



## Encyclopedic Dictionary of Public Administration

The reference for understanding government action

### DEVOLUTION

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The term devolution is derived from the Latin verb *devolvere*, meaning to roll down. In English, it has been used since the 16th century in civil law to refer to the descent of property through inheritance or legal succession. However, as early as the 1400s, devolution took on another sense: the passing of power or authority from one person or body to another. In an extension of this sense, the term today is used in political and administrative language to refer to the transfer of a power or jurisdiction, as well as, in some cases, the authority to control the resources associated with transferred responsibilities. In the sphere of public affairs, the concept of devolution is associated with a subsidiarity-based approach that gives lower-level units a larger role. Today, this process is subject to a tight framework by all governments adhering to the rule of law.

From a political and institutional perspective, the implementation of true devolution (in contrast with superficial changes that are sometimes described as devolution) may take two forms. In the first case, a central government regionalizes and decentralizes its administration by granting specific territories jurisdiction over certain responsibilities previously associated with the central entity. In the second case, a unitary government becomes a federated structure in which aspects of sovereignty are shared out between a federal government and federated states whose autonomous governance and decision-making powers in well-defined areas are set out and guaranteed by a fundamental organic law (or constitution). This federated situation cannot be modified except through a (generally onerous) formal process to amend the constitution, since compliance with the rules stemming from an organic law can be challenged only in the highest law courts.

In public administration, the devolution of power (to execute, appraise, undertake, control, etc.) does not imply the same degree of permanence as it does in a political or institutional context. The term usually refers to the process whereby an entity that is legally responsible for certain duties delegates them to another entity. Devolution may also be used to mean the shifting of public duties (or authority) from a person normally in charge of them to another entity judged to have sufficient capabilities. The term may thus be said to designate the properly authorized transfer of responsibilities from a higher entity to a lower one within a hierarchical structure, with the result that the lower entity has more power, at least provisionally.

The powers that are devolved in this transfer may be related to a mandate conducted in the public interest (in keeping with administrative decentralization), decision-making capacity in a well-defined area (in regards to the delegation of authority) or responsibility for certain operations (in instances of administrative deconcentration). In public administration, a frequently observed example of this last case is the transfer of responsibility for mobilizing the appropriate resources to

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serve as input for the conduct of government actions – a responsibility that implies respect for previously determined standards of quality and quantity, since the rules for government contracting must be complied with at all levels.

In accordance with modern administrative law, any devolution of an authority or a responsibility that has been granted to an entity or administrative level at a given time through a law, regulation or government order may normally be revised or withdrawn through an administrative measure of the same nature. Such a measure is taken by the administrative entity that delegated the authority or responsibility in the first place, or by an entity that is still higher in the hierarchy. This action may be taken either to reassign the authority or responsibility to another lower-level entity or to implement a program of recentralization or reconcentration, justified either by the fact that the devolution did not lead to the desired results or by the development of an organizational structure considered to be more suitable for carrying out administrative missions and responsibilities.

### Bibliography

*The Compact Edition of the Oxford English Dictionary* (1971). Oxford, Oxford University Press.

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<b>HOW TO CITE</b>	Bernier, P. (2012). "Devolution," in L. Côté and J.-F. Savard (eds.), <i>Encyclopedic Dictionary of Public Administration</i> , [online], <a href="http://www.dictionnaire.enap.ca">www.dictionnaire.enap.ca</a>
<b>INFORMATION</b>	For further information, please visit <a href="http://www.dictionnaire.enap.ca">www.dictionnaire.enap.ca</a>
<b>LEGAL DEPOSIT</b>	Library and Archives Canada, 2012   ISBN 978-2-923008-70-7 (Online)