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Incentives and Obstacles to the Public Sector and Civil Service Reform: A Conceptual Analysis

Abstract

Objectives: In this paper, the nature of incentives and obstacles to public sector and civil service reform is analysed. We will critically examine the popular idea that rationally-conceived reform plans can contribute to reform success. In particular, we will examine the assumption that reform failures can be attributed to a political 'distortion' of rationally-conceived reform plans. We will illustrate our analysis with an examination of the (top) civil service reform in the EU27, especially with regard to Eastern European member states.

Research Design & Methods: This paper is a conceptual paper. The central question is addressed through a systematic examination of crucial concepts using the civil service reform in the EU27 as an illustration.

Findings: The argument that political and bureaucratic obstructions thwart the good intentions of rationally-operating reformers is too one-sided and is not helpful in explaining the reform successes and failures developments in the EU27, and in particular in Eastern European countries. Decisions on these reform issues are highly political, as they involve making binding choices about the future and about the existing problems on behalf of both society and government. This is not a technical and unbiased exercise to be completed by neutral internal or external experts.

Implications / Recommendations: Reforms are essentially the product of a long-lasting process of political, administrative, and societal changes. For reforms to be successful, they must match these changes.

Contribution / Value Added: Only a corresponding and incremental societal, political, and bureaucratic reform process can offer a solution. Complaints over irrational reform obstacles are thus not only inconducive to successful reforms, but they may actually hinder them.

Keywords: reforms, political vs. bureaucratic point of view, doctrine of reform neutrality, historic institutional reform foundations

Article classification: conceptual paper

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Introduction

Despite a steadfast enthusiasm for public sector reforms, results can be disappointing (Aberbach & Christensen, 2014; Van der Meer et al., 2015; Meyer-Sahling, 2018). The rate of success diverges between political-administrative systems across Europe (Verheijen, 2015). The variation involves not only the extent and pace of reforms, but also the level of success and failure. Reform outcomes can be disappointing if they appear too slowly or fail to materialise at all (Gajduschek & Staronova, 2021). Reforms can even be reversed over time. The latter phenomenon has been reported in the Eastern European Union member states (EEU11; for explanation of this term, see Kovač & Bileišis, 2017; Dimitrova, 2010; Meyer-Sahling, 2009, 2011). The reasons and consequences of such reform failures or potential reversals will be discussed below. Reform failures are commonly attributed to a political 'distortion' of rationally-conceived reform plans. The fundamental problem is perceived to be a tension between 'rational' and 'political' reform perspectives, where the latter takes priority over the former. The imprecise use and multiple connotations of concepts such as 'politics' and 'rationality' in the public discourse on reform do not facilitate a proper understanding of the reasons behind a reform's success or failure.

Our research question involves an inquiry about to what extent this view of a political 'distortion' of rationally-conceived reform plans holds true, or whether it is a misreading of the actual causes of reform failures within the context of the EU27. This paper is conceptual. The central question is addressed through a systematic examination of crucial concepts, using the empirical example of the civil service reform in the EU27.

Although not entirely correct, popular opinion in the so-called fast-reforming nations tends to specifically point to the Eastern and Southern rims of the EU as the ones which demonstrate this conflict. Though we will concentrate on the CEE cases, such a conflict is, however, noticeable in all EU member states (Van der Meer et al., 2015). Since reforms never start from scratch, as the prefix re- makes clear, we will also use the historical institutional reform context (Avis, 2015; Painter & Peters, 2010; Raadschelders, 1998).

We shall start with a conceptual analysis of 'public sector reform' and in the following section we will provide an outline of the relevance, meaning, and content of the reform for public services. In subsequent sections, the rational, political, and historical-institutional perspectives on reform will be explored in depth so that we can assess their effects on reforms in Central and Eastern European countries compared with those in the whole of the EU27. We will illustrate our analysis and points by looking at the examples of the (top) civil service reform in these states.

