

	Science, Education and Innovations in the Context of Modern Problems Issue 9, Vol. 8, 2025
	Title of research article 
	Governance approach as a mechanism to improve the relationship between the public services and the citizen: obstacles and solutions
Yassine Aimene	Doctor University of Eloued Algeria E-mail: yassine-aimene@univ-eloued.dz
Kenza Belhocine	Doctor University of Khenchela Algeria E-mail: belhocine.kenza@univ-khenchela.dz
Issue web link	https://imcra-az.org/archive/383-science-education-and-innovations-in-the-context-of-modern-problems-issue-9-vol-8-2025.html
Keywords	Governance approach, mechanism, improve, relationship between the public services and the citizen, obstacles and solutions
Abstract This study aims to highlight the reality of public facilities in Algeria and shed light on the imbalances that have made it unable to respond to the requirements of users and provide quality public services that meet citizen satisfaction. The deterioration of public services, corruption, bureaucracy, and complexity of administrative procedures are among the main reasons that have affected the relationship between the public services and the citizen. This is what led the Algerian legislator to adopt a governance approach as a modern mechanism to address the imbalances in the public services and acknowledge several principles, such as transparency, participation, and digitization of public facilities, which would establish a solid relationship that works to enhance the spirit of citizenship. Therefore, the Algerian legislator was keen to give this approach great importance in the constitutional amendment of 2020 and through several legal texts. The Governance approach is considered one of the prominent approaches that states use to manage their public facilities and provide public services that satisfy the citizens. This is done by diagnosing the imbalances that exist at the level of public facilities and the reasons for the deterioration of the relationship between these facilities and the beneficiaries. This is one of the most important issues that the state seeks to address and find ways to establish sound relationships between public facilities and citizens in order to build a strong internal front under the banner of the state of law and citizenship. Accordingly, Algeria began a policy of reforming public facilities by adopting the governance approach and making it one of its priorities, whether through official discourse or through legislation, attempting to overcome traditional methods and creating mechanisms that rely on transparency in its transactions and involving various active components and enabling citizens to participate in decision-making and allowing them to obtain and exchange information. This approach cannot be achieved and its effectiveness realized without the participation and openness of the citizen, simplification of administrative procedures, digitization of public facilities, and citizenship.	
Citation. Yassine A.; Kenza B. (2025). Governance approach as a mechanism to improve the relationship between the public services and the citizen: obstacles and solutions. <i>Science, Education and Innovations in the Context of Modern Problems</i>, 8(9), 1096–1106. https://doi.org/10.56334/sci/8.9.90	

I- Introduction:

The importance of this study is highlighted by demonstrating the most significant imbalances experienced by public facilities, which have led to deterioration in the relationship between them and their beneficiaries. The study investigates the measures adopted by the Algerian legislator through the governance approach and their effectiveness in reducing these imbalances and improving the relationship between public facilities and citizens.

In order to shed light on this approach in improving the relationship between public facilities and citizens, it was necessary to take into account the various reasons for the decline in the service provided at the level of public facilities and how the Algerian legislator adopted governance and its effectiveness.

I.1. Study problem: The problem of this study can be formulated in the following main question: What is the effectiveness of the governance approach in improving the relationship between public services and citizens?

The following sub-questions fall under this problem:

- What is the concept of public service governance?
- What are the main imbalances present in public service?
- What guarantees ensure the implementation of public service governance?
- Has governance achieved its goals in Algeria?

I. 2.Study Approach: To answer this problem, we adopted a descriptive approach to define public services governance and demonstrate the imbalances present at the level of public services. We also used an analytical approach to analyze legal texts that embody governance principles and evaluate their effectiveness and implementation challenges.

I. 3.Study Structure: To address this problem, we decided to divide the study into two axes:

- The conceptual framework of public services governance.
- Guarantees for implementing public services governance in Algeria.

II- The conceptual framework of public services governance.

The term "governance" is a relatively new term and refers to the prudent exercise of administrative authority. It is a term translated from the word "corporate governance". In this part, we will address the concept of public services governance, and the reality of public services.

