

## Re(De)-Forming public administration: an expert outlook on reform planning in Romania<sup>(1)</sup>

**Diana-Camelia IANCU**

National School of Political Studies and Public Administration, Bucharest  
dciancu@snsps.ro

**Abstract.** *It has been argued that the West with its well-established democracies was largely responsible for the filling of the institutional vacuum the East experienced after the fall of totalitarian regimes in the eve of the 90s. Scholars of international relations and public policies loudly debated on the existent causality between the European enlargement and the administrative reforms Central and Eastern European countries experienced in the last two decades. Be it in the form of soft or hard law, financial aid or penalties, Western norms were supposed to have been transferred to acceding countries in a rather alert tempo, and with a high(er) rate of compliance success. This research builds on these arguments without yet embracing them completely and tackles the issue of Western values successful transfer to public administration reform planning in Romania. The main question it attempts to answer is to what extent substantial compliance to the European expectations for building a consolidated public administration was achieved. In doing so, it compares formal national discourses of successful public administration reform with personal experiences of Romanian public managers, four years after Romania's accession to the European Union. Between 2005 and 2008, the Romanian Government acknowledged the need for developing a highly professional, apolitical category of civil servants later to be called "public managers". These managers, young people that were offered Governmental grants to train themselves in Western universities, were supposed to guide national reforms from the inside of the system. Their informal role was to use their Western academic and training experiences and place them against the national background so as to plan and execute a "good" public administration reform. Was this achieved? What were the intervening*

*factors? The interviews performed on public managers from central government organizations are placed against the framework of post-enlargement Europeanization studies and sustain the original hypothesis of the paper: there is a gap between reform discourse and reform practice, and transfer of Western values is hardly visible when the agents of this transfer are solely public managers.*

**Keywords:** post-enlargement europeanization; public manager; administration reform.

**JEL Code:** H11.

**REL Code:** 13G.

## 1. Introduction

One of the first definitions of Europeanization in the social sciences framework was provided by Ladrech (1994); in his view, the Europeanization was an incremental process that aimed at integrating the economic and political dynamics of the EU within the domestic logic of policymaking. In turn, Knill and Lehmkuhl (1999) defined Europeanization as the impact of European policies on the internal structures of a member state. In their approach, being Europeanized was a consequence of the European impact and a synonym to “being changed by EU policies”. In analyzing how much change was involved in this causal relation, Knill and Lehmkuhl (1999), as well as Töller (2004), Bauer et al. (2007) or Sedelmeier (2011), for that matter, hypothesized that the domestic changes experienced by member (and applicant) states varied along the institutional arrangements provided by different EU policies. Radaelli (2000) on the other hand, spoke of the EU adaptational pressures member states were subject to and discussed the latter’s reaction to them in terms of coercion and mimetism. So did to some extent Grabbe (2006) when addressing the case of applicant countries and their accession process to the European Union.

All these analyses above had in common a “top-down” approach, genuinely part of the so called “first generation” in the studies of Europeanization – national reactions to EU pressures were explained by assuming a legal, institutional or procedural misfit of the domestic setting against the European one. This approach proves useful also to the scope of this paper, as it assumes that Romania’s misfit in connection to the EU requirements on civil service reform may have contributed to the development of a new type of bureaucrat: the public manager. In fact, the argument goes that since 2000 (the year when negotiation for EU accession started), the Romanian civil service was subject to a stick and carrot mechanism: should reforms successfully married the European milestones (e.g. they managed to be produced in a rather sustainable manner and on time), they would have generated (more) funding (e.g. via PHARE), (more) delivering of expertise (e.g. via twinning projects) or (more) political support (e.g. via awarding green flags). Subsequently, a lack of progress in the area would have implied less or no financial support to further strengthen the reform, a cut-down or a shortening in expert training via twinning projects as well as the flying of red flags alerting the public and the authorities on the unsatisfactory political performance. Arguably, such an assumption may prove its merits *during* the accession period, in view of an uncertain finish (inside or outside the European Union); but what about *after* accession? As argued by the literature (Vachudova, 2009; Dimitrova and Toshkov, 2009; Meyer-Sahling, 2009; Levitz and Pop-Eleches, 2010;

Junjan and Iancu, 2011), post-accession trends of reforms are quite optimistically stable, yet rather realistically, less alert than prior accession. As such, it might be fair to assume that the Romanian civil service experienced an accelerated rhythm of reform between 2000 and 2007 and got stabilized after 2007. This paper argues a slightly different turn of events: while assuming that the carrot of EU accession did play a role in balancing the existent misfit in civil service performance with the European expectations in the matter up to the year 2007, it provides two arguments for considering that not only the civil service reform stopped after accession, but that a de-form process started once the stick of European monitoring disappeared. As argued in this paper, the de-form process implied a politicization of the civil service (from its top to its bottom) and a process of diminishing the “change-agent” role of public managers inside the system.

## 2. In civil service for a political boss<sup>(2)</sup>

In 1971, William Niskanen developed a theory of bureaucratic inefficiency. His model of bureaucracy started from the assumptions previously made by Downs (1965) and Tullock (1965): first, that collective action should be explained through individual actions; second, that individuals are utility maximizers. Additionally it assumed that there are only two actors in the model world: the bureau chief (head of the agency) and the sponsor (the financing political body). They both maximize utility in the form of a bigger budget (the bureau chief) and re-election (politicians). The essential premise of the model is that of bilateral monopoly, which characterized the relationship between the bureau chief and the sponsor (Niskanen, 1971, p. 24). It consisted in the assumption that the bureau was placed in a monopoly position (unique seller), whereas the sponsor is in a monopsony position (unique buyer). The sponsor is, though, unaware of the real production costs of the bureau (informational asymmetry). From these assumptions (and a few others that I won't mention here).<sup>(3)</sup> Niskanen derives its famous conclusion: bureaucratic production is inefficient; the budgets will be greater than optimal and there will be a supra-production of public goods (more than the ideal points of citizens and politicians).

