RUSSIAN CIVIL SERVICE REFORM

(History of Reform Attempts from 1992 to 2000)
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Preface

President Putin and the Russian Federation authorities have over the last two years been preparing and have now launched an ambitious and major program for reforming the state service system in the Russian Federation. A key part of this set of reforms is reform of the Federal Civil Service, and indeed also of the civil services of the subjects of the Federation and of the municipal civil service. This is an extremely complex set of reforms. Such a program involves changing the values and culture of the civil service, and, in the case of the Russian Federation, of around one million civil servants (Federal, regional and municipal). It involves creating new relationships and new types of interactions between the civil servants and citizens and service users and the private sector. For the Russian Federation, the challenge is to create a modern, merit-based and service-oriented civil service, which is resistant to corruption, based on principles of transparency, openness, and which provides for clear external accountability. A cost-effective, effective and efficient civil service is essential for the effective development and implementation of key priority objectives of the Russian Federation in the area of economic reforms and social reforms, and for the achievement of strong and sustainable levels of growth.

While the complexities involved in both designing, and often more importantly implementing such civil service reform programs cannot be under-estimated, fortunately there is a great breadth and depth of experience in managing civil service reform programs in OECD and EU member states, in the countries of Central and Eastern Europe which are seeking to accede to the European Union, and in the Russian Federation itself. It can often be extremely beneficial for policy makers, senior civil servants and other stakeholders to reflect on and take into account both the good and the bad reform experiences in other countries, as well as in the country pursuing the reforms itself. Accordingly the World Bank commissioned two studies, the first being a comparative assessment of international civil service reform experiences and approaches in fourteen countries selected by the Russian Federation authorities (to be published as “Building on Strengths”), and the second being this assessment of reform attempts in this area in the Russian Federation from 1992 to 2000. We hope that both assessments will prove helpful to those involved in designing and implementing the present program of civil service reform in Russia. It should be noted that the views expressed in this book are the personal views of the authors, and do not represent the views of the World Bank. We would also wish to refer readers of this book to the Russian language public administration reform website, www.pareform.ru, which was also developed by the World Bank for the Russian Federation authorities in conjunction with the Russian State Service Academy, the Higher School of Economics, and Moscow State University Faculty of Public Administration.

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FOREWORD

The three phases of the civil service reform analyzed and presented in this paper reflect the three phases of Russia's social and governmental development during its transition to a market economy. Having embarked upon the path of gradual transformation, the country's civil service followed the changes in the Russian society, absorbing all the complexities and contradictions spawned by a hasty and, in many ways, uncontrolled transition to new economic and social relations. With the loss of the CPSU's "governing and guiding" role, Russia's civil service had to find its identity and evolve into a special social phenomenon, define its boundaries and legal status, acquire a professional vernacular of its own before attempting to look inward with a view to self-improvement.

This analytical paper is focused on three attempts at reforms: the first attempt, dating to 1992-1993, is linked with the activities of the Roskadri; the reform of 1997-1998 was attempted by a group of experts headed by M.A. Krasnov; and, finally, a review of measures proposed by the Center of Strategic Studies, which are regarded as a third attempt at reforming Russia's civil service in 1999-2000.

Bearing in mind that according to most experts the reform of civil service in Russia is just commencing, the value of this analytical research acquires a new dimension. By incorporating in one document a detailed description of the first attempts at forming and improving the country's civil service, the authors have produced a unique document that gives a clear idea of the actual events of those years, of the causes and consequences of both successful and erroneous decisions, and, most importantly, helps elaborate an optimal scenario of future actions in this sphere.

The first section of the paper analyzes those measures to create a modified civil service in Russia that were attempted right after the collapse of the Soviet Union. Said measures included the formation of a governmental agency, which would assume certain supervisory authority over the civil service system and which would become known as the "Roskadri". In 1992, a few motivated experts were united by the idea to create a centralized organization responsible for the development and implementation of state policies in the sphere of public administration and civil service. In fact, this idea envisaged the creation of an ideological and organizational center whose authority would only apply to the key stratum of civil officials, instead of all citizens, as it used to be in the Soviet Union.

The authors of the first section of this paper depict in great detail all the complexities of interdepartmental feuds between various government authorities for control over the activities of civil officers.
The combatants were seeking:

1. To acquire the monopoly right to provide services to and exercise control over civil officials through a "ministry" or "department" or similar organization vested with extensive powers.

2. To secure property to the newly established organization, having redistributed in its favor as many resources as possible.

3. To elaborate a set of instruments in the form of laws and regulations to govern and streamline the activities of civil servants, which could also serve as leverage.

As it follows from the first section, a lot of strategic objectives were successfully achieved in the course of the Roskadri' establishment and functioning. The Roskadri managed to obtain a special organizational status, build an effective structure, and create a subsidiary network. The matter of property allocation was tackled with the same success. Having gone through numerous intergovernmental battles, the Roskadri' staff had redistributed in their favor a significant amount of resources, including the assets of the CPSU Central Committee's former educational institutions.

Roskadri achievements in acquiring spheres of influence and powers proved least impressive. Having set itself quite an ambitious goal of becoming the leading authority for the development and implementation of the national strategy in the sphere of civil service, Roskadri managed to secure only a modicum of powers covering the professional development of civil servants and advisory services to federal and regional governmental agencies. At that time, very important first steps were made to develop and enact appropriate laws and regulations and to create a new regulatory framework that would lay the so much needed legal foundation for the activities of civil officials and enhance their efficiency.

Roskadri should be given merit for elaborating the concept of a special governmental agency responsible for civil service. They clearly and competently formulated a set of special tasks that said agency was to fulfill, including the development and implementation of the federal strategy for the creation of the civil service of the Russian Federation, the development and implementation of the state personnel policy for executive power bodies, and the creation of a regulatory framework for the civil service sector.

By way of theoretical conceptualization of the civil service specifics in the new Russia, the concept and structure of "the staff of the RF President" were elaborated. Roskadri identified five categories of employees that were to come into the focus of presidential personnel policy, namely the President's political nomenclature; the President's administrative nomenclature; civil servants; highly qualified workers; technical and engineering employees of state-owned enterprises.
According to Roskadri, such classification could help devise individual approaches to the management of each of the specified categories without scattering attention and effort.

This paper minutely describes the set of guiding rules elaborated for the management of the five personnel categories. These rules are aimed at promoting the personnel's professional skills, the expansion of administrative, legal and economic knowledge. Roskadri gave individual attention to such important components of the personnel policy as the employment, personnel deployment, appraisal and training procedures. Unfortunately, most of the Roskadri’ proposals were left on paper, coming to the fore only with the development of new projects during the subsequent attempts to reform the civil service sector.

It is worth mentioning one of the Roskadri’ key concepts concerning the principles of civil service formation under new conditions. The Roskadri’ experts were convinced that the personnel policy in the sphere of civil service should be the exclusive prerogative of the President. From the outset they advocated such an approach to the civil service development, under which the newly created agency supervising the operations of the governmental personnel was to report directly to the President and to fulfill the principal function of implementing the President's policies in the sphere of public administration and civil service.

Said approach was indubitably aimed at strengthening the President's power and enhancing the scope of his authority. It is quite possible that this approach was appropriate at that historical phase, when chaos and disorder were reigning supreme in all the branches of state power, necessitating concentration of authority in a single strong center. However, this attitude had a number of obvious negative consequences. International experience in this sphere shows how a similar approach is put into effect in the USA, for instance, where matters pertaining to civil service are mostly handled by the President and his Administration. In the modern US history, virtually every newly elected President initiated a campaign to upgrade and reform the civil service system. While the reforms initiated by J. Carter, for instance, are generally regarded as positive, the radical reduction of the number of civil servants, the changes in the remuneration of civil servants and the reduction of functions of some governmental agencies introduced by R. Reagan are severely criticized by his contemporaries. In other words, by placing the key issues of civil service within the jurisdiction of one person, even if that person were the head of the state, the country should make ready for significant fluctuations in the course following the change of the President, as well as the substitution of service to society with service to the President.

It was for that reason precisely that during the second phase of reform experts tried to veer away from the modified version of "sovereign service" in Russia and create a public system (i.e. focused
on public needs) of civil service. That effort resulted, among other things, in the drafting of the Civil Service Code, which is described below.

The debate on the issue of subordination of the authority in charge of civil service continued within the framework of subsequent efforts to reform the Russian civil service system. However, at present Russia still has no single functional center to supervise civil service. Individual organizations vested with certain functions report to different ministries and agencies, as, for instance, the Russian Civil Service Academy under the RF President or the Academy of National Economy under the RF Government.

The development of a relevant legal framework is still under way. In this respect, it may be worthwhile to remember the approach proposed by Roskadri. Having correctly assessed the ambiguity of the political and economic situation in the country, Roskadri advised to proceed slowly with the adoption of comprehensive laws on civil service. They recommended to start with regulations in the form of instructions adopted by executive authorities, which could be transformed into laws after the relevant enforcement experience had been accumulated and studied. These proposals, however, were only partially implemented, and are presented in the fourth section of this paper.

The chapters analyzing the political, economic and social situation in the country before and after the August of 1991 add value to the first section of this paper. The authors, being witness to and active participants in the events of that period, give rare and previously restricted information about significant and interesting facts, describe the roles played by specific persons and organizations in shaping the future system of civil service in Russia.

Thus, despite the fact that Roskadri failed to put into effect many of its projected goals, they made a serious impact on the development of the civil service system. At the time of dramatic changes, which affected virtually all spheres of the country's life, the future framework of civil service, its functions, goals and opportunities within a market economy were not sufficiently clear or obvious. That is why the limitation of the Roskadri’ functions to educational and consulting services at the time of general confusion and uncertainty may well be a natural consequence of the silent opposition mounted by the Russian bureaucratic nomenclature, and primarily by the Government. Nevertheless, raising the issues of the civil service framework, the special status of civil servants, the development of special policies aimed at the management and enhancing the effectiveness of civil service, including relevant legislation, Roskadri have created conditions for the formation of an effective system of civil service in Russia.

Despite the aforementioned, one can hardly refer to the period of the Roskadri’ existence and operations as reformatory. That was a time of construction, rather than a time of reform. The new
forms of ownership, the changed role of the state, the absence of ideological control from the CPSU demanded a revision of the civil service's content and functions. At that time, the order of the day was to vest civil service with an appropriate legal status, and ensure its organizational and functional identity. These tasks were largely achieved due to the Roskadri' active and motivated efforts.

By contrast to the first stage of formation and reform of the civil service system in Russia, the second phase in 1997-1998 clearly demonstrates the existence of a political order for the public administrative reform. This time the reform was again initiated by those experts in the sphere of management and administration, who enjoyed some authority or proximity to the Presidential Administration. Having analyzed the general trends of reforms and the linkage between economic and social reforms, on the one hand, and the reform of public administration, on the other hand, they prepared and submitted to B.N. Yeltsin an analytical note wherein they motivated the need for the speediest transformation of the governmental and legal framework, including the civil service system, which is an integral part of that framework. Special emphasis was laid on the fact that the weak public administration, the "command system", was impeding the country's social and economic growth.

However, the second section of this paper shows that the political order had to be accompanied by a number of conditions that would guarantee in principle the actual implementation of reforms. Such conditions included relevant organizational efforts, financial resources and, mostly, political attention. Today it is possible to define and analyze the reasons, which led to another aborted attempt to improve the government machinery and build a new system of public agencies. As in the first instance, the main reason for this failure stemmed from the absence of an institutional body vested with all the relevant authority and powers (that were not limited to educational and advisory functions) and responsible for the development and implementation of the reform program.

Nevertheless, despite the lack of financial, organizational and regulatory support, a group of experts headed by M.A. Krasnov started elaborating the Concept, which after various amendments and amplifications took the shape of "the Concept of Administrative Reform". The expert group drafted 12 versions of the Concept of Administrative Reform between August 1996 and March 1998.

The authors recommended making use of the method of successive approximations, incorporating the mechanisms of adaptation and self-adjustment into the reform program. By contrast to the first phase, when Roskadri was operational and the main effort was focused on establishing organizational self-identity and acquiring administrative influence, creating an educational system for training civil servants to work in a market economy and developing a regulatory framework, the second phase brought to the front the need to develop the reform "ideology". The initiators of the
second phase of reforms failed to secure the requisite bureaucratic and political support. The established surrogate body, i.e. the "Commission to Elaborate the Program of Governmental Development", convened only a few times and could make no serious impact on the reform process. Thus, acting as a temporary creative group, they focused on the development of a theoretical model and basic principles of the administrative reform, including the reform of the civil service sector.

A set of measures were devised and implemented to identify new experts from among non-Muscovites, who were immediately put to work. On the whole the project implementation unit included 24 experts split into five work groups: civil service, federative relations, reform methodology, anti-corruption policies, and executive agencies. Although the structure of the document was undergoing changes, the underlying fundamental approaches and ideas remained intact.

Another distinguishing feature of the second phase of reforms was a comprehensive analytical survey performed by the experts prior to the project implementation. The authors of the Concept had developed and disseminated questionnaire forms among all federal ministries, agencies and heads of territorial RF subjects, accumulating immense factual data, which gave a clear picture of the actual status of the post-soviet governmental machinery. Later it became a standard procedure to perform such pilot surveys, and all successive phases of the reform commenced with the survey and analysis of the specifics of the current situation.

In conceptual terms, the proposals of this period also differed significantly from the key ideas formulated by the Roskadri. At this stage priority was given to the concept of a truly public system of civil service, designed to serve the interests of the emerging civil society. The departure from "sovereign service" had to incorporate measures aimed at enhancing the efficiency of civil service, raising its profile and cost-effectiveness, as well as a clear cut orientation at servicing the interests of citizens and their associations.

To this end, the experts proposed the following functional principles of the government apparatus. First and foremost, priority was to be given to professional expertise. In practice this principle should be implemented through a system of labor contracts instead of "permanent" employment practices, the introduction of competitions to fill out vacancies in office, and the development of personnel appraisal and selection procedures. Following on the logic of the Roskadri to distinguish different categories of civil servants, the second phase reformers formulated the concept of different statuses of "political and career" offices, emphasizing the impossibility of a complete depoliticization of civil servants.
The proposed ideas to revise the existing system of remuneration for civil officers proved just as revolutionary. In line with international experience, the experts announced the necessity to change the correlation between monetary (direct) and non-monetary (indirect) forms of remuneration. International personnel management practices take it as an axiom that only direct remuneration (salaries, bonuses) stimulates the growth of labor quality and quantity. Indirect forms of remuneration (benefits and privileges) get employees to value their affiliation with some agency or other, but do nothing to encourage labor efficiency.

Another proposal involved the transfer of some administrative functions from governmental agencies to non-profit organizations, which in the authors' vernacular corresponded to "conversion of a significant portion of civil service into self-financing entities". It is notable that this proposal was later successfully put into effect. At present, a large number of non-profit organizations (NPO) are operating in the sphere of social insurance, health care and other areas.

The other important principles advocated by the authors included transparency and orientation at citizens. Providing information to the public at large and creating feedback between civil officers and individuals are instrumental in improving the quality of civil services. However, the idea to treat citizens as "clients" advocated by the program drafters of the second phase of reforms, has now become obsolete. In the latest research projects on public administration, western experts persistently reject as erroneous the idea of treating citizens as clients, since this approach turns citizens into passive consumers of services. This runs counter to the fundamental postulates of a civil society, pursuant to which an active stand taken by the majority of people, their committed involvement in the life of the state, guarantee the observance of interests of citizens and their associations. Furthermore, many public events just cannot occur without relevant contribution from the people, for instance, keeping the streets clean, or ensuring civil rights and freedoms.

The second phase of reforms gave an impetus to the idea to develop ethical and moral regulations to govern the conduct of civil servants. Today it is possible to say that this idea was translated into reality five years later, in March 2002, when the RF State Duma for the first time proceeded to discuss "The Code of Conduct of Civil Servants of the Russian Federation". This, however, does not belittle the role played by the experts of the second phase of reforms, as they were the first to raise the issue of specific corporate ethics of civil officers and the significant role of ethical and moral principles in curtailing bureaucratic arbitrariness and abuse of power.

Having developed a streamlined and comprehensive Concept of Administrative Reform, the second phase reformers tried very hard to proceed from the Concept to the Program of its implementation, complete with the timeframe and implementation methodology. They developed a detailed Action Plan, the key element of which envisaged an active involvement of the public at large and
promotion of the reform in the press, including the publication of the Concept in the Russian Gazette and its direct dissemination among all parties concerned. The mass-scale discussion of the Concept and the Program could guarantee the irreversibility of the reform and public control with a view to overcoming the bureaucratic opposition. Unfortunately, the document has never been published. All attempts to optimize the government apparatus met with a strong resistance from the same apparatus, which resorted to intrigues, underhand dealings and direct suppression of facts to reduce the reformatory efforts to zero.

Analyzing the failure of the second phase of reforms, the expert group came to the conclusion that, among other things, they had not secured allies within the bureaucratic apparatus, or ensured the transparency and public support of the reformatory ideas, or secured the requisite financial and political support of the authorities. Nevertheless, the main achievement of that period was the elaboration of a "theoretical framework" of the reforms, as the aforementioned ideas were not wasted but came in handy in 1999-2000, during the third phase of reforms.

The third phase of reforms (1999-2000) became the turning point in the transformation of the civil service system in Russia. For the first time the idea of public administration reform was formulated in the election program of the real (and, as we know, successful) contender for the presidency. In addition to the "political order", there emerged a realistic force represented by the future team of the new Russian President.

At the third stage, close attention was given to all the weak and narrow areas of the previous attempts at reforms. The involvement of the "administrative resource", i.e. the Center for Strategic Studies, made a significant difference, as the Center received a lot of the hoped-for powers that the previous two groups of experts had been deprived of. Enjoying the status of V.V. Putin's election headquarters, the Center for Strategic Studies managed to obtain the requisite resources and the support of the political authorities, thus receiving additional guarantees that this time the program, instead of being "shelved", would be implemented.

The position of the work group for the civil service reform was significantly strengthened by the continuity of views, as a lot of the experts from the former work groups joined the new team, bringing along all the accumulated knowledge, expertise and the draft reform projects of the previous periods. The analysis of past mistakes and lessons learned were conducive to more competent and accurate actions in the future.

The next step was to involve future political appointees in the development of proposals in the areas they were intended to supervise. It was a kind of a "trap", which, on the one hand, urged public officials to seek ways to implement the generated proposals and, on the other hand, made it impossible for the functionaries to claim at a later date that the proposals were insufficiently
developed or contradicted the spirit of the time, or use other bureaucratic pretexts. However, the issue of representation of the effective power agencies had been overlooked, and that diminished the likelihood of the program's implementation in the future.

As during the second phase of reforms, the "merit system" (basing on one's merits and worth) made the core of the new Concept of Public Administration as the key principle underpinning the new civil service system in Russia. It was proved that that vision of civil service most corresponded to the statehood model announced at the beginning of economic and political reforms in the country. The first order of business was to create a civil society, where public executives respected the priority of interests of the citizens and their associations, while the citizens perceived themselves as an important segment of said society, understanding that any initiatives would be doomed without their active support.

The Concept of Civil Service Reform drafted during the third phase had a significant advantage of being supported by detailed Terms of Reference. That was a significant improvement as compared to the previous phases, since parties concerned received specific guidelines, which included analytical data about the main trends and means to select the best option, an extensive list of requisite measures, an assessment of the degree of stability (irreversibility) of the transformation process, and quite a few other things.

The Terms of Reference were devised at a very high analytical level and revealed all the specifics of the then situation, including the current status of the RF civil service, the main tendencies in its development, and several options of political decisions aimed at reforming the civil service system. It is worth praising the political courage of the drafters, who very bluntly described all the nuances of the existing state of affairs. The documents identified all the parties capable of sabotaging the reforms, uncovered departmental and clannish interests. The authors professedly declared the existence of a dangerous tendency to form an independent bureaucratic corporation, free from public control and seeking to protect its clannish and personal interests. The experts warned that the civil service system had reached a critical point and was poised at a crossroads between two possible options of future development - "sovereign" clannish service vs. civil state service. Unless resolute measures were taken to ensure a democratic reorganization of civil service, the corporate trend should prevail.

Next the Concept drafters proceeded to formulate their vision of the optimal scenario of civil service development. They identified four groups of factors characterizing an efficient civil service system, which served as reference points during the transition to the civil service of a civil society. All in all, the experts proposed four scenarios reflecting the prevalence of any of the four key factors (in short, where to begin): the improvement of the civil service operations, the improvement
of the effective legal framework, the improvement of the material security, and the amendment of the personnel policy. At the same time, the experts studied the possibility of launching a full-scale attack in all the directions. Furthermore, the drafters of the Terms of Reference indicated that not all of the proposed scenarios fully complied with the optimal requirements. The most difficult to implement was the synthetic scenario, which required a very strong executive power. The main conclusion was to use "measures in the sphere of personnel policy as the foundation for an optimal scenario".

The final section of the Terms of Reference contains a list of requisite activities and deadlines for an optimal scenario. Said activities were grouped into main (personnel) and ancillary (legal, logistical, organizational and promotional) measures. The main measures focused on enhancing the importance and status of personnel policies, revision of the employment and personnel deployment practices, introduction of independent appraisal procedures, and professional development of civil officers. The ancillary measures were grouped according to labor intensity and included one general (the development and approval of the Code of Civil Service) and seven subordinate actions, which affected the material incentives and functional aspects of civil service.

However, despite the readiness and the high professionalism of the documents, including the obvious interest of the political authorities in the reform, this phase of the reform has never been realized. The team of the new President concentrated on the economic and social reorganization, and interaction with other state power institutions. The civil service reform was yet again postponed until "the time is ripe". It would be a mistake to say, although, that the efforts of the third-phase reformers were wasted. Their work has generated public response, which is the positive outcome of their efforts. The experts managed to go beyond the confines of the Center for Strategic Studies and take the debated issue to other research teams, magazines, newspapers and the Internet. As a result, a number of conferences on the reform of civil service and public administration were organized, a new web site appeared under the title "The Reform of Public Administration in Russia", a lot of specialized editions picked up the idea of civil service transformation and "modification". In the face of the "public concern", neither the State Duma, nor the other governmental agencies could continue ignore this problem and had to take a number of concrete measures, including the discussion of the draft Law on Civil Service, the draft Code of Civil Service, and some other documents. In addition, some of the proposals concerning revision of the remuneration policies were also put into effect. The latest examples include the increased base pay to servicemen, and the imminent increase of salaries to other categories of civil servants.

In this connection it would be interesting to follow the civil service law-making process, which is described in the fourth section of this paper. The legal framework ensuring the formation and
reorganization of the civil service institution is analyzed through the perspective of the relevant legal acts and regulations. The authors give a review of both the effective federal laws and most significant regulations, represented by the RF President’s decrees.

Most noteworthy is a comparative analysis of regional laws on civil service applicable in the territorial subjects of the Russian Federation, which reveals the common aspects and differences in the content of these legal acts. The chapter also contains the so-called "unrealized projects" and legislative initiatives submitted to the State Duma that are still under discussion.

Thus, the analytical data presented in the four chapters of this paper make it possible to conclude that the actual reform (i.e. transformation with a view to optimization) of the civil service system in Russia has not started yet. All the previous reform phases, since 1992, have essentially been one preparatory stage, when a sound and well-founded theoretical foundation for future actions has been developed and perfected. Those measures that have been implemented as part of the reform process have actually provided such elements as have been missing from the system of public administration, for instance, the education of civil servants, the code of ethics, and etc. The key elements of the civil service system, which are instrumental in evaluating the quality, effectiveness and results of work performed by civil officers executing certain public administrative functions on behalf and on the instructions of the state, have remained intact.

The main reason why it has proved impossible to budge the flywheel of reforms from the dead point is, in our opinion, the absence of "the sponsor". A lot of experts are characterizing the present-day status of Russian society as an "emerging civil society". To be more precise, civil society in Russia is still in embryo. The declining cultural level, an almost complete absence of the sense of civil responsibility, low political and civil activism, and social isolation of the majority of Russian people create ideal conditions for bureaucratic arbitrariness, letting public executives successfully pursue their corporate gains to the detriment of public interests. Those few enthusiasts who, by virtue of their convictions and professional qualification, have tried to change the status quo and prove the urgent need for reforms, have confronted a silent but very determined opposition from the bureaucratic nomenclature. Those documents that, overcoming the obstacles, have been submitted for discussion as draft laws, have lost the greater portion of innovative ideas in their passage through numerous agencies.

Russian society has failed to act as the actual "sponsor" and driving force of reforms. At present, some people are just beginning to realize that a civil official can and must be accountable to the public at large, and that his work can and must be made useful and effective. Such rules regulating the relationship between citizens and civil servants as transparency, continuous accountability, and participation in the decision-making process should be regarded as a form of public control, on the
one hand, and as a basis for stimulating and guiding the activities of civil servants, on the other hand.

At present, however, despite the absence of any pressure from civil society, there are emerging other significant factors that will sooner or later necessitate the reform of public administration in Russia. The present-day development of world economy has brought into the open the correlation between the efficiency of civil servants and the competitive capacity of a country in the world market. Due to its immense natural resources, Russia has been surviving without serious reforms. However, the present situation in the world market shows that those countries that export technologies, instead of mineral resources, hold the winning hand. Thus, for Russia, given the prevailing state (ministry regulated) education and health care, budget research funding and government control over various key aspects of social life, the issue of effective public administration becomes a top priority.

The review of the ten years of attempted reforms provides valuable information about the main reasons for past failures and lessons to be learned. It has been mentioned already that today we see emerging the main precondition for a successful start of the reforms, i.e. the makings of the "order" from the public. The full-scale debate on the urgency of civil service transformation, initiated during the third phase of reforms, has formed public opinion that is putting pressure on the public authorities, urging them to transform. However, to ensure the success and effectiveness of the future reforms, it is necessary to comply with a number of requirements.

First, the Roskadri’ experience shows that to ensure irreversible progress of reforms it is mandatory to create a special public agency and vest it with maximum decision-making authority and responsibility for the reorganization and upgrading of the civil service system. The results of the reforms would be directly contingent upon the political and administrative status of said agency. International experience shows that a standing committee or ministry or even a department on civil service could play the role of such public agency.

Second, the effectiveness of reforms is directly dependent on the financial resources allocated for that purpose. The introduction of new principles of public administration will require tremendous investment in terms of power, material and organization resources. Annual personnel certification procedures, the amendment of employment and remuneration practices, career planning and other key instruments of the new personnel policy are costly and labor intensive.

Another prerequisite for effective reforms is the search for allies inside the bureaucratic nomenclature. Currently involved in the reform are such governmental agencies as the ministry of economy, the ministry of finance and the ministry of labor. However, efficient cooperation of the three very different agencies is still the order of the day.
We should also bear in mind the Roskadri' recommendation to start a full-scale civil service reform with a number of "pilot" projects in the vital spheres of this sector. That approach would give time to test a lot of controversial ideas, acquire valuable methodological experience, hone the tools, train the core personnel for implementing subsequent reforms, assess the cost, and so on.

One can say in conclusion that the three phases of reforms described in this paper represent a logical chain of successive measures, wherein every previous stage laid the foundation for the next step. At the time of the Roskadri, the principal achievements included the institutional formalization of civil service and creation of an educational system for civil officers. For the first time experts debated the specifics and special designation of civil service, and its role in the construction of an effective mechanism of public administration. Civil service was awarded a special status, and material and other resources were allocated to support and develop this sector.

The principal achievement of the second phase of reforms was the formation of the ideological and theoretical foundation of reforms. At that time the major venues and guiding principles of the public administration reform were identified and formulated. Some of the ideas proposed by the experts were later realized, sometimes within the framework of other projects.

The reformers of the third phase went even further and developed the Terms of Reference and a detailed Action Plan, specifying all actions, measures and possible scenarios of the future events. The Terms of Reference incorporated all the findings of the previous two periods, enhancing significantly the value of the formulated proposals.

In the context of reforms that marked the completion of all preparatory work involving the development of the Concept, Program and Terms of Reference. At present the political authorities are facing the unavoidable task of adopting practical measures to ensure a true transformation of the Russian civil service with a view to improving its operations and making it subordinate to the needs of citizens and their associations.

T.V. Zaitseva

Introduction

The fall of 2001 saw the 10th anniversary of the founding of the Roskadri – a federal agency conceived to organize work on forming Russian civil service, including its regulatory and legal framework, and personnel registration, evaluation, and training. (A detailed history of the Roskadri can be found in: Kh.A. Bekov, Roskadri Work Experience, IPKgossluzhby, Moscow; 2001, [2.7.]).

The Roskadri existed for a little less than two and a half years. Since 1994, other public agencies have taken over the work it began. But Russia still faces the problem of its inefficient civil service, and now, in 2002, this problem is one of the most important and urgent.

To be frank, Russia's civil service was underdeveloped and inefficient even in the USSR, but in conjunction with the USSR party and state bodies, this was not particularly noticeable. However, the dramatic changes in the fall of 1991 showed it for what it truly was – flaccid and ineffectual. As soon as the preeminence of the Communist party was undermined, it became blatantly obvious that the entire system of government in Russia did not have the strong pivot and solid foundation inherent in the civil service of developed countries.

Civil service is a special social institution, which establishes and regulates the State's relations with its functionaries, people whose job it is to perform administrative or other functions on behalf and in the name of the State. Civil service is at once a system responsible for organizing the exercise of individual government functions, and the personnel capable of carrying out this work at a highly professional level. World experience shows that a streamlined civil service is the main guarantee of stability and the primary condition for efficiency of the government machinery. And the size of this machinery in Russia is not small. By way of reference: more than one million people worked in the federal government agencies in 1994, 7,000 of whom were employed in the representative power agencies, and 103,000 in the judiciary. More than 30,000 federal civil servants were concentrated in Moscow. Since then, the total number of civil servants has been increasing every year by approximately 2 percent.

When the CPSU was removed from the helm of state (the famous amendment to the USSR Constitution – cancellation of Article 6), a vacuum formed in work with government officials at the
beginning of the 1990s. The infrastructure of organizational and personnel work created by the CPSU bodies over a span of seventy years disappeared, as a result of which the formation of the civil servant corps took a spontaneous course.

Aware of this situation a group of activists from the All-Union Institute for the Advanced Training of Executives and Specialists of the USSR Ministry of Power Engineering (now the Institute for the Advanced Training of Civil Servants – IPKgossuzhby) turned to the RSFSR leadership in the summer of 1991 with a proposal to create a special agency on matters relating to civil service. This agency was to carry out the following tasks:

1. Supporting the development and implementation of federal policy on forming Russian Federation civil service (including creating its regulatory and legal framework).

2. Organizing work to raise the efficiency of the civil service system (including drawing up public administration plans, analyzing the efficiency of the working forms and methods of the civil service, rendering methodological assistance to government agencies).

3. Supporting the development and implementation of government personnel policy in the executive agencies, and in federal institutions and enterprises (including organizing work with the reserve personnel; creating a federal bank of personnel data; personnel selection, evaluation, and training; fighting corruption throughout the entire vertical of the government machinery at the federal, regional, and local levels).

4. Promptly informing the civil servants of the objectives of political and economic reforms in Russia, and of the special features of working under the new conditions, as well providing for their conscious incorporation into the process of government and societal reform.

5. Organizing public outreach campaigns to explain the role and place of civil service in the building of new Russian statehood, and in raising the efficiency of government agencies.

6. Creating a regulatory framework for civil service, in which organizational and legal rules (laws, bylaws and local regulations) based on the best achievements of world science and practice of civil service could be effectively combined with the psychosocial norms (customs, traditions, corporate and group rules, and so on) that inevitably arise in any social body.

7. Streamlining and systemizing the entire civil service hierarchy from top to bottom, including local self-government bodies; reorganizing the system of civil service financing to make it efficient and transparent for public control.

8. Implementing measures to give civil service a high social status and prestige, in particular, forming a positive image of civil service and the civil servants in public opinion.
The participants in the activist group were convinced that pursuant to the RSFSR Constitution in effect at that time, the RSFSR President should be in charge of regulating the foundations of civil service and federal personnel policy. The RSFSR President, who headed the RSFSR Government after the 5th Congress of RSFSR People's Deputies, agreed with this proposal, and on 23 November 1991, issued RSFSR Government Resolution No. 16, establishing an RSFSR Civil Service Department ([1.6], RSFSR Government Resolution No. 16 of 23 November 1991 on the Formation of the RSFSR Civil Service Department, cf. Appendix). But during the preparation of the RSFSR Presidential Decree on the Structure of Executive Government Agencies ([1.11], RSFSR Presidential Decree No. 242 of 28 November 1991 on Reorganizing the Central Government Agencies of the RSFSR, cf. Appendix) the name "Civil Service Department" was changed for unknown reasons to "Main Department for Civil Service Personnel Training," which formally reduced its functions to the organization of personnel training. This seriously aggravated attainment of the original goals and objectives. All the same, believing that sooner or later this mistake would be rectified and despite strong resistance from both the Supreme Soviet and representatives of the federal executive branch, the group members, while getting approval of the Roskadri Statute, managed to retain in it some of the functions inherent precisely in the federal agency to deal with the matters of civil service that had originally been conceived. In the end, the somewhat curtailed Statute was approved by Russian Federation Government Resolution No. 145 of 6 March 1992 on Matters Relating to the Main Department for Civil Service Personnel Training under the Russian Federation Government ([1.2] Russian Federation Government Resolution No. 145 of 6 March 1992 on Matters Relating to the Main Department for Civil Service Personnel Training under the Russian Federation Government, cf. Appendix).

Taking into account that previously no such body existed in the Russian government system, this new federal agency had to be created from scratch, without experienced personnel, without an inherited reference and data base and a regulatory and legal framework, without facilities, and office equipment. In addition, the entire network of former higher educational institutions of the CPSU Central Committee had to be legally eliminated in order to create on its basis a system of fundamentally new educational establishments for training civil servants, in keeping with world experience and standards. Here too, no one could be completely sure of success, since we had to overcome the harsh resistance to our actions of the local leaders. An analysis shows that the above problems were in the main resolved. High-ranking professionals made the core of the Roskadri, who laid down the basic rules for forming Russia's civil service and its personnel training system. The Roskadri operated for 30 months, from December 1991 to April 1994. In early 1994, the agency was formally excluded from the setup of the Russian Government. It took great pains to redistribute the agency's functions between the Presidential Federal Civil Service Department

Thus, the Roskadri agency was formally disbanded in mid-1994 and its functions transferred to other agencies. This marked the end of the development of its personnel centers and the rise of the RACS – an integrated system of civil servant training agencies, and the start of operation of the Federal Civil Service Department of the Russian Federation President.

1.1. General Prerequisites for the Rise of the Roskadri

The dramatic events of August 1991 accelerated adoption of the decision on radical socioeconomic reform in Russia. Organizational work on drawing up the reform program and selecting personnel for the socioeconomic segment of the RSFSR Government was headed by Boris Yeltsin's closest aide, Gennady Burbulis. This work was conducted within the shortest time, between September and October 1991. As early as November, the main decisions were drafted.

The activist group for creating the Roskadri in the preceding period of 1990-1991 frequently communicated with Burbulis. So in the fall of 1991, group members were successfully incorporated into the drawing up of the socioeconomic reform program and managed to include in it the problem of civil service reforming and manning.

Before 1992, many government agencies and institutions dealt with individual civil service matters, but none of these was responsible for drawing up and implementing overall government policy in this field.

On the whole, the situation was characterized by the fact that the various executive agencies and services (of the President, Government, RSFSR Supreme Council, ministries, departments, and regional administrations) that had anything to do with civil service acted in isolation, without harmonized interaction among each other. The responsibility for individual civil service matters was distributed haphazardly, a certain amount of rivalry for spheres of influence was evident, and many questions (if not most) were not resolved by anyone at all.

In the summer and fall of 1991, several letters by employees of the All-Union Institute for the advanced training of executives and specialists of the USSR Ministry of Power Engineering (VIPKenergo) containing an analysis of the problems in this field and specific proposals for their resolution were sent to the RSFSR leadership ([1.3], Letter from Kh. Bekov, V. Zargarov, and V. Koreshkov of 1 August 1991 to Gennady Burbulis on Creating a New Personnel Development System in the RSFSR, cf. Appendix).

The following very obvious problems, most of which still prevail, were noted:

1. the absence of government policy in forming a system of government agencies and the structure of individual government agencies;
(2) the absence of scientific criteria and methods for creating new government and local self-government agencies and for determining the required number of personnel;

(3) the absence of unification in performing the same functions in different government agencies and at different government levels (Federation – constituent entity of the Federation – city – district);

(4) the absence of a specialized system for civil service registration and analysis (civil service statistics);

(5) the absence of methods for evaluating the actual efficiency of government agencies;

(6) the absence of an integrated approach to establishing the amount of financing for different government agencies;

(7) the absence of a personnel selection system for government agencies (in particular, a system for recruiting new civil servants);

(8) the absence of forecasting and planning the requirement for civil servants;

(9) the absence of a personnel data bank, both at the federal and regional levels (particularly with respect to information exchange about personnel requirements and ways to satisfy them);

(10) the absence of a corruption prevention system (and, in broader terms, abuse of office) in civil service;

(11) the absence of a system of incentives for civil servants to improve their professional skills;

(12) poor use of Russian and foreign experience of civil service reform;

(13) the absence of an agency in charge of scientific and methodological support for the establishment and operation of a system of civil service agencies and the system of government as a whole.

1.2. Potential Areas of Reform

It is a well-known fact that any reform is carried out simultaneously in two spheres:

- the regulatory (organizational-legal) sphere, in which new ideas and approaches acquire the form of precise legal requirements for new methods and conditions of operation and interaction; and

- the personnel sphere, in which these new ideas and approaches are fixed in the form of people's actual ability and willingness to comply with these new requirements, thus embodying these ideas and approaches in their practical activity.
Coordinating and synchronizing action in these two spheres is one of the most important prerequisites for the success and effectiveness of reform efforts.

But within each of these spheres, individual actions should also be interrelated, their content coordinated, and their implementation synchronized in time. Without this interaction, the real reform process tends to go in a chaotic and zigzag way as a result of which headway motion frequently takes the form of "Brownian movement" with unpredictable consequences.

The situation becomes most dangerous when there is no coordination in the field of personnel reform. Restructuring human mentality, modes of actions, habits, and so on, is a long and largely latent process. Whereas failed laws or organizational forms can be identified and changed relatively easily, errors made in the sphere of human resources often make themselves felt much later when they can no longer be rectified. And once they have accumulated, they can reduce all efforts to naught. Even with the most magnificent laws and organizational structure, people nevertheless will live and act according to habit. There is only one way to eliminate this danger: an appropriate personnel policy should be part and parcel of the entire reform policy.

From the legal point of view, personnel policy is the sum total of purposeful and regulatory precepts which set forth the amount, direction, and methods of personnel development.

In application to the President's personnel policy, this means setting forth the following main standpoints:

- what is meant by the President's cadre, including:
  - the concept of the "President's cadre";
  - the makeup of the President's cadre, with an indication of how the structural components (categories) of the President's cadre differ from each other;
- what is the personnel situation like at this time, what factors determine its state, and so on;
- what is the goal of working with the President's cadre in terms of the stages for implementing the President's overall policy;
- what are the main features and conditions for working with the President's cadre, taking into account the circumstances, goals, and other factors.

Under the conditions of a democratic rather than totalitarian state, the President cannot have all categories of employees in his field of vision, and particularly in his sphere of influence. The emergence and consolidation of entities that are independent of the State or of the federal center remove their employees from the category of the President's cadre. In order to prevent the restoration of totalitarian forms (in the fall of 1991 this was a very real danger), on the one hand,
and prevent the squandering of efforts and funds, on the other, the composition and structure of those categories of employees who could and should be the subject of the President's personnel policy had to be precisely defined. Five categories were conditionally singled out.

The first category – the President's political nomenklatura – is the most specific category of personnel, since not only professional, but also primarily political demands are made of its representatives. The situation with this category of personnel can be characterized as follows:

- the number of real supporters of the policy aimed at creating a democratic state with a socially oriented market economy (we will call it the President's political line) was not very large (10-15 percent of the total number of this category), and at best only one third of these were more or less professionally competent to carry out the required work, even though they lacked adequate experience. All the rest did not have the competence for work at this level of public administration;

- the number of those who paid lip service to the President's political line was three-fold higher, but no more than one third of them had a more or less satisfactory level of professional competence;

- the number of political pragmatists constituted about one quarter of the total number of this category, with roughly one third of them having the necessary level of professional competence, and the rest, a satisfactory level;

- latent political opponents of the President's line also constituted about one quarter of this category's total number, however, among them one third had acceptable professional competence, one third, satisfactory, and one third, unsatisfactory.

As for the second category – the President's administrative nomenklatura – the political demands made of it were not as high. The employees of this category were only required to show loyalty to the President's line (and not actively support it, as in the first instance). Being largely loyal (the number of disloyal can be estimated at one quarter-one third of the total number of this category), most of these employees had experience in administrative work, but their knowledge of the special features of this work under the new conditions left much to be desired. The main features of this category were the low level of initiative and innovation, as well as significant corruption (which presents a serious danger both in substance and in the political respect).

The third category consists of civil servants. The political demands made of its representatives (as, incidentally, of all the other categories) boil down to one thing: they should only carry out their professional functions, and be in no way influenced by political views, biases, etc. while doing so.
The professional evaluation of this category was as follows: approximately one quarter to one third of the total number of employees in this category did not possess the required administrative, legal, and economic knowledge and skills. At the same time, the situation could be considered satisfactory with respect to the special training of these employees (for work in a specific field of civil service – education, health, law enforcement, and so on).

The fourth category – skilled workers, engineers and technicians, and national economy employees – did not arouse any particular concern at that time, as active economic reform has yet to get underway.

Finally, the fifth category formed the main body of market economy supporters. Here the situation was particularly difficult. First, there was a dire shortage of lawyers, economists, and managers. Second, the specialists there were did not possess enough knowledge and skills required for market conditions. Third, the available management personnel, while being fairly able administrators and professionals, did not have any ideas of and approaches to business organization under market-economy conditions (according to some data, such managers made up more than 99 percent of the total).

To be sure, this was a very rough description of the personnel situation presented on the basis of the example of political leaders and employees of several federal departments in charge of key branches of the economy. An important factor determining this situation was the utterly underdeveloped infrastructure of personnel development. It did not exist at all for the first two categories, since no work of this kind was previously conducted in this sphere. The other categories had certain although entirely insufficient opportunities to raise their professional skills, but other aspects of personnel development were not supported in this sense at all. For example, there were no evaluation centers, the consultation network was very underdeveloped, scientific and methodological support was almost nonexistent, and so on. There was an extreme shortage of specialists on various aspects of personnel development (for example, such a widely known field of specialization in the West as "personnel management" did not exist at all in Russia).

No less important was a second determining factor of the personnel situation – the traditionally virulent disdain toward personnel development efforts, which was also expressed in the low organizational status of personnel services, in the non-recognition of personnel development as a special professional field, in the residual principle used for allotting financial and logistical support to it, and much more.

Finally, the third serious shortcoming in the personnel situation was the absence of any coordination in addressing personnel development problems at the various levels of public administration, both at the same level (between sectors, regions, and so on) and between different areas of personnel work.
(search, selection, evaluation, training, and so on). At the same time, the semblance of such coordination existed in individual areas of personnel development, for example, in the spheres of higher and postgraduate education. But with the absence of both an integrated personnel policy and the organizational units to support it, this kind of outward coordination was in reality a pure formality.

1.3. Intended Goals of the President's Personnel Policy in the Sphere of Civil Service Reform

Taking into account the personnel situation that developed and the designated approaches to economic and political reform, the most important goals of the President's personnel policy in the short term, until the end of the stabilization period (fall – winter 1992), were to be the following:

1. the category of the "President's political nomenklatura" should be influenced:
   - to include only (or at least mainly) true political supporters of the President and pragmatists, desirably in equal proportions;
   - to assure that the professional level of all its members was satisfactory;

2. the category of the "President's administrative nomenklatura" should be influenced to assure that the professional level of its members, with respect to knowledge of the special features of working under market-economy conditions, was more or less satisfactory. At this stage, the problem of loyalty of this category of employees should not be raised.

This was all that could be achieved at this stage. The main burden of providing personnel support for the reforms was put off until the next stage (the end of 1994). During this time, it was necessary to achieve the following goals (in order of priority):

- raising the professional level of the President's political and administrative nomenklatura to an acceptable level;
- raising the national-economy top managers' ideas and approaches to business organization to a level conforming to the market-economy realities;
- raising the knowledge and skills of financial, commercial, and legal specialists working in the national economy to a more or less satisfactory level;
- raising the administrative, legal, and economic knowledge of those civil servants for whom this knowledge forms the basis of their professional activity to a more or less satisfactory level.
All the other potential tasks were beyond the framework of these two stages. However, if economic reform were rapid and successful, and correspondingly, extensive restructuring of the economy began in late 1993 or early 1994, another goal would have had to be formulated, namely, ensuring that the core labor force of the national economy (highly skilled blue- and white-collar workers, and engineers and technicians) adapt to the new production and technological conditions.

It was proposed to observe certain rules in dealing with the "President's political nomenklatura."

In the field of recruiting (i.e. replenishment from the outside), measures should be taken to provide for the new members of this category being (in terms of their political convictions) either true supporters of the President or pragmatists.

However, in following this rule, preference in recruiting was to be given to those employees whose professional level was higher.

As for the placement and promotion of personnel, the decisions made had first to be based on a combination of special professional evaluations provided by corresponding personnel services and general political evaluations carried out by the President and his political entourage. Moreover, it was highly desirable for those being evaluated to participate directly in the evaluation process. Second, decisions on the job placement of these employees were to be made on the basis of mutual compatibility of the employee and the job: when the matter concerned an employee who was a real supporter of the President's line, he/she was basically to be given a job in keeping with his/her abilities, and in the case of a pragmatist employee, vice versa.

Personnel training was to be individualized as much as possible in terms of form and take into account the learning skills, habits, and inclinations already developed; in terms of content, it was to combine the principles of both individualization and unification. The latter was necessary in learning the general laws governing the market economy and the principles of its government regulation, as well as in assimilating overall policy aimed at building a new state. However, where the matter concerned the methods for implementing the President's policy in a particular work area, training was to be organized on an individual basis.

As for personal emoluments, measures were be taken to, first of all, streamline and legalize all in-kind benefits (transportation, medical, insurance, housing and so on); second, deferred payments (for example, pensions) and forms of financial support in the event of dismissal also were to be streamlined, legalized, and underpinned by corresponding guarantees. At the same time, the salary system was not to cause unnecessary rivalry among personnel or provide opportunities for manipulating employees; rather, it was to ensure them stability and confidence in the future.
Somewhat different rules were to be observed in dealing with the "President's administrative nomenklatura."

With respect to recruiting, it was necessary to set sights on those who had special training and work experience primarily in research, teaching, consultation, and information analysis, and, at the initial stage, to try and avoid the numerical prevalence of those who had long experience of working in the Soviet government agencies, Communist Party, Young Communist League, trade unions, and similar organizations. At the same time, people from industrial and commercial companies, particularly in the private sector, were to be approached with extreme caution.

As for personnel placement and promotion, special professional evaluations made by independent outside institutions were to be primarily relied on as the basis for decision-making. Inside evaluations, on the other hand, were to be used only as a supplement to outside assessments; moreover, in such cases, those being evaluated should be actively involved in the inside evaluation process.

As for personnel training, employees should have a clear idea of the methods and forms of government regulation under market-economy conditions (based on an integrated set of corresponding study courses), and also have a good command of administrative techniques. It was desirable that ascertaining the level of their knowledge and skills be based on unified procedures. As for specialized training, conditions were to be created for the self-training of these employees, without the use of check or control methods.

As for personal emoluments, measures were to be taken to, first of all, minimize all in-kind benefits, transferring them (as privatization processes developed) to monetary forms; second, a transparent remuneration system was to be established and legalized, which (taking into account in-kind benefits, deferred payments, guarantees, etc.) would ensure sufficient competitiveness of civil service compared with commercial companies; and, third, salary differentiation criteria were be established depending on how efficiently an employee worked.

When working with civil service personnel, the main areas of the President's personnel policy were to be as follows:

(1) in the field of personnel recruiting – creating a system of entrance tests (exams, quizzes, and so on) to check the professional and moral-psychological suitability of candidates. This system should be based primarily on government or private (working under government licenses) organizations that are independent of the agencies employing personnel. Moreover, this system should be totally immune to political influence;
(2) in the field of personnel placement and promotion – creating a legalized system of decision-making, based on clear criteria and formalized procedures for regular performance assessment, which are also supplemented by formalized procedures for determining one's fitness for a new job. Moreover, job should be described within the framework of a single approach (either for the entire executive power system, or for its individual sectors), and these descriptions should be made available to the employees;

(3) in the field of personnel training – creating a system of basic professional training of civil servants and a corresponding system of their retraining, skills improvement, and so on. Moreover, the functioning of such systems should be linked with the test and evaluation systems;

(4) in the field of personal emoluments – gradual extension of the approach proposed for the category of the President's administrative nomenklatura to this category.

As for the President's policy on the core labor force of the national economy, it were to be specified by the end of the stabilization period with its results taken into account.

As for the core market economy employees, it was deemed feasible to launch their large-scale retraining during the stabilization period at existing public educational establishments (institutes of higher learning, advanced training, etc.) as to gradually put them on a competitive business basis and thereby withdraw them from government control. All the other aspects of this work were to be carried out by enterprises on their own.

Given the extreme underdevelopment of the personnel infrastructure, as well as the general disdainful attitude toward personnel development and “kowtowing to the central authorities,” creating and developing a system capable of implementing the personnel policy proposed (or any other) was to be organized as follows.

To begin with, a logistical support system had to be created, that is, an aggregate of agencies and institutions capable of carrying out individual aspects of personnel development. The overall logic was as follows.

In the initial phase, agencies and institutions are to be created (or existing ones reorganized) to provide for the President's immediate personnel requirements. As these agencies and institutions become methodologically established and acquire personnel, departmental agencies and institutions are to be reorganized (or new ones created) to address challenges in the sphere of personnel development at the federal level. At the same time, similar activity is to be stimulated at the level of the Federation constituent entities. And as the latter get firmly established, corresponding agencies
and institutions are to be created at the level of the federal agencies' regional offices and then at the municipal level.

The regulatory and legal framework for these agencies is created in accordance with the same pattern, the only difference being that the necessary regulations are first created in the form of regulatory instructions by the executive branch, and as experience is gained in applying them, they are enacted into laws (or other directives from the legislative branch).

In the sphere of methodological support, attention was to be focused on interrelated problems – developing methods for public administration job description and methods for evaluating an employee's suitability to a particular job (both preliminary and based on performance results). And only as stable results emerge can they be used (taken into account, taken as a basis, and so on) in other spheres of personnel development (training, emoluments, and so on).

A package of priority measures included the following ([1.3], letter by Kh. Bekov, V. Zargarov, and V. Koreshkov of 1 August 1991 to Gennady Burbulis on Creating a New Personnel Development System in the RSFSR, cf. Appendix):

1. Organizing the presidential personnel service made up of:
   - the Russian Personnel Agency under the RSFSR State Council, in charge of providing methodological and technical support for formulating the President's personnel policy and its ongoing monitoring;
   - the Administrative Personnel Department within the Staff of the RSFSR President, in charge, on the one hand, of providing organizational support for the activity of employees of the President's executive office and those of federal departments, and on the other, for carrying out practical work with the President's political and administrative nomenklatura and directing such work in the federal departments;
   - the Regional Personnel Policy Service, within the Audit Department of the RSFSR President, in charge of providing for the Administrative Personnel Department's requirements for information on the regional personnel situation and of monitoring the implementation of the President's personnel policy in the regions.

2. Issuing before the end of 1991 an interim (effective for about three years) Statute of RSFSR Civil Service and a Table of Federal Civil Service Ranks, which will set forth the procedures for employment, remuneration, promotion, etc., of civil servants.

3. Organizing before the end of 1991 a federal center for civil servant evaluation, in charge of providing for the current requirements of the federal government agencies (such a center
actually functioned for a short time in September-November 1991 when the RSFSR President was appointing the administration heads of the Federation constituent entities and the RSFSR presidential envoys in these entities. Several of the future employees of the Roskadri worked at this center).

4. Urgently organizing training of top-ranking officials of the presidential executive office and that of the RSFSR Council of Ministers in the basics of public administration under market economy conditions (corresponding proposals were drawn up).

5. Drawing up a package of priority federal personnel programs.

6. Developing the Russian Academy of Management and establishing (on the facilities of the former higher party schools) a regional network of higher educational establishments for the basic training of public officials and municipal employees, as well as for their retraining and advanced training.
Chapter 2. Organizational Work to Create the Roskadri and a Network of its Educational Establishments

2.1. The Situation on the Eve of August 1991

The core of the team of would-be organizers of Russia's civil service reform was made up of the staff of the All-Union Institute for the Advanced Training of Executives and Specialists of the USSR Ministry of Power Engineering (AUIAT, or, to use the Russian acronym, VIPKenergo). (The VIPKenergo was a national institution, which employed Kh. Bekov, I. Korsuntsev, V. Zargarov, and K. Skobeyev, all future organizers of the first attempt at reforming Russia's civil service. In the 1980s, they were active in bringing innovations to the area of personnel policies and continued adult education and training in the USSR power engineering industry, where the VIPKenergo was the only educational establishment of this kind possessing a broad network of affiliates. Moreover, in the 1990-1991 period the team turned repeatedly to the national leadership with their ideas about improving personnel development efforts in an attempt to go beyond the purely industrial framework. In 1991, against the background of a sweeping invigoration of the political initiative, Kh. Bekov participated in the efforts to modernize the Communist Party of the Soviet Union (CPSU), something that pushed him forward as one of the organizers of a new political party, which will be discussed somewhat later. All this helped the VIPKenergo specialists develop new views on how to reform the public administration system, in particular the civil service and the personnel policy in Russia, which at that time was still part of the USSR).

Judging by the media reports of the late 1980s, the apparatchiks of the CPSU regional and city committees often used to hamper the perestroika process, putting a damper on the initiative of overzealous reformers on the grassroots level.

Considering the role, which the CPSU had to play in the national economic management and in the drive to overhaul public life, it was clear to many that perestroika might have succeeded had Mikhail Gorbachev really had the support of the CPSU's local governing bodies (as had been the case in China under Deng Xiaoping). But it would have hardly been implemented in the contemporary specific conditions of the USSR. The then average level of competence of a considerable portion of Party leaders and apparatchiks was as low as to easily warrant the conclusion that it would have been suicidal for them.

Besides, there are grounds for believing that in the late 1980s, definite part of the USSR government and communist elite did not wish to radically change their ways for reasons other than
incompetence and short-sightedness alone. Quite the contrary, they had none of those shortcomings and were cynically guided by the prospect of taking part in the division of the nation's wealth. Moreover, they were ready for that long before the collapse of the USSR.

This means that a greater part of the elite was incapable of holding the country together or securing its evolutionary overhaul, while another part was looking forward to its collapse for selfish economic and political gain. That is why August 1991 was fatally inevitable.

Today there is more information about what was going on within Mikhail Gorbachev's entourage. Considering his own admission about the unlimited powers the CPSU General Secretary enjoyed, powers incomparably greater than those wielded today by the RF President, one may assume that Gorbachev was quite capable, in the late 1980s, of organizing (or engineering) the Party's split into two or three parts, thus stripping the die-hard Party apparatchiks of their power base and setting the country on the path of liberal reforms. It was the optimal way of further development of the national political system. Possibly Gorbachev was inclined to accept that option, but he missed the train.

Possibly too he doubted his own ability to hold things in hand in a multiparty environment. Two other possible options are also known: an uncontrolled disintegration of the country that really occurred in 1991 and the danger of which Gorbachev had certainly foreseen but had been unable to forestall; and the "Chinese way" of development under harsh control of the Communist Party. The fate willed that the USSR embark on the worst option. As it seems, the delay in overhauling the CPSU was Gorbachev's biggest mistake that had the decisive impact on the nature of post-Soviet development of the former USSR republics.

Alexander Rutskoi, member of the Central Committee of the Russian Communist Party (RCP), made a brilliant address to the Third Extraordinary Congress of the RSFSR People's Deputies, announcing his withdrawal from the Communists of Russia faction and creation of a new one, the Communists for Democracy. His address had a very strong effect. A split in the Communist vote saved Boris Yeltsin from dismissal. Incidentally, the address was likely the reason why Yeltsin chose Rutskoi as his running mate in the presidential election scheduled for June 12, 1991.

A bunch of soul mates present at the Congress on that day, one of who was Kh. Bekov, conceived the idea of inviting Rutskoi to head a social democratic party, which they intended to create by bringing together the liberally minded CPSU members. V. Lipitsky, one of the ideologists of the future party, and deputies V. Ikonnikov and I. Vinogradov convinced Rutskoi, whose popularity could be an asset in attracting prospective members, to head the process of creation of the new party. Soon after that they obtained the consent of First Secretary of Moskvoretsky CPSU District Committee (Moscow) Yu. Borisov to participate in the organizing committee working to set up the new party.
They established a constituent organizing committee for the Democratic Party of Communists of Russia (DPCR), its head offices located in three different places: the White House, or the building of the RSFSR Supreme Soviet, where it had the use of one room, the Moskvoretsky District Committee of the CPSU, and the VIPKenergo.

By arrangement with the organizing committee, several central newspapers published application forms for DPCR membership. Before August 2, 1991, the day of the constituent conference, the committee had received by mail several thousand filled applications. The majority of the RSFSR regions sent down their delegates in numbers sufficient for securing the legitimacy of conference decisions. Present as guests were G. Arbatov, G. Popov, S. Shatalin, E. Shevardnadze, and A. Yakovlev. A strong impression was produced by a brilliant speech made by A. Yakovlev. The conference was a success. The participants elected a DPCR Organizing Committee under Rutskoi to have the party registered and to prepare its first convention. The Organizing Committee's think tank comprised V. Lipitsky, G. Vodolazov, P. Fedosov, B. Kapustin, and I. Pantin. In the Organizing Committee, Kh. Bekov was in charge of organizational work. The conference Secretariat was mostly manned by VIPKenergo staff, who also helped to quickly process the conference materials, with the effect that two or three days later the requisite documents were submitted to the USSR Ministry of Justice for DPCR registration. (In 1992, it was renamed the People's Party of Free Russia, PPFR.) Incidentally, it has been the only political party whose policy documents declare support for civil service reform.

Later it transpired that Rutskoi and possibly N. Stolyarov had cleared the matters related to the creation of the DPCR with Gorbachev. Whether they obtained his consent is still an open question. On August 5, 1991, Gorbachev left for his Crimea holiday and the next day, August 6, Pravda published a statement by the CPSU Central Committee Secretariat expelling Rutskoi and Lipitsky from the CPSU for their anti-party activities.

Rutskoi's reaction was quick but regrettably not very effective. He gave a lame press conference, whereas it should have been given on behalf of the entire leadership of the new party. That meant losing the chance to use the event as a good information occasion for the new party's publicity and for a more efficient political defense of Rutskoi himself. Then it was decided to organize another loud PR stunt, an exodus from the CPSU. Kh. Bekov and RSFSR Supreme Soviet deputy V. Ikonnikov, who worked for the Executive Committee of the Democratic Reform Movement (DRM), started, as early as spring 1991, sounding out the attitude to this idea of the DRM leadership, which included Arkady Volsky, Eduard Shevardnadze, and Alexander Rutskoi. A joint political move by the DPCR and the DRM might prove sufficiently effective. As these activities were in full swing, August 19, 1991 came.
Early in the morning the majority of the Organizing Committee members were in the DPCR White House headquarters, with Rutskoi attending a meeting with the RF President in the same building. The Committee decided to hide the documents containing the lists of new party members, and made a list of DPCR activists, who could be relied on in the new situation and started calling them in Moscow and other cities of Russia. It was also decided to regularly amass local-level information in the White House, generalize it, and disseminate again with a view to feeding it to local newspapers and local radio stations. During the next two days Bekov phoned from the White House his friends in two or three Moscow apartments, whence the information went to other cities and DPCR local outfits.

There was a rally in front of the White House the next day, August 20, the participants sticking around in the square and a little park adjoining the building till the evening and throughout the night. Several DPCR Organizing Committee members, who were among the crowd, drew up a resolution on the DPCR's withdrawal from the CPSU. By noon the text of their statement had been on the air with the help of a Radio Liberty correspondent.

The night of August 20 was a very tense one, with reports about possible attacks on the White House coming in every two hours. The most difficult moment was minutes past two in the morning, but tensions began to subside around six, when it became clear that no attack was in the offing.

It became obvious in the early hours of August 21 that the CPSU was no more. A few days later, people grew certain of the imminent disintegration of the Soviet Union.

2.2. Organizational Work in August-December 1991

The abolition of Article 6 of the USSR Constitution on the leading role of the CPSU not only weakened the decades-old ties that used to cement the union statehood but also put paid to certain government functions that had been performed by the Party alone. Specifically, the fields of personnel policy and civil service were left "in abeyance."

In 1990-1991, all politically active forces in the country (USSR) structured their actions with regard to a dramatically grown prestige of the Russian Federation. Yet the system of legislative and executive authority in the RSFSR was clearly at odds with its new role, because before 1991 these government agencies were less developed in Russia in comparison with their counterparts in the other USSR republics.

Few people could foresee in the fall of 1991 how Russia's top legislative and executive agencies would develop, particularly what sort of difficult relationship would shape up between them in 1992-1993.
The dramatic events of August 1991 precipitated decisions on radical social and economic reforms in Russia. The organizational work to prepare a reform program and select personnel for the social and economic bloc of the RSFSR Government was headed by Gennady Burbulis, a close associate of Boris Yeltsin's, who played the decisive role in supporting the civil service reform (the activist group members met with him when he was still Vice-President of the Institute for Advanced Training of (Non-Ferrous Industry Personnel in the city of Sverdlovsk).

It was in those days that the activist group members learned about the proposals concerning the makeup of a new RSFSR Government being prepared by Gennady Burbulis' staff.

These envisaged an overhaul of the Government in connection with the start of economic reforms in Russia. But, as the information received indicated, the reform would have nothing to do with civil service or personnel development, even though the USSR Government had created, as early as spring 1991, an organization for executive personnel training under A. Volgin (true enough, it never took off the ground). Having been active, since as early as spring 1990, in bombarding the RSFSR leadership with proposals about the creation of a Russian civil service personnel agency, the activists, parallel to their political work, closely followed the developments in that area over the past year. The last time the activist group members (Kh. Bekov, V. Zargarov, and K. Skobeyev) submitted several new memos on this subject for the RSFSR leadership was in May and June of 1991.