II.1- Concept of Public services Governance

In order to understand the concept of public services governance, we will discuss the definition of public services governance, its characteristics, and its principles.

II.1.1- Definition of Public services Governance

We will define public services governance through the legal and jurisprudential definitions.

A Jurisprudential Definition : Lahcen Ait Lfakih defined public services governance as a process for building transparency, participation, effectiveness, and efficiency, based on the principles of contracting and

accountability within the framework of respect for the laws, in order to gain the trust of citizens in public services, through a participatory approach in planning, monitoring, and evaluation²

It is the processes and procedures exercised by the authority in a country, based on good management of institutions, policy selection and coordination, in order to provide a good and effective service³.

Former UN Secretary-General Kofi Annan defined it as ensuring respect for human rights, the rule of law, and the promotion of transparency and the ability to manage public administration⁴.

Through this definition, we realize that governance is based on sound choices, adopted by those responsible for public services to provide effective and quality public service. In order to gain the trust of citizens, several standards are adopted such as transparency, accountability, and participation.

B. Legislative Definition : The Algerian legislator defined governance in the guiding law of the city as the ruling by which the administration is concerned with the concerns of citizens and works for the public interest in a transparent framework⁵.

Through this definition, we see that the Algerian legislator limited governance to the framework of transparency and neglected the other principles on which governance is based, such as participation, accountability, and linking responsibility to accountability.

II.1.2- Characteristics of public services governance

From the provided definitions, we find that the governance of public services has several characteristics, including:

- The state adopts the governance approach in public services by taking a series of measures and mechanisms to implement it.
- It works to establish and embody transparency, accountability, and participation in order to provide decent public service.
- Governance is concerned with the concerns of citizens and takes them as goals to be achieved in order to gain their trust.

II.1.3- Principles of public services governance

Governance is based on several integrated principles, including transparency, accountability, and participation.

A. Transparency : Transparency is one of the most important principles of governance to improve the relationship between public services and citizens. It refers to every citizen's right to access information and know the mechanisms for making decisions⁶.

It is one of the strategies followed to ensure clarity and transparency within the administration to ensure full disclosure of circulating information, with the aim of achieving objectivity and activating the principle of accountability to combat corruption⁷.

From this definition, we realize that good communication with citizens and providing them with information contributes to the development of public infrastructure, removes ambiguity and obscurity from it, and strengthens the relationship between it and its users.

B. Accountability : Accountability is one of the most important principles of public governance due to its significance. The United Nations Development Program defines it as the demand from officials to provide explanations about how they use their powers and carry out their duties, taking into account criticisms directed at them, meeting demands, and accepting responsibility for failure, inefficiency, fraud, and deception⁸.

This makes those responsible for public services work hard to provide the best services so that they are not held accountable and to fulfill their duties in case of failure to do so.

C. Participation : Participation is one of the most important principles of governance. It refers to involving citizens and related parties in decision-making and issuing decisions, as they are a constituent element of administration, in order to make decisions that reflect their actual needs⁹.

It refers to the right of men and women to express their opinions and participate in decision-making¹⁰. Participation can be individual by involving citizens in decision-making or collective by framing citizens within established groups that give formal significance to this participation¹¹.

Participation aims to eliminate bureaucracy within public services and strengthen the relationship between the facility and citizens.

This requires a real openness on the part of these facilities to modern participatory methods and a commitment to providing effective proposals that contribute to the governance of public services¹²

This can be achieved through the strong desire and ability of civil society, along with the necessity of providing participation mechanisms in managing public affairs and formulating public policies¹³

Participation, as one of the components of governance and one of its principles, requires strong political and administrative will to involve citizens in a real, not just formal, way.

II.2- The reality of public services

Public services are a means for the state to meet the needs of its citizens. However, the public services have been plagued by imbalances, corruption, bureaucracy, complicated procedures, and lack of supervision, which have led to a decline in the quality of public services¹⁴. This reality has resulted in a negative image of public services in the eyes of citizens. Among the most important reasons for the decline in public services in public services are:

- **Bureaucracy:** This management style has become associated with complications and interlocking procedures that hinder the interests of the public, resulting in negative effects such as loss of trust between the public and the facility¹⁵

Bureaucracy is also associated with administrative deficiencies and characterized by inertia in reaching goals. This term corresponds to the routine of all facilities, which subject public services to rules and procedures, without giving them the freedom to handle situations and deal with them according to the requirements of the situation¹⁶

This heaviness, inertia, and slowness in transactions lead to the emergence of administrative routines that disturb citizens and, in turn, shake their relationship with public services.