The public sector reform – rationality and politics

The relevance, meaning, and content of reform

Reduced to its essentials, reform refers to plans and efforts to amend a perceived unsatisfactory situation, here applied to reforming the government, the political-administrative system, and society (Pollitt & Bouckaert, 2017; Van der Meer et al., 2015). Raadschelders and Bemelmans (2015) argue that 'reform is the *conscious attempt* to plan and implement change in (components of) an existing (political-administrative) system'. This and similar descriptions (Pollitt & Bouckaert, 2017) overemphasise the formal and deliberate aspects of a reform while ignoring the relevance of incremental (reform) change processes in practice. The formal approach to reform implies larger, all-embracing, and rationally-construed change processes. It is seen as partly strategic management process aiming to overhaul the state and society. However, the rational dimension of reform provides little or no clues as to either the content or effects of the intended reforms. Aberbach and Christensen (2014) argue that these kinds of non-incremental reforms have

disappointing results. Moreover, the effects of reform tend to be perceived by observers as almost 'mechanistic' process outcomes, i.e. the effects and outcomes are determined by a rationally-designed planned reform process. When examining content-related issues, we have to look at the origins and ideas behind the adopted objectives, and take their durability into account as well. What is considered (un)satisfactory unavoidably depends on the original choice.

The success or failure of a reform is dependent on authoritative choices made between alternatives. This authoritative choice component makes reforms political by definition. This is a more neutral definition of politics along the lines of the definitions of, for instance, Lasswell (1958) or Easton (1993). However, there is another meaning of politics that contains a more negative nature. Reform failures are blamed on party politics, political arbitrariness, self-interest, and the misuse of power, or, in other words, a failing system of democratic governance (Meyer-Sahling & Toth, 2020). That blame can be similarly attributed to the so-called self-serving (and politicised) bureaucratic elites suspected of shying away from 'genuine' reform. Such a position is adopted by the press, societal, and academic discussions on the EEU11 reform transgressions regarding, for instance, the judiciary or the limitation of social and academic freedoms. The definition of 'genuine' is open to debate. A conflict exists between the (instrumental) rational and political reform perspectives. However, this line of reasoning is too simplistic. The origin of the problem can be found in a conceptual confusion or even a simplification of the concepts of what is *rational* and what is *political*. Furthermore, both the rational and the political perspectives on reform processes tend to disregard the historical importance of institutional settings, which influence the available room for manoeuvre as well as the scope and direction of reform.

Public sector reforms originate from the fact that societal transformations demand a governmental change. The latter, in turn, leads to the civil service reform; we will return to this further in the paper (Van der Meer et al., 2015). Pollitt and Bouckaert (2017) add that reform strategies and trajectories should include an idea (vision) of the desired future, an analysis of the current situation, and the measures necessary to reach the desired situation. The verb 'demand' and the reform strategies mentioned by the authors seem to suggest that these interconnections tend to be mechanical. Nevertheless, a mechanical interpretation is not without its caveats; the interconnections do not invariably suggest a single direction of travel. For example, civil service system reform may be intended to lead to the institution of a transformed public service delivery by government. Societal changes occur. A large number of public sector reforms in the EEC directly after the fall of communism and during the EU accession process – as well as those undertaken in other member states after the year 1980 – were designed with this intention. From this vantage point, they can be considered government-centric, technocratic, and overtly (instrumental) rational in nature. Nevertheless, from the analytical point of view, examining the dynamic interconnections between the political, administrative, and societal systems more in depth is a useful starting point.

'Rational' and 'political' approaches to reform

Notwithstanding its popularity, the rationale for a reform is taken for granted. Using the word 'rationale' instead of 'justification' goes beyond a mere wordplay. Reforms are not only justified by rational terms, but also articulated in them. Political considerations are presented as secondary, less valuable, and more biased. What factors explain the prominence of the rational take on a reform? Even though the adjective 'rational' and the noun 'rationality' are popular, they include a wide range of contested meanings and manifestations. For our purposes, it is sufficient to remark that the concept of rationality as used in the practical reform discourse is of an

instrumental, goal-oriented, formal-deliberational, and value-neutral nature. The root 'ratio' denotes that acting and thinking are based on reason and intent, and 'rationality' suggests a degree of objectivity. Problems and solutions are defined and analysed in a rational manner. Objective knowledge applies scientific reasoning to the exclusion of subjective opinions and emotions, specifically those pertaining to a political choice. Finally, only the best (politically-neutral) solution is to be found and applied. Such a neutrality doctrine as applicable to a reform can be called reform with the politics left out.

