



BALTIC JOURNAL OF LAW & POLITICS

VOLUME 3, NUMBER 1 (2010)

ISSN 2029-0405

<http://www.versita.com/science/law/bjlp>

Cit.: *Baltic Journal of Law & Politics* 3:1 (2010): 99-124

DOI: 10.2478/v10076-010-0006-8

MODEL OF CIVIL SERVICE IN LITHUANIA'S PUBLIC POLICY

Saulius Pivoras

Associate Professor; Dr

**Vytautas Magnus University Faculty of Political Sciences and Diplomacy
(Lithuania)**

Contact information

Address: S. Daukanto str. 28, LT-44246 Kaunas, Lithuania

Phone: (+370) 37 327867

E-mail address: s.pivoras@pmdf.vdu.lt

Received: June 28, 2010; reviews: 2; accepted: July 19, 2010.

ABSTRACT

This article examines the model (models) of civil service fundamental to Lithuania's public policy on civil service after 2004, i.e., after joining the EU. Here the model is considered as a certain description or concept of state civil service or, more accurately, a certain systematic vision or representation of civil service. The article discusses the approaches used for classifying civil service systems and shows the dichotomous understanding of position or career-based civil service systems as groundless. It goes on to describe the premises and opportunities for "career civil service" in Lithuania. Path dependence in the process of civil service reforms in Lithuania and the not entirely unambiguous influence of the EU are described concisely. The discussion on the latest plans for civil service reforms ascertains that managerial priorities predominate therein. Meanwhile these plans ignore the increasingly obvious alienation between civil service and the public-at-large in Lithuania and the necessity for an orientation towards the principles and priorities of participatory governance alongside the managerial priorities.

KEYWORDS

Civil service system, civil service reform, career management, participatory governance

INTRODUCTION

Anthony Verheijen, a renowned researcher on civil service, has recently claimed that the new public management has not done away with the classical civil service model in developed countries. However, the newest EU member states have, for the time being, raised perhaps the most serious challenge to it. Only a minority (primarily Lithuania) has so much as approached an implementation of the traditional civil service model. Verheijen raises a crucial question—what civil service model could potentially cross over the values and principles of classical civil service which could, in the process of seeking it out, become an important agenda item for the global development of public administration?¹

The purpose for this article relates to the question raised by Verheijen, although it first focuses on Lithuania's civil service system and its reform as well as its public policy on civil service. The aim is to establish what civil service model was being introduced up until now and what it should be. This issue has become especially relevant again due to the concept for improved civil service in Lithuania which was under preparation during 2009-2010. The 2008 Programme of Government XV of the Republic of Lithuania commits to the reform of civil service. The Minister of the Interior, Raimundas Palaitis, has stated that the civil service model must be changed, because most people have a difficult time understanding the current "career" model, and it is inflexible.² The Ministry of the Interior of Lithuania formed a work group in 2009 June to draft a concept for the development of civil service.³ Then, in November that same year, a new work group was formed to prepare this same concept by virtue of a decree by the Prime Minister.⁴ This most recent work group produced a variant, named the Civil Service Improvement Strategy, which was validated in the name of the Office of the Prime Minister of the Government of Lithuania on 2010 February 25 and submitted for public appraisal in 2010 March.⁵ Ministry members responded to this concept, and the Saulėlydis [Sunset] Commission and Cabinet meetings of the Government of Lithuania discussed it several times. Nevertheless, specific changes, starting with the legal

¹ Tony J. G. Verheijen, "Independent Civil Service Systems: A Contested Value": 265; in: Florian Grotz and Th. A. J. Toonen, eds., *Crossing Borders: Constitutional Development and Internationalisation. Essays in Honour of Joachim Jens Hesse* (Berlin, New York: de Gruyter Recht, 2008).

² Vladimiras Laučius, "Ne valdyti, o tarnauti (Not rule but serve)," *Lietuvos žinios* (September 14, 2009).

³ "Valstybės tarnybos plėtros koncepcija: pasiūlymai ir komentarai (Public administration development strategy: recommendations and commentaries)," *Valstybės tarnybos aktualijos* 17 (2009): 48.

⁴ *Dėl darbo grupės sudarymo (On forming a work group)*, decree of the Prime Minister of the Republic of Lithuania no. 536 (November 30, 2009) // http://www.lrv.lt/bylos/Teises_aktai/2009/11/14156.doc (accessed May 31, 2010).

⁵ *Valstybės tarnybos tobulinimo koncepcija (Civil service improvement strategy)*, convention project of the Office of the Prime Minister of the Republic of Lithuania no. 10-695-01 (March 1, 2010) // http://www.lrs.lt/pls/proj/dokpaieska.showdoc_l?p_id=22364&p_query=&p_tr2=&p_org=&p_fix=n&p_gov=n (accessed May 31, 2010).

regulations in the civil service area, will not be seen before 2011, at the very earliest.

This article discusses how civil service is defined or how it is imagined in the broader theoretical context covering the period from 2004, when Lithuania joined the European Union. More specifically, it seeks to uncover an understanding of some certain systematic concept that provides the basis for Lithuania's policy on civil service. Furthermore the endeavour is to determine what the theoretical or ideological (value system) representation of the civil service that is being implemented at great effort in Lithuania is.

1. ONE MORE MISTAKEN/MISLEADING DICHOTOMY AND CIVIL SERVICE CAREER OPPORTUNITIES IN LITHUANIA

To grasp the concept of a civil service model and give it more clarification, first there must be a more focused discussion of one dichotomy which, per the opinion held here, is considerably, if not outright, misleading. In Lithuania there is a very widespread precedent of simplified and overemphasized differentiation of career and position systems in civil service. Frequently the Lithuanian literature on civil service and civil service reform is based on the thesis that the main models of civil service are distinguished by the career-based system model and the position-based system model.⁶ Such a thesis is especially simplistic and essentially incorrect. The experts on civil service in Lithuania, Laima Tuleikienė, Birutė Česnulevičiūtė and Aleksas Kvietkus count four position-based and six career-based system elements in Lithuania's career civil service.⁷ The Public Administration Development Strategy project, drafted in 2010 March, also states that characteristics of the career-based system predominate in Lithuania's civil service.⁸ Despite this, overall how accurate and meaningful are such calculations of characteristics and how accurate and meaningful is the characterisation of the system which is compiled from numerous characteristics?

A good portion of the precedent of separating the career and position-based systems in Lithuanian literature and practice comes from the work by scholars at the European Institute of Public Administration (hereafter – EIPA), located in Maastricht. In one of the latest studies, EIPA researchers compared the civil service systems in EU countries by 17 criteria as well as by the relative contradistinction

⁶ Jurgita Šiugždinienė, "Valstybės tarnybos organizavimas [Organisation of Public Administration]": 72; in: Alvydas Raipa, ed., *Įvaždas į viešąjį valdymą* (Kaunas: Technologija, 2009).

⁷ Laima Tuleikienė, Birutė Česnulevičiūtė, and Aleksas Kvietkus, *Lietuvos Respublikos valstybės tarnybos įstatymas praktikoje (Law on Civil Service of the Republic of Lithuania in Practice)* (Vilnius: UAB "Ekonomikos mokymo centras", 2003), p. 9.

⁸ "Public administration development strategy: recommendations and commentaries," *supra* note 3.

between the career and position-based systems.⁹ According to this comparison, Lithuania is among the countries with a civil service where the career-based system predominates. Such an assertion is also adopted by Vitalis Nakrošis and Jan-Hinrik Meyer-Sahling.¹⁰ However, it bears notice that the EIPA study is revising the career-based system type and supplementing it with a type of an administrative tradition. Here Lithuania (along with Hungary, Poland and Slovakia) is defined as a country with an *Eastern European civil service career system*.¹¹

Two approaches can ground a description of the civil service system: it can be described by numerous characteristics or by distinguishing several essential characteristics that are vitally necessary for the functioning of a system. By describing a civil service system in terms of a certain number of characteristics, the naming of the system becomes even more relative as more characteristics are employed, because the essence of the system becomes washed out in the abundance of characteristics.

