

Civil Service: Did Bailout Programs Lead Ireland and Portugal towards Hybrid Models?

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Abstract: *This paper begins identifying a conceptual dichotomy in the civil service concept: a Continental broad model and then narrower Anglo-Saxon model. The article evolves providing a discussion on public service reform, following the footsteps of New Public Management that paved the way for the emergence of hybrid models that display traits of a mix between the original models and external elements. Hereafter it turns to Portugal and Ireland, two bailed-out countries, both obliged by the reforms agreed with the Troika, questioning whether these reforms had an impact on the pre-existing Civil Service models, leading them to transform into hybrid models.*

Keywords: Civil Service models, Reform, Bailout Programs, Ireland, Portugal

1. Introduction

Contrary to what one might expect, given its roots in the Anglo-Saxon tradition, Irish Civil Service stands on a career system model. Long before the majority of countries (Portugal included) that share the same model, Ireland operated a profound reform of its Civil Service and became a unique case in the European scenario, because that reform was not implemented during a period of budget constraint (Department of Administration and Public Employment/DAPE, 2007).

The Portuguese Public Administration, traditionally built upon a bureaucratic structure and of centralist tendencies, entered the 21st century incapable to effectively respond to the needs of both citizens and corporations (Council of Ministers Resolution, CMR 95/2003). In most European countries, the first reform movements emerged in the end of the 70s of the 20th century. In Portugal, however, they didn't arise until 30 years later. The New Public Management (NPM) gained a remarkable status in Portugal (Madureira and Ferraz, 2010) and was expected to inject positive changes to the professional management models, but eventually it did not occur.

Despite the impressive economic growth of the 20th century, the international sovereign debt crisis struck Ireland and Portugal, forcing both governments to negotiate and enroll an international bailout program.

Under fiscal authority, governments have sought to reduce staff and functions, as Halligan (1995, 154) underlined in the mid-nineties of the 20th century.

The present study aims to investigate whether or not the Economic and Financial Assistance Program (EFAP) pushed Irish and Portuguese Civil Service models to become hybrid models. For that purpose, we conducted an analysis of both MoU's (Memoranda of Understanding) in the period between December 16th 2010 and December 31st 2012,

seeking for measures directly related to Civil Service. With this analysis we intend to offer a contribution to the studies already undertaken in the subject.

2. Civil Service: From the Traditional Dichotomy to Hybrid Models

Traditionally, the Public Administration Human Resources Management (HRM) models are classified as career-based or position-based. In the first, the public employees are usually hired at an early career stage and it is expected that they will remain in service throughout their entire professional lives (Nunes and Castro, 2010). In the second model, recruitment is of temporary character, focused on specific and skilled fields of work (Nunes and Castro, 2010, 196), to be performed internally or externally, without guarantees that the potential candidate will remain in the function or join the Civil Service system – see **Table 1** under.

Table 1: Civil Service and public employment models

Career-based System	Position-based System
Employment regulated by Public Law	Employment based on (Private) Labor Law
Lifetime jobs	No guarantee of lifetime employment
Recruitment at enrollment, promotions through internal vacancies (access)	Recruitment open to external candidates
Emphasis on formal qualifications	Consideration of the whole experience and qualifications
Statutorily protected pay and seniority relief	Remuneration protected by contract performance and market orientation without seniority requirements
Focus on loyalty, procedures and activities	Focus on results and performance
Special retirement schemes	Retirement system equal to the private sector

Source - OECD (2008)

2.1 Civil Service broad/restricted scope

In some countries, such as France, Ireland, Netherlands, Spain, Sweden or Portugal, Civil Service systems traditionally cover all workers whose employer is the Government (DAPE, 2007) have *abroad concept of Civil Service*. Marcello Caetano's (1999, 669-672) civil servant definition ("a public official is the administrative agent provided with a lifetime nomination or contract, voluntarily accepted and indefinitely renewable, to serve full-time in one place created by law on a permanent basis") clearly illustrates that the broad concept of Civil Service main features were fully present in the traditional Portuguese model.

Some countries, being the United Kingdom its paradigm, have restricted the scope of their Civil Service to the *core public administration*: those functions that only the State can pursue in a democratic society (Cardona, 2000, 4). The performance of other State functions – the *non-core* – is left for workers with a status more similar to the private sector workers – **Figure 1**.

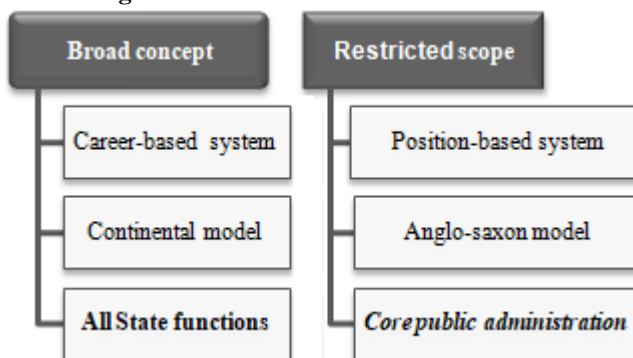


Figure 1: The concept of Civil Service, models of public employment and State functions

At the second half of the 20th century, Denmark and Italy were the only countries that significantly had redefined their Civil Service by reducing its scope (Cardona, 2000). Early in the 21st century, other European Union (EU) countries – Sweden, Netherlands, Spain, France and also Ireland – started to transfer the responsibility for those *non-core* State activities to the private sector (outsourcing) or to sub-national levels of government.