The rational, unidimensional, and apolitical vision of the direction of economic and technological reforms has been open to criticism. Though presented as neutral, it contains implicit value assumptions. To give but one example, the preferred solution of most governments and the majority within the academic community to tackling the economic crises of the 1980s was based on the resurgence of the neo-classical and pro-market economic thought aimed at transforming government. It gradually became the dominant vision as the *New Public Management* (NPM) and led to, among other effects, cutbacks, privatisation, the contracting out of public services, and the adoption of private sector methods in the public sector. The same recipe was applied during the post-communist transformation in Central and Eastern Europe. In contrast, in the wake of the 2008–2009 financial crisis, a difference of opinion could be seen between government approaches to dealing with the consequences of the worldwide banking crisis. Although in the USA during the Obama presidency an expansionist policy was pursued, in most European countries, an austerity approach typical of the 1980s was promoted, with particular pressure from the German economic leadership. The word 'promoted' is perhaps inapposite, since it implies a voluntary choice in all cases, even though the reforms were clearly enforced in Greece, in Italy, and in the majority of the EEU11. This disparity of responses between governments was not merely generated or dictated by the formal and restricted instrumental, rational reform approach, but it was the outcome of political and societal choice processes.

For a better understanding of the uses and limitations of the rational perspective, we must remember that in almost all the countries under discussion, external reform pressures and an examination of the best practices pursued by other countries were instrumental in putting reform programmes on the political agenda. The sustainability of these reforms once these external pressures have subsided remains a major issue (Dimitrova, 2010; Meyer-Sahling, 2009, 2017; Verheijen & Rabrenovic, 2015). The importance of these external pressures does not diminish the significance of the internal dimensions of a reform. Reforms, which stemmed from the need for a political and socio-economic reconstruction after the fall of communism in the EEU11, were necessary, given the economic crisis and the threat of a societal system breakdown. In addition, the consequences of the societal reawakening and public dissatisfaction with the world of politics and government constituted equally important internal reform triggers. Nevertheless, external pressures by international reform sponsors determined the very core of the contents of a string of reform programmes. The NPM inspired early reforms in post-communist countries, with a focus on the business-style managerial approach. The popular dislike of the preceding Soviet politics triggered the denial of the essential role of the state in bringing about fundamental reforms. 'Neutral' market forces were preferred instead. This can be seen as another manifestation of the neutrality doctrine. The institutional capacity of the state to reform was underappreciated at first, although the effects of the hard-core NPM and neo-liberal economic reforms attracted a substantial amount of criticism (Randma-Liiv, 2008).

From the 1990s onwards, with an eye on the EU accession, the European Administrative Space principles were formulated and promoted. The Copenhagen (1993) and Madrid (1995) criteria provided guidance for administrative reform

processes (Cardona, 2009; Meyer-Sahling, 2009, 2011). They provided criteria for a meritocratic, competent, transparent, accountable, and politically-neutral administration. Still, these criteria are basic to, for instance, current OECD-SIGMA reports, toolkits, and advice. Unlike the NPM approach preferred in the early stages of the reform, this framework reveals close similarities to the Weberian Rule of Law (Nl. *Rechtsstaat*), good governance, and institutional capacity doctrines. From a more negative perspective, these principles are abstract and open to interpretation, while their ability for operationalisation is disputed. Moreover, while designing public sector reforms, a predominantly positivist legal approach was preferred. Legal provisions were almost directly and automatically translated into practice in target countries. Political and societal institutional considerations were disregarded. This positivist legal approach was rooted in the aversion to the discredited political system (and social science) of the old communist regime. The positivist legal approach is an example of the neutrality doctrine as applied to a reform – a reform with politics left out. The success of this formal legal approach has been criticised for its lack of success (Gajduschek & Staronova, 2021).

Furthermore, the idea of rational, all-embracing reforms has been criticised as being too monolithic and hierarchically-imposed. It can undermine the perceived legitimacy of – and support for – reforms among relevant stakeholders. This explains the recent dissatisfaction with – and resistance to – reforms across Europe. Such a blueprint approach sharply contrasts with the incremental approach to a reform. Abundant inconsistencies and limitations are evident in the instrumental, rationality-based perspective on reform. To provide an illustration, in the discussion of factors that induce reform efforts, economic causes are considered as primary and objective triggers. Naturally, a reform can be triggered by the need to adapt the society to a new economic, technological, and political order. However, financial and technological reform programmes contain certain assumptions about how to properly run the economy, society, and government, and what mix of coherent goals and instruments should be applied. These economic and technological drivers inspire a rational answer, which is derived from economics and built on administrative and technical considerations. These considerations are then touted as being based on objective and non-contestable scientific knowledge, which society and politicians simply have to accept. Answers and reforms are presented as technical and, as was argued above, purely legal solutions, with limited room for a political and societal choice. When done deliberately by bureaucrats and/or politicians, this amounts to a political attempt to defuse value-loaded issues, even though the depoliticising of issues is itself a highly political act. A motivation for the technical approach can thus also be found in the desire to avoid potentially acrimonious political and societal debates, which may endanger the political and societal *status quo*.