The EIPA researchers, on whom all Lithuanian authors base their works in one way or another, have a viewpoint in their studies that is not always consistent or unambiguous. Different works employ either the aforementioned approaches or their modifications. This can be demonstrated in greater detail.

In 2001 EIPA scholars began claiming that it is not worthwhile to differentiate the career and position-based systems; instead, the career-based civil service system should be first differentiated from civil service with the different structural elements.¹² A most interesting, albeit little remembered, differentiation provided by the EIPA in 1994 is between the closed and the open civil service. However, it actually bases closure/openness merely in the Europization sense, i.e., primarily on how freely citizens of EU countries can be employed in the civil services of any EU country.¹³ Nonetheless, this differentiation can potentially be developed into wider meanings, all the more, because it starts with the effort to distinguish the open from the closed civil service system in an organisational perspective. It was noticed that, in terms of an organisational aspect, the closed civil service system was characteristic of a training period immediately after hire, unrestricted duration of employment and compensations established by special, public acts of law. The open system was characteristic for its lack of a training period for people newly employed

⁹ Christoph Demmke, Thomas Henökl, and Timo Moilanen, *What are Public Services Good At? Success of Public Services in the Field of Human Resource Management* (Maastricht: European Institute of Public Administration 2008), p. 10.

¹⁰ Vitalis Nakrošis and Jan-Hinrik Meyer-Sahling, "Lietuvos valstybės tarnyba: sėkmės paslaptys ir tolesnio vystymo alternatyvos (Civil Service of Lithuania: Secrets of success and further development alternatives)," *Viešoji politika ir administravimas* 27 (2009): 8.

¹¹ Laima Tuleikienė, Birutė Česnulevičienė, and Aleksas Kvietkus, *supra* note 7, p. 11.

¹² Danielle Bossaert, Christoph Demmke, Koen Nomden, and Robert Polet, *Civil Services in the Europe of Fifteen: Trends and New Developments* (Maastricht: EIPA, 2001), p. 82.

¹³ Astrid Auer, Christoph Demmke, and Robert Polet, *Civil Services in the Europe of Fifteen: Current Situation and Prospect* (Maastricht: EIPA, 1994), pp. 131 – 133.

in civil service, lack of an employment guarantee until retirement and work compensation that is either individual or grounded on collective bargaining.¹⁴

But literature also provided the sorts of career and position-based system descriptions that are grounded on differing numbers of characteristics.¹⁵ Due to such a manner, it is difficult to say which characteristics predominate in the civil service of some specific country.

Overall it must be ascertained that the dichotomy between the career and position-based systems has met the same fate as met by the known policy on traditional public administration and dichotomy in administration, which is now considered as either incorrect or, at least, highly conditional. The differentiation between the career and position-based systems is also not dichotomised. Certain scholars name the career and position-based systems simply as closed and open career systems in civil service (the career-based system is equated with a closed career system whereas the position-based system—as an open career system), whereby the nature of employment appointment into civil service is considered the fundamental descriptive factor.¹⁶ EIPA studies not only describe the career system by grounding it on a comparative classification of numerous characteristics but also claim,

The career system *can in particular be distinguished* by the fact that access takes place at the entry grade of a certain career path. Within the career path, a civil servant can be promoted in accordance with relevant legal provisions and can climb the 'salary-group ladder.' (...) After a preparatory and/or probationary period, the person concerned is appointed for life and will then have civil service status.¹⁷ (italics – SP)

At first glance, it seems highly paradoxical that hiring at an entry grade becomes the primary characteristic of the system. Nonetheless, it becomes understandable upon assessment that this is the only way to form realistic opportunities for a sequential career path, which is considered as a chain of promotions over time.

The author here is convinced that, in a career system, the career and the realistic opportunities for a career are most important. A legal guarantee for a career does truly exist in Lithuania's civil service. However, what are the realistic opportunities for a career? The Law on Civil Service of the Republic of Lithuania identifies a group of civil servants by a special term, "career civil servant" and

¹⁴ *Ibid.*, p. 136.

¹⁵ Danniele Bossaert and Christoph Demmke, *Civil Services in the Accession States. New Trends and the Impact of the Integration Process* (Maastricht: EIPA, 2003), pp. 15–16.

¹⁶ Sungjoo Choi and Andrew B. Whitford, "A Topography of Civil Service Structures" (2008) // http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1081618 (accessed May 31, 2010).

¹⁷ Danielle Bossaert, Christoph Demmke, Koen Nomden, and Robert Polet, *supra* note 12.

"career civil service". Nevertheless, how realistic is this career service? Is this not simply a "career with no career perspectives", as a possible career in Spain's civil service was once described?¹⁸

Lithuania's Law on Civil Service emphasises that only career servants are guaranteed a career. Who does not have any guarantee? Statutory civil servants have no guarantee as per the Law on Civil Service, but different statutes do provide a guarantee. The 2010 February 25 project on the Civil Service Improvement Strategy, presented by the Office of the Prime Minister of Lithuania, actually correctly emphasises that "the legal acts regulating the service of a statutory civil servant establish more elements of a career model than the Law on Civil Service establishes."¹⁹ That means it is possible to believe that the aforementioned formulation is primarily designated for justifying a specific civil service group (in career civil service).

A question arises. Can a career guarantee be realised in Lithuania's civil service? Can "career civil service" be realised in Lithuania by formulating equal career opportunities? Although there are no comprehensive data, it is possible to doubt that there really are such opportunities. The guarantee by the Republic of Lithuania for a career in civil service (realistic career opportunities) is highly limited, simply because entry employment is also possible by competition not only for the lowest but for all the higher-level positions. Further, the literature considers the characteristic of entry employment specifically as the most important for determining whether or not the system is career civil service.

The lack of a system for realising a successive career can be shown merely by analysing the data that Lithuania's Civil Service Department provides on career offers made by evaluation commissions, which were set-up to conduct performance assessments. The total number of civil servants evaluated by such commissions decreased during 2006–2008.

¹⁸ Salvador Parrado Díez, "Spanish Civil Service: a Career System without Career Perspectives," conference *Status and role of top civil servants in Europe today* in Université de Picardie, Amiens (June 15, 2001) // http://www.uned.es/113016/equipo%20docente/cv-parrado_archivos/documento%2052%20-%20amiens%202001.pdf (accessed May 31, 2010).

¹⁹ "Public administration development strategy: recommendations and commentaries," *supra* note 3.

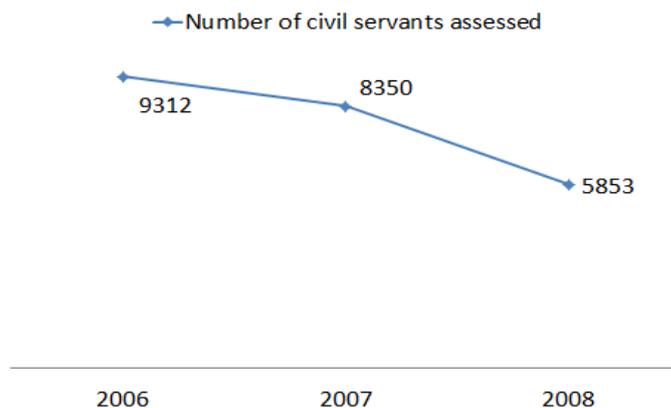


Fig. 1. Number of civil servant performance assessments by evaluation commissions (includes both annual and extraordinary appraisals)
(data provided by the Civil Service Department of the Republic of Lithuania is the basis of this graph)

The proportion of the assessed to the overall number of civil servants also decreased.

