

De-Politicisation Through the Backdoor? EU Integration, Administrative Reform and Party Patronage in East Central Europe

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Introduction¹

Research on the transformation of the post-communist state argues that intertwining of state-building and party building in post-communist Europe provides ‘ideal conditions for party patronage’ (O’Dwyer 2004). To the extent that levels of party patronage and state politicisation differ across the post-communist countries of East Central Europe, explanations tend to focus on domestic factors, in particular, variation in the structure of political competition (Grzymala-Busse 2003, O’Dwyer 2004, Meyer-Sahling 2006a). Far less attention has been paid to the impact of international organisations, in particular, the European Union (EU) on party patronage in post-communist Europe. Yet, research on the impact of EU integration on government, politics and public policy in Central and Eastern Europe self-confidently claims that ‘any study of transition that is limited to domestic processes and outcomes and overlooks the parallel process of Europeanization will fail to grasp the complex and sometimes contradictory transformation of the state in Central and Eastern Europe’ (Schimmelfennig/Sedelmeier 2005: 223).

This paper therefore examines the impact of the EU on party patronage and state politicisation in East Central Europe. In particular, it examines in what ways and to what extent the EU influences the politicisation of the ministerial bureaucracy of the eight countries that have joined the EU in 2004 plus Romania and Bulgaria, which are expected to join the EU in 2007. The paper concentrates on the pre-accession period, though the implications for the post-accession developments will be addressed in the conclusion of the paper. The paper refers to patronage as the staffing of public offices, here mainly the senior and higher ranks of the ministerial bureaucracy, on

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the basis of political criteria. This definition differs from the broader understanding of patronage as the distribution of particularistic goods in exchange for political support, in that jobs form but one kind of special benefit that can be handed out to party supporters (Shefter 1977). The focus on patronage as the provision of jobs in the ministerial bureaucracy overlaps with usage of the concept of 'politicisation' in comparative public administration research. Politicisation is typically referred to as 'the substitution of political criteria for merit-criteria in the selection, retention, promotion, rewards and disciplining of members of the public service' (Peters/Pierre 2004: 2). The terms patronage and politicisation are therefore used interchangeably in this paper.

The discussion is divided in four parts. The first part examines different logics of EU influence on patronage and politicisation in East Central Europe. It argues generally that the EU can influence the politicisation of the ministerial bureaucracy directly by setting policies, which subsequently require the adaptation by East Central European countries, and indirectly by providing opportunities for political, administrative and societal actors to actively use Europe in the domestic context. While the EU can therefore have a broad range of direct, top-down and indirect, bottom-up effects on levels and modes of politicisation in East Central Europe, it is a matter of research to investigate how strong the EU effects are or in what direction they point.

The second and the third part examine the extent to which the direct, top-down approach of the EU during the pre-accession period has had an impact on patronage and politicisation in East Central Europe. From a top-down perspective, the EU made public administration reform in East Central European applicant states a condition for EU membership. It thereby tried to force East Central European states to adopt formal institutions that would minimise and outlaw the politicisation of East Central European bureaucracies before their accession to the Union. While the impact of EU conditionality on administrative reform in ECE is generally contested (Dimitrova 2005, Goetz 2005, 2006a, Bugarcic 2005), this paper argues that the impact on the politicisation of the ministerial bureaucracy has been modest. First, the EU template for institutional reform was sufficiently ambiguous to make the impact of formal rule compliance with EU conditions on party patronage and politicisation a possibility rather than a logical consequence. Second, the definition of EU administrative reform criteria in 1997 was indeed followed by formal rule change in East Central Europe. However, the paper shows that the initiative to pass civil service reforms and, in particular, the diverse civil service reform trajectories cannot or only partially be traced to EU conditionality, unless we take domestic reform incentives into account.

This is not to say that the EU has no or only a minor impact on the state politicisation in East Central Europe. Rather, the concluding part of this paper argues that a more significant impact of the EU on the politicisation of the ministerial bureaucracy may be the result of indirect mechanisms of Europeanisation. In particular, the participation of and the central role of ministerial bureaucracies in EU-policy-making and implementation create pressures for the professionalization of the ministerial civil service. These pressures strengthen the role of civil servants in East Central European bureaucracies who deal with EU-policies and raise bureaucratic demand for the formal commitment of governing parties to the de-politicisation of personnel policy. At the same time, the professionalization pressures reduces the attractiveness of using the ministerial bureaucracies for party patronage due to the increasing costs of recruiting and training officials who combine political commitment and governmental expertise, especially with respect to EU-related policies. As a result, preparation for and subsequent membership of the EU will not necessarily reduce the level of patronage and state politicisation in East Central Europe but it can be expected to increase the size of politicisation-free zones within the ministerial bureaucracy. The EU may therefore be more successful in sponsoring the de-politicisation of the ministerial bureaucracy through the backdoor than directly by means of conditionality.

Four Mechanisms of Europeanisation: How Can the EU Influence the Politicisation of the Ministerial Bureaucracy?

How can the EU influence party patronage and the politicisation of the ministerial bureaucracy in East Central Europe? The impact of the European-level developments on the domestic level of member states and third states, here former candidates states, is generally studied under the heading of Europeanisation. Europeanisation research examines the extent to which the EU affects change at the domestic level, the direction that this change takes as well as the consequences of these developments for the variance between member states and/or candidate states of the EU (Börzel 2005, Dyson/Goetz 2003, Héritier et al 2001, Schimmelfennig/Sedelmeier 2005). Europeanisation research has found that the EU is an important variable when it comes to the explanation of change at the domestic level but the impact differs greatly across policies, countries, and between policy, politics and polity. There are few signs of convergence, at least not beyond 'clustered convergence' (Goetz 2006b), among the member states of the old EU15 or the new EU25 (Wessels/Maurer/Mittag 2003).

Europeanisation research has therefore paid particular attention to the mechanisms of Europeanisation, that is the different ways of how the EU can influence political and policy developments at the domestic level. Mechanisms of Europeanisation can broadly be grouped along

two dimensions (Goetz 2006a). On one dimension, a distinction is made between rationalist and sociological institutionalist or constructivist approaches to actor behaviour (Börzel/Risse 2000, 2003, Börzel 2005). On the other dimension, Europeanisation research can be distinguished into ‘top-down’ approaches that emphasise the ‘adaptation’ or reaction of member and candidate states to EU policies and ‘bottom-up’ approaches that stress the ‘usage’ of Europe by domestic actors for the EU to have an impact at the domestic level (Jacquot/Woll 2003, Goetz 2006a).