The last observation invokes the political dimensions of reform more specifically. The adjective 'political' is, as we said above, used in a variety of ways. A neutral interpretation of the meaning of 'politics' reflects the definition of the concept as the authoritative allocation of values and making choices for and on behalf of the society. Seen from this perspective, deciding on reforms is always intrinsically political inasmuch as it pertains to choices on the contents, direction, and approach to a reform. However, in common usage, 'political' often has negative connotations, as is the case, for instance, in the discussion of reform failures (Gajduschek & Staronova, 2021). The effects of this perception have certainly been felt in numerous reform projects and reported by academics and investigative journalists, as well as in the EU's, OECD's, SIGMA's, and World Bank's reports.

Even though it is subject to a negative popular perception, the role of politics with regard to the reach, results, and outcomes of reforms in the EU member states is never understood in a single and uniform manner, but tends to reveal several distinct layers. Issues of the private use of public resources, the abuse of power, the disregard of basic democratic

principles, and the rule of national and EU laws have all been discussed in relation to political office-holders and bureaucratic elites in some of (though not only) the new Eastern European EU member states. In their cases, reforms have produced results, but they are viewed negatively from the perspectives of good governance principles as formulated and enforced by the EU, or from the viewpoint of standards set by international organisations and the wider academic community. The latter observation by academics pertains to recent reform reversals and disappointments in, for instance, the Visegrád area (Randma-Liiv & Drechsler, 2017; Nemec, 2018).

Even when devoid of negative associations, the role of politics can be considered problematic when trying to deliver durable and tangible reforms. Not only does the short-term time perspective depend on the timing of elections, but it also includes factors associated with public service delivery. For both politicians and top bureaucrats (in this negative perspective, the government elite), the attractiveness of the technical, procedural, and content-poor approach to reform may stem from the lack of substantive ideas and vision. While the intentional eschewal of 'vision' can potentially be either beneficial in terms of avoiding large-scale conflicts or detrimental in terms of a possible erosion of power, Pollitt and Bouckaert (2017) argue that a vision is essential for any robust reform strategy.

Perhaps less intentionally, across parts of Europe, a change has taken place, with states moving from a policy-oriented to a managerial process-oriented senior civil service. The latter approach includes managing the business of government, managing the survival of political appointees, managing policy processes, and managing reorganisations. It does not include or preclude a party's (de)politicisation of the civil service. The managerial approach does not necessarily provide the content-specific knowledge or expertise needed to appraise reforms or even to generate substantive ideas for reform. Here, 'appraisal' refers to civil servants prioritising issues and consulting office-holders on policy alternatives. It includes the idea of loyal contradiction (Van der Meer & Dijkstra, 2021), which is an essential part of the idea of a politically-neutral (not politically-bound) civil servant, and has historically been considered as a bureaucratic virtue. In addition to the pure managerial approach to civil service, party and patronage politicisation can also reduce this bureaucratic benefit (Dijkstra & Van der Meer, 2022).

The lack of vision holds equally true for political and bureaucratic office-holders. Detached from reform digressions originating in political, bureaucratic, and dysfunctional behaviour, a substantive vision on the direction of reform grounded in a choice between alternatives (the core of the political dimension) is wanted in both political and bureaucratic quarters, which hampers actual reforms that are capable of being sustained. This applies not only to the Eastern European countries, but also more widely to the EU27. Perhaps confusingly, a vision can be anathematic to the supporters of a 'genuine' reform.