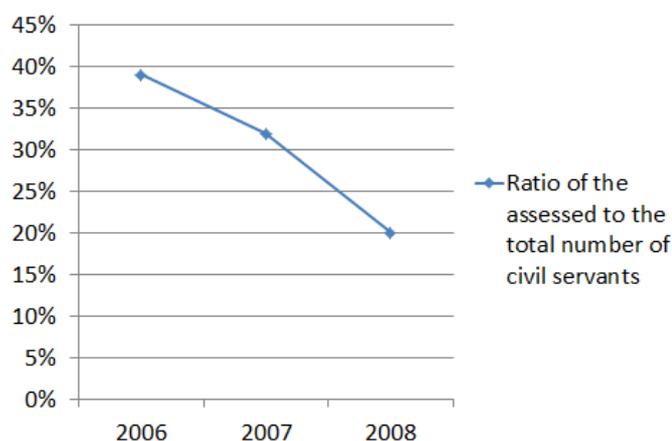


Fig. 2. Ratio of performance assessments to the total number of civil servants by % (includes both annual and extraordinary appraisals)
(data provided by the Civil Service Department of the Republic of Lithuania is the basis of this graph)

However, these decreases are not uniform. The decrease in the total number of assessed servants occurred at a greater rate than did the decrease in the proportion of those assessed in comparison to the total number of civil servants. Let us say that three offers can be considered as career offers: 1) transfer to a higher position, 2) transfer to a higher position with the provision of a qualification

class and 3) provision of a qualification class. Upon comparing the 2008 and 2007 data regarding offered promotions (not only a transfer to a higher position but a transfer along with provision of a qualification class), it is seen that the total number of such offered promotions (calculating both the ordinary and the extraordinary assessments) decreased by some 17 percent.²⁰ This is a rather distinct change. Additionally it is not uniform in regard to the decrease in the number of those under assessment. Although the comparison of the total number of the assessed in 2008 with 2007 shows a decrease of some 30 percent, the number of offered promotions only decreased by half that much when compared to the decrease of those assessed, which is obviously disproportional. Taking the offers to provide qualification classes alone, the decrease is by more than half (57 percent); i.e., this is especially disproportional according to the number assessments (a decrease that is twice as great than it would be in proportion to the decreases in the number of assessments). The total of those assessed as having career merits in 2008 as compared to 2007 decreased by 37 percent (a proportional decrease in the number of the assessed would be 30 percent). The proportion of all the assessed who received a career offer also changed.

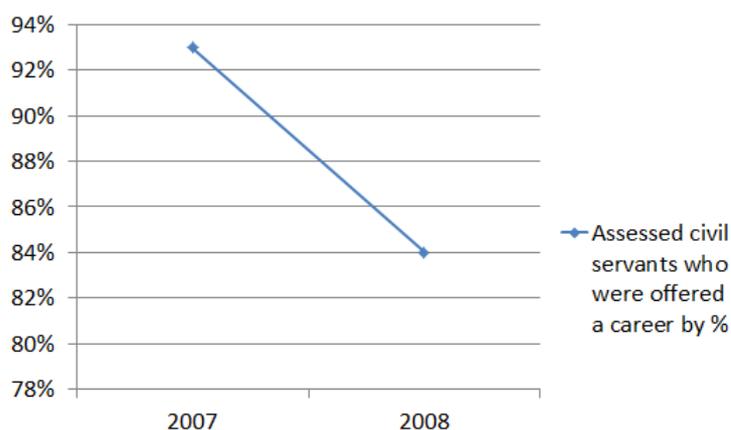


Fig. 3. Ratio of servants assessed by evaluation commissions to career offers received by %
 (includes both annual and extraordinary appraisals)
 (data provided by the Civil Service Department of the Republic of Lithuania is the basis of this graph)

²⁰ The basis for the calculations is as per *On the Law on public service and implementation of the stipulations of its relevant legal acts*, Annual report of the Civil service department of the Republic of Lithuania (2009), pp. 31–33.

It is possible to look for explanations regarding the circumstances for such various disproportions, starting with the impact of the economic crisis. Nevertheless, what is most important is that such sufficiently marked disproportions can be seen in career implementations. Naturally the disproportions are not important in and of themselves. However, these are not sufficiently substantiated, since there are very few premises in Lithuania's civil service for individualised and merit-based careers for civil servants.

Another issue regards whether or not the so-named qualification classes designated for career civil servants of Lithuania (of which there are a total of three) can be considered a career instrument, albeit such a concept has essentially settled into practice (as per the understanding of civil servants themselves). The interesting aspect to these so-called qualification classes that were introduced in 2002 does not relate to new positions or new levels of responsibility. They are simply a designation for a salary bonus. The bonuses are very substantial overall and they can reach up to fifty percent of an employee's salary. A qualification class is provided following a performance assessment on the usefulness or results of a civil servant's work, an assessment that is based essentially on qualitative criteria. However, the procedure itself and its outcome—a salary bonus—is more like an instrument for compensation according to results than it is a career instrument. Interestingly the European Union networks of public administration experts judge the performance assessment criteria which are effective in Lithuania and which establish qualification classes along with salary bonuses as one of the best, well thought-through examples to follow in performance management.²¹ However, such a judgement is actually misleading. Even though the criteria for assessing performance are clearly defined, there is no methodology to support their application; thus the basis for applying them in practice is entirely subjective (if any basis is used at all). Merits are not the basis of an assessment. As proof, it is sufficient to indicate that the performance assessment in Lithuania's civil service has been entirely qualitative from 2003 to 2010. It did not contain a servant's self-evaluation of performance, nor procedures for appealing an assessment nor the so-named target agreements. Nevertheless, the concept of qualification classes as a career instrument was upheld, because these classes were ascribed to civil servants for an unlimited period from 2003 to 2010. In 2010 April, the Ministry of the Interior submitted its project drafting amendments to the Law on Civil Service to the Government for deliberations. This project provides for the grant of a qualification class for a limited period—for one year until the next ordinary

²¹ Christoph Demmke, *Performance Assessment in the Public Services of the EU Member States* (Maastricht: EIPA, 2007), p. 26.

performance assessment.²² The Civil Service Improvement Strategy concept foresees rejection of qualification classes as such in general, leaving only the annual salary bonus based on annual performance results. Apparently there will not be any qualification classes at all. The majority of the Saulėlydis [Sunset] Commission [for reforms in public administration] supported a recommendation to do away with them entirely,²³ and the project for authorising a law on the Civil Service Improvement Strategy concept, arranged by the Government at the end of May, also foresees their complete elimination.²⁴ These planned changes clearly show decreases in the means for non-managerial employees to gain a formal career.

Within the system for a consistent and well managed career, the number of civil servants promoted annually should remain more or less the same or, at least, it should be such, so each civil servant is promoted over 2–4 (5) years. The guarantee of a career is only realistic in a case such as this, whereby everyone is treated equally (equal career opportunities are thus formed). Career civil service, according to its classical definition, is obligated to uphold equal career opportunities. The current system for planning and managing a career cannot assure such for career civil servants in Lithuania. There is actually no system for planning and managing a career at the national, or centralised level (except for merely gathering statistics). It is quite doubtful that such a system exists at the level of institutions either. (There is no legal basis for this, although there are no obstacles to prevent its development by personal initiative). Thereby the appearance of greater or lesser disproportions is natural and unavoidable. Thus there is an obvious problem which the OECD named as one of the challenges for a competitive national civil service—the problem of unclear career paths and insufficient career planning.²⁵

There is another issue—what portion of the recommendations on careers has been implemented in Lithuania's civil service? According to Article 22, Paragraph 26

²² *Lietuvos Respublikos valstybės tarnybos įstatymo 4, 9, 11, 13, 15, 16, 16¹, 17, 21, 22, 24, 29, 30, 31¹, 41, 43, 44, 46 straipsnių pakeitimo ir papildymo ir įstatymo papildymo 3¹, 30¹, 30² straipsniais įstatymas (Law on amending and supplementing articles in the Law on civil service of the Republic of Lithuania)*, Law project by the Ministry of the Interior of the Republic of Lithuania no. 10-1499-01 (April 16, 2010) //

http://www.lrs.lt/pls/proj/dokpaieska.showdoc_l?p_id=29885&p_query=&p_tr2=&p_org=&p_fix=n&p_gov=n (accessed May 31, 2010).

²³ Protocol of Meeting Minutes of the *Saulėlydis* [Sunset] Commission for Improved Public Administration of the Republic of Lithuania no. 63-13 (May 13, 2010) // http://www.lrv.lt/bylos/veikla/komisijos/saulelydzio/7_2010-05-13_posedzio_protokolas.pdf (accessed May 31, 2010).

