

Wollo University
Social Sciences & Humanities Faculty
Department of Civics & Ethical Education

Public Administration and Public Law in Ethiopia

Module Code	Department	Civic and Ethical Studies Program				
CEStM2051	Course Title/code	Public Administration and Public Law in Ethiopia-CESt2053				
	Degree Program	BA Degree in Civics and Ethical Studies				
	Module Title	Development and Public Administration Module				
	Module No.	05				
	Course Credit	6				
	Course Information	Academic Year <u>2019</u> Semester: II				
	Instructor's Name	Tewodros Kassie				
	Instructor's Contact Information	Tewodros.Kassie@yahoo.com				
	CP	10 ECTS				
	Course Status	Compulsory				
	Student work Load	Lecture	Tutorial	Lab practice	Home Study	CP
						10

Course Description

This course basically deals with public administration and public law.

To this end, it is made to have four carefully selected chapters. This course is principally designed to enable learners to be equipped with fundamentals of public administration and public law aiming at historical, institutional approach to study public administration and public law with due focuses on Ethiopia in a historical, institutional, empirical and analytical perspectives. Moreover, we need to deal with partly the historical approach to the study of public administration and public law if we want to understand how we came to be what we are now in light of the topic at hand. This course enables learners to remarkably look at the themes in light of the dynamic interplay and mutuality of state-society-citizens nature of Civics and Ethics program with due context and framework of public administration and public law, particularly in the post-1991 Ethiopia for there has been a great deal of radical and diametrically opposite changes socio-political, economic and institutional structuring of the contemporary Ethiopian state and societies in terms organizing and fundamental philosophy in the overall aspects of the country than continuities with the subject matter at hand.

Due to this milestone, learners of Civics and Ethics undergraduate program at university level unequivocally and undoubtedly need to be equipped with public administration and public law with its change and continuities both from the historical and institutional approaches. With this in mind, the course is structured to comprise four basic chapters keeping the central theme of this thematically clustered course of the module of Development and Public Administration. The first chapter deals with certain definitions and conceptualizations of key concepts such as administration, the universality of administration, the private versus public administration divide, the nature-art and the science nature of public administration, scope and environment of public administration; as well as basic functions of public administration: planning, organizing, staffing, directing and controlling. The second chapter deals

an overview of public law including with the concept of law, its nature and definitions, and its major classifications of law; the nature and scope of public law and its major areas of classifications such as among others administrative law (sources and purposes of administrative law, administrative law and administrative agencies, and formation and organization of administrative agencies), and criminal law (its nature, scope, objectives and basic principles of criminal law). Chapter three basically deals with an integrated overview of major areas of public administration and public law such as public resources. First, it examines public personnel, which includes topics such as public personnel administration defined, technical areas of public personnel administration (job analysis, job description/ specification, recruitment/ selection, job evaluation and compensation), civil service, civil service administration and the notion of merit principle.

The third chapter will also examine and discuss key dimensions of organizing and managing public organizations such as organizational goals and effectiveness; formulating and achieving purpose: power, strategy, and decision making; organizational structure, and design as well as understanding people in public organizations in light of values and motives as well as theories of work motivation and work-related attitudes, and organizational culture. Second, it tries to focus on public finance that includes topics such as public finance defined, sources and purposes of public finance; and it goes on to examine public finance policies such as taxation policies-principles/criteria of optimal taxation: equity versus benefit principles, and cost of taxation: tax shifting and welfare cost, and expenditure policies which includes the recurrent versus capital expenditure balance, spending principles: efficiency, equity and effectiveness, and public expenditure rise and the issue of public debt burden. This chapter also discusses essentials of public policy including the meaning and nature of public policy, why study public policy, an overview of public policy making process, types [typologies] of public policy, models and theories in public policy formulation and implementation, and factors influencing public policy successes or failures, as well as constraints on policy change and countering strategies.

This last chapter analytically examines an integrated overview of public resources administration in Ethiopia by way of dealing with public laws/ policies and institutions of public personnel administration in Ethiopia including a brief historical review of civil service laws/policies during the Imperial and Dergue regimes, and post-1991 civil service laws/policies such as natures, major reforms and challenging problems the Ethiopian Ministry of Civil service and its functions.

It also dwells on public laws/ policies and institutions of public finance administration in pre-1991 and with particular focus on post -1991 public finance laws/policies, their natures, major reforms and challenging problems by way looking at fiscal decentralization- the expenditure versus revenue assignment rationales, and the roles and functions of financial and non-financial institutions, as well as challenges of fiscal decentralization. Moreover, chapter four also examines an overview of selected administrative and criminal laws in post-1991 Ethiopia such as administrative agencies law of Ethiopia, and the Ethiopian Criminal Code of 2005 by way of focusing fundamental principles of the Criminal Law of the Code, on conditions of criminal liability, on degrees in the commission of crime, and on participation in the commission of crime.

Course Objectives

The followings are the objectives of the course;

- ✓ The overall objective of the course is to enable learners to have theoretical, analytical, and empirical body of analytical and practical nexus of knowledge, skills and values interdependently by way of equipping learners with fundamentals of public administration and public law aiming at historical, institutional approach to study public administration and public law with due focuses on Ethiopia in a historical, institutional, empirical and analytical perspectives.