The lasting effects of the political-institutional design

We now must examine the effects of the political-institutional system design and its associated administrative models and traditions of reform, which will offer a better understanding of the extent, methods, and durability of reforms with respect to the existing political-administrative system. When discussing the ubiquity of reforms and pointing to reform revolutions over time (and concentrated in time), attention is usually focused on the present or the recent past (cf., e.g., Pollitt & Bouckaert, 2017), with an emphasis on the 1980s and the subsequent decades. Moreover, a great deal of attention has been given to the cross-national nature and scale of a reform (Thijs et al., 2018). From the 1980s onwards, systems were exposed to a large range of external and internal change pressures (Van der Meer et al., 2015), and as such had to respond accordingly. The degree of the uniqueness or similarity of their responses

has been discussed in depth (Painter & Peters, 2010; Van der Meer et al., 2008). The idea of *convergence* in these responses was reinforced by the European integration process, the rise of the influence of international organisations other than the EU – such as the IMF, the OECD, and the World Bank – and the globalisation of the academic community and consultancy in the areas in question (Pollitt & Bouckaert, 2004, 2017; Van der Meer, 2009). *Isomorphism* and *mimicry* were familiar features in political-administrative reform processes in both the recent and more distant past. The copying of city charters by local governments in the Middle Ages is a well-known example. The same principle applies to the bureaucratic revolution in 19th-century Europe (Van der Meer, 2009). To use the modern concept, 'best practices' were always sought, but they were invariably adapted to local needs and circumstances. The word 'adapted' is important, since the emphasis on isomorphism and mimicry departs too far from the relevance of the singular and unique aspects of the reform implementation process over time and across geographical areas.

The promise and actual results of both rationally- and politically-stimulated reforms overemphasise the novelty of the current circumstances. There are limits on any system's amenability to change through a reform. The rational approach (in technocratic terms) to redesigning government is thwarted when particular historical and institutional contexts of political-administrative and societal systems are disregarded. These systems have evolved over time as products of historical events and decisions. To what extent and how reforms are designed – and how they fit in with a certain political-administrative and societal system and culture – depends on the specific course of events in a particular political-administrative and societal historical period.

History matters. It is almost impossible to start from scratch; hence, if we attempt to do so, we encounter 'a blast from the past' (Painter & Peters, 2010). What are the history's impacts on the specificity, identity, and continuity of both government and political-administrative systems as well as on efforts to reform them? Though it is a risky area given the shifting connotations surrounding historical legacies (e.g. Van der Meer et al., 2008), we enter the area of administrative traditions and models as viewed in a historical institutional analysis. Institutions do matter, since they impose order on the functioning of any political-administrative system. Here, the concept of path dependence, so popular in a historical institutional analysis, becomes relevant. Historical institutionalism is considered rather deterministic by nature (Peters, 2010). Systems do change, but the question remains in what way and by which mechanism (Painter & Peters, 2010). Without delving too deeply into the growing body of literature on this topic, we should note that Raadschelders (1998) sees path dependence as a way out of the traps of historical determinism and the unchangeable institutional order. Path dependence prescribes the route for change. Over time, political-administrative systems are changing slowly or more rapidly, but surely, and the process follows a specific route. Internal and external pressures can duly influence and put pressure on reforms, but those reforms are still likely to take their manifestations and forms from the structure and culture of the system handed down over time.

We must be careful in how we talk about the impacts of the past, administrative traditions, and path dependence (Meyer-Sahling, 2010; Yesilkagit, 2010; Meyer-Sahling & Yesilkagit, 2011; Van der Meer, et al., 2008, 2015; Thijs et al., 2018). Traditions and models are utilised as last-resort explanations and they overemphasise certain common features; furthermore, their construction is ahistorical and artificial in nature. We refer not only to the habit of blending different EU models and traditions (Verheijen, 2010), but also to an attempt to return to an idealised or preferred past (Hobsbawm & Ranger, 1983). Such a reconstruction – or even a genuine return to a political-administrative past – is rarely feasible, because time passes and new experiences accumulate. Reconstructed administrative

models and traditional approaches tend to involve a misjudgement of the level of historical experience and dissimilarity among countries, as reformers try to focus on or recreate a common past which never actually occurred. When applied deliberately, this approach constitutes a political act, as can be seen in the traditions rediscovered or reinvented during the Yugoslav Wars and the Kosovo conflicts (Painter & Peters, 2010; Van der Meer, 2021). However, the post-communist transition and accession to the EU have all had huge effects on these states' economies, societies, and governments, and have presented challenges to the reform of political institutional systems and their associated administrative models, as well as traditions embedded in those systems. This explains the failure of the attempts to resurrect the administrative models and practices in existence before the communist takeover and World War II.