- **Multiple and complex administrative procedures:** The multiplicity and complexity of procedures is a negative phenomenon that citizens suffer from in their relationship with public institutions. Complex and multiple procedures result in a waste of expenses, time, and effort, which leads citizens to feel dissatisfied, unconvinced, and lose trust in the administrative system. They develop a negative perception of the ability of those responsible for public facilities to perform their functional roles¹⁷

Complex procedures open the door for people to search for twisted and illegal ways to bypass these complications¹⁸

- **Ineffectiveness of supervision:** Lack of supervision over the activity of public facilities leads to neglect, indifference, and the predominance of private interests over public interests. This leads to a violation of legal frameworks and legislation by those responsible for the facility¹⁹

- **Lack of an ethical code within public facilities:** Public facilities suffer from a weakness in the application of the law, which is due to the absence of sufficient deterrents that obligate those responsible for public facilities to adhere to professional and ethical standards²⁰

Citizens' dissatisfaction with the treatment they receive, especially regarding reception and good communication in the absence of accurate information about the procedures followed²¹

- **Legitimizing corruption and its democratization:** Despite the existence of religious, legal, and ethical regulations that criminalize corruption, the belief is firmly entrenched among those involved that their needs will only be met by paying bribes²²

- **Contradiction between legal texts and reality:** The abundance of legal texts and their contradiction with the reality of public facilities, the lack of practical texts and effective mechanisms, the centralization of decision-making, and the distance of facilities from citizens can be obstacles to the development of public facilities and the embodiment of governance.²³

All these reasons have made the adoption of a governance approach imperative in order to overcome these problems.

III .Guarantees for embodying governance in public facilities and evaluating it in Algeria

There are several guarantees through which the Algerian legislature sought to embody an approach in public facilities, and in this axis, we will discuss the modern principles of the public services and then evaluate the governance of the public services.

III.1. Modern principles for the operation of public facilities

The public services is no longer confined to the classical principles that govern it (equality, continuity, adaptation). Several new principles have emerged with governance, and this approach works to expand the circle of partnership, participation, and integration between the state and its bodies on the one hand, and society, the private sector, and the public sector on the other hand. It also aims to eliminate the culture of exclusion, marginalization, and monopolization of initiative in decision-making, preparation²¹, and implementation. Transparency and participation are among the governance standards that the Algerian legislature stipulates.

III.1.1 Transparency as a principle of governance implementation in public facilities

Citizens' trust is strengthened by highlighting transparency in the management of public facilities, by providing them with information related to all issues related to the public services. This helps to remove ambiguity and reduces tensions between the facility and the public. One of the mechanisms that enhances the principle of transparency is its inclusion in national laws and the digitization of public facilities.

A. Transparency in Legal Texts: The principle of transparency is one of the most important modern principles upon which the public sector is based. It balances the weight of the principle of confidentiality of administrative procedures and is an important factor in embodying the principle of efficiency in the activity of the public sector. Through transparency, public consultation is activated, and on the other hand, it works to activate administrative democracy²⁵. This is explicitly confirmed by the constitutional founder through Article (55)²⁶ of the constitutional amendment to enable citizens to access information, documents, statistics, obtain and exchange them, provided that this right does not affect the private life of others, the legitimate interests of institutions, and the requirements of national security. Likewise, Article 9/5 guarantees transparency in the management of public affairs and is a newly added paragraph in the recent amendment. However, with the issuance of Order 21-09 concerning the protection of information and documents²⁷, we find that the legislator has obstructed the exercise of this right despite its emphasis, by criminalizing the employee who enables citizens to obtain administrative information and documents, and criminalizing any act of possession, presentation, distribution, or dissemination of administrative information and documents. With this order, the discretionary power of the administration in classifying administrative documents has been expanded, in the absence of an independent body overseeing the document classification process. While its French counterpart, pursuant to Law 78-753 on improving the relationship between the administration and those dealing with it, Article (06) created a committee known as the Committee for Access to Administrative Documents (CADA), and its powers were expanded on April 12, 2000, to include the authority to impose administrative sanctions²⁸. We see that the absence of this type of body responsible for determining the classification of documents hinders governance approaches in improving the relationship between the public sector and citizens.