²⁴ *Nutarimas dėl valstybės tarnybos tobulinimo koncepcijos patvirtinimo (Resolution on authorisation of the civil service improvement strategy concept)*, project by the Government of the Republic of Lithuania no. 10-2142-01 (May 31, 2010) //

http://www.lrs.lt/pls/proj/dokpaieska.showdoc_l?p_id=37209&p_query=&p_tr2=&p_org=&p_fix=n&p_gov=n (accessed May 31, 2010).

²⁵ Danielle Bossaert, *Career Development as an Effective Tool to Enhance the Attractiveness of Public Employment* (Maastricht: EIPA, 2003), p. 9.

of the Law on Civil Service, the individual who is offered duties by the evaluation commission makes the decision regarding the implementation of the offer made. There is no obligatory implementation made regarding the decisions about an individual who is appointed for certain duties. Actually it is notable that the standard in the Law on Civil Service effective in 2003–2006 was that an offer made by the commission conducting the performance assessment for provision of a higher qualification class was obligatory and had to be enacted. In 2007 June, upon passage of the amendments to the Law on Civil Service, there was no longer any obligation to provide the higher qualification class as offered by the commission conducting the performance assessment.²⁶ On one hand, the administrative heads of offices gained greater freedom but, at the same time, a greater chance for subjectivity arose. It is not possible to say what portion of the offers made by evaluation commissions during 2007 or 2008 were actually implemented, because the Civil Service Department register does not accumulate such data.

There is yet another question. How well is the right to a career being realised objectively? In order to make a career system and career management realistically and transparently operable, it is necessary to develop supplementary instruments for career assurance (e.g., a mechanism to determine promotion quotas and their realistic implementation and, in general, plan for constant movement within civil service). To accomplish this, additional financial and human resources are needed, amongst other matters.

The career system would seem to serve the category (so are called civil service grade in Lithuania) classification of the hierarchical civil service. However, specifically due to this, a great many subjectivities appeared, whereby civil servants holding the same position at different state institutions, who thereby also perform the same sorts of duties, were granted differing categories, meaning they received differing compensations. Corrections to this situation were started in 2008 May and continued in stages until 2010. The interval between designated categories (grades) was reduced to two for any one position (in the same group of public organizations, such groups are five in total according to special legislative act classifying all public organizations into a specific groups).²⁷ Certain jurists stated an opinion that the Constitutional Court of Lithuania would not permit a dismantling of

²⁶ *Valstybės tarnybos įstatymo 3, 4, 8, 9, 18, 19, 20, 21, 22, 23, 25, 38, 41, 43, 44, 49, 50 straipsnių ir priedėlio pakeitimo bei papildymo ir Įstatymo papildymo 22(1), 48(1), 50(1) straipsniais įstatymas (Law on amendments to the articles and amendments and supplements to the appendix of the Law on civil service and supplemental articles to the law)*, Official Gazette, 2007, no. 69-2723.

²⁷ *Patvirtinti suvienodinto pareigybių sąrašo pakeitimai (Authorised changes to the equalised list of positions)*. Information of the Civil Service Department of the Republic of Lithuania // <http://www.vtd.lt/index.php?-1071132679> (accessed May 31, 2010).

the hierarchical civil service system.²⁸ Actually one resolution of the Constitutional Court discusses the necessity for a hierarchical system in civil service. However, there can be various hierarchical systems. Simply the hierarchy of the specialist, senior specialist and chief specialist can minimally uphold a hierarchy. When the 2010 Public Administration Development Strategy foresaw the regulation of a career chain for specific managers, certain ministries reacted to this recommendation by emphasising that, this way, the career opportunities for specialists (non - managerial employees) in civil service should also decrease.²⁹

Therefore a career system in the civil service of the Republic of Lithuania has not been implemented in reality, and a mechanism for such an implementation still needs to be developed. Perhaps it would be simplest to do away with the guarantee of a career with the state (the obligation to assure a career) and the naming of "career civil service" itself. This way, career planning and career realisation are transferred to the different organisations and they become more individualised. The elimination of a career guarantee is best enacted by eliminating status of "career civil servant" and "career civil service" itself. A moderate variation would be to name it general civil service, professional civil service or something similar.

2. PATH DEPENDENCE IN THE DEVELOPMENT OF LITHUANIA'S CIVIL SERVICE

Civil service reform and the practice of civil service and, by the same token, the selection of a civil service model were stipulated and continue to be stipulated by the so-named "path dependence". Historical institutionalism uses this concept to refer to a heritage as much as the actions and attitudes, either selected or imposed, at some certain instance. The authors who have specially discussed path dependence note that the primary characteristics of path dependence are unpredictability, inflexibility, improbability and inefficiency of a potential path. Since some of the initial processes are partly random, there can be various outcomes. The more a process gains momentum, the more difficult it becomes to change its nature radically. "Chance" occurrences cannot be ignored because they can cause

²⁸ Dainius Žilinskas, "Valstybės tarnybos reforma: poreikis, kryptys ir galimybės" (Civil service reform: need, trends and opportunities)": 128; in: *Valstybės tarnybos teisinis reguliavimas ir perspektyvos Lietuvos Respublikoje* (Vilnius: LIVADIS, 2008).

²⁹ *Dėl Valstybės tarnybos tobulinimo koncepcijos (On the Conception of the improvement of civil service)*, conclusion of the Ministry of Economics of the Republic of Lithuania no. 10-695-01 (March 01, 2010) // http://www.lrs.lt/pls/proj/dokpaieska.showdoc_l?p_id=22399&p_query=&p_tr2=&p_org=&p_fix=n&p_ov=n (accessed May 31, 2010).

significant consequences. A manner of action that is selected for the long run may give less significant results than alternative manners of action do.³⁰

The Soviet heritage was felt in the reform of Lithuania's civil service; however, the approach imposed by the EU, which especially accented "European Principles for Public Administration" but especially the role of the law ("rule of law" principle) dominated strongly. In general the "European Principles for Public Administration" or "European Principles of Administrative Space" were rather strictly defined in 1998–1999. The role of professional civil service was also strongly emphasised along with the aforementioned "rule of law". Essentially professional civil service was understood as a service with characteristics that predominate in most EU member state countries.³¹ Although efforts were made to construct a model that would be relatively flexible and compatible with the differences in the practices among all the old EU member states in the area of civil service (especially with differences in Great Britain and the Scandinavian countries), the accent was unquestionably on traditional civil service, notable for its clear expression as a hierarchical system. The scholars who researched the modernisation of administration in the Middle Eastern European countries also notice the Europization influence. As Antoaneta L. Dimitrova writes, the European Commission and SIGMA were not basing their propaganda on new public management but rather on the classical Weberian model of bureaucracy.³² The highly emphasised meaning of administrative law in professional civil service clearly bespeaks of the traditional understanding of civil service. The experts at SIGMA, the joint programme of the EU and the OECD, had great influence, specifically on the course of civil service reform, especially in Lithuania.³³ Lithuania was given to understand that the Law on Civil Service with its many regulatory acts designated for its implementation would be a very important condition for earlier acceptance into the EU. Alternately, the Law on Civil Service in Lithuania itself was being drafted along the lines of the traditional civil service concept, accenting the same hierarchy, career system, centralised procedures for appointment into civil service and centralised system of management for work compensations. Therefore, although the claim that "the EU does not apply mandatory rules in the field of public administration reform; reform in this area has instead largely taken place under

³⁰ Paul Pierson, "Increasing Returns, Path Dependence, and the Study of Politics," *American Political Science Review* Vol. 94, No. 2 (June 2000): 253.

³¹ SIGMA, "European Principles for Public Administration," 1999 SIGMA Papers No. 27 // <http://www.oecd.org/dataoecd/26/30/36972467.pdf> (accessed May 31, 2010).

³² Antoaneta L. Dimitrova, "Europeanization and Civil Service Reform in Central and Eastern Europe": 81; in: Frank Schimmelfennig and Ulrich Sedelmeier, eds., *The Europeanization of Central and Eastern Europe* (Cornell University Press, 2005).