Top-down perspectives assume that ‘for Europe to have an impact, Europe must be inconvenient’ (Börzel/Risse 2000). The EU influence presupposes a ‘misfit’, ‘mismatch’ or ‘incongruence’ between a European policy and a domestic status quo. This misfit creates adaptive pressure of the EU at the domestic level and the adaptive pressure is stronger, the greater the misfit between the EU policy and the domestic status quo. Yet, the ‘differential impact’ of Europe at the national level suggests that EU pressures for adaptation are mediated by domestic-level factors. Here rational choice and sociological institutionalist perspectives advance different logics of adaptation and yield different predictions for the extent and direction of domestic change. Rational institutionalist perspectives argue that the adaptive process is shaped by factors such as the number of ‘veto players’ and presence of ‘facilitating formal institutions’. By contrast, sociological institutionalist approaches emphasise the role of ‘norm entrepreneurs’ and the type of ‘political culture’ in mediating the EU pressures for adaptation (Börzel/Risse 2000, 2003, Börzel 2005).

Bottom-up perspectives, by contrast, assume that there is ‘no impact without usage’ (Jacquot/Woll 2003). Bottom-up perspectives seek to take into account that the EU can have an influence at the national level, even without the presence of a misfit between EU policies and the domestic status quo (Dyson/Goetz 2003, Héritier et al 2001). The adaptive process to EU developments may be entirely voluntary, which contrasts with the implicit assumption of top-down approaches that every EU-induced change must be ‘inconvenient’. Moreover, often EU policies are too vague to lead to an identifiable misfit between EU policies and the domestic status quo, leaving wide discretion for national actors in adapting to EU policies (Knill/Lehmkuhl 1999). Bottom-up perspectives therefore consider the EU as an ‘input’ into the domestic political process that can be used in various ways by domestic political and societal actors (Héritier et al 2001, Héritier 2005). Like the top-down perspective, the bottom-up perspective can be distinguished along rational choice and sociological institutionalist lines. For instance, Jacquot and Woll (2003) suggest a rationalist approach that emphasises the ‘strategic usage’ of Europe, in that domestic actors use Europe in order to advance their cause at the domestic level. By contrast, studies that are more inspired by sociological

institutionalist approaches would refer to the 'cognitive usage' or the 'legitimatory usage' of Europe by domestic actors in the domestic political discourse.

Table 1. Four Logics of Europeanisation

	Top-down Logic	Bottom-Up Logic
Rational Institutional Logic	National actors adapt to EU policies on the basis of rational cost-benefits calculation	National actors make ‘strategic usage’ of Europe to advance their position in the domestic context
Sociological Institutional Logic	National actors adapt to EU policies based on processes of learning, persuasion and socialisation	National actors make use of Europe in domestic discourses and in order to affect norms and values at the national level.

Source: esp. Goetz (2006a), see also Dyson/Goetz (2003), Jacquot/Woll (2003), Börzel/Risse 2000, 2003, Schimmelfennig/Sedelmeier (2005)

These four logics are broadly compatible with other categorisations of mechanisms of Europeanisation (e.g. Knill/Lehmkuhl 1999, Radaelli 2003, Page 2003). Moreover, they largely correspond to Schimmelfennig and Sedelmeier’s (2005) conceptualisation of the EU influence on the domestic level in the candidate states of East Central Europe before their accession to the European Union into an external incentives model, a social learning model and a lesson drawing model, whereby the latter covers the bottom-up perspective more generally and the former two refer to a rationalist and a sociological institutionalist perspective of adaptation in East Central European states to EU pressures.² Schimmelfennig and Sedelmeier’s (2005) mechanisms of Europeanisation explicitly take into account that the relation between the EU and the East Central European states differed from the relations between the EU and its member states before their accession to the EU. In particular, East Central European states were outside the EU seeking membership, while the insiders of the old EU15 could set the terms and conditions for their entry to the club.³ The emphasis on power asymmetries in favour of the EU and in particular the centrality of EU conditionality in seeking to affect change in East Central Europe suggests a strong role for rationalist top-down mechanisms of Europeanisation as conceptualised in Schimmelfennig and Sedelmeier’s ‘external incentives model’. However, the Europeanisation of East Central Europe before their accession to the EU was not limited to cost-benefit calculations over the meeting of

² The four logics presented here differ slightly from Schimmelfennig and Sedelmeier’s (2005) conceptualisation in that they broaden the bottom-up perspective. Moreover, Schimmelfennig and Sedelmeier (2005) are primarily concerned with Europeanisation as a ‘process whereby states adopt EU rules’, which biases their conceptualisation of the EU impact on East Central European states towards policy and institutional change but makes it more difficult to incorporate change processes in other domains such as party politics, interest group politics or political institutions such as parliament and government.

³ Unlike member states, ECE states could not ‘upload’ their domestic policy and institutional preferences in order to reduce the pressures for adaptation that would return from the EU-level (Héritier 2005). They were ‘downloaders’ of the EU *acquis communautaire* and they had few possibilities to negotiate major opt-outs (Goetz 2005). In contrast to previous enlargements of the EU, East Central European states also had to meet more conditions for membership that went beyond the *acquis*, including the so-called democracy and market economy criteria and the administrative capacity criteria (Grabbe 2002, see also below).

externally set conditions. Rather, processes of social learning have also occurred and bottom-up processes of using Europe in the domestic political context have been identified, for instance, in studies of Euroscepticism in East Central Europe (Kopecky/Mudde 2002, Taggart/Szczerbiak 2004).

The four mechanisms of Europeanisation outlined above provide a loose framework for the analysis of the EU impact on party patronage and state politicisation in East Central Europe. A top-down perspective suggests that the EU can set policies, which have – if we assume at least some degree of adaptation at the domestic level – a direct impact on the extent of patronage or on the ability of political parties to provide jobs in the civil service on the basis of political criteria. This process of adaptation may be based either on a rational cost-benefit calculation or on a ‘logic of appropriateness’, which emphasises processes of learning, persuasion and socialisation into the values and norms that are embodied by the EU policy.

By contrast, a bottom-up perspective points to the usage of Europe by domestic actors such as parties, their leaders, members and their voters, bureaucrats, pressure groups, and business, all of whom can be assumed to have some stake in the domestic patronage game. The bottom-up perspective of Europeanisation effectively opens the playing field for theories of patronage, politicisation and the reform of the state in comparative politics and comparative public administration by treating the EU as an input or intervening variable that may affect the domestic determinants of politicisation.

For instance, the accession process as well as subsequent EU membership may provide new opportunities and resources for NGOs and pressure groups to push for a range of public sector reform initiatives, including better regulation, good governance, anti-corruption policy but also an end of party patronage and over-politicisation. Public pressure has been critical in overcoming a legacy of party patronage in the US (Theriault 2004) and it is conceivable that domestic pressure groups use the EU to fight against patronage in East Central Europe or to refer to the EU in the domestic discourse of public sector reform. Similarly, a classic Weberian perspective on the rise of modern bureaucracies suggests that the incorporation of East Central European economies into the EU Single Market strengthens business interests, which in turn may use Europe for the sake of more efficient, more regular and more predictable governance in East Central European member states.