2.2 Civil service hybrid models: blurring the line

Hybrid public employment models are the result of interbreeding career and position models thus blurring the line that separates the Continental and the Anglo-Saxon model – **Figure 2** on page 4. As Dunleavy and Hood (1994, 13) predicted in the middle 90's, the future direction of public management reform would likely follow to a *zig-zag course*, as opposed to the claim of Osborne and Gaebler (1992) that there was an *inevitable and global* movement to a single NPM model. Dunleavy and Hood (1994, 15) also stated that reform in public management would evolve to a "variety about alternative models of public management" because "cloning and imprinting" would reveal to be "deeply inappropriate to particular cases". Therefore internal socio-economic national contexts within governments function play a role in shaping that reform, one of the most important

contextual features being "the size of the public deficit" (Peters, 1997, 77).

In some countries, this adjustment has evolved in parallel or consequently to a redefinition of the role of the State, firmly selling the idea that less State is a better State (Nunes and Castro, 2010, 194) and, therefore, Civil Service careers should be restrained to functions strategically critical to the State's sovereignty, keeping in mind that the total disappearance of the social specificity of the civil service could be dangerous (Rouban, 1995). However, a careful debate about what core competencies a national public service in these changing conditions should retain, that Dunleavy and Hood (1994, 15-16) pointed out in 1994 as a *disturbing* lack, is still missing today.

Specialty literature points to the need for a *career system-based* public employment to accomplish the State essential functions, despite the theoretical disagreement over the coverage, broadness and size it should take (Nunes and Castro, 2010, 200). Expert authors such as Peters (1987, 258), Ferraz (2009) or Aberbach and Rockman (1988, 1) argue that hybrid models are the ideal type, because they congregate forces of both the meritocratic and bureaucratic systems.

Public employment models actually started to adopt hybrid formats in such a force that Demke et al (2008) stated, at the beginning of 21st century, that there was no longer a model of public employment that could be described as a traditional Civil Services career model.

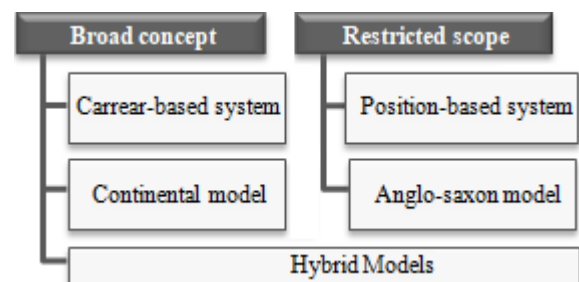


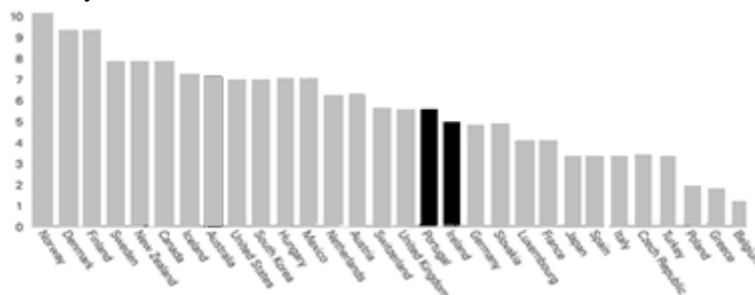
Figure 2: Hybrid models

3. The Public Administration reform and the State reform

Current literature in the theme acknowledges, in general, the need to State reforms (Dunleavy and Hood 1994, 15; Peters, 1997, 71; Castro and Nunes, 2009, 26; OECD, 2013; Schwartz et al, 2013, 18). However, as Wright (1994, 127, 128) warned, this is a highly complex task. The problem lies at the heart of a State's nature, since the public sector has always had to struggle with conflicting values: democracy, equity and efficiency (Wright, 1994, 128). The size and shape of a State are in fact matters of political choice. European voters traditionally chose broad models (Schwartz et al, 2013). Published works in the Economy field are providing a vast array of views on the desirable weight of the State (Schwartz et al, 2013, 6), placing it somewhere between Musgrave's broad and Tullock's narrow models. According to Schwartz et al (2013, 9), the true optimum equilibrium lies in between (which is the same to say *in hybrid models*).

The emergence of a modern Civil Service depends on a combination of factors: a) the separation between public and private spheres, b) the employment protection and c) the definition of Civil Servants' rights and obligations. The modern State is the one that sets apart the essential functions (that only the State can fulfill) from the ancillary functions (which may as well be pursued by individuals) and the useless functions (which should simply be abandoned). This assessment has to be done as opposed to assume the bias Pollitt (1993, 194) identified as a feature of the so called *new-right administrations*: that civil servants and other public-service workers are predominantly self-interested and necessarily less efficient than their private-sector counterparts. The ability to identify and address the need for

reform varies widely from country to country. However, in 1997, OECD disclosed differences in the design, implementation and priorities of Civil Service reforms performed in countries with position-based systems compared to those with a career system (Cardona, 2000). The latter tend to reform by curbing public spending whereas position-based system countries tend to perform results-oriented reforms (Cardona, 2000). Before the EFAP, Portugal and Ireland ranked, in a panel of 30 countries, in 17th and 18th positions, respectively, in an OECD (2009) ranking that measures the ability to identify and address the need to reform - **Graphic 1**.