- ✓ Comprehending definitions and conceptualizations of key concepts such as administration, the universality of administration, the private versus public administration divide, the nature-art and the science nature of public administration, scope and environment of public administration;
- ✓ Identify and examine basic functions of public administration such as planning , organizing , staffing , directing and controlling;
- ✓ Examining administrative thoughts/approaches in public administration such as the classical approach, the human relations (behavioralist) approach, the systems theory/approach, the bureaucracy theory approach, and other contemporary approaches and theories, and their limitations, impacts, and implications;
- ✓ Critically reading, writing and presenting after examining an integrated overview of public law including with the concept of law, its nature and definitions, and its major classifications of law;
- ✓ Examining the nature and scope of public law and its major areas of classifications such as among others administrative law (sources and purposes of administrative law, administrative law and administrative agencies, and formation and organization of administrative agencies), and criminal law (its nature, scope, objectives and basic principles of criminal law
- ✓ Examining and appreciate as to why do we study public administration and public law
- ✓ Assessing public resources ant key thematic topics under it, as well as key dimensions of organizing and managing public organizations;
- ✓ Thoroughly examining on public finance that includes topics such as public finance defined, sources and purposes of public finance; and it goes on to examine public finance policies such as taxation policies, and expenditure policies;
- ✓ Examining the concept of public policy and basic topics under it such as the meaning and nature of public policy, why study public policy, an overview of public policy making process, types of public policy, models and theories in public policy formulation and implementation, and factors influencing public policy successes or failures, as well as constraints on policy change and countering strategies;
- ✓ Analytically examining an integrated overview of public resources administration in Ethiopia by way of dealing with public laws/ policies and institutions of public personnel administration in Ethiopia including a brief historical review of civil service laws/policies during the Imperial and Dergue regimes, and post-1991 civil service laws/polices such as natures, major reforms and challenging problems the Ethiopian Ministry of Civil service and its functions;

Course Contents

Chapter I: The Nature of Public Administration

- 1.1. Introduction
- 1.2. Defining Public Administration
- 1.3. Scope of Public Administration
- 1.4. Approaches and schools in Public Administration
 - 1.4.1. Managerial View of Public Administration
 - 1.4.2. Subject Matter View of Public Administration
 - 1.4.3. A Reconciliation View
- 1.5. Ecology (environment) of Public Administration
 - 1.5.1. Economic Factors
 - 1.5.2. Socio-Cultural Factors
 - 1.5.3. Political Factors
 - 1.5.4. Legal Factors
- 1.6. Public Administration as an Art and Science

1.7. Significance of Public Administration

1.7.1. Significance of Public Administration as an Instrument of Governance

1.7.2. Significance of Public Administration as an Instrument of Development & Change

1.7.3. Significance of Public Administration as an Instrument of Welfare State

1.8. Public and Private Administration

1.8.1. Differences between Public and Private Administration

1.8.2. Similarities between Public and Private Administration

Time allocated on Chapter I

- Time to be used by the instructor (14 HRs)
- Time to be used by the students (42 HRs)
- Tutorial hours (3 HRs)

Chapter II: The Nature of Public Law

2.1. Meaning and Definition of Law

2.2. Classifications of Law

2.3. Purpose and Significance of Law

2.4. An Introduction to Public Law

2.5. Major types of public law

2.5.1. Administrative Law

2.5.1.1. Definition, Sources and Purposes of Administrative Law

2.5.1.2. The Relationship of Administrative law to constitutional law & other concepts

2.6. Constitutional Law

2.6.1. Constitutional law and Administrative law

2.7. Administrative law in Ethiopia

2.7.1. The present state & future prospects of administrative law in Ethiopia

Time Allocated on Chapter II

Time to be used by the instructor (23 HRs)

Time to be used by the students (45 HRs)

Tutorial hours (4HRs)

Chapter III:

Chapter 3: Overview of Major Areas of Public Administration & Public Law

3.1. Public Resources

3.1.1. Public Personnel Administration

Public Personnel Administration Defined

Technical Areas of Public Personnel Administration: Job Analysis, Job Description/ specification, Recruitment/selection, Job Evaluation and Compensation

Civil Service, Civil Service

Administration and the Notion of

Merit Principle: Meanings and Significances

3.1.2. Public Finance Administration

Public Finance Defined

Sources and Purposes of Public Finance

Public Finance Policies: [Taxation Policies-Includes]

Principles/criteria of optimal taxation: Equity Vs Benefit principles;

Cost of taxation: tax shifting and Welfare Cost

Expenditure Policies:

The recurrent Vs capital expenditure balance;

Spending principles : efficiency, equity, and effectiveness; and

Public expenditure rise and the issue of Public debt burden

Public Policy

Defining the Policy

The Meaning and Nature of Public Policy: Why Study Public Policy

Public Policy Making Process: An Overview

Who is responsible for Public Policy

Types of Public Policies

Public Policy Dynamics: An Overview

Models and Theories in Public policy Formulation and Implementation: An overview

Policy Change and Reasons for Policy Change

Constraints on Policy Change and Countering Strategies

Factors Influencing Public Policy Successes or Failures

Time Allocated on Chapter III

Time to be used by the instructor (25HRs)