The bottom-up impact of the EU does not need to point in the direction of less politicisation. Especially the argument that the party patronage can be held in check by the emergence of a

‘critical opposition’ (Grzymala-Busse 2003) suggests that the convergence of parties on the issue of EU accession and/or the narrowing of the competitive space (e.g. Mair 2000) in the party system may reduce the ‘criticalness’ of the opposition and thus facilitate the politicisation of the state in East Central Europe. By contrast, my own argument (Meyer-Sahling 2006a) points in the direction that the structure of political competition will provide less incentives for the politicisation of the ministerial bureaucracy if the level of party system polarisation diminishes, in particular, if changes of government are no longer embedded in a context of polarised left-right competition (see also the Concluding section).

Finally, ministers and bureaucrats are of course key actors in the context of politicisation, be this as patrons, clients, victims, beneficiaries or bystanders. While not uncontested, EU accession has promoted the centralisation of core executive operations in East Central Europe (Lippert/Umbach 2005, Dimitrov et al 2006), which may strengthen the ‘administrative reform capacity’ (Knill 1999) of the new member states as much as it can transform the formal and informal procedures for the provision of patronage jobs in the civil service (Eschenburg 1961). Moreover, as I will argue in more detail below, bureaucrats, in particular, if they have EU-related responsibilities may be strengthened as a result of EU accession and membership, and they may use their new powers to enhance their own position within the political system – possibly, at the expense of patronage-seeking parties.

The different logics of Europeanisation therefore suggest that the impact of the EU on patronage and politicisation in East Central Europe is not limited to direct interventions by the EU but may be subject to a broad range of indirect effects. While this does not mean that the EU impact can be expected to be strong or that we can predict the EU impact to constrain or facilitate the politicisation of the state, it does suggest that the EU may indeed be an important factor in shaping the extent and the ‘modes of politicisation’ in East Central Europe (Meyer-Sahling, forthcoming). The remainder of this paper first examines the effectiveness of the direct, top-down EU approach to patronage and politicisation in East Central Europe. Subsequently, it outlines a bottom-up perspective on the impact of the EU on the politicisation of the ministerial bureaucracy in East Central Europe that puts ministerial bureaucrats at centre stage. Both perspectives rely primarily on rational actor assumptions.

EU Conditionality and Administrative Capacity Building in East Central Europe: What Are the Conditions and How Do They Matter for the Politicisation of the Ministerial Bureaucracy?

From a top-down perspective, the EU addressed issues of patronage and politicisation in the context of administrative capacity building, which was made a condition for EU membership. In particular, the EU demanded from the East Central European candidates the reform of their public administration in order to develop the capacity to implement the *acquis communautaire*. These reforms included sectoral adjustments of administrative arrangements, the establishment of structures for the management and co-ordination of EU-policy such as EU-units within central government ministries, and the development of horizontal administrative capacity, in particular, the establishment of a professional and de-politicised civil service. It is especially the condition to establish a professional and de-politicised civil service that matters in the present context, in that EU conditions concentrated on the establishment of formal institutions that would seek to prevent, reduce, minimise, and outlaw party patronage in East Central European bureaucracies already before their accession to the Union.⁴

The interest of the EU in the development of administrative capacity in East Central Europe can be traced back to the position of national public administrations in the system of EU multi-level governance (Fournier 1998). The Commission as the administrative arm of the EU does itself only implement a tiny fraction of the legislation that is adopted at the supranational level. Instead, the EU relies on the implementation of EU-legislation by the member states and thus the public administration of the member states. The development of the pre-accession strategy and in particular the White Paper on the extension of the Internal Market to Central and Eastern Europe directed attention towards questions of administrative capacity as a crucial ingredient for the success of EU enlargement (Veheijen 2000). At the same time, the legacy of ‘real-existing socialist administrations’ (König 1992) in East Central Europe with its emphasis on democratic centralism, the weakness of (socialist) law in guiding administrative action, and in particular the ‘over-politicisation’ (Goetz/Wollmann 2001) of its personnel raised scepticism with respect to the implementation capacity of East Central European administrations. In this context, the EU added at the 1995 Madrid Council the accession requirement for East Central European candidate countries to ‘adjust their administrative structures’ and to build administrative capacities to implement the *acquis communautaire*.

⁴ The EU did not get directly involved in the staffing of the ministerial bureaucracy unless we want to classify the twinning programme as a form of patronage. However, the personnel decisions were not taken on the basis of political and partisan criteria (see e.g. Papadimitriou/Phinnemore 2004).

The EU struggled however to define the content of the conditions for administrative reform in the accession countries (Dimitrova 2002). First, the inclusion of administrative reform into the list of conditions for EU membership was specific to the East Enlargement of the EU. The EU could thus not follow a template of any earlier enlargement round. Second, the EU does not have an administrative policy *acquis* that could have served as a prescription for administrative reform in East Central Europe. EU regulations often require the adjustment of the sectoral organisation of public administration and some aspects of the internal market regulations such as the free movement of persons and gender equality have implications for the organisation of national civil services (Bossaert et al 2001).⁵ However, the EU has no specific jurisdiction over national civil services and member states keenly protect the national autonomy over the organisation of their administrations. Third, the EU could not easily refer to national models of public administration in order to define principles and templates for administrative reform in East Central Europe. The organisation of public administration differs considerably across the old EU15 making it difficult to identify a French, British, German or Scandinavian model of public administration as an objective and template for reform (Bossaert et al 2001, Page/Wright 1999). Fourth, the concept of a European Administrative Space as developed by the SIGMA unit of the OECD on behalf of the EU Commission could only very partially overcome the problems of specifying conditions for administrative reform (Olsen 2003). While the European Administrative Space advanced principles for administrative reform, it provided less of a template for institutional reform in East Central Europe (Bugarcic 2005).

Bearing in mind these problems of defining clear conditions in the area of administrative reform, the EU Commission demanded from the candidate countries sectoral administrative reforms, the establishment of management structures for EU accession, and the establishment of a professional and de-politicised civil service as the main requirement for the development of horizontal administrative capacity. In so far as the civil service was concerned, the Commission insisted on

- The need to develop an administrative reform strategy,
- The adoption and implementation of a civil service law that institutionalises a professional civil service independent from political interference,
- The alignment of remuneration levels in the civil service with those in the private sector, and
- The development and implementation of a training strategy to raise competence levels and to prepare civil servants for EU membership (Fournier 1998, Verheijen 2000).

⁵ Some more recent innovations of the EU in the area of administrative policy such as the Common Assessment Framework (CAF) fall into the area of 'soft law' or 'framing integration' (Radaelli 2003, Knill/Lehmkuhl 1999) legislation and do arguably not cause major adaptive pressures for administrative reform at the national level.

The conditions for the development of horizontal administrative reform, which are the focus here, have implications for the possibility to politicise and use the ministerial bureaucracies of East Central European states for party patronage. With a professional and de-politicised civil service, the Commission defines a developmental objective of administrative reform that represents the polar opposite of the principle of staffing the civil service on the basis of political and partisan criteria as assumed by the logic of patronage. The EU can therefore be classified as one of the fighters of patronage in East Central Europe. Even if the EU struggled to define a strategy for administrative reform and even if patronage and politicisation are by no means absent in Western Europe, patronage and politicisation did not rank far below corruption on the hit list of pathologies of governance that would need to be rooted out before the accession of the East Central European countries before the accession.