On the whole, the situation was characterized by the fact that different administrative agencies and units (those controlled by the President, Government, RSFSR Supreme Soviet, ministries and agencies, regional administration, etc.) that had some or other relation to civil service operated on their own, without regular coordination with each other. Allocation of responsibility for separate civil service matters was haphazard; there was certain rivalry for spheres of influence, while many issues (if not the majority of them) remained totally unattended. The activist group suggested creating a Russian Personnel Agency (or a Government Agency for Personnel Programs), an administrative personnel department, and a regional personnel policy service as elements of the staff of the RSFSR President. However, they failed to get anything like firm support because in the period prior to June 12, 1991, when Boris Yeltsin was elected President, he, naturally enough, had a lot of other problems on his hands. So, the matters connected with institutional development initiatives, in view of the pause that followed in June and August, had to be put aside, with Kh. Bekov switching over to party development problems.

Nonetheless, upon receiving word about Government reform, the group members promptly drafted (as early as August 25, 1991) a decree of the RSFSR President creating a personnel agency, which was submitted to Gennady Burbulis' office. V. Ikonnikov and V. Makharadze, chairman of the
regional Soviet of the People's Deputies of Volgograd Region, who in those days never left Moscow and whose views Burbulis respected, okayed the draft, while Burbulis' Secretariat and aides (S. Polyakov, V. Koreshkov, and A. Krichevsky) helped finalize the document, report the matter to the boss, and organize a meeting with him.

Organizing the meeting proved an extremely difficult affair. Immediately after the August attempted coup, Burbulis' staff were in a state of feverish activity actually around the clock. The group members often had to stay late in the reception room to meet with acting and would-be heads of ministries and departments to coordinate the text of the draft presidential decree and to get it initialed. Attempts to call a special meeting with Burbulis to discuss the draft Decree failed, because he was engaged in a marathon discussion of the program of the new RSFSR Government (somewhat imprecisely dubbed the Gaidar Government, for it was Burbulis who had invited Yegor Gaidar and other obscure economists to the Government, not the other way round), its structure, composition, and candidates for ministers and department heads. Active in this work was A. Golovkov – Burbulis' MDG mate (the reference is to the Interregional Deputy Group that emerged within the USSR Congress of People's Deputies).

Early September 1991 saw an extraordinary congress of the USSR Supreme Soviet, or, as it was called by the press, "a coup by the presidents of the constituent republics," which became a prelude to the "Byelovezhskaya Pushcha accords." Naturally enough, Russia's entire leadership was attending the congress and the draft Decree on a personnel agency made no headway in those days.

In early September 1991, it proved possible to convince M. Malei and N. Malyshev, ministers of the Silayev Government, to visa the draft. By late September, the original team of activists was joined by two young doctors of science, V. Yuzhakov and V. Loskutov, of the Sverdlovsk and Saratov regional Higher Party Schools (which by that time had been renamed Social and Political Institutes). That speeded up the matter, because they were personally acquainted with Burbulis, some of his aides, and other individuals from his entourage. (At the start, the VIPKenergo men were by and large strangers for the Burbulis inner circle and had a reputation for fussing about with an abstract idea of some hard-to-understand personnel agency, which by force of inertia was perceived by the majority of Russia's new young politicians as a CPSU ideological outfit.) The process picked up speed, so much that Gennady Burbulis soon held a meeting specifically devoted to a discussion of the draft Decree and plans for its implementation.

The work to form the RF Government was over in September 1991. The President himself intended to be its head. Burbulis was due to become First Vice-Premier and Gaidar Vice-Premier for Economics. A. Golovkov was to be made the chief of the RSFSR Government staff.
In early October, Kh. Bekov had a meeting with Yu. Petrov, who by that time had been officially appointed as Chief of Staff of the RSFSR President. Though he earlier had okayed the creation of the Agency, he was now of a more radical view, favoring the establishment of a Civil Service Ministry subordinated to the RSFSR President. Creating it would have been correct in substance, because a number of foreign countries did have such a ministry. But no one aside from Petrov and Burbulis backed the idea, and that was not enough. Even today, ten years later, the national leadership is divided in how it sees the civil service problem, whereas in 1991 it took Burbulis, the de-facto premier of the RSFSR Government (in September-October), much effort to convince Gaidar and his young colleagues that for starters it was necessary to create at least a small agency to be put in charge of the civil service, because it did not mean restoring what the radical democrats believed to be one of the "CPSU Central Committee" outfits.

A meeting was arranged in mid-October between Burbulis and Sergei Shakhrai, who at that time was Yeltsin's legal expert. Shakhrai promised to support the approval of the Decree.

During the Congress of RSFSR People's Deputies in the Kremlin in late October, some activist group members (Bekov and Zargarov) brought Burbulis and Petrov together in St. George's Hall. After a brief discussion the two promised to have the Decree signed by Yeltsin that same evening, provided the group managed to prepare a concise memo substantiating the matter for the RF President. The memo was drawn up in time.

However, the Decree failed to be signed within the indicated timeframe, because Petrov suddenly suggested that the document be split into two parts, with the future of the regional Higher Party Schools to be decided by a separate Decree, which would possibly withdraw them from the personnel Agency's jurisdiction. Luckily, Burbulis rejected this solution as tending to wreck the original idea and to put off its implementation indefinitely.

The group invited V. Makharadze, a newly appointed Vice-Premier of the RSFSR Government, to rejoin the discussion, the latter suggesting that the new Personnel Agency be made part of the governmental social unit he was in charge of. However, the architects of the idea held that the Agency's status, given the radical reforms in the country, should not be lower than that of the erstwhile entities of the CPSU Central Committee, which meant that it should be within the cluster of agencies supervised by the President himself. Since the President headed the Government, they were not against the Agency being temporarily an element of the Government, rather than that of the Presidential Staff, which at that time was not as influential as it is today. Besides, Petrov, as it seemed at the moment, was conservatively minded and likely to man the Agency with Communist group members. The initiators had already experienced strong pressure from these people, who were attempting to lead astray or gain control over the regional Higher Party Schools. Specifically,
A. Chernenko, the son of former CPSU General Secretary Konstantin Chernenko, sought to remain at the head of the Novosibirsk Higher Party School, found supporters in the person of Petrov's several aides, who pressed Bekov to agree to the approval of his candidacy. The latter refused, although formally he was not yet the Agency head and ran a strong risk of not being appointed at all. (Were it not for these circumstances, the Personnel Agency could have been incorporated in the staff of the RF President. Then it would have been unnecessary to create within the Presidential Staff, in 1993, the Federal Civil Service Department, which only partially duplicated the Roskadri as it had been originally conceived.)

In late October and early November of 1991, Gennady Burbulis, officially appointed First Deputy Chairman of the RSFSR Government, supervised finalization of the new Government composition and the governmental program. In the meantime, tensions surged, on November 6 and 7, 1991, in the Chechen-Ingush Autonomous Republic, which after the August coup came under Dzhokhar Dudaev. Ruslan Khasbulatov and Alexander Rutskoi drew up a Decree of the RF President imposing the state of emergency in that republic. But their plan came to nothing, because the federal command had failed to mobilize the necessary reserves. The national leadership had to beat a retreat. It mostly fell to Burbulis to deal with the situation, for which reason the Personnel Agency matters were put off again for several weeks.

After the State of Emergency Decree was repealed and Burbulis went back to normal work, the activist group resumed bombarding of his staff with requests, urging acceleration of the matter. Since the President himself headed the Government, his office decided to replace the Presidential Decree by a Government Resolution. The group members again had to obtain endorsements for the new draft Resolution of the RSFSR Government on the creation of a Personnel Agency from Yegor Gaidar and Alexander Shokhin, which was a very difficult job in view of their extremely packed work schedules. And again the group got major assistance from Burbulis' aides S. Polyakov, A. Krichevsky, and V. Koreshkov.

November 5, 1991 saw the signing of the RSFSR Presidential Directive on the Russian Academy of Management and the Educational and Research Establishments of the CPSU Central Committee and the Central Committee of the Communist Party of the RSFSR ([1.15], Directive of the RSFSR President No. 73-rp of 5 November 1991 on Educational and Research Establishments of the CC CPSU Central Committee, the CC of the Communist Party of the RSFSR, District and Regional Committees of the CPSU, cf. Appendix 4), all of which came under the jurisdiction of the RSFSR Government. November 6, 1991 saw the signing of the Decree of the RSFSR President banning the activities of the CPSU and the Communist Party of the RSFSR ([1.4], Decree of the RSFSR President No. 90 of August 1991 on the Property of the CPSU and the Communist Party of the
RSFSR, cf. Appendix). These decisions legally protected the Higher Party Schools’ property from pilfering.

In the process of coordination, the original name of the Personnel Agency was changed to the Department of the RSFSR Civil Service.

Finally, on 23 November 1991, Resolution of the RSFSR Government No. 16 on the Formation of the RSFSR Civil Service Department was signed ([1.6], Resolution of the RSFSR Government No. 16 of 23 November 1991 on the Formation of the RSFSR Civil Service Department, cf. Appendix). That day may be regarded as the formal birthday of the Roskadri, because from the bureaucratic angle, it is the date on which the financing starts – in this case 1 December 1991 – that ought to be taken for the actual birthday. The date was set in retrospect by Government Order No. 163-r of 17 December 1991 ([1.16], Order of the RSFSR Government No. 163-r of 17 December 1991 on Financial and Logistical Support for the Activities of the Personnel Centers and Educational Establishments of the Main Department for Civil Service Personnel Training under the RSFSR Government, cf. Appendix).

True enough, at someone's suggestion a week later the Department's name was changed again, this time to the Main Department for Civil Service Personnel Training under the RSFSR Government, and it was placed under Gennady Burbulis. That happened when Boris Yeltsin, fresh from holiday, chaired a governmental meeting to streamline the structure of the Government and its ministries and departments. On 16 December 1991, the RSFSR Government passed a resolution reorganizing the less than one-month-old RF Civil Service Department into the Main Department for Civil Service Personnel Training under the RF Government. That was done on the basis of the Presidential Decree of 28 November 1991 ([1.11], Decree of the RSFSR President No. 242 of 28 November 1991 on Reorganizing Central Government Agencies of the RSFSR.)

The difficult and painstaking organizational work began right on November 23, 1991, when the RSFSR Government Resolution establishing the RF Civil Service Department was signed. The activist group members had nothing aside from this Resolution, whereas what they needed was budget allocations, personnel, and premises.

After a brief brainstorming session they came up with a fine sounding and easily remembered name for the new Department, Roskadri. "Personnel centers," the name which replaced that of the higher party schools, or "social and political institutes" as they were called for a while in 1991, appeared somewhat earlier. Next the group members drew up a draft Statute of the Roskadri and on its basis prepared the structure and staff list of the new agency. Clearing the Statute with other agencies proved rather difficult, because it was necessary to overcome resistance put up by several important organizations. This will be discussed below. T. Ivanova drafted the Roskadri budget and defended it
before the Finance Ministry. K. Skobeyev, T. Bazarov, V. Yuzhakov, V. Loskutov, V. Maltsev, E. Boiko, V. Ignatov, M. Sukisyan, E. Teplov, I. Kuryanov, L. Boltiansky, T. Kholodkova, S. Shekoyan, and V. Mikheyev drew up statutes of the educational and research sections of the Roskadri, and the personnel centers, and principles of their relationships with the local authorities. G. Atamanchuk, N. Kazantsev and V. Koreshkov prepared the Statute of the Civil Service Regulatory and Legal Support Section, a survey of the previous work done in this sphere by specialists of the USSR Supreme Soviet and the RSFSR Supreme Soviet, and proposals on further development of the legislative framework of the civil service. All of them repeatedly came together to compare notes. They practiced brainstorming in order to find new ideas and work forms. They sized up and evaluated each other. That produced a good, creative atmosphere. They worked without days-off from nine in the morning till eleven at night. As a result, the team of activists grew in the course of a few weeks, coming to the point of "portfolio division." The process went off rather quickly and almost painlessly, unlike the two subsequent certifications held in 1992 and 1993 with the purpose of enhancing the Roskadri' efficiency.

The Roskadri’ temporary abode was the former premises of the International Department of the CPSU Central Committee at 8/5 Staraya ploshchad, Entrance 3. Simultaneously O. Dekhtyar and I. Korsuntsev were registering titles to premises originally assigned to the Roskadri at 9 Leninsky prospekt in the building of the former USSR State Committee for Standardization. The location was a fairly good one. Though the registration process got protracted, its positive outcome caused no doubt. Fairly soon, however, it became clear that the new agency should be within the reach of its patron, the Vice-Premier, and not far from the office of the RF Presidential Staff. This being so, every effort was concentrated on attempts to consolidate the hold on the Staraya Ploshchad promises. Approaches were made to all those in the RSFSR President's entourage, who had any influence on decision-making. The Roskadri enlisted the support of G. Starovoitova and A. Chubais and somewhat later that of Yu. Petrov. As a result, it managed to obtain a resolution in its favor from the staff of the RF President.

Besides, the narrowing of the Roskadri’ functions in comparison with those of the earlier created Civil Service Department, a mistake committed in 1991, when the Main Department was set up, meant postponing for some time what was the main thing in the context of efforts to shape an integrated system of civil service in the Russian Federation, to wit, the creation of an agency capable of coordinating the formation of an integrated civil service at the federal level. For that reason, work was launched at the grass-roots level with the creation of a system of regional personnel centers.
On 27 December 1991, Boris Yeltsin signed a decree appointing Kh. Bekov as head of the Roskadri ([1.5], Decree of the RSFSR President No. 326 of 27 December 1991 on the Head of the Main Department for Civil Service Personnel Training under the Government of the Russian Federation, cf. Appendix). Five days later Yu. Petrov signed a decision on housing the Roskadri at 8/5 Staraya Ploshchad, Entrance 3, which for a few years became a home not only for the Roskadri staff but also for dozens of managers, teachers and students of the personnel centers, educational establishments of the Ministry of Higher Education, and research institutes of other agencies, with which the Roskadri closely cooperated in creating a legal framework and a personnel training system for Russia's civil service.

2.3. Organizational Work in 1992

In mid-January 1992, the Government (RF Government Order No. 455-r of 9 March 1992) appointed the tested old-timers, K. Skobeyev and G. Atamanchuk, as deputy heads of the Roskadri. Section heads Y. Mazurov, I. Korsuntsev and T. Ivanova, who had joined the staff somewhat earlier, managed to find furniture, office equipment and stationery for the offices within a month. But their greatest achievement was obtaining funding for the Roskadri and personnel centers from the RSFSR budget, a particularly difficult thing in view of there being no such budget expenditure item previously. Despite the existence of RF Government Order No. 163-r of 17 December 1991, they had to make the round of many an office at the office of the RSFSR Government and the RSFSR Finance Ministry before they managed to get the amount of financing and the date of practical allocation of funds approved. The matter was complicated by the fact that the expenditures were pegged to the Roskadri personnel numbers and the number of students trained by the personnel centers. The personnel numbers depended on the Roskadri functions and some other factors, which were known only theoretically, for there had been no such organization in the USSR. The number of students at the personnel centers was minimal after the 1991 cuts in the student body of the former higher party schools and was to grow for another four or five years to reach its maximum. Naturally enough, it was wrong to peg the Roskadri expenses to that figure. Besides, expenses of the personnel centers depended not only on the number of students, particularly so in the starting period, but also on some other factors.

Regrettably, the Department's renaming as the Main Department proved to be more than a mere change of name or status. Its functions had to be matched with its new name as well. A portion of the originally conceived functions that clashed with the new name had to be dropped at the stage of approval of the new agency's Statute.
Securing approval for the Statute of the Roskadri, which also was to be endorsed by a RSFSR Government resolution, ran into opposition from V. Shorin, chairman of the RSFSR Supreme Soviet's science and education committee, Higher Education Minister V. Kinelev, and President of the Russian Academy of Management R. Tikhonov, all of whom insisted that the Main Department’s functions should not include rule-making, scientific and organizational work aimed at securing the implementation of federal personnel policy. However, they did not propose to delegate these functions to some other agency. It was an example of the parochial, mandarin approach to the matter in hand, while what was required was a statesmanlike, nonstandard approach, given the unique nature of the civil service situation in Russia.

To speed up the coordination procedure, the Roskadri had to sacrifice, after a persistent fight with its opponents, a number of functions, which had been originally built in into the Statute of the Roskadri. It also had to fight a last-ditch battle defending certain functions connected with the organized provision of regulatory, legal, scientific, and methodological support for the civil service.

In view of deviations from the originally planned Roskadri objectives, a meeting was organized in February 1992 between Gennady Burbulis and the Roskadri staff, which reached its aim. Burbulis promised to help the Roskadri and not to allow any further narrowing of its functions ([1.20], the Roskadri Structure in 1993, cf. Appendix).

The establishment and development of the Roskadri’ educational establishments was attended with serious difficulties.

The concept of the system was as follows: each of the eight major regions (comprising eight to 14 constituent entities of the Federation) should have one personnel center – a specialized organization created on the basis of a former higher party school – which would be able to render federal and local government agencies the entire range of services required for laying the foundations of a modern civil service, while operating with regard to the local specifics but within a unified methodology. The centers’ functions were to include the training, retraining and advanced training of civil service personnel; handling the most difficult types of government and local self-government agencies personnel appraisal, as well as identifying promising executives for government and local self-government agencies; rendering research and methodological support and advice to government and local self-government agencies on how to improve their performance, organize civil service, and work with personnel. (Many criticized the Roskadri for giving the personnel centers some functions inconsistent with the educational establishments. But these functions are really in high demand today as is demonstrated by the creation of the institution of the plenipotentiary representatives of the RF President in the federal districts, whose emergence the group very nearly divined.)
The Roskadri leaders have practically succeeded in carrying out this plan during the three remaining months of 1991. At the initial stage of creating this system they appointed new, mostly young and democratically-minded heads of the personnel centers who were helpful in phasing out the former higher educational establishments of the CPSU Central Committee. This involved disbandment of the partisan student bodies and dismissal of the majority of professors and lecturers, who had previously taught the ideological disciplines (Marxism-Leninism, political economy, etc.). Incidentally, most educational establishments, which soon joined in the effort to train civil servants, did not, as far as we know, implement this kind of personnel policy.

Help in carrying out this effort was badly needed not only in Moscow but also in the provinces where the division of CPSU property, including that of the higher party schools, was not yet over. For this reason, it was necessary to counter the intentions of the administrations of the constituent entities of the Federation to lay their hands on the personnel centers or to pilfer their property. Hardly a day passed without a letter or a telephone call reporting such incidents.

In a number of regions (St. Petersburg, Saratov, Rostov-on-Don, Moscow, Nizhni Novgorod, Khabarovsk, and others), government-supported local authorities used the scores of different pretexts in order to divest all or part of the federal property assigned to the Roskadri’ educational establishments, which actually might have led to their liquidation.

The Roskadri chief, Kh. Bekov, had to leave for Rostov-on-Don in March 1992 to back up the Director of the North Caucasian Personnel Center, V. Ignatov, who was under fire from the presidents of the biggest Rostov universities. He held meetings with Governor V. Chub, his deputies V. Bedrik and M. Yemelyanov, and the university presidents. On the whole, he managed to convince them of the expediency of the personnel center and luckily there were no more problems. To be sure, the decisive role in implementing the accords was played by PC Director, V. Ignatov, a local heavyweight skillful diplomat.

Some acute problems cropped up in St. Petersburg, where PC director E. Teplov became excessively keen on politics and openly clashed with A. Sobchak, involving in the fight some personnel center staff and the Roskadri leadership. In consequence, after the publication of RSFSR Presidential Directive No. 784-rp of 9 December 1992 on the divestiture of the Taurida Palace from the North-Western Personnel Center and handing it over to the CIS Inter-Parliamentary Assembly, a move orchestrated by Ruslan Khasbulatov and Anatoly Sobchak, E. Teplov failed to obtain the timely allocation of similar educational premises. Had the Roskadri failed to back the active statesmanlike stance of the staff, who were against this decision, a formal implementation of the Directive might have led to the termination of the educational process at the Volga Area and the North-Western Personnel Centers. In 1993, the Roskadri had to replace E. Teplov by his deputy
V. Chubinsky-Nadezhdin, whose clever and diplomatic handling of the situation gradually helped to restore the educational establishment's fixed assets almost in their entirety. Currently the North-Western Civil Service Academy is an excellent educational establishment boasting a ramified network of branches, which enjoys deserved prestige in the region.

A new "front of struggle" opened in June. This time the chief antagonist was Yegor Gaidar, who had signed a government order lobbied by Vice-Premier Alexander Shokhin, on the taking of one of the buildings of the Volga Area Personnel Center. Its former director, V. Yuzhakov, currently State Duma deputy, may give the details of this battle, which lasted for more than five years and involved dozens of officials, including legislators, the Governor, and the RF Prime Minister.

Roughly at the same time, the State Committee for Higher Educational Establishments came up with the idea of liquidating the Far Eastern Personnel Center and handing its functions and property over to Khabarovsk Technological University, authorizing the latter to train lawyers for the civil service. Luckily, the proposal was rejected on the grounds that the university had no specialized scientific and teaching staff and no specialized chairs.

After several months of negotiations, it proved possible, in March 1992, to convince Russia's Power Engineering Minister V. Lopukhin to hand the VIPKenergo over to the Roskadri. This happened at a sitting of the "narrow" RF Cabinet with Gennady Burbulis’ support coming just in time for the outfit was slated for privatization along with the entire power engineering industry. Shortly afterwards it was renamed IPKgossluzhby (Institute for Civil Service Personnel Training).

There were problems with property rights at the Siberian Personnel Center, the Volga-Vyatka Personnel Center, the Volgograd Institute of Management, and the Maritime Institute for Civil Service Personnel Retraining and Advanced Training. However, with support from the Roskadri leadership, presidents Ye. Boiko, V. Maltsev, M. Sukiasyan and L. Boltyansky managed to defend the rights of their educational establishments.

By mid-1992, the personnel centers and institutes of advanced training came into their own as educational, research, methodological and consultative centers in their regions and performed the following functions:

1. training of university-educated specialists; retraining and advanced training of top executives and specialists for federal, republican (regional) and local government agencies and for personnel management services of government agencies and institutions; training of top-skilled research and teaching staff;
(2) conducting research in the sphere of civil service, primarily in analyzing the actual state of affairs in the civil service personnel in a region, and in defining the mix of professional and qualification requirements to be met by civil servants;

(3) rendering educational, methodological and consultative assistance to efforts aimed at improving civil service personnel performance;

(4) providing scientific and methodological support for local government agencies in the field of personnel management;

(5) organizing regional efforts to create an effective system for the training of a personnel reserve for heads of local (constituent entities of the Federation) government agencies; participating, jointly with the local authorities, in the formation of a federal personnel reserve from among civil servants employed by the territorial branches of federal ministries and agencies;

(6) training of candidates for the Federal Assembly and local legislatures, as well as legislators at all levels;

(7) participating in the organizational planning of a system of government agencies in the Federation constituent entities (for example, in the drawing up of regional statutes and administrative schemes);

(8) assisting in the development of a regulatory and legal framework for the civil service;

(9) analyzing and appraising the state of the civil service system, and its personnel corps on orders from the federal and local authorities as well as evaluating the professional potential and personal qualities of certain categories of workers, the efficiency and maturity level of the personnel development infrastructure in a region;

(10) developing optimal functional models for the services of local self-government agencies with regard for the specific conditions of a region;

(11) creating and maintaining databases on the state of the personnel policy in a region, participating in the examination of proposals for and drafts of economic and political reforms of the local government system as regards their personnel provision (in practical terms, this work was never begun due to reluctance of the administrations of the Federation's constituent entities. It is likely to give a new impetus now that the President has built up his influence on the constituent entities of the Federation following the establishment of the Federal Districts);

(12) conducting sociological investigations and preparing analytical materials for government agencies on the social and political situation in a region;

(13) carrying out awareness raising and publishing work.
Thus, what is important to note, the regional personnel centers developed not only as educational establishments but also as participants in the processes of elaboration and implementation of new Russia's personnel policies. They were engaged in evaluating, selecting, training and promoting leading civil servants and local self-government personnel, as well as developing and consolidating Russia's statehood on the basis of the Constitution of the Russian Federation.

Given an appropriate approach, the emergent integrated system of educational establishments of the civil service, in close cooperation with local authorities, was due to give the staff of the RF President some powerful leverage for implementing a unified government policy in the sphere of personnel, and for improving the civil service in the regions. Participation of these educational establishments in joint efforts at the local level made it possible to combine Russia's national interests and the requirements of the constituent entities of the Federation in the sphere of personnel policy.

By April 1994, the Roskadri' eight higher educational establishments had employed around 3000, including 800 highly skilled staff teachers, 75 percent of whom possessed academic degrees and titles. Annually, hundreds of government agency executives were invited to teach at the personnel centers and institutes of advanced training on an hourly pay basis. Approximately 30 percent of the teaching staff of personnel centers and institutes of advanced training upgraded their skills and underwent probation training at government agencies at home, as well as at some leading educational establishments and various civil service agencies in Britain, Germany, France, the United States, and other countries.

In addition, the Roskadri created, in 1992-1993, 15 regional branches of the personnel centers, which showed good performance. Aware of the need to train their executive personnel, representatives of many administrations of territories and regions of the Russian Federation applied to the Roskadri for assistance in creating joint-jurisdiction personnel centers of their own (Republic of Daghestan, Kalmykia, Bashkortostan, Krasnodar Territory, Sakhalin Region, Stavropol Territory, Tula Region, Kaliningrad Region, etc.). Most constituent entities of the Federation had plans to create, in a few years time, a civil service school of their own or a branch of the Roskadri' personnel center to engage not only in personnel training but also in promoting civil service development in each particular entity of the Federation.

To this end, in 1992-1993, the Roskadri provided advice and methodological assistance in the context of local efforts to organize educational institutions (branches and divisions of personnel centers, independent establishments) in the entities of the Russian Federation and under executive government agencies.
In April 1992, in the wake of the 6th Congress of the RSFSR People's Deputies, Gennady Burbulis was relieved of his duties as the First Deputy Chairman of the RF Government. Yet, he was still the RF State Secretary and in this capacity supervised the Roskadri on behalf of the RF President during 1992. That meant that the Roskadri, while formally remaining under the RF Government's jurisdiction, actually went to the RF President.

In this connection, in May 1992, the Roskadri came up with a concept which suggested creating the following entities under the aegis of the President of the Russian Federation:

1. a collegial body for personnel policy to help the President map out his personnel policy with regard to the federal executive agencies;

2. a federal agency for civil service and personnel policy under the aegis of the President of the Russian Federation to function as his working instrument to establish and operate a unified civil service system and coordinate personnel policies of the federal executive agencies.

In this case, the particular civil service issues should be handled by:

3. at the federal government level: the personnel services of the federal executive agencies responsible for current personnel management matters and for drafting proposals to set up a reserve of civil servants and to take account of the sectoral specifics within the overall civil service system;

4. at the regional government level: government agencies of the Federation constituent entities, which shape the regulatory, organizational and personnel frameworks of their executive agencies within the bounds of the integrated civil service system;

5. at the executive level: the regional personnel centers of the federal civil service and personnel policy agency of the Russian Federation President, which provide scientific, educational, consultative and other types of support for forming the civil service of the Federation entities within the framework of the integrated civil service system, as well as the leading educational and methodological centers (each for its own staff of civil servants), and sundry educational, scientific and other organizations recruited to tackle individual scientific, educational and other problems.

These ideas were put into practice only to an insignificant extent. It was not until one year later (June 1993) that the RF President signed a decree on the creation of the Personnel Policy Board under the aegis of the RF President ([1.8], Decree of the RF President No. 848 of 3 June 1993 on the Priority Measures to Establish the Civil Service System in the Russian Federation, cf. Appendix). Moreover, the decree itself was truncated. The original Roskadri-drafted decree lost the important provisions as regards the coordination of rule-making activity and the transfer of the
Roskadri to the jurisdiction of the Staff of the RF President. It was laid down that the Board should have the following main tasks: coordinating the functioning of the civil service and personnel policy system of the federal executive agencies, drafting proposals on personnel selection and placement, and other matters. In accordance with the decree, the Roskadri was to participate in providing for the Board's operation and the Roskadri head was its ex officio member.

December 1992 saw the election of Viktor Chernomyrdin as the new Prime Minister. As it always happens after a change of guard, new people in the RSFSR Government staff got down to drafting a new structure for the Government.

The new people started talking about abolishing the Roskadri. The Roskadri leadership had to defend themselves. In late December 1992 and early January 1993, Kh. Bekov had a series of meetings with Vice-Premier of the RF Government B. Saltykov, who at that time was in charge of the Roskadri (in formal terms, the Roskadri was subordinated to Vice-Premier B. Saltykov in 1992-1993, and First Vice-Premier V. Shumeiko in 1993), and with heads of the RF Government's Staff and Secretariat Ye. Arefyev, G. Petelin, and V. Prokhorov. The Roskadri leaders were aware that the Gaidar team was being replaced by another one and expressed their readiness to leave with the rest. Their only request was about keeping the institution that had been created with so much difficulty and placing it into reliable hands. One of the options suggested by the Roskadri implied its direct subordination to the Chairman of the RF Government. It was reported around that time that the Supreme Soviet's committee for science and public education (chairman V. Shorin) had moved to recommend disbandment of the Roskadri. On learning this, Kh. Bekov had another meeting with B. Saltykov, who in his capacity of the science and education minister and Government Vice-Premier cooperated with the committee. The meeting left the impression that Saltykov was going to "sell out" the Roskadri. There was no one to handle the Roskadri affairs in January 1993: Gennady Burbulis had other things on his hands, V. Makharadze had been posted as Russia's trade representative to Canada, and, according to rumors, there were plans to send A. Golovkov, head of the Apparat in the Gaidar Government, as an envoy to London. Nevertheless, it proved possible, in late January, to convince Chernomyrdin's aides to keep the Roskadri as an element of the federal executive system.

2.4. Organizational Work in 1993-1994

As of mid-January 1993, the Roskadri had two bosses to report to: formally, the RSFSR Government in the person of Vice-Premier V. Shumeiko, and in fact to Sergey Filatov, new chief of staff of the RSFSR President, or, to be more precise, his deputy V. Volkov. As soon as Filatov assumed office, the Roskadri actively joined in the planning of a new structure for the staff of the
RF President. It was hoped that the Roskadri would find in Filatov a reliable advocate of its civil service development plans.

In summer 1993, the Government resumed attempts to strip the Roskadri of the personnel centers and hand them over to the State Committee for Higher Educational Establishments. It was totally clear that they would not last long after the change of jurisdiction. They would be forced to change specialization or assigned to other higher schools. This time it was much easier to beat back the attack. The Roskadri appealed to the Council for Personnel Policy of the RF President and got its unconditional backing.

In September, some Roskadri representatives in company of V. Zolotov, deputy chief of the Personnel and Civil Service Department of the City Council of Moscow, went on a brief visit to Bonn and Berlin, where they called at the Interior Ministry, the Civil Service Academy, and the International Cooperation Fund (DSE). They reached agreement on a Roskadri program of cooperation for 1994 and came to terms in principle on cooperation between the governments of Moscow and Berlin. In fact, Yuri Luzhkov soon signed a relevant agreement in the course of his official visit to Berlin.

In mid-November 1993, A. Kurbatov came to be appointed Executive Secretary of the Council for Personnel Policy. At first he was not much versed in civil service problems. But the Roskadri management told their staff to give Kurbatov, an able and fast-learning man, and his staff every kind of assistance to enable the Council to proceed to practical work as soon as possible.

As early as fall 1993, the Roskadri leadership learned that the Apparat of the RF Government had been ordered to dissolve the obstinate pro-President establishment, which did not share the Government's conservative views on the civil service. The Roskadri was an element of the RF Government structure and formally the Prime Minister had the right to decide on its fate. He would have done it much earlier had it not been for the Roskadri’ close ties with the staff of the RF President and the Council for Personnel Policy of the RF President. But their support flagged in late 1993. The situation being what it was, the fight for preserving the Roskadri no longer made sense. There was no question of productive work should the fight continue, because the Roskadri leadership would have spent all their time fighting a nearly hopeless battle for survival. It was decided to preempt the impending disaster by preparing for the dissolution of the Roskadri. Luckily they succeeded in convincing A. Kurbatov to do all he could to preserve the Roskadri’ system of educational establishments and to have the maximum possible amount of its functions handed over to the Council for Personnel Policy of the RF President or to the would-be Federal Civil Service Department of the RF President.
November clearly revealed the rift existing between the Roskadri, supported by the staff of the RF President, and the Staff of the RF Government over further reorganization and development of the civil service. Each of the sides sent down for coordination its own draft decree of the RF President on civil service reorganization. Lawyers of the two branches of executive authority – presidential and governmental – held different views on the matter as well. There was also a third party, at least before the October 1993 events in Moscow, the RSFSR Supreme Soviet, which also had a point of view of its own on that score. It was clear that this kind of internecine strife added neither authority nor resources to the civil service.

*Rossiiskaya gazeta* (23 December 1994) published the Theses of a Concept of Reforming the Civil Service of the Russian Federation for the Period until 2000 ([1.19], *Rossiiskaya gazeta*, 23 December 1993, Reforming the Russian Federation Civil Service, cf. Appendix), drawn up by the Roskadri on the basis of findings of a special workshop and coordinated in general terms with the staff of the RF President.

Next day the same newspaper unexpectedly published Decree of the RF President No. 2267 of 22 December 1993 approving the Statute of the Federal Civil Service in the wording produced by the Staff of the RF Government. The document lacked the endorsements from the Roskadri and the Presidential Staff, this despite Directive of the RF President No. 732-rp of 15 November 1993 under which representatives of the Presidential Staff and the Roskadri were to take part in its drafting ([1.10], Directive of the RF President No. 732-rp of 15 November 1993 on the Working Group for Drafting the Statute of the Federal Civil Service of the Russian Federation, cf. Appendix). The speed with which it was done was the only positive result of the rivalry between the two agencies. Speed, however, does not always mean quality. The Decree had failed to describe the organizational structure and order of subordination of the civil service in a sufficiently thorough and balanced manner. In fact, the civil service was placed under the RF Government Apparat. In this connection, the Roskadri leadership immediately drew up a draft Directive of the RF President on placing the federal civil service under the Council for Personnel Policy, which was manned by representatives of both the presidential and governmental sides. It was signed on 31 December 1993 ([1.17], Directive of the RF President No. 792-rp of 31 December 1993 on the Functions of the Council for Personnel Policy of the RF President and the Establishment of the Expert Commission, cf. Appendix). It was a compromise, of course. A more logical step though would have been the immediate creation, on the basis of the Department of the Federal Civil Service (DFCS) and the Roskadri, of a federal executive agency, Federal Civil Service Agency, subordinated directly to the RF President. Deputy Chief of Staff of the RF President V. Volkov supported this particular option and possibly might have headed the Agency himself. The executive secretary of the Council for
Personnel Policy, A. Kurbatov, agreed to that approach. In fact, it would have been a perfect solution guaranteeing a high status of the civil service and its further development. However, Sergei Filatov, obviously reluctant to enter into confrontation with the Government Staff, did not back the idea and the matter even failed to reach the RF Presidential Council for Personnel Policy.

Averse to creating problems with his employment for Government Apparat personnel managers, Kh. Bekov decided to go back to the IPKgossluzhby. Its leadership approved the decision and even ordered to set aside premises for a portion of the Roskadri’ staff should it be unexpectedly dissolved and evicted from the Staraya ploshchad offices. Simultaneously, an urgently convened meeting of the heads of the Roskadri units decided to hold yet another staff certification so that the certified personnel might without delay be put on the payroll of a new organization to which the Roskadri would devolve its functions and hand over a number of its employees. Another aim behind the decision was to adjust the personnel certification methods. But there was no one to whom it could devolve its functions, because the relevant Presidential Staff unit (the future DFCS) was yet to be created.

In January, they managed to enlist presidential aides Yu. Baturin, V. Ilyushin and L. Sukhanov, as well as S. Filatov's aides, V. Pryamukhin and R. Tsivilyov, in support of that would-be structure. Much help was coming from V. Yuzhakov who by that time had become deputy of the first State Duma.

A working group was set up under Vice-Premier Yu. Yarov to prepare for a debate on the future of the Roskadri’ educational establishments at a meeting of the Council for Personnel Policy. Though put on the group, V. Yuzhakov, who represented the personnel centers, was actually barred from participating in its work despite his deputyship. It seemed that Yarov and Filatov had already decided to let the personnel centers go to the State Committee for Higher Educational Establishments, while V. Yuzhakov and the Roskadri leadership were just standing in the way. In that period A. Kurbatov and V. Volkov were also avoiding contacts with the Roskadri heads. The latter smelled a rat.

Then the Roskadri leadership, jointly with several personnel center directors, decided to put into the picture the RF President's aides. In early March 1994, they managed to win over to their side presidential national security aide Yu. Baturin, presidential aides G. Satarov and L. Sukhanov, as well as G. Burbulis, still an influential figure within the entourage of the Russian Federation President. As a result of these steps, the Staff of the RF President supported a merger between the Russian Academy of Management (RAM) and the personnel centers.
In early 1994, the Roskadri formulated the priorities for the personnel centers within the RAM system. With regard to implementing the 1993 Statute of the Federal Civil Service and later the Law on the Fundamentals of the Civil Service, the priorities were as follows:

- compiling a set of *professional and skill requirements to civil servants*, because these were linked with matters of internal organization of the civil service, training of officials, evaluating their performance, etc. Most importantly, it was vital for a changeover from the "Soviet" (nomenklatura) type of the civil service system to one based on the merit principle;

- organizing a mass-scale advanced training and retraining of the employees of *government agency personnel service*, because it is their work, its content, means and methods that the civil service reform would change in the first place.

A meeting was held in late April of the Council of Directors of the Roskadri’ educational establishments, which was attended by S. Ivanov of the Department of the Federal Civil Service of the Staff of the RF President and Yu. Tkachenko of the Civil Service Department of the RF Government Staff. Both men supported the directors' view that the Roskadri should be reorganized. The meeting noted the passivity of Filatov and a lack of objectivity on the part of Yarov, heads of the RF Presidential Council for Personnel Policy. The meeting elected V. Loskutov as Chairman of the Council of Directors of Personnel Centers. In this capacity Loskutov, jointly with State Duma deputy V. Yuzhakov, could act on behalf of the educational establishments with greater independence and efficiency.

A month later the RF President signed a decree reorganizing the RAM into the Russian Civil Service Academy (RCSA) under the aegis of the RF President ([1.12], Decree of the RF President No. 1140 of 6 June 1994 on the Russian Academy of Civil Service under the aegis of the President of the Russian Federation, cf. Appendix). The decree turned the system of civil servants training over to the RCSA, with A. Yemelyanov appointed as its president. Like all documents that come into being in spite of opposition from different agencies, the decree proved rather thin on the ground. It was only after the passing of amendments thereto in the shape of Directives of the RF President No. 323-rp of 23 June 1994 and No. 197-rp of 26 April 1994 and the Order of the Staff of the RF President on the approval of the RCSA Charter that the system of civil servants training became what it is today. True enough, the problem of legalizing the RCSA Charter is still outstanding due to the nonstandard organizational and legal form of the Academy itself.

3 May 1994 may be regarded as the official closure of the Roskadri, it being indicated in RF Government No. 626-r (Appendix 19) as the day on which the liquidation commission under K. Skobeyev finished its work.
In May 1994, the former Roskadri leadership handed over to A. Przhezdomsky and T. Borisov, DFCS deputy chiefs, and to the RCSA all files and documents, which could be of use in maintaining the continuity of the Roskadri.

A group of the personnel were given DFCS jobs in the Presidential Staff, the rest also finding employment in their line of specialization. The dissolution of the Roskadri was actually completed in June.

A lot of credit goes to A. Kurbatov and his deputies. Despite the negative attitude displayed by certain governmental officials, they hired a number of skilled staff members of the Roskadri (O. Baskakova, N. Zolotova, S. Ivanov, T. Ivanova, M. Lyamina, O. Mankova, V. Mironin, B. Mozdukhov, S. Modestov, T. Tarkhanova, T. Tregubova, T. Kholodkova, I. Chernik, M. Chernysh, and G. Yakovenko got jobs on the Staff of the RF President and the presidential property management office). Generally speaking, the 1994-1995 personnel composition of the DFCS and its leadership gave hope that the rates of the civil service development and the level of the presidential personnel policy in Russia would only grow by comparison with the preceding period.

But as early as 1995, periodic shakeups started within the top echelon of the Presidential Staff. The DFCS saw repeated reorganizations and the impulses that used to come from the Staff and spur the processes of civil service reform grew weaker and weaker. Up till the year 2000 the civil service problem was anything but a priority for the Staff of the RF President. It is only recently that it has been given a measure of attention by the RF President, his Staff, and the RF State Council.
Chapter 3. Roskadri Pursues Its Lines of Activity

3.1. Roskadri Works to Devise Laws and Regulations for Civil Service

Although the Tsarist Russia possessed a very elaborate civil service legislation, so much so that the law regulating relations within the civil service contained more than eight hundred articles, that experience remained unused for years and the new history of civil service legislation begins only in the late 1980s.

A working group was formed in 1989 to draft the USSR Law on Civil Service in the USSR. Though drafted and put up for discussion, the law never got adopted. (The history of its drafting is covered in more detail in Chapter 1 of Part IV of this paper.)

In late 1991, nevertheless, the situation in this sphere in Russia was characterized by total disorganization of the former system of legal regulation of the civil service. On the one hand, the victorious revolution made the spoils system the prevailing principle in personnel work, with appointments decided by a candidate's political position. Accordingly, the system of laws and regulations for civil service was increasingly in disarray. On the other hand, there was a considerable number of new people on the staff of government agencies, which resulted in a dramatic weakening of its "natural" socio-psychological regulation. In addition, the factor of a generally reduced governmental regulation of the socio-economic processes has led Russia to face a new problem – the boundaries of civil service. In this connection it was particularly important to provide the correct definition of the concept of civil service and its boundaries.

In the new conditions, the problem of laws and regulations for civil service had to be tackled along two vectors simultaneously:

- by working on a fundamental civil service law,
- while drafting a package of by-laws and enactments of various force on particular civil service issues.

Regrettably, Russia's Government was inclined, in 1992-1993, to deal with this crucial problem in an offhand manner or even to brush it aside, while focusing on particular problems, such as types (branches) of civil service, concepts of the civil servant, categories of civil servants and their hierarchy.

At the same time, it lost sight of such priority problems as:

1. Incompleteness and vagueness of legal regulation of the status of the civil service position;
2. Insufficient and unsystematic legal regulation of the order of functions in civil service positions;

3. The lack of normative regulation of the relationship between the quality of the government agencies' performance and the interests of both the State and civil servants;

4. Insufficient legal regulation of social security of civil servants and their families;

5. Vagueness of the legal status of bodies and units organizing and managing civil service;

6. Unregulated procedure for relieving civil servants of their position on account of professional incompetence or other reasons;

7. Lack of clear, generally accepted rules and approaches to organizational designing of government administration systems.

What seriously impeded (and impedes to this day) the effort to tackle these problems was the lack of knowledge about the sociology of civil service and about the economic, socio-psychological and psychological status of civil servants. Consequently, it was impossible to predict in which direction civil service, particularly its "natural" (informal) component, would develop. Even the "cost" of civil service (or that of a separate law, regulation, etc.) is anyone's guess up to this day. The extremely dangerous thing for this reason was that many rules of a detailed direct-action law would contradict the natural processes unfolding within the civil service system. Of course, one could turn to the foreign experience, but its importance should not be overestimated either, because a lot of things at that level were determined by the specifics of the Russian society at a concrete moment in history, rather than the general patterns of the governmental functioning.

There was one more set of problems generated by the processes of coming into being of real federalism and local self-government. It was clear that the former system of relations based on the Soviets (councils) and the unitary principle of organization of the Soviet Union as a state would never be revived. Consequently, constituent entities of the Federation and the local authorities, being considerably at liberty in deciding how they should construct a civil service system of their own, could go far in a centrifugal movement. It was equally clear that the regions needed some sort of a rapprochement – not necessarily uniformity or unification, but certainly legal coordination, systems similarity, etc.

With regard to elaborating laws and regulations for civil service, the key task, as before, was providing a legally correct and accurate in the socio-political sense definition of the concepts of civil service and civil servant. Had it not been done, the adopted laws and regulations for civil service would have had to be considerably revised some time later "on account of the revealed inconsistency," on the one hand, while on the other there would have been an inevitable rise in
social tensions within the administrative bodies (because some part of their members would have failed to be categorized as civil servants).

A characteristic example in this context is the Decree of the RF President No. 362 of 4 April 1992 on Fighting Corruption in the Civil Service System, which among other things forbade civil servants:

- to engage in business activities;
- to render any kind of assistance, not envisaged by law, involving the use of their official status, to natural persons and legal entities in their business activities, and to receive remuneration, services and benefits in exchange;
- to perform other kinds of paid work on terms of holding more than one job (except scientific, teaching and creative activities), and also to engage in business activities through intermediaries, as well as to be third persons' agents for the affairs of the governmental agency in which they hold office;
- to take part, either independently or through a representative, in the running of joint-stock companies, limited partnerships, or other economic entities.

According to the Decree, the breaching of the said requirements entailed dismissal from the official position and other responsibility in accordance with the effective legislation.

In addition, in being appointed to leading positions, civil servants were obliged to declare their earnings, movables and immovables, bank deposits and securities, as well as financial obligations. The failure to present this information as well as intentional presentation of incomplete, untrue or distorted information was defined as giving ground for refusal from appointment. Actually, however, the Decree never came into force, because neither the USSR nor the RF legislation had a definition of the concept of civil servant and therefore it was simply unclear to whom these requirements should apply.

Following the approval, in March 1992, of its Statute ([1.2], Resolution of the RF Government No. 145 of 6 March 1992 on Matters Relating to the Main Department for Civil Service Personnel Training under the Russian Federation Government, cf. Appendix), the Roskadri resumed elaboration of civil service concept and started drafting the Law on Civil Service in the Russian Federation. Supervising this line in its work was G. Atamanchuk, deputy head of the Main Department.

The concept of civil service development in the Russian Federation and versions of the draft Law on Civil Service were discussed at academic meetings, seminars and international conferences.
Some cases in point are the April 28 and 29, 1992, conference at the Roskadri on the subject: Main Provisions of the Concept of the Civil Service Development in the Russian Federation, attended by about 160 representatives of scientific and educational establishments and government agencies; the international conference, held from 19 to 21 May, 1992, on the issue: Administrative Personnel: Problems and the System of Work in Russia and Abroad, attended by about 180 academics and specialists; the Roskadri' international seminar devoted to civil service problems in the Russian Federation, held on June 16 and 17, 1992, with the participation of over 100 academics and high-ranking government officials. The Roskadri' contemporary effort to draw up the foundations of the civil service legislation is described in more detail in Chapter 2 of Part IV of this paper.

After two months of effort, the joint working group came up with draft Law on the Fundamentals of the Russian Federation Legislation on Civil Service, which was presented at two parliamentary readings, the restricted and general meetings of the RF Supreme Soviet's Committee for the Work of Soviets and the Development of Local Self-Government. The draft law was presented to the chambers of the Russian Federation Supreme Soviet on November 24, 1992. The bill has received certain appraisal in the course of an active discussion with foreign and Russian experts.

In keeping with the Roskadri’ Order No. 71 of 8 May 1993, French experts Mr. R. Pigagnol (Ministry for the Civil Service of France), Mr. Cairnet (Ministry for the Civil Service of France), and Mr. Lacambres (Interior Ministry of France), jointly with Russian experts Prof. B. Lazarev, Doctor of Law, director of the Center of Public Law at the Institute of State and Law, Russian Academy of Sciences; Prof. V. Matirko, director of the Civil Service Center of the Academy of National Economy under the RF Government; Prof. V. Karpichev, Doctor of Law, chief research officer with the section of new public administration technologies at the Center of Government Personnel Policy and Social Management of the Russian Academy of Management; Prof. G. Atamanchuk, Doctor of Law, deputy head of the Roskadri; N. Kazantsev, Candidate of Law, chief of the civil service section; and L. Adarcheva, Candidate of Law, chief of the legal regulation section, held a detailed discussion of the structure concept and articles of the draft Law on the Fundamentals of the Russian Federation Legislation on Civil Service and materials of the Russian Federation Civil Service Reform Program.

The French and the Russian experts worked for two days on the Supreme Soviet's Committee for the Work of Soviets and the Development of Local Self-Government jointly with the Commission for Legal Support of Civil Service Reforms of the Russian Federation Supreme Soviet, and for two days at the Roskadri.

On the whole, the said materials gained support of the French experts. They made a number of useful remarks on a number of articles as the draft law was perused in an article-by-article fashion.
The concept and structure of the Fundamentals received full approval. As far as the Russian Federation Civil Service Reform Program was concerned, the experts expressed a wish for it to be more closely coordinated with the articles and rules in the Fundamentals and contain measures securing the practical implementation of the legal principles of each article in the Fundamentals.

Specifically, they endorsed the definition of civil service as contained in Art. 2 of the Fundamentals. The French experts approved the idea of drawing a distinction between being a government official and an employee of state-owned enterprises and agencies, an idea implemented in the draft law in question.

Expounded in Art. 3, the civil service principles were recognized as traditional for civil service legislation of the developed countries. The experts approved the application of a number of rules of the Fundamentals of the Russian Federation Legislation on Civil Service to service with local self-government agencies (Art. 6).

The concept of dividing governmental positions into political positions and public positions was marked as an institution essential to a democratic state's modern legislation.

However, they suggested deleting Art. 8, "Classification of Political Public Positions," as incompatible with the nature of the Fundamentals. The commission working on the draft Fundamentals was of the same view.

There was a detailed consideration of provisions related to qualifications and promotion of civil servants. A particular focus was on the main rights of civil servants and job-related restrictions, specifically on problems of business activities and personal property management on joining the civil service. The French experts were interested in the rules related to the responsibility of civil servants and their participation in the activities of political parties. They made a comparison of guarantees to civil servants and service incentives.

Much similarity with the French legislation was revealed in articles on the qualification requirements, state qualification examinations, and contests for administrative vacancies.

It was noted that the legal institution of civil servants' class ranks about to be introduced had an analogy in the French legislation.

Following a certain discussion, it was deemed necessary to introduce examinations for administrative public position (Art. 28).

It was also deemed expedient to introduce the institution of oath of the Russian Federation public servant. There is a similar institution in a number of countries, but not in France with its negative experience of attempts to introduce the oath, made by the Pétain Government. The experts
discussed the expediency or otherwise of an excessively detailed regulation of matters related to resignation and termination of public employment. As the Russian side saw it in 1993, it was a necessary thing in connection with there being no other legislative acts on civil service regulating these issues in the period of preparation of the civil service reform.

The sides held an in-depth discussion of matters related to civil service management. The French experts supported the solution of this problem spelled out in the Foundations, emphasizing the need for drafting provisions enhancing the role of the Russian Federation President in managing civil service.

The French experts noticed the inadequate treatment of matters of control and supervision within civil service (Art. 45).

As a result of the discussion of and amendments to the Fundamentals, as well as the calculations of their financial implications made by the Roskadri staff, the Supreme Soviet of the Russian Federation passed the bill in the first reading in May 1993. A second reading was scheduled for September 1993, but the surge in political tensions, which aggravated in the fall of 1993 and culminated in the well-known events of October 3 and 4, put an end to these plans.

December 1993 saw elections to the first State Duma of the Russian Federation Federal Assembly. At the Roskadri’ initiative, its Committee for the Affairs of the Federation and Regional Policy created a sub-committee for civil service issues, which was headed by the former director of the Roskadri' Volga Area Personnel Center, V. Yuzhakov, who had been elected to the Russian legislature. The sub-committee concentrated, among other things, on the said bill.

Having regard to the fact that the fundamental Law on Civil Service would inevitably be of a sufficiently general (framework) nature, the Roskadri actively cooperated with other ministries and agencies in making federal enactments on particular civil service issues, including the draft Statute of the Procedure for Certification of Civil Servants of the Executive Agencies, draft Decrees of the Russian Federation President on the Main Principles of Civil Service in the Russian Federation and the Federal Civil Service, on Social Security Guarantees to Civil Servants, and on Provision of Housing to Senior Employees of the Russian Federation Government, a draft methodology for calculating the civil servants' salaries, etc. The Roskadri also participated in preparing a number of documents on fighting corruption within the civil service system, on civil servants' income and property declarations, and on how to enhance the efficiency of international cooperation in training civil service personnel. It also drew up comments on draft Fundamentals of the Russian Federation Labor Legislation, the Law on Military Duty and Military Service, etc.
As early as 1993, it started compiling a database on legal regulation of civil service in the Russian Federation, including military service, service with the law enforcement agencies and security agencies, service with the tax and customs systems, etc. With this aim in view, it established cooperation with the majority of ministries, committees and agencies of the Russian Federation in investigation and comparison of departmental legal regulation of the civil service.

Experimentally, it drew up and tested (on the Roskadri staff) regulatory documents related to certification of civil servants. In 1993, it drafted regulations on contests for leading and specialist vacancies (See: Appendix 1.7).

The dissolution of the Russian Federation Supreme Soviet brought up the question of endorsing the Statute of Federal Civil Service by a Decree of the RF President, since it became clear that it would be long before the new Duma took up consideration of the Fundamentals bill. With this aim in view, the Roskadri held a specialized seminar-cum-conference from November 2 to 5, 1993, on the subject: Concept of Civil Service Formation in the Russian Federation under Conditions of Political and Economic Reforms: Legal, Personnel and Administrative Aspects. Using the seminar materials, the Roskadri, jointly with the leading research establishments (Institute of State and Law of the Russian Academy of Sciences, Institute of Legislation and Comparative Jurisprudence, etc.) as well as ministries and agencies concerned, drafted the concept and program of the reform of civil service in the Russian Federation. It also drew up the reform program, Civil Service-2000, and a program of regulatory and legal support for civil service reform in the Russian Federation.

The conference results were made public at the 12th International Congress on Top Administrative Personnel Training, held in early December by the Academy of National Economy, the Russian Academy of Management and the Roskadri.

By the time of dissolution of the Roskadri, its leaders believed that the main priority in 1994 was the approval of the National Program of Reform of the Russian Federation Civil Service due to run till 2000 at the least. In this connection, the theses for its first version were published by the Rossiiskaya Gazeta on 23 December 1993 ([1.19], Rossiiskaya Gazeta, 23 December 1993, Reform of Civil Service in the Russian Federation, cf. Appendix). At the same time, there was a clear awareness of the fact that this program should be a quality job in the scientific respect, based on a thorough analysis of both positive and negative previous experience of civil servants. The program must be understood and accepted by society, for otherwise the public and the media would adamantly oppose any moves in that sphere as they did in 1992-1994 with respect to the country's economic and social reform.
The drafting of a Russian civil service reform program cannot be performed with good quality unless it is based on an organizational and methodological foundation, whose essence may be formulated as follows:

1. Government and public programming of a civil service reform, including a profile and an analysis of the situation, and identifying outstanding problems and availability of means for solving them;

2. Spelling out the purposes of the reform and the civil service value criteria, and development of its (civil service's) tasking designation and principles on this basis;

3. Composition of a plan and an organizational project for implementing the government-and-public program of civil service reform.

At the Roskadri' initiative, the Directive of the Russian Federation President No. 732-r of 15 November 1993, set up a working group, one comprising Roskadri staff members and experts, designed to draw up the Statute of Federal Civil Service. Soon the group came up with its draft.

Yet, despite earlier understandings, the RF Government Staff presented for consideration a draft Statute of Federal Civil Service of its own. Regrettably, it is this version that was presented for signature and approved by Decree of the Russian Federation President No. 2267 of 22 December 1993, even though it had not passed through a public discussion and lacked a visa of the Staff of the RF President. It was published by the Rossiiskaya Gazeta on 24 December.

Thus came into force on 22 December 1993, the "framework" Statute of Federal Civil Service albeit in an incomplete form, which formulated the main characteristics of the would-be Russian federal civil service system.

Starting from early 1994, the initiative in promoting the civil service regulatory and legal framework passed over to the RF Government Staff. During the last few months of its existence, the Roskadri sought to establish cooperation with the newly created Federal Civil Service Department of the RF President, its purpose being to secure continuity of its work.

3.2. The Roskadri Pursues Scientific Work

Considering economic problems on the one hand and Russia's serious lag in forming a modern civil service on the other, the Roskadri was working in the first place to identify, organize and enlist the academic community both at home and abroad for an effort to reform Russia's civil service. It achieved that goal by holding scientific conferences, seminars, and meetings, and by setting experts to work on its own expert panels.
On April 28 and 29, 1992, the Roskadri held a scientific and practical conference on improving civil service in the Russian Federation, which was attended by 160 specialists from 86 organizations, including 64 from Russia's ministries and agencies, 24 from research organizations of the Russian Academy of Sciences, 45 from educational establishments, and 14 from the Roskadri and its personnel centers ([2.2.], Analytic Survey of Reports Delivered by Participants in the International Seminar on Problems of Development of Civil Service in the Russian Federation. Conclusions and Suggestions // Civil Service Bulletin, August 1992, pp. 27-37). In May 1992, an international conference considered the concept theses Development of Civil Service in the Russian Federation.

In June 1992, the Roskadri organized an international seminar on problems of development of civil service in the Russian Federation, which was attended by scholars and specialists from France, the U.S., Germany and Canada ([2.1.], Analytic Survey of Reports Delivered by Participants in the International Seminar on Problems of Development of Civil Service in the Russian Federation. Conclusions and Suggestions // Civil Service Bulletin, August 1992, pp. 24-26).

In 1992-1993, a number of roundtables were held to discuss the draft law of the Russian Federation on the Fundamentals of Russian Federation Civil Service. The personnel centers in the provinces held similar seminars and roundtables on civil service problems.

In January 1993, the Roskadri organized and held an international seminar on the subject: Public and Market Entities in Post-Totalitarian Society, attended by delegates from Germany, Italy, Canada, the Netherlands, France, Switzerland, Japan, and some former republics of the USSR.

In February 1993, the Roskadri mobilized a number of experts to prepare the All-Russia Conference for the Fight against Organized Crime and Corruption, something that made it possible to theoretically clarify certain issues and later to take part in the examination of the draft Law of the Russian Federation on the Fight Against Corruption by the Russian Federation Supreme Soviet.

In June 1993, a more than 130-strong Russian-German seminar was held on local self-government problems.

The process of work on the civil service concept led to the emergence of a 400-men group of active academics and to the creation of eight central and seven regional expert panels on different aspects of civil service.

During two years, the Roskadri' educational establishments held nearly 50 seminars and scientific-practical conferences on urgent problems of organizational development of the Russian statehood and civil service with the participation of the leading domestic and foreign specialists.
The personnel programs and projects section, headed by T. Bazarov, evolved into an interesting, imaginative group, which was a rallying center for experts in personnel management from all the educational establishments run by the Roskadri.

The group devised a project entitled Technology of Appraisal of the Russian Federation Civil Servants, whose pilot testing was based on the survey of the Kaliningrad Regional Administration Staff ([2.3], T.Yu. Bazarov, V.M. Veselov, L.Yu. Litovkin, Model Experiment: Appraisal Center Program as a Stage in Certification of the Kaliningrad Regional Administration Staff // Civil Service Bulletin, October 1992, pp. 8-10).

The group drew up the following projects:

- appraisal of employees of the Ministry of Foreign Economic Ties of the Republic of Tatarstan;
- selection and appraisal of experts for the Russian Federation Supreme Soviet;
- appraisal of the managerial personnel on the Staff of the Russian Federation President.


In late 1993 – early 1994, it developed the instruments and held pre-certification seminars to train and evaluate candidates for top positions at the provincial branches of the Federal Department for Cases of Insolvency (Bankruptcy) under Russia's State Property Committee.

Roskadri Expert Panels were created in 1992 in the following fields: civil service and public administration policy; legal regulation of civil service; sociology; social psychology and psychology of civil service; diagnostics of the managerial personnel; history and the present-day state of civil service in Russia and in developed countries; civil service economics and organization; training, retraining and advanced training of personnel for civil service; civil service informatics and computerization. The panels were made up of prominent academics and specialists from the Russian Academy of Sciences, major research institutions and educational establishments in the civil service area, research centers, ministries, committees and agencies. These panels were due to continue operation as expert councils with the Department of Federal Civil Service of the Russian Federation President or with a reorganized Russian Academy of Management. But as early as 1994, they practically stopped functioning.
Regional expert panels on the civil service reform, created within all regional personnel centers, united the leading practical workers and academics in a given region. Expert panel meetings produced points of view on the civil service reform, coordinated between different constituent entities of the Federation, as well as expert evaluations of different patterns of governmental and municipal administration. The regional expert panel members took an active part in examining many federal-level regulatory documents, including different versions of the draft law on civil service.

Practical studies of the problems of civil servants' adjustment to economic and political reforms were conducted in Rostov-on-Don, Yekaterinburg, St. Petersburg, Novosibirsk, and Volgograd. Their results formed the basis for working meetings with heads of the relevant services within the regional administrations and for recommendations on how to certify civil service personnel and work with the personnel in reserve. These meetings have become a regular and effective mechanism for coordination and expert evaluation of various personnel development measures. Yekaterinburg- and Rostov-on-Don-based specialists published collective monographs, which for the first time offered a comprehensive analysis of the specifics and problems of working with the civil servants in the present conditions.

While working on the civil service problems, the specialists primarily focused on the statistical survey of the civil servants. The results of their activity in this sphere (drafts of a civil servant personal registration card, a questionnaire for applicants to civil service positions, etc.) were discussed in May 1993 at the Methodology and Problems of Civil Service Statistics roundtable, organized by the Roskadri in conjunction with the Russian State Committee for Statistics and the Moscow Institute of Economics and Statistics.

Finally, in the fall of 1993, the Roskadri, for the first time in post-revolution (1917) Russia, collected and analyzed data on the personnel status of the executive agencies of the Russian Federation constituent entities as of 1 October 1993 ([122]). Regrettably, no one went on with this work following the dissolution of the Roskadri.

3.3. The Roskadri' Scientific, Methodological and Publishing Work

The Roskadri created a Scientific and Methodological Council for Training, Retraining and Advanced Training of Civil Service Personnel, which operated in conjunction with both the Roskadri' own educational establishments and the leading universities of Russia: Moscow State University, State Academy of Management, Russian State Humanitarian University, and others.
Its meetings discussed some crucial matters of educational, methodological and scientific work done by the personnel centers, to ensure their efficient functioning and quality training of specialists for government agencies.

The Scientific and Methodological Council guided the development of the following educational and methodological documents:

- interim requirements to a curriculum of the higher professional training in the new specialty, Public and Municipal Administration, which had no analogies in the Soviet Union;
- the list of disciplines to be used in training specialists in Personnel Management;
- the list of disciplines to be used in retraining civil servants in Public and Municipal Administration;
- lists of disciplines and courses for computerized training programs;
- the concept of comprehensive introduction of new information technologies at the personnel centers.

The Council drew up regulations on holding contests among students trained in Public and Municipal Administration.

Jointly with the Volga Area Personnel Center, it held a contest among first-year students at the Roskadri’ educational establishments in the form of business simulation, Personnel Center Education Model: Design and Mastering.