The case of the (top) civil service reform in CEE member states – an illustration

We can illustrate the argument made above by going into the case of the (top) civil service reform. We concentrate on reforms in the CEE member states, but what is argued here for these states also implies, to an extent, to other member states. The formulation and adoption of a wide-ranging and all-encompassing civil service reform was made mandatory for new accession states in Central and Eastern Europe when they prepared to enter the European Union. In contrast, these reform requirements were not compulsory for the older member states. In the new member states, they were believed to be necessary in order to implement the *Acquit Communautaire*. Through a civil service reform, the (democratic) Rule of Law could also be enhanced. That support for the Rule of Law is one of the central tenets of the European Union. Central to the European Union accession requirements – but also visible in the reform principles as formulated by the OECD–Sigma and in the academic public administration body of knowledge – is the belief that prerequisite reforms are intended to create a professional service. Civil service reform programmes in the accession states have thus focused on establishing a reliable, neutral, meritocratic, proficient (top) civil service system – a civil service system that is capable of meeting the present and future challenges faced by the public sector. This presumes the creation of a (top) civil service system in which members are pro-active and open to the needs and demands from both societal and political quarters. In many of these countries during their accession periods, civil service legislation was planned and announced in order to for this objective to be accomplished. However, legislative procedures have been rather laborious, and comprehensive results have been slow to materialise *and/or to be retained* (see, for instance, Verheijen & Rabrenovic, 2015; Nemec, 2018). There are some exceptions, as seen, for instance, in the case of Estonia (see the EU28 EUPACK country studies in Thijs & Hammerschmid, 2018; Gajduschek & Staronova, 2021). In addition, civil service legislation has, in some cases, remained a dead letter. Deficient reform results can be explained by a decreasing sense of urgency in these new member states after their EU accession had been completed (Dimitrova, 2010). In addition, the second explanation can be found in a changing political composition at the central government level in these member states over time (Thijs & Hammerschmid, 2018). This political change was accompanied and reinforced by reform fatigue in both society and government. Meyer-Sahling and Toth (2020) have pointed to a democratic backsliding as a cause of an increasing politicisation of top-level Hungarian officials. The third explanatory factor is that a change in the ruling political office-holders after elections often prompted a turnover of staff, particularly in the top echelons of the service (senior public servants) (see Gajduschek & Staronova, 2021).

As we have mentioned, formal and informal civil service legislation and rules could be considered as a political translation of what is considered necessary for a high-quality and responsive public service delivery, and, sometimes, for the interest

of the ruling political and bureaucratic class. This 'translation' might take the character of formal and informal politicisation procedures and practices. When it takes the form of, for instance, a politically-instigated turnover of top civil service positions, this has usually been instigated by distrust in the officials appointed by the previous government (Van der Meer & Dijkstra, 2021; Steen et al., 2015). Formal politicisation might manifest as the introduction and employment of a spoils system particularly for top officials, or the exclusion of top rank officials from the (permanent) tenured ranks in a given civil service system. In addition, recruitment and appointment to the top positions in bureaucracy have, in some countries, long found their base in patrimonialism or clientele relationships. The roots of these customs originate in the perceived need by political and bureaucratic office-holders for the exchange of (appointment) favours for political and bureaucratic support. This powerful incentive makes formal laws and other regulations containing meritocratic and neutral recruitment criteria in everyday life a dead letter (Gajduschek & Staronova, 2021). Rather, patrimonial, personal, and political recruitment methods can represent the informal but prevailing reality (Van der Meer & Dijkstra, 2021). This return of patrimonial, politicised recruitment and career decisions can produce ample negative side effects. These include a performance deficiency, poor professional standards, impoverished managerial skills, and the weakening of the government's capacity for political decision-making and ability to choose among policy options. These negative side effects also impair the social trust in the legitimacy of government.