As per the constitutional founder, the name of the National Authority for Corruption and the Fight against it was changed to the Higher Authority for Transparency and the Prevention of Corruption and its Combat through Articles 205-206 of the 2020 constitutional amendment. The founder also introduced the principle of causing the decisions issued by the public administration to be recorded through Article 26/03.²⁹ The Algerian legislator also stipulated this principle in several legal texts, including Law 06-01, which states that "to bring transparency to the management of public affairs, institutions, administration, and public bodies must commit to adopting procedures and rules that enable the public to obtain information about their organization and operation, as well as how decisions are made³⁰." Article 09 of the law also states that "the procedures applicable in the field of public contracts must be based on the principles of transparency and fair competition and objective standards. These rules should be especially dedicated to:

- The transparency of information related to the procedures for concluding public contracts.
- Preparing participation and selection conditions.³¹

This is to give credibility to the integrity of the process, especially in light of the awarding of contracts through twisted methods that encourage corruption. This principle was also stipulated in Municipal Law 11-10, which requires sessions to be public, except in specific exceptional cases, including disciplinary cases for elected officials and issues related to public order³². This may prevent citizens from being aware of issues that may concern them, especially since the narrow concept of public order is not defined.³³

Through this article, we find that the citizen's right to attend sessions has been restricted to passive attendance without expressing an opinion on the issues raised in the session, even if these issues concern them. This principle is also embodied in the Municipal Law through informing citizens of the dates of sessions and the

agenda, and publishing and posting the proceedings in designated places at the municipal and administrative annex levels, and disseminating them through any digital means³⁴. This promotes the principle of transparency and gives everyone the opportunity to access the proceedings and their outcomes, and allows the right to object in the event that it is necessary. In order to remove barriers between public administration and citizens within the framework of promoting transparency, the Prime Minister has mandated the opening of a complaints register at the municipal, delegated state, and public administration levels under Instruction 355 dated July 25, 2020, which relates to following up on citizen complaints. A copy of the register is sent for exploitation twice a month to the presidency.³⁵

B. Digitizing public facilities guarantees the principle of transparency : The process of digitizing public facilities depends on the transition from traditional administrative work to using modern technologies in order to obtain information and provide services in a faster and more cost-effective manner. Modern technology crystallizes public services into digital information that makes it easier for the beneficiary to access it in a reasonable time. Fast and accurate public services are the cornerstone of the transition towards electronic administration, and its success depends on the opinion of the beneficiary. Those in charge must gain their trust and fulfill their desires. Electronic administration works on remote electronic interaction with facilities, without the hassle of commuting and facing the employees and the problems that accompany it. It works on reducing the long queues inside public facilities and contributes to resolving many obstacles and bureaucracies³⁶. This matter was sought by the constitutional founder by making it a basis for the recent constitutional amendment. Article 112, paragraph 07 states that the Prime Minister oversees the proper functioning of public administration and public facilities. The Ministry of the Interior and Local Authorities has drawn up a program for digitizing municipalities and connecting them to the internet. This has helped citizens' access electronic portals and requests their services after filling in the required data.³⁷

Where any citizen can now obtain civil status documents from any municipality, and security investigations in passport files have been cancelled. Additionally, they have been exempted from providing documents that are available in the national electronic civil status registry³⁸. The postal and transportation system now relies on magnetic withdrawal cards, making it easy for individuals to withdraw money from their financial balance from any post office that has an ATM at any time. The electronic health card adopted by the Social Security Institution allows policyholders or their eligible dependents to obtain their entitlements and benefit from several services, whether with a doctor or pharmacist.³⁹