To provide methodological support for the training of civil servants in areas defined on the basis of the draft Program of Intensification of Economic Reforms, in fall 1992, the Council elaborated and published collections of standard thematic plans and programs:

1. Two general courses: Problems of Intensification of Economic Reforms and the Establishment of a Market Economy and Intensification of Economic Reforms and Their Specific Features at the Regional Level;

2. Fifteen special courses: Structural Reform in the Russian Federation Economy; Monetary and Budget Policy; Privatization of Government and Municipal Property; Tax Policy and Tax Service Arrangement; Establishment of a Market Economy and Government Regulation; Social Policy: Reform of Social Institutions; Conversion in the Military-Industrial Complex; Investment Activities; Trade and Development of the Market Infrastructure; Foreign Economic Activity and its Liberalization; Agrarian Reform and Development of Market Relations in the Countryside; Policy and Economic Problems in the Economic Sphere; Civil Service and Personnel Support; Economic Relations with CIS Countries;
3. A standard educational program for advanced training of the civil servants of Russia's federal administrative bodies in countries with a developed market economy;

4. The principal legislative acts on problems of a market economy and intensification of economic reforms, the legislative and executive authorities of the Russian Federation (an aide to teachers).

The Council drafted, jointly with the Russian Federation State Committee for Anti-Monopoly Policy, reference thematic plans on problems of anti-monopoly legislation and anti-monopoly policy.

Staff members of the Roskadri and its personnel centers were active in advocating the necessity of a civil service reform, explaining its meaning, prospects, and other related things. To facilitate the matters, the Roskadri launched a publishing drive of its own.

In 1992, it started publication of its specialized journal *Civil Service Bulletin* (registered 21 July 1992, Registration Certificate No. 01397). From July 1992 to October 1994, it turned out 26 issues adding up to a total of 110 publisher's signatures and printed in more than 20,000 copies: four issues in 1992, 12 issues in 1993, and 10 issues in 1994. The last six issues were published by the IPKgossluzhby. Considering the fact that there had been no edition devoted to civil service before 1992, it seemed expedient to assist the journal's further progress and improvement in every possible way and to turn it into an effective civil service publication. Unfortunately, heads of the Russian Civil Service Academy and Department of Federal Civil Service of the RF Presidential Staff failed to endorse its continued publication, and the *Bulletin* ceased to exist in fall 1994.

In two years, the Roskadri prepared and published 700 titles of printed matter amounting to around 300 publisher's signatures in a total print-run of 28,000 copies. These figures may seem insignificant, but there were practically no publications on civil service problems in the Soviet period.

To have materials prepared for publication and distribution, the Roskadri extensively used its own expert panels. Experts reviewed and examined the majority of materials published in the *Civil Service Bulletin*, teaching and methodological aides, plans and programs, as well as legal and regulatory documents on civil service and public administration. For example, a group of experts in training, retraining and advanced training of personnel for civil service reviewed and recommended for publication the methodological aide *Introduction to the Management Specialty: Educational Game Cycle*. Prof. B. Lazarev, Doctor of Law, the Institute of State and Law of the Russian Academy of Sciences, reviewed the educational and methodological aide *Constitution of the Russian Federation. Questions and Answers (Commentary)*. Experts on other specialties
(Prof. Yu. Rosenbaum, Doctor of Law, Institute of State and Law, RAS; Prof. V. Matirko, Doctor of Economy, Academy of National Economy; Prof. L. Karapetyan, Doctor of Philosophy, Constitutional Court; Prof. G. Zinchenko, Doctor of Philosophy, North Caucasian Personnel Center, and many others) prepared materials, examined and reviewed sections of the *Bulletin* devoted to the results of international seminars on civil service problems on the subject: Public and Market Entities in Post-Totalitarian Society, matters of local self-government arrangement, etc.

3.4. The Roskadri’ Educational Activities

We believe the material of this chapter is important, because many tend to underestimate the problem of inadequate preparedness of civil servants for the revolutionary transformations in progress in this country.

From the personnel angle, the dynamic political and economic reform processes that occurred between 1991 and 1993 had the following implications:

- failure to grasp the principles of a new market economy by the majority of civil servants and consequently their incapacity to use methods of government regulation of processes unfolding within it;
- inability of the education system to cope with the problem due to the collapse of the system of ongoing civil servants' training.

The situation being what it was, the Roskadri had to focus at the initial stage on two problems: accelerated training of civil servants in the basics of a market economy and revival of the system of ongoing training of civil servants and continuous upgrading of their professional skills.

In 1992-1993, the Roskadri held several series of regional and national conferences of heads of personnel services of a number of ministries and agencies, and heads of regional administrations, which discussed problems of the civil service formation and elaboration of the main vectors of the personnel policy. More specifically, it held the following conferences and seminars:

- conference of the working group for personnel issues of the Russian Federation ministries and agencies (in keeping with the Resolution of the Russian Federation Government of 5 February 1992, on Governmental Policy of Market Economy Personnel Training);
- conference of representatives of ministries, agencies and government organizations on the issue of Governmental Measures to Coordinate International Cooperation in the Area of Market Economy Personnel Training;
a seminar on the subject: Personnel Issues of Effective Cooperation between Central and Territorial Bodies of Government;

the Evaluation Center demonstration workshop for senior officials of the personnel units of administrations of the Middle and Lower Volga Area.

Based on their results, the Roskadri drew up a number of proposals for the national leadership. With an eye to upgrading the skills of the senior officials of the federal, republican and local authorities in matters related to the economic reform, it drew up, as early as February-March 1992, a program of seminars-cum-conferences on the issue: Governmental Program of Privatization, coordinated with the Working Center for Economic Reforms under the Government of Russia and the Russian State Property Committee. These and the follow-up seminars on economic reform were based on the "relay," or "cascade" principle (which the IPKgossluzhby had tested during the 1989-1991 period of reforms in power engineering), in accordance with which the first to be trained were the senior officials, who subsequently "relayed" the knowledge they had received to lower-echelon personnel at lower-level seminars. The teaching staff of the Roskadri' personnel centers and institutes were recruited to organize the seminars and attend them as students. Later they taught students in their localities.

Under this program the Roskadri organized and held 14 seminars for deputy ministers, committee chairs, senior officials of structural units of ministries and agencies, chief privatization experts, as well as specialists in economy and law. In the course of the program implementation, the organizers had students answer questionnaires in order to identify the most urgent issues and specific needs for additional coverage of subjects that might be of interest to ministries and agencies.

Jointly with the IPKgossluzhby the Roskadri devised educational programs on legal aspects of privatization for heads of the Moscow enterprises and university teachers and organized 10 three-day classes on this problem.

Unfortunately, the Government of Russia did not permit the Roskadri at that time to complete the entire series of "cascade" seminars. Today some members of the then Government somewhat belatedly recognize how important it was to educate civil servants and to explain to society the basics of the current economic and social reforms. Moreover, this work should have been done preemptively rather than simultaneously with the reforms. The failure to do that seems to have contributed enormously to the negative public estimate of the RF Government's performance in 1992.

In May 1992, the RF State Committee for Higher Education introduced, on the Roskadri' initiative, a new university specialty, Public and Municipal Administration. Starting September 1992, the
Roskadri began teaching it at its own higher educational establishments. Upon reaching their capacity output, the personnel centers were due to graduate annually around three thousand certificated specialists in public and municipal administration.

Starting 1994, it was planned to induce other higher educational establishments under the Russian State Committee for Higher Education to teach that specialty and also to explore opportunities for the introduction of secondary professional training in specialties needed by civil service. In this context, the personnel centers, jointly with the Russian Academy of Management, were supposed to provide the involved educational establishments with scientific and methodological support and assistance.

A retraining course was organized in the same specialty, with the Roskadri' educational establishments capable of teaching as many as seven thousand civil servants a year.

In July-August and September 1992, the Roskadri, on the instructions of the Government of the Russian Federation and jointly with the Working Group of the Government of Russia (head Ye. Yasin) and the Working Center for Economic Reforms under the Government of Russia (head S. Vasilyev), organized seminars-cum-conferences to discuss the Economic Reform Intensification Programs project. A total of five seminars were held, one four-day and four three-day ones. The classes were based on a program agreed with the Working Center for Economic Reforms. The seminars were attended by heads and specialists of the RSFSR Presidential Staff and the RSFSR Government, the RSFSR Supreme Soviet, ministries and agencies, as well as representatives of political parties and movements, legislative factions, trade unions, business organizations, personnel centers, advanced training institutes, and the media.

The seminar themes stirred up much interest, particularly due to the fact that the principal reporters were the Program's authors and drafters themselves. Overall, around 1,500 persons took part in the seminars on the project of Economic Reform Intensification Programs and its individual components. An important result of the seminars was the amendment of the final version of the Economic Reform Intensification Programs with two new sections, "Personnel Support of Reforms" and "Economic Information System," which was largely prompted by the seminar discussions, the participants' suggestions, and Ye. Yasin's support.

In consequence, the Roskadri drew up a list of disciplines for 1992-1993, based on the Economic Reform Intensification Programs project. To train civil servants of ministries and agencies, it suggested a list of disciplines corresponding to the economic reform priorities (structural reform, shaping of the market environment, mass privatization program, social policy and reform of social institutions, credit policy and banking reform, budget policy, tax reform, land reform, etc.).
The Roskadri drew up proposals on the training of the Presidential Staff employees and devised the necessary curricula on personnel policy, psychology, administration, international cooperation, negotiating techniques for talks with foreign partners, and clerical work.

The schedule of advanced training of civil servants at the Roskadri' personnel centers in 1992/93 academic year was sent to administration heads for them to monitor the training process and the mastering of professional skills by the trainees, enabling them to cope with the problem of intensifying Russia's economic reforms. Upon receiving this information, the administrations delegated more of their employees to undergo training directly at the personnel centers and other educational establishments. In this connection, the main executive-level civil service categories typical of the territorial executive agencies were assigned to educational establishments (Academy of National Economy, Russian Academy of Management, Financial Academy, the Roskadri' personnel centers and institutes of advanced training) and on this basis Deputy Chairman of the Russian Federation Government, Yury Yarov, ordered to make a 1993 schedule of advanced training encompassing the chief officers of the Russian Federation territorial executive agencies. The schedule was forwarded to all territorial executive agencies to be used for information and in dealing with the problem of training senior officials.

The training was financed by the Roskadri. In accordance with the schedule, over 7,000 civil servants upgraded their skills in this sphere alone in the 1992/93 academic year. Of them, 3,288 persons were sent by 46 ministries and departments and 3,962 by the territorial government agencies.

In keeping with the Order of the Russian Federation Government No. YuYa-P 11-09724 of 19 March 1993, the Roskadri drew up a draft Resolution of the Russian Federation Government on Organizing an Integrated National System of Advanced Training and Retraining of the Senior Personnel of the Territorial Executive Agencies, and submitted it to the Government and the Russian Federation Presidential Staff, as well as to ministries, departments, territorial executive agencies, the Academy of National Economy, the Russian Academy of Management, the Finance Academy, the Roskadri' personnel centers and institutes of advanced training, and the Moscow State University. Upon receiving comments and additions, the Roskadri redrafted the Resolution with regard to the Decree of the Russian Federation President No. 848 of 3 June 1993, on Priority Measures to Organize the Civil Service System in the Russian Federation and submitted it to the Council for Personnel Policy and the Russian Federation Government Staff.

In order to implement item 3 of the Presidential Decree No. 598 of 5 May 1993, on Measures to Strengthen Social Security of Employees of the Central Federal Executive Agencies and to Enhance their Professional Skills, it held a working meeting with representatives of ministries, departments,
the Academy of National Economy, the Russian Academy of Management, the Finance Academy, and the Roskadri personnel centers and institutes of advanced training. It also prepared and sent to the Council of Ministers – the Government of the Russian Federation a specific program of organizing a system for retraining civil servants of the executive agencies' central offices. Another document it elaborated was a draft statute of Retraining Civil Servants Dismissed from Service at the Central Federal Executive Agencies. Considering information it received from ministries and departments, the Roskadri instructed its personnel centers and institutes of advanced training to draw up two- and four-week standard curricula and training programs in the main disciplines.

In 1992-1993, the Roskadri also organized the training of other categories of senior officers:

- jointly with the Small Towns Association, a course for municipal leaders on the problem: Small Town under Economic Reform Conditions;
- jointly with the Moscow Registration Chamber, a seminar for deputy administration heads in charge of setting up and registration of ventures belonging to different types of ownership, a very topical issue in those days and a bottleneck in business progress in Russia that was constantly in the focus of the press;
- for specialists of Russia's social security agencies on providing social security and social protection under the new economic conditions;
- for employees in charge of inter-ethnic relations within the executive agencies of republics, autonomous entities, territories and regions.

In January 1993, the Roskadri organized advanced training on state order terms for heads and specialists of ministerial and departmental personnel services at the IPKgossluzhby within the framework of two courses: Practical Psychology of Management and Modern Requirements for Personnel Development.

In execution of the Resolution of the Council of Ministers – the Government of the Russian Federation No. 446 of 11 May 1993, it drafted a program to train employees of small businesses and civil servants of the territorial and federal administrative agencies in charge of matters of small and medium business (within the framework of the effort to draft a Federal Program for Government Support of Small Businesses).

In 1993, the Roskadri drew up proposals for the Action Plan of the Russian Federation Government for 1993-1994 to implement the first stage of the Program called The Progress of Reforms and Stabilization of the Russian Economy with respect to training and retraining of civil servants and their social protection. It also participated in working on the draft Federal Program of State Support for the Local Self-Government.
As of 1 January 1994, the personnel centers had 6,746 students enrolled in 1992-1993, who were getting their first higher education with the major in Public and Municipal Administration. There were around 3,000 senior officers and specialists of the federal and local agencies one- to two-year retraining courses at all the personnel centers.

During the first two years of their activity, the personnel centers and advanced training institutes put a total of over 30,000 civil servants through advanced training courses with different curricula. A considerable number of them were senior officers, ranging from deputy administration head of an entity within the Federation to deputy chief of a district administration.

3.5. The Roskadri' International Cooperation in the Civil Service Area and its Public Ties in Russia

Since its inception the Roskadri was active in using the international experience as it dealt with tasks connected with the reform and creation of a new type of Russian civil service. It was clear as early as then that, springing up from nowhere, the Roskadri could become an important lever in democratizing the society by dint of its main activities, i.e., the training of administrative and civil service personnel. But in 1991, the Roskadri had neither a database on foreign experience nor international contacts necessary for establishing cooperation between the Russian experts and foreign specialists. It was decided to speed up this work in early 1992. Understandably, mechanically borrowing the foreign experience was out of the question. The important thing was for the Russian draft legislation to maintain the national specifics while conforming to the criteria typical of government administration under market conditions:

1. Civil service is the backbone of statehood;
2. Civil service does not perform time-serving political assignments; and
3. Civil service must simultaneously streamline market relations and rapidly adapt to the market requirements.

It was this approach that influenced the Roskadri' quest of foreign partners. The concept of international cooperation devised by it envisioned the creation of a system of international contacts aimed at supporting the democratic reforms in progress in the Russian Federation. The support was to consist in adopting the most valuable elements of the legal and regulatory framework of contemporary foreign civil service to the Russian conditions, extending of the training base, and enhancing, thanks to foreign aid, the level of technical furnishing of the Roskadri' educational establishments to that of the best foreign higher schools.
During the two years of its existence, the Roskadri signed a number of contracts on international cooperation within the frames of intergovernmental agreements. For that purpose, it had to do the following:

- to urgently draw up the Roskadri’ international cooperation concept;
- to organize a sector of foreign ties, which handled all international projects and cooperation programs;
- to build up the Roskadri’ assistance to all personnel centers and coordinate their international activities, while preserving a certain level of their autonomy.

Some results of its cooperation with different countries are as follows.

**France.** It was quite logical to pay attention primarily to a country where centralization of the government mechanism has for years been the principle of statehood, and which has only recently embarked on a reform involving decentralization of authority and de-concentration of assets. This country was France.

In September 1992, A. Shokhin, the Roskadri, and the French Ambassador P. Morelle signed the Russian-French agreement on cooperation in the civil service area. In 1993-1994, the agreement served as the framework for implementing measures in the following main fields:

1. Stage-by-stage consultations and examination by the French specialists from the Ministry for Civil Service of the legal framework of the Russian Federation civil service;
2. Training in Russia and probation training in France of young executive personnel of the Presidential Staff and the Russian Federation Government Staff (at the National Administrative School and the International Institute of Public Administration);
3. Seminars and consultations at the Roskadri’ personnel centers in various regions of Russia to exchange experience as regards the functioning of the civil service system at different levels (with the participation of representatives of local administrations) and to train civil servants (heads and teaching staffs of the relevant educational establishments) with the participation of French officials of different administrative levels, regional administrative institutions, and the National Center for the Territorial Civil Service Personnel Training;
4. Compiling of a Russian-French dictionary of administrative, legal and economic terms (the Ministry of Foreign Affairs and the International Institute of Public Administration);
5. Holding of seminars at the Roskadri’ educational establishments on new subjects necessary for the Russian economy (such as the audit) with French specialists from the Finance Ministry;
6. Donation to the Roskadri' educational establishments of dozens of titles of books in the Russian and French languages on public administration, law and economics.

In 1992, France allocated 0.95 million francs for its program of cooperation with the Roskadri. In 1993, the French aid came to 2.35 million francs, and the figure envisaged for measures planned in 1994 was to grow 20-25 percent up on that amount.

**Germany.** The main partners of the Roskadri in the FRG were the German International Development Fund (DSE), the Interior Ministry (BMJ), and the Academy of the German Civil Officers Union (DBBA).

In cooperation with the German International Development Fund the Roskadri held 11 events in 1993, of which seven were probation training periods in the FRG, including five two-week probation training periods on the subject: System of Retraining and Advanced Training in Civil Service (for employees of Russia's federal executive agencies, members of administrations of the Federation constituencies, staff members of the Roskadri' educational establishments and the leading Russian universities training civil officers): 99 persons all in all; two four-week probation training periods for teachers of the Roskadri' personnel centers and advanced training institutes for the purpose of writing the thematic aids: Personnel Management and Organizational Basis of Activity of Public and Municipal Authorities.

Besides, four seminars were held in Moscow, St. Petersburg, Novosibirsk and Saratov for employees of the federal and territorial executive agencies on the subject: Training and Retraining Personnel in Public Administration Issues in the Russian Federation, with the participation of teachers from the DSE Public and Municipal Administration Center. Each seminar was attended by as many as 100 persons on the average.

The Roskadri' second biggest German partner in terms of holding joint events was the Interior Ministry. Their relations developed within the framework of the Protocol on Cooperation between the Chief Department for Civil Service Personnel Training under the Russian Federation Government and the Interior Ministry of Germany in the Area of Civil Service Personnel Training signed on 26 October 1992.

The main lines in cooperation in 1993 were the following: 1) local self-government, 2) personnel management, 3) organization, 4) budget, 5) glossary (thesaurus of terms characterizing civil service and adjacent areas of public administration), each of which was monitored by a group of experts from the Roskadri' partner organizations (the City Council of Moscow, the State Committee for Industry, the Fuel and Energy Ministry, the Finance Ministry).
The Local Self-Government Group held three seminars in Moscow, Novosibirsk, and Kaliningrad on the subject: Organization of Local Self-Government in the Russian Federation. These were attended by heads of administrations of regions, districts and cities of the Russian Federation, the Government officials, workers of the Presidential Staff, and representatives of the Supreme Soviet as well as republican, regional and local Soviets of People's Deputies. The average number of participants in each seminar was between 100 and 120 persons.

Following the series of seminars in the Russian Federation, the Federal Academy of Public Administration under the FRG Interior Ministry sponsored the study of experience of German local bodies of self-government (for a group of 18, comprising heads of district administrations in Vologda and Tambov Regions, municipal administrations in Moscow, Krasnodar and Rostov Regions, employees of the City Councils of Moscow and St. Petersburg, civil officers of the Presidential Staff and the Russian Federation Government, university teachers and representatives of public organizations).

In 1993, the Personnel Management Group organized a joint seminar on the issue: Personnel Policy, Personnel Management, and Advanced Training of Federal-Level Civil Servants: FRG Experience for 20 participants responsible for personnel management at the federal ministries and departments and functionaries of the Presidential Staff and the Russian Federation Government.

The Organization Group sponsored a seminar at the Russian State Committee for Industry on the subject: Project Management for 25 students representing sector sub-committees.

Following the events organized by the Personnel Management and Organization groups, the FRG Interior Ministry sponsored probation training of the top managers responsible for personnel management at the City Council of Moscow, the State Committee for Industry, the Russian Federation Government, and the Vologda Regional Administration (20 persons).

The Glossary Group drew up a project in 1993 to create a multilingual civil service thesaurus. The project envisaged several stages, including the analysis of laws and regulations in the civil service area, selection of terms characterizing civil service and the adjacent areas of public administration, definition of standard terms, establishment of logical and semantic links between them, and development of software for an electronic thesaurus. This work was not only to ensure the accuracy of legal acts translation and efficiency of international ties but also to upgrade the Russian civil service terminology. The project was to be carried out by the Information, Research and Production Agency (run by the Roskadri) with the help from the Roskadri' personnel centers.
The German Government (in the person of the Ministry of Economic Cooperation and Development and the Interior Ministry) spent DM0.2 million on the implementation of the agreement in 1992 and brought the sum to DM1.6 million in 1993.

The Roskadri' third partner was the Academy of the German Civil Officers Union (DBBA). In May 1993, a delegation of the FRG Interior Ministry and DBBA visited the Roskadri and the Central Committee of the Russian Civil Servants Union (RCSU). In September, the Bonn-based Academy conducted a seminar on social partnership for the senior functionaries of the Government, the Presidential Staff, the federal ministries and departments, and the RCSU Central Committee (20 persons).

The participants in the seminar drew up a joint action program, which resulted in the signing, on 8 January 1994, of a Protocol of Intents between the two unions, thus commencing their cooperation. Both sides gave credit for it to the Roskadri. The main themes in their cooperation were issues of social and legal protection of civil servants, union participation in legislative processes, rating, training and advanced training of personnel, cooperation between educational establishments of the Land and regional authorities.

**Canada.** The Roskadri' partner in that country was the Boris Yeltsin Grant Students Fund set up by the Canadian Government in 1992. Ten million U.S. dollars allocated to the Fund (one million a year) is intended for support of the Russian Government's efforts in forming the institutions and policy of civil service and administration and creating a body of professional administrative personnel. In 1992-1993, Canada organized probation training for two groups of high-ranking functionaries of the Presidential Staff, the Government, ministries and departments, during which they had a chance to familiarize themselves with the foundations and operation of the Canadian public institutions, legislation, and cooperation between administrations at different levels.

**The European Union.** Within the framework of the EU’s long-term TACIS Program devised by the EU Commission for the purpose of providing technical assistance and supporting the CIS efforts to achieve economic progress and create democratic societies, the EU Commission approved TACIS-Roskadri, an international project aimed mostly at training personnel for civil service.

In 1993, the Roskadri, jointly with its personnel centers, made a start in implementing the project.

The EU project executor was a consortium of EU member states (under the French University of the city of Tours). Initially the project budget amounted to 1.92 million ecus (over US$2.3 million), which sum was increased to USD2.6 million (with the contract extended for another six months) after the EU Commission studied the Russian requirements. Fifteen percent of that amount was allocated to the Roskadri and its training centers for acquiring informatization hardware and
didactic materials. The fight for these 15 percent involved quite serious negotiating effort, as TACIS has always tried to reduce to naught this particular spending item in similar projects.

The project implied two implementation stages:

1. Analysis and examination of the existing state of civil service personnel training (as a complex).
2. Preparing a qualified body of teachers for civil servants training institutes (centers); development of sets of standardized curricula designed to meet civil servants' requirements for professional and specialized knowledge necessary for performing their duties.

The Roskadri set up a five-man working expert group comprising highly skilled teachers from a number of personnel centers (North-Western, Volga-Vyatka, North Caucasian, Siberian) and a Roskadri specialist.

Starting 1994, EU Long-Term Expert Mr. J.-L. Barsac set up camp in Moscow in keeping with the TACIS-Roskadri Program, his office based at the IPKgossluzhby.

The implementation of the TACIS-Roskadri project had much influence on adapting foreign experience by the Roskadri' educational establishments.

**Great Britain.** A project was drawn up in Moscow in 1993 jointly with the British Council, aimed at studying and using the British experience in the area of civil service reform. The project envisaged:

- an educational trip to Great Britain by a group of high-ranking Russian officials, who were to study the New Step British initiative aimed at civil service revamping, and later to produce practical recommendations on employment of the British experience in the context of Russian reforms;
- training in Great Britain of a group of Russian consultants and teachers employed in the civil service system;
- British expert consultations on the strategy and implementation of the Russian civil service reforms;
- compilation and publication of a Russian-English administrative glossary to assist Russian officials and experts in studying the British experience and for use at the educational establishments.

The project cost 390,000 pounds sterling (553,800 ecus).
Conclusion
Thus, despite having achieved definite practical results, the first and only real (not virtual) attempt at reforming Russia's civil service misfired rather soon (there is even an official date of its discontinuation, 3 May 1994, when the Roskadri was dissolved; See: section 2.4). And for a reason.
In the first place, the attempt failed to create the kind of political support for the civil service reform as would measure up to the complexity of the problem, support implying the presence of:

1) an opportunity to steer through the federal parliament some crucial bills within an acceptable timeframe without serious distortion of their (bills') concepts;
2) an opportunity to bring tough (on occasions, demonstratively tough) administrative pressure to bear on opponents of the reform entrenched in the federal executive agencies, who become identified in its course;
3) a system (and a program or at least a concept) of political support for the reform, to wit:
   a) monitoring the political situation connected with the reform,
   b) discrediting the existing system, i.e. persuading the potential supporters of the reform that their vital goals, both short- and longer-term ones, cannot be achieved unless the system undergoes a radical overhaul,
   c) actualizing the reform, i.e. demonstration of the capability of the proposed option to more effectively serve the attainment of the vital goals of the existing and potential supporters of the reform,
   d) vaccinating the reform, i.e. a set of moves designed to preempt possible resistance to reform measures (both overt and covert in the form of sabotage, etc.) on the part of existing and potential opponents of the reform.

There proved to be an insufficient number of influential persons among the top political leadership, who could provide the necessary backing for the reform (actually it was Gennady Burbulis alone). Moreover, the coming to Government of Viktor Chernomyrdin and his highly conservative team steeped in the Soviet managerial tradition meant weaker advocacy for the reform.

Another essential reason was inadequate intellectual support for the first attempted civil service reform in Russia.

Practical realization of any kind of social transformations requires the use of different resources and the existence of many prerequisites, whose relatively homogenous groups can be referred to as the relative types of support: intellectual, political, personnel, organizational, financial, etc. Yet, the importance of each of these types of resources for the success of the transformation in question
depends on its (social transformation's) nature, which may take mostly two forms: a modernization and a reform.

In modernization (strictly speaking, modernization can (and must) be effected continuously in response to challenges of the changing environment, but it may also be carried out in the form of campaigns, or separate programs), the transformation is directed at improving some or other resultant "output" indicators – effectiveness, efficiency, quality, productivity, etc. – but there is no need for the transition to a new system of basic organizational and functional principles. ([2.7.], D. Scott Sink. Productivity Control. Moscow, Progress Publishers, 1989, pp. 68-72.)

In the opposite case, it must be stated that the modernization resources have been exhausted and there is a need for a reform, primarily one directly aimed at replacing the current system of the said principles by new ones that are more in conformity with the changed nature of relationship between the object and its environment.

At that time (in 1991-1994), it was not obvious that:

1) precisely a reform was required to convert the civil service of the totalitarian USSR to the civil service of a democratic Russia: a law-governed democratic state is based on a totally different system of principles (sovereignty of the people, rule of law, public nature of power, etc.) than a totalitarian dictatorship (sovereignty of the dictator, law of might, sacredness of authority, etc.) and therefore its cadres must be formed and function on a fundamentally different basis as well ([2.9.], K.M. Skobeyev. Draft Concept of the Federal Program for a Responsible State // Federal Assembly – Parliament of the Russian Federation. State Duma. Analytical Bulletin, 1995, No. 3, pp. 6-9);

2) reform of the Russian civil service primarily meant a transition from the old type of civil service system (the nomenklatura system) to a new one (career or contract-based, but in any event relying on the merit principle) ([2.6.], E.A. Boiko, K.M. Skobeyev, The Civil Service Reform: Putting New Wine in Old Bottles? // Transactions of the Siberian Civil Service Academy. Vol. 4 (anniversary edition), Novosibirsk, SibAGS, 2001, pp. 15-18).

To carry out the reform, it is necessary to have clear and, if possible, adequate (though not necessarily detailed) views on:

1) the essence of the civil service of a law-governed state (which, incidentally, is not required in modernization, for such views are already present, although normally in an implicit form);

2) the main organizational and functional principles and laws of the object to be reformed (nomenklatura-type civil service);
3) the main organizational and functional principles and laws of the entity, to which the reform is supposed to lead, a civil service based on the merit principle;

4) the essential signs of a desired future state of the object to be reformed, formulated in terms allowing to estimate their attainment level at individual stages of the reform;

5) the general logic of transition from the existing to the desired state, its key points, most important obstacles, and forces supporting the reform and opposing it.

In other words, we must have quality content for a civil service reform concept (a concept is not an organizational project and deals only with general and fundamental matters, rather than concrete issues that may arise in the course of reform programs). Despite the Roskadri' attempts to have it elaborated, the problem has not been fully resolved (nor is it today).

It must also be kept in mind that the nomenklatura system reform, like that of any other social institution, means coordinated modification of both the norms of that institution and the corresponding views and values. In Russia, however, the last ten years of organizational and legal efforts to reform civil service were not accompanied with the corresponding ideological and educational programs either in the civil service milieu or society as a whole. Moreover, neither politicians nor civil servants themselves so far understand the necessity of this work.

Thus, ignorance of the properties of the object to be reformed, the nomenklatura system, and, naturally, the failure to see the vectors and nature of its response to the reform moves have led to the collapse of the civil service reform. In the final analysis, it must be stated that what we have as a result amounts to the same old nomenklatura system, on which the Russian leadership as it were put some "democratic" gloss by signaling its intention to modernize the domestic civil service. We must openly admit that this pseudo-democratic show is the only thing the nomenklatura bureaucracy is capable of when ordered to go into self-reform.

Unfortunately, the situation cannot be put right by legislative and administrative measures alone. The lack of professionalism, corruption and other malfunctions plaguing this country's government machinery are the inalienable, immanent characteristics of the nomenklatura as a civil service system. It is impossible to "improve" the nomenklatura system by imbuing it with separate elements that proved efficient in other civil service systems. Consequently, we must give it up in its entirety and stop sighing nostalgically for the alleged orderliness of its operation (personnel work, etc.), to say nothing about attempts to resuscitate some of its elements. This system has exhausted all resources of its own modernization and the only thing left to do is to go over to a fundamentally new system.
In order to understand how it should be done, we ought to turn to, if anything, our own recent historical experience. The USSR has disappeared because of the break-up of its economic foundation, the centralized economy. Yet it is worth our while recalling that it was preceded by a tedious scientific and later broad public debate on the Plan or Market issue (which had started way back in the mid-1960s). Whatever its meaningful results, the main impact of that broad public debate was discrediting the basic idea of economic centralism, the allegation that "the economic initiative of individual persons is less effective than the conscious organization of joint economic activities of all members of society," in the eyes of the public opinion and the "ordinary" citizens, those real economic agents.

The same goes for the sphere of public administration. The nomenklatura cannot be defeated for as long as we fail to discredit in the eyes of the people the basic idea of a dictatorial state, of which it is the personnel basis, the idea that the state must guide society's life and channel its development into the "optimal" direction.

As far as other reasons are concerned – the lack of skilled personnel for implementing reforms, under-financing, etc. – they were of concomitant nature and had no decisive impact on the chances for the reform.

However, the current state of affairs as regards both said essential reasons is much better.

First, the national leadership is positioning the civil service reform problem as a government objective and starting to take certain steps towards its solution. There is what was absent in the early 1990s, to wit, the realization that the civil service reform should be the first step in an administrative reform.

Second, the Roskadri-created network of personnel centers (later civil service academies) with the Russian Civil Service Academy under the RF President at the head, as well as a number of major Russian universities, do much work investigating the real state of the civil servants corps and the civil service specifics in the USSR and democratic Russia, assimilating foreign civil service organization experience, etc. It may be stated already now that we have a definite amount of scientific expertise in this field (it will be recalled that the USSR pursued extremely low-profile research in these matters and totally banned research in certain others). So, given the proper organization, we are quite capable of devising a quality concept of civil service reform.

Besides, initiated by the Roskadri, the work to draft laws and regulations for the civil service continues to bring results. We mean the Federal Law on the Fundamentals of the Russian Federation Civil Service and the fairly well developed legislation of many constituent entities of the Federation. For all their drawbacks, these laws and bylaws gradually inure civil servants to living in
a law-governed environment, not one created by CPSU fiat. They also give them the wish to study, upgrade their skills, etc.
PART II.  A REVIEW OF THE SECOND ATTEMPT AT CIVIL SERVICE REFORM IN 1997-1998

Introduction
Before appraising the state of civil service on the eve of the "upsurge" of the reforming zeal in 1997-1998, as well as describing the concept of the "second attempt at reform," and practical steps within its framework, which makes up the main content of Part Two, it seems appropriate to sum up briefly the views of the "1997 team" concerning the events of 1991-1995 dealt with in Part I.

Objectively, the situation in which people attempted to start the process of forming a new civil service in Russia was quite complicated. Aside from a pitched political struggle, which sometimes went beyond the limits of law and was aimed at solving the cardinal problems of the nation's further development, there was taking place an unprecedented large-scale re-division of former public property. In other words, there was a continuous, uncompromising fight for power, for influence, for huge chunks of the nation's wealth. Quite often it was like the "Klondike gold rush" – it obeyed no rules. And so, what was then taking place in the field of civil service reform was just a replica of the overall situation in the political, administrative and economic spheres. The inner logic of that situation determined the choice of persons who found themselves at the helm of the civil service system and influenced their actions.

Compelled to move fast on tackling what they saw as the burning priority problems, those people got carried away by purely, administrative intrigues and "apparat games" to the detriment of finding essential solutions to problems. It was not an ideological struggle in the first place: it was a scramble for influence and property, for access to the levers of power. What was finally formulated in February 1994 as "priorities" for civil service development actually answered only the questions of a structural-administrative nature: which agencies to be in charge of organizations providing for civil servants training and retraining. However, the key question – what sort of civil service is suitable for new Russia – was not answered at all. Moreover, it was not seriously posed or even formulated.

Besides clashes over structural-administrative issues, there was a bitter struggle for such a "juicy chunk" of ex- CPSU property as the Academy of Social Sciences and the network of higher Party schools comprising the CPSU higher educational system. Outwardly, however, it all looked like a struggle for the role of the chief provider of personnel for the government machinery. The higher Party schools and the Academy of Social Sciences were opposed by regular establishments of general higher education – institutes and universities. The heirs to the CPSU won out. They actually
were granted the right to train personnel for civil service. This was unfortunate primarily because for decades the main body of the faculty at these educational establishments (let alone their heads) was deliberately formed from among people who had managed to demonstrate their special loyalty to the Party and its decisions, and servility toward the bureaucratic structures of the CPSU. The faculty of these educational establishments used to consist largely of the nomenklatura of the higher Party bodies. These people taught, for instance, that the mechanisms of a market economy were a negative phenomenon – an element of "the bourgeois system." As for the political mechanisms of "pluralistic democracy," "bourgeois philosophy," etc., they were taught as part of a "criticism of bourgeois ideology." Paradoxically, it was precisely these educational establishments that were given the task of training executive personnel for new Russia. Meanwhile, historically, the very spirit of these establishments was not at all conducive to training civil servants in the conditions of a market economy and democracy, while the majority of their staff were neither sufficiently qualified nor psychologically fit for adequately carrying out that task.

Moreover, it was at those establishments that the ideology of modernizing the machinery of government was being elaborated. Not surprisingly, this ideology was mostly of a conservative, even restorative, nature. In fact, it had little to do with the latest world tendencies in the development of civil service. For instance (another paradox), the emphasis was laid not on reappraisal (in the form of certification or some other) of the existing personnel from the viewpoint of their measuring up to the new requirements and conditions, and not on injecting "new blood" into the civil service, but on resurrecting (in complicated form, too) the Table of Ranks that existed in pre-Revolutionary Russia. Curiously, though not fortuitously, the leading role in the body of foreign advisers was then played by the representatives of the French school of administration, a school which, despite all its merits, had always been marked by conservatism and actually kept aloof from the serious changes which were taking place in the sphere of civil service in a number of Western countries in the 1980s and 1990s.

It should be noted though that this disquieting diagnosis is not at all in the nature of personal invectives; it only describes the situation that obtained in the sphere of civil service by 1997 when the reform effort had received a new impetus. Now we shall analyze in greater detail the realities described in the previous part of the report. They will be dealt with in the light of the ideology which underlay "the attempts of 1997" but from the angle of the view of the events, which we hold today, in the year 2002.
Chapter 1. The State of the Bureaucracy and the Public Administration System in Russia prior to 1997

1.1. The Vague System of Values

In the course of any reforms, particularly those of a revolutionary nature, a clearly-defined system of world views or value orientations is one of the most important factors. There is no doubt that disregard for this factor has delayed the reform of the government machinery and the public administration system in Russia for many years and was behind the failed attempt at such reform in 1997-1998.

This factor is practically of no importance when administrative (civil service) reforms are effected in modern Western democracies. But it is highly important for such a post-totalitarian country as Russia. Generally speaking, major reforms cannot be implemented without due regard for the attitude to them on the part of the public as a whole and the bureaucracy in particular. Still less is it possible to implement such reforms (or, at any rate, to achieve desired results) where the public's mentality is riddled with the stereotypes typical of an entirely different social model.

To be sure, public mentality possesses an enormous force of inertia. Therefore, altering stereotypes is a problem which spans generations. But that does not mean that nothing should be undertaken in this sphere – that one has only to wait and see. In this case, reforms either will not be carried out or their results will be poor, or their effect will be negative in general.

And so, the reformers of the first wave failed to change the public's mentality. However, they were quite capable of taking a set of measures clearly defining the value orientations the absence of which has an adverse effect both on the public as a whole and, to a great extent, on the "career" (paid) public officials. Getting no clearly-defined system of value orientations from the political leadership, or merely receiving contradictory directions, the Russian bureaucrat found himself completely self-reliant in his ideological preferences.

However, there is more to that. One of the decisive factors for the successful administrative reforms is the support or the resistance of the bureaucracy. In Russia the state has always played a special role: all reforms have been initiated "at the top." But the stronger the state grew, the less freedom the people had. In the words of the great Russian historian, Vasily Klyuchevsky, "as the state swelled, the people pined." There were just a few exceptions from this sad rule, and they came about owing largely to the progressive role played by the liberal bureaucracy during the reform periods in Russian history, particularly the reforms carried out by Alexander II. But how can the
liberal bureaucracy be identified now in the absence of clearly-formulated ideas and values round which the public might rally?

Of course, such ideas and values are contained in the 1993 Constitution of the Russian Federation. It should be noted, however, that so far there is no tradition in Russia to regard constitutional provisions as truly immutable rules for those in power, especially provisions which proclaim certain principles and not just outline the competence of government institutions. Therefore, achieving an identity of values requires a wide range of decisions and actions, at times even nominal but consistent, that would provide clearly-defined directions for the public officials. This is something that was not appreciated by the new political elite.

Realizing that the mode of life itself and the nature of social relations were changing in a revolutionary manner, the leaders of post-communist reform still viewed themselves as participants in a purely evolutionary process. This view of themselves and its transference to both the public at large and the public officials influenced radically the subsequent course of events.

The revolutionary transformation of Soviet Russia into a democratic nation presupposed not only the introduction of economic and political freedom but also, first and foremost, a fundamental restructuring of the entire government machinery. In the absence of a middle class, as well as developed civil society organizations, democratic traditions and such intrinsic values as personal freedom, privacy, civic responsibility, etc., this machinery was supposed to bear the brunt of bringing the nation out of its totalitarian state.

Undoubtedly, the vagueness of value orientations cannot be wholly attributed to the fact that the ruling elite fails to (or does not want to) appreciate the revolutionary nature of the events taking place. This is clear from the fact that Boris Yeltsin gave up trying to "decommunize" Russia after the failed attempt to ban the Communist Party (the CPSU and the CPRF) in 1991-1992. Actually, the attempted ban on the Communist Party in 1991 was not aimed at Russia's decommunization, but given a more favorable set of circumstances it could have started such a process.

At least two important conditions were necessary for that: first, a clearly-stated self-identification by Yeltsin and his associates as anti-Communists; second, institutional changes in the system of government, for the preservation of nearly all the government institutions of the late Soviet period made it impossible to carry out decommunization. Neither of these conditions existed then.

There was yet another manifestation of a poorly-defined value orientation system: refusal to be considered the legal successor to pre-Bolshevik Russia. All the steps taken by the new powers that be (both formally legal steps and purely symbolical ones) testified to the fact that new Russia was the legal successor to the USSR. Of course, all that was explained by pragmatic considerations – in
particular, the need to inherit the property of the USSR abroad, to preserve the military bases in the former Soviet republics, etc.

It should be noted for the sake of comparison that a number of other post-communist countries have acted in an entirely different way. The Constitution of Lithuania, for instance, begins as follows: "The Lithuanian Nation, having established the State of Lithuania many centuries ago, having based its legal foundations on the Lithuanian Statues and the Constitutions of the Republic of Lithuania" etc. The Constitution of Estonia says: "Unwavering in their faith and with an unswerving will to safeguard and develop a state which is established on the inextinguishable which was proclaimed on February 24, 1918" etc. The Constitution of Croatia devotes all of its first section to a review of the historical foundations of the country's statehood.

How does all that relate to the problems associated with reforming Russia's civil service? In our view, there is a direct relationship, for one of the most important factors (if not the decisive one) which influence the country's development, particularly at critical moments, is awareness of the time and self-awareness within it by those at the summit of power.

The course of events would have been completely different, and so would the constitutional essence of Russia's statehood – as a statehood being restored after the period of Soviet rule – if some time toward the late 1980s or the early 1990s the idea of regaining the country's lost roots and traditions had become widespread in Russia. They were to be regained not only in the cultural-historical sense but also in the sense of state law (which did not necessarily presuppose re-establishment of the state system that existed in Russia prior to March 2, 1917, when Emperor Nicholas II abdicated, or at least before the Bolshevik coup of October 1917). Accordingly, there would have been a different attitude toward the machinery of government as a tool serving the interests of the communist nomenklatura and employing administrative principles and methods which were contrary to the legal and democratic precepts. Of course, this did not mean that the government machinery had to be demolished once and for all; rather, this would have led to a realization that it was important to dismantle it according to plan and replace it with a civil service based on a different system and functioning according to different principles.

However, the new political elite tried in every way to adapt the old machinery of government to the requirements of the reform, but changing it as little as possible – if at all.
1.2. Soviet Mentality Being Preserved in the Political and Bureaucratic Structures

Described below are only two of the most prominent features of Soviet mentality.

The first is the mentality of the political and administrative bureaucracy which rejects the rule of law concept. Several generations of Soviet bureaucrats were raised in the belief that the state "is a machine by which one class suppresses another," and that legality "is the will of the ruling class made into law." Quite naturally, the mere appearance of the law-governed state concept and even its subsequent formalization as one of the constitutional mainstays of post-communist Russia, could not break the old stereotypes of thinking. Two things were required for that: time and strong motivation.

Too little time has elapsed to change radically the pattern of bureaucratic and political activity from command administration to the rule of law. But there has been enough time for a trend toward such a change to appear. At first, this trend really made itself felt: the legislative spectrum became considerably richer compared with the Soviet period; entirely new provisions limiting the omnipotence of the bureaucracy appeared both in the Constitution and in the laws. However, the Soviet stereotypes of thinking gradually began to spread again in the minds of the bureaucrats because an administrative reform had not been carried out and a judicial reform had not been completed.

In other words, constitutional provisions were not enough to change the administrative practice fundamentally. The actual conditions did not compel the bureaucracy to change the manner and methods of their work. And if such conditions do not restrict a bureaucrat, do not channel his activity along a different course, he will never want to change his ways and will always see enhancing performance efficiency as strengthening the "vertical of power," understanding it as the building of an administrative hierarchy and the use of administrative-command methods, which presupposes unquestioned subordination of the "inferior" officials and agencies to the "superior" ones – regardless of their competence.

The second feature of the Soviet mentality, which is closely related to the first, may be described as "nomenklatura consciousness." What is meant by this is an exaggerated significance attached to the notion of "status." Such an attitude is unavoidable within a closed career system of civil service, in the presence of a rigid dependence on one's "higher-ups," and, even more important, in the absence of the ruling establishment's accountability to the public. Such a state of affairs, on the one hand, increases a bureaucrat's dependence on his higher-ups, and, on the other, enables him to identify his weight as an "apparatchik," as well as that of other bureaucrats, and to better find his bearings within the bounds of the government machinery.
It goes without saying that in an unreformed system of civil service such stereotypes are always present – they simply cannot disappear, but even under democratic conditions they are responsible for creating an archaic image of civil service.

During the Soviet period there was a ramified and well-organized system of privileges for the CPSU and government functionaries who made up the so-called nomenklatura (that is people who received their appointments upon approval by an appropriate Party body). The range of these privileges was rigidly regimented depending on one's position within the nomenklatura. (This position was determined not so much by the job one held as by the level on which the approval had been granted. Thus, one's post might not be very high, and yet one might be part of the nomenklatura of the CPSU Central Committee.) The rung one stood on in the nomenklatura ladder determined the residential district in which one lived, the size of one's apartment, the area where one's government-owned dacha was located, the type of automobile one was assigned for personal use (a ZIL, or a Chaika, or a Volga) with specific license plates, and the package of medical services one was entitled to (there was a hierarchy of its own even within the Fourth Main Department (the so-called Kremlin section) of the Ministry of Public Health). All that was in addition to such privileges as the size of one's office (if one was entitled to a separate office), the type of telephone communication in it, the content of take-home food packages (the so-called Kremlin ration), etc.

It is well known that in making his political career in the late 1980s Boris Yeltsin advanced and heavily relied on the slogan of "doing away with the privileges." He must have been sincere in that because he personally disliked the nomenklatura privileges. On the other hand, he may have adopted that slogan because the idea of abolishing the privileges was highly popular among the public. The idea was so popular not so much due to people's envy as to the fact that the privileges were a glaring embodiment of social inequality and hypocrisy.

At the beginning of his presidency, particularly after August 1991, Boris Yeltsin really tried to implement "the abolition of the privileges" slogan. Then a number of medical establishments, rest homes, etc., which belonged to the Party, were turned over to the public and became accessible to all. Some of the newly-adopted laws contained provisions on the material and social well-being of civil servants and public officials (such as judges, officers of the Procurator's Office and law-enforcement agencies, etc.). However, all that did not solve the main problem – doing away with the institutional system with the help of which it was possible to control bureaucracy with the help of means other than public. Moreover, with time this system was becoming ever more powerful, ramified and poorly controlled by the public.
The "new wave" politicians realized the tremendous advantages of controlling the material and other resources being distributed within the government machinery. It was no accident that the conflict which occurred between the President and the RSFSR (RF) Supreme Soviet in 1991-1993 was fought on several "fronts," at the meetings of the Congress of People's Deputies and at the sessions of the Supreme Soviet – not only in the form of public clashes but also in the form of a struggle for budget allocations and for possession of a separate logistical support system and a bodyguard service. Also, it was no accident that during the escalation of that conflict and the showdown of fall 1993 the Russian President immediately established full personal control over the entire system of material provision and everyday services to government officials, deputies, judges, etc. This system was incorporated into an agency called the Business Administration Directorate of the President of the Russian Federation.

The present status and competence of the Directorate were formalized by a presidential decree of 2 August, 1995, on the Business Administration Directorate of the President of the Russian Federation which approved appropriate Statute (see RF Presidential Directive No. 457-rp of 17 October 1995 and RF Presidential Decree No. 1675 of 11 December 1996). Actually, the decree gave the Directorate, a business entity, the status of an executive agency. In fact, Article I of the Statute says: "The Business Administration Directorate of the President of the Russian Federation... is a federal executive agency under the jurisdiction of the President of the Russian Federation, which coordinates the activities of the federal executive agencies and of the enterprises, organizations and establishments within its jurisdiction in regard to the financial, logistical, and daily-life services provided for: the Staff of the President of the Russian Federation, the Government of the Russian Federation, the chambers of the Federal Assembly, the Constitutional Court of the Russian Federation, the Supreme Court of the Russian Federation, the Higher Court of Arbitration of the Russian Federation, the Audit Chamber of the Russian Federation, the Central Electoral Commission of the Russian Federation, the Security Service of the President of the Russian Federation, the deputies (members) of the chambers of the Federal Assembly, the judges of the Constitutional Court, the Supreme Court of the Russian Federation and the Higher Court of Arbitration of the Russian Federation, as well as the personnel of the above-mentioned federal agencies (hereinafter referred to as the served agencies and personnel)." As can be seen, this structure, as it is today, is not quite in keeping with the separation of powers principle.

However, we are talking here of something else. The point of the present discussion is that the old system has gradually and imperceptibly managed to draw the new ruling class into its orbit; for one, it has managed to preserve the old nomenklatura stereotypes. Usually, this tremendously important factor is not taken into account by those who analyze the Russian administrative system.
Meanwhile, the part it plays is truly significant. Everywhere and at all times, the existence of a politician or a bureaucrat falls into two parts, as it were: his public activity and his everyday life. And if the system is organized in such a way that he (politician or bureaucrat), in resolving his everyday problems, depends on certain officials, this may affect his performance as a public figure or a civil servant.

In regarding the system which serves the public officials as a purely functional instrument (also politically functional), the reformers failed to notice how they themselves fell victim to that practically unreformed system. Its emanation was clearly underestimated.

Of course, the problem is not that the bureaucracy enjoys some sort of social advantages. Considering the fact that public officials have an unlimited working day, enhanced responsibility and are sometimes engaged in work which may be dangerous to their life or physical health, they are to be entitled to, perhaps, have some sort of privileges. The problem consists in something else: namely, in the need, in the first place, for a very detailed legislative regimentation of such privileges and, in the second, their actual provision – inasmuch as they are laid down in laws and regulations.

Legislative acts mention material and daily-life support for various categories of public servants and officials in rather general terms. Furthermore, insufficient funding to meet even the existing norms leads to the fact that top executives get the opportunity to practice favoritism, breeding servility and, possibly, inner corruption.

1.3. The Absence of a Public Order for Government Machinery Reform

Practically nowhere and never have people demanded implementation of concrete reforms. That is how it has been in Russia as well. In the late 1980s and in the 1990s the public demanded reforms in general, although for some time there appeared concrete political slogans. People's goal in life was very general then: "to be as well off as are people in the West." Because of a number of factors, the Russian people had a very distorted picture of the cause-and-effect connection between what was desired and the necessary conditions for attaining it.

One of the causes was the strong tradition of paternalism which had existed in Russia for a long time but which became particularly strong in the Soviet period. Russia's new powers that be were aware of this and actually slowed down the process of parting with the old paternalistic stereotypes: they sent signals that were contrary to the public's expectations. The ruling establishment did little to replace paternalism as a dominant idea with another national idea which consisted in recognition and realization of a democratic state's primary function – protection of freedom (political, economic, religious and ideological). Its realization should have been more than a mere elimination
of the rudiments of the Soviet bureaucracy – namely, a person's dependence for advancement on a bureaucrat's attitude to him; it should also have created a mechanism for the ruling establishment to differentiate between manifestation of freedom and abuse of freedom, as well as infringement on the principle of freedom. Instead, the public witnessed ineffectual efforts made by various power structures to preserve the paternalistic expectations, as well as an actual restriction of freedom in the sphere of law enforcement and often in legal acts themselves. As a result, the situation of general uncertainty was aggravated by unfulfilled promises of a paternalistic kind and, at the same time, by the embryonic state of the protection of freedom function.

Another cause of that was reliance on the "invisible hand of the market" which was expected to put everything in the right perspective; in particular, it was supposed to determine the price of any commodity – from goods to labor. This is precisely what the reformers promised the public; perhaps, they themselves sincerely entertained such an illusion. However, while the prices of practically all goods and services went up steeply, the price of labor remained as pitifully low as it had been in the Soviet time. Nevertheless, the public still failed to perceive the cause of such a huge discrepancy. People failed to see a connection between the fact that the market economy laws began operating in completely unsuitable conditions and the ensuing criminalization of economic relations, as well as the inordinately high social cost of economic reforms.

In times of major transformations, however, such civic unawareness is usually made up for by the activity of organized political forces – political parties which are able (as they are supposed to be) to ascertain the basic public needs and interests, to present them in the form of clear-cut policy statements, and either to implement them – if the institutes of state power have been taken possession of – or, acting as opposition, to demand that the ruling political force accept a compromise, as well as to criticize the steps taken by those in power.

At the time, Russian society did not have (nor does it now – not in full measure, anyway) such a system of political representation. The parties which appeared one after another (usually before new elections) were, in the first place, short-lived and, in the second, they did not formulate clearly the real interests of the social groups which they represented.

The fact that a party's victory at parliamentary elections did not mean that it would form a government greatly hampered the formation of a normal party system. Not counting on pursuing their policies by means of a mandate to form a federal executive authority and only striving to win the greatest possible number of seats in the State Duma, parties based their election platforms on predominantly populist promises and on "criticism of the regime." They could not afford to engage in a profound analysis of the real causes of a multitude of outstanding problems. That is why a public order for administrative reforms was never advanced.
1.4. The Absence of a "Motive Force"

Any administrative reform (including a reform of civil service) has a distinguishing feature which sets it far apart from all, or most of, other reforms. Implementation of the latter envisages transforming such spheres and sectors of administration as the tax system, the pension scheme, housing facilities and public utilities, property relationships (privatization), etc. An administrative reform, on the other hand, is aimed at transforming the system of administration – the government machinery itself, a situation where public officials are actually compelled to reform themselves.

Incidentally, the bureaucracy might put up with this, provided the reform implies purely institutional, not functional and substantial, changes; in other words, if the reform is limited to transforming only the setup of the executive agencies. But since the Russian administrative reform goes much deeper and since it is aimed at changing the very principles of the construction and functioning of the executive branch of power and its relationships with other government institutions and with the private individuals, as well as at transforming the status of the bureaucrat, etc., the implementation of such a reform cannot be welcomed by the bureaucracy – something politicians are compelled to reckon with.

Of course, a certain part of the public officials are forward-looking people who realize the need for both institutional and functional changes, and who are aware of the negative effect the restoration of some archaic forms of the civil service might have. Therefore, political efforts should be aimed, on the one hand, at singling out the progressive part of the bureaucracy, and, on the other, at enlisting in the civil service progressive people who see the state as a system serving the public's interests.

1.5. An Unconscious Requirement

If reforms in the executive branch lag behind those in other areas or, even more important, behind the public's requirements and expectations, it is not only dangerous but it can jeopardize the success of a most perfect program of transformations (in our case, it should be noted, such a program did not and, perhaps, could not exist). The history of both successful and unsuccessful reforms shows that the bureaucracy may be either the motor of transformations or a brake on them. It would be in place to recall here something Otto von Bismarck said once: "Given bad laws but good civil servants, administration is yet possible; but no laws will help if the civil servants are bad." So why has our bureaucracy become a brake rather than a motor?

Paradoxically, the radical changes that have taken place in our country have had a minimal effect on the government machinery. For a number of reasons, which will be mentioned further on, the administrative machine, which present-day Russia inherited from the USSR (by the way, not an
entirely bad machine, but one that was created and operated in an altogether different political and economic system), was modified only slightly to meet the requirements of a new reality. Meanwhile, the challenges that confronted that machine should have been addressed by using completely different methods and programs. As a result, the former braces of the administrative-command system had become hopelessly weak and there was no adequate replacement for them.

Such a replacement could have been made only as a result of a complex administrative reform, with civil service reform being one of its components. For these two come together and could not be separated: even if the principles of a modern civil service gained the upper hand, the bureaucracy, with its archaic relationships, would not be able to produce the social and political effect expected of it by the public. The architects of the administrative reform concept elaborated in 1997-1998 realized that, and they could not but include a reform of civil service in the more general administrative reform.

A distinctive feature of the Russian political and administrative elite's attitude toward reforming the public administration system and the government machinery, unlike their attitude toward political and economic transformations, is gradual realization of the need for an administrative reform and a painful evolution in the understanding of its purposes and principles.

It is not surprising that the separate measures in the sphere of public administration taken in the 1993-1996 period were not aimed at reforming that system, but were a more or less formal response to the requirements of the Russian Constitution and the country's economic needs.

The discrepancy between a radical transformation of the foundations of the government system and public life and the actual preservation of the former institutional and substantial medium in which transformations were taking place was largely responsible for the deficiency and high social cost of political, economic and social reforms, the scope of civil service corruption, and the overall slowdown in the reforms process.

Even after the Russian Constitution was adopted in 1993 the main government institutions, formed prior to its adoption in completely different political and economic conditions, preserved their legitimacy (with the exception of the legislatures and, partly, the Constitutional Court). Even Viktor Chernomyrdin's government did not resign then, which, incidentally, was perfectly in keeping with the new Constitution since Article 4 of its concluding and transitional provisions says: "The Council of Ministers – the Government of the Russian Federation from the day this Constitution takes effect assumes the rights, duties and responsibilities of the Government of the Russian Federation set down in the Constitution of the Russian Federation and in future shall be designated as the Government of the Russian Federation." The only action taken by the President in that respect was to issue on 23 December 1993, a decree on the Transformation and Reorganization of the Council
of Ministers – the Government of the Russian Federation. Although this act was absolutely unnecessary – since everything was taken care of by the Constitution, the President and the Premier used that decree for another reshuffling of the executive agencies. In particular, the decree provided for replacements in the lineup of the Government, reorganization of some state committees and ministries, staff reductions in the government apparat, etc. The decree had only one reform-like item which stressed the need for reducing the number of executive agencies. It provided for "the liquidation, in the first place, of ministries, state committees and other departments which duplicate each other's functions and which have been assigned to administer spheres which, under the Constitution of the Russian Federation, are outside the jurisdiction of the Russian Federation." This, however, did not signify the start of a sweeping administrative reform.

The only innovation on the part of the executive branch was repealing several laws or separate legal provisions which the President found to be contrary to the new Constitution of the Russian Federation. This legislative "overhaul" was started by his decree of 24 December 1993 on Measures to Bring Russian Federation Law in Conformity with the Constitution of the Russian Federation (as well as a few other similar decrees) and the Russian Federation Government resolution of 27 December 1994 concerning Changes in, and Invalidation of Decisions of the Government of the Russian Federation in View of the Adoption of the Constitution of the Russian Federation.

On the whole, the actions of the President and the Government during that period were aimed at some sort of structural and functional corrections dictated by the fact of the adoption of the new Constitution as well as a desire to remove certain obstacles in the way of economic development rather than by being dissatisfied with the institutional, functional and substantial condition of the government machinery.

At the same time, it would be wrong to say that the ruling establishment was not at all concerned over the problem of reforming the government machinery. Comprehension of the realities and the strategic directions of changing them was facilitated by such a new institution (new for our state) as the President's messages to the Parliament (Federal Assembly). The Constitution requires the President to address annual messages to the Federal Assembly (specifically, Article 84 (f) of the Constitution says the President shall "present annual messages to the Federal Assembly on the situation in the country and on basic directions of the internal and external policies of the state.") Beginning with the first of them, delivered in 1994, these messages did not effect a turnabout either in the minds of the people or the bureaucracy and did not become the ideological basis of subsequent development (a comparison of the presidential messages, say, from 1994 to 1998, with the actual policies of government institutions reveals the existence of a great discrepancy between them). Nevertheless, those messages helped form the necessary ideological basis for the further
conceptual approaches in the sphere of reforming the ruling establishment in general and the executive branch in particular.

The very first message, on the Strengthening of the Russian State (1994), pointed out the choice of the main direction in the development of post-Soviet Russia. However, that was an ideological rather than instrumental priority, and no mention was made of transformations which could be regarded as part of an administrative reform. The focus was on the main institutions of a democratic law-governed state.

The President delivered similar messages in 1995 (on the Efficiency of State Power in Russia) and in 1996 (about Russia for Which We Are Responsible). It should be noted that the message of 1996 was also aimed at the coming elections, although it did not mention this, of course. And so this message should be considered together with the program entitled Russia: the Individual, Family, Society and State. Actually, for the first time the program mentioned the outstanding problems of an administrative reform. However, nothing was said yet about the pressing need for the reform itself.

What is meant here in particular is Section 6 of the program dealing with Law and Order, and Subsection 6.1, The Structures and Personnel of State Power. Mentioned for the first time was the need to simplify the structure of the Government and its apparat, to eliminate the duplication of functions, to reform the civil service, etc. (See: B.N. Yeltsin. Russia, the Individual, Family, Society and State, Moscow, 1996, pp. 87 – 90).

Prominent among the conceptual documents of that period is the RF President's decree on the Elaboration of a Law Reform Concept in the Russian Federation issued on 6 July 1995. To be more exact, the decree was a political order for working out such a concept. But even placing such an order called for extensive analytical efforts, for formulating problems to be solved and objectives to be reached. Actually, it was the blueprint of a future concept. Thus, the concept was intended to address "matters of providing legal support for a number of most important directions in the formation and functioning of Russia's statehood and the development of a full-fledged civil society, including: providing a legislative basis for a human rights system in society, above all real guarantees of the rights and lawful interests of the individual; strengthening the foundations of the constitutional system and defending it; carrying out public administration reforms, particularly improving the system of official registration of public associations and other legal entities, as well as supervising their activities; creating a solid legal framework for organizing the activity of the judicial system and law enforcement bodies; coordinating the legislative activity of the federal government agencies, as well as the federal government agencies and the government agencies of the constituent entities of the Russian Federation; forming the legal framework for and carrying out an institutional reform of the law-enforcement system to step up the struggle against crime;
identifying the foundations of federalism in the Russian Federation; elaborating the fundamental
directions of local self-government reform and its implementation patterns; providing further
systemic legal support for economic development; promoting the system of legal training, including
the system of law education and jurisprudence; organizing a system of legal expert appraisal with
regard to legislative and law-enforcement practice; forming an up-to-date, easily accessible
database of laws and regulations, including in electronic form."

Different versions of a legal reform concept were elaborated by several research institutes and the
State Law Department of the President of the Russian Federation, but they never became official
documents. Today, few people even remember that such a political assignment was issued by
President Boris Yeltsin.

1.6. An Overview of the State of Civil Service

On the whole, during the first half of the 1990s the quality of the work of the government
machinery deteriorated: its actions became more chaotic, ineffectual and, sometimes, even
counterproductive. There were several reasons for that – aside from the dual nature of the Federal
Law on the Fundamentals of Russian Federation Civil Service, which will be discussed below.