This model generated a large amount of subsequent literature; most of the following researches on bureaucracy focused on its efficiency, refining it or building other negotiation models between sponsor and bureau chiefs (Romer and Rosenthal, 1978; McGuire, Coiner, and Spancake, 1979; Miller and Mow, 1983). Almost all, though, assumed a relative independence between bureaucrats and politicians and a fully developed bureaucratic system. There are

at least two problems here. First, in reality, we have different degrees of bureaucratization. Real states could be placed, thus, on an imaginary scale, starting from the fully politicized (spoils) system and ending with a fully bureaucratic system. The bureaucracy models mentioned above will apply only to the fully bureaucratic systems (if any). Second, as discussed by Iancu and Ungureanu (2010), spoils and bureaucracies could hardly be analyzed in the same way. In an ideal bureaucratic organization, the civil servant is not dependent of the politicians and there are far more incentives to efficiently produce public goods, than in spoil systems. However, the independence of the civil servant from the politicians may cause losses to political firms<sup>(4)</sup> and it is for this reason that normally, politicians prefer more politicized systems looking as much as possible as bureaucracies, so as the production of public goods to not be visibly affected. This last sentence refers to a problem of the collective action as identified by Downs (1957). Individuals are not motivated to monitor governmental actions, to inform themselves upon costs and levels of public goods production.<sup>(5)</sup> For this reason, up to some point, politicization may pass unnoticed. Also, as long as for the rational ignorant, the production of public goods is not visibly affected, then it might arrive in a quantity and with a quality less than optimal without consequences for politicians. From this, politicians will rather have mixed systems of public administration – politicized, but as much as the de-professionalization to not be visible, and accordingly, the production of public goods to not show any shortages for the rational ignorant. This observation infers the reactivity to costs of politicians – politicians will politicize the public administration up to the point where the marginal cost of politicization exceeds its marginal benefits (Iancu and Ungureanu, 2010). What may be deduced from here is that if one observes change in the politicians' costs, then one may witness changes in their actions as well. Concretely, the civil service system change with the politicians' costs. The idea here is that politicians will positively react to institutional (or other kind of) incentives for maintaining a de-politicized public. If these incentives are not present though, it is to be expected that they will act like political bosses of public administrators.

### 3. ...Under Weber's roof, advocating NPM and JUG<sup>(6)</sup>...

In *Economy and Society* (1914, 1922), M. Weber largely presented and analyzed the benefits of a bureaucratic system of public administration. He described the bureaucratic organization by listing a series of organizational attributes like: rational-functionality, hierarchy and permanence. The Weberian bureaucracy provided competitive jobs (for experts) and fostered merit-based

selection and promotion criteria for its employees. In M. Weber's terms: "Bureaucracy is an administration by trained experts. Only persons who qualify under general rules are employed. The possession of educational certificates or patents is usually linked with qualification for office." (Weber, 1922, pp. 956-999).

At another end of public administration reform,<sup>(7)</sup> NPM advocated in favor of restructuring (public) bureaucracy following private sector patterns. The focus on: efficiency; output and performance assessment; private ownership and alternative forms of delivering the public services; management decentralization; and enhanced mechanisms for reporting and monitoring, become pillars of the theoretical argument developed by the NPM literature (Kaboolian, 1998; Gaster, 1999, p. 36; Gruening, 2001). As commented by T. Bovaird (2003, pp. 38-39), adherents of the NPM school of thought tended to wish for redesigning ("re-engineering") organizational processes around the needs of service users and other stakeholders, while being concerned with the inefficiencies produced by political interference in managerial decisions.

If coordination is to be considered the end state in which policies and programs of the government are characterized by minimal redundancy, incoherence and lacunae (Peters, 1998, p. 296), and "joined-up government" is a phrase which denotes the aspiration to achieve horizontally and vertically coordinated thinking and action (Pollitt, 2003, p. 35), then "joined-up government" is being practiced before it was so named (Richards and Kavanagh, 2000; Ling, 2002, p. 639; Pollitt, 2003, pp. 36-37; Humpage, 2005, p. 49; Christensen et al. 2007, p. 390).

As an umbrella term describing various ways of aligning formally distinct organizations in pursuit of the objectives of the government of the day (Ling, 2002, p. 616) and a heavy British accent,<sup>(8)</sup> JUG implies working across organizational boundaries (be it between portfolios or departments within a tier of government, different tiers of government, government and other sectors or the community etc.) without removing the boundaries themselves. This *modus operandi* is said to help strengthening the overall accountability of the public sector, by: achieving the democratic legitimacy through shared responsibility and building consensus around policies (McGhee, 2003, p. 348; Johnson, 2005, p. 6); make better use of scarce resources (Pollitt, 2003, p. 35); and promote innovation, by bringing together different people, backgrounds and organizations (SSA, 2007, p. 4).

Prudence is surely necessary, as joint working should not be considered a panacea to the public sector's problems (Barton and Quinn, 2001, p. 51). However, if reducing the scale to local government and considering the apparent increasing local institutional complexity given by the shift from local government towards more loosely structured local governance (Darlow et al.,

2007, p. 118), it may be argued that JUG brings an interesting addition to the debate on the subsidiarity principle as defined by the European Charter of Local Self-Government.<sup>(9)</sup> Arguments in favor of this view are possible to encounter once reading strategic documents aimed at reforming local government in the United Kingdom or Australia for that matter<sup>(10)</sup>. According to them, JUG is a model of decision making, which allows active bringing of the government closer to the people (DETR, 1998b: paragraphs 3.49, 3.59, 4.3; DETR, 1998a, paragraph 1.7, corroborated to paragraphs 1.9 and 1.14); while limiting (to an extent) the failures in achieving best value or acceptable standards of service (DETR, 1998b, paragraph 7.48; SSA, 2007, p. 4).<sup>(11)</sup>

Practicing JUG is not an easy task, however. “It is vital that we lose the skills of battle and find the skills of organization and partnership...” (H. Armstrong, 1997 in Wilson, 2000, p. 52); the organizational cultures, skills, capabilities, and management systems and structures that support collaborative and integrated ways of working become as such critical:

[...] One of the principal barriers to successful joined-up service delivery is the assumption that better use of traditional government systems and processes will result in joined-up solutions. Traditional systems and processes are designed to deliver government services from centrally controlled, vertically organized agencies. These systems and processes become increasingly inappropriate as government agencies move away from traditionally organized service delivery towards more customer-centric joined-up approaches”. (Johnson, 2005, p. 4).