By contrast, the instruments to reach the stated goal are more ambiguous. First, the development of an administrative reform programme is an important first step towards the professionalization and de-politicisation of the civil service but it is worth little unless the reform programme has been implemented. Second, the establishment of a civil service law, again, is an important step but it is neither a necessary nor a sufficient condition for the professionalization and de-politicisation of the civil service. A civil service law defines the civil service as an institution in public law and establishes a functional separation between politics and administration by formally distinguishing civil service posts from political posts. A civil service law also provides a signal for civil servants, government politicians and international organisations such as the EU that personnel policy shall be conducted along non-partisan lines, that principles of professionalism, neutrality and impartiality guide civil service behaviour.

Yet, a civil service law only develops the capacity to prevent the politicisation of the civil service if it minimises the possibilities for governments and their ministers to exercise political discretion over personnel policy. The *degree of political discretion* built into civil service laws and thus the extent to which the civil service can be used for party patronage can be identified along two dimensions (Meyer-Sahling 2006b). *On the first dimension*, it is matter of who is allocated the authority to take personnel decisions and thus the power to provide jobs in the civil service? If the authority to take appointment, selection and promotion decisions is delegated to an independent civil service commission, it will be difficult to use the civil service for party patronage. Also, if the personnel powers of ministers are constrained by the need to get an approval from the prime minister or collectively from the government, the possibilities to use the ministerial bureaucracy for party patronage are reduced. *On the second dimension*, the capacity of a civil service law to restrict

party patronage depends on the extent to which the authority to take personnel decisions is subject to formal standards and procedures and thus the extent to which the law institutionalises the application of meritocratic criteria as opposed to political criteria of personnel policy. These procedural constraints range from the need for appointees to meet educational qualifications such as university degrees, the need for specialised training, the passing of various types of examinations before their appointment, the formalisation of compulsory open competition for recruitment or the requirement that only candidates with a certain number of years of work experience within an administrative organisation such as a ministry or the central government apparatus can be appointed to the senior ranks of the civil service.

A civil service law does therefore only reduce the possibilities for the politicisation of the ministerial bureaucracy if it institutionalises a low degree of political discretion and if it therefore effectively closes the civil service for political intervention. Conversely, if a civil service law incorporates a high degree of political discretion, the civil service is not necessarily politicised. In this case, governments and their ministers have instruments available, which they can use to politicise the civil service, but it is up to their discretion whether or not they use these instruments. The adoption and implementation of a civil service law as demanded by the EU Commission did therefore not imply that East Central European parties are restricted in their desire to use the state for the provision of jobs for their supporters. Rather, the extent to which the reforms requested by the EU would do so depended on the degree of political discretion built into the new civil service laws.

Third, the alignment of wages in the civil service and in the private sector does also not have direct implications for the degree of political discretion that can be exercised by governments and their ministers. Quite the contrary may be true, for the raising of wages in the civil service makes jobs in the civil service more attractive and may therefore raise the demand for the use of patronage by party supporters. The study of patronage has not paid much attention to the role of rewards for high public office as a tool for the exercise of party patronage. Yet, a job in the civil service that is not paid well may not be worth much, unless the public office is mainly used for the provision of patronage goods such as transfers, services and contracts. The remuneration system can therefore turn into a tool for the reward of political supporters, in particular, if it incorporates possibilities for ministers to set levels of remuneration at his or her discretion, to grant one-off bonuses, promotions and to influence the performance evaluations to raise the pay levels of his favourites.

Fourth, the requirement for ECE states to develop and implement a training strategy does have no

direct impact on the possibilities of ministers to politicise the civil service either. There are good reasons to expect that efforts to train civil servants has had a significant impact on the professionalization of the civil service (see also below) but training programmes themselves do not restrict the exercise of political discretion unless appointment and promotion decisions are closely linked to the completion of particular training programmes.

The EU conditions for administrative capacity building were therefore sufficiently vague to make restrictions on party patronage and politicisation in East Central Europe a possibility rather than a logical consequence of rule compliance. The Commission certainly recognised that the difficulties of defining clear administrative reform conditions made it virtually impossible to assess candidate countries on the merits of their civil service laws or on the outcomes of the reforms in so far as the degrees of civil service politicisation and professionalization were concerned. In the Progress Reports on the individual candidates, the Commission therefore stressed the adoption and implementation of a civil service law as a minimum threshold for rule compliance in the area administrative reform but paid only little attention to the contents of such laws.⁶ However, the Public Service and Administrative Framework Assessments that were conducted by SIGMA in the run-up to accession for every candidate country provided were detailed evaluations of the civil service reforms, explicitly taking into account the extent to which the laws restricted possibilities for the exercise of political discretion, and the extent to which governments politicised the civil service in practice. It could therefore be argued that the SIGMA assessments and advice clarified and to a good extent managed to overcome the ambiguity of the original conditions for administrative reform. This means that it became more or less clear for the governments and the administrative policy-makers in the candidate countries what was needed in terms of institutional reforms in order to reach the desired goal of a professional and de-politicised civil service system.

We can therefore conclude by distinguishing two yardsticks for compliance with EU conditions, which have different implications for the potential impact of the EU on patronage and politicisation in East Central Europe.

- First, a thin conception of EU conditions for administrative reform would emphasise the adoption and implementation of a civil service law as a form of symbolic compliance with EU conditions.

Symbolic of thin compliance with EU conditions would be comparable to the notion of ‘shallow Europeanisation’ (Goetz 2005) with little concern for the substantial impact of the laws. It would

⁶ Bugarcic (2005) argues that the adoption and implementation of a civil service law was considered almost equivalent to a successful administrative reform.

not necessarily have any consequences for the politicisation of the ministerial bureaucracy but could imply a formal rule change without ‘behavioural adaptation’ (Schimmelfennig/Sedelmeier 2005)

- By contrast, a thick conception of compliance with EU conditions for administrative reform takes into account, first, the adoption of civil service laws, second, the content of the civil service laws, especially, the degree of political discretion built into the laws, and third, the actual practice of personnel policy, in particular, the extent to which personnel policy is based on either meritocratic or political criteria.

In a thick interpretation, compliance with EU conditions can be taken to be present if civil service laws minimise the possibilities for the exercise of political discretion over personnel policy and if this formal-legal de-politicisation is also reflected in the actual practice of personnel policy. A thick conception of compliance with EU conditions would thus also imply a major constraining effect of the EU on party patronage in East Central Europe.

Civil Service Reform, Politicisation and the Effectiveness of EU Conditionality: How Much of a Difference Did Conditionality Make?