In the first place, there was a "personnel drain": the best, highly skilled and experienced workers
had left the civil service, joining commercial structures for the most part, and there was no adequate
replacement for them. In fact, in some departments there were hundreds of vacancies which could
not be filled. At the same time, in a number of ministries almost half of the staff were nearing or
past pension age. Very worrying were the "background gap" statistics we obtained during a
sociological survey: they concerned a group of workers with a service record between six and
fifteen years, that is, the most promising, sufficiently experienced workers.

In the second place, the demise of the CPSU apparat – the former "boss" of the civil service – failed
to transform the civil servants into "servants of the public," as it happens in all democratic nations.
(It should be noted here that in the Soviet time the civil service played the role of mere "drive belts"
of the CPSU bodies.) On the contrary, the bureaucracy assumed the role of almost the sole
controller of an unprecedented large-scale redistribution of former public property – something
which was called "privatization." That, of course, gave the bureaucrats greater independence,
lessened the degree of their accountability and stimulated the growth of corruption. The first to
profit from the re-division of property were precisely the nomenklatura and its "young spawns,"
such as the so-called Komsomol businessmen. There appeared a whole strata of nomenklatura
"mutants" that had not only survived the political changes but which, moreover, had used them to
consolidate their positions. To all purposes, the old nomenklatura had weathered the storm. For the
sake of appearances – to show that some changes in the personnel policy had taken place – a certain
number of "newcomers" were admitted to it. These people either promptly accepted the rules of
corporate behavior or were soon ousted from the system – sometimes, because they were not
experienced "apparatchiks" and lacked the required level of professional training. But that was not
the only reason for their ouster.

The uncertainty which had developed (the "Klondike gold rush" or "muddy water" situation) made
it possible to legitimize officially and to formalize legislatively the narrow corporate interests of the
bureaucracy. This was reflected, in part, in the unjustifiable resurrection of the old Table of Ranks.
It seems that the abolition of the special corporate status of the officialdom (which, incidentally, all
of the 19th-century Russian emperors tried to accomplish without success) was one of the few real
achievements of the 1917 revolution. Paradoxically, the restoration of the Table of Ranks was one
of the first steps taken by new democratic Russia...

In the third place, the former standards of administrative ethics that used to comprise some sort of
"ethical code" of the bureaucracy were no longer valid. Of course, the Soviet version of that "code"
was far from perfect. Those standards encouraged conformism, cynical hypocrisy, ostentatious
loyalty to the Party bonzes and compliance with their instructions. The notorious principle of
"political qualities before professional abilities" in personnel selection has caused numerous dramas
in people's lives because it gave the green light to many careerists and demagogues, who brandished
their Party cards and engaged in intrigues at local Party committee level at the expense of gifted and
highly skilled workers. And yet, the group standards of administrative ethics, which were to be
found in this "code," erected some sort of barriers in the way of bureaucratic abuse of office and
arbitrariness. Regrettably, no other code was created in place of the "ethical code of the Soviet
bureaucrat," and so there appeared an ethical vacuum with its characteristic permissiveness, total
cynicism, corruption, etc. Therefore, we consider it necessary to focus the problem of an ethical
code for the bureaucrat ("moral code" or "code of honor" – call it what you will), and we shall take
up this subject later on in discussing the principles of the reform.

Speaking about the officialdom, we cannot but touch upon the problem of corruption, although it is
a subject for a separate discussion. In the minds of the public these two notions are closely linked,
which is not always just. At the federal level of the civil service, for instance, the extent of
corruption, though unacceptably great, is much smaller than it is popularly believed (considering
the practical possibility for bribery at that level). According to some sources, the federal level
accounts for only 5 percent of the corruption, whereas the regional level – for as much as 25
percent. But the main seat of corruption is the municipal level – 75 percent. And yet, for all its faults, the Russian officialdom is better than it is commonly believed to be.

One of the deep-seated causes of corruption in Russia is the fact that business has not been separated from the government, rather than some special "wickedness" of our bureaucrats. There are remedies for corruption besides the "axe," and one of them is a set of principles, described further on, of reforming the institution of civil service. As for the "axe," the experience of China, where from time immemorial bribery among the officials was, and still is, unsuccessfully fought by most cruel, and even inhuman, methods (in olden times guilty officials were impaled and today they are publicly executed by a firing squad), has shown that such methods are not effective at all.

The Russian public officials are largely honest, hard-working, even selfless, administrators. The traditionally negative view of the whole of our officialdom, both pre-revolutionary and Soviet, appears to be one-sided and light-minded. Among our bureaucracy, besides a large number of highly qualified and conscientious workers (who, by the way, for long periods in our history were far from well paid), there have always been potential reformers, who were particularly noticeable during the periods of change. True, such "rosy periods" were rather short-lived, and so the progressive part of the officialdom – people who were fully aware of their responsibility to public – did not have enough time to consolidate their positions in our baneful political atmosphere. Much too often, responsibility to the nation, to its citizens, has been replaced with responsibility to one's higher-ups. Such an attitude, in all its forms – even outwardly civilized, has proved harmful, both in the historical and present-day aspects. But that is the dramatic fate, rather than the fault, of our entire nation.

Indeed, our officialdom does not measure up to the notion of "bureaucracy" in the classical sense of the word. For it lacks both responsibility before the law and personal initiative, all of which, within the confines of our tradition, boils down to arbitrariness. (Suffice it to recall Gogol's satirical novels). And yet, our officialdom seems substantially better than it is rumored to be – it lends itself to treatment, to reform.

1.7. An Appraisal of the Changes During the First Half of the 1990s from the Viewpoint of "the 1997 Team of Reformers"

Generally speaking, the changes that were taking place during the first half of the 1990s were carried out either in response to the up-to-the-minute political and economic requirements or according to the "tug-of-war principle" – under the pressure of group interests and views, often incompatible, on the development of the civil service. With certain reservations, it may be stated that the bureaucracy has managed, in the situation of uncertainty, to secure legislatively a
semblance of the most caste-like and conservative models of civil service – the French model, but without the mechanisms that ensure its relatively high efficiency, plus an adequately high status of the bureaucrats.

A look at our first-ever Federal Law on the Fundamentals of Russian Federation Civil Service adopted on 31 July 1995, (hereinafter referred to as the Civil Service Law) will clearly reveal a clash between two approaches – a democratic and a corporative one. The former is based on a desire to bring our government machinery in conformity with modern requirements and standards, and the latter – on a desire to restore the regime of the reproduction and inviolability of the bureaucratic corporation. Since in the present report an analysis of the relevant laws comprises a separate section, we shall limit ourselves to only a few politological assessments of this law.

The positive aspect of the Civil Service Law is the fact that it contains legal prerequisites for the formation of a modern civil service, such as holding qualifying examinations, filling vacancies by open competition, imposing legal restrictions and granting privileges and guarantees appropriate to the status of the civil servant. In other words, the law gave an impetus toward modernizing our government machinery. Regrettably, that impetus has been made use of to a minimum degree: there is practically no system of open competition, and restrictions as to age, etc., exist only on paper.

The official reasons given for that are of an economic, legal and technical nature. It seems, however, that the implementation of the law is hampered by the interests of certain groups of officials. The point is that most of the provisions promoting corporate interests are being implemented despite any "objectively existing" obstacles. For instance, many bureaucrats welcomed the restoration (in more complicated form, too) of the archaic Table of Ranks. In that part of it the law is a model "corporate charter" securing the three-tier system of bureaucratic ranks – the categories, groups and grades of employees. Actually, the architects of the Civil Service Law have restored, and even surpassed, the spirit of the 18th century when Peter the Great introduced his Table of Ranks.

Meanwhile, nearly all of the Russian monarchs who ruled in the 19th century (and not just such progressive statesmen as M.M. Speransky) realized that the Table had spent its positive potential stemming from the length of service principle, while its negative consequences were making themselves felt more and more. It was no accident that each new emperor started his reign with attempts to abolish the Table.

In the West, all sorts of scales of ranks and positions have never been as important as in Russia. A similar respect for the "mysticism of rank" (Yu.M. Lotman's expression) existed perhaps only in Prussia and Austria-Hungary, and then not to the same extent as in Russia. Today, it is recognized practically everywhere that a rigid scale of ranks is part of a legacy of outdated models of state
systems, and where it still exists its role is being limited as much as possible. About 130 years ago, the Russia's satirical writer Saltykov-Shchedrin bitterly remarked that out of all European achievements Russia had borrowed only the division of people into ranks – something which had already been rejected in the West itself. Regrettably, his bitter observation is valid to this day. And so, restored in post-Soviet Russia have been institutions whose inadequacy was evident to many back in the 19th century.

All this does not at all mean that there is no need to elevate the social status of our officialdom or to increase incentives for their self-respect. In fact, the tradition of wholesale vilification of the bureaucracy is closely related to another widespread orientation of mass consciousness – that of distrust of the law as a means of settling the conflict of interests. However, this elevation of status should be done not by any medieval methods (in his time Friedrich Engels ridiculed the tradition of rewarding bureaucrats who had in some way distinguished themselves by presenting them with gold cups and tobacco-boxes on behalf of the king). Neither should it be done by reanimating some outdated models (such as re-instituting the title of Privy Chamberlain or that of Most Privy Secretary so popular in 18th-century Prussia) but by methods that correspond to the modern requirements of the state and the present-day realities, which will be discussed below.
Chapter 2. Drawing up a Concept of Administrative Reform

2.1. How the Political Order for Administrative Reform Arose

The powers that be did not become aware of the close link between the reforms in general and administrative system reform in particular, including civil service, until 1996. So now we will show how this awareness led to the adoption of several political and administrative decisions.

In September 1996, one of the authors, who worked at that time as presidential aide for legal issues, prepared a memorandum concerning the Problem of Poor Controllability of Public Processes. It said in particular: "The main problem is institutional and legal development, or, to put it differently, creating a highly efficient government system. Insufficient attention to this problem (which is treated as an auxiliary task that will eventually resolve itself) is giving rise to phenomena that pose an immense threat to democratic Russia:

(a) weak government levers ("administrative thrombosis"), which make it impossible to quickly and efficiently reform the country, and account for the lack of control over many processes;

(b) low efficiency of the economic transformations, which is breeding permanent social tension in the country;

(c) instability of the constitutional system, which is threatening totalitarian revenge and the development of regional and national separatism."

The memorandum goes on to say that "a disproportion has clearly made itself felt in political priorities. It is manifested in the fact that the main efforts of the government system, primarily its executive branch, are aimed at socioeconomic restructuring. But such efforts are for the most part faltering precisely because the primary and main component of the reform – institutional and legal development – is underestimated."

The memorandum raised yet another problem: "The budget process, strangely enough, has been farmed out to the departments. This is basically incorrect, since it is this process that forms the financial basis for realizing a particular political priority. We can declare any priorities we like, but if other proportions are set forth in the budget, the priority will remain on paper. This procedure is leading to the fact that definition of the main areas of the President's policy is sheer propaganda, since the draft budget 'model' is not based on a political, but on a technocratic foundation, and is drawn up by the Ministry of Finance bureaucrats. Essentially, the President is presented with a draft budget that has been composed in advance by sectoral lobbyists."
"This budget mush, which has been smeared around the plate, prevents the country from making progressives strides in any direction. This may seem trite, but the situation does not change at all."

However, the memorandum did not contain any extensive proposals. The main thesis was that an Institutional Development Program had to be urgently drawn up (we will note that this raising of the question is broader than the question of administrative reform) and the President's next Message to the nation should be devoted exclusively to this problem.

But, as we know, at that time, President Boris Yeltsin was found to be suffering from serious heart disease. Therefore, the memorandum was sent to Anatoly Chubais, Presidential Chief of Staff. The fact that Chubais immediately accepted the proposal shows in particular that politicians and high-ranking bureaucrats were becoming increasingly aware that the problem of the unreformed administrative system and civil service was a serious factor hindering the country's progress. And since during President Yeltsin's illness, Chubais essentially fulfilled the functions of "regent" (as the newspapers called him), his decision was perceived as the consent of the President himself.

It was not until November 1996 that the President received another shorter memorandum from his aides, the gist of which, however, was the same. Here is what it said:

"Dear Boris Nikolaevich!

"We are bringing proposals to your attention regarding the conception of the Russian President's Message to the Federal Assembly for 1997.

"Today, it has become obvious that the main problem hindering the country's socioeconomic development is the weak control of the processes underway in the country. Government not through people (the command system), but through the dictates of law has been dangerously ineffective so far. Thus, the main task at the current stage of institutional development is to streamline the entire public administration system (by means of normative, personnel, organizational, and financial levers).

Order in the government mechanism is the main link, by means of which, if we take a firm grip, we can efficiently pull up the economy and social programs, fight crime, and resolve Russia's other problems. It is no accident that the main expectations of the public can be reduced to the word "order" (it is clear that we can only talk of the order based on the rule of law).

"We propose making the idea of the rule of law in the sphere of institutional development the pivotal topic in the Message to the nation. Moreover, this topic will constitute implementation of the President's Program of Action for 1996-2000. Through the prism of the rule of law, we propose touching on other subjects in the Message, including:
"Achieving national reconciliation and concord;

"Strengthening public control over the activity of the government institutions;

"Involving a new generation of the citizens of Russia in politics and government.

"These proposals were discussed, specified, and approved during meetings of your aides. We ask for your consent to prepare the Message in accordance with this conception.

M. Krasnov and G. Satarov."

The President's response to this memorandum was positive and work on the Message began, or to be more precise, was stepped up, since, as already mentioned, the idea was approved earlier by Anatoly Chubais.

Admittedly, it cannot be said that the 1997 Message was in fact totally devoted to questions of institutional development. It also contained quite a large number of economic subjects. But they too were formulated along the lines of "establishing order," that is, along the lines suggested by the very title of the Message: "Order in Government Is Order in the Country."

Despite the fact that the Message contained an analysis of the state of government institutions and defined the areas of their transformation, the bulk of the work in this sphere was to be carried out beyond the framework of the Message itself. This is what the document said: "Carrying out the above-listed tasks of creating a modern efficient public administration system requires a well thought-out approach. Therefore, this year, under the direct supervision of the President, an Institutional Development Program will be drawn up and adopted. Before October, its draft will be submitted for broad discussion in which independent experts – academics and practitioners – will participate. The basis for this document is the concept of legal reform in the Russian Federation, the drawing up of which was envisaged by a Decree of the Russian Federation President of 6 July 1995. The main part of the Program consists of a new conception of the system of executive authority in the Russian Federation."

Running ahead, we will note that the Institutional Development Program was not drawn up, since although a formal order was placed, it was not backed up, as we will show below, by corresponding organizational efforts, financial resources, and most importantly, by political will.

In this respect, the question arises of why? This question cannot be answered in full here, since the subject requires special and rather in-depth analysis. We will present just one assumption.

Some reforms basically require only the rejection of prohibitions. Overall liberalization of economic life, for example, was conducted in this particular paradigm. Other reforms, on the other hand, presuppose significant organizational and political efforts. In Russia, there are, of course,
examples of successful completion of this particular type of reform. This applies to the privatization
of government property (here we are refraining from an evaluation of the quality of its model);
transfer of the penitentiary system from the Interior Ministry to the Ministry of Justice; the change
in the functions of the Ministry of Justice, and several more.

Why was it possible to carry them out? First, the objective public needs under these reforms
coincide with the needs and interests of either the bureaucracy as a whole, or its larger part. That is,
they were ensured by force of the very motivation of the main participants in the reform process.
And, second, such reforms do not radically encroach on the underlying principles of the government
machinery's organization and operation, which the latter deems entirely to its liking.

But as soon as the matter concern changes in the conditions under which the bureaucracy actually
works, and moreover, the ideological foundation of such changes in no way eases the bureaucracy's
activity, such as sizably increasing its monetary upkeep, slackening control, creating an atmosphere
of "solemnity" in the government machinery, which is "off limits" to the public, and so on, but
promotes openness of the government system, organizes its activity on the basis of strict
administrative procedures, service to the public, reduction in superfluous managerial links, and so
on, and what is more, frequently requires large budget resources, it becomes clear that such reforms
will not have many supporters and allies in the bureaucracy.

So reforms of the second type at least require the following:

- clear understanding by the political leadership (even better, the political elite as a whole) of
  the vital, not formal, need and urgency of such reforms;

- concentration of political attention throughout the entire reform process, without treating it as
  peripheral;

- concentration of financial resources in priority areas;

- the presence of an explicit model (plan) for organizing the reform process itself, beginning
  with the development of a reform program and ending with an evaluation of the outcomes.

We can affirm that not one of these conditions existed in 1997-1998. But we draw attention to the
absence of the last condition. In our opinion, it is this condition that not only makes the reform
process comprehensible, transparent, and efficient, but also has an impact on the formation of the
other conditions ensuring the success of the transformations. But it is precisely this element that has
been disregarded up to now. The main efforts are focused on elaborating a model (conception) of a
particular reform; drawing up the drafts of individual legislative acts, and allotting (if the process
develops positively) financial resources, although, as a rule, in insufficient amounts.
With a large measure of self-criticism, the authors have to admit that one of the reasons for the failure of both administrative reform and its main component – reform of the civil service – was, among other things, the absence of due attention by the developers to organizing the process of developing conceptual documents.

An illustration of this extreme disorganization is that the parameters of the conceptual document were not crystallized until it was actually drawn up. In other words, the dimensions and the precise limits of the reform target were not clear until the very last moment. Let us present two examples.

After approval of the memorandum mentioned above, Anatoly Chubais requested its author to prepare a kind of proposal for drawing up the institutional development program. In September 1996, by way of an option, the Terms of Reference for Drawing up a Systemic Reform Program "Law and Order in Russia," was prepared. We will present an excerpt from it:

### I. Areas of Program Development

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Executive Developer</th>
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<tbody>
<tr>
<td>1. Identifying constitutional-law, financial, and organizational levers to bring law-making into line with the priorities declared by the RF President.</td>
<td>Working group No. 1</td>
</tr>
</tbody>
</table>
| 2. Identifying potential tax evasion spheres.                              | Working group No. 2  
(+ RF Finance Ministry, Federal Tax Police Service) |
| 3. Identifying channels in the government machinery for embezzling budget allocations. | Working group No. 2  
(+ RF Finance Ministry, Federal Tax Police Service) |
| 4. Identifying ways of forming, and spheres for circulating, cash funds obtained illegally and concealed from taxation. | Working group No. 2  
(+ RF Finance Ministry, Federal Tax Police Service) |
| 5. Systemizing sources generating public revenue as a result of the operation of law-enforcement, judicial, and other legal agencies. | Working group No. 3                                     |
| 6. Optimizing the structure and functions of the law-enforcement system.   | Working group No. 3                                     |
7. Optimizing the structure and functions of *public control* agencies.  

<table>
<thead>
<tr>
<th>Working group No. 4</th>
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8. Identifying the reasons for low *executive discipline* in the government machinery.  

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<tr>
<th>Working group No. 5</th>
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9. Analyzing and revising the regulatory framework of the activity of state and municipal agencies to dramatically reduce the effect of the *authorization principle*.  

Identifying other factors promoting corruption.  

<table>
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<tr>
<th>Working group No. 5</th>
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10. Analyzing the course of *judicial reform*. Identifying the reasons for the insufficient impact of the judicial system on law and order.  

<table>
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<th>Working group No. 6</th>
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11. Analyzing the entire federal regulatory framework to make institutions of *legal liability* effective in civil-law and administrative-law relations.  

<table>
<thead>
<tr>
<th>Working group No. 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>(+ The Center for Private Law)</td>
</tr>
<tr>
<td>(This is a research unit formed under the Presidential Staff – Author.)</td>
</tr>
</tbody>
</table>

12. Reviewing legislation and the practice of *delimiting the spheres of competence* between the federal government agencies and the government agencies of the Russian Federation constituent entities.  

<table>
<thead>
<tr>
<th>Working group No. 2</th>
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</thead>
<tbody>
<tr>
<td>(+ RF Finance Ministry)</td>
</tr>
</tbody>
</table>

13. Analyzing the correlation between the regulatory distribution of financial sources under the jurisdiction of government agencies at the federal and regional levels, as well as local self-government agencies.  

<table>
<thead>
<tr>
<th>Working group No. 7</th>
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14. Identifying *legal norms in federal law that are not implemented at present* and the reasons for their non-implementation.  

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<tr>
<th>Working group No. 8</th>
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</thead>
</table>

As we can see, at first there were plans to act along a much broader front.
Then, in October 1996, the Terms of Reference for Drawing Up the Draft Action Plan of the Russian Federation President for Overcoming Negative Phenomena and Processes when Maintaining Law and Order in the Russian Federation was developed (but not approved), which contained the following sections (blocks): "Rulemaking," "Economics," "Protection of Rights," "Federalism," and "Civil Service."

There were several such versions, but not one formed the basis for the subsequent drawing up of a conceptual document, although it cannot be said that this preparatory work was entirely useless.

Running ahead, let us point out that nine versions of the Administrative Reform Concept (there were a total of twelve such versions between August 1996 and March 1998) contained a section entitled "The Mechanisms for Implementing Administrative Reform." But before presentation of the tenth version, it was withdrawn on proposal of the Commission for Drawing Up an Institutional Development Program (see below), which considered it too "academic." In our opinion, the most interesting thing in the section on the implementation mechanism was the view of reform as a creative and continuously adjusted process based on broad civil society participation. This is particularly important since reform is often viewed as the adoption of one or several regulations and laws and is rarely seen as monitoring the reform itself and analyzing the changes taking place. It makes sense to present this small section here, since it illustrates the ideas of the Concept's authors on what should be the optimal path of administrative reform itself.

**Mechanisms for Implementing Administrative Reform**

The changes, which are comparable in scope and complexity with the Administrative Reform proposed in this document, have several properties, which make special demands on their implementation.

1. The time of reform coincides with the time of a significant change in the environment in which the reform target functions, and with the time new problems accumulate, which, as a rule, cannot be taken into account at the start of the reform.

2. The reform process itself should not be considered ideal and entirely devoid of the shortcomings of the reform target. In other words, "noise" accumulates during reform, which is generated by a multitude of systemic breakdowns and which is capable of having an significant impact not only on the quality of the reform process, but also on its objectives.

3. The reform target is not passive, but possesses its own momentum, goals, and "self-preservation instinct." This leads both to conscious and unconscious resistance of the target to those influences that are called upon to change it.

4. It should not be forgotten that the reform target itself (or its individual fragments) is, of necessity, often used as a tool of reform.
5. Changes should be carried out in such a way so as not to paralyze the current government institutions. All these circumstances give rise to the specific status of the Administrative Reform Program. The Administrative Reform Program should not be harsh and should contain adaptation and self-adjustment mechanisms. It should be carried out by the method of successive approximations. Therefore, program organization requires specifically the parallel and simultaneous design, development, and implementation of various subprograms.

This unusual formula presupposes that along with the further development of the Program as a whole and its implementation strategy, organizational projects, and plans of priority measures are created and separated from the program if they can be implemented using administrative resources. Thus, the program unfolds further, generating periodical (gradual) similar local decisions. In this way, within the framework of program organization, a kind of "machinery" is formed, ensuring the systemic nature and consistency of the local changes aimed at attaining the constantly adjustable benchmarks pointing the way to further progress.

Management

The success of Administrative Reform will depend on an efficient combination of its implementation management and public support. Therefore, Administrative Reform should be implemented by the coordinated efforts of public/civil, and civil society organizations.

The main strategic authority for reform management could be a Commission for Administrative Reform Implementation Headed by the Russian Federation President and consisting of the leaders of the Federal Assembly, the Russian Federation Government, the Presidential Staff, and other organizations for reform management and support. The Commission should be in charge of:

- basic decision-making on reform implementation;
- coordinating efforts of the various government agencies in the process of Administrative Reform;
- appointing Commission members responsible for implementing Administrative Reform in the regions and in specific government agencies.

The general directorate of Administrative Reform should be the main working body for reform management – a non-government institution working on the instructions and orders of the Commission for Administrative Reform Implementation. It shall draft policy, regulatory, and other documents relating to the implementation of Administrative Reform, conduct the necessary research, monitoring, and "field supervision" of the reform, and draw up an annual analytical report on all the reform policies and proposals for its implementation in the following year."
2.2. Organizing Work on the Concept

2.2.1. Preparatory Stage

Let's return to the time following promulgation of the President's Message of 1997. Almost immediately, those political and organizational-bureaucratic shortcomings mentioned above made themselves felt.

This was primarily expressed in the fact that the process went according to the well-known Russian tradition of "punishable initiative." That is, in the Presidential Staff, Mikhail Krasnov was made responsible for preparing the Institutional Development Program. This appointment may have been self-evident were it not for several circumstances. First, no official decision was issued on his appointment or on the beginning of such work in general (a presidential directive on the formation of a Special Commission did not appear until May 1997, but we will come back to that later). Second, Krasnov was not relieved of his duties as presidential aide, which, naturally, occupied much of his time. And, third, apart from his unofficial bureaucratic clout, Krasnov did not have any authority to involve either presidential staff members or employees of executive agencies in work on the documents. And last but not least, he was not provided with any financial resources.

An illustration of this situation is the memorandum sent by Krasnov to Anatoly Chubais in January 1997, i.e. while the text of the President's Message was still being prepared. We will present it with some abridgements.

"As M. V. Boiko (deputy chief of the Presidential Staff at that time. – Author) told me, you have given instructions to organize a meeting under your chairmanship to discuss the drawing up of an institutional development program in the Russian Federation. In carrying out these instructions, I prepared a sort of report – my view of the problem and ways to resolve it.

"The documents mention the Presidential Decree on drawing up a concept of legal reform. It should have been the prototype of the Institutional Development Program, or at least make it systemic. Perhaps this question should have been discussed in more detail at the meeting. It is of fundamental importance with respect to executing what has been conceived.

"Not only am I willing to engage in this problem, I am prepared to devote the rest of my life to resolving it. But even if I gather together a team of experts and organize their work, the results will not yield a serious Program. It will be amateurish work. Serious work should be seriously paid for. Or the executors should be directly subordinate. I have neither one nor the other."

Nevertheless, further work was undertaken precisely with a certain amount of amateurism, although not in the sense of intellectual content (the experts were on the whole very qualified), but in the sense of organization. Of course, it cannot be said that the experts prepared the documents "on their laps." One of the government residences was set aside for the working groups, the necessary
equipment was delivered and set up (computers, printers, and so on), and the experts were provided with meals. But all of this took place on the periphery of the general activity of both the presidential staff and of the President himself (the latter was not interested in the course of the work and its results).

In order to correct the situation, the initiators of this work were asked to set up a Commission for Drawing up the Institutional Development Program. The main purpose was to give work on the program higher, if not political, at least bureaucratic, clout. This was also mentioned in a memorandum of 6 May 1997 that accompanied the draft order on the Commission sent to President Boris Yeltsin by his aide Mikhail Krasnov.

"Dear Boris Nikolaievich!

"I am sending you the draft Order Concerning the Commission for Drawing up the Institutional Development Program to sign.

"This Program should be drawn up before the end of this year in accordance with the RF President's Message of 1997. The objective of the Program is to find an optimal model for the structure and functioning of the executive branch.

"Many executive agencies suffer from ‘administrative thrombosis,’ that is, the impassibility of power signals, function duplication, the absence of automatism in discharging their own functions, the absence of a perspective approach, i.e. operating under 'emergency conditions,' and the predominance of old, primarily administrative-command, principles of management.

"It is planned that the Program will deal with the following sets of issues in accordance with the main functions of the state:

- defense and security;
- law and order;
- social functions;
- economic regulation.

"In so doing, each of the sets of issues will be developed with a view to optimizing the system, functions, and powers of the agencies and performance of civil servants. This also means a precise delimitation of functions, powers, and agencies between the federal center and the regions [...]"

On 7 May 1997, the presidential directive on creating this Commission was issued. It was headed by Presidential Chief of Staff Valentin Yumashev (by this time he had replaced Anatoly Chubais in this position), and Mikhail Krasnov was appointed his deputy. The Commission members were deputy chiefs of the Presidential Staff M. Boiko and Ye. Savostianov; plenipotentiary representative
of the RF President in the State Duma A. Kotenkov; plenipotentiary representative of the RF President in the Federation Council A. Sliva; head of the Main Constitutional Law Department of the RF President R. Orekhov, and his deputy A. Maslov; first undersecretary of the RF Security Council M. Mityukov; deputy Minister of Justice V. Postyshev; presidential aide G. Satarov; head of the Administrative Department of the RF Government Office S. Stepashin; and plenipotentiary representative of the RF President in the RF Constitutional Court S. Shakhrai.

But even this bureaucratic model did not have much influence on the process. The Commission only gathered a few times during the entire period to review already prepared versions of the programmatic documents. And after each meeting, these versions became increasingly less radical. However, although drawing up the program (the subsequent Concept of Administrative Reform) was, as already mentioned, on the periphery of political attention, Yumashev nevertheless rendered as much bureaucratic support to the developers as possible.

The absence of political attention to administrative reform was confirmed in particular by the fact that the laws and regulations adopted during this period in no way correlated with the provisions of the RF President's messages and were not aimed at changing the principles of organization and functioning of the executive branch. For example, on 17 March 1997, the Presidential Decree on Improving the Structure of the Federal Executive Agencies was issued. But the word "improving" in it was merely a tribute to bureaucratic tradition. In actual fact, the matter concerned another change in the structure of the federal executive agencies (more than a dozen such decrees which changed the structure of the agencies on the basis of totally incomprehensible criteria were issued before 2000).

On 26 March 1997, the Presidential Decree on Social Guarantees to the Members of the Russian Federation Government in Connection with the Changes in its Structure was issued. Its adoption confirmed that many questions relating to civil service were still not regulated by law.

At times, misunderstanding of the functioning of the overall public administration system and the priority of political considerations over legal ones led to extraordinary incidents. For example, in March 1998, President Boris Yeltsin decided out of the blue to resign Viktor Chernomyrdin's Government. What is more, out of speculative political considerations, in the Decree of 23 March 1998 on the Russian Federation Government, the President resolved to "temporarily take charge of the duties of Russian Federation Government Chairman myself." This was a clear violation of the Russian Federation Constitution due to the fact that the draft decree did not go through the usual bureaucratic procedure and was not initialed either by the President's Constitutional Law Department, or by the President's aide on legal issues. Only when Boris Yeltsin was informed of
this inconsistency did he sign on the same day another decree on Amendments to Decree No. 281 of the Russian Federation President of 23 March 1998, in which he deemed this item invalid.

The Presidential Decree of 2 September 1998 on Measures to Form the Russian Federation Government is also interesting in this respect. After yet another Cabinet disbandment (this time of Sergei Kiriienko's Cabinet, which was due to the financial crisis of 17 August 1998), the President once again temporarily entrusted Viktor Chernomyrdin with the duties of Prime Minister. But it is interesting that the same decree contained instructions "for acting Russian Federation Government Chairman V. S. Chernomyrdin to immediately begin an analysis of the correspondence of the structure of the federal executive agencies to the current requirements and carry out measures to form a new Russian Federation Government." But either because this time the State Duma categorically rejected Chernomyrdin's candidacy, or because it was not clear precisely what kind of analysis was meant and what the "current requirements" were, or because the Government considered these instructions to be nothing more than the "usual rhetoric," nothing whatsoever changed in the Government's activity in this respect.

And finally, during this period, when the first versions of the Concept of Administrative Reform already existed, the Government actively pushed through Parliament the Federal Constitutional Law on the Russian Federation Government, which was signed on 17 December 1997. Such efforts by the Government were entirely understandable. This agency, and to be more precise, its "permanent part," that is, the Government's apparat, tried to protect itself from any possible reforms, at least radical ones. It is no accident, by the way, that this law contained a separate chapter devoted precisely to the Governmental Staff. The law essentially preserved the existing state of affairs and moreover, did not resolve a single fundamental issue, particularly regarding the mechanism for ensuring unity in the system of executive authority.

2.2.2. "The Actors"

As early as April 1997, a letter was sent to the country's leading institutes (research centers and higher educational establishments) engaged in legal matters calling for experts to be selected for drawing up the program, so that not only Moscow specialists were involved in this work. This letter asked for the following questions to be answered:

1. In which areas should work be conducted today in order to complete institutional development of the state, keeping in mind that we are building a democratic, federative, social state based on the rule of law?

2. What problems exist within each of the areas you indicated?
3. What negative phenomena and processes have arisen during the emergence of the new Russian state?

4. What might be realistic and effective ways to overcome them?

But the responses were disappointing. Essentially all of them boiled down to criticism of the Russian Federation Constitution. Of course, it was not criticism of the Constitution, but the very level of the "flight of creative thought" that was disturbing. The responses essentially did not reveal any ability among the country's leading experts to delve deeply into the reasons and essence of the processes going on. To be sure, there are professionals not only in Moscow. But, apparently, the heads of institutes either did not give the questionnaire to the most competent people to formulate the answers, or gave it to people who were totally opposed to the democratic processes.

Meanwhile, an event was being prepared which would help identify experts for drawing up the program. It was referred to as a round table and was held on 27 May 1997. The system for selecting (sifting out) experts was simple. At the first stage, all potential program developers were invited to attend the round table, including representatives of government agencies and research centers.

At the second stage, the problem was discussed with those who actually attended the round table (it was clear from the beginning that not everyone would want or be able to participate in drawing up the program, and it would have been pointless coercing civil servants into doing this). Discussion at the round table took place within the framework of a situational analysis carried out in accordance with the methods (and assistance) of several specialists.

At the third stage, the participants were divided into groups according to their personal preference. At this point it was also clear that not everyone who participated in the discussion would engage in actual work.

And, finally, the fourth stage (sifting out) consisted in natural selection within the groups of developers, by which time only enthusiasts remained, since the monetary remuneration was not very high and what is more would not be paid until a good while after the main text was prepared. We would like to name those who took the most active part in drawing up the Concept of Administrative Reform. They were the following:

A. Barabashev, I. Bachilo, A. Dementiyev, A. Kirin, V. Kozbanenko, L. Kravchenko, M. Krasnov, A. Lagutkin, Ye. Myslovsky, V. Nikitayev, A. Nozdrachev, A. Obolonsky (head of the civil service group), M. Oizerman, M. Piskotin (head of the federative relations group), V. Postyshev, M. Ratz (head of the reform methods group), V. Rudashevsky, A. Rusakov, G. Satarov (head of the anticorruption policy group), V. Smirnov, Yu. Tikhomirov (head of the executive power system group), M. Flyamer, M. Shkundin, and A. Shuvalov.
In the context of our topic, it is appropriate to present the members of just one group of developers of the civil service reform concept. Under the leadership of A. Obolonsky, this group consisted of A. Barabashev, A. Nozdrachev, V. Rudashevsky, V. Kozbanenko, and M. Shkundin.

2.2.3. Twelve Versions

The first three, still rough, versions were ready in August 1997, that is, they were drawn up in essentially two months. Such haste may be evidence of a certain amount of risky behavior and lack of conscientiousness on the part of the developers, and consequently low quality of the work done. But, first, no one promised to come up with a finished product in this time. What was important was to have a document, on the basis of which the potential of the team of author and the prospects for further work could be evaluated. Second, the work itself was extremely intense, and the atmosphere creative. Under such conditions, a great deal can be accomplished even in two months. And, third, for the developers, most of the ideas and constructions presented were not something new. All the experts needed to do was articulate in an appropriate way what they already had "up their sleeves."

On 21 September 1997, the fourth version appeared, which differed from the previous ones by the fact that for the first time it was called the "Concept of Administrative Reform" (and this name was retained to the end). This change in name was related to the fact that the experts developing the Concept came to the conclusion that it was unrealistic in the time available to prepare an integrated program for restructuring all the government institutions. Therefore, they decided to focus on the problems of the executive branch, although the Concept also touched on broader problems, including the relationship between the executive authority and other government institutions.

The structure of the document kept continuously changing, but its aim and basic ideas remained the same. This can be seen from the titles of the sections and subsections of the first part of the Concept, the purpose of which was to identify the main problems leading to the need for administrative reform:

1. "The Citizen and Government: a credibility gap. (Latent potential for interaction among the government institutions. The system of checks and balances is not working to its full capacity. Is the integrated executive power system really so?)"

2. "Executive Power: new functions and old approaches. (Legal methods of government are no longer determinant. Instability in the status of the executive agencies. Inefficient support for administrative activity)."

3. "Problems of Civil Service."
4. "Corruption in the Administration System. (What nurtures corruption. Negative consequences. The absence of a systems approach in the fight against corruption)."

Let us emphasize again that it is wrong to believe that the Concept was written like a novel, out of one's imagination, so to speak. Despite the fact that the main ideas and approaches had already been worked over by experts, preliminary analytical work was nevertheless carried out. In particular, two extensive questionnaires were drawn up and distributed: one was intended for all the federal ministries and agencies; the second for the leaders of the Federation constituent entities. This was essentially the first attempt to gain a more or less objective picture of what the government machinery of the post-Soviet era was actually like. The responses received confirmed the main hypotheses. The resultant picture presented an extremely entangled conglomeration of agencies, which are frequently in competition with each other, do not clearly understand their functions, and are sometimes unaware of the parameters of their relationships with their counter-parts in the Federation constituent entities, and so on.

In September 1997, the wording of the Concept was brought to a state where it could be "made public." Therefore, after discussion by the Commission, the next version was presented to the Russian Government for evaluation. However, only two responses were forthcoming from vice premiers in which the importance of the work was politely acknowledged, but the idea of reforming the system and structure of the federal executive agencies, and of the Government itself, was subjected to criticism, as could only be expected.

In October of the same year, the first setback in the designated schedule occurred: the Commission deemed it inexpedient to submit the draft Concept for public discussion and decided to continue working on it. Correspondingly, the deadline set by the Presidential Message for presenting the Concept to the President for approval was postponed. The second (and, as turned out, the last) stage of active work by the developers came in February-March 1998. And at this point, we would like to recall the chronology of the rather tempestuous events (both political, and public) in more detail.

On 17 February 1998, President Boris Yeltsin presented his Message to the Federal Assembly, which this time was called Joining Efforts For Russia's Revival. Why have we begun our story of the second stage with the Message? This is because while it was still being prepared, the President's aides had to include in it a reminder of the need for administrative reform. What is more, Section 3.2 of the Message essentially repeated the structure, and most importantly, by the ideology of the existing versions of the Concept of Administrative Reform. In particular, with respect to civil service reform, the following was stated:
"Reform presumes formation of a civil service based on a 'merit system.' Such a system has proven its effectiveness in many countries of the world. It means:

- turning the public service from a 'sovereign' service (as has traditionally been and is still the case in our country) into a genuine civil service;
- creating a flexible, non-hierarchically oriented system for forming and renewing the civil service corps;
- selecting (primarily by competition), promoting, and retaining the most skilled and conscientious people in the civil service;
- ensuring clearer differentiation of the status of "career" and "political" officials ("political appointees");
- strictly defining official duties;
- creating a system that provides for accountability of the civil servants, on the one hand, and their legal protection from the arbitrariness and incompetence of the superiors and the mass media, on the other;
- optimizing expenditure on the upkeep of the bureaucracy, primarily by increasing the share of direct financial incentives and reducing indirect ones, as well as eliminating the "shadow" privileges. The total reduction in budgetary spending on civil service should be ensured by converting the numerous supporting services into self-financing entities;
- expanding and changing the practice of contracts. In particular, instead of the manning table, staff work will be based on the budgeting of performing the relevant government agency functions. In turn, this will unavoidably lead to a cutback in the size of the bureaucracy and an increase in salaries for civil servants with simultaneous intensification of their work;
- focusing greater attention on matters of administrative ethics, reviving the practical value of the concept of professional reputation."

On the other hand, the following was addressed to the bureaucrats of the Presidential Staff: "This is why the previous Message set forth the task to produce a program of institutional development as a well thought-out system of measures for modernizing the various government institutions. Its pivot is the concept of administrative reform. Before it can be endorsed, the concept must receive public approval."

To be sure, by this time, the Presidential aides had already realized the extremely low degree of political efficacy of the President's messages, which was reduced even more by the political weakness of President Yeltsin himself. This was regrettable, but there was no other way to
somehow draw attention again to the need for administrative reform, since by this time, the bureaucratic model of the Presidential Staff had radically changed. The presidential aides service had been de facto, and de jure, eliminated (although the posts of presidential aides still existed), and the main levers had devolved to the Chief of the Presidential Staff and to the President's new informal or semi-formal closest entourage which emerged in 1996 and which the mass media called the President's "Family." It was for precisely this reason that even if the architects of the Concept had appealed directly to the President, that is, "over the head" of the Chief of Staff, it would have been fruitless.

Neither the section of the Message devoted to administrative reform, nor reiteration of the need to submit its concept for discussion was deleted by the Presidential Staff top brass from the draft Message during discussion of its text. But this was not necessary since by this time it was clear to all that the real decisions were not made on the basis of the President's Messages, but at times even in spite of them.

No matter what the case, the Concept developers again presented its version for review by the Commission for drawing up the institutional development program. Moreover, one version followed hot on the heels of the previous (the ninth version was ready by 7 March 1998, the 10th by 13 March, the 11th by 21 March, and the last, the 12th, by 23 March). Such frequency was due, however, not to Commission's complaints, but to the polishing of the text. In actual fact, the 10th version can be considered the main one, since it was submitted for review by the Commission at its meeting on 13 March 1998. At this meeting, it was decided that the Concept was ready to be submitted for discussion (only polishing was required).

At this point, we cannot fail to mention one curious fact relating to this meeting: in the unique chronicles of our most recent history, the fundamental work Russia – 2000. Present-Day Political History, edited by A. Podberezkin, a well-known leftist politician, an entry dated 13.08.98 contains the following text: "A meeting of presidential staff members chaired by V. Yumashev was held to discuss the final version of the draft concept of administrative reform. The meeting participants expressed the conviction that it was inexpedient to begin practical implementation of the reform concept before 2000." (Russia – 2000. Present-Day Political History (1985 – 1999). Vol. 1, Chronicles and Analysis, Moscow, 2000, p. 388). No doubt, one of the Commission meeting participants must have told about it (possibly to Podberezkin himself). But the interesting fact is that this person understood the message of the meeting as "postponing both the Concept and the reform itself." Such a thought possibly did not enter Krasnov's mind, who had to defend the Concept before the Commission, since for him the main thing consisted in getting formal approval, and the spirit of mistrust in its practical implementation bypassed him. But this approval was
obtained. Meaning, of course, not approval of the beginning of the reform, but only of its submission for discussion.

Whatever the case, documents began to be actively drawn up aimed at advancing the Concept. But a political crisis unexpectedly broke out on 23 March 1998. For no obvious reason (at that time), the Chernomyrdin Cabinet was sacked. This certainly affected the plans to publish the Concept, but, as it seemed at that time, possibly for the better. This was because the new Kiriyenko Cabinet was even given the popular name of "the government of young reformers." Who, if not they, everyone thought, would support administrative reform.

It was no accident that precisely at that time the Concept initiators were most active. An entire package of documents was prepared – action plans, Concept digests for the President and for the press, and so on. Here is an example of what one of the versions of the plan to be sent to the President looked like.

"The following action plan seems expedient.

1. If you give your consent, the draft Concept will be published on behalf of the Commission for Drawing up the Institutional Development Program in the Russian Federation, formed by your Directive of 7 May 1997.

2. Immediately prior to publication, Yegor Stroyev, Gennady Seleznyov (speakers of the Federal Assembly chambers at that time. – Author), leaders of the federal ministries and agencies, and heads of the legislative and executive authorities of the Federation constituent entities will be provided with a copy of the draft, on behalf of the Commission, complete with a list of questions, the answers to which will help reveal their attitude to the draft.

3. Prior to publication, journalists will be given a press release (the main provisions of the draft).

4. A group will be formed in the Presidential Staff for keeping track of and analyzing the responses to the draft Concept. Discussion time – one month.

5. After this, the draft will be edited for two weeks taking into account the comments received and presented to you for approval.

6. The next stage will be development of the Program of administrative reform itself indicating its main stages and implementation methods."

A draft order by the Presidential Chief of Staff was even prepared: On Submitting the Draft Concept of Administrative Reform for Discussion and Subsequent Revision. The executive level was lowered deliberately in order to ease publication of the Concept, since submitting it on behalf
of the President would have aroused a much more serious political response. The draft of this order says that the authors of the Concept were convinced of its rapid promulgation:

"1. In accordance with the Message of the Russian Federation President to the Federal Assembly of 1998, "Joining Efforts For Russia's Revival," the complete text of the draft Concept of Administrative Reform (hereinafter – the Concept) shall be published on behalf of the Commission for Drawing up a Draft Program of Institutional Development in the Russian Federation (hereinafter – Commission) in Rossiskaya gazeta, and this text shall also be distributed to the news agencies.

2. The draft Concept shall be forwarded to the heads of the government agencies of the Russian Federation and the government agencies of the constituent entities of the Russian Federation.

3. The Information and Documentation Support Department of the Russian Federation President, in cooperation with the Citizen Appeal Department of the Russian Federation President, the Territorial Department of the Russian Federation President, the Domestic Policy Department of the Russian Federation President, the Public Relations Department of the Russian Federation President, as well as the Federal Agency for Government Communication and Information, shall:

monitor, analyze, and summarize incoming proposals and responses to the draft Concept;
form automated databases for letters and publications relating to the topic of the Concept.

4. Within two weeks after discussion, the Commission shall prepare for submission to the Russian Federation President a Concept version which has been revised with regard to the results of discussion of its draft."

But, as we know, this document was not published. The last step to advance the Concept was that Mikhail Krasnov, along with Ye. Savostianov, deputy Chief of the Presidential Staff at that time, visited Sergei Kiriyenko, the new Prime Minister, in May 1997 and handed him the text of the Concept. But no visible steps followed this effort.

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The circumstances surrounding the unsuccessful implementation of the Concept of Administrative Reform nevertheless played a positive role.

First, both in the progressive part of the public and in the political elite, as well as among many upper- and mid-level officials there was a strong reconviction of the need to change the way the government machinery was organized and functioned. Of course, it can be presumed, although not categorically, that if not for the insistent reminders in the documents of Yeltsin's era about this need...
and the main areas of reform, the idea of administrative reform would have taken even longer to crystallize. Second, the developed reform concept became the property, if not of the entire public, then, at least, of part of the elite. And so many of its ideas, which at first seemed unrealistic, had gained greater respectability by 2000 and become the topic of serious discussion.
Chapter 3. How Civil Service Reform was Planned

3.1. The Five Years of Reform

Alongside the work that is the topic of our review, totally unrelated work was underway on the draft Civil Service Code. In September 1997, this question was urgently considered by the Russian Federation Security Council, but without any visible consequences, which is additional proof of the above-mentioned situation of uncertainty about the future of reform and the game being played by various forces around it.

Since, despite all the political transformations and even a change of social formations, Russia was and is still governed by various modifications of the "sovereign" service, our supreme task for the first time ever was to try and create not a "sovereign," but a public civil service, that is, one oriented primarily toward actual public needs and in keeping with the contemporary standards and requirements of the emergent civil society. That is why we relied both on world practice, and the long experience of studying domestic specifics.

Therefore, it is appropriate to review briefly at this point the modernization trends typical of the civil services in advanced countries during the past two decades, which were taken into account when drawing up the conceptual document.

3.2. Western Experience: the Main Focus Areas

In the past few decades, the theory and practice of public administration in most developed countries provided for a major revision of the former "classical" principles of building the civil service (which we frequently strived for, as though trying to "catch up with yesterday"). It is curious that these efforts began in the southeast "outskirts" of the British Commonwealth. In 1984, most radical reforms commenced in New Zealand, then moved to Australia, and only later to Great Britain itself, reaching the United States and Canada in the 1990s. The vector of processes has generally been the same on the European continent, but they are occurring at a slower and smoother rate. In some countries (for example, Germany), the overall high level of civil service makes it possible to move in the same direction, but unhurriedly, and begin not with the federal, but with the provincial level. Such a classically bureaucratic country as France, against the background of a major drop in the government's prestige and a rigidly regimented and deep-rooted civil service system, is still trying to restrict itself to half measures; but the conflict between the public and
private sectors is burgeoning, and the number of people disgusted with corruption is also growing. On the whole, this creates a situation where delaying reform is becoming increasingly dangerous.

*The fastest-going revision of the principles of civil service in western countries can be reduced to the following main trends:*

- decreasing the role of the "vertical" administrative system, developing "horizontal" bodies, functional agencies, semi-governmental organizations, and so on;
- basically revising the "apolitical bureaucracy concept," searching for a new balance between the political and professional principles in administration;
- decentralizing, reducing, and decreasing the cost of administration;
- restricting the role of the traditional administrative "ladder of ranks";
- developing a network of semi-private or private organizations which perform certain services for government agencies under commercial and competitive conditions, previously carried out by the government agencies themselves, so-called new public management;
- making the bureaucracy more "responsive" to the needs of the individual;
- drawing up codes of conduct for civil servants, in which there is no clear dividing line between juridical and ethical standards.

As for Britain, special attention should be given to the reforms conducted under the leadership of Margaret Thatcher and, to a lesser extent, to the Modernizing Government manifesto issued in 1999 by the Labor Government and the Reinventing Government program in the United States, which was developed not only under the supervision, but also with the personal active participation of Vice President Albert Gore. Some elements of the American program were put into practice, but the first obstacle on the way to their further progress and, most important, juridical formalization in law was the Republican Party gaining the majority in both houses of Congress in 1994, and the latest obstacle, the events surrounding the US presidential elections.

The experience of these reforms should not be idealized. They had not only positive, but also certain negative effects, although the former undoubtedly outweigh the latter. However, it seems that negative by-effects can be avoided if the problem is seriously analyzed. By the way, neither the purpose, nor the scope of the memorandum makes it possible to analyze these questions. For us, it was important to identify the general trends in the civil service reforms and that our concept has essentially conformed to them, since by way of alternative, certain circles periodically (now, unfortunately, largely linked with the relevant State Duma Committee) push reform along a
different path in the opposite direction from the leading world trends, the consequences of which are not difficult to see in our country's bitter historical experience.

3.3. The Objectives and Content of Civil Service Reform

Now that we have mapped out a wider context of the problem – administrative reform in general as part of the unrealized program for building a democratic Russian state – and described several subjective aspects and factors from the sphere of bureaucratic micro-politics, which influenced the future of the reform, we shall turn to the very content of civil service reform, the way we saw it in 1997-1998.

The goals of civil service reform can be formulated as follows:

• creating for the first time ever in Russian history a truly civil service, that is, one aimed primarily at satisfying the lawful needs of people and their associations, instead of various modifications of the "sovereign" service;

• making this service truly socially efficient;

• raising its public prestige, that is, its authority in the eyes of the public at large (including also by means of fighting corruption, which is not reviewed especially in this memorandum);

• making civil employment more attractive, particularly for young people and middle-aged personnel who have come from "non-bureaucratic spheres" (this is not only a question of higher salaries, but, as the experience of other countries shows, to no lesser an extent, of getting psychological satisfaction from working not for "the boss," not for "the pocket," but for people, as well as a higher degree of social protection and stability than in the business sphere);

• making the civil service system more cost-effective (as a result of comprehensive measures rather than at the expense of mechanical cutbacks).

What ideas and models were envisaged to achieve these objectives? That is, what was the content of the changes required for altering the principles of organization and operation of the government machinery?

3.3.1. The Priority of Professional Skills

This is perhaps the main, "supporting" principle of the entire construct. It basically boils down to the so-called merit system typical of most countries, but in our version, it also includes such an
important component as an employment contract. The following elements are required to put this principle into practice.

1. Open competition to fill all the vacancies in the government machinery, apart from (a) political appointments; (b) positions for which there is essentially no competition, i.e. a surplus of contenders. This makes it possible to significantly expand the "market" of candidates, which until now has largely existed by circulating personnel among several administrative "vessels," to attract people from other fields of activity (business, science, production, military service) and thereby bring vitally needed "fresh blood" into the system.

At the same time, competition will prompt promotion-seeking staff employees of a particular agency to improve their performance. All other conditions being equal, they should perhaps be given priority (at least when filling vacancies for some of the positions). But it is competition that should establish this equality. In addition, different types of competition are possible: in some cases, it can be open to everyone; in others, only for lateral entrants (this is expedient when filling vacancies for lower positions, since it creates favorable conditions for competition among young people and university graduates); while for other positions competition can be semi-open or even closed in nature (i.e. competition for officials only). According to the general rule, preference in promotion up the administrative career ladder should be given to people with a record of commendable service in similar or lower rung administrative positions. Other personnel "sifts" are also possible in order to block access to the civil service for people not suitable for it. But there should be an open channel for personnel rotation, unfit employee jettisoning, and lateral entry of talented people from other spheres of activity, such as business, science, industry, and the military service, to sufficiently high administrative positions bypassing the career ladder.

2. A clear and objective system of personnel selection and evaluation. It should be aimed at attracting, encouraging, retaining, and promoting the best workers and at the same time at ensuring the possibility of getting rid of the worst personnel. This requires the following mechanisms:

   (a) a clearly formulated and easily understandable description of the evaluation criteria based on performance indicators relating to civil servant's skills and business qualities, rather than the length of service;

   (b) personnel evaluation and certification commissions (competition judges panels) consisting not only of insiders, but also outside members invited on a rotational basis – personnel service employees of other institutions, university professors who train managerial staff, and so on;
an appeal board, to which an employee who does not agree with his evaluation or a rejected candidate may turn; however, the appeal procedure should not be particularly simple, in order to prevent the submission of unjustified complaints.

3. A contract mechanism of relations between an employee and a government agency. The contract will benefit both parties (the employer and the employee) to labor-law relationship. It should clearly set forth the official duties and rights of the employee, the conditions for remuneration, promotion, and possible additional benefits, and the special requirements and limitations imposed on the employee (for example, income disclosure information, restrictions on holding other jobs and engaging in other parallel activity, professional secrets confidentiality, inside information use, and so on).

Some, but far from all, of the elements in this type of legal relationship regulation can be found, for instance, in the law on Civil Service of the City of Moscow, adopted by the Moscow City Duma in 1997. The contract should be concluded for a relatively long time (5 years, for example), be subject to automatic extension if neither party objects to this, and may be cancelled only for the reasons, in accordance with the procedures, set forth in the law and in the contract itself.

The details of the contract system should be provided for in a corresponding law or Civil Service Code. In this way, the contract system provides the possibility for a lifetime administrative career, while giving it greater flexibility, and also puts labor relations on a stronger legal footing, increasing the employee's legal protection. The latter circumstance enhances employees' work motivation, helps assert the priority of professional merits, and closes opportunity for a lifetime sinecure.

3.3.2. Statutory Separation of "Political" and "Career" Positions

The civil service has a limited number of high-ranking (government-level) political positions. They are category A positions (for example, ministers), and category B positions (for example, aides and advisors to politicians, that is, their team members). Dismissal from such positions should be carried out according to a simplified procedure and frequently for strictly political reasons not related to the business criteria. This is the generally accepted world practice. Therefore, these positions clearly differ in terms of social and legal status from "career" administrative positions.

But the juridical consequences of dismissing "political appointees" have not been elaborated sufficiently in this country. The law on civil service does not envisage any compensation for those dismissed from political governmental positions. As a result, this "political official" (the term has been borrowed from the German civil service system where this status is described in detail) wants
to hold onto his "political seat" with all his might, or, on the contrary, he is placed in the difficult position of "the innocent guilty" and deprived of work for reasons which do not have any direct relation to his activity and skills. The most enterprising employees prepare an alternative "to fall back on" in advance, including by illegal methods. Not wishing to justify them, we should note however that they are forced to do this because of the deficiencies of the system, in which an official dismissed for political reasons is thought of as an "outcast." Unfortunately, there are more than enough examples of this kind in our country. Therefore, taking into account the increased risk of holding a political post and the immense responsibility of the people who occupy them, the latter should be provided with "golden parachutes" of sorts, that is, significant discharge benefits in the form of a hefty lump-sum dismissal pay and some kind of temporary pension, as well as, perhaps, with certain advantages if they apply for a permanent "career" position.

3.3.3. Compensation of Restrictions

When entering civil service or occupying a position at a certain level, a person assumes additional restrictions compared with the ordinary citizen. Some restrictions are provided for under law: for example, those linked with secrecy, restrictions on engaging in commercial and political activity, those arising from one's restrictions on citizenship, using funds from foreign sources, and the need to follow a special procedure when declaring income, etc. Others, such as restrictions on public statements relating to professional activity, are regulated at a semi-formal or even informal level. Although in our country, these restrictions are frequently ignored with impunity, they still exist in one way or another. Therefore, it would be justified and expedient to compensate for them materially and morally by means of specific privileges for public officials. Otherwise, civil service will become even less attractive than it already is (for honest people), and allow dishonest people to "indulge" in abuses, thus undermining the ideology of the "merit system" in general.

The current law to some (although, perhaps, not to a sufficient) extent resolves this problem by providing the government official (the members of his family) with lifetime medical services, a free government insurance, protection from violence and threats, as well as some pension benefits (the latter, as far as we know, essentially do not work due to the lack of funds; however, by way of a dubious, from our point of view, "compensation" public officials are not sent into retirement upon reaching the maximum age set forth in the same law). Incidentally, we will return to the question of compensation when we review other principles.

At the same time, it appears expedient to establish a few additional legislative limitations on the commercial and consultative activity of former officials for a certain time after their retirement in order to prevent abuse of confidential and secret information they previously had access to. The
practice of "trading in information" for the benefit of new employers after leaving the civil service has acquired dimensions in our country which at times even jeopardize national security, not to mention such a "trifle" as damage done to the nation, individual and legal entities. (We are given to believe that it was this proposal of ours that aroused displeasure in some high-ranking bureaucrats).

Meanwhile, we would do well to look at, say, the English practice known as control over the "revolving door effect," that is, migration of employees between civil service and business, as well as over the "bedroom-slippers effect," that is, retired high-ranking public officials taking up jobs in organizations with which they were associated in their former job. As these "effects" create conditions for corruption, lead to national secrets leaking into the business sphere, undermine the principle of equality in bidding for government contracts, and so on, since Margaret Thatcher's time, the former English bureaucrat must obtain a go-ahead from the relevant government agency to make such moves for two years after he retires, and the bureaucrats of the two highest ranks must even obtain such authorization from the advisory committee under the prime minister. Similar mechanisms also exist in several other countries. Their overall ideology is to ensure that the bureaucrat retains certain obligations toward the government, including limitations on his activity, even after he has left civil service.

3.3.4. The Priority of Cash Payments Over "Shadow" Privileges

According to various assessments and depending on the rank occupied by the official, the current ratio of direct payments and indirect privileges amounts to 1:4, 1:5, and even higher. This ratio is unacceptable. Admittedly, at the current level of civil servant salaries, it does make it possible to retain at least a certain portion of skilled personnel. But the damage from this corrupt method of resolving the problem inherited from Soviet times is immense. For any shadow privilege is a kind of secret agreement and so contains a negative moral potential, as well as broad opportunities for abuse of office and arbitrariness. In addition, due to their supposed "gratuitousness," privileges are always used less effectively than what is paid in full. It is enough to recall the wearisome problems of government dachas and business cars that have still not been resolved since perestroika times. And this is only the tip of the iceberg.

Of course, realistically, it is impossible to completely cancel the privileges once and for all, particularly since they do exist in other countries, although to an incomparably lower extent. But it does appear possible to, first, bring what is concealed out into the open, that is, formalize some of these privileges in law, and second, "turn the iceberg over," that is, significantly increase direct monetary payments while drastically reducing the benefits and privileges granted at the treasury's expense. To be sure, this is not easy, on the one hand, we will have to deal with the public's
predictable response to an abrupt increase in the salaries of bureaucrats (although carrying this out "in a package" with other measures should mitigate it), and on the other, it will be rather difficult to make profitable an infrastructure that has been created over the decades to serve the "special needs" of the elite. But this is worth doing, since it will help turn the "sovereign" service into a civil one, and accordingly improve the public's attitude toward the officialdom. What is more, a competitive level of salaries for bureaucrats will attract highly qualified personnel and at the same time undermine the economic and moral foundations of corruption. (It is perhaps worth noting that among Western countries, "shadow privileges" are particularly widespread in France, where even a document by the Foreign Ministry describes them as "characterized by vast diversity and by the mystery surrounding them." Perhaps this is why the reformers of civil service in the first half of the 1990s selected the French model as their reference point?)

3.3.5. Transferring Most of the Civil Service to a Self-Financing Basis

There is significant leeway here for cutting back and decreasing the cost of the government machinery, and the first steps in this direction were made as early as 1997, when the Military Commerce and Military Construction systems were transferred to self-financing (although the matter was then put on hold). Economic adaptation of civil service to market conditions also presupposes "severance" from it and subsequent transfer of the numerous support and technical services to a competitive or contractual basis. The status of government agencies should be retained only for the basic subdivisions of ministries and agencies. Correspondingly, the number of bureaucrats will also be cut back. In England, for example, such measures helped reduce the number of civil servants by one third. This not only helps to compensate for the increase in salary of the rest, but also reduces overall spending on civil service. What is more, the economic environment for corruption is narrowed.

3.3.6. Transparency

In a democratic society, civil service should be open to public control. The public should know how and by what rules it operates, have access to open documents and information, and participate in resolving problems that affect their interests. This is a sine qua non of a truly public service and should be provided for under law, as well as by administrative and judicial practice. By undermining the negative stereotype about the "secret working of the government machinery," such measures will raise the prestige of civil service and protect it from the ubiquitous mudslinging that is so common in our country and nurtured by secrecy and a shortage of information. Unfortunately,
we have little to boast of in this respect. Despite the appearance of numerous press secretaries and so-called PR services, openness in general, even compared with Soviet times, has not increased. And without resolute steps in this direction, it will be impossible to raise both the civil service's public prestige and its social efficiency.

3.3.7. Orientation toward the Individual

Implementation of this principle will make it possible to turn the public protection of human rights and law interests from a political declaration into one of the real priorities of a civil servant's activity. At this point, it would be good to recall that in the United States, for example, when talking about relations between the civil service and the public, it is customary to use the word "client," which is so unusual for us in this context. It immediately arouses an association in our minds with the hairdresser's or a restaurant. But, if we take it in a broader context, it means nothing other than acknowledgement that the civil service should serve the public. Therefore, in this particular context, it is in semantic opposition to the word "applicant," which presumes the lack of rights of the person asking for help and in no way identifies with the sugary advertising slogan that "the client is always right."

The overall vector is important: the civil servant directly or indirectly serves the public. This is an imperative of a civil society, in contrast to various forms of authoritarianism. It is most clearly seen at the level of civil servants who work directly with people ("street level bureaucrats"). But it also applies to those who work at other levels and carry out tasks of a general nature and who should be evaluated in terms of the social consequences of their actions and decisions. In the overall context of improving civil service, this is closely associated with problems of decentralization and democratization of civil service and limiting the scope left to a bureaucrat's personal discretion, which creates prerequisites for arbitrariness, instead of signifying its turn toward the needs of people.