³³ Francisko Cardona, "Valstybės tarnyboje niekada nebus geriausių laikų (Civil service will never see the best times)," interview // <http://www.vtd.lt/index.php?931997813> (accessed May 31, 2010).

soft governance" may be formally correct, it is *de facto* misleading to a rather great degree.³⁴

According to Meyer–Sahling, the EU approach crystallised in an effort to reduce political and managerial discretionary powers of civil servants to a minimum, to limit the threat of the "informal outlook" as much as the politicization, which were highly characteristic of the communist type of administration. The aim was to abolish the communistic heritage, where the rule of law was not respected.³⁵ Generally, however, the EU's policy on civil service considered the communist regime with a simplified and primitive view, nearly akin to the view on the regimes of the more primitive countries in Africa and Asia. Such an outlook brought certain results, sometimes quite the opposite of expected results. The EU's strict policy of supervising reforms in candidate countries was understandable, but there can be more than one view taken on its assessment. The EU approach practically precluded viewing one specific circumstance which, specifically, was that the law (legal practice) did exist in the case of the Soviet communist regime. But it was well developed in reality and had a meaningful role, even if that role was legitimising – formalistic – exhibitionistic, the same as in every other expression of public life in the Soviet system. The ability needed in Soviet bureaucracy that expresses a fundamentally manipulative mind-set is "knowing how to lean on bureaucratic rules."³⁶ The EU did not name the transformations of formalistic rules (legal formalisation) into realistic legal necessities or the threats of legal formalisation in general. Thus, realistically, the effort to place emphasis on the law merely contributed to the continuation of legal formalisation and the transfer of legal formalisation into the newly formed area of civil service. Soviet law, which was alienated from reality, was replaced by the similarly alienated law that the EU dictated. Another circumstance that could do no more than strengthen the role of formalistic law was the *Rechtstaat* tradition, which is so tenacious in countries of the European continent. The effort was made to export it into Lithuania as well as to the other candidates for EU membership. Several years after entry into the EU, the attitude that prevailed among Lithuania's civil servants was that knowledge of legal regulations and legal control is the foundation of public administration. Various interviews with civil servants who participated in training courses to improve their

³⁴ Eva Granqvist and Emma Wallin, "Opening up for Change. Modernizing Public Administration in the Baltic States": 95; in: Bengt Jacobsson, ed., *The European Union and the Baltic States. Changing Forms of Governance* (London and New York: Routledge, 2009).

³⁵ Jan-Hinrik Meyer-Sahling, "Sustainability of civil service reforms in Central and Eastern Europe five years after EU accession," *2009 SIGMA Papers* No. 44 // [http://www.oilis.oecd.org/oilis/2009doc.nsf/LinkTo/NT00002C4A/\\$FILE/JT03264288.PDF](http://www.oilis.oecd.org/oilis/2009doc.nsf/LinkTo/NT00002C4A/$FILE/JT03264288.PDF) (accessed May 31, 2010).

³⁶ Vilius Ivanauskas, "Sovietinių biurokratų darbo etika, neformalios rutinos ir planavimo sistemos trūkumai: Lietuvos atvejis (Deficits in work ethic, informal routine and the planning system of Soviet bureaucrats: Lithuania's case)," *Filosofija. Sociologija* No. 4 (2006): 7.

qualifications indicated that, in their opinions, the most beneficial training was relevant to Lithuanian laws and the applications of legal acts.³⁷ The civil service model, generally based on the practice by the old EU member countries (primarily oriented towards countries of continental Europe), could not be the most adequate for post-communist countries. Even if not for other reasons, it was not sufficient merely because, by orienting towards the strengthening of the professionalism and neutrality of civil servants, it actually separated civil service from the public quite strongly. An isolated and independent bureaucratic class formed, which could have been avoided in part. The overly great rush to curb the so-called "politicization" in civil service actually formed conditions for shadow politicization to a considerable degree. Looking at it from today's perspective, attention also needs to be paid to the design of the principles for the so-named European public administration or, more accurately, to its explanation (EU policy on civil service). It was based exclusively on the experiences of the EU-15 with application under EU-27 conditions. Since the aforementioned principles of European public administration did not take into account the unique experiences of the newest EU members nor these members' own decisions in the area of civil service, they are no longer fit with the stance of equality and impartiality. Without a review of these principles, their interpretation cannot be the same as it was in 1998. Meanwhile, to this day, SIGMA experts essentially evaluate the newest EU members only by how well their practices conform to the experience of the oldest EU members (in such a way for instance are constructed 11 "domains" of civil service governance in the 2009 SIGMA study). Any discussion of the sustainability of civil service reform is based solely upon the traditional civil service paradigm as exemplary.³⁸

Recently accents on strengthening the managerial priorities in Lithuania's civil service have become especially pronounced. These also predominate in the project on the Civil Service Improvement Strategy concept drafted in 2010 February. Of the recommended seven principles for the development of Lithuania's civil service, six are essentially guides for reorganisations of a managerial nature.³⁹ There is no argument with the claim that "Lithuania's civil service requires managerial reforms in public administration".⁴⁰ Clearly, increasing managerial competencies and other similar reforms in the civil service of Lithuania are necessary. It is possible to believe that specifically these are the most relevant in the short run. Nonetheless, it

³⁷ Inga Sakalinskaitė, "Valstybės tarnautojų mokymo ir kvalifikacijos tobulinimo sistemos vystymo edukologiniai veiksniai (Educational factors in the development of a system for training and advancing the qualifications of civil Servants)," Master thesis (Kaunas: Vytautas Magus University, 2008), p. 32.

³⁸ Antoaneta L. Dimitrova, *supra* note 32.

³⁹ "Public administration development strategy: recommendations and commentaries," *supra* note 3.

⁴⁰ Vitalis Nakrošis, "Lietuvos valstybės tarnyba kryžkelėje: vadybos modelio link? (Lithuania's civil service at the crossroads: towards a model of management?):" 142; in: *Valstybės tarnybos teisinis reguliavimas ir perspektyvos Lietuvos Respublikoje* (Vilnius: LIVADIS 2008).

would also be incorrect to remain limited to the short run and not to view the long-range perspectives at all. A discussion is possible about whether or not managerial reforms alone are sufficient, even in the short run. It is believed that the claim regarding temperate managerial reform is insufficient. This is all the more true, because the perspective of temperate (or radical) managerial reform in principle cannot resolve issues such as the public's distrust of public bureaucracy and the alienation between the public-at-large and civil service. Furthermore two main alternatives still provide the basis for the discussions on the priority of managerial reform in Lithuania's civil service: Weberian, or the understanding of the new public management. Such an understanding is still quite vital, even in the latest academic literature.⁴¹ The very clearly oppositional positioning of traditional public administration and public management is formulated as follows, for example, "It is essential to remember two primary models of public administration and civil service: the so-named Weberian (bureaucratic) and the new public management model."⁴² However, such a separation of specifically these two alternatives as the only ones is unfounded and obsolete. This can be substantiated by starting with the concise definition of the main theoretical, contemporary approaches on public administration in academic literature and by submitting the references for their application in the civil service system of Lithuania.

3. PUBLIC MANAGEMENT, GOVERNANCE AND PARTICIPATORY GOVERNANCE CONCEPTS AND THEIR APPLICATION FOR REFORMING CIVIL SERVICE

The premise of traditional public administration and public management (new public management) continues to prevail in the academic literature of Lithuania, although it is no longer valid or relevant in the world's academic literature on public administration (particularly in the so-named forerunner studies on public administration). Numerous scholarly works published over approximately the last ten years disclose that the movement of the so-called new public management had a highly contradictory nature. It was thoroughly ideological and doctrinaire, as well as containing various "new proverbs of public administration" of which the theoretical newness and practical applicability are notably controversial.⁴³ Based on one of the very latest assertions in scholarly literature, modern and innovative

⁴¹ SIGMA, *supra* note 31, p. 82.