Graphic 1: Ability to identify and address the need to reform
Source - OECD (2009)

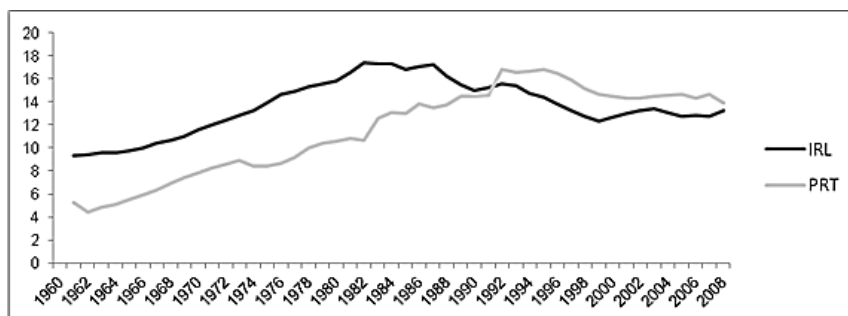
Several international organizations have issued recommendations on the reform of the State, e.g. the IMF (Schwartz et al, 2013) and the OECD (2013) - **Table 2**.

Table 2: Key Recommendations for State Reform

IMF	OECD
Reform the salaries from a meritocracy point of view	Strengthen the core of the Government
Reduce the number of civil servants	Develop monitoring of reforms
Increase working hours and limit overtime payment	Improve human resources management
Promote voluntary exoneration	Intensify the long-term vision of administrative reform
Ensure that the reduction in one public sector employment does not increase employment elsewhere in the public sector	Evaluate the developments inside and outside the government
Offer compensation for voluntary departures and then dismiss in order to attain a predetermined goal	Base reforms on an analysis of several reform options
Reduce overlap and	Evaluate introducing the program

IMF	OECD
fragmentation	budget
Slimmer certain areas in central government	Consider a system of goals, objectives and evaluation of policy priorities as simple as possible

The analysis of the ratio of public employment in total employment both in Portugal and Ireland, from 1960 to 1982, demonstrates that both countries strongly promoted the growth of their public sectors (**Graphic 2**) by increasing their State functions requirements. From then on however, Irish public employment markedly decreased. Portugal didn't follow that descendent trend until much later. The cause for that might be the one outlined by OECD (2013) in *Reforming the State to Promote Growth*: in Portugal, the Government has intervened in some economic sectors where public intervention is not justified. The goal to design a more efficient state (IMF, 2013, 75) did not materialize until the Portuguese MoU 6th review kicked-in.



Graphic 2: Public employment in total employment in Portugal and Ireland
Source - Castro and Nunes (2009) adapted

As in most western European countries, the pressure to define the Portuguese State *core functions* has been conducted with cut spending in view. The concept of *Reform* - for instance the one provided by Pollitt and Bouckaert (2011, 2) "Deliberate changes to the structure and processes of public sector organizations with the objective of getting them, in some sense, to run better - has in itself an element of *improvement* that a mere cut spending goal does not guarantee. The main goal has not been to identify a new role for the State (and, accordingly, to reset the Civil Service scope) but merely to reduce both its size and costs. However, as Dunleavy and Hood (1994, 16) concluded, what is at stake in these reforms are not just costs and short-term responses. Ultimately, the issues involved are constitutional and affect the foundations of political life and capacity.

3.1 Ireland: the Mighty Celtic Tiger

Ireland is a Parliamentary Democratic Republic. The *Uachtarán* (President) is the head of Government but does not play an executive or policy role. The *Oireachtas* (Parliament) is composed by *Uachtarán* and two chambers: the *Dáil Éireann* (Lower House) and the *Seanad Éireann* (Upper House). Under the Constitution, the executive power lays in the Government, led by the *Taoiseach* (Prime Minister), designated by the *Uachtarán* (President) after being elected by the *Dáil Éireann* (Lower House).

Ireland achieved independence in a relatively recent date (1922). The strong centralized British colonization left behind a public administration heavily led by the Central Government. According to National Strategic Reference Framework Observatory (NSRFO, 2004, 4), from the 90s of the 20th century on, Ireland implemented a major Civil Service reform under the influence of NPM (Rato et al, 2009). In 2006 Ireland had already the third lowest level of public employment per total population (Boyle, 2011, 17). The number of employees in Civil Service local authorities,

justice and public non-commercial entities (a set very close to the *core public administration*) remained relatively unchanged in the period between 2001 and 2011 and yet it started decreasing as of 2008 (Boyle, 2011, 14). In 2009, Ireland imposed a moratorium on recruitment and promotions in the Civil Service, to accentuate public employment decrease by 8% (25.000 civil servants) till 2015 (Government of Ireland, 2011, 12). The legal framework on the basis of that reform is broken down in - see **Table 3** on page 7.

Table 3: Irish Civil Service Reform legal framework

Year	Designation	Subject
1985	Serving the Country Better	White Paper on reform of the Civil Service that emphasized the need to improve results-oriented management.
1996	Strategic Management Initiative/Delivering Better Government Program	Implemented SCB conclusions
1997	Expenditure Review Initiative Public Service Management Act	The first substantial reorganization of central government since 1924
2006	Towards 2016 - Ten Year Framework Social Partnership Agreement 2006-2015	This Agreement planned a decrease in public employment despite the fact that economic situation as very favorable and expected to grow strong
2008	Transforming Public Services	Recommended a cultural change in order to detect poor performance

By 2008, Irish public workers were already divided into *Civil Service Staff* and *Public Service Staff* (OECD, 2008) - **Figure 3**. This fact shows that public employees were not treated indiscriminately, holding instead different statutes, as occurs in the *restricted scope* of the concept of Civil Service model.