3.3.8. Professional Loyalty

The view of the bureaucracy as a politically neutral, obedient tool in the hands of politicians has long predominated in the West. In our country, since as early as Stalin's time, we have understood the importance of the role of bureaucrats and therefore have given so much attention to selecting and placing ideologically loyal personnel. Generally speaking, the political abstentionism of bureaucrats, which is essentially utopian, in no way fits into our traditions and conditions. During the past two decades, the West has virtually rejected the conception of a politically neutral
bureaucracy. In our country, on the other hand, paradoxically the exact opposite occurred. The
decision of the RSFSR Supreme Soviet of 18 July 1990 on depolitization of the bureaucracy made
it possible for it to put on an apolitical mask. And we mean a mask, since such formal depolitization
in practice proved a sham and did nothing but safeguard the bureaucracy from serious personnel
changes, which, in our opinion, would have been natural given the change of the foundations of the
political and economic system. However, the time for this has already passed. Now there can be no
talk of any "purging" of the bureaucracy for political or ideological reasons. But the minimum –
loyalty to one's professional duty, including active support for the foundations of the constitutional
system and overall policy – is absolutely vital.

3.3.9. Ethics

The moral regulators of conduct are very important. While adapting to the harsh conditions of
market relations, we have somehow forgotten the non-economic and moral motivations of human
conduct, and that "man cannot live by bread alone." In the context of restricting bureaucratic
arbitrariness and abuse, this means placing special emphasis on the moral qualities of bureaucrats
and on the problems of administrative ethics, which, incidentally, are given great attention in long-
functioning market economies.

The practical approach to resolving this problem is seen as developing and broadly discussing an
informal Civil Service Code of Ethics among bureaucrats. There are several reasons for putting the
emphasis precisely on the Code of Ethic.

First, it is essentially impossible to compile an exhaustive list of precepts and taboos for employees
at the level of legal documents.

Second, the specifics of many administrative infractions, even though they may seem obvious, are
such that it is impossible to legally prove the fact or presence of guilt correctly; and without this it is
impossible to apply a legal norm.

Third, in many cases, a number of actions or inaction cannot substantially be regulated by formal
legal standards, but are regulated by informal (but no less effective) standards of group, in this case,
administrative, ethics, as well as by individual ideas about what is morally permissible. After all,
ethic standards are the basic determinants of human social behavior. They are constantly manifested
in a vast number of behavioral acts, which are only partially regulated by law.

Fourth, the professional ethics of the civil servant, as any corporate ethics, has a great many specific
features. Meanwhile, many bureaucrats have a rather vague or distorted idea of them, or simply
ignore them. Those, on the other hand, who make a serious effort to be guided by the standards of
professional ethics (and fortunately there are still quite a number of them) and who are concerned about their good name, are forced to draw up their own code of ethics by trial and error.

Therefore, it appears extremely important to create and legitimize such a document for the civil service. Although it is not legally binding, it could nevertheless provide a system of ethical benchmarks, offer recommendations on behavior in "ticklish" situations, and map out the area of moral "taboos" for the civil servant. It seems that the very emergence of such a code and its discussion by civil servants would help enhance the role of administrative ethics, which our bureaucracy is in such dire need of. It should be based on the "spirit of the public service." The fact that this is not utopia is shown by Russian history (for example, the extremely rapid changes in the Russian bureaucracy in the 1860s, at the beginning of Alexander II's reforms), the experience of many Western countries, and finally the expectations of at least some of our bureaucrats.

In March 2002, a step was taken in this direction. The Committee on the Federation Affairs and Regional Policy prepared a draft Code of Conduct for the Civil Servants in the Russian Federation, which is to formalize a number of standards regarding the future conduct of public officials and impose certain taboos and restrictions on them. Admittedly, this document is still too general in nature and leaves much to be desired.

3.3.10. Systemic Training and Retraining of Personnel

This principle, likewise, is integrative in nature and requires special discussion. The bureaucracy can be radically changed only with the advent of a new generation of administrators, but much has to be urgently done in order for this to take place. Training of every new generation of bureaucrats is an absolute must. Therefore, measures were set forth in the strategy of administrative reform to cover all aspects of training public officials from pre-professional training and selection of potential civil servants to special retraining of the top-ranking executives.
Chapter 4. Lessons Learned from the Failed Reform

4.1. Alliance with "Agents of Change" within the Bureaucracy

The failure of many administrative reforms stems from the fact that they, at least outwardly, were akin to an "anti-bureaucratic offensive," a "fight against bureaucracy," and so on. No wonder, they encountered latent and extremely refined resistance, and since the powers that be cannot exist a single day without the bureaucracy, they quickly had to come to terms with the latter, which gradually took the very wind out of the reforms. This is what happened to the broadly advertised Reagan administration reform program, for example.

So it is vital to enlist the bureaucracy's support for the planned changes within and find influential allies at its various levels. They will become the "agents of change." It should be noted that if some of the conditions mentioned above are observed, finding such "agents" and establishing business contact with them should not be such a difficult task, since very many qualified, honest, and progressively thinking bureaucrats are clearly dissatisfied both with the existing situation in civil service, and with the latter's bad reputation. What is more, many of them are trying to do something "on their own," at least in their small area of the field. Unfortunately, for obvious reasons such idealistic attempts yield essentially no results. It is very important to make these people the allies of reform, but in no way try and manipulate them. They should be involved in the drawing up and implementation of the concept set forth and convinced (and since this corresponds to reality, it should not be difficult) that, if rationally conducted, the proposed reforms will not hurt, but perceptibly benefit them in every respect – professional, financial, and moral.

None of this was done in 1997, and the bureaucrats, who only heard about "some kind of reform" on the grapevine and were naturally very cautious about such rumors, could only breathe a sigh of relief when nothing actually happened. Those who could have become potential "agents of change," on the other hand, only received another cause for disappointment and excuse for pessimism.

4.2. Openness of the Reform Preparations

The public should be informed (primarily through the mass media) about the design and main areas of reform. It appears that this thesis requires no special justification. The openness of political processes in democratic society is a necessary condition for achieving the goals set. First, it is a tool of social control; second, it is a source of additional ideas that could come by way of feedback between the public and the reformers; third, it is a factor of forming adequate public expectations.
and orientations and establishing relations of mutual trust and partnership between the government and the people, the dearth of which is, in our opinion, one of the major critical factors of today.

Again, nothing of the sort was done in 1997-1998. And it was possibly not by accident, as mentioned above, that one of the bureaucratic measures for blocking the reform was freezing the decision to publish its draft. It is also worth noting that the section about the Mechanisms for Implementing Administrative Reform was excluded from the draft at one of the stages.

4.3. Teaching Future Administrators New Principles for Building Civil Service

Young people who will come to civil service in the next few years should bring with them knowledge about what civil service is supposed to be, and about the world trends in its modernization. In contrast to the first two items, we can talk about a certain amount of success in this area, since this kind of training is going on at the Department of Public Administration and Social Studies of Moscow State University, the Russian Civil Service Academy, and several other universities. In 1999-2000, a large textbook was published, most of which is devoted precisely to these questions. In addition, the developers believe that in this case the duty to inform the public has priority over the duty to keep an "office secret." So in this respect, the authors do not consider the "attempt of 1997-1998" a failure.

4.4. Need for Political Will and Administrative Consistency

Alas, without these conditions, making time, attempting at palliative measures, and other bureaucratic "games" are possible, which, unfortunately, are at times being engaged in today. For example, an analysis of the draft law calling for a change in civil service regulation and submitted for parliamentary hearings in November 2001, shows that it was prepared separately from the conceptual proposals set forth above and, despite several positive innovations, is generally written in the same corporate-bureaucratic spirit. All of this can lead either to the adoption of individual, not necessarily unsuccessful measures, but not coordinated with the overall reform strategy, or to another shelving of the matter.

Meanwhile, an analysis of the situation shows that there is no satisfactory alternative to the reform concept proposed as early as 1997, and freezing the current situation is fraught with negative consequences, the scale of which is swelling with every year the question is put on hold. Both the public and the authorities are paying dearly for this. We are paying for the fact that a real anti-bureaucratic revolution did not occur during the 1990s, which in no way presupposes destroying the civil service, but on the contrary bringing it into harmony with the demands of today and
particularly of tomorrow. One of the varieties of this payment is further bureaucratization of the public administration sphere, as well as the growing and ever more critical alienation of the bureaucracy from the public, which is extremely dangerous for a state trying to legitimize its power through democratic institutions.
Chapter 1. Specific Features of the Political, Economic and Social Environment in Russia at the New Start of Reforms

1.1. Overview of RF Civil Service in Late 1999

It is common knowledge that efficient public administration is due to the organization of the governmental machinery and the quality of administrative personnel. Apparently, the efficiency of civil service is the basis of efficient government or, roughly speaking, "the cadres are decisive." As they perform their official duties, civil servants help the approved political decisions reach the implementation stage, thus securing a direct link between the authorities and the public. Civil service is also a conduit for public influences on the authorities (along with other feedback mechanisms): civil servants cannot fully disregard the public's attitudes to official intentions, and in some way or other take these into account as they go about their duties.

Securing the efficiency of civil service and its links with the public is of particular importance in the context of efforts to form a new State or to put through political and economic transformations. But to what extent did Russian civil service meet the reform requirements at the start of the new political cycle marked by what was the first democratic (electoral) change of President in Russian Federation history? To answer this question, it is necessary to consider some pre-2000 civil service problems.

One should regard as the first and most important problem, or, more precisely, the general problematic situation that formed the background of existence of Russian Federation civil service by mid-1999, the disparity between its organization and functioning and the existing state of public life. In terms of its progress rates, the real civil service reform lagged disastrously behind not only the reform projects that had been suggested in the preceding years (something covered in detail in the foregoing chapters), the world trends and civil service practices, but also other incomplete or "half-hearted" reforms as implemented in the mid- and the late 1990s. The government machinery has thus become the weakest link in the overall reform drive and an obvious brake on further advance of the nation. What the public expected from the government was honest and dynamic work, rapid and efficient implementation of political decisions, a benevolent and polite official manner, as well as transparency in its operation. What it got as a result was corruption, disunity,
watered-down responsibility for decision-making, red tape and leg-dragging on reforms, disdain of public needs, and bitterness on the part of impoverished officials. The level of training of the government officials, their discipline and professionalism dropped even in comparison with the Soviet period. Even in that situation, of course, it was out of the question, under any circumstances, to contemplate the dismantling of the governmental machinery. In the first place, it would mean the loss of control leading to unpredictable consequences. Secondly, the civil servants as one of the more numerous and largely destitute population groups needed social support and encouragement. Any moves the authorities might take with respect to civil service were thus due to facilitate the soonest possible modification of the system's organizational principles and mode of functioning and simultaneously assist an enhancement of its prestige among the public.

Unfortunately, RF civil service legislation as it shaped up toward the late 1990s betrayed the lack of a conceptual vision of the position, which civil service should hold in society. It allowed for an eclectic combination of several opposite models (and, accordingly, possible development trends in civil service): the corporate bureaucratic model, the Soviet model oriented to the omnipotent political "master" and fully dependent thereon, and some elements of a civil society's public service. Chapter 3 of Part IV of this paper gives a detailed account of the legislative problems caused by the combination of those models.

The financing of civil service deteriorated according to most parameters as well, this service becoming a "stepson" of the budget. For example, a comparison of pre-default (1997) and post-default (1999) indicators shows an insignificant or zero growth of appropriations (in absolute figures, to say nothing about the more than three-fold decline in the real purchasing power of the ruble as compared with 1997). With the GNP (million rubles) increasing from 2,550,000 (1997) to 4,000,000 (1999), the expenses on the upkeep of civil service, according to the State Committee for Statistics, changed disproportionately little, growing from 7,793.3 (1997) to 10,748.6 (1999). The situation with regard to other parameters of civil service financing was similar or worse. Expenses on retraining and advanced training of civil servants were comparatively: 0 (1997), 0 (1999); life insurance expenses: 0 (1997), 0 (1999); expenses on social guarantees for civil servants: 0.03 percent of the GNP (1997), 0.01 percent of the GNP (1999); additional payments over and above the government pensions of federal civil servants: 40.5 million rubles (1997), 138.5 million rubles (1999); government administrative expenses in comparison with the GNP: 0.45 (1997), 0.34 (1999).

On the whole, the end of the first decade of the Russian Federation's existence, organizational development of its statehood and crystallization of new political and economic priorities, all of which culminated in the critically important period that witnessed the first change of the elected
President, can be called unsuccessful from the point of view of the bureaucracy's improvement and its transformation into an effective tool of government.

Seen more closely, the reason for this state of affairs is primarily the lack of the "political will" for government reform, which found expression in concealed opposition to and even renunciation of sweeping civil service reform (this point is covered in detail in the preceding part of the paper). The earlier suggested reform projects (specifically, in 1997) were either frozen at the development stage, or not allowed to reach the implementation stage. Certain ideas got implemented outside of systemic civil service reform, with no single plan or idea about the kind of civil service needed by Russia; this significantly reduced the effectiveness of transformations in progress. On the whole, the bureaucracy continued its evolution based on the internal laws that dictated the growth and departmental proliferation of powers, their "arrogation" (substitution of bureaucratic interests for national priorities), erosion of responsibility, and rejection of the recalcitrant. There was a marked drop in the level of executive discipline, because the former mechanism of Party responsibility that used to make civil servants toe the line ideologically was a shambles with nothing as effective invented in its stead. Civil service remained a conservative, excessively hierarchal and closed system that only too weakly responded to innovations. A new civil service system was yet to come into being, its basis formed by a staff of professional employees open to the more talented and fittingly educated young people, one allowing for the "lateral entry" of the best professionals from the non-public sectors, and guaranteeing merit-based career promotion. The public had a long-standing revulsion for the government machinery because of its bureaucratic practices, numerous abuses of office and corruption of civil servants, as well as their incompetence. All these factors held back business activity and investment into the economy, given the restriction of its public sector. The bureaucracy proved incapable of operating under the new crisis management conditions. Its belated or inadequate reaction to the constantly arising problems in the power industry, nonpayment of wages in the budget-subsidized sphere, curtailment of government regulation in many sectors of production, negative demographic and migration processes, etc., constantly generated political, economic and social tensions in the regions, eroded the authorities' prestige, and perpetuated their alienation from the public.

It became clear that a major reform of the entire RF civil service was crucial to the success of socioeconomic reforms and the progress of civil society, implying, among other things, the participation of people and their associations in the process of government.
1.2. The Political Situation in Late 1999 as Regards the Condition of Civil Service

To what extent did the political situation in the country in late 1999 favor the start of real and purposeful civil service reform? There seems to be a dual answer to this question. A most important factor determining the objective need for civil service reform in the Russian Federation was the pressure of the coming elections. But it was not so certain that the ballot would take place after all, its feasibility repeatedly called into question by political scientists and put to test by different representatives of the political elite, who made tentative statements about it being expedient to postpone or even call off the poll. The problem of electing a new RF President, a totally unprecedented circumstance in Russia's political life, became a catalyst of all political processes, speeding up better realization by the political elite and the bureaucracy of their interests and the restrictions imposed by the rules of the public political process (one unfolding before the eyes of the electorate).

The political situation might have accelerated civil service reform had Boris Yeltsin decided to remain President and to "polarize" the bureaucracy by his decisive action, finding within it some supporters of this reform. But since Yeltsin gave no sign of taking action nor, in all evidence, of intending to take one (experts participating in the drafting of reform projects would have noticed right away any invigoration of the executive branch and the Presidential Staff in a bid to "resuscitate" the existing projects), it seemed more probable that events would take was a different turn, following the scenario that implied an electoral change of the political leadership.

The forthcoming presidential ballot and its "political prelude," the effort to form a new composition of the State Duma, required projects for a changed civil service system as an element of electoral programs and simultaneously a willingness to postpone the project implementation, i.e., the delayed status for the civil service reform projects pending certainty on the new State Duma composition and the person of new RF President. The need for making electoral programs (future action strategies) necessitated organizational moves to make proposals on civil service reform and put these proposal on electoral documents.

Thus, politically, the configuration of the new stage in proposal-making on reforming Russia's civil service (in mid-1999 till late 1999) was set by several factors of the political situation, which had a direct effect on the state of the bureaucracy and its behavior.

A. The political tensions factor and the bureaucracy's behavior

The visible balance of political trends and forces representing them, the growth of rivalry between groups constituting the political elite, as well as the possible change of the top political leadership have faced the executive authorities with this difficult choice: they had to decide whose side to take,
whose political line to support. The question itself implied that it was no longer the right time for implementing decisions adopted by the powers that be. Wait-and-see attitudes (passivity) have become the main survival strategy for the bureaucracy. There could be no other strategy, because Russia's civil service was yet to evolve the division into career personnel and "political appointees" and no one could be certain of keeping his/her position following the arrival of the new leadership. Of course, this situation was more characteristic of the staff of the executive branch at the federal level. By contrast, that of the legislative branch had to be more active in the election campaign, but their position was not typical, because numerically, in keeping with the data of the Russian State Committee for Statistics, they made up a mere 1.9 percent of the body of federal civil servants. To a lesser extent this position characterized the judiciary as an independent and upstanding branch of power, but its proportion was also insignificant (16 percent).

The uncertainty of the bureaucracy as to their future was also expressed in officials looking for cushy jobs elsewhere to fall back on, and in their preemptive resignation from civil service. Unlike Western countries, where this sort of withdrawal is usually to the educational spheres, commercial ventures (although there are serious restrictions on joining them) and analytical centers, Russia could realize predominantly one possibility, a totally unregulated exodus to commercial ventures as the most attractive in respect of pay and chances for prior lobbying (before resignation). Among these ventures, preference was given to major mining companies with considerable government shareholdings, yet another indirect indication pointing to a high level of corruption in that sector and the need for time-specific bans on this kind of transfer.

The inactivity of the bureaucracy and "the exodus" from the civil service system can be described as a check on the creation of election programs for civil service reform, since radical proposals could only speed up the process of erosion of the bureaucracy and turn it from an electoral ally into a very powerful adversary.

B. The "election staff" factor

The urgent necessity of winning over the electorate as well as that of making up electoral images and strategies led to the emergence of the contenders' election staffs. The manning of the staffs, their moves to identify friends and foes could not leave the bureaucracy indifferent, given its propensity for acute reactions to even the slightest hints at some or other "predilections" in that process on the part of the candidates. At the same time, being responsible for the drafting of the candidates' programs, it was the election staffs that initiated elaboration of new civil service reform proposals. The electoral situation became the real reason why the public once again turned to face the civil service problems, specifically the unsatisfactory state of the civil service itself.
A civil service diagnosis that might attract voters, and the setting of clear goals as regards the changes in civil service could bring additional advantages and secure voter support. Thus, the special quality of requirements for new civil service reform programs at that stage was that they were to be incorporated into the candidates' electoral programs as an element of their election promises. By their status the programs did not have to contain detailed implementation rundown, feasibility studies, or timeframes. They were par excellence proposals for the voters, while their political advertising and their support by the media and the public should have become an important capital for the candidates. But, as the common sense suggested, the pre-election period was not the right time for excessively radical civil service reform programs (particularly demands for dramatic reductions in the bureaucracy, total abolition of its benefits and privileges, considerable lowering of its social protection level, etc.), for the bureaucracy was likely to start "sabotaging" the candidate and turning potential voters against him. In more detail the problems related to the rapid dynamism of the political situation and the new environment in the State Duma (a new political line-up) are considered in the final paragraph of Chapter 3 of Part IV of this paper.

1.3. The 1998-1999 Economic Situation and its Influence on Chances for RF Civil Service Reform

The economic situation in 1998-1999 was on the whole unfavorable for tough civil service reform options. In fact, any reform implying a qualitative improvement (rather than dissolution or a mere numerical reduction) of civil service cannot make do with purely non-cost-based measures or measures financed from the current budgets of government agencies (non-cost-based measures in the narrow sense of the word). Central to the creation of a professional civil service, at the very least, is streamlining merit-based selection and promotion procedures, continuously working with a personnel reserve, making favorable conditions for personnel rotation, developing and introducing new principles of economic and other stimulation, etc. These expenditures (excepting the initial, preparatory R&D stages) cannot be charged to external grant givers or other economic sectors, for it will interfere with impartiality of the bureaucracy and its "equidistance" from all strata of society and all external influences. What is left is running the reforms on the budget money. But finding funds for the budget and implementing the budget in 1998-1999 was attended with considerable difficulties. Responsible for important consequences as regards civil service financing, these were mostly the following:

(1) the 1998 default and (as a consequence) impoverishment of the bureaucracy;

(2) the lack of investment in the economy as well as extra money for civil service reform, including money coming from international donors.
The said problems promoted, on the one hand, conservation of the old economic stimulation methods, specifically the preservation of in-kind benefits as an inevitable factor of the existence of civil service, and on the other, generated ugly differences within the bureaucracy, the differences that tended to disrupt the integrity of the civil service system. Some of these comprised greater distinctions in material stimulation levels for civil servants serving with different executive agencies in different constituent entities of the Russian Federation.

And yet, there was an economic factor calling for maximally quick and tough civil service reform, to wit, the progressing corruption among civil servants.

The spread of corruption may be seen as a consequence of the unfavorable economic status of civil service. In this context, corruption in the broad sense of the word is understood to mean an intentional improper execution of one's official duties for personal gain. Civil service corruption may take different guises, like financial and other benefits, business and other public activities that are off-limits for civil servants as possessing the monopoly on decision-making and coordination, unlawful action (inaction) in favor of legal entities or individuals, relatives, friends, or themselves, intended for immediate or deferred gain (including in order to take some or other job after dismissal from civil service). Corruption may consist in both corrupt action and corrupt inaction.

As shown by sociological surveys, in 1999 the public regarded bureaucratic corruption (in its broad sense, including abuses, graft, venality) as an increasingly significant factor in the functioning of the State. For example, the Public Opinion Foundation (FOM, to use the Russian acronym) demonstrated in its 17 March 1999 poll that 39 percent of respondents believed that the then Government was more corrupt than the previous one, 30 percent as corrupt, 8 percent less corrupt, and 20 percent found it hard to reply. According to the 16 June 1999 FOM poll, 33 percent of respondents said they, their relatives or friends had had personal experience, over the past year, of abuses of office on the part of local officials, corruption and graft. The FOM poll of 17 March 1999 named as most corrupt agencies the police, the customs service, and law enforcement agencies (48 percent), top government agencies (34 percent), and the traffic police (32 percent); 70 percent held that civil service corruption had on the whole increased over the past year.

According to INDEM Fund expert estimates, in 2001 alone, the bureaucrats received a total of some USD33.5 billion from the business community, or slightly less than the 2001 budget revenues.

At the same time, there were only few proven facts of corruption and its successful repression by the law enforcement agencies. For example, Ya.I. Kuzminov wrote this about public views on corruption: "The paradox of the present-day situation is that the Western media scandal in connection with Russian corruption may be both bare of facts and inspired by definite political forces, but it certainly repeats word for word what the Russian public has believed and believes to
be obvious since as early as 1996. It is just that the situation, which for a long time existed as some internal constant, is now in the open and has become an information fact for Western public opinion” (See Ya.I. Kuzminov, p. 221).

Thus, the economic state of civil service provided arguments both in favor of an impossibility of its economic reform in consequence of the insufficiency of available resources and in favor of the need of its reform as a method of avoiding even greater economic, political, and social losses. In any event, the election programs of candidates for RF President had to take into account the negative attitudes to the then civil service as a significant factor for attracting voters.

1.4. The 1999 Social Situation and Civil Service

In the social sense, civil service reached the election divide in an extremely unfavorable state. That referred to both its inner (demographic pattern, proportion of new [young] personnel, pay level) and external characteristics (contacts with the population and a drop in the prestige of civil service).

A) The demographic situation within civil service

The quality of civil service personnel had suffered greatly in consequence of there being no purposeful action to modify the government machinery and the inertia of the training and retraining system. For example, practically all the ministries and agencies were characterized, in 1997-1999, by a seniority background gap, with the bulk of the personnel being employed either for more than 15 years or less than five years. Since the average length of service is typical of middle-aged employees, the gap in the average duration of employee service at most ministries and agencies correlated with the shortage of middle-aged employees. The two exceptions were the State Committee for Statistics (a slight increase in the 41 to 50 age group) and the State Tax Service (a gap in the 51 to older age group). In a large group of ministries and agencies, employees aged 51 years and older made up over 44 percent of their central offices staff.

Yet another personnel problem was the dearth of highly skilled personnel, which was true of all ministries and agencies (with the exception of the Education Ministry and the Foreign Ministry, where many employees had an academic degree and/or a specialized professional education; for example, 17 percent of the Education Ministry staff had academic degrees as of late 1997). There was a wide background gap in education: almost no one had post-university professional training, given that almost a half had a basic technical education, and almost no one had academic degrees or titles. Nice picture for agencies engaged in mapping out development strategies in their respective areas! For example, there were three candidates of science per 127 employees of the Federal Securities Commission, which devised the main lines of advance in the securities market.
A third personnel problem was the existence of vacancies amounting on the average to 12 percent of the staff numbers, which in the first place was linked to low pay rates and uncertainty as to further existence of many agencies.

The quality of the managerial personnel deteriorated as well. Specifically, with the pay level of the average statistical employee being not high, albeit varying considerably from agency to agency, there is a clear outflow of the most skilled and promising personnel, that is, middle-aged employees with service records in the range from six to fifteen years. In a number of ministries and agencies, the share of pre-pension and pension age employees (upwards of 51 years) is about 50 percent (the Economics Ministry 55.1 percent, the Atomic Energy Ministry 49.3 percent, the Fuel and Energy Ministry 49.5 percent, the Economic Cooperation Ministry 46.1 percent, the Higher Certifying Commission 62.7 percent). Moreover, the number of central office vacancies at different ministries and agencies that cannot be filled despite all efforts to do so, is no fewer than 35 at each and over a hundred at some (the Economics Ministry 318, the Foreign Ministry 215, the Federal Securities Commission 165). All of this goes to demonstrate the decline in the prestige of civil service.

Besides, pay problems experienced, among others, by the personnel of executive agencies (the military, law enforcement, civil service officers) were conducive to the deterioration of the civil service personnel makeup, higher personnel turnover, and a decline in discipline.

**B) Unwillingness on the part of young specialists to join civil service. Education and civil service: traditions and current status**

History shows that the expanding of networks of specialized educational establishments is likely to be the way in improving the civil service demographic situation, upgrading the quality of professional training of civil officers, and recruiting new young personnel. An even tougher statement is in order: government reforms were always accompanied by the creation (overhaul) of a civil service training system. No civil service reform is possible without this kind of "educational support." It is the realization of this fact that became a motive in the civil service reform project proposed by the Center for Strategic Studies (CSS).

Since the educational emphasis has proven to be of key importance in the CSS civil service reform project, one ought to dwell in more detail on the significance of education for civil servants in the context of civil service reform, as well as on the Russian tradition of this type of education.

As early as the period of work on the first project for a sweeping civil service reform in Russia, its architect, prominent philosopher Gottfried Wilhelm Leibnitz, suggested that Peter I create an educational system measuring up to that task. Its chief aim, according to Leibnitz, should be the training of would-be civil servants (See Vladimir Gherie, p. 192). In keeping with this plan, civil
service reform was accompanied by the emergence of military and naval schools (to train the military cadre), the Cadet Corps, and the Moscow School of Mathematical and Navigation Sciences (to train civilian and court service personnel). The monarch created a two-tier training system for would-be civil servants: collegiums, schools, and later universities in Russia; and training abroad. In the 19th century, these two types of training gradually came to supplement each other, for it became something of a tradition to send teachers and foremost students (particularly upon conferral of the magisterial degree) for long periods of probation training abroad. At the same time, the goals of training started increasingly deviating from the instruction of civil servants, with the particular needs of science itself, the education system, health care, technology, national industry and trade coming to dominate the list of educational specialties and their choice by the students.

Upon the end of the Soviet period in the history of Russia, there was a turnback to the tradition of professional training for civil servants, which originated in Peter the Great's epoch. A transition of sorts to the new (non-ideological) system of training was the creation in November 1991 of the Main Department for Civil Service Personnel Training under the RF Government (the Roskadri), which was to organize the training of specialists for federal, republican and local authorities, state-run enterprises and organizations, and personnel management services.

The Decree of the RF President of 6 June 1994 on the Russian Civil Service Academy under the RF President took further and amplified the course for greater professionalism in training, upgrading of skills, probation training and retraining of civil service personnel. Among other things, the RCSA was to educate, train, retrain civil servants and enhance their skills, and to coordinate the research and educational efforts pursued by regional personnel centers.

At present it is either the "departmental" educational establishments or, more often, the RCSA and the Academy of the National Economy that engage in advanced training, probation training or retraining of civil servants. The majority of ministries run research institutes of their own, but the shortage of highly skilled personnel is a sign indicating that the departmental training, retraining and advanced training system cannot cope with the mission. Besides, information on professional training of employees received from ministries and agencies in the form of questionnaires fails to correlate with the summarized ministerial data on advanced training. This means that the employees themselves do not consider their advanced training within the said system as actually providing post-university professional education.

Under the current rules, a government agency signs contracts on advanced training of its employees with a Russian Federation educational establishment on an noncompetitive basis. Being under no restrictions as to its choice of these educational establishments, it, naturally enough, gives preference to schools functioning under its own aegis, where there is no outside control over
retraining curricula. In the case of a government order for retraining and advanced training of federal civil servants, the procedure for forming, placing and implementing the direct (noncompetitive) order is drawn up and approved by the relevant government agencies, but the possibility of departmental subordination of educational establishments as would-be recipients of the order is not only removed but actually is implied as something natural (item 4 of Decree No. 103). Advanced training and retraining records are merely taken into account during certification procedures, being non-obligatory (item 9 of Decree No. 353). The Federal Law on the Fundamentals of Russian Federation Civil Service mentions specialization and the need for relevant professional training, but this provision (Article 6 (2 and 3) of the Law) does not work for the lack of additional specifying enactments.

Thus, agencies have appropriated the training and retraining functions as regards the civil servants, something that objectively reproduces the corporate-patronage civil service system that took shape in the 1970s.

According to the drafters of the civil service reform project that was submitted to the CSS, the existing state of affairs can be corrected if this country goes back to the Leibnitz-suggested public administration reform concept and revives the idea of primary professional higher education as offered by independent (nondepartmental) educational establishments as centers for the training of civil servants.

The year 1993 aw the start of the efforts to create this sort of educational establishments, with a new specialty, public and municipal administration, approved, a relevant educational and methodological association created, and curricula drawn up. In 1997-1998, the first graduates of these educational establishments joined civil service, reinforcing the body of young specialists – economists, lawyers, historians, psychologists, sociologists, political scientists, philosophers, representatives of technical disciplines and natural sciences – who had beefed up the ranks of civil service personnel.

It has been repeatedly stated that the difference between young specialists majoring in public and municipal administration and other experts is the multi-aspect quality (universality) of their training background, the latter combining economic, legal, psychological, sociological and other aspects of the work done by civil servants.

It transpired, however, that the civil service existing in the Russian Federation had an essential "defect," being unable to accept this sort of new personnel and put them to efficient use. More than 80 percent of graduates of Moscow State University's department of public administration prefer employment in other sectors (domestic and international companies, public organizations) to one in national government agencies. The few "enthusiasts" who do join civil service normally stick to it
for less than a year and then leave for non-public sectors. The fundamental values inculcated in public administration students – the spirit of public service and enlightened patriotism – crumble on impact with the modern civil service realities.

The main reasons why the civil service system rejects young professionally trained specialists are primarily linked to civil service's non-competitiveness in comparison with other labor market segments. There are no provisions for the promotion of young specialists in keeping with their professional and business qualities; their professionalism and efficiency fail to get the due estimate. Civil service salaries are inadequate, while the existing forms of material stimulation are archaic and fall short of the real (meaningful) needs for encouraging quality service. The level of social protection of civil servants is low, whereas political changes and the change of leadership usually bring in their wake personnel shakeups, which inhibit stable operation and initiative.

Thus, there is a crisis in the budding primary system of civil service personnel training, the crisis linked to the lack of its correct (effective) utilization and misemployment of trained personnel. This crisis fell on the 1998-1999 period, when the first graduates in public administration left their schools. Ways for leading the system out of its crisis should have become an important element of the suggested civil service reform program, something implemented in its version submitted to the Center for Strategic Studies.
Chapter 2. Proposals by the Center for Strategic Studies on Civil Service Reform

2.1. The Center for Strategic Studies as an Organizational Entity for Designing Civil Service Reform Projects

Considering the development of the civil service reform project from the fall of 1999 to the spring of 2000 as a component in the preparation of the RF presidential candidates' election programs, it is necessary to describe the organizational entities involved in the process.

The most extensive election program, as well as organizational measures for devising it, was proposed by the Center for Strategic Studies nicknamed the Gref Center, which fulfilled the role of the election staff for Vladimir Putin, the then Chairman of the Government of the Russian Federation. Here, the resources and support of the powers that be, on the one hand, and expert knowledge and experience, on the other, were joined together. The so-called administrative resource was also present here in the form of direct use of the civil service reform projects that had been developed previously, under sponsorship of the authorities. From the fall of 1999, in a short period of 2 to 3 months, the CSS Council was set up, the main spheres and procedures for its work determined, groups of experts selected and the tasks set for these groups. The factors that determined Vladimir Putin's success, alongside the existing administrative support resource, probably included the creation of an efficiently operating election staff, as an organizational entity for designing the election program and, most importantly, for involving a substantial number of independent experts in developing this program. It was a mechanism for professional socialization of the RF presidential candidate that was much more up-to-date and attractive to the public than the bureaucratic or Party propaganda produced by the other election teams.

One more important function of the CSS was the selection of future political appointees to the system of executive power. The candidate appointees joined the composite program development teams, together with the people delegated directly by the Government and Putin himself, the executive personnel of the CSS and experts who belonged mostly to existing expert teams and possessed previous experience of developing projects for the Presidential Staff and the Government. These candidates were given an opportunity to prove themselves within expert groups and to participate in the drawing up of programs for the strategic spheres which they might possibly supervise in the future.

The list of areas for the development of projects included in the election program was determined by the CSS in accordance with the most acute social problems. The inclusion of institutional development among the focal areas for the elaboration of a strategy within the CSS, alongside
social policy, education, the economy and military reform, was a natural result of both previous attempts at reform in this direction and futility of these attempts. Society's interest in the problem of the structure and functioning of the government agencies, against a background of criticism of the authorities, their obvious failures and the existence of an inefficient and poverty-stricken bureaucracy, could not remain unsatisfied: the election program had to take account of this.

Work within the CSS to draw up a draft program for civil service reform was organized in the following fashion. The creation of a Concept of Institutional Development was initiated at the "top level" (the joint working group for preparing a civil service reform project was headed by M.A. Krasnov; general organizational matters were the responsibility of the Center for Strategic Studies Foundation President, D.F. Mezentsev, and day-to-day issues – of the CSS associate Ye.A. Kulkov).

The framework of this Concept envisaged the creation of several programs, including interlinked ones for administrative reform and civil service reform. The subgroup of experts for developing the civil service reform program was set up both on proposals made by M.A. Krasnov, who headed the group for working out the Concept of Institutional Development, and on agreement with the CSS management.

The best candidate for the subgroup leadership was, in the opinion of its members, A.V. Obolonsky, the well-known civil service expert and head of the subgroup for creating the concept for RF civil service reform under the RF Presidential Staff in 1997. Owing to his extended absence during that period, however, a decision was made to involve him on a correspondence basis in reviewing elaborated documents. The subgroup for creating the RF civil service reform program included: A.G. Barabashev (group head, Public Administration Institute [now – department] of the Moscow State University), A.V. Butakov (Omsk Region Administration), M.E. Dmitriev (Carnegie Moscow Center), A.F. Nozdrachev (Institute of Law and Comparative Jurisprudence under the Government of the RF), L.A. Okunkov (Institute of Law and Comparative Jurisprudence under the RF Government), E.S. Sapiro (RCSA under the RF President) and D.S. Shmerling (State University – Higher School of Economics). Other participants in the subgroup's activity were: T.V. Zaitseva (Public Administration Institute [now – department] of Moscow State University, for preparing analytical logistics on the specifics of contemporary civil service reforms in certain countries), V.A. Kozbanenko (State University of Management, for analyzing the legal aspects of civil service reform), G.L. Kupryashin (Public Administration Institute [now – department] of Moscow State University, for preparing the cycle of educational events of the program). In addition, Ye.M. Albats (an independent journalist), P.M.Kudyukin (head of the Center for Public Administration Problems of the State University – Higher School of Economics, President of the ELF Expert Labor Research
Fund) and E.B. Shestopal (now of the Department of Philosophy of Moscow State University), and others participated in the discussion of the logistics at the CSS seminars in February and March 2000 and introduced amendments into the final text of the program.

Two specific features of preparing the program were responsible for the inefficacy of its discussions. First, the excessively closed nature of the seminar sittings and difficulties involved in registration (gaining access) for participation cut out many strong potential experts, including representatives of government agencies. Generally speaking, there was minimal public sector participation, which hampered subsequent implementation of the program. Second, little use was made of the opportunity to make the proposed ideas public, though such an opportunity would seem to coincide with the requirements of broad public discussion of the election campaign in general.

2.2. The Main Parameters of the CSS Concept of Institutional Development

The political guidelines for composing the entire range of concepts for government reform were set out in the Institutional Development Concept (theses), which incorporated previously elaborated ideas, particularly those in 1997-1998. In these theses, the group head, M.A. Krasnov, together with the CSS leadership and, presumably, in accordance with their positions as trusted associates and advisors of the presidential candidate, raise a number of questions concerning the current state of government in Russia and the possible ways of reforming it.

The main issue covered by the theses was whether government reform was necessary in general and whether the dissatisfaction of various population strata with the situation in Russia was a convincing reason for its implementation.

The answer to this question, which gave rise to a series of proposals (and subsequent questions) for all aspects of government reform, took shape from analysis both of the state of affairs in the interrelations between government and society and relations within the system of government itself.

The Authorities and Society section expresses and justifies the hypothesis that the degree of disharmony in the relations between the authorities and society was high and still rising. No transformation from subjects of the authorities to citizens had taken place in either the status or the consciousness of the people of Russia. On the part of the authorities, there was no impulse allowing the people to make such a revolution in their self-awareness.

It was indicated that society did not perceive clearly what the authorities' values and political principles were. Consequently, the authorities' responsibility to society was eroded and society began perceiving to the authorities as an alien institution, pursuing its own interests, about which
society cold only guess. Hence the unpredictable, including remonstrant and marginal, behavior of voters.

The attempt at a political-legal self-identification of the nation was not completed: on the one hand, the adoption of the RF Constitution in 1993 was an act of separation from the Soviet system of government, while on the other hand, the Russian Federation officially declared itself the legal successor to the USSR. A symbiosis began of democratic and Soviet institutions of government, differing in ideology and functional mechanisms. This creates overall instability of the entire society and of Russian statehood as a whole.

The Concept underscored that society perceives the public authorities as weak and has confidence only in individual political figures. In reality, decisions by the authorities that meet the interests of influential groups inside and outside the government machinery are implemented quite rapidly and accurately, while satisfaction of the interests of society, big social groups and protection of citizens' rights drop into the background. The authorities are either inactive or act belatedly and incoherently.

One negative circumstance in the development of the State was that the strategic goals of social development were replaced by technical ones (methods for ensuring solvent demand, the holding of auctions, maintenance of the employment level, inclusion of part of the population in the middle class, the formation of the budget and so on). It was not clear to the public what these were for and to what extent the authorities concealed their own vested interests behind these techniques. It is not possible either to unite society or make it trust the authorities on the basis of techniques instead of genuine goals.

Assessing the readiness of society for change, the Concept asserted that society was prepared to part with paternalistic expectations and stereotypes with respect to the authorities, but that the authorities were not ready to present a comprehensible strategy for building a social state and to take consistent steps within the bounds of this strategy. As a result, society as a whole is convinced that social assistance is an attainment and exclusive feature of the policies of the Soviet government and that the new authorities would like to eliminate social assistance, but "are afraid of the people." The authorities have not substituted the idea of paternalism with any other national ideology – recognition and implementation of the priority function of a democratic state – protection of the civil liberties (political, economic, religious and ideological). They do not distinguish between manifestations of freedom and abuse of it (one illustration is the authorities' complete dismay in the face of political extremism).

The Relations within the System of Government section suggests and later justifies the idea that the lack of correspondence between the structure and functioning of government institutions, and the fundamental tenets of the constitutional system in the Russian Federation (a democratic, federal,
social, rule-of-law state) is increasing. It was this section (one part of it) that served as the basis for the CSS Terms of Reference in drawing up the Concept for civil service reform.

The Concept states that the legal levers of government are extremely ineffective. "Shadow," "informal" levers are far more effective and used more frequently to achieve covert goals. These levers were historically built up under a different social system and presupposed the supremacy of administration by command and repression, staking on fear, total ideological control of the government over public life, a centralized system of government, production and distribution. Accordingly, the system and structure of government institutions, the territorial division of the country, the stereotypes and methods of government and the core of government machinery personnel remained, on the whole, untouched.

The Concept asserts that the machinery of government not only reproduces the old (Soviet) system of government, but also possesses considerable freedom to act at its own discretion, owing to the lack of any regulation of official duties or precisely formulated legislation. Moreover, the lack of any political and legal self-identification of the nation and the presence of political forces that are diametrically opposed in their fundamental values, increases even further the bureaucracy's opportunity to act at its own discretion, in pursuit of its own interests, while maneuvering between these political forces. Hence the ideological fragmentation of the bureaucracy, the absence of strategic unity of action of the various agencies, the formation of "clans" in the executive branch, instability of the government machinery and a frequent rotation of senior officials. "Career" (professional) offices are mixed up with "political appointment" positions and the entire range of civil service positions become political ones.

According to the Concept, the current state of federal relations has become a danger to Russian statehood. The real spread and location of productive forces does not correspond to the administrative-territorial division and there are constituent entities of the RF with a complex composition. The striving to resolve all regional problems in a completely unitary manner at the federal level constantly gives rise, as a counterweight, to a tendency towards separatism (which cannot be eliminated by the abundance of mutual terms of reference, given the almost total lack of any enforcement mechanisms). There are considerable territorial differences in the standards for guaranteeing the rights of the individual and in interpretations of these rights. Time is ripe for territorial-administrative reform, but the political insecurity of the federal authorities made them fear even a public discussion of such reform.

The same was true at the level of relations between the constituent entities of the Russian Federation and the local self-government bodies. The local self-government bodies are suppressed
by the RF constituent entities, and unprotected by the federal authorities. The local self-government bodies have been virtually deprived of any revenue sources.

The authorities continue to distrust everything privately owned, they are reluctant to give up the administrative functions that should be handed over to civil society, the business community and so on, while retaining control over the legality of discharging these functions. The authorities continue to extensively interfere in economic activities to the benefit of the bureaucracy and make broad use of the principle of granting permission for such activities.

The law-enforcement and justice institutions function extremely badly. Justice has not become an accessible and effective means for protecting people's rights and lawful interests. There is a shortage of judges and funds to back up their activities, and the public feels unprotected against abuse of power. The law-enforcement agencies and the special services continue to be mechanisms of repression, rather than helping people protect their rights. Their actions are regarded primarily as a demonstration of force and deterrence. These agencies are becoming increasingly diversified, with a duplication of powers, and an increasing number of government agencies are striving to set up their own strong-arm units. The law enforcement agencies are increasingly becoming a means for supporting unlawful competition.

Bureaucratic clannish interests are rapidly taking shape and it is the bureaucracy itself that determines the structure of federal executive agencies, establishing its own separate "fiefdoms." The civil service system as a whole does not meet the constitutional principles and the objectives of Russian statehood. It grows randomly and spares no effort to increase ineffective expenditures on its maintenance.

The provisions for elaborating the section on civil service reform turned out to be scattered throughout the text of the Concept of Institutional Development. They were either directly blended into its text or followed from the description of the shortcomings in the existing system of government as a whole.

Summing up these provisions in concentrated form, let us note first and foremost that the Concept of Institutional Development formulated the main political requirements on the parameters of civil service reform. This reform was to lead to the creation of Russia's first ever civil service based on the merit system that has been adopted and is successfully functioning in many countries. This civil (or, to be more precise, public) service system responds best to the needs of civil society, since it makes officials realize the priority of public service as promoting the lawful interests and rights of citizens and their associations (the client orientation). Moreover, it boosts public service transparency, i.e., openness and accessibility of non-confidential information.
Apparently, the Concept provisions dealing with the civil service system placed emphasis on public service and the changes in it were to constitute a model for the transformation of the entire civil service of the Russian Federation. The main components of civil services for other types of societies may be military service (for example, for extensive hierarchical societies, that is, ones extending their zones of influence by force) or service in the law enforcement agencies (for example, for societies with unstable relations between social groups, or with distorted legal relations), but as far as civil society is concerned, it is public service that is connected most fully with its components and constitutes an extension thereof.

2.3. The Terms of Reference for the Elaboration of the CSS Concept of Civil Service Reform and the Concept Itself

The entire "policy" of changing the civil service system was set out quite explicitly in the Concept of Institutional Development, while the technical and instrumental details were to be covered by the Concept of civil service reform. The latter was to follow the political guidelines and, above all, to describe the measures to be taken, their order of priority and an implementation timeframe.

The Terms of Reference for writing the Concept were set quite strictly, specifying the sequence and basic content of the sections (the main subjects they should cover, without detail, argumentation or mechanisms, of course), as well as their proposed size (as percent of the full text). The principal condition of the Terms of Reference for elaborating the Concept of Russian Federation Civil Service Reform consisted in a detailed description of the current status of Russia's civil service and possible development trends, identification of the main groups of trends, including desirable and undesirable ones, and finding ways to choose and implement desirable trends. A crucial condition of the Terms of Reference was the requirement to map out the necessary measures for reforming Russia's civil service in the right direction and to assess the sustainability (degree of irreversibility) of the changes made.

Although the Terms of Reference did not include the calculation of the cost of measures to be implemented, the majority of the main parameters of the developed Concept brought it closer to the Program for civil service reform rather than the relevant draft law. Its orientation on measures has made it a direct precursor of the Program for Russian Federation civil service reform in 2003-2005, which is presently at the stage of discussion and adoption (as of July 2002).

In the first section of the CSS Terms of Reference for the Concept of civil service reform offered an analysis of the situation, including a description of the current state of RF civil service, the main
trends in civil service development, indicating the alternative options for political decisions on civil service reform.

1. Analysis of the Situation

Importantly, the Terms of Reference made more specific the provision of the overall Concept of institutional development on the disharmony between government and society, with respect to civil service and its employees, tentatively dividing this disharmony into four interconnected components:

(a) the functioning of civil service. By the end of 1999, there were a number of contradictions inherent in the functioning of RF civil service:

- on the one hand, in accordance with the RF Constitution of 1993, the functions of civil service were changed (civil service was to function in a democratic, law-governed, federative, civil society), while on the other hand, it continues to act and be identified with the traditions of the Soviet system of government. It remains a "sovereign" service;

- the principle of responsibility of the powers that be before the public is proclaimed, but in fact it remains on paper;

- the goals of the machinery of government are not identified, being replaced by techniques, thereby leaving scope for government officials to pursue their own goals and use "informal" management levers. As a result, government officials do little to protect the interests of society or big social groups, but protect well their own departmental, "clannish," centralist or regional interests and the interests of their pressure group. Since corruption appears as a consequence of poor organization of the work of the government machine, indeterminacy of job descriptions, and hypertrophy of its control and permission functions, the struggle against civil service corruption cannot consist in taking independent anti-corruption measures. This makes the bureaucracy prone to corruption, which may thus be considered as a consequence of the defects in the functioning of the government machinery;

- civil service is politicized and there are also signs of its growing de-professionalization. The level of executive discipline is unsatisfactory;

- the government machinery does not encourage the observance of civil rights or the transfer of a number of administrative functions to civil society; it stimulates paternalistic expectations, but is not in a condition to satisfy these.

(b) civil service legislation
As indicated, civil service legislation has undeveloped components, discrepancies, contradictions, anachronisms, and gaps.

- The basic principles for the structuring and functioning of an integrated civil service system at the federal and regional levels are not secured.
- The interrelations between the government and municipal services are not synchronized.
- Frequent use is made of bylaws – instructions, clarifications, orders;
- Federal civil service legislation includes provisions that, if implemented, could improve civil service and make its employees more dynamic and professional (the introduction of competitions for filling vacant positions; the proclaimed link between the results of personnel appraisals and the identification of professional qualities of public officials; the possibility of inflicting penalties for dereliction of duty; and so on). Alongside the movement toward a merit system, however, federal laws and regulations also tend toward securing a corporate "sovereign" service (including: emasculation of the competition system; creation of departmental systems for advanced training of civil servants; attempts to revive the Table of Ranks and seniority-based promotion procedures; and so on).
- There are no rules for the professional ethics of civil servants, which leads to serious distortions in the way they fulfill their professional duties. As a result, the legal levers for forming and managing civil service are of little effect. This gives rein to arbitrariness in the selection and functioning of civil servants, promotes civil service corporativism and helps the bureaucracy form and uphold its own interests and goals.

(c) civil service logistic support

Having tremendous amounts of public property at its disposal and passing decisions with significant logistic implications are paradoxically combined with the unsatisfactory maintenance of civil service:

- In-kind benefits (perks and the like) occupy too large a place in the total amount of outlays on civil service maintenance. In-kind benefits are granted mainly to a small number of senior civil servants, while the majority of public officials have to put up with a beggarly wage. Reductions in the numbers of civil servants do not change this defective maintenance procedure;
- there are substantial discrepancies between the salaries of civil servants not only of different levels, but also between those with equal status in different government agencies;
• there is no economic incentive for civil servants to enhance performance efficiency or financial liability for deficient performance, errors made, delays, red tape, and so on;
• no contractual system has been developed for government agencies staffing;
• the problem of public official pensions and service termination conditions (including dismissal) remains outstanding, which encourages civil servants to start looking for "fallback" employment in good time, including by covert lobbying for the interests of a possible future employer;
• public property intended to provide for the functioning of the government machinery (government-owned country houses, vehicles, sanatoria, and so on) is not used effectively.

(d) civil service personnel problems

The state of civil service personnel betrays negative trends in their selection, placement and promotion. The prestige of civil service is falling. It is becoming increasingly difficult to recruit the most capable personnel into civil service. The most acute civil service staffing problems are:

• the uncontrolled increase in the size of the staffs of the regional offices of ministries and agencies, which leads to an overall rise in the number of civil servants. The ratio of regional to federal officials in the regions reaches up to 1:10;
• the recruitment and promotion of officials "compliant" with their superiors, while independent workers who show initiative are squeezed out;
• separation of "career" from "political" positions in civil service was carried out according to formal criteria, without any developed quantitative or qualitative distinctions;
• a background gap in length of service of ministerial and departmental staff: the majority of staff have either a record of over 15 or less than 5 years. The most productive middle-age group staff quit civil service due to dissatisfaction with their position and career prospects;
• a universal background gap in education terms: almost none of the staff have a higher education in subjects envisaged for working in civil service; advanced training short courses certificates prevail substantially over second bachelor's degrees; there are virtually no officials with academic ranks in appropriate subjects in the vast majority of ministries and agencies (with the exception of the Ministry of Education and the Ministry of Science);
• a clearly unsatisfactory condition of the system for training and retraining of administrative personnel;
• high staff turnover;
• the reduction of the functions of human resources departments to keeping personal files, the absence of human resources department hierarchy or an integrated federal mechanism for recruiting personnel;

• the absence of a mechanism for involving experts and of "lateral entry" for talented representatives of other spheres of activity into civil service.

Hence the conclusion that the tendency toward personnel corporatization and fall in professionalism prevails over trends toward an increase in the professional level or in the prestige of civil service.

2. The Main Groups of Trends in Civil Service Development

In order to map out the necessary measures for implementing RF civil service reform, it was necessary to identify the main groups of trend in its development. Two different groups of trends were revealed. On the one hand, there is a certain advance, mainly at the level of "declaration of intent," toward democratic modernization of civil service. This is a democratic tendency in the development of civil service and its transformation into the public service of a civil society. On the other hand, there is an obvious striving toward the formation of a bureaucratic corporation, with its own goals and values, and independent of public control. This constitutes corporate trends in civil service development. In other words, there is a conflict between tendencies toward a "civil service" and a "sovereign service."

3. The Initial Crossroads and Critical Moment of Choice

The conclusion deriving from the above analysis of the state and development trends of RF civil service was that, at the moment, civil service was in a state of choosing between these two groups of trends, while the lack of any government program of action for supporting democratic modernization will automatically lead to the implementation of the dominant (that is, self-implementing) group of trends – the tendency toward the establishment of a corporate variety of "sovereign service." Correspondingly, the absence of a political decision or a program of action for transforming civil service into a service "for civil society" is also a decision in itself – the decision in favor of the opposite trends. This is the first "crossroads," which we have presently reached.

The civil service development forecast was as follows: if events continue to develop naturally, without "interference," i.e., without adopting a program of action for strengthening a public service of civil society, a number of subsequent critical moments and crossroads will develop tending toward the development of a corporate "sovereign service." Subsequent proposals proceeded,
however, from the Concept of institutional development, which presupposes a choice (first crossroad) in favor of establishing a public service of civil society.

The making of a political decision and the public proclamation of intent to transform civil service (maybe even the publication of the outlines of a program and the carrying out of the first pilot actions, capable of stirring a public response) into a public service of civil society constitute the first steps in shaping the desired scenario for civil service development.

If this opportunity is missed, it will be regarded as consent to the natural corporate trends in civil service development. Later, serious ancillary efforts will be required to counter the inertia of this corporate trend.

The second section of the CSS Terms of Reference for civil service reform Concept elaboration provides a description of the goals and possible scenarios, as well as a justification of the choice of the best civil service development scenario in the RF.

1. The Desired Development Path for Civil Service

The Institutional Development Concept sets the task of transforming Russian Federation civil service along the lines of a public service, based on a merit system. It goes without saying that such a civil service structure is not set once and for all: the public service concept, the criteria for judging its efficiency and professionalism, are improved and amended as a democratic, rule-of-law, civil society evolves.

For convenience of identifying and comparing the possible scenarios for the transition to a public service, its characteristic features have been divided into four groups, similar to the groups of features identified in section 1 of the Terms of Reference:

(a) The way that civil service should function.

Civil service should function on the basis of principles ensuring its responsibility to society and orientation on serving society, transparency, professionalism, safeguards against arbitrariness, and professional ethics. These principles are:

• responsibility of civil service to society, its orientation on resolving the problems of citizens and supporting a law-governed civil society;

• transparency of civil service and its openness for public control;

• priority of professional qualities for career civil servants (the availability of good professional experience of working at similar or previous levels) over their ability to comply with the personal desires of the superiors and corporate interests;
• protection against arbitrariness of the superiors, unregulated interference in the fulfillment of official duties, or any other pressure exerted by persons with a vested interest. At the same time, it is necessary to ensure society's participation in the making of administrative decisions. This means participation of public associations, academics and educational institutions in expert evaluations of administrative decisions, as well as decentralizing civil service and developing its temporary functional units;

• inadmissibility of professionally unethical conduct.

(b) What civil service legislation should be like

Civil service legislation must provide for integrity of the civil service system at the federal and regional levels of the Russian Federation and its interaction with the municipal service system, and promote the implementation of the above principles of civil service functioning. This presupposes:

• adoption of a Civil Service Code, formalizing the basic principles for the structuring and functioning of an integrated civil service system at the federal and regional levels. Recognition of the municipal service as a variety of civil service (since the local self-government agencies are to execute a substantial part of government functions) and inclusion in the Civil Service Code of a section governing the functioning, maintenance and personnel policy of the municipal service system;

• creation of a legal regime, providing for both strict (including judicial) "framework" responsibility of civil servants and the tightening of executive discipline, and protection of civil servants against arbitrariness, pressure from the superiors, and incompetence. The existence of an effective procedure for removing officials from their positions and for dismissing them for inaction, bureaucratism, red tape, violation of human rights and the like;

• the existence of regulations and effective procedures for ensuring civil service transparency, the rights of citizens and organizations to receive any information on the activities of public officials, affecting the rights and lawful interests of citizens and organizations (exceptions to the receipt of any information shall be formulated in a list, strictly determined by law, of temporarily or permanently confidential information, the civil servants themselves being obliged, in disputable cases, to prove in a court of law the need for confidentiality of certain information);

• distribution of official duties on the basis of jurisdiction (administrative activities, carried out strictly within the bounds of the terms of reference and spheres of responsibility, functions and corresponding powers), including for officials of the functional administrative bodies, and ad hoc committees, agencies and the like;
• the availability of an extensive typology of "political" and "career" offices and lateral entry positions, this typology being linked to the system of government agencies and including a division of their legal status and appointment and dismissal principles;

• the existence of procedures for implementing administrative activities;

• focus on matters of administrative culture and ethics, for the purpose of reviving the concepts of professional reputation and ethics. The existence of a Civil Service Code of Ethics.

(c) The way logistic support for civil service should be organized

The logistic support for civil service must ensure its functioning, maintain the prestige of this type of activity in society and its competitiveness on the labor market. At the same time, the efficiency of expenditure on the government machinery must be ensured by delegating part of the public administration functions to Quangos, holding tenders for a number of items for maintaining the governmental machinery (commercialization of maintenance), by eliminating duplicating entities, cutting staff numbers and reducing the maintenance cost of the government machinery. This presupposes:

• rationalization of expenditure on maintaining the governmental machinery by making fundamental changes in the ratio of direct to indirect financial incentives to public officials, raising the share of the former;

• the presence of a special type of a synthetic civil-law and labor contract mechanism for the career personnel of government agencies (hiring a civil servant for a specific period of time to fulfill specific functions and solve problems on contractual terms, while observing the main constitutional rights of the individual);

• the presence of a guaranteed adequate salary for proper fulfillment of professional duties and creation of financial incentives for civil servants to enhance performance and strive for promotion. The existence of a measuring system for civil servant labor hours and performance efficiency;

• "golden slippers" and a "golden parachute": the existence of a worthy level of financial support for career civil servants after they retire to receive a seniority-based pension (progressing according to the number of years) in the absence of penalties, as well as compensation for dismissed civil servants who occupied political posts;

• provision of budgets (by ministries and agencies) for the maintenance of civil servants fulfilling political and administrative functions;

• "managerization": specific program planning and financing of the staff (with the introduction of financial standards and indicators, detailed balance accounting and reporting methods,
budgetary and financial control, similar to the requirements of nongovernmental organizations and enterprises and to the internal demands of nongovernmental organizations and enterprises) of governmental agencies providing public services;

• "marketization": servicing and backing-up the activities of civil service on a commercial, competitive basis, transformation of some public services into independent self-financing organizations;

• setting the frameworks for the economic activities of civil servants by replacing non-regulatory bans with the rules of legal procedure. These rules may be collected in a law on the trust management of public property, determining the basis and procedure for the mandate-based management by civil servants, on behalf of the government, of government-owned blocks of shares in joint-stock companies, including public property, and in a law on supporting (lobbying) for the economy, determining the basis and procedure for granting benefits, privileges, exceptions, exclusive property and other rights, and the like.

(d) The way personnel policy should be pursued

Personnel policy should promote the creation of a professional civil service dedicated to boosting public interests. Personnel policy should be based on the training of personnel, the choice and promotion of the best employees in accordance with professional merits, the creation of a personnel hierarchy and staff rotation mechanisms, and the strengthening of the analytical component in development. Personnel policy should include:

• a personnel hierarchy, including analytical units and attracting (at the request of these analytical units) independent experts to work on commissions (on a rotating basis);

• flexible mechanisms, less oriented on the hierarchy, for forming and renewing the civil service personnel corps, instead of reviving the "Table of Ranks," including open competition for vacancies;

• procedures for allowing high-level positions to be filled by people brought in from other spheres, who have not risen up through the career ladder ranks (the possibility of lateral entry to civil service and occupying a number of previously determined government positions);

• procedures for dismissal and appeal (through appeal commissions), a permission procedure for civil servants transferring to work in commercial entities, connected with their previous job, within a period of two years after his/her dismissal from civil service;

• control over the observance of the principle of division of "political" and "career" positions, specifically with respect to government agency offices;
• a competitive and departmentally independent system for training and retraining civil servants;

• the existence of specialized publications (a journal) covering civil service news with the following main sections: general and sectoral requirements (standards) for holding civil service positions; vacancies for which an entry competition has been announced; methodological instructions for admitting into civil service and holding personnel evaluation campaigns; articles and reports about civil service both in Russia and abroad.

2. Scenarios for the Transition to a Public Service of a Civil Society

One major achievement of the RF civil service reform project presented by the CSS was the elaboration of possible scenarios for such reform (consecutive order of the processes involved in the transition to a public service). The ultimate establishment of a public service of a civil society would signify that irreversible changes had taken place in all its links – its functioning, legislative and logistic support, and personnel policy. The ways to public service may differ. It would be natural to classify scenarios according to the main sectors of civil service, constituting the levers for transforming the entire civil service system in the desired direction. Correspondingly, the scenarios for a transition to public service have been divided within the project into groups, depending on which sectors are deemed most vital.

In principle, the Terms of Reference indicated four possible initial groups of scenarios, according to the number of the civil service sectors that may be accepted as the basic ones. These are:

(1) scenarios for improving the functioning of civil service – implemented either rapidly or slowly, using flexible or rigid administrative and legal means;

(2) scenarios of legislative initiative and the adoption of new laws. Implementation of these scenarios depends on the interrelations between the legislative and executive branches and on the balance of political forces within the legislative branch;

(3) scenarios for improving the logistic support for civil service, connected both with the budgetary and legislative processes, and the adoption of measures by the executive branch;

(4) scenarios for changing civil service personnel policy, a strengthening of its analytical and professional content, the creation and support of a system for personnel training and retraining;

In addition, the following are possible:

(5) synthetic scenarios, in which all sectors of civil service are transformed at the same time, without identifying the main ones ("a major offensive");
(6) Local scenarios – the identification of one or two individual major parameters of civil service and attempting to change the situation only with respect to these parameters (for instance, corruption and wages as critical economic parameters of the civil service), or implementing pilot projects for reorganizing the civil service system in individual regions, ministries or agencies, according to individual parameters, and so on.

Each of the main four and two additional groups of scenarios mentioned may be implemented at a different pace, with the measures being taken in a different order of priority, more or less strictly, depending on the political, economic and social situation shaping out in Russia over the next two to three years, following the presidential election.

3. Comparison of Scenarios and Choice of the Optimal Scenario for Transiting to a Public Service of a Civil Society

The Terms of Reference outline the general criteria of an optimal scenario for civil service reform. To be more specific, a scenario should be considered optimal if it meets a number of requirements: it takes a will on the part of the authorities to make changes and their firm positions; public interest and support, a sense of loyalty among the majority of civil servants and the existence of direct supporters of the transformations in civil service; availability of logistic resources; and sustainability of the transformations made. According to the Terms of Reference, far from all possible scenarios equally conform to these requirements.

The groups of scenarios set out in the previous item were appraised in order to identify the optimal ones.