This separation between formal and informal (legal) civil service arrangements very much resembles the prismatic society concept as conceived and formulated by the American political science and public administration scholar Fred Riggs in the 1960s (1964, 2006). Riggs has argued that formal arrangements in developing and transition countries might prevail on paper and as such represent an official portrayal of the reality. Nevertheless, the resilient (traditional) customs and routines are concealed under these formal arrangements, and they possess a greater force. This, of course, pertains not only to civil society, but also to government and bureaucracy. This prismatic rift between (legal formal) schemes based on the meritocratic criteria on the one hand and political and the patrimonial criteria on the other can produce serious difficulties regarding how to move from what is considered undesirable but prevailing arrangements to arrangements which are preferable from the perspective of a reform towards high-performance top civil service systems. What is wished for often differs from what actually exists. However, at a higher, abstract, and official level, all governments alike subscribe to these wishes for a reform. From the temporal perspective, one can argue that formal reforms will take hold over time when those formal arrangements are integrated into the political and bureaucratic culture. We should not forget that it took a considerable period of time to establish the meritocratic bureaucracies in North-Western Europe, and even there, there are discussions on what merit signifies; there are also pressures towards politicisation of these top positions (Peters & Pierre, 2003; Page & Wright, 1999, 2007). Additionally, one should be careful about exporting and transplanting institutional arrangements to other settings, given the specific conditions that have supported the development of these structures over time. A reform reversal might here be explained by observing that the so-called rational reform plans do not necessarily fit into the political and societal realities of a particular situation, and are thus rejected in a way that is analogous to a transplant rejection (Dijkstra & Van der Meer, 2020. We have to prioritise presenting best-practice examples that can readily be copied, as these have been embedded in a given political-administrative and societal system and environment. Reforms are the product of the long-standing process of political, administrative, and societal development. Only a simultaneous, incremental societal, political, and bureaucratic change process can offer a way forward.

Discussion and concluding remarks

The argument that political and bureaucratic obstructions thwart the good intentions of rationally-operating reformers is too facile in general, and is not helpful in explaining the developments in the EU27, or in Eastern European countries in particular. Decisions on these reform issues are highly political, as they involve making binding choices about the future and any existing problems on behalf of both the society and the government. This is not a technical exercise to be completed by neutral internal or external experts. Even when a reform follows a rational or apolitical path, it contains implicit normative assumptions. The EU- or the OECD–SIGMA-inspired reform initiatives for creating a meritocratic, competent, politically-neutral, and efficient administration in the EEU11 carry a heavy normative and political load. This does not diminish the relevance of a reform, but these plans are by nature not neutral. The problem remains the same whether one refers to the democratic rule of law (Nl. *Rechtsstaat*) principles or propose solutions, which draw on the *Neo-Weberian State* (NWS). As a normative concept, the latter enjoys substantial popularity amongst Central and Eastern European scholars and reform-oriented thinkers (cf. the special issue of the *Nispacee Journal* 2008/2009; Pollitt & Bouckaert, 2011; Randma-Liiv, 2008; Mazur & Kopyciński, 2017). The NWS is a popular, but underspecified concept. Its principles are abstract and open to differences in interpretation. Matters might take a turn for the worse when reforms that go against the grain of the major, *dominant* political and societal beliefs lead to setbacks or even reversals (see, for instance, our discussion in Section 4 of the stalling or even reversal of civil service reforms). The difficulties currently faced by some of the new member states after the direct, external, pre-accession pressure has subsided can be explained in these terms. Conflicts are reignited when pressure is reintroduced by the Commission or via EU legal procedures, as was recently (2021) the case in Poland and Hungary.

Finally, there is no point in denying the political-bureaucratic dimension of unsatisfactory reform outcomes. Dysfunctional political bureaucratic behaviours, positions, and attitudes, as well as the lack of a substantive vision on the direction and path of reform can all be major factors in hampering real, durable (material) reforms. However, this is not only the case in the Eastern European accession states. Though the magnitude of the problem might differ, the phenomenon is discernible in the other EU27 member states, too. To put it perhaps a little cynically, a dysfunctional approach to reform – for instance as a consequence of an intentional democratic backsliding – at least contains a vision, albeit from a negative vantage point (cf. Gajduschek et al. in Kovač & Bileišis, 2017). The tendency to favour technical/rational and positivist legal reform solutions can represent the doctrine of reform neutrality, which means that politics and society take a back seat. The elitist reform perspective has proved to be risky, since the foundations for sustainable and enduring reforms provided by it are too shallow. When the short-term effects of reform hit the society, opportunities arise for dissenting voices and populist political movements. This issue can be adequately addressed only through a combination of political-administrative cooperation regarding a reform (ideas and vision), civil society development, participation, and support. An overtly instrumental, rational reform strategy can lead to reform fatigue. Political and societal dissatisfaction enhances populist tendencies and creates room for populist politics, reinforcing reform failure. As argued in this article, reforms are essentially the product of a long-lasting process of political, administrative, and societal changes. Successful reforms need to match these changes. Only a corresponding and incremental societal, political, and bureaucratic change process can offer a way out of this problem. Complaints over irrational reform obstacles are thus not productive, but have the potential to harm reforms over a longer run.

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