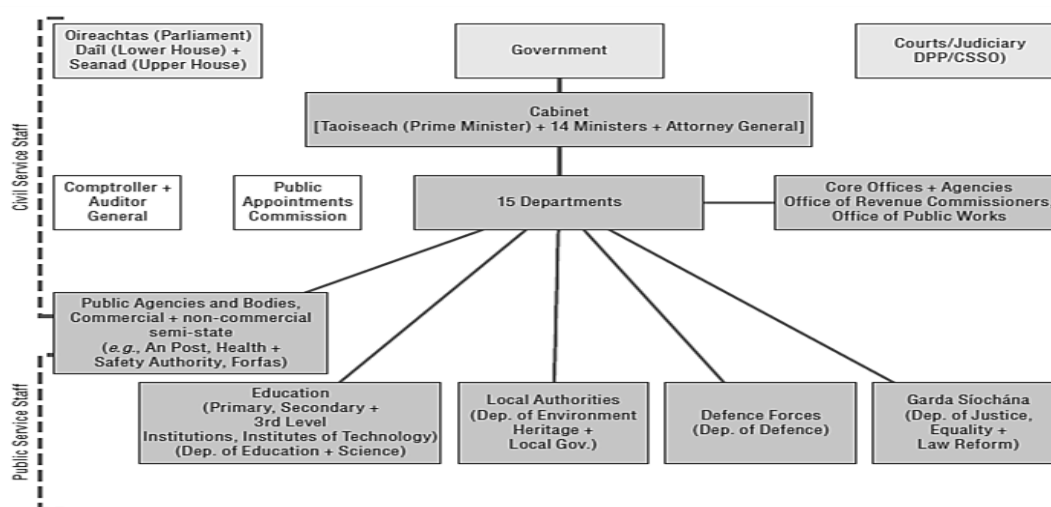


Figure 3: Irish Public Administration structure
Source: OCDE (2008, 65)

The success of the Irish State reform process has been widely recognized: e.g. OECD (2008, 3, 11) has emphasized

the great deal of public administration reforms implemented, its sustained continuity and capital value obtained when the

pre-determined goals were reached by Ireland in the mid-nineties, catapulting the country into a solid path of modernization. The Portuguese Government has also underlined the Irish reform process initiated in the nineties, because it has not been, unlike other countries, implemented in a period of budgetary restraint (DAPE, 2007, 11).

An Tíogar Ceilteach is an expression that describes Ireland's economy rapid growth, especially noticed during the period from 1985 to 2008. A dramatic downturn followed that expansion; notwithstanding, the Irish Government has demonstrated a keen perception on reform opportunities brought by the economic crisis. This can be a result of two factors pointed by Peters (1997, 78): (1) Anglo-American governments tend to be leaders in administrative reform and (2) Anglo-American state tradition is particularly receptive to market-based reforms, as opposed to Germanic, Scandinavian or Napoleonic (where Portugal stands). Recognizing that it is difficult to implement reforms in economic recession periods (Government of Ireland, 2011) deferring them was never an option, due to the natural decrease of reform appetite that follows. Clearly identifying the nuclear challenges of reform, Ireland sought to redefine the Civil Service scope before and even during the EFAP. Evidence of that is the question found in the Fit for Purpose Report: "*What is the appropriate size of an efficient and effective public service in Ireland?*" (Government of Ireland, 2011, 51).

3.2 Portugal: the heavy luggage traveler

Portugal is a democratic semi-presidential republic with a mitigated parliamentary penchant. There are four sovereign organs: the President of the Republic, Head of State elected by universal and direct suffrage, the Parliament which holds the legislative power, the Government with the executive powers and head of public administration and the Rule of Law.

The Portuguese Civil Service is an inherited form of the Napoleonic administration (Ferraz, 2009, 9): a narrow Civil Service exclusively designed to neutrally serve the community's general interest, mainly geared to safeguard and guarantee the treasury, security, external relations and justice components (Martins, 2009). In Portugal, the State functions are defined by the Constitution and have steadily expanding since the beginning of democracy in 1974, into domains such as health, education and social security (Martins, 2009) - **Table 4**

Table 4: Evolution of the State functions in Portuguese Constitution

Article	Version of the Constitution							
	1976	1982	1989	1992	1997	2001	2004	2005
9 th								
47 th								
81 st								
84 th								
167 th , m)								
168 th , u)								
267 th								
270 th								

Non existing	1 st inclusion	Amendment – increase	Amendment – increase	Amendment – increase
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A great number of Civil Servants were attached to an administrative machine that continuously inflated from 25.000 public workers in 1935 to 165.000 in 1969 (PCM 1987). The Portuguese Government has indeed, in recent years, implemented structural reforms. However, and because it plays a major role in the Country's reform strategy, the need to implement the State reform remains both essential and, to date, still pending (OECD, 2013, 6).