In particular, it was asserted that the synthetic scenarios are the most difficult ones to implement. Such scenarios require either very strong executive authorities, holding decisive positions at all levels and in all other branches of power, possessing significant logistic resources and enjoying public support, or executive authorities with unlimited time for introducing reforms. According to the authors, the executive authorities presently lack both the logistic resources for launching "a major offensive" and a common positive attitude of society toward the changes in civil service (owing to paternalistic moods). Nor are groups of reform supporters identified in this event within the bureaucracy, since the transformations will ultimately create an atmosphere of insecurity for all categories of civil servants. This could result in a global setback. At the same time, the advantage of synthetic scenarios lies in their scale and swiftness of change.

Scenarios for improving the functioning of civil service cannot, in turn, be independently implemented – arguments were presented that they could only be a consequence of measures to provide legislative and personnel support for civil service, since, beyond the framework of legal
regulation and assessment of the professional activities of personnel, all demands on the functioning of civil service become no more than goods intentions, while the personnel start working in accordance with the rules of corporate conduct and pursue their own interests. At the same time, the merit of these scenarios is that they take more account of the direct aspirations of society in relation to civil service. Hence, the conclusion that the presence of "scenarios of functioning" elements is necessary in any scenario aiming for success as far as PR is concerned.

Local scenarios can, in the opinion of their authors, be implemented and used as a touchstone for larger chains of measures for civil service reform. At the same time, local scenarios cannot, in principle, change the civil service situation as a whole and their implementation does not give civil service a sustainable development impetus. For example, anti-corruption measures (unless broadly interpreted as measures to change the entire civil service system) and a parallel increase in civil service wages ("to stop them stealing") will be constantly undermined by the lack of regulation of job descriptions, as well as rules and procedures ensuring civil service transparency, and so on – that is, measures relating to the legal and personnel aspects of the civil service.

Scenarios for civil service logistic support may also be merely local and consist of a small number of measures, since the logistic resources available to the authorities at the given moment are rather limited, while the experience of other countries shows that an adequate civil service requires substantial outlays. Civil service cannot be expected to become self-supporting through the introduction of budgets for the maintenance of the bureaucracy, managerization and marketization of a number of services, or other measures outlined above. It is, in the authors' opinion, vital, however, to use the potential of measures that can, indeed, be implemented and build up their volume as the overall economic situation improves.

Scenarios that focus on legislative initiatives and the passing of new laws should, according to the Concept, be present to the maximum in an optimal scenario, since, no public service can be introduced unless legally secured. The adoption of many laws affecting civil service is a difficult and protracted process, however, owing to a wide difference of opinions among law-makers, which reflects the lack of public agreement concerning the purpose and role of the State in society. Only the draft laws that enjoy broad public support have a chance of being passed. It is these draft laws that should be included in the optimal scenario. Naturally, an improvement in the interaction between the executive and legislative authorities might, in this case, lead to a substantial expansion of legislative activity aimed at civil service reform (this version was subsequently implemented).

The judgment that the optimal scenario should be based on measures in the sphere of personnel policy is critical for creating a system of measures for civil service reform.

This judgment was backed with the following arguments.
First, the "human factor" in civil service (i.e., the bureaucracy, civil service personnel) is the focal point of intersection of all measures to create public service. It is the officials themselves who provide for the functioning of this service; it is their performance that a change in logistic support for civil service is designed to improve; it is their work that is to be governed by laws and regulations. Bad (unprofessional, venal) officials (who make pleasing their superiors their priority) may distort any good laws; any logistic support will seem inadequate to them and they will find ways to make money for themselves; they will set the public against themselves and discredit the authorities. On the other hand, Bismarck said that it is still possible to govern with bad laws and good officials.

Second, the investment of the main efforts and funds directly in people is an element of social policy and it is this investment that might find the largest number of supporters both among the bureaucracy and among other strata of the population. All successful government reforms in the history of Russia and other countries began with personnel reforms. Here it is easiest of all to institute new rules for the interrelations between civil service and society, the first priority being the establishment of the rules of a merit system.

Third, among all the social development factors, "the human factor" is the most flexible (self-operating), for people, in contrast to all other factors (natural resources, technical means and technologies) are not limited in their functioning. They are capable of setting new goals and going beyond the bounds of resource restrictions and existing technical possibilities. They possess initiative. Correspondingly, a professional bureaucracy, equipped with mechanisms for the nationwide selection of talented organizers, and for self-improvement for the benefit of public interests, may become Russia's best chance of a worthy future. Investment in the bureaucracy is the best investment in Russia's future.

It was stated that the arguments presented are political in character and may be augmented along two channels – PR actions and sociological research (for adjusting and appraising the PR actions).

4. The Second Crossroads and Critical Moment of Choice

It is clear that the choice of the optimal scenario presupposes a decision to make public the Action Plan for civil service reorganization in accordance with the chosen optimal scenario. The authors therefore proposed to draw up Concept of Russian Federation civil service reform as soon as possible and to adopt it as a special legal regulation, testifying to the determination of the new political leadership to move on in this area of reforms. The lack of a choice, along with continued interest of the political leadership in transforming civil service, would, they suggested, lead to chaotic efforts in the transfer to a public service and might discredit all attempts at and hold back for a fairly long time the change in civil service that society needs so urgently.
The third section of the Terms of Reference, which is the largest in the Concept of civil service reform, describes the necessary measures and the stages in their implementation within the framework of the optimal scenario, separately for two groups: actions by the federal executive branch and joint actions by the federal executive and legislative branches. Since this section was the centerpiece of the Terms of Reference and is still relevant, it is presented in full in this paper.

1. The Necessary Measures and Their Stages

The list and stages of measures were set out in the chosen optimal scenario, although, as a consequence of the development of the concept of public service (its continuing improvement in the theory and practice of institutional development), the optimal scenario could not be exhaustive.

The measures proposed under the optimal scenario were subdivided into main ones (personnel) and ancillary ones (legal, logistical, organizational and promotional).

The main (personnel) measures

This section includes packages of measures to raise the status of the personnel services and constructing a personnel hierarchy; measures to increase the professionalism and improve the analytical component of the bureaucracy; measures to create independent professional appraisal, appeal, and professional ethics commissions; measures for training, retraining and advanced training of civil servants. These measures cover proposals for creating regulatory documents that do not require the adoption of any laws (i.e., those that need not pass through the legislative agencies).

Personnel measures were presented in the order of their labor intensity (difficulty of implementation), rather than chronological order.

A. Reorganization of personnel services and strengthening of the analytical component personnel development – seven measures were proposed, affecting the following aspects: personnel services – analytical departments of the personnel services – independent professional appraisal (expert) commissions – appeal (expert) commissions – commissions on professional ethics – a specialized journal on civil service problems.

(A.1) The building of a personnel hierarchy, culminating in the Staff of the RF President (Department for Personnel Policy – Council on Personnel Policy Matters) and the RF Government (possibly in the form of a state committee for civil service affairs). Establishment of a correlation between the personnel hierarchy and other government agencies. The personnel hierarchy must include the personnel departments of ministries and agencies, the personnel services under the heads of regions and envoys of the RF President, and the municipal personnel services.

Stages: drawing up a Decree of the RF President on a management system in the sphere of personnel policy and a Statute of goals and functions of the personnel services; launching the
activity of chief agencies of the personnel hierarchy (authorizing the Department and the Council to
build the personnel hierarchy in pursuance of the Decree and the Statute; establishing a State
Committee for Civil Service Affairs and authorizing it to build the personnel hierarchy); launching
the work of other services of the personnel hierarchy (inclusion in the personnel hierarchy – this
means changing subordination of the personnel services of ministries and agencies and of the
subnational personnel services).

(A.2) Inclusion of analytical departments in the personnel service structure.

Stages: drawing up a model Statute of the composition (including the required skills level) and
functions of the analytical departments of the personnel services, their chain of subordination within
the personnel hierarchy; actually establishing the analytical departments of personnel services at
each level of the personnel hierarchy in turn: federal – regional – municipal.

(A.3) Creating professional appraisal (expert) commissions on the basis of the analytical
departments of the personnel services, consisting of independent experts and including
representatives of public associations, academic and educational institutions of the relevant type (on
a rotation basis).

Stages: elaboration and adoption of a Statute of professional appraisal (expert) commissions of the
personnel services analytical departments on their range of duties (working out general criteria and
qualification requirements on civil servants in different spheres of managerial activity; personnel
marketing; personnel management; formation of competitive orders for the training and retraining
of civil servants; holding of selection tests, formation of personnel appraisal requirements and
organization of professional appraisals, qualifying exams and competitions; assisting to officials
and monitoring the probation period; analysis of the personal and professional qualities of officials;
compilation of lists of candidates for vacancies; analysis of observance of jurisdiction by civil
servants; analysis of civil servants performance efficiency on the basis of time spent on each type of
job); presentation of proposals by expert professional appraisal commissions on their range of
duties; approval of proposals; creation of time schedules for professional appraisals of civil
servants.

(A.4) Creating appeal commissions on the basis of the personnel services analytical departments,
consisting of independent experts and including representatives of public associations,
representatives of academic and educational institutions of the relevant type (on a rotation basis).

Stages: compilation of expert reserve lists for appeal commissions at the federal, regional and
municipal levels in turn; approval of the expert reserve lists by the of personnel services analytical
departments and the personnel services themselves on a top to bottom basis (in accordance with the level); establishing the experts rotation mechanisms, including the rotation period.

(A.5) Creating professional ethics commissions on the basis of the personnel services analytical departments, consisting of independent experts and including representatives of public associations, representatives of academic and educational institutions of the relevant type (on a rotation basis).

**Stages:** compilation of expert reserve lists for professional ethics commissions at the federal, regional and municipal levels in turn; approval of the lists of the expert reserve by the personnel services analytical departments and the personnel services themselves on a top to bottom basis (in accordance with the level); establishing experts rotation mechanisms, including the rotation period.

(A.6) Compilation of the expert reserve lists by the professional appraisal (expert) commissions and their approval by the personnel services analytical departments divided by level for subsequent rotation of the professional appraisal (expert) commissions. The same procedure separately for appeal (expert) commissions.

**Stages:** formation of orders for the professional appraisal or appeal commissions to compile expert reserve lists; the actual compilation of the expert reserve lists at the federal, regional and municipal levels in turn; approval of the expert reserve lists by the personnel services analytical departments and the personnel services themselves on a top to bottom basis (in accordance with the level); collection of lists and drawing up databases on experts; establishing experts rotation mechanisms, including the rotation period; regular updating of the experts databases.

(A.7) Recommencement of the publication of a journal under the tentative name of Civil Service Bulletin.

**Stages:** forming of an editorial team for the journal and nominating its founders; determining of the main article headings for the journal; mandatory publication in the journal of all civil service standards being adopted (qualification and professional appraisal requirements, tests, exams, and so on), announcements on competitions and vacancies as a necessary condition for these standards, competitions and so on to come into force, and launching of regular publication of the journal.

B. **Reorganization of the civil service personnel** – *eleven measures* were proposed, affecting the following aspects: professional appraisal – recruitment and promotion on a competitive basis – openness of decisions on personnel transfers – personnel rotation – the status of interim positions – definition of the "political appointees" positions – personnel cuts and a transfer to commercial entities – dismissal.
(B.1) The holding of appraisals of all professional (career) civil servants by professional appraisal commissions of the personnel services analytical departments on the basis of criteria elaborated by these commissions.

**Stages:** working out professional appraisal materials (criteria, qualification requirements, selection tests, and so on); spelling out the procedure for the professional appraisal (expert) commissions work; openly informing civil servants of the schedule and procedure for professional appraisals; carrying out stage by stage professional appraisals at the federal, regional and municipal level, combined with a transition to a contractual system.

(B.2) Creation of a "civil service reform activist team" from among the civil servants who achieve the best professional appraisal results.

**Stages:** creation of databases based on the results of professional appraisals; identification of the "activist team"; measures targeted on the "activist team" (training, seminars, internship, and so on).

(B.3) Start of recruitment to civil service mainly on a competitive basis (with the exception of cases when there is no competition for a vacancy and not for political appointment positions) and according to the results of evaluations made by the professional appraisal commissions. Preparation and introduction of procedures for open competitions for vacant civil service "career" positions.

**Stages:** determining the types of open competitions (external; interviews; tests and exams; multilevel testing, including acceptance for a probation period; and so on); preparations for announcing open competitions for recruitment to civil service and for civil service vacancies, and approval of the packages of competition materials (questionnaires for potential participants and lists of additional documents presented at the competition); development of the mechanism for the personnel services to announce open competitions (including the schedules for preliminary announcement of the beginning of competitions and the publication of announcements in the media, agreed on in advance and accessible to the public); the holding of competitions.

(B.4) Ensuring the openness of the decisions being adopted on civil servant promotion or dismissal (through the professional appraisal and appeal commissions).

**Stages:** adoption of a Statute of the standard procedure for ensuring openness of decisions on civil servant promotion or dismissal; launching activities in accordance with this Statute (including the publication of information on the results of competitions in the media agreed on in advance and accessible to the public); recruitment to civil service and appointment to "career" positions on the basis of decisions of professional appraisal (expert) commissions; provision of official information, at the request of those who failed in an open competition, on the motives for their rejection; the possibility of turning to the appeal commissions, which make a final decision on the appeal).
(B.5) Revamping the bureaucracy, in particular through encouragement and organization of personnel rotation according to the regions-center-regions spiral, as well as recruitment of people from business, industry, science, demobbed servicemen, and young managers to sufficiently high posts (lateral entry).

**Stages:** elaboration and approval of the Statute of civil service personnel rotation and the Statute of positions and procedures for lateral entry (rotation time periods and intervals; rotating and equivalent positions; office-holding sequence, with breaks for advanced training; lists of lateral entry positions and time periods for holding these positions; transfer from lateral entry to career positions and the professional conditions for such a transfer); compilation of databases on rotating personnel and candidates for lateral entry positions by professional appraisal (expert) commissions; carrying out rotation and lateral entry procedures.

(B.6) Creation of a ministerial and departmental list of "political appointee" positions and adoption of a Statute of the procedures for appointment to such positions.

**Stages:** development and approval of a Statute of quotas of "political appointee" positions in civil service for different executive agencies, of the list of positions (offices) and procedures for political appointment to civil service (including their term of office; transfer from a political position to a career position and the professional conditions for such a transfer); carrying out the political appointment procedures, and their monitoring by the personnel services.

(B.7) Defining the status of interim civil service positions within the frameworks of ad hoc functional units.

**Stages:** determining of the procedure for setting up ad hoc functional units of government agencies; working out a procedure for the transfer (appointment) of civil servants to work in these agencies; setting out the procedure for guaranteeing transfers of civil servants to their initial or equivalent positions once an ad hoc functional unit is terminated.

(B.8) Civil service personnel cuts through "managerization" (targeted programmatic planning and financing) of the civil service units that provide public services (transfer to government agencies).

**Stages:** elaboration of a Statute of "government agency" employee status and the standard contract concluded with him/her; transfer of government institutions providing public services in the category of government agencies and conclusion of contracts with their staff; determining the government agencies staff composition by their personnel services (including a compulsory mechanism for expert professional appraisal and appeal commissions, and professional ethics commissions).
(B.9) Civil service personnel cuts through "marketization," the withdrawal from the civil service system of technical and other support services and stuff, and their transfer to a self-financing basis, with elements of competitive selection, or their complete removal from the civil service system and transformation into independent self-financing organizations.

Stages: working out a Statute of withdrawal from civil service; monitoring by the authorized personnel services of government agencies and their analytical departments (including expert commissions) of the observance of this Statute and the conclusion of labor contracts by the newly created self-financing organizations with the staff of these services.

(B.10) The introduction of a permission-based procedure for the transfer of civil servants to work in commercial entities connected with their previous job during two years after their dismissal from civil service.

Stages: adopting a Statute of advance notification by civil servants of the personnel services about the transfer to work in commercial entities during two years after their dismissal from the civil service, including in it a clause on divesting a civil servant of benefits and severance pay for the violation of this Statute; authorizing professional appraisal (expert) commissions to enforce the Statute; authorizing appeal (expert) commissions to consider appeals.

(B.11) The introduction of a procedure for civil servant dismissal and retirement for superannuation, redundancy personnel cuts and other reasons (separately for career civil servants and political appointees) that takes into account the specific nature of civil service.

Stages: the given procedure may be introduced once and for all.

C. Reorganization of the system for civil service retraining and advanced training – *five measures* were proposed, affecting the following aspects: the non-departmental status of institutions and retraining and advanced training programs – competition for fulfilling the government order – advanced training of political appointees and personnel service staff – mandatory participation in advanced training programs for the purpose of career promotion. The stages in these measures were not specified.

(C.1) A fundamental improvement of the management personnel retraining and advanced training system by withdrawing this system from departmental subordination and equating its status to that of other higher educational establishment.

(C.2) Competitive distribution of the government order for the retraining and advanced training of civil servants in accordance with the terms formulated by the personnel services analytical departments of the government and municipal agencies and approved by joint decisions of the management of these agencies and superior personnel services in the personnel hierarchy.
(C.3) Accelerated retraining (setting up special professional excellence courses and their selection on a competitive basis, similar to the mechanism described in the previous item) of top management personnel, especially political appointees.

(C.4) Organization of professional retraining of the staff of personnel services (as personnel managers).

(C.5) Linking promotion of career civil servants with their retraining and advanced training in the civil service disciplines.

D. Organization of a system for the training (education) of civil servants – seven measures were proposed, affecting the following aspects: reforming the government standard, with the participation of the senior agencies in the civil service personnel hierarchy – creating a public Association of educational institutions specializing in this discipline (as supplementary to the existing public/government entity – Educational and Methodological Association public and municipal administration section, specializing in "management") – establishment of study disciplines on agreement with the agencies of the personnel hierarchy – establishment of a Higher Certifying Commission discipline – competitive placement of government orders – appointment of government scholarships, named after Russian statesmen, for students and postgraduates – support for public administration research – educational preferences for recruitment to civil service for graduates majoring in disciplines connected with public and municipal administration. The stages in the given measures were not specified.

(D.1) A fundamental improvement in the system for training management personnel through enhancing the government standard for the public and municipal administration discipline, with the participation of the personnel services of government agencies ("clients") and creation of an association of educational institutions for training students in these disciplines.

(D.2) Elaboration and approval of a system of disciplines and their curricula within the framework of the public and municipal administration discipline.

(D.3) Creation of the Higher Certifying Commission discipline for public and municipal administration.

(D.4) Formation of a balanced competitive system of government orders for the training of civil servants, encouragement of educational institutions to participate in competitions for receiving government orders.

(D.5) Creation of a public scientific fund in support of civil service research (by focal areas and on a competitive basis, in the form of grants).
(D.6) Appointment of government scholarships (named after eminent Russian statesmen) for the best students and postgraduates excelling in the public and municipal administration discipline.

(D.7) Instituting recruitment advantages to lower official ranks (a one rank "bonus") for graduates in the public and municipal administration discipline.

**Supplementary (legal, financial, organizational and advocacy) measures**

Measures were outlined to ensure the fulfillment of personnel development tasks. The list of measures was based on their labor intensity.

**E. Legislative support for personnel development measures** – a single general and seven special measures were proposed. The special measures can be regarded as stages in the implementation of the general one.

(E.1) Elaboration and adoption of a Civil Service Code (CSC), which should contain the principles for the transformation of civil service, unified standards for federal, regional and municipal civil services, as well as mechanisms for RF civil service creation and functioning that would meet contemporary and future requirements for social development. It is interesting to note that the disunity of the CSR developers groups was a reason why they were unaware of the fact that a parallel Commission was drawing up a draft Civil Service Code in 1997.

**Stages:** a number of laws should be drafted and passed during, or in parallel to, Civil Service Code elaboration.

(E.1.1) Drafting and adopting of a law on civil service responsibility and transparency (regulating the job descriptions of civil servants on the basis of observance of jurisdiction, as well as the rights of citizens and organizations to receive non-confidential information on the activities of civil servants that affect their rights and lawful interests), including: (a) civil servant "framework" responsibility, along with greater protection of civil servants against arbitrariness and pressure from their superiors, and incompetence; (b) a simplified procedure for civil servant suspension or dismissal from office for avoiding decision-making, bureaucratism, red tape, human rights violations and so on; (c) procedures for requesting and receiving information, a list of permanently or temporarily confidential information; (d) appeal procedures against refusals to provide information.

(E.1.2) Drafting and adopting a law on trust management of public property, establishing the basis and procedure for mandate management of government-owned blocks of shares in joint-stock companies with government ownership by civil servants on behalf of the government, and responsibility of civil servants.
(E.1.3) Drafting and adopting a law on supporting the economy (lobbying), establishing the basis and procedure for granting benefits, privileges, exceptions, exclusive property and other rights, and so on, responsibility of civil servants for non-registered cases of lobbying (involving violations of procedures and grounds for such lobbying).

(E.1.4) Drafting and adopting a law (possibly decree) on "political offices" in the civil service ("political appointments"), regulating the status, conditions for hiring to and dismissal from civil service of persons holding these offices.

(E.1.5) Drafting and adopting a law on recognizing civil service personnel departments employees as civil servants, and applying to them the entire set of rights and duties of civil servants, and rules for their provision and functioning.

(E.1.6) Drafting and adopting a law that would synchronize as mush as possible the procedure for, educational and personnel aspects of civil service and service in municipal agencies.

(E.1.7) Elaboration, public discussion and adoption of a Civil Service Code of Ethics.

F. Financial support for personnel-related measures – *seven measures* were proposed, affecting the following aspects of the creation of a financial incentives system for attracting and maintaining promising personnel: contracts and flexible remuneration schemes, with elimination of in-kind incentives – taking into account performance efficiency – dismissal pay and high pension levels – government agencies and self-financing of part of the services – support for personnel services and expert commissions – support for the journal. The stages in the given measures were not specified.

(F.1) Preparation for and the gradual, stage by stage, transfer of civil servants to a contractual system. Rejection of rigid schemes for staff numbers, salaries and emoluments in favor of greater freedom for heads of institutions and organizations in determining the needed staff numbers, as well as salary levels (taking into account the trends on local labor markets). Minimization of the use of in-kind incentives – benefits, possibilities to make free or almost free use of public property, and so on, in favor of direct financial incentives.

(F.2) Introduction of an experimental system for calculating time spent (time cards) and the civil servant performance efficiency.

(F.3) Setting the amount of compensation for people dismissed from the political civil service positions. Setting the amount of financial support for career civil servants after retirement (80% of the average salary received over the last 5 years of service and progressively according to the number of years served).
(F.4) Introduction of target program methods for the planning and financing of government agencies and organizations. Identifying government entities that can be transferred to the rank of "government agencies" using the methods indicated.

(F.5) Withdrawal of auxiliary support and technical services providing for the activities of government agencies and organizations from the system thereof. Their transfer to the status of self-financing entities, interacting with government agencies and organizations on terms of open and competitive issuance of service contracts.

(F.6) Maintenance of the personnel services of the personnel hierarchy and expert commissions at the expense of compensatory cuts in the staff (civil servants) of executive agencies, the transfer of some services and government organizations to the status of government agencies ("managerization") and full marketization (withdrawal from the civil service system) of auxiliary support services through rational use of public property.

(F.7) Maintenance of the material base and partial providing for logistical support (until self-financing is achieved) of the journal tentatively called Civil Service Bulletin.

G. Measures for civil service reform information and advocacy

The Terms of Reference only spells out the need for these measures. The list of measures should be drawn up by PR experts.

2. The Order of Priority of the Measures (Table of Options)

The optimal scenario has it that the order of priority of the measures taken may vary in a certain degree. The different options of the order of priority of the measures were presented in the form of tables giving the sequence of the measures by number. Each table constitutes a version for the order of priority of the measures. Measures to be undertaken simultaneously are placed on the same line in the table. The tables are grouped in such a way that changes in the order of priority of the measures increase from table to table. The order of the lines in each table thus constitutes a succession of the critical moments of choice, while the order of the tables themselves is, at the same time, a table of crossroads, i.e., versions for implementing the optimal scenario.

The line tables were ranked so that the higher ones are the least radical versions of the optimal scenario. It is the upper tables that proposed to begin with educational measures and those involving the training and advanced training (measures that require a protracted period for their implementation, easily implemented, low-cost, irreversible actions, following the lines of a strong social (educational) policy) and later, as the necessity arose, to bring the other measures into play (reorganization of personnel services and strengthening of analytical personnel work, followed by legislative support for personnel measures). The emergence of additional resources for interaction
between the executive and legislative branches, and additional material resources would mean an opportunity to "radicalize" the order of priority and go straight away to the options located in the lower part. This would speed up the implementation of the optimal scenario.

**Table 1** (the slowest and most circumspect movement)

<table>
<thead>
<tr>
<th>Stage 1:</th>
<th>Prominent name scholarships to students and postgraduates (D.6) – a fund to award grants for civil service research (D.5) – Higher Certifying Commission discipline (D.3) – launching the elaboration of a civil service code of ethics (E.1.7.) – PR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 2:</td>
<td>Withdrawal of educational institutions for training and advanced training of civil servants from subordination to ministries and agencies (C.1) – PR</td>
</tr>
<tr>
<td>Stage 3:</td>
<td>Analytical departments in personnel services (A.2) – revision of the government standard with the participation of personnel services and creation of an Association of educational institutions specializing in public and municipal administration, alongside the Educational and Methodological Association section (D.1) – PR</td>
</tr>
<tr>
<td>Stage 4:</td>
<td><em>Civil Service Bulletin</em> (A.7) – provision of logistical support (F.7) – PR</td>
</tr>
<tr>
<td>Stage 5:</td>
<td>Managerization of some departments (transfer to the status of government agencies) (B.8) – marketization of auxiliary services (transfer to the status of self-financing entities) (B.9) – introduction of a system for the planning and financing of government agencies (F.4) – introduction of self-financing and competitive financing (F.5) – use of funds released for maintaining expert commissions (F.6) – professional appraisal (expert) commissions (A.3) – appeal (expert) commissions (A.4) – (expert) commissions for professional ethics (A.5) – lists of the expert reserve by level (A.6) – PR</td>
</tr>
<tr>
<td>Stage 6:</td>
<td>Construction of a personnel service hierarchy (A.1) – PR</td>
</tr>
<tr>
<td>Stage 7:</td>
<td>Professional appraisal of career civil servants (B.1) – introduction of a contract system and replacement of indirect in-kind incentives with direct ones (F.1) – PR</td>
</tr>
<tr>
<td>Stage 8:</td>
<td>Creation of an activist team according to the results of professional appraisals (B.2) – competitive hiring to civil service (B.3) – openness of decisions on career promotion and dismissal (B.4) – spiral rotation of civil servants and the beginning of lateral entry (B.5) – approval of the list of positions for political appointees and the procedures for appointing them (B.6) – the status of interim civil service positions (B.7) – creation of a procedure for dismissal and retirement (B.11) – courses for retraining and advanced training of political appointees (C.3) – retraining courses for personnel service staff (C.4) – competitive government orders for retraining and advanced training of civil servants (C.2) – encouraging educational institutions to participate in the competition for...</td>
</tr>
</tbody>
</table>
retraining and advanced training (D.4) – introduction of a time card system for accounting the time spent and the effectiveness of civil servants performance (F.2) – introduction of the "golden parachute" and "golden slippers" principles (F.3) – PR

**Stage 9:** Permission-based procedure for transferring to work in commercial organizations of a certain type (B.10) – linkage between career and level of qualification (C.5) – hiring with one rank "bonus" (F.7) – PR

**Stage 10:** Law on municipal service as a variety of civil service (E.1.6) – law on the personnel service as civil service (E.1.5) – law on political appointees (E.1.4) – law on lobbying (E.1.3) – law on trust management of public property (E.1.2) – law on responsibility and transparency of civil service (E.1.1) – Civil Service Code (E.1) – PR

### Table 2 (quicker movement with an increase in resources):

(D6+D5+D3+E1.7+C1+G) – (A2+D1+A7+F7+G) – (A3+A4+A5+A6+B8+B9+F4+F5+F6+A1+G) – (B1+B2+B3+B4+B5+B6+B7+B11+C4+C3+C2+D4+F1+F2+F3+B10+C5+D7+G) – (E.1.6+E.1.5+E.1.4+E.1.3+E.1.2+E.1.1+G)

### Table 3 (accelerating movement in the event of success):

(D6+D5+D3+E1.7+C1+G) –

(A3+A4+A5+A6+B8+B9+F4+F5+F6+A1+B1+B2+B3+B4+B5+B6+B7+B11+C4+C3+C2+D4+F1+F2+F3+B10+C5+D7+G) – (E.1.6+E.1.5+E.1.4+E.1.3+E.1.2+E.1.1+G)

### Table 4 (totally synthesized version of the optimal scenario):

D6+D5+D3+E1.7+C1+A2+D1+A7+F7+A3+A4+A5+A6+B8+B9+F4+F6+A1+B1+B2+B3+B4+B5+B6+B7+B11+C4+C3+C2+D4+F1+F2+F3+B10+C5+D7+E.1.6+E.1.5+E.1.4+E.1.3+E.1.2+E.1.1+G

**The Basic Strategy for Russian Federation Civil Service Reform according to the CSR Project**

It is clear from the history of the way the CSR project for reforming the civil service of the Russian Federation was created that negative experience of implementing previous proposals and, above all, attempts to adopt a reform program in 1997, lowered the level of the developers’ "ideas," although the overall direction of civil service reform is still toward a professional civil service, acting in the interests of a civil democratic society. Even the terminology has changed: the developers have preferred to use the term "civil service modernization" instead of "civil service reform." The Terms of Reference proposed a low cost, slow reform strategy, initiated immediately after the new RF presidential elections, focusing on personnel and educational measures and with a detailed breakdown of the content of the measures (but not their financing). Only if the reforms were successful and (or) additional resources and political inclination appeared, was it proposed to change the order of priority and speed of implementation of the measures. In addition, the developers did not claim to have calculated the
financial cost of the measures, since it would not be possible to do so without the active participation of the executive branch. Finally, the need to make the program of action public and assess the existing situation in civil service was only mentioned in the form of a proposal to include this subject in Vladimir Putin’s presidential election campaign.

4. The Fate of the CSS Project and the Reasons for the Brake on the Measures Proposed

A period of quiet followed the discussion of the project and its adoption by the CSS in the spring of 2000. At first, this was explained by a break for the elections, then by the need to consolidate new levers of government and resolve outstanding day-to-day issues. By the fall of 2000, however, the actual reason for yet another brake on civil service reform began to transpire: the lack of any vested interest on the part of the government and the inadequate political will for immediate initiation of the transformations. Other objectives were selected by the authorities as their priorities: strengthening of the power hierarchy and federative relations, establishment of working contacts with the State Duma, a change in the upper chamber of the Federal Assembly, drafting and passing of economic and social laws. All these objectives were, of course, truly urgent, but they were not resolved as efficiently as possible, owing to poor results and lack of interest, lack of professionalism and consolidation by the bureaucracy that implemented them. The reform was, therefore, put off once again, but it remained vitally important. Civil service reform will evidently have to be implemented eventually, and in the direction outlined, using the previous attempts at and projects for reform, and under the conditions of a further exacerbation of all problems and continuing deterioration of the state of civil service.
Chapter 1. The Political Need for Legislative Regulation of Civil Service: USSR Draft Laws

In the latter half of the 1980s, there emerged a growing awareness of the role of the domestic bureaucracy as a major tool for implementing all the transformations proclaimed by the USSR political leadership headed by Mikhail Gorbachev. By that time, the public had realized the need to debureaucratize the government machinery to make it capable of implementing the sweeping perestroika of Soviet society. Legal scholars finally received an opportunity to materialize the idea, previously suggested by some Soviet lawyers of developing and enacting a USSR law on the civil service.

The point is that the USSR had no civil service law, nor had any efforts been made to develop it – due to ideological reasons. When the Bolsheviks took power in the course of the October 1917 revolution, they destroyed czarist Russia's civil service and brought into being Soviet Russia's civil service. The Soviet civil service model was the opposite of the pre-revolutionary career bureaucracy system in terms of quality parameters and the principles of organization and functioning. One of the first Soviet government decrees of 10 (23) November 1917 abolished the estates and the civil ranks. In 1918, regulations were enacted that established equal-duration annual leaves for Soviet government employees, making them equal to all the other employees in terms of social security and working hours; moreover, they were made subject to uniform labor law.

The following ideas were expressed by the founder of the Soviet state, V.I. Lenin, in his works *Can the Bolsheviks Retain State Power?* and *The Immediate Tasks of Soviet Government*: "The proletariat cannot master the government machinery and set it in motion. But what it can do is destroy all that is oppressive, routine and incorrigibly bourgeois in the old government machinery, and replace it with a new one of its own, that is, the Soviets of Workers', Soldiers', and Peasants' Deputies." And then: "Our goal is to get every working person to perform government functions free of charge." Hence the destruction of the government machinery of the Russian Empire. As a result, the civil servants, unlike the career military, had no professional status in the Soviet Union. However, the declared abolition of the czarist bureaucracy as a special caste positioned above the people and ruling the people soon exposed the utopian nature of the notion that "every working person" could govern the State and do so free of charge. The Bolshevik theorists' thesis that the old government machinery had to be destroyed had a lot to do with their widespread belief that the state
was to wither away soon and the representative government agencies were to combine the legislative and public administration functions.

What USSR law dealt with in detail was military service in the Armed Forces and law-enforcement agencies. The public service was never legislatively governed, and regulatory-legal support thereof was non-systemic and largely monosectoral. Since all the employees of all organizations, enterprises, and institutions – and not just those of government agencies – were ranked as civil servants, labor law was applicable to them, too. The official concept of the civil service was expressed in the Greater Soviet Encyclopedia as follows: "Civil service is a type of labor activity that consists in the practical performance of governmental functions by government machinery employees who fill positions in government agencies through election, appointment, or competition procedures and are paid compensation for their work by the government."¹ Military service was defined in the Encyclopedia as "a type of public service that consists in the discharge of military duties by citizens as members of Armed Forces units or agencies or military formations."²

Even in the declining years of Soviet government, the deep-going political, socioeconomic, and legal changes taking place in the country in the late 1980s – early 1990s highlighted the need for government machinery and civil service reform. The need for a new civil service law, to be consistent with the new requirements of society's development, featured prominently on the law-making agenda. That was when civil service legislation began to be drafted in practice. A working group to draft a Law on Civil Service in the USSR was formed in 1989. The group, headed by USSR First Deputy Minister of Justice I. Samoshchenko, comprised representatives of USSR government authorities, management bodies and research institutions, including G. Atamanchuk and Yu. Rozenbaum, both Dr. Sc. (Law). The Working Group drew up a draft law and submitted it to the USSR Council of Ministers and to the State Commission of the USSR Council of Ministers for Economic Reform. At the same time, the Institute of State and Law of the USSR Academy of Sciences, where Professor Rozenbaum was employed, upheld Rozenbaum's own version of the draft law.³ But those drafts were not destined to be enacted into law. The dramatic events of August 1991 and the collapse of the USSR that followed soon afterwards ushered in the start of modern Russia's statehood, opening a new page in the history of the civil service of the Russian Federation.

Thus, the abolition of the USSR party and government machinery, started in 1987, was completed in December 1991. The Communist Party apparat was eliminated, and the system of legislative and especially executive government agencies was subjected to radical transformation. The public

³ The latest version of Prof. Rozenbaum's draft law on Civil Service in the USSR was published in the June 1991 issue of the *Civil Service Bulletin* (in Russian).
governance reforms that were launched required adequate legal support, including a civil service, which was directly linked with administrative-political and socio-economic transformations.
Chapter 2. The Development of Civil Service Laws and Regulations in the Early 1990s

The initial establishment of new institutions of Russia's statehood featured a bitter confrontation between two branches of government: the executive branch, personified by the first resident of Russia, Boris Yeltsin, and his Government, and the legislative branch – the Congress of People's Deputies and the Supreme Soviet headed by Ruslan Khasbulatov. That confrontation affected the law-making process as related to civil service, with both branches drafting new laws and regulations of their own at the same time.

The fundamentals of RF civil service law were developed by the RSFSR Supreme Soviet in 1992. A working group was established, its work was coordinated by V. Serdiukov, Chairman of the Civil Service Subcommittee of the RSFSR Supreme Soviet Committee for the Affairs of the Councils of People's Deputies and Self-Government Development.

RSFSR Council of Ministers resolution No. 16 of 23 November 1991 (never officially published) established an RSFSR Civil Service Department. But just a few days after, the President of Russia issued a decree on reorganizing the central government agencies of the RSFSR (Decree No. 242 of 28 November 1991), which reorganized that body into a Main Department for Civil Service Personnel Training under the RSFSR Government (Roskadri), which was included in the system of RSFSR central government agencies. The Roskadri Statute was approved by the RF Council of Ministers resolution on matters relating to the Main Department for Civil Service Personnel Training under the Russian Federation Government (Decree No. 145 of 6 March 1992). The principal functions assigned to the Roskadri were to organize a system of professional training for civil service personnel and to coordinate the various forms of training for civil servants. For those purposes, the assets of the abolished USSR State Agency for Executive Personnel Training and of the regional personnel training centers, formerly higher schools for Communist Party officials in the regions, were transferred to the new body. Among other functions, the Roskadri conducted analytical-expert and organizational-methodological studies and coordinated the civil servant advanced training and retraining programs of various ministries and departments. It also contributed to forming a legal framework of civil service.

The Roskadri actually resumed the drawing up of a civil service law using the drafts prepared during the Soviet era. Its experts began to develop a concept of civil service reform and law. Quite soon, they produced the Main Provisions of the RF Civil Service Development Concept and new

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versions of the draft Law on Civil Service in the Russian Federation. It was certainly beneficial that the development of civil service law was viewed as a major priority and that various aspects of the reform were widely discussed by Russian and foreign scholars, with the participation of high-ranking civil servants from the United States, Canada, the Federal Republic of Germany, France, the United Kingdom, and other countries. Topical problems were discussed publicly – at numerous meetings, seminars, and international conferences. That approach made it possible to accumulate ideas expressed by practitioners and the academic community, specialists in government and law, history, political sciences, economics, social sciences, psychology, etc. The Roskadri had seven expert boards, totaling more than 70 scholars specializing in various fields of humanities. The numerous discussions and analytical-expert studies carried out by the Roskadri produced the draft Fundamental Principles of Civil Service in the Russian Federation, which were submitted to the RF President on 10 July 1992 (Doc. No. 612).  

Presidential Chief of Staff Yuri Petrov decided that the draft required interdepartmental approval. Following that decision, First Deputy Chairman of the RF Government Vladimir Shumeiko issued a directive (Directive No. 1547-r of 21 August 1992) setting up an ad hoc commission to draft civil service laws and regulations, a draft RF Law on Civil Service then highlighted as a special priority. 7 The Roskadri was to provide adequate support to the interdepartmental commission. The commission, headed by Deputy Chairman of the RF Government B. Saltykov, generally upheld the cadres' draft as the version of the executive branch. It was understood, however, that without interaction between and harmonization of the positions of both branches of government, each having prepared a draft of its own, neither draft would be possibly enacted into law. This led to the proposal to pool together the efforts of Supreme Soviet and Government experts. A single working group was then formed to develop a single draft incorporating both concepts. It was headed by Yu. Zhiltsov, Deputy Chairman of the RSFSR Supreme Soviet Committee for the Affairs of the Councils of People's Deputies and Self-Government Development, and comprised V. Serdiukov; G. Atamanchuk, Deputy Head of the Roskadri; N. Kazantsev, Head of the Roskadri Civil Service Division; specialists of the Constitutional Law Department of the Staff of the RF President, the Apparat of the RF Government, and the Ministries of Justice, Foreign Affairs, Finance, Labor, and Social Protection. The group also enlisted specialists of leading research centers and universities of Russia; the draft was developed with active participation of experts from the German Foundation for International Legal Cooperation.

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7 Collected Acts of the RF President and the RF Government (CAPG RF), No. 9, 1992, Item 698.
The final draft consisted of five chapters divided into 41 articles. It was structured as follows: 
Chapter I. General Provisions; Chapter II. Civil Service Office; Chapter III. Civil Servant; Chapter IV. Performance of Civil Service; Chapter V. Management of Civil Service. The draft was submitted by the Committee on 16 November 1992, to be reviewed by both chambers of the Supreme Soviet, to which it was presented on 24 November 1992. However, because of the politically unstable situation, which climaxed in an armed conflict in October 1993, the Supreme Soviet was never able to adopt the civil service draft law. The activities of the RF Supreme Soviet were terminated by Presidential Decree No. 1400 of 21 September 1993. The Roskadri' authority was terminated when the agency was disbanded after the RF Constitution of 12 December 1993 was adopted by nationwide vote and the structure of the federal executive agencies was changed by the Presidential Decree on the Structure Federal Executive Agencies (Decree No. 66 of 10 January 1994).8

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8 CAPG RF, No. 3, 1994, Item 190.
Chapter 3. A General Description of Civil Service Legal Regulation in the Russian Federation

The federative structure of Russia’s current state system features the principle of two-tier legislation as the constitutional basis of governing the civil service: tier 1 is the national level (federal law) and tier 2 is the regional level (the laws of the constituent entities of the Russian Federation).

Russian Federation Civil Service Legislation consists of the RF Constitution and federal laws, and regulations of the Russian Federation and of the constitutions, charters, laws, and regulations of the constituent entities of the Russian Federation. Civil service is governed quite extensively by laws – decrees and directives of the RF President, RF Government resolutions, regulatory acts of the ministries and other federal executive agencies. In accordance with the Constitutional principle of federalism, civil service law is divided into federal and regional (that of constituent entities of the Russian Federation) legislations. Regional civil service legislation consists of the republican constitutions and the charters of other entities of the Russian Federation that have chapters on civil and municipal service. Just about all the constituent entities of the Russian Federation have enacted laws of their own to govern the civil service within their jurisdiction. However, municipal service with local self-government bodies is regulated by the federal government. That service is governed by the Federal Law on the General Principles of Local Self-Government Organization in the Russian Federation of 28 August 1995, and the Federal Law on the Fundamentals of Municipal Service in the Russian Federation of 8 January 1998. The government and municipal servants are subject to labor law, with due regard for the special features provided for by the relevant laws.

In accordance with the Constitution of the Russian Federation and the legal doctrine of civil service organization and functioning actually embodied in federal law, a two-tier system of civil service legal regulation has evolved. It should also be taken into account that legal relationships in the sphere of civil service exist in a variety of fields, so they are subject to regulation by various branches of Russian law. As civil service is public in nature, so it is typically governed by administrative law; however, it is important to emphasize the complex and comprehensive nature of its institutional structure. Apart from administrative law, the institution of civil service is also covered by financial law, labor law, civil law, criminal law, and other branches.

Civil service is subject to subsidiary regulation by the RF Labor Code inasmuch as it is not governed by special legislation. Having evolved historically as a social-security branch of law, labor law is intended to provide certain guarantees to various categories of hired workers and employees. Some special features of civil servants’ work are also protected by labor law. Those special features have to do with employment agreements (contracts) of civil servants, competitive placement arrangements, setting of salaries and allowances included in compensation, other
monetary payments, pensions, imposing and applying of disciplinary sanctions. Disciplinary action regulations for some categories of civil servants are based on labor law and define special requirements concerning discipline and internal regulations of government agencies. Civil servants, with the exception of military servicemen, are subject to general labor law rules affecting their legal status – their rights, obligations, restrictions of rights, incentives and liability.

Article 575 of the RF Civil Code sets a restriction on the value of ordinary gifts that civil and municipal servants may receive in connection with their official status or performance of their official duties. It is not permitted to give gifts whose value exceeds five legal minimum monthly wages. If the federal law increasing the minimum monthly wage to 450 rubles, already passed by the State Duma, is enacted to be effective as of 1 May 2002, the value of an ordinary gift that a civil servant may accept without violating civil law shall not exceed 2250 rubles. That particular rule of the RF Civil Code creates a conflict of laws, since it contradicts Article 11, Clause 1, Item 8 of the Federal Law on the Fundamentals of Russian Federation Civil Service, which forbids civil servants to accept, even after retirement, any rewards from individuals or entities in the form of gifts, cash, loans, services, free entertainment, recreation, payment of transportation costs and other bonuses for services rendered in line of official duty. It is impossible to analyze enforcement of this rule due to lack of official statistics.

The protective standards of the RF Criminal Code also safeguard the interests of civil service and local self-government service, administration of justice, management and military service. They are covered by Sections X and XI of the Special Part of the RF Criminal Code, which deal with offenses punishable under criminal law.

Under Article 15 (4) of the RF Constitution, legal support for civil service is also provided by instruments of international law.

3.1 Constitutional Basis of Russian Federation Civil Service

Russia's current political environment features the advancement of a system of new requirements regarding the professional skills of civil servants arising from new political and economic realities, which is linked directly with changes in the functions of the State and public administration. Those changes stem, first of all, from a substantial transformation of property and authority relationships, the accomplished transition to a new social system, whose fundamental constitutional basis and state structure are stipulated by the Russian Federation Constitution of 1993.

The term "civil service" is directly used in three articles of the RF Constitution – Article 32 (4), Article 71 (r), and Article 97 (3). Understanding civil service as an institution that supports the
functioning of the State and implementation of the powers vested in government agencies and officials by the Constitution and subsequent laws and as an institution intended to ensure that the rights and freedoms of people, and their associations are protected and exercised makes it possible to view the totality of constitutional norms pertaining, on the one hand, to civil service management and, on the other hand, to the field of relationships that are to be practically implemented in the activities of civil servants. The Russian Federation's civil service is based on provisions and principles underlying the system of constitutional, administrative, administrative-procedure, labor, and social laws and regulations.

A civil servant should, on the one hand, protect and promote the interests of the State and of society at large, and on the other hand, respect the various forms of property and activities, and safeguard the interests, rights, and freedoms of citizens. Both interests are interrelated, none is higher in terms of political priority to a civil servant.

As an institutional concept, civil service is multi-faceted and complex in content and is an important and controversial social phenomenon. The characteristics of civil service as one of the social institutions possessing specific content are determined by the deep-going properties of a given society, its political development, traditions, and system of government. The regulatory-legal institutionalization of civil service reflects in a concentrated form this society's economic, political, and spiritual relationships and the mode of social organization.

The Russian Federation Constitution of 1993 defines Russia as a democratic, federal, rule-of-law, social, and secular state with a republican form of government. All of these essential properties of Russia's contemporary statehood should be conceptually reflected in civil service law and practice. The noetic content of civil service as a social public-law category is that civil service is a regulation-established mechanism of professional support for exercising powers in implementing laws in the interests of people and for protecting their rights and freedoms.

Civil service is intended to provide for implementation of the government functions. However, a modern State in itself is not the primary source of government authority. That authority is delegated to the State by the people. The democratic process and the ongoing development of positive interaction between government agencies and consolidating civil society change the State itself. In the course of democratization, the State becomes law-governed and socially-oriented. And so does civil service. Even as it continues to be a state-law institution, civil service becomes socially-oriented in its impact on the individual and society, and that alters civil service's priorities. As it acts on behalf of the State, civil service focuses less on ruling by decree and more on serving society and the individual inasmuch as it promotes the interests, rights, and freedoms of the individual as a citizen and a sovereign personality.
In social terms, the institution of civil service is an interaction between the public and government, between the bureaucracy and public associations, between civil servants and citizens. In this sense, civil service functions as a regulator of people's behavior in various social relationships stemming from needs, interests, habits, inclinations, instincts, and other motives. Civil service is supposed to ensure the exercise of social guarantees and rights granted people by the Constitution and other laws. Public servants should help people solve their problems and satisfy their social needs.

As development priorities declared by the RF Constitution get established and consolidated in public and government affairs, civil service will increasingly promote and protect not only the interests of the State as an organized government institution, but also those of one and all. Article 2 of the RF Constitution says: "Man, his rights and freedoms shall be the supreme value." Therefore Article 18 stipulates that [those rights and liberties] "shall determine the meaning, content, and application of laws, the functioning of the legislative and executive branches and local self-government, and shall be secured by the judiciary." It is important for civil service to focus on the words underlined herein, because they bring out the essence of civil service activities as being subordinated to the rights and liberties of man and the citizen – the supreme value. It is not the State that endows the individual with vital rights and liberties; those belong to the individual by birth and are inalienable. Implementation of these fundamental constitutional provisions (recognized as direct-action rules) considerably expands the content of the activities of civil service as a social and legal institution, and makes it directly dependent on the individual and the public at large more than on the State. According to the Constitution, a public official's duty is to serve, above all, people. Society is above the State, which is only a form of social relations' organization and regulation through public administration. Civil service – a tool of public administration – is guided by priorities of society's development and the buildup of its cultural and economic prosperity.

Both Russian and world history shows that implementation of the constitutional ideals in everyday life will be a long and difficult process. This is due to the current problems involved in the development of Russian statehood and the establishment of a civil service system capable of meeting such goals and objectives. In real life, efforts made to identify new methods and processes to provide for legal and human resources support for the Russian Federation's civil service are not always consistent with the progressive aspirations of social thought.

Civil service is a necessary and important element of the social structure, being a link between the government and the public. The chief criterion for identifying its essence is its main purpose – to perform the functions of organizing and governing society in a professional and competent manner. Fulfilling the State's functions of governing society is the functional purpose of civil service.
The essence of civil service is socially determined, since it functions to serve the public interests. In handling numerous social and government tasks, civil service functions to support, exercise and implement government authority in the interest of the public.

Being closely linked with the exercise of government authority, governance processes and mechanisms, civil service's functions include, among other things, social organization, planning, and forecasting, decision-making and enforcement, social communication, coordination, supervision, and information. Today, civil service is increasingly focusing on producing public social services – training, education, legal protection, security, etc. If civil service is interpreted as essentially an administrative activity, its major functions can be identified as follows: information and analysis, organization and technical support, expert review, enforcement of administrative procedures and implementation of managerial decisions, finance and business management, legal support, and personnel selection, training and placement.

As a major public administration sphere, civil service is organized according to certain fundamental principles to make it subject to legal regulation and provides clear guidance for the civil servants. The social and legal framework of civil service is formed by the officially declared priorities and directions of social development, the corresponding institutional development guidelines and objectives, and the regulation-defined principles and provisions for civil service organization and functioning.

In social terms, civil service is based, first of all, on the priorities and values of civil society, a law-governed democratic state, human and civil interests, rights, and liberties (respect for and protection of human rights and liberties, rule of law, openness, the democratic nature of the service, etc.). The social role of civil service and its social status are predetermined by the nature of the country's socioeconomic and political system, the type of state, the internal organization of the government machinery, the mechanism of its functioning, and the people forming the civil service corps. The dialectics of the interaction of the agent and the target of public administration subordinates the goals and objectives of civil-service relationships to the needs and the will of the socium and its supreme subject – the people. In the final count, the efficiency and social effectiveness of civil service are measured by how and how competently it serves the interests of the public.

The legal foundation of civil service is provided by legal rules, principles, and provisions that govern civil service formation and practices. In legal terms, civil service belongs to the realm of public law, which governs social and public aspects of people's life. Civil service is always associated with authority, which determines the specifics of its legal mediation and organization. It includes many imperatives – things that are necessary, requisite, and must be done and implemented, regardless of the wish or will of the person employed in civil service or having
contacts with it. This is what makes civil service different from any activity within the private life of people (at least, in a free society), where private-law relationships are governed by civil law.

Constitutional rules, however important and having direct effect, merely provide a general regulatory and legal framework for the development of civil service and the status of civil servants. The institution of civil service and the entire system of its legal support are to be further developed through substantial detailization under effective law.

The principles defining the democratic essence of civil service are those postulating implementation of social justice ideals in civil service practices. In the Russian Federation, civil service is built on the principles provided for under the Federal Law on the Fundamentals of Russian Federation Civil Service of 31 July 1995 (Article 5):

(1) supremacy of the RF Constitution; (2) priority of human and civil rights and liberties, and their direct effect; (3) unity of the government system, delimitation of jurisdictions between the Russian Federation and its constituent entities; (4) separation of powers into the legislative, executive, and judicial branches; (5) equal access of citizens to civil service; (6) civil servants obligation to obey the decisions of superior government agencies and officials; (7) uniformity of basic requirements with regard to civil service; (8) professionalism and competency of civil servants; (9) openness and transparency; (10) civil servants responsibility for decisions preparing and making, and for non-fulfillment or improper fulfillment of their official duties; (11) freedom from political party or religions influence; and (12) stability of personnel.

Thus, Russian Federation civil service should embody the unity of two groups of elements: on the one hand, a system of legal institutions that determine the procedure for shaping and implementing the objectives and functions of the State and the exercise of government authority; on the other hand, a body of persons specially trained and professionally employed in the government machinery to implement the social role of the State. Such unity endows civil service with the parameters of a social public-law institution occupying a special place among the governmental, legal, and social institutions.

3.2. Federal Law

At present, federal law that governs social relationships in the field of civil service is a huge and amorphous body of laws and regulations. It should be viewed in the context of laws governing federal civil service as a whole and the functioning of individual government agencies, i.e. differentiating between types of civil service and the relevant laws taking into account its structural and type features.
Traditionally, it is military service that is subject to the most detailed regulation. There are special laws governing it, such as the Federal Law on Military Conscription and Military Service, the Federal Law on the Status of Servicemen, etc. There are also special laws governing civil service in the law-enforcement bodies, tax police, customs, and some other government agencies.

This review covers civil service and laws and regulations governing it. The relevant federal legislation currently consists of only one general action law – the Federal Law on the Fundamentals of Russian Federation Civil Service of 31 July 1995.

3.2.1. The Federal Civil Service Statute of 22 December 1993

The Federal Civil Service Statute of 22 December 1993, approved by Presidential Decree No. 2267, was in fact the first comprehensive all-Russia statutory regulatory legal act on civil service since 1917. Before that, Russia's law had no legally meaningful definition even of the very concept of civil service, and, as a result, many major issues related to the legal regulation of the status of civil servants, civil service conditions and procedures, etc. remained unresolved.

By its regulatory content, the Federal Civil Service Statute reiterated many provisions of the draft Fundamentals of Legislation on Civil Service. It only lacked the standard to regulate federal civil service management. The undisputed value of this instrument is the regulatory formalization in the legal status of federal civil servants of their rights, duties, restrictions, and liability, as well as of some essential guarantees, such as extra annual leave and special pension arrangements. It also revives the institution of civil servant dismissal, which existed in the legislation of the Russian Empire. The adoption of the Statute encouraged the law-making process in constituent entities (regions) of the Russian Federation, which began to develop civil service legislation of their own.

The Statute was abrogated by the RF Presidential Decree on Invalidating Certain Decrees of the Russian Federation President on Federal Civil Service Matters (Decree No. 72 of 19 January 2000). It is noteworthy that the decree was adopted, as it states, to streamline the legal regulation of federal civil service and in accordance with the Federal Law on the Fundamentals of Russian Federation Civil Service. It became expedient to have it streamlined during the period of active analytical-expert work of the Center for Strategic Studies (under G. Gref), the results of which provided a basis for implementing new approaches to developing a legal framework for federal civil service, as exemplified by the invalidation of several Presidential decrees.

9 CAPG RF, No. 52, 1993, Item 5073.
3.2.2. The Federal Law on the Fundamentals of Russian Federation Civil Service of 31 July 1995 (a regulatory and legal description)

The work to develop an all-Russia law on civil service was resumed in early 1994, by the new RF parliament, and completed by its lower chamber, the State Duma, which passed the Federal Law on the Fundamentals of Russian Federation Civil Service, currently in effect (Federal Law No. 119-FZ of 31 July 1995, hereinafter referred to as the Federal Law on the Fundamentals of RF Civil Service). Since then, it is this law that provides the legal framework for civil service organization and functioning, its subsequent regulation, and all the staffing arrangements performed under that law. The enactment of this law essentially renovated the legal status of the institution of civil service as such and its personnel component – the civil servant corps. It follows up on the constitutional provisions concerning the Russian citizens' equal access to civil service, putting federal civil service within the jurisdiction of the Russian Federation and the civil service of Russia's constituent entities within the jurisdiction of those entities, and stipulating that a civil servant may not be a member of a representative body of government. The key idea behind this law expresses its conceptual intent of recognizing the professional nature of civil service, whose purpose is to implement the powers vested in government agencies. The law clearly defines the range of persons who have the status of civil servants, whose work is mainly governed by public law, unlike the work of other workers and employees. It sets forth the fundamentals of civil service organization and the legal status of civil servants, the procedure for enrollment into civil service, conditions for the discharge of civil service, provisions for social and legal protection of civil servants, as well as personnel management procedures – probation periods, performance evaluations, competence/proficiency tests, conferment of ranks (grades), incentives, etc. The basic principles and provisions of this law apply to all civil servants, regardless of the level or type of civil service.

Structurally, the law consists of a preamble, which identifies the object of legal regulation of social relationships, and of six chapters containing a total of 30 articles: Chapter I. General Provisions (with definitions of the principal terms "civil service office," "civil service," "civil servant"); Chapter II. The Fundamentals of Civil Service Organization (it formulates the general principles of civil service organization, sets forth the classification of civil service offices (positions) and defines the qualification/competence grades of civil servants); Chapter III. The Fundamentals of the Legal Status of the Civil Servant (those consists of status elements – the rights, duties, restrictions of rights, incentives, liability, guarantees); Chapter IV. Civil Service Careers (it governs the general procedure for enrollment into civil service, major civil service career stages and procedures,

grounds for termination); Chapter V. Civil Service Efficiency Provision (it defines civil service management bodies and their powers); Chapter VI. Final and Transition Provisions (it sets forth the procedures for harmonizing laws and regulations with this law and its enactment).

The Federal Law on the Fundamentals of RF Civil Service does not directly specify that it sets the fundamentals of all types of civil service, but actually it did establish general rules and legal principles for all of them. However, the basic law could hardly cover all the specifics of the entire totality of all the types of civil service. Therefore, it contains a very important reservation, stating that specific features of civil service in individual government agencies may be established by special federal laws – but on the basis of and in accordance with this law only (Article 4(2)). Thereby the law actually governs what has been termed civilian public service.

This Law runs counter to the principle of systemic legal regulation. One has to admit that it is not a direct-action law, since it provides for enacting about a score of other federal laws to specify and refine many of the provisions stipulated therein as defined in substantive law. Besides, it contains 42 references to other federal law. The fact that its rules and provisions contain numerous references to other laws and regulations has led to controversies in doctrinal interpretation, which invariably has affected its enforcement interpretation and left a significant portion of civil-service relationships unregulated. Since in many cases there are no direct-action rules and mechanisms for applying the legal rules and provisions declared, practical application of this law has proven to be quite difficult. The major issue of delineating law-making powers in the field of civil service between the Russian Federation and its constituent entities remains unresolved, the law granting practically the same powers to the Federation and its entities. This and other gaps in the law has made it necessary for special decisions to be rendered by the RF Constitutional Court and the RF Supreme Court.

In describing the rules of this Law, one cannot but note the ambivalence thereof as regards implementation. On the one hand, it provides for quite democratic procedures for competition-based enrollment into civil service, the possibility of superior civil service offices being filled through competition, the right to be promoted according to professional skills and merits, the right of a civil servant to request rank conferment, objective appraisal of a civil servant's business qualities in accordance with the principle and criteria of professional skill and competence based on performance appraisal procedures, etc. On the other hand, it contains provisions that prevent implementation of civil service career institutions stipulated by substantive law, and major appointment matters are entirely within the discretion of the government agency CEO, while many issues essential to law enforcement practices are actually subject to arbitrary departmental decisions. As a result, vaguely identified guidelines for introducing into Russian civil service of
useful merit system elements, tested and adopted by foreign countries, have been replaced in practice by what is known as patronage with spoils system elements.

Even though this is a basic law, characterized by inherent controversy and legal design deficiencies, for which it has been widely criticized in scholarly and popular publications, it has not been subjected to any meaningful modifications since it became effective. Only two amendments have been made, and Article 12.1 has been added. Federal Law No. 35-FZ of 18 February 1999 corrected an inaccuracy in Article 6 (4; 2), which identified specialization in the field of higher professional training required for appointment to lead and senior civil service positions. The new wording gives "Public and Municipal Administration" instead of "Public Administration," which is consistent with the official list of specialties provided by Russian colleges and universities. This amendment was in fact a technical correction. Federal Law No. 135-FZ of 7 November 2000 made a more important amendment. Newly introduced Article 12.1 requires that all civil servants shall be finger-printed. The article stipulates that the civil servants employed by executive agencies to hold public offices formally listed by the RF Government, shall be finger-printed by way of official registration in accordance with Russian Federation law. The list of such positions was approved by RF Government Resolution No. 386 of 6 April 1999, as amended by RF Government Resolution No. 97 of 9 February 2001.

3.2.3. Subjects-Matter Addressed by RF Presidential Decrees and Other Regulations Relating to Civil Service

Apart from laws, civil service is extensively governed by regulations. The Federal Law on the Fundamentals of RF Civil Service contains 17 references to various regulations. The most important regulations are Decrees by the RF President. Presidential decrees are classified as ad hoc (non-regulatory) and regulatory (those containing legal rules).

Most Presidential decrees are non-regulatory, they deal with appointments to Russian Federation civil service offices and with various urgent organizational matters pertaining to civil service. The President decrees to confer the qualification ranks of full Councilor of State of the Russian Federation and Councilor of State of the Russian Federation to civil servants holding supreme and chief offices.

Regulatory decrees can be divided into two groups. Decrees in the first group deal with matters to be governed by federal laws that are yet to be passed. Such "legislative" decrees include, for instance, those approving regulations for holding competitions to fill federal civil service vacancies, for conducting federal civil servant performance appraisals, for conducting proficiency/qualification
examinations of and conferring qualification grades to federal civil servants, on compensation, etc. The second group of decrees belongs to the direct law-making jurisdiction of the President of the Russian Federation in the field of civil service. According to the effective federal law, the President shall issue decrees approving the list of Russian Federation civil service positions. Presidential Decree No. 1203 of 30 November 1995 approved a list of information items classified as government secrets, whose disclosure may expose civil servants to criminal liability under Article 283 of the RF Criminal Code. In all, more than 200 Presidential decrees on matters pertaining to civil service organization and functioning have been issued since December 1993. In terms of subject matter, Presidential decrees deal with civil service organization, performance efficiency, management, and personnel policies, as well as civil servant discipline tightening, professional training and retraining.

Apart from regulatory decrees, the President also issues regulatory directives. One example is Presidential Directive No. 276-rp of 6 July 1997, setting the procedure for registering civil servants in need of better housing and for providing them with living quarters by decision of the Business Administration Directorate of the RF President.

Other bylaws playing a significant role in governing civil service include RF Government resolutions and orders to approve various regulations, rules, etc. Such regulatory legal acts include, for instance, the Statute of the Interdepartmental Commission for Training and Retraining Civil Servants of Federal Executive Agencies, and Commission Members, as approved by the RF Government Resolution of 11 August 1995, and the RF Government Resolution of 5 November 1995 on the Staff Structure of the Head Office of Federal Executive Agencies, which sets the number of supreme, chief, lead, and senior civil-service positions in federal executive agencies. RF Government decisions put into effect federal laws and presidential decrees. For example, RF Government Resolution No. 83 of 31 January 1996 on Implementing the Decree of the President of the Russian Federation of 16 August 1995 on Certain Social Guarantees for Persons Filling Russian Federation Government Offices and Federal Civil Service Positions, sets retirement pension allowances for civil servants depending on the length of special service periods.