Success may also be determined by: working towards shared goals that are clearly defined and mutually agreed; measuring and evaluating progress towards the goals; having sufficient and appropriate resources available; having strong leadership, directing the team and initiative towards the goal; and working well together with a sense of shared responsibility (Ling, 2002; Pollitt, 2003, p. 44; Humpage, 2005, pp. 49-50; SSA, 2007, p. 5). Contrary to what it may be thought (in the light of so many critical success factors), joined-up arrangements aren't rare; they often (as the literature shows) nurture in the fertile ground of post NPM governance structures and take the form of:

1) Whole of Government Integration – characterized by a top down whole of government policy framework based on what government seeks to achieve followed by practical strategies to achieve whole of government integration (Johnson, 2005, pp. 16-18);

2) Service Delivery Integration (integration around partnership agreements) – the main feature of this sort of joined up arrangement is the collection together of information and services about a shared customer or common issue. These strategies seek to enhance the use of traditional centralized systems and

processes to deliver increased efficiencies and improved services. They are well suited to the role of government as a coordinator rather than a provider of services (Johnson, 2005, p. 19); or:

3) Integration around Programs – which involve ongoing cooperation and collaboration by a community of problem solvers. Membership of the community may be voluntary; while this type of joined up arrangement may be ad-hoc.

Be it Weberian bureaucracy, NPM or JUG these approaches to public reforms can hardly live together in harmony. For instance, pleasing the political boss could sometimes mean neglecting the customer; just as acting as expert might jeopardize their relation to the citizen (Aucoin, 1990; 2012). Confusion may be even more present when working inside an acceding country, interested in playing nice for the sake of the enlargement carrot, one faces the rhetoric of Weberian bureaucracy, combined with NPM and JUG under a mostly generous umbrella concept like ‘consolidated administration’.

#### 4. ...Building a consolidated administration...

In December 1995, when the European Council urged candidate countries to adjust their administrative structures up to developing consolidated administrations, the final accession criteria was settled. No later than 1996, the European Parliament in its Resolution reply to Agenda 2000 suggested that candidate countries should continue the process of developing their capacity and quality of administrative procedures, considering that reducing corruption is necessary (paragraph 47) and that: “an efficient and trustworthy public administration is a vital element in the accession process, especially in regard to the consolidation of rule of law [...]” (paragraph 12). Also, it recommended that candidate countries should “establish through appropriate constitutional measures efficient local, regional and national administrative structures, to encourage the presence of private sector in these tiers of government and to strengthen the financial control system for a future effective use of structural funds” (paragraph 13).

It was then that one principle useful to the consolidation of public administration was firstly established: the decentralization principle. In addition, the European Parliament spoke of efficient administrations, effective use of structural funds and implication of private sector at infra-national level – possible to translate in light of the SIGMA readings<sup>(12)</sup> as explicit references to the principles of efficiency, effectiveness and partnership. In 1998, the EC Regular Reports on the progress of each candidate country in the accession process appeared as possible sources for explaining and interpreting the



methods and techniques of administrative consolidation. In the same year, OECD-SIGMA proposed their first analysis on a “conventional administrative model: “Preparing Public Administration for the European Administrative Space”. In the context of national administrative reforms, it clearly pointed towards democratic principles, professionalisation of civil service and democratic administrative organization. Later, in the document entitled “European Principles of Public Administration”, OECD-SIGMA drew the picture of an “un-formalized *acquis*” (formed out of procedural, administrative principles possible to identify in EU member states) and categorized the existent administrative principles in Western Europe into four clusters: one dealing with the so-called predictable nature of the state and its administration (including principles like the rule of law, generously referred to by the literature as an example of how traditional administration is organized); one referring to openness and transparency (more appropriate for an NPM approach); another one dealing with efficiency and effectiveness (a similar aim, with different methods for Weber, NPM and JUG alike) and finally, the fourth pointing towards accountability (again, a concept of different meaning to bureaucrats). SIGMA and later on, the European Union validated these clusters as possible blueprints for administrative reforms (Iancu, 2010), and by that they basically sign a recipe to an administrative reform cocktail including elements of the Weberian bureaucracy, NPM and JUG. So it comes as no surprise that when urged to “change the system”, public managers in Romania faced a quite eclectic multi-choice exercise sheet.

##### 5. ...With public managers as change agents...

“Young creative person, of no more than 35 years old, interested in promoting change, highly adaptable, result-oriented with critical and analytical thinking and high skills of leading negotiation teams, looks for transition public administration in need for a professional reform”.

That may very well be a humorous (yet quite accurate) reading of the provision of the legal text describing the general skills of 400-ish public managers in Romania.<sup>(13)</sup> It is not entirely surprising that public managers were viewed as a deadly cocktail for inefficiency and rigidity: upon entering into force of their Statute<sup>(14)</sup> in 2004, they were meant to create a professional and meritocratic body of civil servants, one capable of a “real cultural change”, EU style<sup>(15)</sup>. The body of the Statute contained even a Preamble where the carrot mechanism of the European accession was quite obviously present: while explaining the need for an enhancement in the civil service reform, the Romanian Government acknowledged the pressure of the “To do list” it agreed

upon opening the negotiation with the European Union and the risk of losing the contract on the PHARE Project RO 0106.03 on “Developing a professional body of civil servants in public administration – Young Professional Scheme” (which provided an initial sum of 4 million Euro and promised at the date an additional 3,5 million Euro for its continuation). Public managers were as such conceived as to approach the problems of the public sector in a creative manner, by introducing appropriate managerial tools in policy-making.<sup>(16)</sup> And of these tools they were supposed to have learnt during their internships and postgraduate studies in old Member States (typically Great Britain, France and the Netherlands) and also, during the national training sessions aimed at developing their knowledge of human resource management, strategic management, public policy, EU policy-making, administrative law and accounting and budgeting. At the end of their trainings and internships, and after debating with their institutional mentor the necessary steps to be taken, the profile of the public manager would have looked as presented by Table 1.