Council of Ministers Resolution (CMR) number 95/2003 is at the pool position of Portuguese Civil Service reform, more than 30 years later than most European countries. The Portuguese legislator declared that the financial aspects weren't the fundamental reason for the reform but, rather, the fact that Portugal applied a large amount of resources in Civil Service with few visible results. Merely two years later, when publishing CMR 109/2005, of June 30th, the legislator ended up confessing that the reform was in fact conditioned by an economic-financial motivation. CMR 109/2005 was the forerunner of the Law of Links, Careers and Pay (LLCP) which generalized the concept of *worker* and eliminated those of *administrative employee* and *administrative agent* that existed in the previous legal framework (the Decree-Law 427/89) – **Table 5**. The LLC preserved career public employment to functions related to the exercise of sovereign powers. Other workers were innovatively named *workers in public functions*. Nevertheless their employment relationship remained (wisely, according to Viana, 2007) labeled as *public*. Removing legal barriers to hiring, firing and promoting personnel in public sector is an important component on implementing NPM in government (Peters, 1997, 79). This legal framework undoubtedly stands somewhere in the evolutionary path from a career-based to a position-based system and stands close to the frontier to the restricted scope of the concept of Civil Service. However it missed – but clearly not by chance – the most differentiator element: the *flexibility* in the contract/nomination termination.

Table 5: The legal bond between public workers and the State

DL427/89	State functions	LLCP
Administrative Employees + Administrative Agents + Workers with contract (residual)	Military Force Foreign Representation Security Intelligence Criminal investigation Public Security Inspection Judicial Others	In July 15 th the 2013, Administrative Employees Workers with public functions

Portuguese Government presented the GCSL Draft (GCSLD), a project bill intending to bring together the essential arrangements applicable to workers performing public functions. With a clear reformist nature, this project bill presented itself as *the first step for State Reform* (GCSL2013,1). The key drivers of GSCL Dlink to Private Law and flattened the differences between the private and public regimens. The Labor Code became the subsidiary law for workers in public functions. Even if the GSCLD performed an overall system reconfiguration (e.g. consecrating the extinction of the financial compensation following a requalification process without returning to service as well as the termination for disciplinary reasons – this being in fact a distinctive approach to the position-based system-it has not yet dared to introduce *discretion* in the public employment terminating process. The Portuguese Constitution neither requires nor binds to a single human resources model. It is, for that matter, *aseptic* (Martins, 2009, 166) and admits therefore hybrid models of Civil Service. However the GSCLD still reserves a particular scheme, of publicist character, to management and recruitment of human resources, rights and responsibilities of workers, careers, disciplinary power and mechanisms for terminating a public job, which are distinctive features of the career-based system and the broad concept of Civil Service.

3.3 Brief assessment

Assuming that comparative studies highlight areas that can be improved, Boyle (2011, 48) proposed some parameters to establish a ranking of public administration: (1) size and cost, (2) quality, (3) efficiency and performance and (4) confidence in public administration. Knowing that in 2010, Ireland was closer to a position-based system than Portugal, as noticed by OECD (2012a) - **Figure 4** – we utilized Boyle's parameters to compare Irish and Portuguese Civil Service when their EFAP began.

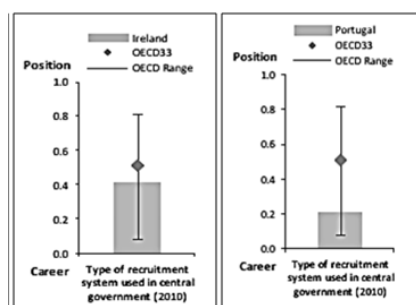


Figure 4: Public employment models in Portugal and Ireland

Source – OECD (2012a)

- (1) The size and cost of the public sector are lower in Ireland than in Portugal, although lately they are tending to equalize (**Graphic 2** on page 5);
- (2) In Portugal, 13, 95% of public employees rate public service quality above sufficient whereas 18,60% place it below that level (Gariso, 2007). The Irish public administration quality is above the European average (Boyle, 2011,25-29), a fact confirmed by World Bank data (Boyle, 2011,29). Portugal ranked 51st in Government efficiency, in 2013, according to the IMD world competitiveness year book were as Ireland ranked, that same year 17th;
- (3) The Irish Government management capacity is slightly below the EU15 average (Boyle, 2011, 30) but still stands above the one evidenced by the Portuguese Government. The learning ability of the Irish government is in the EU15 average and so is the Portuguese (Boyle, 2011, 33). Both countries reveal equal ability to learn from the experience of economic and financial bailout. In terms of accountability, however, the Irish Government reaches the EU average (Boyle, 2011, 34) whereas Portugal stands far behind;
- (4) Confidence in Irish Government has recovered from 10% in fall 2010 to 42% in spring 2011 (Boyle, 2011, 47). In Portugal, by June 2010, only 20% of the Portuguese trusted the national Government (European Commission, 2011). Curiously the confidence increased in November 2011, rising up to 24% after EFAP started. The involvement of international organizations in governance was not a cause for suspicion but rather a promoter of a vote of confidence landed by the Portuguese to their Government. In the following period (May 2012) though, confidence levels returned to baseline values.

4. The Memoranda of Understanding (MoU)

The global economic crisis of the present century's second decade, along with ingredients particular to each country, led to the failure of the economies sustainability, first in Ireland and shortly after in Portugal, making them claim for international support. To this end, both countries subscribed an EFAP: individual agreements between the national governments (in Ireland, also endorsed by opposition parties) and an international entity—the *Troika*—comprising the International Monetary Fund (IMF), the European Central Bank (ECB) and the European Commission (EC) was attained and laid down in individual Memoranda of Understanding (MoU). Each MoU consists of (1) two Letters of Intent endorsed to the IMF and the EC; (2) a

Technical MoU, (3) an Economic and Financial Policies Memorandum and (4) a Government Economic Policy Conditionality Memorandum. Together, they establish, for each area, the agreed measures. Each quarter took place a review of compliance, thus a quarterly revision of all documents: a new MoU.

