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GENERAL CHARACTERISTICS OF CIVIL SERVICE SYSTEMS

Станіслав Любич. ЗАГАЛЬНА ХАРАКТЕРИСТИКА СИСТЕМ ДЕРЖАВНОЇ СЛУЖБИ. Стаття присвячена висвітленню загальних рис різних систем організації державної служби. Актуальність дослідження обумовлюється тим, що участь України в глобалізаційних та євроінтеграційних процесах відображає необхідність вивчення досвіду держав, що складають західну правову традицію, акцент якої має бути зосереджено на системах організації державної служби, виходячи з завдань держави в демократичних суспільствах та перманентному реформуванню сфери публічного адміністрування в Україні.

Зазначається, що в умовах епохи постмодерну виникає необхідність переосмислення класичних моделей організації державної служби, аналіз сучасних систем такої організації та формулювання узагальнених висновків, їх систематизації. Мета статті полягає у систематизації і узагальненні різних систем організації державної служби: класичних, змішаних та сучасних, що наявні в європейському політичному просторі.

Зосереджено увагу на виокремленні таких трьох класичних систем організації державної служби, що іманентні державам європейської спільноти: кар'єрній, посадовій та змішаній. Вказується на превалюванні в цих державах кар'єрної моделі, однак при цьому держави не орієнтуються на характеристики такої моделі, використовуючи контамінацію окремих рис кожної з названих систем. Виокремлюються такі ознаки кар'єристської системи державної служби як неухильне виконання статутних вимог як умова кар'єрного зростання службовця; неухильне виконання довіри в недержавній сфері; особливості оплати праці та пенсійного забезпечення державного службовця; регламентування відносин субординації; нормативне закріплення правил поведінки державного службовця тощо.

Визначальною рисою модернізаційної моделі державної служби є керівництво суто суспільними інтересами та запитам.

Значимість основних положень і висновків дослідження визначається можливістю їх використання в публічному адмініструванні в Україні.

Ключові слова: державна служба, змішана модель державної служби, кар'єристська система державної служби, класична модель державної служби, системи державної служби.

Relevance of the study. The process of transformation and constant updating of public service models taking place within the European community in recent years affirms that the fundamental public service systems are affected by globalization processes, become modernized and do not always meet the key features of classical models, leading to new, hybrid, modernization manifestations of the public service model formation [1, p. 107].

The constant search for the optimal model of public service encourages the European community to analyze the genesis and functioning of models of public service organization. The main meaningful lines of public service implementation are reflected in the model of civil service, which is interpreted as an ordered set of conditions and characteristics of public service, which reveals its functional features. Today, a number of mixed and classical models of public service are being introduced within the European community. Systematization of the presented models will promote the development of public service in Ukraine, in accordance with the best practices of the European Community [2, p.141].

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Recent publications review. Scientists have to date studied and systematized such characteristics as: the essence, general principles, common and distinctive features of the basic models of public service. In this context, it is worth mentioning the following scientists L. Prokopenko, O. Obolenskyi, N. Lypovska, Yu. Kovbasyuk, S. Dubenko, H. Deyneha, M. Bagmet and others. Among foreign researchers should be mentioned the following D. Bossart, J. Ziller, A. Kless, J. Peno.

Despite the sufficient number of papers on the presented issues, we note that in time there will be an analysis of classical models of public service, and the process of their systematization. The main stage in creating conditions for a new public service in Ukraine is the introduction of systematic knowledge about the formation and use of public service models in the European political space.

The article's objective is to systematize and generalize various systems of civil service organization: classical, mixed and modern, available in the European political space.

Discussion. The use of one of the three classic models (career, job and mixed) is typical for European political society. The vast majority of European Union politicians build their political systems on the basis of career characteristics. Currently, these are the following states: France, Germany, Spain and Denmark.

Representatives of the job model are Sweden and the Netherlands. The mixed model of public service organization, which in turn operates in the Italian political environment, is becoming widespread. Describing the new generation of the EU, we pay attention to the representatives of the career model: Bulgaria, Cyprus, Slovakia, Slovenia and Romania, which are characterized by a tendency to mixed models, there are also Latvia, Lithuania, Poland, Malta, Hungary, Czech Republic, Estonia aspiring to the job models.

It is worth noting that the representatives of all states of the European community do not intend to use one or another model of political organization as an example. Each model complements the other, or uses elements of other public service systems.