Table 1

**Core competencies for Romanian public managers<sup>(17)</sup>**

Understand the basics of:	Know:	Be able to:
Management	To orientate towards results	Plan and prioritize activities
		Act pro-active towards problem solving
	To make decisions	Act determinate
		Act accountable
Change management	Human resource management	Think critical and analytical
		Decide and implement
		Take calculated risks
Personal development	To develop him/herself	Promote change and change naturally
		Train others
	To think constructively	Learn continuously
		Be adaptable
Communication	To develop productive relationships	Think creatively
		Identify innovative solutions
	To communicate efficiently	Network
		Achieve the goals consensually
Team spirit		Communicate
		Influence, negotiate, and mediate
		Work in teams

All these skills and competencies would have been used in order to ensure the efficiency of the public administration reform, by: “stimulating creative yet sound solutions for problem-solving and modernization of public sector performance; enhancing the institutional capacity of the administration; assess, review and recommend improvements for current administrative practices; making new public policies, strategies and procedures; developing action plans

for implementing policies and strategies; estimate and manage human, financial, material and technical resources; and monitoring and evaluating the implementation of public policies, strategies and programs” (excerpt from article 55 of GD 783/2005).

If to shortly analyze the statute of the Romanian public manager between 2004 and 2007, it comes as no surprise that it embodies characteristics similar to those of a CEO in private organizations (Table 2).

Table 2

**Core competencies for CEOs<sup>(18)</sup>**

Understand the basics of:	Know:	Be able to:
Management	The culture of the organization	Lead strategic thinking and planning efforts
		Delegate appropriate decisions and responsibilities
		Make clear and timely decisions
		Create a sense of shared responsibility
Organizational development	A personal approach to change management	Constructively challenge those with power and authority
Personal and professional development	The organizations' functions and competencies	Lead an efficient and effective organizational operation according to best practices, ethical guidelines and fiduciary requirements
Planning	The organization's future needs	Create a work environment in which staff feel comfortable taking risks to help the organization meet its mission
Vision setting	What can excite the imaginations of staff, the board and pertinent external groups	Detect and manage changes in the organization's functioning, culture, or dynamics
		Educate others on the future directions and inspire them to be supporters and advocates
Collaboration and partnership	Successful personal approach(es) to collaboration	Conduct ongoing personal and professional development
Communication	The public context in which the organization operates	Relate well to a diversity of individuals
		Create a positive and productive work environment
Decision-making	Personal decision-making style	Guide cross-team and cross-organizational collaboration
Governance	The principles of laws applicable to governance	Use external consultants and experts effectively
		Manage competing interests
		Write and speak effectively and compellingly
		Convene and manage groups
		Work well as a team player

Colum 3 of Table 2 for instance describes the “to do”-s for CEOs, following the sequence presented by Colum 3 of Table 1: although CEOs add value to their organizations by acting as leaders and visionaries of the organization’s mission and goals, public managers are basically required to have similar activities. They should be able to manage, develop, communicate and decide upon the role of public organization and of the system as a whole, in light of their training in coping with the European mixed expectations. However, they are less free than a CEO is from its Shareholders Boards: public managers are civil servants working in the direct subordination of a high rank civil servant (or another top management position) but under the patronage of a politician (or more) that may not be too enthusiastic about him/her hiring people, controlling the outcomes and deciding the future directions for public action. At least not if the politician may happen to be in search of obedient personnel, as assumed in this argument. Should that be the case, then despite the very generous legal description of “can” and “cannot-s” of public managers, one should be able to find traces about the strings the politicians used for controlling their reform agents.

#### 6. ... Coming to full-stop and reverse after 2007...

In 2007 Romania became a full member of the European Union. As of that date, the European Commission stopped providing detailed feedback such the one given between 1998 and 2006. However, safeguard clauses on corruption and weak judicial system were raised. Since, the European Commission has started to issue Reports on the Coordination and Verification Mechanism twice per year. In 2008 the European Report of July declared that: “Romania presents a mixed picture. It has put the fundamental elements of a functioning system in place. But the foundation is fragile and decisions on corruption are highly politicized. Each step in the right direction endangers a divisive internal political debate, fostering legal uncertainty. Commitment to reform by Romania's key institutions and bodies as well as with regard to different benchmarks is uneven” (p. 6). One year later, the situation got worse: while in February 2009 maintaining the rule of law became a sensitive issue, in July the Commission raised the question whether the safeguard clause should be triggered (p. 6).

What happened though, in the civil service arena? Following a documentary research of civil service related legislation between 2000 and 2011 (Annex), it became obvious that post-accession regulations on civil service were altered as to better fit the expectations of the political leadership.

Although in 2007 a new Statute on civil servants was adopted and one year later it was followed by new regulations regarding public managers, the reforms gave green light to the political appointee to assess the civil servant in his/her subordination: former high rank civil servants (directors of deconcentrated bodies of the public administration and heads of public managers) were re-converted into political appointees and the authority of assessing the performance of local civil servants was given to their superiors (instead of a national, independent body, like the former National Agency for Civil Servants). In practice, that usually meant that a politician would assess a civil servant (e.g. the mayor assessed the secretary of the city-hall; and the high rank civil servant would decide whether the public manager under his/her jurisdiction was competent or not) giving as such room for (more) political discretion. As advocated by Iancu and Ungureanu (2010), these transformations actually contributed to the politicization of the civil service. In fact, for public managers, the “de-forming process” was even more substantial: as of 2008 and the amendments adopted in 2011<sup>(19)</sup>, public managers lost their strategic role as reform experts.