The EU conditionality model as formalised in the so-called ‘external incentives model’ represents a rationalist, top-down model of Europeanisation Eastern-style (Schimmelfennig/Sedelmeier 2005). It assumes that candidate countries meet EU conditions if the costs of complying with EU conditions are lower than the benefits of EU membership, assuming a misfit between EU conditions and the domestic status quo in the first place. Given the overwhelming benefits of EU membership, East Central European candidate countries did therefore generally have a strong incentive to meet EU demand for institutional reform – regardless of the area in question. To the extent that EU conditionality lacks effectiveness, Schimmelfennig and Sedelmeier (2005) hypothesise that factors such as the determinacy of EU conditions, the credibility of the EU to keep the gate for membership shut in case of non-compliance with EU conditions, the speed with which the EU reward of membership will be paid out, and the role of veto players who incur net adoption costs from complying with EU conditions in constraining the adaptation process in the candidate states.

Dimitrova (2005) evaluates the EU conditionality model for the case of civil service reform in the eight countries that joined the EU in 2004 plus Romania and Bulgaria. She examines different elements of the administrative reform criteria but concentrates on the adoption of civil service laws as the minimum threshold for EU accession. Dimitrova (2005: 89) argues that basically all ten countries responded to EU conditionality. Her qualifications concern Hungary and Slovenia because of a low degree of misfit between EU conditions and the domestic status quo and thus a lower

degree of adaptive pressure from Brussels. In other words, she assumes that both countries had already complied to a good extent with EU conditions by the time the conditions are defined in 1997. Second, EU conditionality was less effective for Poland and the Czech Republic because the EU threat of exclusion in case of non-compliance lacked credibility for countries that could safely assume that there would be no enlargement without them. Third, she argues that the ODS led by Vaclav Klaus can be counted as a veto player due to the so-called Opposition Agreement with the Zeman government.⁷ She generally conceptualises veto players as political parties that are in government and that are Eurosceptical. These parties are therefore assumed to draw less benefits from accession to the EU. However, because formal rule change in the area of civil service governance occurred in all ten countries included in the study, Dimitrova (2005: 89) concludes that conditionality has mattered a great deal for the reform of the civil service in East Central Europe.

However, the impact of the EU in the area of horizontal administrative capacity building is contested. In contrast to Dimitrova (2005), Goetz (2005, 2006a) and Bugarcic (2005) argue that EU conditionality in the area of administrative reform may have led to ‘shallow outcomes’ and ‘formal structures without substance’ respectively. This paper also takes a more sceptical position with respect to the effectiveness of EU conditionality in the area of civil service governance. First, it argues that the direct approach of the EU by means of conditionality struggles to explain both the timing of reforms and the outcomes of civil service reforms in East Central Europe before accession. The discussion shows that if we assume ‘thin compliance’ with EU conditions, we have to conclude that the majority of candidate countries had basically met the EU conditions for membership by the time they were defined in 1997. If, by contrast, we assume ‘thick compliance’ with EU conditions as summarised in the civil service reform trajectories in Table 2, we have to conclude that most countries had actually not complied with EU conditions by the time they joined (or are expected to join) the Union. An understanding of the diverse civil service reform trajectories or clusters in East Central Europe does therefore require a closer attention to the interaction of EU conditions and EU-level developments more generally with the domestic dynamics of reform.

Second, it follows already from the above that the direct effect of the EU conditions on the politicisation of the ministerial bureaucracy has been modest. Bearing in mind that EU conditionality may have worked out differently in different places and at different times (e.g. Hughes et al 2004), the bottom line has become that EU conditionality in the area of civil service

⁷ Tsebelis (2002) by contrast would model the CSSD government under Prime Minister Zeman as a single party minority government that can impose its will on parliament if it desires so. The assumption to count the ODS as a veto player is therefore problematic because it models the relationship between the ODS and the CSSD effectively as a grand coalition. Also, the argument cannot explain the poor reform record of the Spidla government, which still failed to implement the civil service act that was adopted in 2002 (see also below).

reform has been a sufficient condition for the adoption of a civil service law but not for the implementation of such law. The arguments in the remainder of this part are developed in the form of a critique of the conditionality model, discussing first the countries that passed their first reforms before 1997 and then the countries that did so after 1997.

Table 2. Civil Service Reform Trajectories in East Central Europe in the Context of EU Accession

Country	Timing of first civil service reform; adoption of first civil service law	Average degree of political discretion built into civil service law (at time of EU accession)	Politically induced turnover after changes of government; degree of actual politicisation
<i>Early Reformers:</i> Hungary, Poland, Lithuania before 2000	Before 1997	Moderate to high Especially over allocation decisions	Moderate to high
<i>Model Reformers:</i> Estonia, Latvia, Slovenia, Lithuania since 2000	Before 1997	Moderate to low Strong role for independent commissions	Low to moderate
<i>Shallow Reformers:</i> Bulgaria, Romania, Slovakia	After 1997	High Wide ranging discretion over allocation and remuneration decisions	High
<i>Defiant Reformer:</i> Czech Republic	After 1997 (adopted but not implemented)	High Mainly due to absence of law	Moderate

Anticipating EU conditionality? The pre-1997 reformers

There is little doubt that conditionality did indeed matter. However, there are several question marks with respect to the importance of EU conditionality in triggering the adoption of civil service laws and in particular with respect to the outcomes and consequences of the reforms for the politicisation the ministerial civil service (see Table 2 above again). First, the EU conditionality model has limits when it comes to the explanation of civil service reform in countries that passed their first civil service law before the EU Commission defined the administrative capacity criteria in 1997. This concerns Hungary, Latvia, Lithuania, Estonia, Poland and with qualifications Slovenia (see Table 3). To be sure, the civil service in none of the countries can easily be classified as a professional and de-politicised civil service when considering the content of civil service laws or the actual politicisation of personnel policy. The Latvian civil service law was never fully implemented, the implementation of the civil service Act in Poland was suspended after the change of government in 1997, and the Slovenian and the Lithuanian legislation were both incomplete. None of the countries could escape the criticism of the EU Commission in the Opinions of 1997 and in the first Progress Reports of 1998. Yet, they all were actively involved in civil service reform and they all adopted and at least partially implemented some kind of civil service legislation before the

EU formulated its administrative reform conditions. The incentive to pursue these reforms and pass these acts can therefore not be traced back to the EU conditions but must be traced back to some other causal factor.

Table 3. Civil Service Legal Reforms in Central and Eastern Europe

Hungary	Act on the Legal Status of Civil Servants adopted in 1992. In force since 1992. Several amendments since 1997.
Slovenia	Act on State Workers adopted in 1990 and amended several times. Substituted by Civil Service Act in 2002. In force since 2003. Amended since.
Latvia	Civil Service Act adopted in 1994. Substituted by State Civil Service Act adopted in 2000. In force since 2001. Amended since.
Estonia	Public Service Act adopted in 1995. In force since 1996. Several amendments since.
Lithuania	Law on State Officials adopted in 1995. Substituted by Civil Service Act adopted in 1999. In force since 2000. Several amendments since.
Poland	Civil Service Act adopted in 1996. Implementation suspended and revised Civil Service Act adopted in 1998. In force since 1999. Several amendments since.
Bulgaria	Civil Service Act adopted in 1999. In force since 2000. Several amendments since..
Romania	Civil Service Act adopted in 1999. Several amendments since.
Slovakia	Law on the Civil Service adopted in 2001. In force since 2002. Amended since.
Czech Republic	Civil Service Act adopted in 2002. Not yet implemented.

