance and partial loss of positive values of the classical Weber's bureaucracy. The importance of quantitative aspects (i. e. the number of officials) is often overrated; nevertheless, they are not the main source or manifestation of bureaucratic trends; on the contrary, significant reduction of the number of officials can paradoxically lead to the rise of administrative burden.

A lot of changes in functions of public administration can be perceived as a consequence of wider social processes. The objective of this work is to analyse links between the formalisation of the society and the rise of administrative burden and, also, the impact of virtualisation on public administration from the point of view of its functionality.

Another goal of the work is to contribute to the diagnostics of malfunctions in the field of regulation in public administration. In this sense, ineffective hypertrophy of regulation is analysed as a basic functional malfunction, showing some of its consequences and possibilities how to weaken its impacts.

Further sphere examined in the work is decentralisation. The relationship between the State and the self-government in the last decade has been characterised by significant changes that

result in the strengthening of the role of the self-government and introduce the question of possibilities and limits of decentralisation. Some of these possibilities and limits are explored in a more detailed way in relation to the functionality of public administration.

The principal result of this work is an analysis of the processes that are going on in public administration if they have influence to its nature and functions; in addition, main development trends in this field are examined; finally, the work contains formulation of connected problems that should be explored in future research in the areas of administrative science or theory of the State.