Time to be used by the students (50 HRs)

Tutorial hours (5HRs)

Chapter IV:

Chapter 4: Public Resources Administration in Ethiopia

Public Laws/ Policies and Institutions of Public Personnel Administration in Ethiopia

Brief Historical Review of Civil

Service Laws/Policies During the

Imperial and Dergue Regimes

Post-1991 Civil Service Laws/

Polices : Natures, Major Reforms

and Challenging Problems:[Focus on

the Ethiopian Ministry of Civil Service

and its Functions]

Public Laws/ Policies and Institutions of Public Finance Administration in Ethiopia

Brief Historical Review of Public

Finance Laws /Policies During the

Imperial and Dergue Regimes

Post -1991 Public Finance Laws/

Policies : Natures, Major Reforms

and Challenging Problems

An Overview of Public Finance

in Ethiopia

Introduction

Public Revenue in Ethiopia

Public Expenditure in Ethiopia

Fiscal Decentralization: The Expenditure Vs Revenue Assignment rationales

The Roles and Functions of Financial

and Non-Financial Institutions

Financial Institutions:

The Central/National, Commercial

and Development Banks of Ethiopia

Non-Financial Institutions: The

Ministries of Finance and

Economic Development, and

Revenue and Custom Authority of

Ethiopia and House of the Federation

Challenges of Fiscal Decentralization

Technical Limitations

Ethical/ Attitudinal Challenges:

Tax Evasion/

Avoidance, Corruption/Rent-seeking

An Overview of Selected

Administrative and Criminal Laws

in Post-1991 Ethiopia

Administrative Agencies Law

of Ethiopia

Administrative Agencies and Rationales for Regulation

Administrative Law and Administrative Agencies

Formation and organization of Administrative Agencies

Administrative Agencies in

Ethiopian Context and Rule-Making Power and Administrative Agencies
Tribunal-Like Adjudicating Agencies in Ethiopia
The Ethiopian Criminal Code of
2005

Introduction
Constituent Elements of a Crime
Liability
Basic Principles of Criminal Law
Forms/Types of Criminal Liability
On Conditions of Criminal Liability
On Degrees in the Commission of
Crime

Time Allocated on Chapter IV

Time to be used by the instructor (18HRs)
Time to be used by the students (37 HRs)
Tutorial hours (4HRs)

Instructor's activities

Introducing the Chapter & Topics to students;
Giving Class Lectures;
Arousing & Activating Learners;
Giving/Presenting Notes via Enhanced Lectures;
Forming Groups as per the Need and Necessity of the course objectives;
Putting, Indicating and Giving Reading Materials and Self-Reading Tasks to students;
Guiding and supporting Learners in line with Expected Learners' Activities;
Consulting Learners during their stay on the course;
Presenting the Summary of chapters;
Putting, Indicating and Giving Reading Materials and Self-Reading Tasks
Giving and following two assignments on Chapter 3:
[Assignment 1 on: "Public Finance Policies: Taxation Policies-Including Principles/criteria of optimal taxation: Equity Vs Benefit principles; as well as Cost of taxation: tax shifting and Welfare Cost"; and
Assignment 2 on: "Expenditure Policies: The recurrent Vs capital expenditure balance; Spending principles : efficiency, equity, and effectiveness; and Public expenditure rise and the issue of Public debt burden"
Giving group assignment on Chapter 4: *"The Historical Review of Civil Service Laws/Policies During the Imperial and Dergue Regimes."*

Student's activities

Regularly Attending and Listening to Lectures
Active Participation in the Class Discussion
Taking Lecture Notes
Asking Question if there is Unclear Ideas/Points
Referring and Reading Indicated Materials Related Books and/or Journal Articles to the Topic/s to be discussed before Coming to Class
Taking Lecture Notes and Use them later to Guide their Process Study/Learning
Follow Arguments and comprehend Theories, approaches and their Logic.
Follow Arguments and comprehend pertaining public law, public finance, public policy and the like
Doing, Submitting, and presenting two assignments on chapter 3:
[Assignment 1 on: "Public Finance Policies: Taxation Policies-Including Principles/criteria of optimal taxation: Equity Vs Benefit principles; as well as Cost of taxation: tax shifting and Welfare Cost"; and
Assignment 2 on: "Expenditure Policies: The recurrent Vs capital expenditure balance; spending principles: efficiency, equity, and effectiveness; and Public expenditure rise and the issue of Public debt burden."
Follow Arguments and comprehend pertaining public law, public finance, public policy and the like in Ethiopia

Doing, submitting and presenting the group work assignment on chapter 4: “The Historical Review of Civil Service Laws/Policies during the Imperial and Dergue Regimes.”

Assessment Methods

Continuous Assessment	Lecture Assessment
	1. Quiz 1.10%
	2. Quiz 210%
	3. Group Assignment and Presentation.....20%
	4. Tests.....20%
	5. Final.....40%
	Total.....100%