Second, none of the six countries stopped their civil service reform efforts after the Commission formulated the conditions in 1997. They all passed amendments of the original civil service laws or introduced new laws that substituted the first generation of laws (see Table 3 again). The continuation of the reforms is difficult to explain from the perspective of EU conditionality unless we assume a thick conception of EU conditionality for civil service reform. Even countries like Hungary and Estonia that were more advanced in terms of civil service reform at the time when the administrative capacity criteria was defined, kept reforming their civil services.

Third, the reform trajectories of the countries that had effectively initiated their reform efforts without the presence of particular external incentives differed considerably and, above all, did not always go in the direction the Commission might have wished. Table 2 distinguishes four civil service reform trajectories in East Central Europe. Hungary and Poland form a group of countries that began their civil service reforms before 1997 and actively continued their reforms after 1997. However, while subsequent reforms certainly raised the level of civil service professionalization, these reforms had less of an impact on the levels of politicisation, in particular, at the senior level. In short, reforms after 1997 do not point in the direction of thick compliance with EU conditions for

civil service reform.

Poland passed the first civil service act in 1996 under the centre-left government of Prime Minister Cimoszewicz. The law would have institutionalised a civil service system that would have granted considerable powers to an independent civil service commission. Ministers would have no longer had the power to dismiss higher and senior ranking civil servants in the ministries and ministers would have no longer had the discretion to get involved in the appointment of senior officials let alone the direct recruitment of senior officials from outside the central government apparatus, for instance, from the private sector or even from a political party (Torres-Bartyzel/Kacprowicz 1999). When the Buzek government took office in 1997, it suspended the implementation of the law and passed an amended version that returned some of the lost discretion over the appointment and dismissal of officials back to ministers (Dimitrova 2005). This trend was continued by the Miller government in 2001, introducing another amendment to the civil service Act. One of the most infamous regulations has been the possibility to appoint senior officials for six months on a temporary but renewable basis (Sigma 2002PL, Zubek 2006). As a result, ministers were no longer constrained by a formal recruitment procedure, tight entry criteria or limits on their ability to fire senior officials. Political appointees in senior positions could then use their discretion to politicise the higher and middle ranks from within the ministry, further opening the gates for patronage and politicisation. It comes as no surprise that the changes of government between the left and the right after elections have usually triggered a considerable turnover in the ministerial bureaucracy, including the appointment of senior officials on the basis of temporary contracts (Zubek 2005). Poland's civil service reform trajectory therefore suggests that EU conditionality has not been able to overcome the politicisation of the ministerial civil service.

Hungary followed a similar path in so far as the first amendment of the civil service law in 1997 introduced a number of new discretionary instruments for governments and their ministers such as the establishment of ministerial cabinets and especially provisions for ministers to intervene into the remuneration system (Meyer-Sahling 2006b). By contrast, the second amendment of the civil service Act in 2001 kept the wide-ranging discretion of governments to intervene into the appointment and selection of officials largely untouched, while minimising the possibilities for governments to exercise discretion over the rewards of civil servants. Curiously, the closure of the remuneration system for political intervention and thus the use of party patronage went hand in hand with remuneration increases in the area of 40 per cent for senior civil servants plus the possibility to earn generous performance rewards. At the same time, there are no signs that the actual politicisation of the ministerial bureaucracy is decreasing. Rather, regular change of

government between parties of the left and the right have been accompanied by large-scale turnover in the senior ranks of the ministries and the influx of officials whose careers are closely connected to the electoral fortunes of the governing parties. Many of the new appointees have usually worked in the administration under governments formed by the same bloc of parties, while bridging the out-of-office period in the private sector, academia or at a political party. As a result, a 'mode of partisan politicisation' has been institutionalised that has more in common with the communist legacy of politicisation in Hungary than with most Western traditions of politicisation (Meyer-Sahling, forthcoming).

The second group of civil service reform trajectories is formed by the three Baltic States and Slovenia. These countries come closest to the thick conception of compliance with EU conditions, for the adoption of civil service law has gone hand in hand with or has been followed by a trend towards the actual de-politicisation of personnel policy. Yet, it is questionable to what extent these developments can really be attributed to the work of EU conditionality. Moreover, there is in fact a good deal of variation within this group of model reformers, in that reform trajectories do not always point in the same direction. First, *Estonia* rather followed a similar path than Poland in that it also passed amendments of the civil service Act, which eased the restrictions on the possibilities to dismiss senior officials, especially State Secretaries at the level of central government ministries, while facilitating their appointment on political grounds (Sikk 2005). What was introduced after a change of government to justify the change of personnel in the senior ranks of the ministries was however hardly used, in that the senior ranks of the ministries remained relatively stable and de-politicised.⁸

By contrast, Lithuania, Latvia and Slovenia passed new civil service laws in 1999, 2000 and 2002 respectively that delegated the authority to recruit and select senior officials at least partially to civil service commissions, introduced additional standards and procedures to reduce the potential for political meddling with senior civil service appointments, and restricted the possibilities for governments to remove senior officials from their posts. In the case of *Latvia*, Reinholde (2002, 2003) suggests that these legal changes largely reflected the personnel policy practice since the mid 1990s, in that senior officials usually stayed on in the administration after changes of government.

Slovenia had adopted an Act on State Workers already in 1990. The Act introduced open competition for the recruitment of ministerial civil servants and largely restricted the possibilities

⁸ Sikk (2005) argues that the political intervention into the senior civil service is somewhat limited to the appointment of county level governors, while the senior ranks of the ministries remain relatively stable after changes of government.

for political dismissals (Sigma 2002SLO). Moreover, the ministerial civil service including the senior ranks remained largely stable and was subject to low levels of politically motivated turnover until EU accession in 2004. Slovenia resisted EU demand for the introduction of a new civil service law until 2002. It did then largely formalise a career system that restricts possibilities for political intervention into personnel policy (Bugarcic 2005, Sigma 2003SLO). Yet, the most recent change of government in 2004 ended the long standing dominance of the centre-left in Slovenia and has for the first time put serious politicisation pressure on the senior civil service, leading to an amendment of the civil service law by the new government and the replacement of inherited officials with new appointees that are affiliated to the new centre-right government.