Regulations are also issued by various government agencies, with a major contribution made (not only in quantitative terms) by federal ministers and departments. Regulations for general matters pertaining to all the types of civil service are mainly issued by the RF Ministries of Justice, Labor and Social Development, and also the RF Ministry for Taxes and Levies.

The civil service regulatory system also includes disciplinary rules and regulations existing in a number of areas and fields of public activities; regulations for specific agencies and units thereof, with rules on the status of certain officials; job descriptions, etc.
3.3. Civil Service Legislation of the Constituent Entities of the Russian Federation

Since the adoption of the RF Constitution, relationships between the Federal authorities and the regions that are equal-status constituent entities of the Russian Federation have been based on the principle of delineation of terms of reference. The RF constituent entities develop civil service legislation as they acquire attributes of statehood, the institution of civil service being undoubtedly a major one. In legal terms, this was promoted by the constitutional rule stipulating that only federal civil service was within the jurisdiction of the Russian Federation (Article 71, (r)); that gave rise to controversial interpretations of whether civil service providing for the government agencies of RF constituent entities belongs to the Federal or regional jurisdiction. Politically, it was quite understandable why the first civil service laws were enacted precisely by the constituent republics of the Russian Federation. This came as actual implementation of President Yeltsin's thesis "Take as much sovereignty as you want," which primarily applied to the national republics of the Russian Federation. That thesis ushered in a "procession of sovereignties" of Russia's regions. The first constituent entity of the Russian Federation to enact a civil service law was the Republic of Sakha (Yakutia). 26 March 1993, when the republic enacted its own civil service law, is actually Day One in the development of civil service in Russia's constituent entities and its legislative regulation on the regional level. Among the first constituent entities to enact civil service laws of their own were the republics of Bashkortostan, Buryatia, and Komi.

The need for legislative regulation of civil service in the Russian Federation's constituent entities is highlighted by the fact that the bulk of the civil service personnel work in the regions. It should be borne mind, however, that, along with the government agencies of the constituent entities, there also are territorial units of Federal government agencies functioning in the regions. So there are regional-status and Federal-status civil servants in Russia's constituent entities. According to the RF State Committee for Statistics, as of early 2001, Federal ministries and departments employed 404,700, down 3 percent from 1995; at the same time, the number of employees in the government agencies and local self-government bodies of Russia's constituent entities increased to 141,700 and 280,300, respectively, as of early 2001. A total of 1,163,300 were employed by government agencies: 38,800 at the Federal level, and 1,124,500 at the regional level. There were 548,700 government positions filled, including 407,000 positions in Federal government agencies, of which 389,100 were civil service offices (including prosecutors and investigators); there were 141,700 persons filling positions in the government agencies of the constituent entities of the Russian Federation, including 138,100 civil servants; at the municipal level, there were 280,300 persons filling municipal offices in local self-government bodies, including 269,100 municipal servants.
Civil service lawmaking at the regional level has been marching ahead of the Federal-level process. Even before they adopted civil service laws of their own, some constituent entities of the Russian Federation had chapters on civil service in their charters. For example, the Charter of Arkhangelsk Region has Chapter VII entitled "General Principles of Service in the Regional Government Agencies"; certain rules pertaining to civil service were formalized in the charters of the Kurgan, Lipetsk, Sverdlovsk, and some other regions. The charters of some constituent entities of the Russian Federation have civil service rules combined with those pertaining to municipal service; for example, Articles 95-99 of the Charter (the Fundamental Law) of Saratov Region are grouped in Chapter X "Civil and Municipal Service." Regional lawmaking practices indicate that, apart from general laws on civil service, constituent entities of the Russian Federation also make laws addressing specific issues, such as length of service calculation, compensation, conferment of qualification grades, performance/qualification appraisals, etc. Some regions have codified legislation (e.g., the Code of Regional Government Offices of Irkutsk Region).

The enactment of the Federal Law on the Fundamentals of Civil Service in the Russian Federation on 31 July 1995 launched a new stage of intensive lawmaking activities in Russia's regions, which finally were provided with guidelines for developing their civil service based on uniform Federal principles but with due regard for regional specifics resulting from their administrative division, area size, population size and structure, infrastructure development level ethnic, cultural-historical, and other features. From that time on, there was rapid buildup of regional laws – a process that peaked in 1997, when civil service laws were enacted in more than half of Russia's constituent entities.

Regional laws on civil service can be described, in general terms, as mostly being consistent, with very few exceptions, with the Federal Law, similar to it in form and structure, reproducing its general-regulation provisions while supplementing and specifying their content. One noteworthy feature: the Federal Law, which put the civil service of Russia's constituent entities within their jurisdictions, contains quite a few provisions with references to regional laws (20 references); regional laws have provisions with references to the Federal Law (e.g., Article 5 (2) of the Arkhangelsk Region Law, Article 12 of the Nenets Autonomous Area Law, Article 13 of the Kursk Region Law, etc.). Variations have largely to do with the provisions on social guarantees for and compensation of civil servants.

Provisions dealing with social guarantees and compensation figure prominently in regional laws on civil service. Those provisions bring out the specific features of the legal framework of the status of civil servants. A comparison of similar rules contained in regional laws indicates that compensation of civil servants in the constituent entities of the Russian Federation, like that of the Federal civil
servants, consists of several components – a salary and allowances. Personal allowances include long service, special working conditions, skill category, and year-end bonuses. The salary and allowance size is set by laws of each constituent entity of the Russian Federation, depending on the financial resources allocated by the regional budget for public administration and civil service upkeep. Therefore Russia's constituent entities may set additional allowances and bonuses, apart from the mandatory ones provided for under the Federal law. For example, Article 20 of the Chita Region Law establishes a 15 percent salary bonus to be paid to holders of regional honorary titles, a candidate's degree, and the academic rank of assistant professors, and a 25 percent bonus to holders of Russian Federation honorary titles, a doctor's degree, or the academic rank of professors.

As for pension guarantees for civil servants of the constituent entities of the Russian Federation, most regional laws use the uniform rules of the Federal law. Thus, the minimum pension of a civil servant with civil-service seniority is 55 percent of pay, and the seniority portion may be increased by 3 percent for every full year of civil service above the minimal length of service, but the maximum pension may not exceed 80 percent of the civil servant's pay. Some regional laws set different pension amounts with due regard for seniority allowance (e.g. in Arkhangelsk Region and the Republic of Mordovia), introduce disability pensions for civil servants (in the Nenets Autonomous Area), or pay pensions for loss of breadwinner to families of deceased civil servants (in Omsk Region). Some regional laws stipulate that allowances to the civil servant's pension be paid to him only if he lives in the territory of the RF constituent entity upon retirement from civil service (the law of Arkhangelsk Region).

Also, regional laws on civil service provide for lump-sum allowances to be paid on certain occasions, such as an anniversary allowance (Irkutsk Region, Moscow), a burial allowance (Perm Region), and some others. Regional laws may set special procedures for calculating the length of a person's civil service – a statutory basis for entitlement to all the social benefits guaranteed to civil servants. For example, unlike Federal legislation, some regional laws stipulate that employment with Young Communist League bodies shall be included in the length of civil service. Social guarantees provided by regional laws include longer annual leaves for civil servants than those established by labor law for other categories of ordinary employees. For example, Moscow City civil servants may have their annual leave increased by 3 to 15 days, depending on their length of civil service and position grade. Moscow City legislation on civil service brings out the acute differences in benefit entitlements between Federal and regional civil servants in favor of the latter. The lawmakers of the city of Moscow, as well as those of the other constituent entities of the Russian Federation, grant more benefits to their civil servants, using the right to establish the types and forms of social and legal guarantees, extra allowances and benefits, to be funded from the
regional budget. For example, the civil servants of the city of Moscow, unlike the Moscow-based Federal civil servants, do not pay public transportation fare, pay rent and utility charges at a 50 percent discount, have extra seniority-based annual leave, are entitled to a burial allowance, etc. This results in major status imbalances between civil servants of the two levels and violates the integrity of civil service, which in no way promotes its institutional consolidation.

To understand the specific features of the legal framework for the civil servants' status at the regional level, it is interesting to examine the institution of an oath of office that a person is required to take when being admitted to civil service in some constituent entities of the Russian Federation. For example, the institution of an oath of office is legalized by the Charter of Sverdlovsk Region and the civil service laws of the Republic of Tatarstan (Article 19), Irkutsk Region (Article 68(1)), the Republic of Mari-El (Article 19), the Republic of Sakha (Yakutia) (Article 19), and Omsk Region (Article 24 (1)). The legal meaning of a person taking an oath of office when enlisting in civil service expresses the special public-law nature of relationships that the person enters into with the State. The institution of an oath of office, which existed in legislation back in the years of the Russian Empire, is intended to seal the relations that bind an official by a public promise of loyalty and adherence to the constitutional system and the public and national interests. The taking of an oath of office by civil servants of a constituent entity of the Russian Federation is intended to highlight that entity's sovereignty. Regulation of the institution of an oath of office and the procedure for taking an oath by those entering civil service is a major distinction between regional and Federal legislations.

Regional civil service laws of some constituent entities of the Russian Federation include provisions about the discharge of regional civil servants, subject to Article 21 (8) of the Federal Law on the Fundamentals of Russian Federation Civil Service. As seen from a review of rules and regulations that form the institution of the discharge of civil servants of the constituent entities of the Russian Federation, those largely match the discharge/resignation provisions of Article 33 of the Federal

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12 The institution of discharge exists under the civil service laws of Krasnodar Territory, the Republic of Bashkortostan, the Republic of Tatarstan, the Chelyabinsk, Kostroma, Omsk, Ryazan, Sakhalin, Magadan, Sverdlovsk, Ivanovo, Volgograd, Tula, Yaroslavl, Orenburg, and Moscow regions, and other entities.
Civil Service Statute of 22 December 1993, which have been invalidated. For example, the Omsk Region Law lists the following grounds for discharge retirement from service (Article 31): the civil servant has reached the maximum civil service age; the civil servant has tendered his resignation because he has reached the statutory old-age pension entitlement age established in the Russian Federation; the civil servant has decided to resign having earned a civil service seniority pension; the civil servant has requested to be discharged for family reasons; a civil servant may be suspended from office and put on a civil servant reserve list; a civil servant in a supreme or executive-level position elects to resign due to disagreement with decisions and actions of a government agency or a superior official; a civil service office has been abolished. When the decision to discharge a civil servant is made on the last three grounds, the civil servant is provided with an allowance equal to his pay until he finds a new job, the costs to be funded by the budget of the relevant constituent entity of the Russian Federation. Consequently, the discharge of a civil servant is a legal form of termination of civil-service relationships for personal reasons, mainly, as a rule, sociopolitical in nature.

The public-law nature of relationships between a civil servant and the State, as well as the public-law nature of the termination of such relationships, implemented through the institutions of the oath of office and discharge, underscore the specific character and the social importance of civil-service relationships, which may not be identified with private-law relationships between a regular employee and his employer. Therefore it is quite appropriate to formalize at the Federal level the institutions of the oath of office and the discharge of civil servants, for that will have a positive effect on the public-law securement of their status. Moreover, the civil servants' legal powers associated with discharge/retirement must be specified not only in the definitions of the Federal law. It is quite important, in terms of enforcement and practical application, that substantive-law provisions related to discharge/retirement of civil servants be supported with adequate procedural-law regulations.

In summing up this overview of regional laws, it is appropriate to touch upon matters involved in the management of regional civil service. Existing differences in the concepts of creating agencies empowered to perform civil service management functions affect the development of their structure and organization. A comparative analysis of regional law provisions on civil service management agencies identifies four principal models. The most common models are those in which the civil service management agency is set up under the chief executive officer of a constituent entity of the Russian Federation (e.g., the Civil Service Board under the Head of the Ryazan Region

Administration) or is part of the executive branch of government of a constituent entity of the Russian Federation (e.g., the Civil Service Committee of Omsk Regions). Under a different model, the civil service management agency is a structural unit of the Office of the Chief Executive of a constituent entity of the Russian Federation (e.g., the Department for Civil Servants' Affairs of the President of the Republic of Tatarstan). It is less common to have the civil service management agency belonging to all the branches of government and formed by them on a parity basis (e.g., the Civil Service Board of the Republic of Khakassia).
Chapter 4. Drafts That Were Never Enacted into Law

It makes sense to review draft laws that were prepared for adoption but never passed into law, because those drafts have influenced the lawmaking process and helped improve civil service law. Initiatives to make new laws are an indication that existing legislation is immature. They highlight gaps in legislation and the need to make amendments, changes, and additions, thereby reflecting the variety of existing positions and concepts concerning ways of handling civil service issues through legislative regulation. So reviewing laws, even if never enacted, is important as for tracing topical issues during certain periods of civil service functioning and relevant legislation development. This helps to understand the general trends in civil service legal support at both the Federal and the regional level.

4.1. The Draft Civil Service Code of the Russian Federation

For the first time the idea of developing a Civil Service Code was officially expressed in the RF President's Message to the RF Federal Assembly in 1997. That Message, entitled "Order in Government Is Order in the Country," also included proposals to develop a civil service code of ethics and the uniform promotion principles for Federal and regional civil servants, to set clear discipline criteria and procedures, and to introduce disciplinary proceedings. In implementing the Message provisions, the President of the Russian Federation issued Decree No. 278 of 3 April 1997 instructing the Staff of the RF President and the RF Government to draft a concept of the Civil Service code by 1 November 1997 and use it as a basis for drawing up a relevant draft law. A working group was formed (the specialists and experts involved in the work kept changing all the time, which unavoidably affected the concept's regulatory content and led to the use of ill-matching approaches), which integrated previous lawmaking studies in the field of civil service. The work on the concept and provisions of the Code involved scholars of various research institutes and universities; as a result, conceptual models and proposals were produced that mirrored differences among the ideological positions of the country's political leadership, the bureaucracy's corporate interests, and the scientific views of theorists and practitioners on many issues, from the subject matter of relationships to be governed by the Code to the structure and specific content of its regulatory provisions.

Three years of work produced a draft RF/Civil Service Code (in early 2000). It consisted of 221 articles organized into 29 chapters and 11 sections: I. The Fundamentals of Civil Service. II. Admission into Civil Service. III. Dismissal of a Civil Servant from Office or Discharge from Civil Service. IV. Civil Service Career. V. Incentives and Official Discipline in Service. VI. Government Offices in Civil Service. VII. Government Pensions for Civil Servants and Their Families. VIII.
Disputes Related to Civil Service. IX. Government Management of Civil Service. Funding of Civil Service. X. Observance of Civil Service Legislation. XI. Final and Transitional Provisions. Annexes to the draft Code included standard document forms to be filled by a person when admitted to civil service (a model contract), during service career (a performance appraisal form), and when discharged from the service (a pension application).

Analysis of the regulatory content of the final draft code indicates that it made an attempt to dovetail two civil service legal regulation concepts traditionally opposed to one another, that is, combining rules of administrative law and labor law. On the one hand, the codification of civil service rules was supposed to create a special administrative-law framework for regulation thereof; on the other hand, the draft Code contained a lot of labor law provisions, as exemplified by quite a few articles. At the very beginning, Article 1 (1) defined civilian public service as a "labor activity," covering employment not only with government agencies, but also with governmental organizations. Obviously, this would not only greatly expand the number of civil servants, both Federal and regional, but also significantly alter their status, service career specifics, etc. Without reviewing the draft Code in detail, we wish to note that it was intended to provide a relatively detailed regulation of civil service at both the Federal and the regional level, at the same time leaving the door open for the constituent entities of the Russian Federation to govern civil-service relationship matters within their jurisdiction through laws and regulations. The Final and Transitional Provisions stipulated that certain types of civil service with individual government agencies, as well as military service, could be governed by special laws. For this purpose and in accordance with Article 221 (3) of the draft Code, the President of the Russian Federation was to submit to the State Duma the following draft federal laws: Fundamentals of Russian Federation Civil Service, a Russian Federation Code of Military Service, a Russian Code of Civil Service in the Law Enforcement Agencies, a Diplomatic Civil Service Law, and a Law on Civil Service with Russian Federation Justice Authorities. Although never enacted, those drafts were valid and are used in the lawmaking practice of government agencies whose activities are supported by certain types of civil service. For example, a draft Federal Law on Russian Federation Diplomatic Service is being developed by the Ministry of Foreign Affairs; the view has been expressed that it is advisable to draft a parliamentary service law, etc.

As the Civil Service Code was drafted, the intent was tremendous and comprehensive while the ideological guidelines vague, and there was no clear vision of what legal support should be like to ensure meaningful reform and effective functioning of Russia's civil service for many years to come. All this, combined with other objective and subjective factors, did not make it possible to display a strong political will required to enact the draft code into Federal law.
4.2. Drafts of a Federal Law on Federal Civil Service

The adoption by the Russian Federation's constituent entities of their own laws on civil service increasingly highlighted the emerging legal vacuum in governing Federal civil service, which was to be filled by a relevant law. The need for such law follows from Article 71 (r) of the RF Constitution and is fully consistent with the Federal Law on the Fundamentals of RF Civil Service.

Two drafts of a Federal Law on Federal Civil Service were developed. The first draft was submitted to the State Duma in February 1998 by Duma deputies A. Arinin, I. Bratishchev, Yu. Burlutsky, L. Ivanchenko, M. Ulbashev, and A. Shishlov. It was rejected by the Duma after the first reading on 15 September 1999 (State Duma Resolution No. 4296-II GD). After that, the State Duma Committee on Federation and Regional Policy Affairs decided that a new concept of that law had to be developed. The concept was developed by V. Kozbanenko. It was discussed by the Committee's expert panel, with the participation of Professor Peter Konze of the Higher Federal School for Public Administration (Germany), who voiced an independent opinion, and submitted to the Committee meeting on 13 February 2001. The Duma deputies who attended the Committee meeting, in accordance with Article 111 of the State Duma Regulations, adopted the decision to set up a working group to draft a Federal Law on Federal Civil Service based on the concept approved. The working group comprised the following members: V. Yuzhakov, Deputy Chairman of the Committee and working group leader; A. Barabashev, Deputy Dean of the Public Administration Department, Moscow State University; A. Grishkovets, Assistant Professor, Moscow State Law Academy; N. Kazantsev, Deputy Head of Chair, Russian Civil Service Academy under the RF President; V. Kozbanenko, Deputy Head of Chair, State University of Administration and Management; A. Kuzmichov, Committee Staff Advisor and working group coordinating secretary; A. Fomin, Deputy Chairman of the State Duma Agrarian Committee; V. Shaikhatdinov, Head of Chair, Urals Civil Service Academy; and M. Shtatina, Lead Researcher of the Russian Law Academy of the RF Ministry of Justice. But the work of the group was not properly organized due to the lack of funding. V. Yuzhakov undertook to write the new draft. However, he was assisted by experts of the Volga Area Civil Service Academy of the Russian Academy under the RF President, which Yuzhakov had headed before being elected a State Duma deputy. They produced a second draft, which was submitted by V. Yuzhakov on his own behalf to the Chairman of the State Duma on 23 September 2001. It is important to note that the draft submitted is consistent with the Committee-approved concept in structure, but quite different from it in regulatory content. The draft law belongs to the joint jurisdiction of the Russian Federation and its constituent entities so, by decision of the State Duma Council, in accordance with the State Regulations, it was sent not only
to the relevant Duma Committee, but also to the entities authorized to initiate legislation for review and comments to be made and proposals to be submitted within a 30-day period. Their comments and proposals summarized and the draft updated for the first parliamentary reading, a second version of the draft was submitted to the Duma plenary session by deputies V. Volodin, O. Korgunov, B. Nemtsov, V. Ostanin, V. Ryzhkov, A. Fomin, and V. Yuzhakov. The first reading was held on 24 October 2001, and the draft law was rejected by the State Duma (Resolution No. 2008-3 GD). Nevertheless, the draft law was kept in the Committee's 2002 lawmakers agenda.

We deem it appropriate to set forth at least two considerations as to what has prevented the draft from being enacted into law. First, it has been rejected not only because it was prepared in contradiction to the concept approved by the State Duma Committee for Federation and Regional Policy Affairs and even not so much because it is faulty in legal and technical terms, but mainly because it is not within the range of a political comprise that should be reached, the way it was done in the summer of 1995. Second, in view of the fact that laws and regulations are being drafted in accordance with the Civil Service Reform Concept approved by the RF President, the adoption of a law on Federal civil service is not so topical as it used to be.

4.3. The Draft Federal Law on the Civil Servants Code of Conduct

The draft Civil Servants Code of Conduct was submitted to the State Duma by V. Yuzhakov, member of the Alliance of Right Forces faction, and independent deputy V. Ryzhkov, who exercised their parliamentary right to initiate legislation. The draft was included in the State Duma's Work Plan for spring 2002. A review of the draft indicates that it is based on the model code of conduct for public officials recommended by Committee of Ministers of the EU member states (No. R-2000). Following a review by the panel of the Expert Board on Public Administration and Civil Service Legislation of the State Duma Committee for Federation and Regional Policy Affairs and by the Committee proper, it was recommended that the draft be refined and some faulty legal technicalities improved. At present, the Duma deputies who initiated the development of the draft law proposed that it be extended to cover municipal servants and, consequently, be renamed a Civil and Municipal Servants Code of Conduct. It is not clear whether the draft Code will be adopted.

4.4. Legislative Initiatives of Constituent Entities of the Russian Federation

According to the RF Constitution (Article 104 (1)), the legislative (representative) bodies of the constituent entities of the Russian Federation have the right to initiate legislation. In the field of lawmaking on civil service, they have been using that right quite actively, but with only minor
results. In 1996, the State Duma passed a Federal Law on Amending the Federal Law on the Fundamentals of Russian Federation Civil Service, initiated by several constituent entities of the Russian Federation (North Ossetia – Alania and some other entities). The amendment was intended to allow civil servants who have been elected members of legislative (representative) government agencies and local self-government bodies to combine both positions until the end of their term of office. The RF President did not agree and rejected the draft law submitted to him for approval. A characteristic initiative was recently proposed by another constituent entity of the Russian Federation. On 16 April 2001, the State Duma Council received a draft law from the Legislative Assembly of the Republic of Bashkortostan, which proposed adopting a new version of the Federal Law on the Fundamentals of Russian Federation Civil Service. In essence, the proposal was to rename the existing law "The Federal Law on Federal Civil Service" and delete therefrom any rules governing civil service of the constituent entities of the Russian Federation. However, the proposed draft was entitled "Amendments and Additions to the Federal Law on the Fundamentals of Civil Service in the Russian Federation," which was a mistake ("in" in the title highlighted and underlined by the author. – V.K.) It is for that technical reason that the draft was not accepted by the State Duma Council for consideration for subsequent submittal to the Duma plenary session. Since the Federal Law on the Fundamentals of Russian Federation Civil Service became effective, the constituent entities of the Russian Federation have exercised their right of legislative initiative to make changes and amendments thereto on some 20 occasions.
Conclusion

In summing up this overview of the work to develop laws to provide legal regulation of civil service, the following general conclusions can be formulated. The development of civil service laws and regulations has been based on Russia's historical experience – not only of the Soviet period, but also of the Russian Empire. For example, the concept of Peter the Great's Table of Ranks was adopted and used in drafting fundamental legislation on civil service in a variety of versions and reflected in subsequent Federal-level laws, including the existing Federal Law on the Fundamentals of Russian Federation Civil Service and laws of the Russian Federation's constituent entities. The drafters have also taken into account the lawmaking experience of foreign countries, whose representatives have helped develop not only the draft laws, but also other laws and regulations, including those currently in effect. Present-day lawmaking practices feature a variety of conceptual approaches and of draft laws implementing them; the development of legislation in this sphere of social relationships, being hostage to political changes, has been a sporadic process; and the legal environment of civil service is unsystematic and leaves a lot of issues unregulated.
APPENDICES

Appendix 1.1
RSFSR GOVERNMENT

RESOLUTION
No. 45 of 16 December 1991
Moscow

Re: Matters Relating to the Main Department for Civil Service Personnel Training under the RSFSR Government

Pursuant to Decree of the RSFSR President No. 242 of 28 November 1991 on Reorganizing Central Government Agencies of the RSFSR, the Government of the RSFSR hereby resolves:

1. The Civil Service Department under the RSFSR Government shall be transformed into the Main Department for Civil Service Personnel Training under the RSFSR Government (Glavcadres of the RSFSR).

2. It shall be established that the Urals and the Volga Area Personnel Centers set up under RSFSR Government Resolutions No. 21 and No. 22 of 27 November 1991 shall be attached to the Main Department for Civil Service Personnel Training under the RSFSR Government.

First Deputy Chairman
Government of the RSFSR
G. Burbulis
Appendix 1.2

GOVERNMENT OF THE RUSSIAN FEDERATION

RESOLUTION

No. 145 of 6 March 1992
Moscow

Re: Matters Relating to the Main Department for Civil Service Personnel Training under the Government of the Russian Federation.

The Government of the Russian Federation hereby resolves:

1. The following shall be approved:

the attached Statute of the Main Department for Civil Service Personnel Training under the Government of the Russian Federation (the Roskadri);

the list of organizations subordinate and transferred to the Roskadri in accordance with the attachment hereto.

The Roskadri shall, within three months, establish on the basis of organizations transferred thereto a network of institutions for training, retraining and advanced training of personnel for federal, republican and local government agencies, of executive officers of government-run enterprises and organizations, as well as the personnel management units of government agencies and institutions.

2. The Roskadri central office staff shall be set at 85 (less security and maintenance personnel), including up to five servicemen and commanding office of the interior, and the wage bill for the first quarter of 1992 shall be set at 402,200 rubles.

The Roskadri shall have two deputy heads of the Main Department, one of them first deputy, and a board consisting of seven members.

3. The Roskadri central office shall be funded from the Russian Federation republican budget allocations for the maintenance of government agencies.
The Russian Federation Economics Ministry and the Russian Federation Finance Ministry, in drawing up the republican budget of the Russian Federation, shall earmark funds for financing the Roskadri and organizations and institutions accountable to it, including capital investments in the construction of training and operating facilities, housing, and other social facilities.

4. The amount of salaries of executive officers, experts and central office staff of the Roskadri shall be set at the level of salaries established for the similar categories of employees of Russian Federation ministries and state committees.

5. The logistics, means of communication and transportation, as well as consumer and healthcare services for the Roskadri staff shall be provided by the respective units of the Staff of the President of the Russian Federation on a contractual basis.

First Deputy Chairman
Government of the Russian Federation
G. Burbulis
1. The Main Department for Civil Service Personnel Training under the Russian Federation Government (the Roskadri) is formed by Decree of the RSFSR President No. 242 of 28 November 1991 on Reorganizing of Central Government Agencies of the RSFSR.

The purpose of the Roskadri shall be to ensure that the civil service personnel (the staff of federal, republican and local executive agencies, executive officers of government-run institutions and enterprises, and civil servants) be equal, in professional, skill and business terms, to the tasks, forms and methods of work of these agencies, organizations and enterprises under the conditions of economic and political reform.

In its activities the Roskadri shall be guided by Russian Federation law, resolutions of the President and the Government of the Russian Federation, and this Statute.

The Roskadri activities shall be coordinated by First Deputy Chairman of the Russian Federation Government.

The Main Department for Civil Service Personnel Training under the Russian Federation Government shall be a legal entity, have its own seal carrying the image of the Russian Federation State Emblem, and its own name.

2. The principal objectives of the Main Department for Civil Service Personnel Training under the Government of the Russian Federation shall be as follows:

organizing personnel training (by placing of orders and by other means) for federal, republican and local government agencies, executive officers of government-run institutions and enterprises, and civil servants;

formulating professional and qualification requirements to civil servants and analyzing the actual condition of civil service personnel;
drawing up a professional and qualification appraisal system for persons first entering civil service or claiming promotion;

creating a personnel training infrastructure, comprising, inter alia, training, expert, consulting and research organizations, personnel data networks and banks, professional associations, and other civil service personnel development organizations;

organizing theoretical and methodological support for personnel management in federal, republican and local government agencies, and at government-run enterprises and organizations;

participating in the effort to enhance the efficiency of the civil service system, structures and work procedures of the federal government agencies and institutions.

3. In compliance with its assigned duties the Main Department for Civil Service Personnel Training under the Russian Federation Government shall:

organize analytical work for examination and appraisal of the state of the civil service system, structures, work procedures and staff, professional and qualification potential and personal qualities of specific categories of employees, effectiveness and development level of the personnel management infrastructure;

carry out expert review of proposals and projects concerning organizational support and personnel provision for economic reform;

draw up rules and procedures for compiling job descriptions for federal government agencies and institutions, setting the terms of employment, inducement, promotion, responsibility, dismissal and other terms and conditions of labor contracts concluded with civil servants;

develop a federal classification system of requirements to civil servants, rules for inducement, promotion, logistical support and social protection in the civil service system;

organize the development of government personnel programs (training, professional appraisal and other terms and lines of work with civil servants), promote the development and adoption of similar programs at the local level and in nongovernmental organizations;

act, on instructions of the Government of the Russian Federation, as the general contracting agency for government personnel programs, coordinate implementation thereof insofar as the timeframes, costs and outcomes of such programs are concerned;
develop, on request of the government agencies, proposals for the use of personnel, provide methodological guidance in this field to federal government agencies and institutions; and assist republican and local executive agencies in this field;

explain, on request, how resolutions of the Russian Federation Government on civil service personnel training shall be applied in practice;

organize methodological support and consultation for senior executives and the personnel services of government agencies and institutions on current issues of personnel management;

organize work to form civil service personnel reserve;

create and promote the development in the Russian Federation of an infrastructure for personnel training in certain research, academic, expert and consulting organizations, personnel data networks and banks, professional associations of civil service personnel managers, publishing and other organizations and institutions;

support the development of fundamental and applied research in areas related to the training and professional appraisal of civil servants and promote the expansion and intensification of international academic ties in this field;

promote the bringing of laws and regulations on personnel management into line with the new conditions arising in the process of implementation of political and economic reforms.

4. For the purpose of carrying out its tasks and functions, the Main Department for Civil Service Personnel Training under the Russian Federation Government shall be entitled:

to take part in expert evaluation of draft statutory instruments regulating the activities of civil servants;

to obtain information on civil service personnel training from ministries, departments and other government agencies of the Russian Federation;

to submit proposals to the Russian Federation Government on setting the requirements and terms of civil service personnel appraisal, employment, training, promotion and other kinds of work therewith; to administer funds allocated to the Roskadri from the Russian Federation republican budget and other funds earmarked for civil servant training and for the implementation of government personnel programs;
to submit proposals to the Russian Federation Government on granting benefits and privileges to organizations participating in civil servant training and in the implementation of government personnel programs;

to set up, in accordance with the established procedure, autonomous self-financing entities and ad hoc teams to implement research, training, methodological, and other duties assigned to the Roskadri;

to coordinate the efforts of subordinate training, research, consulting and other organizations, and determine, if necessary, their specialization, as well as the advisability of establishing on their facilities of new training and other institutions, including jointly with foreign partners;

to enter into contracts for performance of jobs and rendering of services related to civil servant training, implementation of government personnel programs, and support for its own activities;

to publish, in accordance with the established procedure, and disseminate scientific, educational and methodological literature, operative information, and other printed, audio and video products related to its activities;

to maintain, in accordance with the established procedure, cooperation with foreign partners;

to arrange competitions, hold conferences, seminars and exhibitions, including those with the participation of international and foreign organizations, on matters related to its sphere of activities.

5. The Main Department for Civil Service Personnel Training under the Russian Federation Government shall be headed by an official appointed by the President of the Russian Federation.

The Roskadri Head shall:

direct the activities of the Main Department;

bear personal responsibility for the fulfillment by the Roskadri of its official duties;

distribute the duties among his/her deputies and heads of structural units;

approve the structure and payroll of the Roskadri staff within the limits of the established wage bill and maximum number of employees, and the statutes of structural units, as well as the charters of subordinate enterprises and organizations, in accordance with the established procedure;

appoint and dismiss the Roskadri staff members;
administer the Roskadri funds and assets; represent the Roskadri in relationships with other organizations, including foreign organizations; enter into contracts, agreements and other transactions on behalf of the Roskadri; and issue powers of attorney;

issue orders and other acts on matters within the competence of the Roskadri.

6. A board shall be set up in the Roskadri consisting of the head (chairman) and deputy heads ex officio, as well as other senior executives, research, teaching and other staff members. Membership of the board shall be subject to approval by the Government of the Russian Federation.

7. The Roskadri funds shall be formed from the Russian Federation republican budget allocations, proceeds from transactions related to the implementation of government personnel programs, voluntary contributions and donations from Russian and foreign foundations, organizations and individuals, as well as other revenues.
Appendix

Russian Federation Government Resolution

No. 145
of 6 March 1992

LIST
of organizations subordinate and transferred to the Roskadri

Volga-Vyatka Personnel Center (Nizhni Novgorod);
Far Eastern Personnel Center (Khabarovsk);
Volga Area Personnel Center (Saratov);
North-Western Personnel Center (St. Petersburg);
North Caucasus Personnel Center (Rostov-on-Don);
Siberian Personnel Center (Novosibirsk);
Urals Personnel Center (Yekaterinburg);
All-Union Institute for Advanced Training of Executives and Experts in the Building Materials Industry of the former Soyuzstroimaterialy Government Association (town of Kraskovo, Moscow Region);
All-Union Institute for Advanced Training of Executives and Experts of the former Ministry for Power Engineering and Electrification of the USSR (Moscow);
Far Eastern (Vladivostok) Branch of the All-Union Institute for Advanced Training of Executives (Kiev) of the former Vodostroi Government Concern for Water Facilities Construction;
Central Scientific and Technical Information Bureau of the former USSR Ministry for Erection Work and Specialized Construction (Moscow)
Appendix 1.3

To State Secretary of the RSFSR
G.E. BURBULIS

Re: Establishment of a new personnel development system in the RSFSR

The current successful political and economic transformations in the RSFSR are largely conditioned by the enthusiasm and resolve of democratic forces rather than their ability to work better than the "old guard." At the same time, the effectiveness, inevitability and irreversibility of reforms even in the most favorable political environment will be decisively determined by the ability of senior executives in the system of government and local self-government, the public and private sectors of the economy to embrace the new objectives and work conditions, fulfill new functions and duties, make use of new rights and bear new responsibility.

It is absolutely obvious that the old system of personnel development is unable to cope with the above tasks.

First, it focused on ensuring the personnel corps' loyalty to the system and devotion to the "Party cause" rather than boosting its professional level.

Second, the old system was in theoretical, methodological and technological terms extremely repugnant to state of the art means and methods of personnel development, theoretically justified and proved by practice. Consequently, the personnel serving it were also lacking necessary theoretical and practical professional training.

In these conditions the task of providing adequate personnel support for the reforms cannot be solved unless the new RSFSR leadership pursues, from the very beginning, a vigorous and purposeful personnel policy focused on the formation of a new system of personnel development in the RSFSR. This system should ensure:

harmonization of political and economic transformations with the corresponding efforts aimed at the search for, selection, placement and training of the key categories of senior executives and experts;

the manning of the national economy and the national and local government system with competent and highly professional senior executives and experts;
rational combination of immediate and long-range goals in the field of personnel support for the reform process;

maximally broad use of the latest domestic and foreign theoretical methods, state of the art techniques, and best practices in the sphere of personnel development.

In the present situation it would be reasonable to resort to the following strategy in building a new system of personnel development.

At the first stage the personnel service of the RSFSR President should include:

(a) a special department for personnel policy and civil service matters to be formed as a structural unit of the RSFSR State Secretary office;

(b) nongovernmental organizations under the RSFSR President—a Government Agency for Personnel Programs and a Civil Service Academy, including the Internship under the aegis of the RSFSR President.

As the personnel service of the RSFSR President develops, it is advisable to detach from it the components that should subsequently operate autonomously and on a self-financing basis.

The RSFSR Presidential personnel service should be headed by a state councilor for personnel policy who would concurrently be head of the Government Agency for Personnel Programs and member of the RSFSR State Council directly accountable to the RSFSR State Secretary.

The Government Agency for Personnel Programs should become the central link in the RSFSR Presidential personnel service and the main instrument for building a new system of personnel development. In the course of implementation of the key personnel programs it shall:

- develop a new set of methodological personnel development methods for various lines and levels of activity;
- select (primarily from among program participants) and train employees to be subsequently used in the new system of personnel development;
- form and promote the formation of new organizations and institutions, including autonomous ones, in specific lines of personnel development activities (training, appraisal, consulting and similar centers, schools, institutes, etc.).
Focusing exclusively on federal objectives and problems, the agency shall, especially at the initial stage, actively cooperate with the Government Agency for Senior Executives Training under the USSR Cabinet of Ministers, the Administrative Personnel consulting and research consortium, and other national organizations in the sphere of personnel development which presently have certain advantages, especially insofar as international ties are concerned.

In 1991-1992, the RSFSR Presidential personnel service should be financed from the following sources:

(a) the Government Agency for Personnel Programs – from the RSFSR budget, and proceeds from the implementation of personnel programs;

(b) the Academy of Civil Service with the Internship under the aegis of the RSFSR President – from the RSFSR budget.

The Government Agency for Personnel Programs will be located in the VIPKenergo building. The issue of premises for the Academy of Civil Service with the Internship under the aegis of the RSFSR President is to be settled separately.

Kh.A. Bekov
V.A. Zargarov
V.M. Koreshkov
1 August 1991
Appendix 1.4

DECREE
OF THE PRESIDENT OF THE RUSSIAN SOVIET FEDERATIVE SOCIALIST REPUBLIC

On the Property of the CPSU and the Communist Party of the RSFSR

Pursuant to the dissolution of the CPSU CC and suspension of the activities of the Communist Party of the RSFSR I hereby decree:

1. All movable and immovable property belonging to the CPSU and the Communist Party of the RSFSR, including ruble and foreign exchange cash assets deposited at banks, insurance and joint-stock companies, joint ventures and other agencies and organizations located on the territory of the RSFSR and abroad, shall be proclaimed public property of the RSFSR.

The CPSU assets located abroad shall be divided by agreement between the republics upon their signing of the Union Treaty.

2. The RSFSR Central Bank, the RSFSR Foreign Trade Bank and the RSFSR Finance Ministry shall within one day take stock of all ruble and foreign exchange cash assets of the CPSU and the Communist Party of the RSFSR deposited at the USSR State Bank, the Vnesheconombank of the USSR and the USSR Finance Ministry (and other organizations and institutions of the USSR situated on the territory of the RSFSR), and their use shall be suspended pending a special directive of the RSFSR President or the Chairman of the RSFSR Council of Ministers.

3. The right of use on the territory of the RSFSR of the immovable and movable property of the CPSU and the Communist Party of the RSFSR that belonged to the CPSU CC and the CC of the Communist Party of the RSFSR shall be transferred to the RSFSR Council of Ministers, and the property that belonged to the republican, territorial, regional, district, and city committees of the CPSU and the Communist Party of the RSFSR—to the respective executive agencies of the RSFSR on the territory of which these organizations are located.

The RSFSR Council of Ministers shall hand over part of CPSU CC buildings in Moscow to Union Republics—members of the USSR.
4. The Sociopolitical Center of the Moscow City Committee and the Moscow Region Committee of the CPSU at 2, Tsvetnoi Boulevard, shall be handed over to the Presidium of the RSFSR Supreme Soviet.

5. All executive agencies in the RSFSR, the RSFSR Council of Ministers, the RSFSR Interior Ministry and the RSFSR Committee for State Security shall prevent any attempts at damaging or misappropriating the immovable or movable property of the CPSU and the Communist Party of the RSFSR, as well as at using such property for selfish interests by individual persons or organizations.

Executive agencies shall widely inform the public of their decisions concerning the use of such property.

6. The RSFSR Ministry of Foreign Affairs shall immediately request the governments of all countries to freeze the CPSU funds deposited at banks and other organizations and institutions, and notify the RSFSR Council of Ministers of the amount of such funds and relevant bank details.

7. The Decree shall be effective upon its signing.

President of the RSFSR
Boris Yeltsin
Moscow, Kremlin
25 August 1991
No. 90
Appendix 1.5

DECREES
OF THE PRESIDENT OF THE RUSSIAN FEDERATION

Re: head of the Main Department for Civil Service Personnel Training under the Government of the Russian Federation

Khasmagomet Alaudinovich Bekov shall be appointed head of the Main Department for Civil Service Personnel Training under the Government of the Russian Federation.

President
of the Russian Federation
Boris Yeltsin
Moscow, Kremlin

27 December 1991
No. 326
Appendix 1.6

GOVERNMENT OF THE RSFSR
RESOLUTION

No. 16 of 23 November 1991
Moscow

Re: establishment of a Civil Service Department of the RSFSR

For the purpose of timely and high-quality solution of issues to provide personnel for radical economic reform and improvement of the system of government and municipal agencies, the Government of the RSFSR hereby resolves:

1. A Civil Service Department of the RSFSR shall be established under the Government of the RSFSR (RSFSR Civil Service Department).

2. Khasmagomet Alaudinovich Bekov shall be appointed director general of the Civil Service Department of the RSFSR.

3. The Civil Service Department of the RSFSR shall be housed on the premises of the currently liquidated Government Agency for Civil Service Executive Personnel Training under the Cabinet of Ministers of the USSR at 9, Leninsky Prospekt, Moscow.

4. Director General of the Civil Service Department of the RSFSR Kh.A. Bekov shall:

   within one month submit a draft statute of the Department and its budget estimate for 1992;

   within one week draw up proposals on the logistical facilities of and the procedure for funding the Civil Service Department of the RSFSR, agreed upon with the Ministry of the Economy and Finance of the RSFSR and the State Committee of the RSFSR for State Property Management.

First Deputy Chairman
Government of the RSFSR
G. Burbulis
Appendix 1.7

MAIN DEPARTMENT

for Civil Service Personnel Training under the Government of the Russian Federation (Roskadri)

ORDER
No. 100 of 2 July 1993

On Organizing Efforts to Improve Roskadri Performance

The outcomes of Roskadri performance over the first eighteen months of its existence show that certain results have been achieved in a number of important areas of its activities as established in the Statute of the Roskadri: a network of educational establishments has been formed for civil servants training; training of government employees in the specialization that is novel for Russia, Public and Municipal Administration, has been organized, a draft fundamental law on civil service has been drawn up and passed its first reading; in 1992, an active campaign to raise public awareness of economic reform objectives was conducted in ministries and departments; a civil service research program has been developed and is now being implemented; and international cooperation has been established with a number of leading foreign countries.

At the same time, fulfillment of some functions and responsibilities of the Roskadri is unsatisfactory. These include: the effort to form a civil service personnel reserve; analysis of the actual state of civil service personnel; development of professional and skill requirements to civil servants; drawing up a system of criteria for appraising how civil servants meet the professional and skill requirements set to them; development of proposals on personnel placement, etc.

The above requires a critical review of the tasks, organizational structure, staff composition, work methods, and manner of interaction of each and all units and officials of the Roskadri for the purpose of revealing weak points and developing a mix of remedial measures due account for:

expansion of the zone of responsibility of the Roskadri which under Decree No. 848 shall contribute to supporting the activities of the Council for Personnel Policy under the President of the Russian Federation;
practical experience accumulated in the Main Department since its establishment, and the need for optimizing its inner structure;

key principles of the draft law on the Fundamentals of Russian Federation Civil Service;

Roskadri expert recommendations in the field of civil service and personnel policy;

foreign experience in the field of civil service functioning and personnel management acquired by the Roskadri in the course of international partnership relations.

In view of the above and in pursuance of Decree of the President of the Russian Federation No. 361 of 4 April 1992, No. 598 of 5 May 1993, and No. 848 of 3 June 1993,

I hereby order:

1. A commission for the improvement of Roskadri performance shall be formed consisting of:

   Kh.A. Bekov, Roskadri head—chairman; K.M. Skobeyev, deputy head—deputy chairman; G.V. Atamanchuk, deputy head—deputy chairman; L.S. Adarcheva, section head; N.M. Kazantsev, section head; V.N. Mikheyev, section head; S.A. Shekoyan, deputy section head—members; S.A. odestov, sector head—secretary.

2. The Roskadri staff shall, on a team and individual basis, carry out an analysis of Roskadri performance results and draw up proposals on improvement thereof. Individual replies to the enclosed questionnaire shall be submitted to the commission secretary before 15 July. Unit heads and deputy heads of the department shall, jointly with Roskadri experts, process the material thus obtained before 1 August.

3. Deputy heads of the Department and unit heads shall, on the basis of the results obtained, draw up the following documents which the commission shall consider within one week:

   Roskadri performance report for 1991-1993 (responsible: K.M. Skobeyev and G.V. Atamanchuk; deadline: 20 July);

   memorandum on a problem analysis of the actual state of Roskadri performance (responsible: V.N. Mikheyev and N.M. Kazantsev; deadline: 25 July);

   proposals on optimizing the Roskadri organizational structure and a justification of the transition to a program-based and target-oriented method of management (responsible: N.M. Kazantsev, T.E. Ivanova, Yu.A. Mazurov and L.S. Adarcheva; deadline: 230 July);
draft addendum to the Roskadri Statute that would reflect priority measures in Russian Federation civil service organization, approved by the President, as well as changes planned to be introduced in connection with enactment of the Fundamentals of Russian Federation legislation on civil service (responsible: S.A. Modestov and L.S. Adarcheva; deadline: 1 August);

draft proposals on holding competitions in the Roskadri (responsible: N.M. Kazantsev and V.N. Mikheev; deadline: 15 August);

draft concept and work plan of the Council for Personnel Policy under the President of the Russian Federation (responsible: K.M. Skobeyev and S.A. Modestov; deadline: 15 July);

draft program of civil service laws and regulations development (responsible: L.S. Adarcheva; deadline: 30 July);

proposals on organizing work with the federal personnel reserve (responsible: K.M. Skobeyev; deadline: 30 July);

draft program of training and methodological effort organization (responsible: K.M. Skobeyev and S.A. Shekoyan; deadline: 25 August);

draft research program (responsible: G.V. Atamanchuk and N.M. Kazantsev; deadline: 10 August);

draft program of developing the Roskadri' cooperation with its regional partners—civil service agencies and training establishments in the constituent entities of the Russian Federation (responsible: S.A. Shekoyan; deadline: 25 August);

draft program of Roskadri international cooperation (responsible: O.A. Baskakova; deadline: 5 August);

draft program of maintaining and developing the training and logistical facilities of Roskadri institutions (responsible: S.A. Shekoyan and Yu.A. Mazurov; deadline: 25 August);

request for proposal and feasibility study of the Roskadri informatization project (responsible: G.V. Atamanchuk and V.G. Yakovlev; deadline: 30 July);

draft program of Roskadri funding arrangements (responsible: T.E. Ivanova; deadline: 30 July);

draft program of monitoring and auditing arrangements (responsible: N.S. Fateyeva; deadline: 30 July);
detailed draft of a work plan for the fourth quarter (responsible: K.A. Skobeyev and G.V. Atamanchuk; deadline: 15 September);


4. In pursuance of Decrees of the Russian Federation President No. 361 of 4 April 1992 and No. 848 of 3 June 1993, and in accordance with the Regulations on the Personnel Rating Procedure for Civil Servants in Executive Agencies, approved by RF Labor Ministry Resolution No. 23 of 12 October 1992, the Roskadri personnel certification campaign shall be held from 2 August to 10 September.

4.1. For the purpose of preparation for and holding of the personnel certification campaign a Roskadri certification commission shall be set up, consisting of:

Kh.A. Bekov, Roskadri head (chairman);

A.Yu. Fyodorov, deputy head, Staff of the President of the Russian Federation, Department for work with regions, representatives of the President of the Russian Federation and relationships with the Supreme Soviet of the Russian Federation (to be agreed);

V.P. Romanyukha, advisor to the First Deputy Chairman of the Council of Ministers—Government of the Russian Federation (to be agreed);

V.S. Uzbekov, deputy head, Audit Department of the Staff of the Russian Federation President (to be agreed);

L.S. Adarcheva, people’s deputy; legal regulation section head

Yu.A. Mazurov, front office head (deputy chairman);

T.Yu. Bazarov, deputy section head;

Yu.N. Potapov; chief expert; trade union committee chairman;

Yu.A. Rozenbaum, chief researcher, Institute of State and Law, Russian Academy of Sciences (external research expert);

L.A. Karpenko, lead researcher, Institute of Psychology, Russian Academy of Education (external research expert);
S.A. Modestov, sector head (secretary).

4.2. A Roskadri personnel certification schedule shall be approved (enclosed).

4.3. Deputy heads of the Department and unit heads shall submit to the commission, in accordance with the certification schedule, reference reports on employees subject to certification.

4.4. By discretion of unit heads and with the consent of employees subject to certification or on request from an employee seeking objective evaluation of his/her professional and business qualities, independent expert review shall be allowed involving external experts on a labor agreement basis.

4.5. Legal regulation section head LS. Adarcheva shall provide for consulting the Roskadri employees as to their rights and duties during the entire period of personnel certification in accordance with the Regulations on the Personnel Rating Procedure for Civil Servants in Executive Agencies, approved by RF Labor Ministry Resolution No. 23 of 12 October 1992.

5. Sector head S.A. Modestov shall monitor the implementation of this Order.

6. This Order shall be made known to all employees of the Roskadri at a trade union meeting to be held at 17:00 on 2 July.

Enclosure:

1. Questionnaire for analyzing Roskadri performance and drawing up proposals for its improvement.


Head
Kh.A. Bekov
Executed by S. Modestov
2 July 1993
Enclosure 1

Questionnaire
for analyzing Roskadri performance and drawing up proposals for its improvement

In respect of each of the following lines of analysis, it is desirable that along with the current situation you also describe what it should be like in your opinion, and what should be done to achieve this in practice.

The first part of the Questionnaire deals with the analysis of performance of the Roskadri as a whole and of the unit in which you are working:

1.1. How do you see the tasks and objectives of the Roskadri from the viewpoint of your own unit?

1.2. How do you see the tasks and objectives of your unit from the viewpoint of your own position? What is the role of your unit within the Roskadri as a whole?

1.3. Unit performance analysis:
- On the basis of which attitudes, criteria, considerations and so on were the objectives of your unit formulated and their order of priority determined?
- How was work (including distribution of resources) planned in your unit?
- How were results of the work done determined? How were resource use efficiency, achievements and setbacks analyzed?
- What problems and difficulties arose in the course of fulfilling the tasks set and what was hindering their solution?
- How much do the activities, organizational structure and other aspects of your unit management match its objectives, role and functions, as well as the objectives, role and functions of the Roskadri as a whole?

1.4. Have you ever participated in projects undertaken by other Roskadri units (please, specify in which of them in particular, and in what capacity)?
1.5. What are, in your opinion, ways of improving performance of the Roskadri and your unit in the context of political and economic situation evolving in the country:

- priority areas for improvement and key challenges to be addressed in the process;
- factors and conditions promoting or hindering the solution of key problems in improving performance of the Roskadri and your unit.

The second part of the Questionnaire deals with the analysis of your professional position. In this part you are expected to describe:

2.1. The meaning of your position in the Roskadri (purpose of the office). For instance, what would happen if this position is eliminated? Who would be hurt, and to what extent?

2.2. On the basis of what criteria should, in your opinion, the efficiency of a person in this position be assessed?

2.3. Under which conditions could the performance of an employee occupying this position be more successful (what is, in your opinion, lacking)?

2.4. What kind of knowledge, knacks, skills and personal qualities should, in your opinion, an employee in your position have in order to successfully address the challenges confronting him/her? What basic education should, in your opinion, a person have to be successful in your position? What additional training would be beneficial, and why? Is expertise needed, of what kind in particular and for what purposes (what benefits would it give)?

2.5. In what way do you improve your professional and educational level? What additional training do you need?

The third part of the Questionnaire deals with the analysis of your own efficiency in your position.

3.1. What were the most important tasks and functions you were charged with during the entire period of your career with the Roskadri?
3.2. To what extent has each of them been carried out? What were the main problems, difficulties and obstacles you had to grapple with in fulfilling these tasks and functions? What errors have you made, and why? What should have done to solve each of these problems in the best possible way?

3.3. Did any conflicts arise during your career, in what connection and what was the outcome?

3.4. What kind of stress loads do you have to bear in your position (please, specify in order of significance)?

The fourth part of the Questionnaire deals with the analysis of your personal qualities:

4.1. What do you find to be attractive about your present job?

4.2. What do you find to be disappointing about your present job?

4.3. What are the means that help you grapple with your tasks (laws and other regulations, information sources, experts and specialists, financial resources, logistics, etc.)? Exactly what periodicals (newspapers and magazines) do you read, analyze and use to cope with your job? What are your ways and means of collecting and processing information? Under what circumstances do you invite experts to analyze or forecast social, political and economic development trends, and what kind of experts? (please, specify).

4.4. What is your professional ambition?

4.5. Who would you recommend as an expert in your field (surname, name and patronymic, place of work, address and contact telephone)?

4.6. Who could give an opinion of you as an expert (surname, name and patronymic, place of work, address and contact telephone)?

4.7. What additional (unrelated to your professional activity) knowledge and skills do you have?

4.8. What are your interests outside your professional field?

4.9. What foreign languages do you command, and how well?

4.10. What are your PC skills?
You may answer the following three questions if you wish so:

4.11. What are your positive personal qualities?

4.12. What are your negative personal qualities?

4.13. What are your plans for the next 5 to 10 years?

Date________________ Signature _________________
Appendix 2

MODEL REFERENCE REPORT FORM

General appraisal of performance:
functions of an employee,
scope of work done in the reporting period,
quality of work done in the reporting period,
individual performance characteristics (speed; friendliness – aloofness; preferring to work alone – in a team).

Professional qualities of an employee:
knowledge of one’s duties and authority;
professional competence (expertise, skills and proficiency in one’s specific job and general knowledge of associated fields);
potential efficiency;
acting in accordance with the tasks set or capable of formulating goals on one’s own;
seeking professional growth (advanced training, publications, participation in conferences, etc.);
observance of prescripts and priorities (compliance with laws and regulations, management directives, official instructions and orders, interaction with other employees).

It is advisable that confirmation is provided by examples of publications, implemented proposals, innovations introduced and measures successfully carried out.

Merit rating:

1. Discipline:
ability to value and rationally use time (one’s own and that of other people);
meticulousness in work, execution of materials, etc.;
responsible attitude (not shirking work or shifting it to others);
reliability (following through a job started).

2. Ability to organize one’s work (self-organization):
to formulate one’s goals, correlate them with the long- and short-range objectives of the department or organization;
to plan one’s work (in terms of time, resources and costs);
to rationally spread one’s energy (taking account of one’s capacity for work);
to use self-control;
to look over one’s health.

3. Creativity:
   independence in analyzing of situations;
   identification and formulation of problems arising;
   generalization of an array of facts, their analysis and formulation of conclusions;
   independent decision-making within the limits of one’s competence;
   constructive contribution to a team intellectual effort.

4. Ability to work with information:
   to hear, request and specify information;
   to transmit information excluding any misrepresentation;
   to clearly formulate one’s ideas orally and in writing;
   to provide arguments for one’s statements;
   to write competently and at a good professional level.

5. Ability to work with other people:
   to establish and maintain contacts;
   to establish friendly businesslike relations;
   to offer assistance, to be cooperative;
   to respect other people;
   to negotiate;
   to offer constructive criticism and avoid ruinous emotional conflicts.

6. Administrative abilities:
   ability to correlate one’s work with the work of other members of the department staff;
   ability to organize the effort of other employees, to mobilize them for the solution of a specific task;
   ability to delegate one’s authority to other people if necessary.

Recommendations for further employment:
   promotion;
   putting on a reserve list for promotion;
   transfer to another position (specific position);
   demotion;
   dismissal.

North-Western Personnel Center (higher educational establishment)
St. Petersburg
Presidential Directive No. 784-rp of 9 December 1992 handed the educational facilities, material base and hostels of the NWPC over to the Interparliamentary Assembly Business Administration Directorate.

The said Directive was prepared by executors without regard to the necessary procedure of agreement with the Roskadri, the Higher Education Committee and the State Property Management Committee. They failed to inform the President of the fact that the buildings to be handed over to the Assembly were housing an institution of higher learning. A conflict ensued causing discontent among students and teachers.

In pursuance of the President’s Directive the Council of Ministers – Government of the Russian Federation adopted Directive No. 389-r of 5 March 1993 and sent a letter signed by Chairman of the Council of Ministers – Government of the Russian Federation Viktor Chernomyrdin instructing the State Property Management Committee and the St. Petersburg Mayor’s Office to provide the NWPC in advance with other premises meeting all requirements set for institutions of higher learning in return for the buildings being handed over to the Assembly.

They have started looking for the necessary premises only now and are facing great difficulties.

The Volga Area Personnel Center (higher educational establishment) 

Saratov

Resolution No. 417 of the Russian Federation Government of 22 June 1993, without proper agreement with the Roskadri and the Higher Education Committee, handed the main building of the Volga Area Personnel Center housing half of the classrooms, bulk of equipment, the library, the canteen, the cloakroom and toilets, over to the Saratov State Arts Museum named after A.N. Radischev.

The withdrawal of these premises will lead to complete disruption of the education process and stir negative public response in the city.

The Roskadri had repeatedly raised the question of canceling Resolution No. 417 of the Government of 22 June 1992 as contradictory to all existing rules and laws protecting educational establishments.
No reasonable decision has yet been passed due to the stand taken by the Science, Culture and Education Department of the Staff of the Council of Ministers – Government of the Russian Federation.

Far Eastern Personnel Center (higher educational establishment)
Khabarovsk

The local administration head V. Ishayev submitted a proposal to the President of the Russian Federation on conversion of the FEPC and establishment of an institute of law in Khabarovsk.

The local administration head is acting without prior discussion of the matter with Roskadri and the Far Eastern Personnel Center.

An institute of law in Khabarovsk should be established without breaching the effective rules and standards of existing educational establishments’ work.

North Caucasus Personnel Center (higher educational establishment)
Rostov-on-Don

The deputy administration head of Rostov Region, Chairman of the Property Management Committee V. Usachev and other officials persist in their requests addressed to federal authorities for handing over part of the NCPC premises to the local customs board. The Roskadri is prepared to provide adequate assistance in personnel training for all local executive agencies as it has at its disposal of the requisite trained teaching staff and does not require alienation of training or residential premises.

Volga-Vyatka Personnel Center (higher educational establishment)
Nizhny Novgorod

The Volga-Vyatka Personnel Center has completed the construction of a student hostel. The Mayor’s Office considers it possible to divest this building or its part. In order to justify such a decision a commission has been formed to examine the Volga-Vyatka Personnel Center activities and the way it makes use of public property.

The Institute for Advanced Training of Civil Servants
(professional excellence center)
Moscow
A group of persons supported by privatization agencies of Moscow make attempts at unlawful privatization of this educational establishment in violation of all effective standards and in the absence of a law on privatization of educational establishments. The institute’s hostel has already been commercialized by a construction company of the Russian Federation Ministry of Fuel and Power Engineering.

The federal and municipal offices of the RF State Property Management Committee balance in indecision.

*The Institute of Municipal Administration and Business in the Building Industry (professional excellence center)*  
*Town of Kraskovo, Moscow Region*

Efforts are made toward unlawful commercialization of this educational establishment with support of some officers from the Construction Committee and Science, Culture and Education Department of the Staff of the Council of Ministers – Government of the Russian Federation.
Appendix 1.8

DECREE
OF THE PRESIDENT OF THE RUSSIAN FEDERATION

On Priority Measures for the Organization of a Civil Service System in the Russian Federation

In pursuance of a uniform policy of civil service system organization and development of its human resources potential, and in connection with the drafting of Fundamentals of Russian Federation Civil Service, I hereby decree:

1. A Personnel Policy Council shall be set up under the President of the Russian Federation.

2. The Statute of the Personnel Policy Council under the President of the Russian Federation shall be approved as defined in the annex.

3. The priority objectives of the Personnel Policy Council under the President of the Russian Federation shall be the formulation of the personnel policy and interdepartmental coordination of civil service activities in federal executive agencies.

The Personnel Policy Council under the President of the Russian Federation shall be headed by the First Deputy Chairman of the Council of Ministers – Government of the Russian Federation and Chief of the Staff of the RF President.

The Personnel Policy Council under the President of the Russian Federation shall include: Chairman of the Russian Federation State Committee for Higher Education; head of the Main Department for Civil Service Personnel Training under the Russian Federation Government; rector of the Russian Academy of Management; rector of the Academy of National Economy under the Government of the Russian Federation; executive secretary of the Personnel Policy Council under the President of the Russian Federation, and by decision of the President of the Russian Federation, leading researchers and experts in the sphere of personnel policy and administration.

5. First Deputy Chairman of the Council of Ministers – Government of the Russian Federation V. Shumeiko and Chief of the Staff of the RF President S. Filatov shall be appointed cochairmen of the Personnel Policy Council under the President of the Russian Federation.

6. Cochairmen of the Personnel Policy Council under the President of the Russian Federation shall within one week:

submit for approval a list of the Council members;

set up in the established manner a working unit – the secretariat of the Personnel Policy Council under the President of the Russian Federation – with a staff of ten persons.

7. Heads of executive authorities in the republics – constituent members of the Russian Federation, territories, regions, the autonomous region, autonomous areas, and the cities of Moscow and St. Petersburg shall consider matters related to the organization of management and development of programs for providing civil services in the executive authorities of the Russian Federation constituent entities with personnel.

8. The Chief of the Staff of the RF President, the Head of the Staff of the Council of Ministers – Government of the Russian Federation, heads of federal ministries and agencies, executive authorities of the republics – constituent members of the Russian Federation, territories, regions, the autonomous region, autonomous areas, and the cities of Moscow and St. Petersburg:

shall within three months complete civil servants’ certification according to Decree No. 361 of the Russian Federation President of 4 April 1992 on Combating Corruption in the Civil Service System;

shall within one month carry out an analysis of the personnel provision for respective executive agencies and approve long-term work programs for training their personnel reserve.

President
of the Russian Federation
Boris Yeltsin
Moscow, Kremlin
3 June 1993
No. 848
I. General Provisions

1. The Personnel Policy Council under the President of the Russian Federation (hereinafter referred to as the Council) is an advisory agency of the President of the Russian Federation for the matters of development and implementation of personnel policy within the system of executive authority in the Russian Federation.

2. The legal foundation for the activities of the Council shall consist of the Constitution of the Russian Federation and laws of the Russian Federation, decrees and directives of the President of the Russian Federation, as well as this Statute.

II. Objectives of the Council

3. The main objectives of the Council shall be as follows:

   on instruction of the President of the Russian Federation, coordinating the activities of the civil service and personnel policy system in federal executive authorities of the Russian Federation;

   analyzing the condition and effectiveness of using the national intellectual, managerial and business capacity;

   drawing up proposals on the strategy of building up the personnel capacity of Russian statehood and raising the efficiency of executive authorities, including the use of international support in personnel development;

   working out the mechanisms for coordinating the activities of the federal, regional and local executive authorities in the field of personnel development;

   drawing up proposals on the selection and placement of senior officials in the executive authorities system;
drawing up proposals on the main focal areas of establishing an integrated system of legal and regulatory support for personnel development in the federal, regional and local executive authorities;

analyzing the nature of interaction between federal, regional and local authorities in the process of personnel policy implementation and drawing up proposals on raising the efficiency of this interaction.