We see that these measures have reduced the queues that public facilities used to experience and have contributed to alleviating the burden of traveling to distant places to obtain documents. It is undeniable that these procedures and others have been well-received by citizens. To simplify administrative procedures and make them clearer, there must be an increase in transparency. The dissemination and popularization of procedures by beneficiaries and their inclusion in them is considered a form of transparency and reform. The importance of this lies in achieving administrative guidance by reviewing legal regulations and organizational structures to simplify administrative work and meet the needs of citizens and public facilities to achieve the public interest.⁴⁰

However, the success of digitizing public facilities depends on the efficiency of employees on one hand and the level of education and knowledge of the targeted individuals in using modern technologies on the other. It is futile to rely on modern technology without knowing how to utilize it.

III.1.2 The embodiment of the principle of participation in the management of public facilities

The principle of participation is one of the most important modern principles on which the public services is based. These principle guarantees, in some legal texts, the right to consultation when seeking the opinion of citizens on a matter related to the management of the public services or through participation in decision-making when citizens participate in it⁴¹. This is what the Algerian legislator sought to embody through Article (15) of the 2020 constitutional amendment. We find that the constitutional founder provided a guarantee for the citizen to exercise the principle of participation in the management of public affairs. However, what is criticized about this principle, which is considered among the most important principles of governance in Algeria, is its formal nature⁴². Participation is embodied through active and effective citizenship, which includes all governance actors (the private sector, civil society, and citizens) at the level of embodying decisions (preparation, decision-making, implementation, evaluation, and assessment). In the context of this interrelated relationship, participation becomes a developed positive consciousness⁴³.

As confirmed by the legislator in Law 11-10 on Municipalities, citizens are to be involved in the management of public affairs, as stated in Article 02, which describes the municipality as a regional base for decentralization, a place for practicing citizenship, and the framework for managing public affairs⁴⁴. An entire section is dedicated to citizen participation in the management of municipal affairs. Civil society plays an important role in filling the gap left by the state's withdrawal from managing its facilities, and it contributes to achieving a great balance and stability within the community, thanks to the established rules and voluntary work of these associations.

However, Algerian legislation does not require those responsible for public facilities to involve various stakeholders, as can be seen in Article 13 of the Municipal Law. The president of the municipal people's council may consult local associations and any personality or expert who can contribute to the council's work or its committees. This makes the principle of participation dependent on the president's will, as he may choose the mentioned party based on criteria that align with his narrow interests without regard for the public interest⁴⁵.

The legislator also enshrined this principle in Article 02 of Directive Law 06-06 concerning the guiding law for the city, which stipulates that coordination, consultation, and arbitration are to be used to achieve the city's policy⁴⁶. Article 11/04 explicitly states that promoting governance involves the participation of civic movements and citizens by public authorities in managing cities, while Article (17) states the state's responsibility to provide conditions for citizens' participation at the neighborhood and city levels⁴⁷.

Law 03-10, which pertains to environmental protection within the framework of sustainable development, stipulates that among the principles involved in prior participation in decisions that may harm the environment⁴⁸. In the field of development and urban planning, the legislator obliges the involvement of citizen associations in the preparatory stage of the planning process, as stated in Article (07) of Executive Decree 91-177 concerning the preparation of the development and urban planning master plan. Article (09) requires oral or written notification to be sent to associations⁴⁹.

III.2 Evaluation of the efficiency of public services governance in Algeria

In order to improve the relationship between the public services and citizens, its policy must be changed from an authoritarian facility to a citizen facility and from a bureaucratic facility to a service facility. This requires making the facility more transparent in order to improve its relationship with citizens⁵⁰. Bureaucracy, with its negative concept, has contributed to a rift between citizens and public facilities. In order to strengthen this relationship, strong and modern pillars of citizen facilities must be established that respond to demands and needs in order to achieve the public interest and respect for the law. Citizenship is exercised within the framework of public facilities and is considered an essential tool and gateway to authentic and effective governance of public service. Therefore, a review of the administrative and political mentality based on the priorities of power over citizenship and the public interest is required at the legislative and administrative levels⁵¹.