The data regarding the politicization and the diminish of the role played by public managers in Romanian public bureaucracies after 2007 were also validated by a set of elite interviews conducted between March-April 2012 on a group of 12 (twelve) active public managers. The interviews were semi-structured and addressed to public managers with not more than 5 years working experience in the system, active at local level (4 persons), central level (7 persons) and European level (1 person) and dealing with regional development, tourism, finance and internal affairs. Interestingly enough, when asked to name several European values they feel that the Romanian public administration might gain from, 10 out of 12 respondents spoke of “professionalism”, 6 out of 12 named “respect for one’s profession and colleagues” and only 2 pointed towards “efficiency”. The excessive politicization, doubled by the lack of professionals and the confinement of public managers to routine work urged 10 out of 12 respondents to conclude that presently “there are only formal talks of reforms”, as “the top management agenda does not contain reform measures anymore”. More aggressively on that note, one of the public managers confessed that “we are asked to make things look good on paper, but the actual implementation of what we wrote does not basically exist”. Was the Young Professional Scheme a success? To this question, 10 out of 12 public managers responded “yes and no”: although the program created a trust-worthy body of civil servants, the actual working placement of public managers was significantly delayed (as of 2006 onward)

and the possibility of advocating change at organizational scale was considerably low. The general feeling of the interviews was that public managers are nothing but wasted experts who eagerly wait the five years contract with the Romanian government to end and move on to a more competitive working place (most likely, a private one).

## 7. Conclusion

This paper opened the discussion on three levels relevant to the studies of public administration reform in transition countries: the first refers to the assessment of the role the European Union played in monitoring the processes of decentralizing, coordinating, increasing efficiency of public services, while ensuring their transparency, etc. Scholars of Europeanization treat the European Union as a demanding actor, which applied sanctions and distributed awards among its applicants for the sake of reducing the degree of misfit between (amongst others) the former spoils system of administration (coming from a totalitarian experience) and Western bureaucracies. In doing so, it raised red flags and granted funds to reconstruct the administrative institutions of Romania, thus pressuring domestic actors to change themselves in a rather alert tempo. To what extent did this rhythm of change remain the same after the accession? And to what extent did the changes the European Union advocated for, create substantial practices after the accession? The argument here very briefly states that after obtaining the membership carrot, in the civil service, Romania began its return to its 'old ways of doing business', which basically meant politicization. Changes advocated between 2000 and 2007 in the area of civil service were only partly sustainable, and the documentary research of the legislation, doubled by a small scale expert interview session with public managers active in the Romanian public administration validated that hypothesis.

The second aspect addressed here deals with the existent tension between the European requirements for action in transition bureaucracies. The well debated "European administrative space" and "consolidated administration" are obvious examples for the eclectic approach to "Western standards" in public administration. Built on Weber's ideal bureaucracy model, reconfigured under the predicaments of NPM, JUG, etc., the consolidated administration is more of an eclectic theoretical tool rather than a practical concept, with technical connotations. Studying the concept of consolidated administration might in fact generate substantial contradictions whose balancing may prove quite difficult in practice.

Finally, this paper briefly addressed the issue of internal change of public administrations by discussing the role of public managers in the Romanian context. Described in the words of the accession reforms as genuine CEOs of public administration, public managers are currently performing routine duties, under the patronage of what seems to be a political employee. Is this all that is? Did the internal change of public administration fail under the pressure of politics? This paper did not address these questions, yet it surely aimed at triggering the attention on the need to further study the public administration reform in transition countries.

---

## Notes

---

- (1) Paper prepared for the 20<sup>th</sup> Annual NISPAcee Conference, May 23-26, 2012 - Ohrid, Macedonia.
- (2) This section draws from the arguments presented by Iancu and Ungureanu (2010).
- (3) For an in depth analysis of Niskanen's model see Ungureanu (2012).
- (4) See Reid and Kurt, 1988, 1999 for this approach to public organizations.
- (5) This problem is called rational ignorance.
- (6) This section uses some of the arguments presented by Iancu (2009).
- (7) *Inter alia*, Hood (1991); Osborne and Gaebler (1992); Pollitt (1993); Rhodes (1996); Peters and Pierre (1998); Cope and Goodship (1999); Pollitt and Bouckaert (2000); Denhardt and Denhardt (2000, p. 549); Kettl (2000); Lane (2000).
- (8) A paraphrase of Denters and Rose (2005, p. 7).
- (9) Article 4.3: "Public responsibilities shall generally be exercised, in preference, by those authorities which are closest to the citizen. Allocation of responsibility to another authority should weigh up the extent and nature of the task and requirements of efficiency and economy".
- (10) For the British case my reference is directed towards: DETR (1998a) and DETR (1998b). In the case of Australia, the document I refer to is SSA (2007). Comments on these documents are to be found, *inter alia*, at: Richards and Kavanagh (2000); Kavanagh and Richards (2001); Martin (2002); Signoretta and Craglia (2002); Downe and Martin (2003) or Christiansen and Laegreid (2005).
- (11) It is true however that, in the case of British joining-up practices, the government plays a central, hierarchical role; this aspect has been taken into consideration when deciding which paragraphs of the quoted documents are relevant.
- (12) SIGMA was created in 1992 as a joint initiative of the OECD Centre for Cooperation with non-members economies and PHARE. Its declared mission was to "assist transition countries (PHARE beneficiaries) in increasing their administrative efficiency". One of the documents relevant here was the one elaborated in 1999, dealing with the "European Principles for Public Administration".
- (13) Article 53, GD 783/2005 on establishing the implementation methodology of the Statute of public managers, published in the Official Gazette of Romania no.717/09.08.2005. With regard to the total number of trained public managers, the available data speak of 428 persons, of which 220 were in place, active in public authorities (Source: Memorandum on

the new statute on public managers, 2008). Presently, the official website on Young Professional Scheme ([www.yps.ro](http://www.yps.ro)) - the Project responsible for creating the public managers has no updated information on the whereabouts of its trainees or their professional accomplishments.