III. Membership of the Council

4. The Personnel Policy Council under the President of the Russian Federation shall be headed by the First Deputy Chairman of the Council of Ministers – Government of the Russian Federation and the Head of the Staff of the RF President.

5. The Council shall include: the Chairman of the Russian Federation State Committee for Higher Education, head of the Main Department for Civil Service Personnel Training under the Government of the Russian Federation, rector of the Russian Academy of Management; rector of the Academy of the National Economy under the Government of the Russian Federation; executive secretary of the Personnel Policy Council under the President of the Russian Federation, as well as leading researchers and experts in the sphere of personnel policy, administration and other fields of research and practice.

The Council membership shall be approved by directive of the Russian Federation President.

The working body, the Secretariat of the Council, shall be headed by the executive secretary of the Council. The rest of the Council members shall participate in its work on a voluntary (gratuitous) basis.

IV. Organization of the Council Activities

6. The Council shall base its activities on the objectives set out in section II hereof.

The Council members shall participate in its activities in their personal capacity.

7. Council meetings shall be chaired by the First Deputy Chairman of the Council of Ministers – Government of the Russian Federation or the Head of the Staff of the Russian Federation President and be held not less frequently than once a month.
8. For the purpose of tackling issues, preparing meetings and conducting expert evaluation and analytical work, the Council may set up working groups to be led by one of the Council members.

V. Provision for the Council Activities

9. The executive secretary of the Council in association with the Main Department for Civil Service Personnel Training under the Government of the Russian Federation, as well as respective units of the Staff of the Russian Federation President shall be in charge of activities of the Council.

10. The Secretariat of the Council shall be charged with organizational and technical support of the meetings of the Personnel Policy Council under the President of the Russian Federation.
Appendix 1.9

GOVERNMENT OF THE RUSSIAN FEDERATION
ORDER

No. 626-r of 3 May 1994
Moscow

The activities of the Main Department for Civil Service Personnel Training under the Government of the Russian Federation abolished pursuant to Item 4 of Decree No. 66 of the President of the Russian Federation of 10 January 1994 shall be terminated due to the expiry of the term of the liquidation commission.

Chairman,
Government of the Russian Federation
Victor Chernomyrdin
DIRECTIVE
OF THE PRESIDENT OF THE RUSSIAN FEDERATION

On the Working Group for Drafting the Statute of the Federal Civil Service of the Russian Federation

Seeking to accelerate the effort to create an up-to-date and effective civil service, implement a uniform government policy of personnel support of the political and economic reforms in the Russian Federation:

1. A working group shall be set up for drawing up a draft statute of the federal civil service of the Russian Federation of members listed in the annex.

2. The Head of the Staff of the Russian Federation President shall within 10 days submit for consideration:

   a draft statute of the federal civil service of the Russian Federation;

   a list of measures for reforming the civil service of the Russian Federation;

   a draft Decree of the Russian Federation President on the formation of a civil service and personnel policy agency under the President of the Russian Federation.

President
of the Russian Federation
Boris Yeltsin
15 November 1993
No. 732-rp
Annex
to Directive of the President
of the Russian Federation
No. 732-rp of 15 November 1993
MEMBERS
of the working group for drawing up a draft statute of the federal civil service of the Russian Federation

V.V. Volkov - deputy head, the Staff of the President of the Russian Federation (group leader)

S.N. Ivanov - deputy head, the Main Department for Civil Service Personnel Training under the Government of the Russian Federation (deputy group leader)

Ye.P. Arefyev - deputy head, the Staff of the Council of Ministers – Government of the Russian Federation

I.M. Bezrukov - deputy chairman, the Commission for legislative proposals under the President of the Russian Federation

R.T. Orekhov - deputy head, the Governmental Legal Board of the President of the Russian Federation

D.D. Rumyantsev - head, Personnel Department, the Staff of the President of the Russian Federation

K.M. Skobeyev - deputy head, Main Department for Civil Service Personnel Training under the Government of the Russian Federation (secretary of the group)

R.M. Tsivilev - assistant head, the Staff of the President of the Russian Federation

A.M. Kurbatov - executive secretary, the Personnel Policy Council under the President of the Russian Federation.
Appendix 1.11

DECREE
OF THE PRESIDENT OF THE RUSSIAN SOVIET FEDERATIVE SOCIALIST REPUBLIC

On Reorganizing Central Government Agencies of the RSFSR

Pursuant to the Resolution of the Congress of People’s Deputies of the RSFSR on the Organization of the Executive Authority in the Period of Radical Economic Reforms, I hereby decree:

1. To establish:

The Ministry of Architecture, Construction, Housing and Public Utilities of the RSFSR, on the basis of the RSFSR State Committee for Architecture and Construction and the RSFSR State Committee for Housing and Public Utilities both to be abolished;

The RSFSR Ministry of Public Health, on the basis of the RSFSR Ministry of Public Health and Social Security to be abolished (with logistical resources, financial funds, other assets, central office payroll and allocations for its maintenance, insofar as health care is concerned, of the latter being transferred to the former);

The Ministry of the Press and Information of the RSFSR, on the basis of the RSFSR Ministry of the Press and Mass Information to be abolished;

The Ministry of Social Protection of the RSFSR, on the basis of the RSFSR Ministry of Health and Social Security to be abolished (with logistical resources, financial funds, other assets, central office payroll and allocations for its maintenance, insofar as social security is concerned, of the latter being transferred to the former);

The Ministry of Ecology and Natural Resources of the RSFSR, on the basis of the RSFSR Ministry of Ecology and Nature Management, the RSFSR Ministry of Forestry, the RSFSR State Committee for Geology and Use of Mineral Resources and the RSFSR Committee for the Water Industry under the Council of Ministers of the RSFSR, all to be abolished;

The Committee for Archives under the Government of the RSFSR, on the basis of the Committee for Archives under the Council of Ministers of the RSFSR and the Chief Archives Department of the USSR, both to be abolished;
The State Committee of the RSFSR for the Nationalities Policy, on the basis of the State Committee of the RSFSR for the Nationalities Affairs to be abolished;

The Committee for Promotion of the Olympic Movement under the Government of the RSFSR, on the basis of the RSFSR State Committee for Physical Culture and Sport to be abolished;

The Main Department for Civil Service Personnel Training under the Government of the RSFSR.

2. To abolish:

The RSFSR State Committee for Strategic Stocks

The Committee for Development of the Medical and Pharmaceutical Industry under the RSFSR Council of Ministers

Committee for State Awards of the RSFSR in the Sphere of Science and Technology under the RSFSR Council of Ministers.

3. Higher school matters shall be transferred from the jurisdiction of the RSFSR Ministry of Education (together with respective logistical resources, financial funds, other assets, central office payroll and allocations for its maintenance) to the RSFSR Ministry of Science and Technological Policy. In this connection the latter ministry shall be transformed into the RSFSR Ministry of Science, Higher School and Technological Policy.

4. It shall be stipulated that central government authorities of the RSFSR directly supervised by the Government of the RSFSR shall be:

the RSFSR Ministry of Architecture, Construction, Housing and Public Utilities

the RSFSR Ministry of Internal Affairs

the RSFSR Ministry of Public Health

the RSFSR Ministry of Foreign Affairs

the RSFSR Ministry of Culture

the RSFSR Ministry of Science, Higher School and Technological Policy

the RSFSR Ministry of Education

the RSFSR Ministry of the Press and Information

the RSFSR Ministry of Industry

the RSFSR Ministry of Communications

the RSFSR Ministry of Agriculture

the RSFSR Ministry of Social Protection of the Population
the RSFSR Ministry of Fuel and Energy
the RSFSR Ministry of Trade and Material Resources
the RSFSR Ministry of Transport
the RSFSR Ministry of Labor and Employment
the RSFSR Ministry of Ecology and Natural Resources
the RSFSR Ministry of Economy and Finance
the RSFSR Ministry of Justice
the RSFSR State Committee for Antimonopoly Policy and Promotion of New Economic Entities
the RSFSR State Committee for the Nationalities Policy
the RSFSR State Committee for Defense Issues
the RSFSR State Committee for Social Protection of Citizens and Rehabilitation of Areas Affected by the Chernobyl and Other Radiation Disasters
the RSFSR State Committee for Socioeconomic Development of the North
the RSFSR State Committee for Public Property Management
the RSFSR Federal Security Agency
the RSFSR State Tax Service
the RSFSR State Customs Committee
the RSFSR Main Department for Specialized Construction
the Committee for Archives under the Government of the RSFSR
the Committee for Government Reserves under the Government of the RSFSR
the Committee for Promotion of the Olympic Movement under the Government of the RSFSR
the Main Department for Civil Service Personnel Training under the Government of the RSFSR.

5. It shall be stipulated that committees may be set up within RSFSR ministries and under RSFSR ministries and state committees. Their heads shall be appointed and dismissed by the President of the RSFSR on the basis of recommendation by respective ministries or chairmen of state committees of the RSFSR.

6. For the purpose of taking actions related to abolition of RSFSR ministries and departments on the basis of which government agencies of the RSFSR are to be established, liquidation commissions shall be set up in abolished ministries and departments of the RSFSR headed by first deputy ministers or first deputy heads of departments. The said officials shall be instructed to approve composition of liquidation commissions and settle matters related to abolition of RSFSR ministries and departments according to the established procedure.
7. The Government of the RSFSR shall decide on expediency of further work, lines of activities and membership of the commissions and councils formed under the Chairman of the RSFSR Council of Ministers, commissions of the RSFSR Council of Ministers, as well as commissions set up under the RSFSR Council of Ministers and its Presidium.

8. The buildings, structures, facilities, and other assets, as well as the central office payroll and allocations for its maintenance previously earmarked for the abolished ministries and departments of the RSFSR shall be handed over to the RSFSR government authorities established on the basis thereof.

The Government of the RSFSR shall approve, on recommendation by RSFSR ministries and departments, the payroll and allocations for the maintenance of respective institutions.

9. It shall be stipulated that:

the central office payroll, allocations for its maintenance, buildings, structures, facilities, and other assets, as well as enterprises, institutions and organizations located in the RSFSR subordinate to the USSR ministries and other central government authorities to be abolished shall be handed over to the ministries and departments of the RSFSR as specified in the appendix. Matters related to the use of the said assets shall be settled with regard to proposals from the commission set up under Item 4 of Resolution No. GS-13 of the USSR State Council of 14 November 1991 on Abolition of Ministries and Other Central Government Authorities of the USSR;

RSFSR ministries and departments established in the course of formation of the Government of the RSFSR shall be successors to respective abolished ministries and departments.

The RSFSR Ministry of Justice shall submit its proposals on bringing RSFSR law in line with this Decree.

This Decree shall be effective upon its signing.

President
of the Russian Federation
Boris Yeltsin
Moscow, Kremlin
Annex to Decree No. 242 of the President of the RSFSR of 28 November 1991

Ministries and departments of the RSFSR to receive the property, financial and other assets, enterprises, organizations and institutions of abolished ministries and other central government agencies of the USSR shall be *

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<thead>
<tr>
<th>The RSFSR Ministry of Architecture, Construction, Housing and Public Utilities</th>
<th>The USSR State Committee for Construction and Investment</th>
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<td>The USSR Ministry of Specialized Construction and Assembly</td>
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<td>The USSR Ministry of Transport Construction</td>
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The RSFSR Ministry of Internal Affairs

The USSR Ministry of Internal Affairs

The RSFSR Ministry of Public Health

The USSR Ministry of Public Health

The RSFSR Ministry of Culture

The USSR Ministry of Culture

The USSR Committee for Youth Affairs

The USSR Committee for Cinema

The USSR Committee for Conservation and Restoration of Historical and Cultural Monuments

The RSFSR Ministry of Science, Higher School and Technological Policy

The USSR Committee for Science and Technology

The USSR State Committee for Public Education (insofar as higher school is concerned)

The USSR Higher Certification Commission

The USSR State Patent Agency

The RSFSR Ministry of Education

The USSR State Committee for Public Education (insofar as general education and vocational training and specialized educational institutions are concerned)
The RSFSR Ministry of the Press and Information

The USSR Ministry of Information and the Press

The RSFSR Ministry of Industry

The USSR Ministry of Automobile and Agricultural Machine Building

The USSR Ministry of Metallurgy

The USSR Ministry of the Electrical Engineering Industry and Instrument Making

The USSR Ministry of the Chemical and Oil Refining Industry (insofar as the chemical industry is concerned)

The USSR State Committee for Mechanical Engineering

The USSR State Committee for Chemistry and Biotechnologies

The USSR Committee for the Light Industry

The USSR Ministry of the Aircraft Industry

The USSR Ministry of the Defense Industry

The USSR Ministry of General Engineering

The USSR Ministry of the Radio Industry

The USSR Ministry of the Shipbuilding Industry

The USSR Ministry of the Electronic Industry

The USSR State Military and Industrial Commission

The RSFSR Ministry of Communications

The USSR Ministry of Communications

The USSR Committee of Informatization

The RSFSR Ministry of Agriculture

The USSR Ministry of Fisheries

The USSR Ministry of Agriculture and Food Supplies

The RSFSR Ministry of Social Protection of the Population

The USSR Committee for the Affairs of Veterans and Persons with Disabilities

The USSR Committee for the Affairs of the Family and Women
<table>
<thead>
<tr>
<th>Ministry of Fuel and Energy</th>
<th>Ministry of the Oil and Gas Industry</th>
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<tbody>
<tr>
<td>Ministry of the Coal Industry</td>
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<tr>
<td>Ministry of the Chemical and Oil Refining Industry (insofar as oil refining is concerned)</td>
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<tr>
<td>Ministry of Power Engineering and Electrification</td>
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<tr>
<td>Ministry of Trade and Material Resources</td>
<td>Ministry of Material Resources</td>
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<tr>
<td>Ministry of Trade</td>
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<tr>
<td>Ministry of Civil Aviation</td>
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<td>Ministry of the Merchant Marine</td>
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<tr>
<td>Ministry of Labor and Employment</td>
<td>Ministry of Labor and Social Matters</td>
</tr>
<tr>
<td>State Fund for Promoting Employment (insofar as the Union Employment Fund is concerned)</td>
<td></td>
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<tr>
<td>State Committee for the Nationalities Affairs (insofar as migration matters are concerned)</td>
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<tr>
<td>Ministry of Ecology and Natural Resources</td>
<td>Ministry of Geology</td>
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<tr>
<td>Ministry of Nature Management and Environment Protection</td>
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<tr>
<td>State Committee for Forests</td>
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<tr>
<td>Commission for Mineral Resources</td>
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<tr>
<td>Committee for Geodesy and Cartography</td>
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<tr>
<td>Committee for Hydrometeorology</td>
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<tr>
<td>Commission for the Arctic and Antarctic</td>
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<tr>
<td>Ministry of Economy and Finance</td>
<td>Finance Ministry</td>
</tr>
<tr>
<td>Ministry of Economy and Forecasting (including committees and organizations under this Ministry)</td>
<td></td>
</tr>
<tr>
<td>Main Department for Precious Metals and Diamonds</td>
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<tr>
<td>State Inspectorate for Securities</td>
<td></td>
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</tbody>
</table>
The USSR State Insurance Supervision Authority
The Inter-Republican Committee for Prices under the USSR Ministry of Economy and Forecasting
The USSR Committee for the Promotion of Small Business and Enterprise
The USSR Council for Foreign Tourism

The RSFSR Ministry of Justice
The USSR Ministry of Justice

The RSFSR State Committee for the Nationalities Policy
The USSR State Committee for Nationalities Affairs (except migration matters)

The RSFSR State Committee for Social Protection of Citizens and Rehabilitation of Areas Affected by the Chernobyl and Other Radiation Disasters
The USSR State Commission for Emergency Situations

The RSFSR State Committee for Public Property Management
The USSR Public Property Fund

The Committee for Archives under the Government of the RSFSR
The USSR Chief Archive Department

The Committee for Promotion of the Olympic Movement under the Government of the RSFSR
The USSR Committee for Physical Culture and Sport

The Main Department for Civil Service Personnel Training under the RSFSR Government
The USSR State Agency for Senior Executives Training

The Committee for Foreign Economic Relations under the RSFSR Ministry of Foreign Affairs
The USSR Ministry of Foreign Economic Relations

*) The Government of the RSFSR shall be entitled to pass decisions on the transfer of departments, enterprises, organizations and institutions attached to ministries and departments of the RSFSR in accordance with this Decree into the jurisdiction of other ministries and departments of the RSFSR.
Appendix 1.12

DECREE
OF THE PRESIDENT OF THE RUSSIAN FEDERATION

On the Russian Academy of Civil Service under the aegis of the President of the Russian Federation

For the purpose of creating a training, research, organizational and methodological foundation of civil service in the Russian Federation and provision of highly qualified personnel for the government agencies, I hereby decree:

1. The Russian Academy of Management shall be reorganized into the Russian Academy of Civil Service under the President of the Russian Federation. The organizations and institutions accountable to the Russian Academy of Management shall be transferred into the jurisdiction of the Russian Academy of Civil Service under the President of the Russian Federation.

2. It shall be stipulated that the basic lines of activities of the Russian Academy of Civil Service under the President of the Russian Federation shall be determined by the President of the Russian Federation.

3. The Russian Academy of Civil Service under the President of the Russian Federation shall carry out the functions of a training, methodological, research, and information-analytical center for civil service matters in the Russian Federation, as well as a management system for civil servants retraining and advanced training.

4. It shall be stipulated that the overall management of the Russian Academy of Civil Service under the President of the Russian Federation shall be carried out on a voluntary basis by the president-rector of the Academy appointed by the President of the Russian Federation.

5. Aleksei Mikhailovich Yemelyanov shall be appointed president-rector of the Russian Academy of Civil Service under the President of the Russian.

6. The activities of the Russian Academy of Civil Service under the President of the Russian Federation shall be coordinated and monitored by the Council for Personnel Policy under the President of the Russian Federation.
7. It shall be stipulated that the Russian Academy of Civil Service under the President of the Russian Federation and organizations and institutions accountable to it shall be funded from the federal budget. The Government of the Russian Federation shall provide for their financing with due regard for their responsibilities.

8. The Council for Personnel Policy under the President of the Russian Federation shall within one month consider and submit a draft charter of the Russian Academy of Civil Service under the President of the Russian Federation and a draft concept of its development.

9. This Decree shall be effective upon its publication.

President
of the Russian Federation
Boris Yeltsin

Moscow, Kremlin
6 June 1994
No. 1140
MAIN DEPARTMENT

for Civil Service Personnel Training under the Government of the Russian Federation
(the Roskadri)

ORDER
No. 121 of 13 August 1993

On the Structure of the Roskadri Central Office Staff

The analysis of performance of the Main Department for Civil Service Personnel Training under the Government of the Russian Federation (the Roskadri) in the period from December 1991 up to the present day carried out pursuant to the Roskadri Order No. 100 of 2 July 1993 and with due regard to Decree No. 848 of the Russian Federation President of 3 June 1993 on Priority Measures for the Organization of a Civil Service System in the Russian Federation revealed that the structure of the Roskadri does not fully meet its goals and functions.

For the purpose of improvement of the structure of the Roskadri Staff I hereby order:

1. A new structure of the Roskadri staff as set out in appendix 1 shall be approved. It shall be effective from 6 September of the current year.

   Responsibilities listed in appendix 2 shall be assigned to structural units of the Roskadri and their payroll shall be approved as specified in appendix 3.

2. Roskadri Order No. 77 of 1 June 1992 on the Structure of the Roskadri Central Office Staff shall be considered null and void.

3. This order shall be made known to the personnel of the Roskadri structural units listed in appendix 4 against acknowledgement.

4. Deputy head of the Roskadri K.M. Skobeyev and heads of units shall draw up and submit for approval before 2 September:
- draft Manning tables of the Roskadri in accordance with the new structure and within the established number of employees;

- job descriptions for staff positions in new structural units.

Manning tables shall be drawn up with consideration of the condition that sectors with less than three staff members shall have no sector chief position.

5. For the purpose of manning the newly formed structural units of the Roskadri and employment of redundant employees a commission shall be set up consisting of:

Kh.A. Bekov, Roskadri head (chairman);
Yu.A. Mazurov, department head (deputy chairman);
K.M. Skobeyev, Roskadri deputy head;
T.M. Ivanova, department head;
Yu.N. Potapov, chief expert, chairman of the trade union.

6. The commission shall before 13 September submit proposals on manning new structural units of the Roskadri with a view to the need for employment of redundant employees of the Roskadri with due regard to their certification results. Employment of redundant employees shall be arranged in accordance with the effective labor laws.

Head

Kh.A. Bekov
Appendix 1

to Roskadri Order
No. 121 of 13 August

The Structure of the Roskadri Central Office Staff

The Roskadri central office staff shall include:

I. Management.

II. Legal support department.
   1. Federal law sector.
   2. Government and departmental rule-making sector.
   3. Sector for rule-making in the Federation constituent entities.

III. Personnel provision department.
   1. Personnel situation analysis sector.
   2. Personnel rating sector.
   3. Sector for work with reserve.
   4. Sector for personnel development organization.

IV. Training organization department.
   1. Sector for civil servants advanced training.
   2. Sector for specialists training and retraining.
   3. Training infrastructure sector.

V. Information and analytical department.
   1. Analysis and forecasting sector.
   2. Informatization and information activity organization sector.
   4. Sector for information and advocacy.

VI. International relations department.
   1. Sector for international programs.
   2. Protocol and documentation sector.
VII. Front office.
   1. Secretariat.
   2. Office.
   3. Logistics and technical inspection sector.

VIII. Financial and economic department.
   1. Finance and budget estimate sector.
   2. Labor sector.

IX. Accounting office.
Appendix 2  
to the Roskadri Order  
No. 121 of 13 August

*List of responsibilities of the Roskadri structural units*

<table>
<thead>
<tr>
<th>Executive officers of a unit</th>
<th>Basic responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roskadri head</td>
<td>- general management</td>
</tr>
<tr>
<td></td>
<td>- front office, financial and economic department and accounting office matters</td>
</tr>
<tr>
<td></td>
<td>- guidance of the Roskadri international activities</td>
</tr>
<tr>
<td>Front office</td>
<td>- organization of general and personnel work</td>
</tr>
<tr>
<td>Secretariat</td>
<td>- record management (including archives)</td>
</tr>
<tr>
<td>Office</td>
<td>- organization of monitoring and execution</td>
</tr>
<tr>
<td>Logistics and technical inspection sector</td>
<td>- organization of work of the secretariats</td>
</tr>
<tr>
<td></td>
<td>- logistics organization</td>
</tr>
<tr>
<td></td>
<td>- organization of capital construction, maintenance of the Roskadri, organization of typewriting and copying</td>
</tr>
<tr>
<td>Financial and economic department</td>
<td>- preparation of the necessary estimates of funding amounts, to be agreed with the Finance Ministry of the Russian Federation</td>
</tr>
<tr>
<td></td>
<td>- provision of funding for subordinate educational establishments and the Roskadri central office staff</td>
</tr>
<tr>
<td></td>
<td>- methodological guidelines, assistance and advice to subordinate educational establishments on financing matters</td>
</tr>
<tr>
<td></td>
<td>- analysis of the use of budget allocations</td>
</tr>
<tr>
<td>Executive officers of a unit</td>
<td>Basic responsibilities</td>
</tr>
<tr>
<td>----------------------------</td>
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</tr>
</tbody>
</table>
| Labor sector | - calculation of the number of employees and wage bill for subordinate educational establishment and the Roskadri central office staff  
- calculation of the average number of students undergoing training, advanced training and retraining  
- methodological guidance, assistance and advice to subordinate educational establishments on labor remuneration issues  
- analysis of the use of the wage fund  
- compiling and submitting the required statistic reports  
- drawing up of manning tables of the central office staff, estimates of bonus schemes and improvement of social amenities |
| Accounting office | - accounting in the Roskadri  
- organization of accounting in the Roskadri network  
- analysis of accounting reports of subordinate organizations, compiling and submitting of a consolidated report  
- regular audits of financial and economic activities of subordinate organizations  
- interaction with Central Bank, the regional finance department, the pension fund and other financial agencies |
| International relations department | |
| Sector for international programs | - drawing up of international programs and projects  
- coordination and monitoring the implementation of international programs and projects  
- efficiency analysis of international programs and projects and prospects for further cooperation  
- interaction with international and nongovernmental organizations and funds  
- organization of efforts to establish new contacts with foreign partners |
| Protocol and documentation sector | - approval and finalizing of international programs and projects  
- keeping records of foreign partners, trainees and interpreters  
- execution, dispatch and registration of correspondence with foreign partners  
- passport and visa support  
- hosting foreign delegations |
<table>
<thead>
<tr>
<th>Executive officers of a unit</th>
<th>Basic responsibilities</th>
</tr>
</thead>
</table>
| Roskadri deputy head | - guidance of the work for improvement of civil service personnel  
- management  
- addressing issued dealt with by departments of training organization and personnel provision |
| Training organization department | |
| Sector for civil servants advanced training | - identification of requirements (in terms of number, content and time limits) for advanced training and retraining  
- organization of placement of advanced training orders among educational establishments  
- analysis of the condition and organization of development of the training and methodological basis  
- planning and monitoring of implementation of advanced training measures  
- direct arrangement for training sessions  
- analysis of the actual state of the student body  
- participation in the development of funding rules and standards |
| Sector for training and retraining of specialists | - identification of requirements for training and retraining of specialists  
- organization of placement of orders for training and retraining among educational establishments  
- analysis of the condition and organization of development of the training and methodological base  
- analysis of the actual state of the student body  
- organization of training and advanced training of research and teaching staff  
- participation in the drawing up of funding rules and standards |
| Training infrastructure sector | - analysis of the educational establishment network providing or capable of providing personnel training for civil service (training infrastructure)  
- definition of development lines for the Roskadri educational establishments and the network as a whole for the purpose of the fullest possible implementation of tasks set by the Personnel Policy Council  
- organization of support and development of the Roskadri network and the infrastructure as a whole, including planning and implementing measures aimed at protecting and strengthening the material base of subordinate educational establishments |
<p>| Personnel provision department | |</p>
<table>
<thead>
<tr>
<th>Executive officers of a unit</th>
<th>Basic responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel situation analysis sector</td>
<td>- analysis of the situation with personnel in the civil service (availability, adequacy, etc.)&lt;br&gt;- forecasting demand for personnel (by agencies, professions, categories, etc.)&lt;br&gt;- monitoring the conformity of personnel development practices with the personnel policy objectives</td>
</tr>
<tr>
<td>Personnel rating sector</td>
<td>- formation of an appraisal techniques fund&lt;br&gt;- formation of a pool of personnel rating experts&lt;br&gt;- organization of personnel rating in executive authorities&lt;br&gt;- organization of specific personnel rating activities</td>
</tr>
<tr>
<td>Sector for work with the reserves</td>
<td>- organization of identification of candidates for the reserve&lt;br&gt;- collection of data for appraisal of the reserve candidates&lt;br&gt;- organization of the reserve maintenance&lt;br&gt;- organization of drawing up of proposals on the use of the reserve</td>
</tr>
<tr>
<td>Sector for personnel development organization</td>
<td>- at the federal level&lt;br&gt;- at the level of the federation constituent entities and locally</td>
</tr>
<tr>
<td>Roskadri deputy head</td>
<td>- guidance of formation of a uniform civil service system in the Russian Federation&lt;br&gt;- handling problems of the civil service legal support department and the information and analytical department</td>
</tr>
<tr>
<td>Legal support department</td>
<td></td>
</tr>
<tr>
<td>Federal law sector</td>
<td>- analysis of the legal framework status&lt;br&gt;- organization of drawing up of draft laws&lt;br&gt;- organization of draft laws promotion</td>
</tr>
<tr>
<td>Government and departmental rule-making sector</td>
<td>- analysis of the regulatory framework status&lt;br&gt;- organization of drawing up of government and departmental statutory acts</td>
</tr>
<tr>
<td>Sector for rule-making in the Federation constituent entities</td>
<td>- analysis of the state of the regulatory framework for the civil service in the Federation constituent entities&lt;br&gt;- organization of drawing up of statutory acts of the Federation constituent entities</td>
</tr>
<tr>
<td>Information and analytical department</td>
<td></td>
</tr>
<tr>
<td>Executive officers of a unit</td>
<td>Basic responsibilities</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------</td>
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</tbody>
</table>
| Analysis and forecasting sector                   | - forecasting and analytical provision of the process of formation of the civil service in the Russian Federation  
- interaction with the secretariat of the Personnel Policy Council |
| Informatization and information activities organization sector | - organization and coordination of drawing up informatization programs and projects  
- analysis of information resources in the Roskadri network  
- organization of a glossary and terminological service  
- reference and information services |
| Publishing sector                                 | - editorial and publishing support to training within the Roskadri network  
- editorial and publishing support to the dissemination of civil service formation experience |
| Sector for information and advocacy               | - building up a positive image of the civil service in the Russian public opinion      |
Appendix 3
to the Roskadri Order
No. 121 of 13 August

Number of staff members in the Roskadri structural units

I. Management – 3 persons
II. Legal support department – 10 persons
III. Personnel provision department – 13.5 persons
IV. Training organization department – 11 persons
V. Information and analytical department – 13 persons
VI. International relations department – 6 persons
VII. Front office – 17.25 persons
VIII. Financial and economic department – 7 persons
IX. Accounting office – 4 persons
Appendix 1.14

DECREE

OF THE PRESIDENT OF THE RUSSIAN FEDERATION

On the Department for the Federal Civil Service of the President of the Russian Federation

For the purpose of ensuring implementation of Decrees of the President of the Russian Federation No. 848 of 3 June 1993 on Priority Measures for Organizing the Civil Service System in the Russian Federation and No. 2267 of 22 December 1993 on Approving the Statute of Federal Civil Service, and Directive of the President of the Russian Federation No. 792-rp of 31 December 1993, I hereby decree:

1. A Department for the Federal Civil Service of the President of the Russian Federation, with a staff of 45 shall be formed on the basis of the secretariat of the Council for personnel policy under the President of the Russian Federation.

   The functions of this Department shall be implementing the decrees of the President of the Russian Federation on federal civil service and personnel policy, as well as supporting the activities of the Council for personnel policy under the President of the Russian Federation.

2. The attached Statute of the Department for the Federal Civil Service of the President of the Russian Federation shall be approved.

3. Aleksandr Mikhailovich Kurbatov shall be appointed head of the Department for the Federal Civil Service of the President of the Russian Federation.

   It shall be established that the head of the Department for the Federal Civil Service of the President of the Russian Federation shall, at the same time, be the executive secretary of the Council for personnel policy of the President of the Russian Federation.

4. The Chief of Staff of the President of the Russian Federation shall approve the structure and staff numbers of the Department for the Federal Civil Service of the President of the Russian Federation.

5. This Decree shall come into force on the day of its publication.
President of the Russian Federation
Boris Yeltsin
Moscow, Kremlin
12 February 1994
No. 298
STATUTE

of the Department for the Federal Civil Service of the President of the Russian Federation

1. The Department for the Federal Civil Service of the President of the Russian Federation (hereinafter the Department) shall be a structural unit of the Staff of the President of the Russian Federation.

2. The Department shall be governed in its activities by the Constitution of the Russian Federation, the laws of the Russian Federation, decrees and directives of the President of the Federation, resolutions and orders of the Government of the Russian Federation, and this Statute.

3. The main tasks of the Department shall be:

(a) providing organizational and technical support for the activities of the Council for personnel policy under the President of the Russian Federation, commissions and working groups set up by it, as well as monitoring the fulfillment of its decisions;

(b) creating and maintaining the federal personnel data bank;

(c) drafting, jointly with the federal executive agencies, regulatory acts of the President of the Russian Federation and the Government of the Russian Federation, the need for the passing of which derives from Decree of the President of the Russian Federation No. 2267 of 22 December 1993 on Approving of Statute of Federal Civil Service;

(d) providing analytical support for the elaboration and implementation of government personnel policy in the federal executive agencies, federal institutions and organizations;

(e) maintaining a federal register of civil servants and a register of federal government agencies and institutions;
(f) elaborating proposals on the formation of an integrated system of laws and regulations to support personnel development efforts in the federal executive agencies and executive agencies of the constituent entities of the Russian Federation;

(g) analyzing the effectiveness of interaction between government agencies at all levels in the process of implementing government personnel policy, and drafting of proposals for optimizing this interaction;

(h) drafting proposals on training and retraining of personnel for government and local self-government agencies, including proposals on implementing international personnel development programs;

(i) organizing scientific and methodological support for the activities of federal civil service;

4. In accordance with its main tasks, the Department shall:

(a) prepare and submit to the Council for personnel policy under the President of the Russian Federation proposals on the elaboration and implementation of government personnel policy, as well as opinions on proposals submitted to the President of the Russian Federation for consideration by federal government agencies, government agencies of the constituent entities of the Russian Federation, local self-government bodies, enterprises, public associations and individuals, concerning federal civil service matters;

(b) analyzing and compiling forecasts of the functioning of the civil service system in the federal government agencies;

(c) preparing, on commission from the Council for personnel policy under the President of the Russian Federation, proposals on executive personnel selection and placement, including proposals on the formation of a federal personnel reserve;

(d) implementing scientific and methodological guidance and coordination of the activities of federal and regional centers for civil service personnel training, retraining and advanced training;

(e) exchanging information with federal executive agencies and the corresponding research institutions dealing with federal civil service matters.

5. For fulfilling the tasks entrusted to it, the Department shall have the right to:
request and receive, in the established manner, the necessary information from government agencies, institutions, organizations and enterprises;

plan, in the established manner, business trips for staff of the Department;

use the data banks of the Staff of the President of the Russian Federation;

use public, including government-run, communication systems;

recruit in its work scientific institutions, scientists and experts of governmental and nongovernmental agencies, institutions, organizations and enterprises, including on a contractual basis.

6. The logistical, documentary, legal and informational support for the activities of the Department shall be provided by the corresponding units of the Staff of the President of the Russian Federation.

7. The funding of the expert analytical, research and sociological work carried out at the orders from the Department shall be carried out by the Business Administration Directorate of the President of the Russian Federation in accordance with the plan for R&D work, confirmed by the Chief of Staff of the President of the Russian Federation.

8. The head of the Department shall be appointed to and dismissed from his post by the President of the Russian Federation.

9. The head of the Department shall have two deputies, appointed to and dismissed from their posts, by the Chief of Staff of the President of the Russian Federation.

10. The Head of the Department shall be in charge of the activities of the Department and shall bear responsibility for its results.

11. The Head of the Department shall:

   submit the structure and staff numbers of the Department to the Chief of Staff of the President of the Russian Federation for approval;

   determine the responsibilities of his deputies and confirm job descriptions of the staff of the Department;

   set the tasks of the sections and other structural units of the Department;
approve the internal regulations, elaborated in compliance with the internal regulations in the Staff of the President of the Russian Federation;

submit the plan for R&D work to the Chief of Staff of the President of the Russian Federation for approval;

recommend, in the established manner, staff of the Department for incentives.
Appendix 1.15

DIRECTIVE
OF THE PRESIDENT OF THE RUSSIAN SOVIET FEDERATIVE SOCIALIST REPUBLIC

On Educational and Research Institutions of the CPSU CC, the CC of the Communist Party of the RSFSR, Territorial and Regional Committees of the CPSU

The Government of the RSFSR shall take charge of the logistical support base of the educational and scientific establishments of the CC CPSU, CC of the Communist Party of the RSFSR, its territorial and regional committees, according to the list attached.

The Government of the RSFSR shall take measures to use the fixed and circulating assets of the former higher educational establishments of the CPSU on the territory of the RSFSR for creating a system of educational institutions for the training and retraining of personnel of government and municipal government agencies, and market economy experts.

The Secretary of State of the RSFSR and the Chief of Staff of the President of the RSFSR shall present, within one month, corresponding proposals to the President of the RSFSR.

The State Committee of the RSFSR for affairs of science and higher education, together with the Russian Academy of Management, shall determine the terms for continuing the study of students of former educational institutions of the CPSU located on the territory of the RSFSR in government-run educational institutions.

President of the RSFSR
Boris Yeltsin
5 November 5 1991
No. 73-rp
Attachment
to Directive of the President of the RSFSR
No. 73-rp
of 5 November 1991

LIST

of educational and research institutions of the CC CPSU, CC of the Communist Party of the
RSFSR, territorial and regional committees of the CPSU

Academy of Social Sciences of the CC CPSU
Institute for Contemporary Social Problems of the CC CPSU
Institute for the Theory and History of Socialism of the CC CPSU
Russian Sociopolitical Institute of the CC of the Communist Party of the RSFSR
Far-Eastern Institute of Political Science and Social Management
Volgograd Sociopolitical Institute
Leningrad Political Science Institute
Nizhny Novgorod Sociopolitical Institute
Siberian Sociopolitical Institute
North Caucasus Sociopolitical Institute
Volga Area Sociopolitical Institute
Urals Sociopolitical Institute
Appendix 1.16

GOVERNMENT OF THE RSFSR
ORDER

No. 163-r of 17 December 1991,
Moscow

On the financial and logistical support for the activities of personnel centers and educational establishments of the Main Department for Civil Service Personnel Training under the Government of the RSFSR

The Ministry of the Economy and Finances of the RSFSR shall provide financing for the activities of the personnel centers, educational establishments and personnel training programs of the Main Department for Civil Service Personnel Training under the Government of the RSFSR out of the RSFSR republican budget, beginning from 1 December 1991.

The Ministry of the Economy and Finances of the RSFSR and the Ministry of Trade and Material Resources of the RSFSR shall provide in the established manner for the allocation of the necessary funds and material resources, according to a centrally distributed product range, for personnel centers and educational establishments of the Main Department for civil service personnel training under the Government of the RSFSR.

First Deputy Chairman
Government of the RSFSR
Gennady Burbulis
Appendix 1.17

DIRECTIVE
OF THE PRESIDENT OF THE RUSSIAN FEDERATION

In accordance with the Statute of the Council for personnel policy under the President of the Russian Federation, approved by Decree of the President of the Russian Federation No. 848 of 3 June 1993:

1. The Council for personnel policy under the President of the Russian Federation shall be entrusted with overall coordination of the work for drafting acts of the President of the Russian Federation, the need for which derives from the Statute of Federal Civil Service, approved by Decree of the President of the Russian Federation No. 2267 of 22 December 1993.

2. Co-chairmen of the Council for personnel policy under the President of the Russian Federation V.F. Shumeiko and S.A. Filatov, shall submit for approval, within a period of ten days, a work plan for drafting the acts indicated in Item 1 of this Directive.

President
of the Russian Federation
Boris Yeltsin
31 December 1993
No. 792-rp
Appendix 1.18

PROPOSALS
of the activist group for setting up the Roskadri
on the training program for senior executives of the Presidential Staff and the Council of Ministers of the RSFSR

The problem. Currently, public administration personnel performance efficiency does not meet the requirements of the situation for two main reasons. First, the system of tasks, functions, rights and responsibilities of government agencies and their personnel has not been revised to take into account the new, emerging conditions under which the executive agencies are operating. As a result, executive personnel (and not only they) continue, in practice, to use old methods for resolving old tasks, thereby slowing down the perestroika processes. Second, the type of political, economic and organizational culture, based on technocratic views and approaches, held by the majority of them, prevents them from realizing the new fundamental principles and requirements made on their activities by radical economic reform, the reform of the political system and so on. However, the country is hard pressed for time and cannot wait for this type of operational culture to change in the required direction by way of evolution (according to the "life will make it happen" principle).

A sharp and substantial renewal of civil service personnel within one or two years is neither possible nor desirable. First of all, we have no reserve of personnel meeting the new requirements. Second, the existing mechanism for selecting and training executive personnel of the higher civil service ranks does not allow such a renewal to be performed within a reasonable time period. Third, the existing executive personnel possess vast economic, political and administrative experience, have at their disposal considerable information on the production, technical and personnel potential of the national economy and are well-versed in the working of the government machinery. It would be both inefficient in economic terms and dangerous politically not to make use of such people.

The goal. Under such circumstances, there is only one way out: to ensure that all current senior government personnel, on the one hand, during a period of no more than six months, review, at an acceptable level, the nature of their activities in their positions, with a view to the direction of current political and economic reforms, and, on this basis, also review their spheres of jurisdiction (including external official links); and, on the other hand, take no more than a year to become
acquainted with at least the basics of the latest scientific ideas concerning the processes and mechanisms inherent in a government regulated market economy.

Attainment of this goal does not mean a complete and final solution to the personnel problem at higher levels of government, but it does gain time for laying the foundations of an adequate legal, organizational, logistical, personnel, financial and scientific infrastructure, the functioning of which would provide a full solution to this problem.

The concept. Standard didactic means are unsuitable for this category of students. Given their specific features, the main training methods should be, first, individual self-education; second, reciprocal instruction through interaction, organized in a specific manner; and third, broad use of public heavyweights as instructors. Moreover, the results of training should, where possible, appear in a form directly suited for practical implementation or be general in nature.

This predetermines the choice of the following training scheme. The entire process of training consists of two stages. The first stage is geared to allowing the students to orient themselves better among the changes in the government system. The second stage is of a broader educational nature and is geared to changing the political, economic and organizational culture presently characteristic of the students.

The basic element of the first stage is a set of special statements, recorded on video, by senior government officials, covering their view of the new model of the system of government. These video statements should be studied by each executive undergoing training on an individual basis, using specially developed educational and methodological aids.

The main body of studies during the first stage – a system of special seminars on how the functioning of the RSFSR Government is organized – is delivered on this basis. Four levels of such seminars are proposed (in accordance with the positions occupied by the students):

- seminar by the President of the RSFSR;
- seminar by deputy chairmen of the RSFSR Council of Ministers;
- seminar by members of the RSFSR Council of Ministers (heads of ministries and agencies);
- seminars by deputy heads who are members of the RSFSR Council of Ministers.
The structure of each seminar will be roughly the same:

- identification (specification) of the tasks of the corresponding subsystems of the overall system of government for 1991-1996 (as a whole and by stages),

- analysis of the impact of the way one's tasks are fulfilled on the activities of colleagues in related spheres and on the efficiency of the government system as a whole;

- identification of ways to exert an impact on facilities within departmental jurisdiction under the conditions of the emergent pluralism of forms of property;

- formulation of the functions of senior officials, represented by the participants in the seminar, under the new conditions.

The seminars of each lower level are based on the results of the work of the corresponding "higher level" seminar and are headed by their participants, according to affiliation. The seminars are held weekly, preferably on Saturdays.

The stage is completed by a system of didactic interviews with each trainee, for the purpose of:

- identifying the least-mastered subject in the sphere of government and determining the priorities for grasping it;

- identifying the most acceptable ways and means for training each individual executive official;

- compiling individual training programs for each executive official individually.

The basic element of the second stage is also a set of video lectures on the fundamental modern market economy principles, made by the best known foreign experts (scientists, businessmen, statesmen) and supplemented with the necessary educational and methodological aids. The study of this set of lectures is planned in the same individual manner. Further, it is proposed to conduct a second didactic interview (on the fundamentals of a market economy) and to carry out individual training programs.

A major element in the proposed scheme of training is a system of individual consultants (one consultant per 3-5 trainees). Their functions are to help the trainees organize the process of self-education. The consultants should help the trainees formulate their tasks at each specific step, identify the sections of the program of which they have the poorest grasp (problems, topics, and the like), specify the range of necessary educational and methodological materials, and plan the self-
training process. The consultants' "super-task" is to ensure that the "charges" develop the habit of self-education and of training their own subordinates.

Enclosure: a table on one sheet.
Appendix 1.19

ROSSIISKAAYA GAZETA of 23 December 1993

RUSSIAN FEDERATION CIVIL SERVICE REFORM
(THESSES OF THE ROSKADRI CONCEPT)

Introduction

The Russian public firmly believes that the functioning of civil service at all levels – federal, republican and local – does not correspond to the tasks of implementing economic, social and political reforms. Russia's civil servants not only often demonstrate incompetence, inefficiency and red tape, but on many occasions even fail to implement laws and decisions made by the President, the Government, and other executive agencies.

The most acute problems besetting today's civil service are:

(a) organizational instability of government agencies at all levels, lack of clarity concerning the prospects for the system of government;

(b) inadequacy and unsystematic nature of the laws and regulations governing civil service and the legal status and activities of government employees;

(c) absence of an integrated government policy in the sphere of civil service personnel development, lack of coordination between government agencies working in this sphere;

(d) a drop in the prestige of civil service, a high level of uncertainty in the morrow and one's own status among the bulk of civil servants;

(e) poor professional training, incompetence of a substantial proportion of civil servants, especially in legal, financial, economic and personnel matters,

(f) marked corruption and abuse of office by civil servants as a source of additional income, benefits and the like; and officials’ disinterest in the successful implementation of economic reform.

World experience has shown that a substantial (if not the main) part of these shortcomings may be eliminated by a fine-tuned civil service which is the principal guarantee of stability and the chief
condition for efficiency of the government machinery. There is a growing awareness of this both among scholars and experts, and among civil servants themselves and the public at large.

At the same time, attempts to resolve this problem by a multitude of minor adjustments in separate aspects of civil service functioning have proved ineffective, since they were implemented in an uncoordinated manner, without any system and, as a rule, in response to specific challenges and needs of individual government agencies to current political changes, public criticism and the like. Moreover, they largely tended to aggravate the situation, introducing additional imbalances into the already disorganized system of relations within civil service.

No more successful were the efforts to resolve this problem by drafting and enacting an integrated law (the Fundamentals of legislation) on civil service, which began in the late 1980s. Under the conditions of rapid political and economic reforms and a fierce battle over their implementation, the problems of civil service were never at the top of the priority list and were constantly being put off until a more convenient time. No such time has come yet, however.

The conclusion is that what is needed is a concept of civil service reform that would make it possible, on the one hand, to ensure a properly considered process of the formation of a modern and efficient civil service in the Russian Federation under the conditions of political and economic change, and, on the other hand, to consistently resolve the specific problems of today's civil service (see, for example, the appendix).

**Possible approaches to Russian Federation civil service reform**

There are two extreme options of Russian Federation civil service reform.

The **first approach** essentially consists in the priority development of the laws and regulations governing civil service. That means starting with the publication of a fundamental (framework) law, containing (at least in outline) all the basic provisions of the would-be integrate civil service system of the Russian Federation, and then enacting this law on piece-meal basis, as the relevant sociopolitical, personnel, organizational and logistical (above all financial) preconditions are created.

The benefits of this approach are that it apparently makes it possible to carry out civil service reform within the bounds of a preset logic and a system of laws and regulations, as an organized,
coordinated and routine effort that does not require constant political support (which is very important in view of political instability).

Given such an approach, however, the civil service system would appear in reality only once all the components of the fundamental law are implemented. In addition, even the fact that public at large (including scholars and public figures) is not clear and at one about the purpose of civil service's existence as a special social and legal institution, put these benefits into serious doubt:

1. It is not yet possible to separate civil service clearly and definitely from other types of activity, and other social and legal institutions. Hence the need for periodically specifying the limits of civil service, the types of government offices and public officials, and other basic concepts. This, in turn, will entail the need to review the other rules based on these concepts, and give rise to more confusion and chaos in the civil service system. For its part, this will increase civil servants' uncertainty in the morrow and have a negative impact on their day-to-day performance and attitude toward professional growth within the civil service system.

2. It is not yet possible to say whether Russian civil service will be an integrated system or whether there will be independent systems on the federal level and on the level of the constituent entities of the Russian Federation. Considering the political dynamics, it is totally unclear when this uncertainty might disappear. So far there is no agreement either as to whether there should be an integrated civil service or independent types of it (military service, service in the executive agencies and/or in law-enforcement bodies, etc.). Since, in practice, there is a need for both a vertical and a horizontal movement of officials, the lack of certainty in these matters will also have a negative effect on the moral condition of civil servants.

The **second approach** consists essentially in forming the sociopolitical, regulatory and legal, personnel, organizational and logistical foundations of civil service in an coordinated manner, stage by stage, allowing a civil service system to arise at the first stage and develop and improve at each subsequent stage.

The benefits of that approach stem from the fact that it makes it possible to carry out civil service reform with due account for the changing political situation, the development level of the various components of civil service, and the readiness of public opinion for it.

Under that approach, the general outline of the future civil service system will, however, be constantly specified and amended, and it will also depend greatly on the extent to which the overall
civil service reform strategy is carried out and the attention of the country's leadership is kept focused on this problem.

There is also a **third approach**, the essence of which is to limit civil service reform, first, to the federal level and, second, to the system of executive agencies.

This approach seems quite attractive and realistic, but in this case the main shortcoming of the first approach remains – the impossibility of separating civil service from other types of activity and from other social and legal institutions. As a result of its implementation, we will encounter the same problems as with the first approach, only on a more limited scale.

**Stages in Russian Federation civil service reform**

The ultimate goal of Russian Federation civil service reform is to ensure that civil service operates precisely, efficiently and economically, is oriented on resolving the tasks facing government agencies, and prevents civil service being used as a means for subordinating society to party or group influences or as a source of illegal acquisition of public wealth.

The Russian Federation civil service reform provides for taking actions in the following main, interconnected areas:

- formatting a system of civil service regulation in which rules of an organizational-legal type (laws, bylaws and local regulations), based on the best achievements of world civil service science and practice, would combine with the rules of a social and psychological type (customs, traditions, corporate and group rules and the like) that inevitably arise in any social body;

- creating a body of highly professional civil servants, who would possess the necessary moral qualities and be independent in their activities of the political situation and personal inclinations and influences;

- streamlining and systematizing the structure of civil service agencies;

- reorganizing the system of civil service financing to make it rational and open to public control;

- formatting in public opinion of a favorable image of civil service and the civil servants.
The formation of an efficient civil service presupposes taking comprehensive and simultaneous action in all the areas indicated. Each of these processes, with its own natural tempo and length, is objectively conditioned and cannot be avoided; its course may only be optimized. At the same time, although the transformation processes in all areas begin at the same time and proceed in parallel, in each individual period one of them will come to the fore since they last for different periods of time and are mutually conditioned. In addition, given the Federative Treaty, attempts to enforce the unity of a civil service of the Russian Federation "from above" are pointless and even politically dangerous. The only possible method here is its gradual creation by "drawing" the constituent entities of the Federation into the efforts to create such a system. All this also determines the natural order of the stages in Russian Federation civil service reform.

**Stage One: institutionalization of federal civil service**

*The highest priority in Stage One is the formation of a system of federal civil service agencies as the foundation of the institution of civil service as a whole.*

This is achieved by:

- establishing, under the aegis of the President of the Russian Federation, an agency for running federal civil service;

- temporarily formalizing (by a Decree of the President of the Russian Federation) the concept of federal civil service and its boundaries; and the concept of a federal civil service office, and types of offices;

- actual attachment of federal civil servants to the set types (categories) of civil service, and entering them in the Register of Russian Federation civil servants.

A number of necessary support measures shall simultaneously be carried out, including:

- analysis of the actual state of civil service personnel and civil service management bodies;

- drafting of a model statue of civil service personnel management body;

- preparation of methodological instructions for attaching the civil servants to the set types (categories) of civil service;

- drafting of a statute of the Register of Russian Federation civil servants.
Stage Two: establishment of the status of the federal civil servant

The chief priority at Stage Two is the creation of a body of professional federal civil servants, possessing the necessary moral qualities, independent in their activities of the political situation and personal inclinations and influences.

This is achieved by:

- formalizing in law the general legal status of civil servants (duties, powers and responsibilities; civil, labor and political rights; guarantees and compensations);
- streamlining the legally formalized and actual duties, rights and responsibilities of officials;
- creating a system for advanced training and retraining of federal civil servants, capable of meeting the requirements of federal government agencies;
- carrying out a target-oriented civil servant certification campaign and actually implementing, on the basis of its results, a new system of financial and logistical support for civil servants.

A number of necessary support measures shall simultaneously be carried out, including:

- conditioning public opinion for accepting the new legal status of civil servants;
- compiling methodological instructions for elaborating the professional and qualification requirements for the various categories and types of civil service;
- drafting the regulations governing the procedure for carrying out target-oriented civil service certification;
- identifying the volume of and procedure for financing the maintenance of civil servants under the new conditions for their financial and logistical support;
- elaborating forms of statistical reporting on the civil service personnel system, and so on.
Stage Three: systematization and unification of the process of federal civil service

The main priority of Stage Three is the formation of a full-fledged (that is, actually operating, not merely, "on paper") regulatory system of federal civil service.

This is achieved by:

- legislative formalization of both the federal civil service rules introduced at the first two stages and specified on the basis of the results of their implementation in practice, and the overall procedure for serving in federal civil service;
- creating (with due account for departmental specifics) the organizational and personnel-selection mechanisms for admittance into civil service, civil servant promotion, resolution of conflicts in civil service, and completion of civil service.

A number of necessary support measures shall simultaneously be carried out, including:

- formation of a civil service personnel reserve;
- organization of professional training (training, retraining and advanced training) of the staff of personnel departments of the civil service system;
- systematization and optimization of the legal status of government educational institutions, participating in the training of civil servants; establishment of the methodological centers by groups of disciplines, etc.

The completion of this stage will mean the creation, in the main, of the system of federal civil service as a special social and legal institution, capable of ensuring the effective functioning of the federal government machinery.

Stage Four: formation of an integrated civil service system of the Russian Federation

The main priority at Stage Four is achieving convergence (subsequently unification) of the parameters of the system of federal civil service and those of the civil service systems of the constituent entities of the Russian Federation.

This is achieved by:
• establishment of overall federal standards for the basic training and retraining of civil servants, irrespective of the level on which they operate;

• establishment of agreed overall federal professional and qualification requirements for the various categories and types of civil servants;

• establishment of agreed overall federal conditions for financial and social security (above all pension) provisions for civil servants.

A number of necessary support measures shall simultaneously be carried out, including:

• formalizing in law the procedure for fulfilling federal civil service;

• systematizing and unifying the processes for fulfilling federal civil service and civil service in the constituent entities of the Russian Federation;

• laying down an agreed procedure for introducing unified processes for fulfillment of civil service, etc.
Appendix

THE MAIN PROBLEMS

in the functioning of the current civil service system

Overall, the situation in the civil service sphere may be described as extremely unsatisfactory. It may virtually be asserted that civil service does not exist as a social and legal institution or as an organized system. Proof of this is provided by a description of the problems typical of all its individual spheres.

In the sphere of regulatory support for civil service

Overall description of the problems:

The general situation in this sphere may be characterized as complete disruption of the system of law and regulations governing civil service. On the one hand, the system of laws and regulations governing civil service has become increasingly disorganized, and on the other, the system of its "natural" socio-psychological regulation has become much weaker. There is an additional factor: the overall reduction in the sphere of government regulation of socioeconomic processes, as a result of which a new problem arose for us – that of the limits of civil service.

The main problems:

- the lagging of the civil service regulatory framework behind the changes in the actual situation in the system of civil service management;
- the absence of a legislative foundation of civil service and the non-systemic nature of its regulatory and legal support;
- the indeterminacy of the main concepts (civil service, government office, civil servant, etc.);
- the imprecision of legal regulation of the status of government offices;
- the inadequate and non-systematized legal regulation of the procedure for discharging official civil service duties;
• the absence of regulations governing the interrelationship between how well government agencies fulfill their functions and the interests of both the State and civil servants;

• the inadequacy of legal regulation of social protection of civil servants and their family members;

• the uncertainty of the social status of agencies and departments in the sphere of civil service organization and management;

• the unregulated nature of the procedure for civil servants dismissal from their positions due to incompetence or other reasons.

In the sphere of personnel support for civil service

Overall description of the problems:

Overall, the situation in this sphere is characterized by a partial absence of a government personnel policy with regard to virtually all types of civil service (with the exception, perhaps, of the law-enforcement services, where a strong inertia from the previous system remains). In this sphere, two main factors prevail – randomness and the action of the so-called spoils system. As a result, according to assessments made by the majority of both practitioners and scholars, the quality of government agency personnel is much lower not only than required under the conditions of political and economic reform, but even than the pre-reform level.

The main problems:

• the absence of an integrated system of government agency personnel selection (in particular, a system for recruiting new civil servants);

• the absence of forecasting and planning of the demand for civil service personnel;

• the absence of a personnel databank (especially with respect to the exchange of information on demand for personnel and the possibilities of satisfying it);

• the excessively rapid civil service personnel turnover, especially in connection with frequent structural changes;

• the absence of a policy or system for preventing civil service corruption;
• the need for a substantial (and often cardinal) renewal of professional training programs for a large number of civil service categories (lawyers, economists, finance staff and others) in connection with the changes in the content of and conditions for fulfillment of the public administration functions;

• the absence of an integrated system for training, retraining and advanced training of civil servants;

• the absence of a system of incentives for raising the professional skills of civil servants;

• the difficulty (and often impossibility) of attracting graduates of professional educational establishments to work in civil service due to the unregulated nature of issues concerning payment for their training, etc.

In the sphere of organizational support for civil service

Overall description of the problems:

Overall, the situation in this sphere may be characterized as a collapse of the system (that has not been overcome after the removal of the CPSU from power). As a result, various government agencies and departments, engaged in some way or another in the sphere of civil service, act on their own, without any organized interaction with one another. The distribution of responsibility for individual civil service matters is random, there is a certain rivalry for the spheres of influence, and many issues are left totally unattended.

The main problems:

• the absence of a government policy on the formation of a system of government agencies, and with regard to the structure of individual government agencies;

• the absence of an agency responsible for the formation and functioning of both the system of civil service bodies, and the government system as a whole;

• the absence of scientific criteria and methods for creating new government agencies and local self-government bodies and for determining the necessary size of their staff;
• the absence of unification in the fulfillment of homogeneous functions in different government agencies and at different levels (the Federation, constituent entity of the Federation, and so on);

• the absence of a specialized system for monitoring and analyzing the condition of civil service;

• the lack of knowledge on the actual performance efficiency of government agencies;

• the lack of interaction in reforming the systems of civil service in the CIS countries, etc.

In the sphere of financial and logistical support for civil service

Overall description of the problems:

Overall, the situation in this sphere is characterized by the predominance of random, situational approaches to resolving problems as they arise. Against a background of budgetary difficulties, this gradually leads to a deterioration in the living standards of civil servants and to a drop in the competitiveness of civil service on the labor market.

The main problems:

• the absence of a unified approach to establishing sources of financing for the various types of government agencies;

• the lower salaries paid to civil servants than to workers in industry with similar qualifications;

• the absence of any clear and precise mechanism for resolving the housing problems of civil servants.
In the sphere of socio-psychological support for civil service

*Overall description of the problems:*

Overall, the situation in this sphere is characterized by an extremely low morale of civil servants, on the one hand, and a strong negative attitude among the public to civil servants, on the other.

*The main problems:*

- the low prestige of civil service in the eyes of the public;
- the uncertainty surrounding the future and career of civil servants, due to the high level of instability of the political situation and its impact on the condition of the government machine;
- the loss by civil servants of the vision of civil service as a special social institution, etc.
### Appendix 1.20

#### Principal measures for organizing the training of executive personnel of the RSFSR Council of Ministers and the Presidential Staff

<table>
<thead>
<tr>
<th>No.</th>
<th>Measure</th>
<th>Implemented by:</th>
<th>Time schedule:</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Organization of video taping of statements by top government officials</td>
<td>Roskadri</td>
<td>November 1991</td>
<td>Possible use in mass media</td>
</tr>
<tr>
<td>2</td>
<td>Preparation of educational and methodological materials supplementing video statements</td>
<td>Roskadri</td>
<td>November 1991</td>
<td>Ditto</td>
</tr>
<tr>
<td>3</td>
<td>Provision of video equipment (players, cassettes) for students</td>
<td>Business Administration</td>
<td>November 1991</td>
<td>Starting 1992, handed over Roskadri</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Directorate of the</td>
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<td></td>
<td></td>
<td>President</td>
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<tr>
<td>4</td>
<td>Forming a group of individual consultants</td>
<td>Roskadri</td>
<td>November 1991</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Study of video statements</td>
<td>Roskadri</td>
<td>December 1991</td>
<td>If necessary, meetings with the authors are organized</td>
</tr>
<tr>
<td>6</td>
<td>Holding of seminars under the aegis of the President and deputy chairmen of the RSFSR Council of Ministers</td>
<td>Roskadri</td>
<td>December 1991 – January 1992</td>
<td></td>
</tr>
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<td></td>
<td>Description</td>
<td>Institution</td>
<td>Date</td>
<td>Notes</td>
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<tr>
<td>7</td>
<td>Holding of seminars under the aegis of other senior executives</td>
<td>Roskadri</td>
<td>February-March 1992</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Holding of didactic interviews (stage 1)</td>
<td>Roskadri</td>
<td>March 1992</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Organization of video taping of lectures on the fundamentals of a market economy</td>
<td>RSFSR Foreign Ministry</td>
<td>February-March 1992</td>
<td>Possible use for other categories of students</td>
</tr>
<tr>
<td>10</td>
<td>Preparation of educational and methodological materials supplementing the video lectures</td>
<td>Roskadri</td>
<td>February-March 1992</td>
<td>Ditto</td>
</tr>
<tr>
<td>11</td>
<td>Study of the video lectures</td>
<td>Roskadri</td>
<td>April 1992</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Holding of didactic interviews (stage 2)</td>
<td>Roskadri</td>
<td>May 1992</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Elaboration of educational and methodological materials for the training program as a whole</td>
<td>Roskadri</td>
<td>1991-1992</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Independent study of the materials on the basis of individual programs</td>
<td>Russian Civil Service Academy</td>
<td>1992</td>
<td></td>
</tr>
</tbody>
</table>
Appendix 1.21

THE STRUCTURE OF THE ROSKADRI in 1993

1 structural analysis
2 analysis of civil service personnel
3 elaboration of regulatory and methodological recommendations
4 enforcement
5 consultants

6 foreign countries
7 public relations
8 project design
9 infrastructure analysis
10 personnel programs evaluation and appraisal
11 educational establishments
12 work with the federal authorities
13 publishing activities
14 government orders
List of regulatory acts and other documents


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1.5. On the Priority Measures to Establish the Civil Service System in the Russian Federation, Decree No. 848 of the RF President of 03 June 1993.

1.6. On Terminating the Activities of the Main Department for Civil Service Personnel Training, Order of the RF Government No. 626-r of 3 May 1994.


1.9. On the Russian Academy of Civil Service under the aegis of the President of the Russian Federation, Decree of the RF President No. 1140 of 6 June 1994.


1.15. On Organizing Efforts to Improve Roskadri Performance, Order of Roskadri No. 100 of 2 July 1993.

1.17. On Educational and Research Establishments of the CPSU CC, the CC of the Communist Party of the RSFSR, Territorial and Regional Committees of the CPSU, Directive of the RSFSR President No. 73-rp of 05 November 1991.


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