The tremendous amount of documents in both EFAP imposed this study a time frame mark out. The study of both initial MoUs was essential and therefore the beginning of the sampling was naturally settled on December 16th 2010. That year it was the only doc set to consider. Then we covered up two extra full years: 2011 and 2012. We thus analyzed 17 groups of 5 official documents: for Ireland, the Original Memorandum and all quarterly revisions up to the 8th; for Portugal, the Original Memorandum and all the quarterly revisions up to the 6th. After identifying and organizing all the gathered official documents (for each country) we isolated the elements and measures referring to Civil Services being contemplated by each country individually as laid down on **Tables 7 and 8** on pages 13 to 21.

The unattended analysis of the number of measures does not offer, by itself, solid conclusions. However, it can be useful as an additional element to confirm a perception gathered throughout the study: that the intervention was softer in Ireland than in Portugal. Fifty-nine Civil Service related measures were identified in the Irish EAPF, an average 6,5 measures per Memorandum. In the Portuguese EAPF, 130 measures, an average of 18,5 measures per Memorandum – **Table 6**. This operation also reveals that a relatively homogeneous number of measures were applied to Ireland over the study period (from 4 in the 6th revision up to 11 in the 7th) whereas in Portugal there was substantial heterogeneity: from 10 measures in the 6th revision, up to 31 in the original Memorandum.

Table 6: Number of Civil Service measures in Irish and Portuguese EFAP

Ireland		Portugal	
Version	Number	Version	Number
Original Memorandum (EC, 2010)	7	Original Memorandum (EC, 2011)	31
1 st e 2 nd Revisions (IMF, 2011)	9	1 st Revision (IMF, 2011d)	13
3 rd Revision (IMF, 2011a)	7	2 nd Revision (IMF, 2011e)	26
4 th Revision (IMF, 2011b)	6	3 rd Revision (IMF, 2012e)	14
5 th Revision (IMF, 2011c)	7	4 th Revision (IMF, 2012f)	23
6 th Revision	4	5 th Revision	13

Table 7: Irish EFAP Civil Service related measures

Original Memorandum – December 16 th /2010 (European Commission, 2010)	
Measure	Reference page
Reduce current expenditure in 2011 of at least €2,090m	23
Reduce public service employment numbers in 2011	23
Increase the age to qualify for the State Pension to 66 years in 2014, 67 in 2021 and 68 in 2028	29
Reform pension entitlements for new entrants to the public service with effect from 2011	30
Base pensions on career average earnings	30
Reduce new public service entrants pay by 10%	30
Link new entrants' retirement age to the state pension retirement age	30
1 st and 2 nd Reviews - May 1 st /2011 (IMF, 2011)	

(IMF, 2012b)		(IMF, 2012g)	
7 th Revision (IMF, 2012c)	11	6 th Revision (IMF, 2013)	10
8 th Revision (IMF, 2012d)	8		
Total	59	Total	130

The number of individually applied measures confirmed that the Irish public sector needed fewer adjustments. On the other hand, the fewer measures applied to Ireland were naturally less likely to generate transformations than the deeper set of measures applied to Portugal.

4.1 The Irish Memoranda

The Irish EFAP was not directly focused on public employment (IMF, 2010). The reduction of public employment exceeded however the goals: the goal for the end of 2012 (reaching 294.000 civil servants) was already being struck by the 6th revision (IMF, 2012c, 58). As stated in the Second Report of the Croke Park Agreement, the target reduction plan for 2012 had been passed, placing the number of public employees 9% lower than in 2008 (IMF, 2012c, 71).

4.2 The Portuguese Memoranda

In Portugal, the goal of reducing the number of civil servants was also overcome. A decrease of 3, 50% was achieved during the study period, higher than the 2% originally planned (IMF, 2012a, 75). The reduction of the public sectors cope can be undertaken in several ways, one of those being the adoption of privatization policies (Wright 1994, 110). The Portuguese EFAP provides extensive privatization measures, with short implementation timeframes and deadlines, for as early as the original Memorandum: Airports of Portugal, TAP, CP Cargo, GALP, EDP and REN (European Commission, 2011, 14-28). As early as the 2nd revision, the final phase of privatization of EDP and REN, and by mid 2012, the sale of CP Cargo, the beginning of the privatization process of ANA and TAP. Till the end of 2012, the privatization of the CTT and, until early 2013, the partial sell of RTP and *Águas de Portugal* and the dismantling of *Parública* (IMF, 2011e, 54). The EFAP 4th review (of EFAP) reaffirmed the purpose of such privatizations and prompted the Government to collaborate with Regional and Local Governments in identifying the scope for further privatizations (IMF, 2011e, 88). Although the 6th revision does not include specific privatization measures, it recalls the need to continue with the privatization program (IMF, 2013, 75).