Algeria has not implemented the new visions of governance models as it should have and has been limited to discussing them in official and media discourse due to weak political and institutional will. Their implementation remains weak compared to other countries⁵². The constitutional founder did not address the governance approach except through what was included in the amendment of the constitution for 2020, and participatory democracy in Article (16) emphasizes the need to actively involve young people in the process of building and preserving the interests of future generations. What was included in the context of Article (199) in the second paragraph is that the Court of Auditors contributes to the development of good governance and transparency, as well as its handling of the supreme authority of transparency and prevention of corruption and its fight in Article 205 on its contribution to the ethics of public life and the determination of the principles of good governance and the prevention and fight against corruption⁵³. However, implementation remains difficult in the face of public services imbalances⁵⁴.

Public facilities governance is still in its early stages compared to Arab and foreign countries that were pioneers in adopting this approach in order to develop public service in a way that meets the aspirations of citizens. This approach seeks to reconcile citizens with the administration and ensure a cooperative, productive, and responsible relationship from both sides. This can only be achieved by opening doors, removing differences between citizens and public facilities, restoring their prestige, and involving them in finding solutions to achieve their full citizenship⁵⁵. The lack of governance is due to the public facilities themselves, which are characterized by inefficiency and corruption. Even if legal entry points are important, they are not applied⁵⁶.

Poor management behaviors affect the relationship between public facilities and citizens. Despite the attempts of the legislature to monitor bad behaviors within public facilities and specify several mechanisms to limit them, these behaviors remain beyond the objectives set under the discretionary authority of the administration³⁷, the exploitation of positions and influence, the use of public means, and discrimination among citizens. To abandon these practices, participatory standards in public decision-making must be adopted, relying on the principles of participation, transparency, accountability, and the involvement of all stakeholders in the state, including the private sector and civil society, in a participatory approach to confront the dominance of the executive power. Attention should be given to developing civil society, which is characterized by loyalty and selectivity. Real participation depends on the presence of a strong, active civil society that is aware of public affairs³⁸.

IV. Conclusion:

Through what has been mentioned above, it becomes clear that governance is one of the most important mechanisms that can improve the relationship between the public sector and citizens by embodying transparency, effective participation, and truth, which can address the manifestations of corruption and bureaucracy at the level of the public sector. The most important results we have reached through this study are:

- ❖ Governance approach requires a radical change in the policy of the public sector from an authoritarian bureaucratic facility to a citizen-oriented service facility.
- ❖ The prevalence of corruption, bureaucracy, nepotism, and complexity in administrative procedures at the level of the public sector was a cause of the decline in public service, which affected the relationship between the facility and the public sector.
- ❖ Failure to align laws with reality and failure to regulate and manage the public sector makes the legal basis worthless, leading to its neglect and non-application.
- ❖ The absence of a body responsible for classifying administrative documents and determining the documents that are allowed to be circulated, so that the administrative entity is not hindered by the confidentiality of the documents and citizens are not deprived of the constitutional right guaranteed to them.
- ❖ Digitization of public facilities achieves transparency by allowing access to administrative information and documents without complication, and this contributes to eliminating bureaucracy and reducing the rampant corruption within it, but it remains subject to the material and human resources available for this, and the efficiency of those in charge of the public sector and the ability of citizens to exploit modern technology.
- ❖ The contribution of digitizing public facilities to achieving ease of public service and improving its quality, which enhances citizens' trust in public facilities and the feeling of satisfaction with their performance.
- ❖ Embodiment of participation in several legal texts carried out by the Algerian legislator, but they often lack the legal mechanisms to embody them, and the absence of political and administrative will to implement them.

In light of the previous results, we offer the following recommendations:

- ❖ It is necessary to reconsider the administrative and political mentality that places the citizen's interest as a priority over the authority's objectives through good training, whether for employees or elected officials.
- ❖ It is necessary to explicitly include the term "governance" in the Algerian constitution, similar to its Moroccan legislative counterpart in the 2011 constitution, which devoted an entire chapter to governance.
- ❖ It is necessary to limit the discretionary authority of the administration by defining its tasks and powers in a specific manner, with strict enforcement.
- ❖ It is necessary to review all laws governing public services and update them to be able to accommodate developments.

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