⁴² Vaidotas A. Vaičaitis, "Valstybės tarnybos santykiai: administraciniai santykiai, turintys darbo teisinių santykių elementų? (Civil service relationships: administrative relationships containing elements of legal work relationships?)" : 44; in: *Valstybės tarnybos teisinis reguliavimas ir perspektyvos Lietuvos Respublikoje (Legal regulation of civil service and its perspectives in the Republic of Lithuania)* (Vilnius: LIVADIS, 2008).

⁴³ H. George Fredrickson and Kevin Smith, *Public Administration Theory Primer* (Boulder, Colorado: Westview Press, 2003), pp. 109–110, 114.

public administration is no longer being related with new public management (NPM) alone. NPM itself was a fashion in the study and practice of public administration. However, it was a purely ideological construct, which may explain its popularity. However, NPM met with many failures and now, more and more, it holds purely defensive positions. While NPM was still strong in 1995, although criticism on it had begun, in about 2005, NPM was no longer a viable concept. Over recent years, the prestigious academic journals have carried fewer and fewer articles using the NPM as a relevant concept.⁴⁴ Stoppage of reforms that were based on NPM at one of Switzerland's municipalities was justified eloquently, "No improvements of efficiency, effectiveness nor quality could be attributed to NPM reforms."⁴⁵ Even in New Zealand, the birthplace of the NPM movement, there has been discussion about the post-NPM period for quite some time.⁴⁶

Academic literature has offered various alternatives to NPM. Scholars of European Union studies are more likely to support the neo-Weberian public administration concept, which was first formulated in 2004 by Pollitt and Bouckaert in the second edition of their book on reforms in public management.⁴⁷ Generally one of the more important reasons for rejecting new public management found in academic literature involves its incompatibility with the traditional legalistic values and especially that legality cannot be contracted out.⁴⁸ Certainly the meaning and usefulness of certain (albeit few) ideas that the new public management movement has raised cannot be denied. But advanced public administration literature nowadays turns towards a way that is wider and more comprehensive (and closer to tradition) for constructing the new paradigm of public administration. This paradigm has not settled into a firm end yet, but it is described in terms of public governance or participatory public governance. Some of the earlier researchers of new public management now evaluate it as a transitory stage between public administration and that, which could be named as (new) public governance.⁴⁹

Governance and participatory governance are terms which are not widespread in Lithuania's academic literature but they are becoming more and more established. They can be found in the translations to Lithuanian of the legal acts EU

⁴⁴ Wolfgang Drechsler, "The Lisbon Agenda and Public Administration": 299-300; in: Maria João Rodrigues, ed., *Europe, Globalization and the Lisbon Agenda* (Edward Elgar, 2009).

⁴⁵ *Ibid.*: 300.

⁴⁶ Gambhir Bhatta, "Post-NPM Themes in Public Sector Governance," *State Services Commission Working Paper No. 17* (Wellington, 2003) // <http://www.ssc.govt.nz/display/document.asp?NavID=117&DocID=4248> (accessed May 31, 2010).

⁴⁷ Christopher Pollitt and Geert Bouckaert, *Public Management Reform. A Comparative Analysis*, 2nd edition (Oxford University Press, 2004), pp. 99-100.

⁴⁸ Jon Pierre and Martin Painter, "Why Legality Can Not Be Contracted Out. Exploring the Limits of New Public Management": 49; in: M. Ramesh, Eduardo Araral Jr. and Xun Wu, eds., *Reasserting the Public in Public Services. New Public Management Reforms* (London and New York: Routledge, 2010).

⁴⁹ Stephen P. Osborne, "The (New) Public Governance: A Suitable Case for Treatment?": 1; in: Stephen P. Osborne, ed., *The New Public Governance? Emerging Perspectives on the Theory and Practise of Public Governance* (London and New York: Routledge, 2010).

(especially the term, "good governance") and other documents. Certain Lithuanian sociologists are also using them.⁵⁰ The term "governance" emphasises the process, the practice in life more than it does a stiffened procedure. Managerial modes based on hierarchy and the market are also considered means for governance. Nonetheless, governance is also understood as an alternative to the hierarchical system of management as much as to market mechanism, first bearing in mind the governance regime noted for horizontal contacts (networks).⁵¹ As per the concept of public governance, policy (public policy) and administration are understood as an inseparable entity that emphasises the process itself more than institutions, structures or the actors in public administration. One of its most important accents is citizen participation in all of its forms. Transparency, citizen participation or decentralisation was not the primary part of the NMP concept. The idea of new public service⁵² has already been presented in Lithuania in brief; however, it is considered a synonym of public governance, which is incorrect. New public service is simply one of the normative approaches of public governance, which is clearly especially important when discussing the concept and perspectives of civil service. The concept of new public service specifically negates the idea of the citizen as a consumer and accents the idea of a civil servant not as a good administrator but as a good citizen (a professional citizen), an especially responsible citizen and the citizen – leader. In this perspective, the essence of civil service (public service) is first considered as the extension of citizenship.⁵³

One of the NPM proposed accents – orientation to customer - deserves special mention as it was strongly revised in the latest academic literature and in practice. An overly great importance placed on the role of the customer in public administration has now begun being considered as a distortion of the essence of public administration that prompts consumerism of public services and obliterates the behaviour and the attitudes of citizenship. As the so-called orientation towards the customer is being implanted, the threat arises that a citizen will be turned into a passive toy for political-administrative manipulations. Even in the practice of organising the supply of public services, the still quite influential propaganda on orientation towards the customer is being rejected and, what is notable, this is being done in those countries that can be considered the strongholds of NMP. For

⁵⁰ Rasa Baločkaitė and Leonardas Rinkevičius, "Sovietinės modernybės virsmas: nuo Černobylio ir Ignalinos iki Žaliųjų judėjimo ir Sąjūdžio (The transformation of Soviet modernity: from Chernobyl and Ignalina to the Green Movement and Sąjūdis)," *Sociologija, Mintis ir veiksmai* No. 2 (2008): 20 and others.

⁵¹ Hubert Heinelt, *Governing Modern Societies. Towards Participatory Governance* (London and New York: Routledge, 2010), p. 20.

⁵² Vainius Smalskys, "Viešojo valdymo modernizavimas" (Modernisation of public management): 41; in: Alvydas Raipa, ed., *Įvadas į viešąjį valdymą* (Kaunas: Technologija, 2009).

⁵³ Janet V. Denhardt and Robert B. Denhardt, *The New Public Service. Serving not Steering* (M. E. Sharpe, 2007), pp. 53-54 and others.

example, in Wales (Great Britain), the doctrines of *competition/customer choice* were consciously refuted, and decisions were made to put into practice models with an *orientation towards collaboration/citizen engagement*.⁵⁴

Moving back to certain of the aforementioned issues in Lithuania's civil service, it is possible to ask: can an increase in managerial efficiency curb legal formalism or a manipulation of legal norms, which is specifically a phenomenon of the post-Soviet period? It is believed that the answer is no. A general orientation for civil service development could be greater activity and participation by the public-at-large. Public participation in the functioning of civil service could be better understood as greater transparency and accountability from the side of civil service and greater supervision and control from the side of the public-at-large. One very specific example regarding the implementation of this relates to the issue of the unclear and even fictive competition for appointment into civil service in Lithuania. In what manner can the transparency and effectiveness of the competition for civil service appointment be increased when selecting the best-suited candidate for duties? Such a problem does exist and, for example, it was ascertained as such by the Ministry of the Economy of the Republic of Lithuania in its reaction to the project on the Civil Service Improvement Strategy concept. Its statement was:

The selection for civil service is one of the most painful problems at this time which precludes attracting professionals from the market and, on the other hand, does not permit selection of the truly best candidate even when there are merely a few candidates. The system for selecting civil servants should assure the selection not by formal criteria but by the opportunity to reveal the essential abilities (social, associative, keen mental acumen, leadership and the like) that are needed to perform applicable functions.⁵⁵

One of the factors that could increase transparency in such a selection would be the participation by a representative of the public-at-large (independent expert) in selection commissions, something that was foreseen even earlier but was rarely applied in practice. Truthfully, such participation is only possible with the rights of an advisory vote. Paragraph 28 of the Resolution of the Government of the Republic of Lithuania, "On the Approval for the Scheduling in Organising Procedures for the Competition for Civil Service Positions" states, "By decision of an individual on the commission, invited experts may participate with an advisory vote at a meeting of the commission during a competition."⁵⁶ It would be worthwhile reformulating this

⁵⁴ Steve Martin and Adrian Webb, "'Citizen-centred' public services: Contestability without consumer driven competition?" *Public Money & Management* Vol. 29, Issue 2 (March 2009): 123.