Reduce expenditure in 2012 of EUR 2,100m	75
Reduce long-term pension liabilities	55
Increase retirement age for social welfare pensions from 65 to 68, over 2014-2028	55
New single pension scheme for all new entrants to the public service	56
Review accelerated retirement for certain categories of public servants	74
Index pensions to consumer prices	74
Base pensions on career average earnings	74
Reduce new public service entrants pay by 10%	74
Link new entrants' retirement age to the Social Welfare pension retirement age	74
3rd Review – August 8th/2011 (IMF, 2011a)	
Sizably increase the social welfare pension age from 65 to 68 years in three steps over 2014 to 2028	20
Identify significant scope for sharpening public service delivery	50
Implement significant pension reforms to help secure Ireland's long-term public finances in the face of increases in ageing-related costs	51
Approve a package of public service pension reforms for new entrants, to be approved by end September-2011	51
Ensure that no further exemptions to the competition law framework will be granted unless they are entirely consistent with the goals of the EU/IMF Program	64
Link new entrants' retirement age to the Social Welfare pension retirement age	67
Review of accelerated retirement for certain categories of public servants	67
4th Review – February 10th/2012 (IMF, 2011b)	
Reduce the total pay and pensions bill	15
Aggregate public procurement nationally and sectorally to protect public service delivery with a leaner workforce	30
Expand e-Government	30
Increase the use of shared services	30
Rationalize the number of government bodies	30
Roll out a unified Public Service Card to citizens for accessing government services	30
5th Review – February 13th/2012 (IMF, 2011c)	
Further reduce by 4 % public service numbers over 2013–15	19
Reduce public service employment numbers to 282,500 by 2015	51
Aggregate public procurement nationally and sectorally to protect public service delivery with a leaner workforce	51
Expand e-Government	51
Increase the use of shared services	51
Rationalize the number of government bodies	51
Roll out a unified Public Service Card for accessing government services	51
6th Review – May 30th/2012 (IMF, 2012b)	
Reduce salaries by an additional 10% for new entrants and unify public service pension scheme	26
Create a 4 % average levy for public service pensioners	26
Save in overtime, sick pay, and other non-core-pay entitlements	58
Exercise rigorous centralized control on recruitment and redeployment	58
7th Review – August 20th/2012 (IMF, 2012c)	
Reform key public services to underpin savings in the medium term	25
Deeply reform health and higher education, identifying service priorities and delivering them more efficiently	25
Introduce new working models in health, to minimize premium and overtime payments	25
Create a new funding model for higher education to deliver broad access to high quality education without additional public investment	25
Save in State pensions while further reductions in public sector wages cannot be excluded	29
Deeply reform core government services, especially health and education	29
Continue reductions in public service employment and progress in reducing the pay bill	58
Adopt a more flexible approach to recruitment to ensure that personnel reductions do not adversely impact frontline services	58
Continue to make the public service leaner and more effective	71
Lock in some of the additional reductions in personnel numbers without compromising critical service delivery	71
Improve recruitment flexibility in situations where retirements have created particular skills shortages	71
8th Review – November 30th/2012 (IMF, 2012d)	
Decline employment by 0,8% in 2012	6
Reduce public pay to secure significant additional wage and pension bill savings in the period to 2015 and plan to cut personnel numbers by another 3½% over the next two years	16
Implement structural reforms to generate savings while protecting public services taking into account the high level of public sector wages relative to private sector and international comparators	27
Reduce public sector pay bill through allowances and working hours	28
Continue to press forward with major public service reforms, which will further support budgetary sustainability into the medium term	61
Roll out projects in the area of shared services, public procurement and identify and evaluate opportunities for external service delivery	61
Agree with public sector unions on steps that will ensure additional pay bill savings of at least €0.4 billion in 2013 and €1 billion through 2015	101

Table 8 – Portuguese EFAP Civil Service related measures**Original Memorandum – May 17th/2011 (European Commission, 2011)**

Measure	Reference page
Reduce the Government deficit to below EUR 10,068 million (equivalent to 5.9% of GDP based on current projections) in 2011, EUR 7,645 million (4.5% of GDP) in 2012 and EUR 5,224 million (3.0% of GDP) in 2013 by means of high-quality permanent measures	2
Improve the working of the central administration by eliminating redundancies, increasing efficiency, reducing and eliminating services that do not represent a cost-effective use of public money	3
Reduce the number of services while maintaining quality of provision	3
Reorganize local governments and the provision of central administration services at local level	3
Promote mobility of staff in central, regional and local administrations	3
Reduce costs in the area of education, lowering staff needs	3
Ensure that the aggregate public sector wage bill as a share of GDP decreases in 2012 and 2013	3
Limit staff admissions in public administration to achieve annual decreases in 2012-2014 of 1% per year in the staff of central administration and 2% in local and regional administration	3
Freeze wages in the government sector in nominal terms in 2012 and 2013 and constrain promotions	3
Decrease wage bill of 1% per year in headcounts of central administration and 2% in local and regional administrations	5
Publish information on number of general government staff on a quarterly basis	11
Accelerate privatization program (transport, energy, communications and insurance) and identify, by the time of the second review, two additional large enterprises for privatization by end-2012	14
Reduce management positions and administrative units by at least 15% in the central administration	15
Implement a second phase of the public administration restructuring program (PRACE 2007)	15
Each municipality will have to present its plan to attain the target of reducing their management positions and administrative units by 15% by the end of 2012	15
Each region will present its plan to attain the same target	15
Prepare a detailed cost/benefit analysis of all public and quasi-public entities	15
Develop a consolidation plan to reorganize and significantly reduce the number of municipalities and parishes	16
Carry out a study to identify potential duplication of activities and other inefficiencies between central, local and locally-based central administration services. Based on this analysis, reform the existing framework to eliminate the identified inefficiencies.	16
Reduce the number of local branches of line ministries	16
Plan to promote flexibility, adaptability and mobility of human resources across the administration	16
Limit staff admissions in public administration to achieve annual decreases in 2012-2014 of 1% per year in the staff of central administration and 2% in local and regional administrations	16
Implement this measure at local administration level and promote the initiatives needed so that each region will present its plan to achieve the same target	16
Reduce the number of management staff by concentrating and rationalizing state hospitals and health centers	19
Introduce rules to increase mobility of healthcare staff	19
Adopt flexible time arrangements to reduce by 10% spending on overtime compensation in 2012 and another 10% in 2013	20
Privatize the freight branch of the state-owned rail operator and some suburban lines	28
Revise the legal framework governing port work to make it more flexible, bringing the legal framework closer to the provisions of the Labor code	28
Develop a personnel management plan that permits judicial specialization and mobility of court officials	32
1st Review – September 1st/2011 (IMF, 2011d)	
Continue streamlining Public Administration	40
Reduce by at least 15 % management positions and administrative units	40
Improve the working of the central administration by eliminating redundancies, increasing efficiency, reducing and eliminating services that do not represent a cost-effective use of public money	61
Reduce the number of services while maintaining quality of provision	61
Reorganize local governments and the provision of central administration services at local level	61
Regularly assess the value for money of the various public services	62
Promote mobility of staff in central, regional and local administrations	62
Limit staff admissions in public administration to achieve annual decreases in 2012- 2014 of 1% per year in the staff of central administration and 2% in local and regional administration	62
Freeze wages in the government sector in nominal terms in 2012 and 2013 and constrain promotions	62
Implement a second phase of the PREMACE	77
Each municipality will have to present its plan to attain the target of reducing their management positions and administrative units by 15% by the end of 2012	77
Reduce management positions and administrative units by 15% in the central administration	77
Each region will present its plan to attain the same target	77
2nd Review – December 9th/2011 (IMF, 2011e)	
Plan to streamline the public administration	53
Fully implement at the central level the measures set out in the July PREMACE targeting a reduction of 40 % in administrative structures and of 27% in management positions	53
At the local level, approve the “Green Paper for Local Administration Reform”	54
Final stages of the privatization of EDP and REN	54
Launch the privatization process: ANA, TAP, CTT, RTP (partially) and Águas de Portugal	54