- (14) Statute on public managers - GO 56/2004, published in the Official Gazette of Romania no. 590/01.07.2004. Since 2004, the Statute was amended several times (in 2008 and 2011). For the scope of this paper however, these amendments do not provide any major (relevant) changes and, as such, are not taken into consideration.
- (15) Excerpt from the Memorandum on the Statute of public managers (available online at: [http://www.cdep.ro/pls/proiecte/upl\\_pck.proiect?idp=5789](http://www.cdep.ro/pls/proiecte/upl_pck.proiect?idp=5789), last access: April 10, 2012).
- (16) Article 55, GD 783/2005.
- (17) Adaptation of the Romanian reference competence framework for public managers. Source: [http://www.yps.ro/pdfs/cadru\\_competente.pdf](http://www.yps.ro/pdfs/cadru_competente.pdf), last access: April 10, 2012.
- (18) Adaptation of the Competencies for Chief Executive Officers of Private Foundations (Council of Foundations, Washington DC, 2006). Source: [http://www.cof.org/files/Documents/Emerging\\_Issues/06CEOFfunctions.pdf](http://www.cof.org/files/Documents/Emerging_Issues/06CEOFfunctions.pdf), last access: April 10, 2012.
- (19) GD 78/2011 on establishing the implementation methodology of the Statute of public managers, published in the Official Gazette of Romania no.186/17.03.2011.

## References

- Aucoin, P. (1990). "Administrative Reform in Public Management: Paradigms, Principles, Paradoxes and Pendulums", *Governance: An International Journal of Policy and Administration*, Vol. 3, No. 2, pp. 115-137
- Aucoin, P. (2012). "New Political Governance in Westminster Systems: Impartial Public Administration and Management Performance at Risk", *Governance: An International Journal of Policy, Administration, and Institutions*, Vol. 25, No. 2, pp. 177-199
- Barton, A., Quinn, Christina (2001). "Mandated 'Joined-Up' Working: A Pandora's Box for Welfarist Organisations?", *Public Policy and Administration*, Vol. 16, No. 2, Summer, pp. 50-62
- Bauer, M.W., Knill, Ch., Pitschel, Diana (2007). "Differential Europeanization in Eastern Europe: The Impact of Diverse EU Regulatory Governance Patterns", *Journal of European Integration*, 29(4), pp. 405-423
- Bovaird, T. (2003). "E-Government and e-Governance: Organisational Implications, Options and Dilemmas", *Public Policy and Administration*, Vol. 18, No. 2, Summer, pp. 37-56
- Christensen, T., Fimreite, Anne Lise, Læg Reid, P. (2007). "Reform of the employment and welfare administrations – the challenges of co-coordinating diverse public organizations", *International Review of Administrative Sciences*, Vol. 73, No. 3, pp. 389-408
- Christensen, T., Læg Reid, P. (2005). "Trust in Government – The Relative Importance of Service Satisfaction, Political Factors and Demography", *Public Performance and Management Review*, Vol. 28, No. 4, pp. 487-511
- Christensen, T., Læg Reid, P. (2005). "Trust in Government – The Relative Importance of Service Satisfaction, Political Factors and Demography", *Public Performance and Management Review*, Vol. 28, No. 4, pp. 487-511
- Christensen, T., Læg Reid, P. (eds.) (2007). *Transcending New Public Management*, Aldershot: Ashgate



- Cope, St., Goodship, Jo. (1999). "Regulating Collaborative Government: Towards Joined-Up Government?", *Public Policy and Administration*, Vol. 14, No. 2, Summer
- Darlow, Alison, Percy-Smith, Janie, Wells, P. (2007). "Community strategies: Are they delivering joined up governance?", *Local Government Studies*, Vol. 33, No. 1, February, pp. 117-129
- Denhardt, R.B., Denhardt, J.V. (2000). "The new public service: serving rather than steering", *Public Administration Review*, Vol. 60, No. 6, pp. 549-559
- Denters, B. Rose, L. (2005). "Local governance in the third millennium: a brave new world?", in B. Denters and L. Rose (eds.) *Comparing Local Governance*, Houndmills: Palgrave, pp. 1-11
- DETR (Department of the Environment, Transport and the Regions) (1998b). *Modern Local Government: In Touch with the People*, <http://www.local.odpm.gov.uk/sponsor/democrac/> (last access: April 10, 2012)
- DETR (Department of the Environment, Transport and the Regions) (1998a). *Modernising Local Government. Local Democracy and Community Leadership Paper*, <http://www.local.odpm.gov.uk/sponsor/democrac/> (last access: April 10, 2012)
- Dimitrova, A.L., Toshkov, D. (2009). "Post-accession compliance between administrative co-ordination and political bargaining", *European Integration online Papers*, 13 (2) (available online at: <http://eiop.or.at/eiop/texte/2009-019a.htm>, last access: April 10, 2012)
- Downe, J., Martin, S. (2006). "Joined up policy in practice? The coherence and impacts of the local government modernization agenda", *Local Government Studies*, Vol. 32, No. 4, August, pp. 465-488
- Downs, A. (1965). "A Theory of Bureaucracy", *The American Economic Review*, Vol. 55, No. 1/2, pp. 439-446
- Gardner, R. (1987). *A theory of the Spoils System*, *Public Choice* 54, pp. 171-185
- Gaster, Lucy (1999). "Quality Management in Local Government - Issues and Experience", *Public Policy and Administration*, Vol. 14, No. 3, Autumn, pp. 35-53
- Grabbe, Heather (2006). *The EU's Transformative Power. Europeanization Through Conditionality in Central and Eastern Europe*, Houndmills: Palgrave Macmillan
- Greuning, G. (2001). "Origin and theoretical basis of New Public Management", *International Public Management Journal*, Vol. 4, pp. 1-25
- Gunning, P. (2003). *Understanding Democracy: An Introduction to Public Choice*, Taiwan: Nomad Press
- Hood, Ch. (1991). "A Public Management for All Seasons?", *Public Administration*, Vol. 69, No.1, pp. 3-19
- Humpage, Louise (2005). "Experimenting with a 'Whole of Government Approach'. Indigenous Capacity Building in New Zealand and Australia", *Policy Studies*, Vol. 26, No.1, March, pp. 47-66
- Iancu, Diana-Camelia (2009). "Exploring change in Romania: To be or not to be Joined-up Government?", *Innovative Issues and Approaches in Social Sciences*, Vol. 2, No. 1, pp. 41-75
- Iancu, Diana-Camelia (2010). *Uniunea Europeană și administrația publică* (European Union and public administration), Editura Polirom, Iași
- Iancu, Diana-Camelia, Ungureanu, M. (2010). "Depoliticizing the civil service: A critical review of the public administration reform in Romania", *Research in Social Change*, Vol. 2, No. 2, pp. 63-106