In *Lithuania*, by contrast, the politicisation of the ministerial bureaucracy was high during the mid-1990s when the centre-left and the centre-right alternated government. A stabilisation in the senior ranks of the administration only kicked in after the adoption of the civil service Act which reduced possibilities for the exercise of political discretion and, in particular, the political changes since 2000, which ended the former alternation of the left and the right in government (Sigma 2003LT). Contrary to common wisdom, like in Estonia, Latvia and Slovenia, government instability seems to have led not to more but rather to less politicisation and instability in the ministerial civil service. However, all four model reformers share the feature that the trend towards the formal and actual de-politicisation of personnel policy in the ministerial bureaucracy coincides largely with the dominance of parties from one bloc of the political spectrum. Both Estonia and Latvia has experienced a dominance of the right and centre-right parties in government and Slovenia was – with a short interruption in 2000 – dominated by coalitions of centre-left parties. Yet, the most recent change of government may push Slovenia more towards the countries such as Poland and Hungary. By contrast, in 2000, Lithuania moved away from a pattern of strict alternation in government between parties of the right and parties of the left that were associated with the former ruling communist party. The patterns of party competition in these four countries may therefore have provided the opportunity for the use of EU conditions in the direction of de-politicisation.

Responding to EU conditionality? The post-1997 reformers

The EU conditionality model is also not without problems when applied to the ECE countries that introduced their first civil service laws after 1997. First, the remaining countries differed considerably with respect to the timing of their civil service reforms. Bulgaria and Romania moved already shortly after the definition of the administrative reform criteria, both passing a civil service law in 1999. Slovakia waited with the adoption of an Act until 2001 and the Czech Republic trailed

all other countries by adopting an Act only in 2002. The Czech Republic also differs from all other countries, in that it has not yet implemented its civil service law and that administrative personnel is still governed by the Labour Code. The Czech Republic has therefore not even met the minimum threshold for compliance with EU conditions.

Regardless of the outcome of the Czech reform, the timing of the reforms is puzzling from the point of view of the external incentives model. The model suggests that candidate countries should stick to the status quo for as long as they can, given that it is assumed to be domestically beneficial and stable. Candidates should certainly not have had an incentive to depart from the domestic status quo before the Gothenburg Summit in 2001 when the EU committed itself to enlargement in 2004. Slovakia and the Czech Republic do therefore seem to have done the right thing while the swift reforms in Bulgaria and Romania already in 1999 are difficult to account for. Bulgaria and Romania should have passed their administrative reforms even later because membership was expected to materialise much later than for Slovakia and the Czech Republic. Even in the early 2000s, Grabbe (2002) still expected that the accession of Romania and Bulgaria might take another ten to fifteen years, suggesting that there was no hurry for domestic elites to depart from the status quo. The EU conditionality model does not fair much better when taking the passing of civil service reforms as a condition for the opening of the accession negotiations, as suggested by Hinteá et al (2004) for the case of Romania. While the EU may have pushed the issue for Romania, both the Czech Republic and Slovakia opened their membership negotiations without a civil service law in place. In particular, the timing of the reforms in Bulgaria and Romania therefore suggest that the presence of EU conditions were not sufficient to pass civil service reforms but that the EU conditions interacted with domestic determinants of civil service reform.

The limited effect of EU conditionality on the reform of the civil service is also evident when examining more closely the outcomes of the reforms in the countries that passed their first law after 1997 (see Table 2 again). Romania, Bulgaria and Slovakia effectively form a group of shallow reformers. They adopted civil service laws, thereby meeting the minimum threshold for EU accession in the area of civil service reform, but the first generation of civil service laws hardly provided a substantial check upon the possibility of governments to intervene into the staffing of the administration. In *Bulgaria*, for instance, the first government allocated the authority to appoint and dismiss Secretary Generals at the top as well as the remaining four to five levels of civil servants in managerial ranks to the minister of the day. Bulgaria also belongs to the countries in East Central Europe that did perhaps experience the highest degree of politicisation and instability in the ministerial bureaucracy during the first decade after the change of regime (Verheijen 1999,

Velinova et al 2001). The first non-socialist government that took office in 1991 even introduced an amendment to the Labour Code in order to further facilitate the appointment and removal of officials from the state administration, in particular the senior ranks, reducing job protection even beyond the generally low level of job protection in the private sector (Nikolova 1998).

Given this background, the civil service reform of 1999 somewhat reduced the possibilities for ministers to exercise discretion over the appointment and dismissal of officials. Yet, the new civil service law also presented new tools to politically intervene into the civil service that went beyond the possibility to influence the appointment and dismissal of civil servants. The government had the discretion to adjust the scope of the civil service Act, in particular, with respect to the extent to which the Act is implemented. Moreover, the government rather than Parliament enjoys wide-ranging discretion of the definition of the classification system needed to determine levels of reward for ministerial and other officials. As a consequence, the civil service Act that was adopted in 1999 became much less of a constraint for the centre-right Kostov government but presented rather new opportunities to pursue patronage strategies in the ministerial bureaucracy and to use the civil service law strategically in the competition for the civil service vote. Moreover, while the Commission and especially Sigma criticised the poor implementation record and the continuing politicisation of the civil service, the government that was formed in 2001 amended first of all the civil service law by lowering the bar for the educational qualifications that new recruits need to demonstrate upon their appointment to senior office. Like in the discussion of Poland and Estonia and more recently Slovenia (after accession), the direction of reform has therefore pointed back towards the possibility to exercise more discretion over the staffing of the ministerial bureaucracy rather than less.

Finally, the *Czech Republic* forms a class on its own among the different civil service reform trajectories, for it adopted a civil service act upon EU pressure but did not implement the act. In the Czech Republic, governments do therefore have an even wider scope for the exercise of political discretion than in the other countries, for the civil service law does not even institutionalise basic limits for ministers to intervene into the administration. Despite the absence of legal restrictions upon political interference with personnel policy, the Czech ministerial bureaucracy has paradoxically been much less exposed to politicisation pressures and politically motivated turnover. While the very top positions may change after (the few) changes of government between left and right, the managerial ranks and the wider higher and middle ranks are otherwise considered to be relatively stable (Dimitrov/Zubek 2006, Vidlakova 1999, 2001).

The government had planned to begin the implementation of the act in 2004 but the beginning of the implementation has been postponed twice since 2002 and implementation is therefore not expected to be complete before 2009/10 (Sigma 2003CZ). If the Czech government had implemented the Act that it adopted in 2002, it would have largely closed the ministerial bureaucracy for the exercise of party patronage. Candidates would have only been eligible for appointment to senior ranks following professional qualifications and in particular several years of experience in the civil service. A civil service commission, relatively well protected from political influence, would have been the main player in the management of personnel policy. In contrast to most civil service laws, the law does not include any reference to the political rights and duties of civil servants, i.e. in principle the law allows officials to hold political office, be party member or run at elections. Yet, this lack of restriction upon the appointment of officials is well offset by other constraints that largely remove the ministerial bureaucracy from the spoils of political parties.

While the Czech Republic has therefore remained a defiant reformer, the Czech case is also instructive to identify the causal effect of EU conditionality in the area of civil service reform. Strictly speaking, the Czech Republic has not complied with EU conditions but has been admitted to the Union, casting a general doubt on the effectiveness of EU conditionality. Yet, the Czech Republic as the least compliant case suggests that EU conditions have been a sufficient condition for the adoption of a civil service act but not for the implementation of such act. In substantial terms, this is a rather modest effect and it implies that the direct, top-down effect of EU conditions on the politicisation of the ministerial bureaucracy has been very limited indeed. This conclusion corresponds closely to the arguments that the Europeanisation of East Central Europe by means of conditionality produces ‘shallow outcomes’ or ‘formal structures without substance’ (Goetz 2005, Bugarcic 2005).