Representatives of the central public service bodies in France and representatives of local self-government serve on the basis of job principles this applies to the contract or agreement conclusion. Public figures in Sweden and the Netherlands, primarily the police and the diplomatic service, are elected according to the human resources model. Certain categories of public servants who do not quite correspond to the structure of the organization of a model, it is not typical to refer themselves to a mixed model, because the existence of some positions is prescribed in the legislative field as an exception [3, p. 77].

The specific features of the career model are the principle of public administration, which gives staff individual opportunities, the representatives of this model have a long term in office within one government agency. Having received the appropriate training, passing the competition, passing the necessary exams, the future public servant aims to follow the hierarchical structure of positions, reflected in the appropriate mechanism of service and the implementation of their own career ambitions. The hierarchical system of order is inherent in the career model, which allows a civil servant to pass a number of levels from the initial to the highest one in a certain term and time. Various levels of education are an indicator of career selection.

Thus, the career model of public service is characterized by such features as: mandatory compliance with statutory requirements, the necessity for career growth; leveling experience in the private sector; taking into account career level, years of service; an appropriate system of remuneration and a statutory pension system for public servants; regulated principle of subordination; the code of conduct of the employee in the chosen position is legislatively fixed [3, p. 79].

The job model of the public service regulates its needs exclusively for short-term periods of work of a public servant. The employee is hired exclusively for a specific service with a narrow range of responsibilities, not related to the nomenclature department or any other. A public service employee is not limited to this service framework and his professional potential can be used in both the public and private sectors. It is allowed to take all steps to achieve career growth within the chosen field of official interests. In the example of the Dutch public service, we can see that career and employment can be compatible. A civil servant makes a career and works in various positions at the private level. A distinctive feature in this model of public service is revealed in the following formula: «promotion of an employee for hiring is actually his difficulties in terms of staffing, the responsibility falls on the administrative body of public service» [3, p. 83].

Thus, the specific features of the job models are regulation exclusively by contract,

election to certain positions without targeted or other special training, adherence to experience gained in the private sector, restrictions on career growth and special pension provision. Given the above, we can state that the job model of public service cannot have a special public statute for civil servants [3, p. 84].

The formation of public service in most European states has taken place over a long historical period. The influence of society, national philosophy, mentality, ideology, beliefs, traditions – all these are factors that determine the principles of the civil service. However, the difference in historical development did not affect the similarity of development in the features of formation of public service systems, which contributes to the theoretical characterization of the civil service models of the state. We can state that the political vision of the state is compatible with a specific model of public service, but does not exclude a combination of certain principles of other models of public service. At present, there is a tendency to combine, synthesize, enrich one model with another, and sometimes absorption.

There are a number of factors that influence the formation of the public service model:

- specific historical development of the political and law system of the state;
- special features of the law system of the state (Anglo-Saxon, it is characterized by the lack of a unified system of laws on public service; Romano-Germanic law system tends to strict implementation of the constitution as the basic law and legislation);
- form of political system, government, political regime within the state.

Scholars distinguish regional models of public service (continental and Anglo-Saxon). The continental model tends towards the career principles of public service, and is guided by the principle of individual service throughout his life in the civil service. In most cases, employees are in office for most of their professional lives, thus ensuring successful career growth. The process of long-term employment in the public service can be traced in a number of Central and Western Europe states.

A prominent representative of the Anglo-Saxon model is Great Britain. Today, there are trends in the evolution of public administration, the combination or convergence of the two models. Scientists conclude that this trend might well relate to the evolution of public service in Ukraine [4, p. 42].

Researchers note that the Romano-Germanic model tends to move towards unification and codification of legal norms. Civil service according to this model is characterized by detailed regulation of legal acts, hierarchy; the basic principle is devotion to public service).

The model, presented in states such as Germany and France, aims to focus on factors such as: career reticence, intangible benefits, protection in social and individual status. Public officials are selected through competitive selection, with all candidates initially having equal rights. If we talk about the shortcomings, it is leveling the issue of employees' mobility between departments.

The corporate model is characterized by fruitful and long-term competitive election; the principle of «employee for the vacancy wanted» applies. This model has its own feature, which is to sign a contract with a public servant. The corporate model does not use such definitions as: «employee number limit», «register of employees», etc. The manager is allowed to decide on the limit of employees to achieve the objectives. The features of the corporate model can be called the following:

- clear orientation to the labor market;
- leveling the issue of limited selection of civil servants for the purpose set;
- use of corporate governance principles [4, p. 44].