- Johnson, B. (2005). *Strategies for Successful Joined Up Government Initiatives*, Fellowship Program supported by John Curtin Institute of Public Policy, Institute of Public Administration of Australia, Department of Premier and Cabinet
- Junjan, Veronica, Iancu, Diana-Camelia (2011). *Post EU Accession Reforms in Central and Eastern European Countries: Who Will (continue to) Bother?*, paper presented at the 19<sup>th</sup> Annual Conference NISPAcee, Varna, Bulgaria, May 2011
- Kaboolian, L. (1998). „The New Public Management: challenging the boundaries of the management versus administration debate”, *Public Administration Review*, Vol. 58, No. 3, pp. 189-193
- Kavanagh, D., Richards, D. (2001). “Departmentalism and Joined-Up Government: Back to the Future”, *Parliamentary Affairs*, No. 54, pp. 1-18
- Kettl, D.F. (2000). *The Global Public Management Revolution: a Report on the Transformation of Governance*, Washington, D.C.: Brookings Institution
- Knill, C., Lehmkuhl, D. (1999). “How Europe Matters. Different Mechanisms of Europeanization”
- Ladrech, R. (1994). “The Europeanization of Domestic Politics and Institutions: The Case of France”, *Journal of Common Market Studies*, 32(1), pp. 69-88
- Lane, J.-E. (2000). *The Public Sector – Concepts, Models, Approaches* (3<sup>rd</sup> edition), London: SAGE Publications
- Levitz, P., Pop-Eleches, G. (2010). “Why No Backsliding? The European Union’s Impact on Democracy and Governance Before and After Accession”, *Comparative Political Studies*, 43 (4), pp. 457-485
- Ling, T. (2002). “Delivering Joined-up Government in the UK: Dimensions, Issues and Problems”, *Public Administration*, Vol. 80, No. 4, pp. 615-642
- Martin, S. (2002). “The Modernization of UK Local Government: Markets, Managers, Monitors and Mixed Fortunes”, *Public Management Review*, Volume 4, No. 3, September, pp. 291-307
- McGhee, D. (2003). “Joined-Up Government, ‘Community Safety’ and Lesbian, Gay, Bisexual and Transgender ‘Active Citizens’”, *Critical Social Policy*, Vol. 23, No. 3, pp. 345-374
- McGuire, T., Coiner, M., Spancake, L. (1979). *Budget Maximizing Agencies and Efficiency in Government*, *Public Choice* 34(3/4), pp. 333-359
- Mechanisms and Contingent Results”, *European Integration online Papers*, Vol. 8, No. 9 (available online at: <http://eiop.or.at/eiop/texte/2004-009a.htm>, last access: April 10, 2012)
- Meyer-Sahling, J.-H. (2009). “Varieties of legacies: a critical review of legacy explanations of public administration reform in East Central Europe”, *International Review of Administrative Sciences*, 75, pp. 509-522
- Miller, G.J., Moe, T.M. (1983). “Bureaucrats, Legislators. and the Size of Government”, *American Political Science Review*, 77, pp. 297-322
- Mueller, D. (2003). *Public Choice III*, W Nyack, NY, USA, Cambridge University Press
- Niskanen, W.A.Jr. (1971). *Bureaucracy and Representative Government*, Chicago: Aldine-Atherton
- Niskanen, W.A.Jr. (1975). “Bureaucrats and Politicians”, *Journal of Law and Economics*, 18, pp. 617-643
- Olson, M. (1993). “Dictatorship, Democracy, and Development”, *American Political Science Review*, Vol. 87, No. 3
- Osborne, D., Gaebler, T. (1992). *Reinventing Government*. New York, NY: Penguin Press