At the same time, the discussion has shown that it is often difficult to trace civil service reforms to EU conditionality, suggesting that domestic dynamics have been more important in initiating and passing civil service laws and amendments. The EU conditionality model has also difficulties to account for the considerable degree of variation in civil service reform trajectories in East Central Europe before accession if we look beyond the simple adoption of civil service laws. All this does not mean that EU conditions did not matter and it does not mean more generally that the EU does not matter the politicisation of the ministerial bureaucracy in East Central Europe. Rather, it draws attention to the interaction of EU-level developments and the domestic level, in particular, the opportunities to use Europe in the domestic political context.

De-politicisation through the Backdoor? The Indirect Influence of the EU and the Usage of Europe at the Domestic Level

The discussion so far suggests that the direct impact of the EU by means of conditionality on the politicisation of the ministerial bureaucracy in East Central Europe has been limited. The EU template for administrative reform largely lacked the capacity to constrain the politicisation of the civil service in the candidate countries unless governments and administrative policy-makers took the advice and assessments of the SIGMA group as a yardstick for compliance rather than the general conditions offered by the Commission. Moreover, civil service reform trajectories after the definition of the administrative reform criteria in 1997 varied to a considerable degree, sending only a minority of countries down the road of de-politicisation. This conclusion does however not imply that the EU has lost the battle over the de-politicisation of East Central European ministerial bureaucracies. Rather, the discussion of different logics of Europeanisation in the first section suggests that the EU influence on politicisation is not limited to direct, top-down interventions but includes a broad range of indirect mechanisms of Europeanisation.

One indirect EU effect on the politicisation of ministerial bureaucracies results from the participation of ministerial civil servants in the EU policy process. In particular, the central role of ministerial bureaucracies in the process of EU policy-making and implementation can be expected to strengthen the role of ministerial bureaucrats in the political system and to create pressures for the professionalization of the civil service more generally. To be sure, not all ministerial bureaucrats are concerned with EU policy in the same way at the same time. During the pre-accession period, for instance, East Central European governments set up institutional arrangements for the management of EU policies, including a central co-ordinating agency and departments for EU affairs at the level of individual ministries (see esp Lippert/Umbach 2005). These EU-units acquired special expertise and information in dealing with EU policies. They established contacts in the Brussels jungle, were managing the accession negotiations with EU officials, and increasingly drew signals from the EU rather than their national political leadership (Drulak et al 2003). During the pre-accession period, many of these units turned into ‘islands of excellence’ whose staff is characterised by higher levels of competence and lower levels of politicisation (Goetz 2001, Ágh 2002).

Leaving apart the diverse civil service reform trajectories for a moment, the emergence of ‘islands of excellence’ suggests that there were at least some parts of the ministerial bureaucracy in East Central Europe that were generally beyond the practical reach of party patronage and politicisation.

The presence of these patronage-free zones can be traced to the increasing costs of replacing civil servants who are employed in these islands of excellence. If political parties want to replace these officials after changes of government with party supporters, they may lose more than what they can gain because the appointment of potentially incompetent party officials is likely to increase the risk of policy and co-ordination failure in the negotiations over the accession with the EU. Parties were therefore constrained in their ability to politicise these parts of the ministerial bureaucracy during the pre-accession period, unless they could rely on the supply of officials who combined party political commitment and governmental expertise in the area of EU policy.

At the same time, we may argue that regardless of the problems of finding competent alternatives for the officials that staff islands of excellence, governing parties lacked an incentive to initiate major turnover in the first place. Elsewhere I argued that the pressure to politicise the ministerial bureaucracy increases if changes of government take place within a context of political polarisation because incoming governments will be reluctant to rely on the expertise of senior bureaucrats who are associated with their competitors and predecessor in government (Meyer-Sahling 2006a). Even if Eurosceptical parties emerged in many East Central European countries well before the accession to the EU, there has generally been popular and political consensus about the benefits of and the desire to join the European Union (Taggart/Szczerbiak 2004). We could therefore infer that the broad convergence of political parties on the issue of EU accession reduced the incentive to initiate turnover among officials of the EU departments in order to tighten the political control over these units.

However, as EU accession came closer, an increasing number of ministerial civil servants was drawn into the management of EU policies, that is, both the transposition and in particular the implementation of EU policies. Johansson and Norgaard (2004), for instance, argue that the gradual incorporation of the bureaucracies in East Central Europe into the EU policy process has increased the number of 'complex implementation problems' that these bureaucracies face and thus the demand for the professionalization of the civil service that deals with EU policies. The attempt to raise the competence levels of ministerial bureaucrats is also reflected in the training programmes for officials that deal with EU policies, which have been pursued since the late 1990s. Reinhold (2004) for instance reports that by the early 2000s, more than 50 per cent of the ministerial bureaucrats in Latvia had already been on some kind of EU training course. The growing involvement of the ministerial bureaucracy in East Central European countries in EU policy, growing contacts, and increasing investment in the competence levels of officials suggests that the

costs of replacing ministerial civil servants have been continuously rising rather than decreasing and that the size of politicisation-free zones in the ministerial bureaucracy is likely to grow.⁹

The growing pressure for the professionalization and the growing costs that parties incur if they seek to politicise the ministerial bureaucracy can be expected to co-produce increasing bureaucratic demand for institutional reforms that lock in the de-politicisation of personnel policy. Bureaucrats can usually be assumed to be the greatest supporters and beneficiaries of civil service laws because (or 'if', which may be more appropriate here) they define their rights and duties and tend to increase levels of rewards and job protection. Moreover, civil service laws that institutionalise restrictions over political appointments and dismissals serve as commitment devices, in that they signal to bureaucrats that politicians will not meddle with bureaucratic careers (Meyer-Sahling 2004).

The preparation for and membership in the EU may therefore strengthen ministerial bureaucrats at the domestic level and provide opportunities, especially for officials who deal with EU-related affairs, to push for the de-politicisation and further professionalization of the civil service. It is matter of further research to investigate the extent to which this mechanisms of Europeanising public administration has already been at work in the run-up to EU accession or whether political parties have been able to absorb the professionalization pressures by cultivating a pool of officials that are both politically committed and sufficiently competent in running government ministries and departments. The discussion of civil service reform trajectories above suggests that parties in countries such as Poland and Hungary have been better equipped to respond to the professionalization pressures than parties in the Baltic States, which have gone farthest down the road of de-politicising their ministerial bureaucracies. Yet, we also have to recognise more generally that the EU may affect the politicisation of the ministerial bureaucracy in a number of other indirect ways and whatever the direction of the impact, it will be worth checking the potential effect of Europe.

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⁹ This does not mean that the politicisation of the state and party patronage will generally decline. Rather, politicisation and patronage pressures may be diverted to other institutions outside the core structure of the central government ministries.

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