There is a tendency to converge the organization of public service with the state system, which provides for the separation of public service within states with federal and unitary system. Based on the previous judgment, several models of public service are distinguished, which are presented in European states: centralized and decentralized model.

A characteristic feature of the centralized model of public service is a clear organization, management principles and significant powers of employees. Unified approach to payment for all employees. The process of coordination of all cases together with fast changes in the personnel system is provided.

The decentralized model implies blurring and branching of the main structural elements of the public service, which in turn significantly limits the control powers.

There are a number of advantages and disadvantages of the outlined models, so for the centralized model the advantages are: consistency in making basic decisions; shortcomings – certain conservatism in taking responsibility for regional special decisions. The decentralized

model possesses such features as mobility and speed in decision-making, responsibility for the performance of their duties [5, pp. 18-19].

Researchers studying the models of public service in Western Europe states typologize them according to a certain affiliation and distinguish the following: closed model with governing centralized principles of governance (France); closed model with decentralized management principles (Germany).

Characterizing the traditional model, we note that it is characterized by: focusing the civil service exclusively on government institutions; political institutions are a higher level than a public servant; restrictions on corporatism and autonomous principles. The model clearly demonstrates the combination of important aspects of public service with the political regime of the state where it is applied.

The modernization model of the public service reflects the civil service, which is guided exclusively by public interests and demands. Lack of dependence on political principles is inherent. The foundations of corporatism and social exchange of experience of public workers are laid.

Transient model is characterized by public affiliation to models with an open focus on itself. Representatives of higher official bodies have the right to their own vision of resolving political (official) situations, and this model is characterized by: formalism and bureaucratic traditions [6, p. 15].

The New Public Service model historically began to take shape in the 1980s, in the process of a new vision of the practical use of such a resource as New Public Management, originated in the UK. Public service provides constant support to society, most of the principles are taken from the private sector, and peculiarity is that the management is carried out on the principle of providing services. At present, most of the European Community states are guided by the principles of the new public service model.

The introduction of some public entities in Ukraine, such as: licensing offices, administrative service centers, public hearing councils, expert hearings, provides an opportunity to make fuller use of the basic principles of the New Public Service model.

The postmodernist model of public service (Post – NPS, New Public Service) dates back to the 90s of the twentieth century, when the attention of the bureaucratic system tended to public servants. The model is represented by a new categorical apparatus: individual and social values, humanistic principle, transparency, network principles. The vast majority of the model supporters are inclined to think about the formation and further operation of open dialogues between all participants in the public service. The society is inclined to open cooperation of citizens and representatives of the civil service [2, pp. 144 - 145].

The mixed model of public service involves a number of civil servant positions with a well-defined career organization and availability for election. The model presented by the United Kingdom provides for the procedure for appointing employees without competitive selection. This interpretation is legally established in government decrees. Note that this primarily applies to the highest governing body of Britain, the central authorities. If a representative of a higher government body has to resign, the bureaucracy subordinate to him takes the same step.

The mixed model is manifested in the so-called contractual relationship between a public employee and a government agency, a representative office of municipal authorities [3, p. 84].

Conclusions. The characteristics of key models of public service in this study can be considered conditional, but practically significant for political changes in states looking for a theoretically sound, optimal model of public service organization. This approach to the study of the issue of public service optimal organization emphasizes the importance of «new models of public service».

The use of the European experience is crucial and involves the selection of the best model and its implementation. Among the presented systems the classical, mixed models (provide integration processes of separate elements of various models) are investigated; regional models (Anglo-Saxon, Romano-Germanic); models depending on the state system (centralized and decentralized); «New models of public service organization» (modernizational, transitory, new public service model, postmodern model).

Thus, the characteristics of the public service models organization reflect the peculiarities of the civil service functioning within the European Community states and can be useful for determining areas for improvement of public administration in Ukraine.

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Abstract

The article deals with elucidating the general features of various systems of civil service organization. The relevance of the study is due to the fact that Ukraine's participation in globalization and European integration processes reflects the necessity to study the experience of states that make up the Western law tradition, which should focus on civil service systems, based on the state's tasks within democratic societies and permanent public administration reform in Ukraine.

The focus is on the distinguishing of three classic systems of civil service organization that are immanent to the European community states: career, job and mixed system. It is indicated the prevalence of career models within the abovementioned states. The determinant feature of the modernization model of the civil service is the management of purely public interests and demands.

Keywords: *civil service, civil service mixed model, civil service career system, civil service classical model, civil service systems.*