⁵⁵ *On the Conception of the improvement of civil service, supra* note 29.

⁵⁶ *Dėl konkursų į valstybės tarnautojų pareigas organizavimo tvarkos aprašo patvirtinimo (On the approval for the scheduling in organising procedures for the competition for civil service positions),*

paragraph to foresee the participation of an independent expert in the work of a selection commission with rights equal to those of other commission members. Inclusion of members from the public-at-large could also be considered in the other commissions, work groups and councils relevant to civil service performance as well. For example, the debatable inclusion of members from the public-at-large (independent experts) into official performance evaluation commissions is not foreseen at this time, not even formally. In general the *open civil service model*, which was recommended by the European Institute of Public Information and then quickly forgotten, is worthy of renewal in the broader sense. It could be reinterpreted and developed, first of all, as an open civil service model for the public which would also encompass a certain collection of managerial tools but would not make these, in and of themselves, as its most significant aims or purposes. The concept of participatory governance does not foresee the obliteration of professional civil service; it merely interprets otherwise its interaction with the citizenry and encourages a closer, mutual contact. It is absolutely clear that public administration which is grounded on managerial effectiveness as much as participatory governance does not at all preclude a decrease of the hierarchical arrangement in the civil service system, flexibility, mobility and an increase in openness.

CONCLUSIONS

1. The separation of civil service into career and position-based systems is highly conditional and obsolete to a large extent. In any case, the existence of some sort of career system in civil service is necessary. It can be either more centralised and grounded on equal opportunities and seniority or more individualised and merit-based.

2. Realistic career opportunities in Lithuania's civil service are not sufficiently assured, career disproportions are becoming more obvious and a mechanism for the centralised management of careers for civil servants has not been developed. The official titles of "career civil service" and the "career civil servant" are actually inaccurate and they neither express nor reflect any essential functions for serving the public or the state.

3. Path dependence in the reform of Lithuania's civil service is distinguished by a combination of the controversial influence by the EU and the impact of the Soviet heritage. Although the EU influence is largely positive, it still cannot be

resolution of the Government of the Republic of Lithuania amending resolution no. 966 of the 24th of June, 2002, Official Gazette, 2009, no. 106-4417.

assessed unequivocally because it has partly formed into a system of civil service (a public bureaucracy) that is closed off from the public-at-large.

4. As the latest theory on public administration in academic literature presumes, it is necessary to consider not only managerial or economic-managerial priorities in the development of civil service but also the necessity for strengthening participatory governance.

BIBLIOGRAPHY

1. Auer, Astrid, Christoph Demmke, and Robert Polet. *Civil Services in the Europe of Fifteen: Current Situation and Prospect*. Maastricht: EIPA, 1994.
2. Baločkaitė, Rasa, and Leonardas Rinkevičius. "Sovietinės modernybės virsmas: nuo Černobylio ir Ignalinos iki Žaliųjų judėjimo ir Sajūdžio (The transformation of Soviet modernity: from Chernobyl and Ignalina to the Green Movement and Sajūdis)." *Sociologija, Mintis ir veiksmai* No. 2 (2008): 20-40.
3. Bhatta, Gambhir. "Post-NPM Themes in Public Sector Governance." *State Services Commission. Working Paper No. 17* (Wellington, 2003) // <http://www.ssc.govt.nz/display/document.asp?NavID=117&DocID=4248> (accessed May 31, 2010).
4. Bossaert, Danielle. *Career Development as an Effective Tool to Enhance the Attractiveness of Public Employment*. Maastricht: EIPA, 2003.
5. Bossaert, Danielle, and Christoph Demmke. *Civil Services in the Accession States. New Trends and the Impact of the Integration Process*. Maastricht: EIPA, 2003.
6. Bossaert, Danielle, Christoph Demmke, Koen Nomden, and Robert Polet. *Civil Services in the Europe of Fifteen: Trends and New Developments*. Maastricht: EIPA, 2001.
7. Cardona, Francisco. "Valstybės tarnyboje niekada nebus geriausių laikų (Civil service will never see the best times)." Interview // <http://www.vtd.lt/index.php?931997813> (accessed May 31, 2010).
8. Choi, Sungjoo, and Andrew B. Whitford. "A Topography of Civil Service Structures." (2008) // http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1081618 (accessed May 31, 2010).
9. Demmke, Christoph. *Performance Assessment in the Public Services of the EU Member States*. Maastricht: EIPA, 2007.

10. Demmke, Christoph, Thomas Henökl, and Timo Moilanen. *What are Public Services Good At? Success of Public Services in the Field of Human Resource Management*. Maastricht: European Institute of Public Administration, 2008.
11. Denhardt, Janet V., and Robert B. Denhardt. *The New Public Service. Serving Not Steering*. M. E. Sharpe, 2007.
12. Dimitrova, Antoaneta L. "Europeanization and Civil Service Reform in Central and Eastern Europe": 71-90. In: Frank Schimmelfennig and Ulrich Sedelmeier, eds. *The Europeanization of Central and Eastern Europe*. Cornell University Press, 2005.
13. Drechsler, Wolfgang. "The Lisbon Agenda and Public Administration": 294-309. In: Maria João Rodrigues, ed. *Europe, Globalization and the Lisbon Agenda*. Edward Elgar, 2009.
14. Fredrickson, George H., and Kevin Smith. *Public Administration Theory Primer*. Boulder, Colorado: Westview Press, 2003.
15. Granqvist, Eva, and Emma Wallin. "Opening up for Change. Modernizing Public Administration in the Baltic States": 81-97. In: Bengt Jacobsson, ed. *The European Union and the Baltic States. Changing Forms of Governance*. London and New York: Routledge, 2009.
16. Heinelt, Hubert. *Governing Modern Societies. Towards Participatory Governance*. London and New York: Routledge, 2010.
17. Ivanauskas, Vilius. "Sovietinių biurokratų darbo etika, neformalios rutinos ir planavimo sistemos trūkumai: Lietuvos atvejis (Deficits in work ethic, informal routine and the planning system of Soviet bureaucrats: Lithuania's case)." *Filosofija. Sociologija* No. 4 (2006): 1-12.
18. Laučius, Vladimiras. "Ne valdyti, o tarnauti (Not rule, but serve)." *Lietuvos žinios* (September 14, 2009).
19. Martin, Steve, and Adrian Webb. "'Citizen-centred' public services: Contestability without consumer driven competition?" *Public Money & Management* Vol. 29, Issue 2 (March 2009): 123-130 // DOI: 10.1080/09540960902768038
20. Meyer-Sahling, Jan-Hinrik. "Sustainability of civil service reforms in Central and Eastern Europe five years after EU accession." *2009 SIGMA Papers* No. 44 // [http://www.oalis.oecd.org/oalis/2009doc.nsf/LinkTo/NT00002C4A/\\$FILE/JT03264288.PDF](http://www.oalis.oecd.org/oalis/2009doc.nsf/LinkTo/NT00002C4A/$FILE/JT03264288.PDF) (accessed May 31, 2010).
21. Nakrošis, Vitalis, and Jan-Hinrik Meyer-Sahling. "Lietuvos valstybės tarnyba: sėkmės paslaptys ir tolesnio vystymo alternatyvos (Civil service of Lithuania:

- secrets of success and further development alternatives)." *Viešoji politika ir administravimas* 27 (2009): 8.
22. Nakrošis, Vitalis. "Lietuvos valstybės tarnyba kryžkelėje: vadybos modelio link? (Lithuania's civil service at the crossroads: towards a model of management?": 142. In: *Valstybės tarnybos teisinis reguliavimas ir perspektyvos Lietuvos Respublikoje*. Vilnius: LIVADIS, 2008.
23. Osborne, Stephen P. "The (New) Public Governance: A Suitable Case for treatment?": 1-16. In: Stephen P. Osborne, ed. *The New Public Governance? Emerging Perspectives on the Theory and Practise of Public Governance*. London and New York: Routledge, 2010.
24. Parrado Díez, Salvador. "Spanish Civil Service: A Career System without Career Perspectives." Conference *Status and role of top civil servants in Europe today* in Université de Picardie, Amiens (June 15, 2001) // http://www.uned.es/113016/equipo%20docente/cv-parrado_archivos/documento%2052%20-%20amiens%202001.pdf (accessed May 31, 2010).
25. Pierre, Jon, and Martin Painter. "Why Legality Can Not Be Contracted Out. Exploring the Limits of New Public Management": 49-62. In: M. Ramesh, Eduardo Araral Jr., and Xun Wu, eds. *Reasserting the Public in Public Services. New Public Management Reforms*. London and New York: Routledge, 2010.
26. Pierson, Paul. "Increasing Returns, Path Dependence, and the Study of Politics." *American Political Science Review* Vol. 94, No. 2 (June 2000): 251-267.
27. Pollitt, Christopher, and Geert Bouckaert. *Public Management Reform. A Comparative Analysis*. 2nd edition. Oxford University Press, 2004.
28. Sakalinskaitė, Inga. *Valstybės tarnautojų mokymo ir kvalifikacijos tobulinimo sistemos vystymo edukologiniai veiksniai (Educational factors in the development of a system for training and advancing the qualifications of civil servants)*. Master thesis. Kaunas: Vytautas Magnus University, 2008.
29. SIGMA. "European Principles for Public Administration." 1999 *SIGMA Papers* No. 27 // <http://www.oecd.org/dataoecd/26/30/36972467.pdf> (accessed May 31, 2010).
30. Smalskys, Vainius. "Viešojo valdymo modernizavimas" (Modernisation of public management)": 35-45. In: Alvydas Raipa, ed. *Įvadas į viešąjį valdymą*. Kaunas: Technologija, 2009.

31. Šiugždinienė, Jurgita. "Valstybės tarnybos organizavimas (Organisation of public administration)": 70-77. In: Alvydas Raipa, ed. *Įvadas į viešąjį valdymą*. Kaunas: Technologija, 2009.
32. Tuleikienė, Laima, Birutė Česnulevičienė, and Aleksas Kvietkus. *Lietuvos Respublikos valstybės tarnybos įstatymas praktikoje (Law on civil service of the Republic of Lithuania in practice)*. Vilnius: UAB "Ekonomikos mokymo centras", 2003.
33. Vaičaitis, Vaidotas V. "Valstybės tarnybos santykiai: administraciniai santykiai, turintys darbo teisinių santykių elementų? (Civil service relationships: administrative relationships containing elements of legal work relationships)": 43-50. In: *Valstybės tarnybos teisinis reguliavimas ir perspektyvos Lietuvos Respublikoje (Legal regulation of civil service and its perspectives in the Republic of Lithuania)*. Vilnius: LIVADIS, 2008.
34. "Valstybės tarnybos plėtros koncepcija: pasiūlymai ir komentarai (Public administration development strategy: recommendations and commentaries)." *Valstybės tarnybos aktualijos* 17 (2009): 48.
35. Verheijen, Tony J. G. "Independent Civil Service Systems: A Contested Value": 249-265. In: Florian Grotz and Th. A. J. Toonen, eds. *Crossing Borders: Constitutional Development and Internationalisation. Essays in Honour of Joachim Jens Hesse*. Berlin, New York: de Gruyter Recht, 2008.
36. Žilinskas, Dainius. "Valstybės tarnybos reforma: poreikis, kryptys ir galimybės (Civil service reform: need, trends and opportunities)": 123-132. In: *Valstybės tarnybos teisinis reguliavimas ir perspektyvos Lietuvos Respublikoje (Legal regulation of civil service and its perspectives in the Republic of Lithuania)*. Vilnius: LIVADIS, 2008.

LEGAL REFERENCES

1. *Dėl darbo grupės sudarymo (On forming a work group)*. Decree of the Prime Minister of the Republic of Lithuania no. 536 (November 30, 2009) // http://www.lrv.lt/bylos/Teises_aktai/2009/11/14156.doc (accessed May 31, 2010).
2. *Dėl konkursų į valstybės tarnautojo pareigas organizavimo tvarkos aprašo patvirtinimo (On the approval for the scheduling in organising procedures for the competition for civil service positions)*. Resolution of the Government of the Republic of Lithuania amending resolution no. 966 of the 24th of June, 2002. Official Gazette, 2009, no. 106-4417.

3. *Dėl Valstybės tarnybos tobulinimo koncepcijos (On the Conception of the improvement of civil service)*. Conclusion of the Ministry of Economics of the Republic of Lithuania no. 10-695-01 (March 01, 2010) // http://www.lrs.lt/pls/proj/dokpaieska.showdoc_l?p_id=22399&p_query=&p_tr2=&p_org=&p_fix=n&p_gov=n (accessed on 2010 May 31).
4. *Lietuvos Respublikos valstybės tarnybos įstatymo 4, 9, 11, 13, 15, 16, 16¹, 17, 21, 22, 24, 29, 30, 31¹, 41, 43, 44, 46 straipsnių pakeitimo ir papildymo ir įstatymo papildymo 3¹, 30¹, 30² straipsniais įstatymas (Law on amending and supplementing articles in the Law on civil service of the Republic of Lithuania)*. Law project by the Ministry of the Interior of the Republic of Lithuania no. 10-1499-01 (April 16, 2010) // http://www.lrs.lt/pls/proj/dokpaieska.showdoc_l?p_id=29885&p_query=&p_tr2=&p_org=&p_fix=n&p_gov=n (accessed May 31, 2010).
5. *Nutarimas dėl valstybės tarnybos tobulinimo koncepcijos patvirtinimo (Resolution on authorisation of the civil service improvement strategy concept)*. Project by the Government of the Republic of Lithuania no. 10-2142-01 (May 31, 2010) // http://www.lrs.lt/pls/proj/dokpaieska.showdoc_l?p_id=37209&p_query=&p_tr2=&p_org=&p_fix=n&p_gov=n (accessed May 31, 2010).
6. *On the Law on public service and implementation of the stipulations of its relevant legal acts*. Annual report of the Civil service department of the Republic of Lithuania (2009).
7. *Patvirtinti suvienodinto pareigybių sąrašo pakeitimai (Authorised changes to the equalised list of positions)*. Information of the Civil Service Department of the Republic of Lithuania // <http://www.vtd.lt/index.php?-1071132679> (accessed May 31, 2010).
8. Protocol of Meeting Minutes of the *Saulėlydis* [Sunset] Commission for Improved Public Administration of the Republic of Lithuania no. 63-13 (May 13, 2010) // http://www.lrv.lt/bylos/veikla/komisijos/saulelydzio/7_2010-05-13_posedzio_protokolas.pdf (accessed May 31, 2010).
9. *Valstybės tarnybos įstatymo 3, 4, 8, 9, 18, 19, 20, 21, 22, 23, 25, 38, 41, 43, 44, 49, 50 straipsnių ir priedėlio pakeitimo bei papildymo ir įstatymo papildymo 22(1), 48(1), 50(1) straipsniais įstatymas (Law on amendments to the articles and amendments and supplements to the appendix of the Law on civil service and supplemental articles to the law)*. Official Gazette, 2007, no. 69-2723.

10. *Valstybės tarnybos tobulinimo koncepcija (Civil service improvement strategy)*. Convention project by the Office of the Prime Minister of the Republic of Lithuania no. 10-695-01 (March 1, 2010) // http://www.lrs.lt/pls/proj/dokpaieska.showdoc_l?p_id=22364&p_query=&p_tr2=&p_org=&p_fix=n&p_gov=n (accessed May 31, 2010).