- Perri, R.C., Bellamy, Christine (2005). "Joined-up Government and Privacy in the United Kingdom: Managing Tensions between Data Protection and Social Policy", *Public Administration*, Vol. 83, No. 1, pp. 111-133
- Peters, B.G., Pierre, J. (1998). „Governance without Government? Rethinking Public Administration”, *Journal of Public Administration Research and Theory*, Vol. 8, No. 2, pp. 223-243
- Peters, G. (1995). *Bureaucracy in a divided regime: the United States*, in J. Pierre (ed.), *Bureaucracy in the Modern State*, Aldershot: Edward Edgar Publishing Limited, pp. 18-38.
- Pollitt, Ch. (1993). *Managerialism and the Public Services: The Anglo-American Experience* (2<sup>nd</sup> edition), Oxford: Blackwell
- Pollitt, Ch. (1995). "Justification by Works or by Faith?", *Evaluation*, Vol. 1, No. 2, pp. 133-54
- Pollitt, Ch. (2003). "Joined-up Government: a Survey", *Political Studies Review*, Vol. 1, pp. 34-49
- Pollitt, Ch., Bouckaert, G. (2000). *Public Management Reform. A Comparative Analysis*, Oxford: Oxford University Press
- Radaelli, C.M. (2000). "Whither Europeanization? Concept stretching and substantive change", *European Integration online Papers*, Vol. 4, No. 8 (available online at: <http://eiop.or.at/eiop/pdf/2000-008.pdf>, last access: April 10, 2012)
- Reid Jr., J.D., Kurth, M.M. (1988). "Public Employees in Political Firms: Part A. The Patronage Era", *Public Choice*, 59, pp. 253-262
- Reid Jr., J.D.; Kurth, M.M. (1989). "Public Employees in Political Firms: Part B. Civil Service and Militancy", *Public Choice*, 60, pp. 41-54
- Rescher, N. (1980). "Scientific Truth and the Arbitrament of Praxis", *Noûs*, Vol. 14, Issue 1, 1980 A.P.A. Western Division Meetings, pp. 59-74
- Rhodes, R.A.W. (1996). "The New Governance: Governing without Government", *Political Studies*, XLIV, pp. 652-667
- Richards, D., Kavanagh, D. (2000). *Can Joined-Up Government be a Reality? A Case Study of the British Labour Government 1997-2000*, paper presented at the Australian Political Studies Association Conference, the Australian National University, Canberra 4-6 October
- Romer, T., Rosenthal, H. (1978). "Political Resource Allocation, Controlled Agendas, and the Status Quo", *Public Choice*, 33(4), pp. 27-43
- Sedelmeier, U. (2011). "Europeanisation in new member and candidate states", *Living Reviews in European Governance*, 6 (1) (available online at: <http://www.livingreviews.org/lreg-2011-1>, last access: April 10, 2012)
- SIGMA (1998). "Preparing Public Administration for the European Administrative Space", *SIGMA paper*, No. 23, Paris: OCDE
- SIGMA (1999). "European Principles for Public Administration", *SIGMA paper*, No. 27, Paris: OCDE
- Signoretta, Paola, Craglia, M. (2002). "Joined-up Government in Practice: A Case Study of Children's Needs in Sheffield", *Local Government Studies*, Vol. 28, No. 1, January, pp. 59-76
- SSA (State Government of Victoria State Services Authority) (2007). "Joined up Government. A Review of National and International Experiences", *Occasional Papers No. 1*, Melbourne, Australia

- Töller, A.E. (2004). "The Europeanization of Public Policies. Understanding Idiosyncratic Mechanisms and Contingent Results", *European Integration online Papers*, Vol. 3, No. 7 (available online at: <http://eiop.or.at/eiop/pdf/2004-009.pdf>, last access: April 10, 2012)
- Tullock, G. (1965). *The politics of bureaucracy*. Washington, DC: Public Affairs Press
- Ungureanu, M. (2012). "Science and Social Responsibility: the Bureaucratic Wars from Public Choice Theory", *European Journal of Science and Theology*, June 2012, Vol. 8, Supplement 1, pp. 235-244
- Vachudova, Milada Anna (2009). "Corruption and Compliance in the EU's Post-Communist Members and Candidates", *Journal of Common Market Studies*, 47(s1), pp. 43-62
- Weber, M. (1914, 1922) (1978). *Economy and Society: an outline of interpretive Sociology*, Berkely, University of California Press
- Wilson, D. (2000). "Towards Local Governance: rhetoric and reality", *Public Policy and Administration*, Vol. 15, No. 1, Spring, pp. 43-57

**Annex****National legal texts and European reports relevant to the selection of bureaucrats in Romania****A. National legal texts**

Year	Area of the regulation (provided by the official text)	Official data (about publication)
1999	Statute of Civil Servants	Law no.188/08.12.1999, Official Gazette of Romania no. 600/08.12.1999
2003	Measures for ensuring transparency in exercising public offices and public functions	Law no.161/19.04.2003, Official Gazette of Romania no. 279/21.04.2003
2003	Organization and development of civil servants' career	Governmental Decision no.1209/14.10.2003, Official Gazette of Romania no. 757/29.10.2003
2004	Code of conduct for civil servants	Law no.7/18.02.2004, Official Gazette of Romania no. 157/23.02.2004, republished in the Official Gazette of Romania no. 525/02.08.2007
2004	Civil Servants Statute	Law no.188/08.12.1999 as republished in the Official Gazette of Romania no. 251/22.03.2004
2006	Law amending the Civil Servant Statute	Law no. 251/23.06.2003, Official Gazette of Romania no. 574/04.07.2006
2007	Recruitment of high-level civil servants, their career management and mobility	Governmental Decision no.341/2007, Official Gazette of Romania no. 247/12.04.2007
2008	Norms for organization and development of the civil servants' career	Governmental Decision no. 611/2008, Official Gazette of Romania no. 530/14.07.2008, amended by Governmental Decision no.1173/24.09.2008, Official Gazette of Romania no. 677/02.10.2008
2009	Measures for improving the public administration activity	Governmental Decision no.37/22.04.2009, Official Gazette of Romania no. 264/22.04.2009
2009	Civil Servants Statute	Law no.188/08.12.1999 – consolidated version (up to 22.04.2009), after second republication in the Official Gazette of Romania no. 365/29.05.2007
2010	Law amending the Civil Servants Statute	Law no.140/07.07.2010, Official Gazette of Romania no.471/08.07.2010

**B. European reports**

Year	Title of the document	Abbreviation
1998	Regular Report from the Commission on Romania's Progress towards Accession	R 1998
1999	Regular Report from the Commission on Romania's Progress towards Accession	R 1999
2000	Regular Report from the Commission on Romania's Progress towards Accession	R 2000
2001	Regular Report from the Commission on Romania's Progress towards Accession	R 2001
2002	Regular Report from the Commission on Romania's Progress towards Accession	R 2002
2003	Regular Report from the Commission on Romania's Progress towards Accession	R 2003
2004	Regular Report from the Commission on Romania's Progress towards Accession	R 2004
2005	Romania – Comprehensive Monitoring Report	M 2005
2006	Romania – Comprehensive Monitoring Report, first release	M 2006a
2006	Romania – Comprehensive Monitoring Report, second release	M 2006b
2007 - 2011	Report from the European Commission to the European Parliament and the Council on Progress in Romania under the Co-operation and Verification Mechanism	CVM