Ensure that the public sector wage bill decreases in 2012 by at least EUR 3,000 million	75
Reduce wages for all general government sector employees in 2012	75
Reduce the number of government employees: limiting staff admissions to achieve annual decreases of 2% in 2012-2014	75
Make room to reverse the slippage in personnel costs recorded in 2011	75
Suspend all promotions in 2012	75
Reduce costs in the area of education, with the aim of saving EUR 380 million by rationalizing the school network	76
Improve the working of the central administration by increasing efficiency, reducing and eliminating services that do not represent a cost-effective use of public money saving at least EUR 130 million	77
Reduce the number of services while maintaining quality of provision	77
Implement the measures set out in the July PREMAC	93
Reduce management positions and administrative units in the central administration according to the PREMAC report of 15 September 2011 by 27% and 40%	94
Implement a second phase of the PREMAC	94
Prepare a cost/benefit analysis of public and quasi-public entities. Based on the results decide to close or to maintain them	94
Regulate by law the creation and the functioning of foundations, associations, and similar bodies by the central and local administration	94
Reorganize local government administration. There are currently 308 municipalities and 4,259 parishes. By July 2012, develop a plan to reorganize and significantly reduce the number of such entities	94
Carry out a study to identify potential duplication of activities between administration services. Based on this analysis, eliminate the identified inefficiencies	95
Fully implement shared services in the financial (GeRFIP) and human resources (GeRHup)	95
Reduce the number of local branches of line ministries	95
Promote flexibility, adaptability and mobility of human resources across the administration	95
Limit staff admissions in public administration to achieve annual decreases in 2012- 2014 of 2% per year in the staff of central administration and 2% in local and regional administrations	95
Implement this measure at local administration level	95
Prepare a comprehensive review of wage scales in the public sector to identify unwarranted differences in remuneration between the public and the private sector for similar types of qualifications	95
3rd Review – March 15th/2012 (IMF, 2012e)	
Deepen public administration reform	10
Adopt steps towards rationalizing the public administration and its perimeter	101
Go beyond the measures set out in the July PREMAC at the central level	101
At the local level elaborate a “Green Paper for Local Administration Reform”	101
Reduce management positions and administrative units in the central administration according to the PREMAC report of 15 September 2011 by 27% and 40%	101
Implement a second phase of the PREMAC that implies the definition of the internal organization and the roster of each entity	101
Each municipality will present its plan to reduce their management positions and administrative units by at least 15 % by the end of 2012	101
Each region will presents its plan to attain the same target	101
Prepare a detailed cost/benefit analysis of all public and quasi-public entities	101
Using the results of the compulsory census the administration responsible for each foundation will decide whether to maintain, reduce or extinguish them	101
Reorganize local government administration	102
Promote flexibility, adaptability and mobility of human resources across the administration.	103
Limit staff admissions in public administration to achieve annual decreases in 2012-2014 of 2 % per year in the staff of central administration and 2 % in local and regional administrations	103
Prepare a review of wage scales in the public sector to identify unwarranted differences in remuneration between the public and the private sector for similar types of qualifications	103
4th Review – June 27th/2012 (IMF, 2012f)	
Introduce flexible work time arrangements through a new public sector labor law, reduce costs with overtime pay, and bring the public sector labor rules more in line with the labor code changes in the private sector	48
Enhance geographical mobility in order to allow for a more efficient allocation of human resources within the public administration	48
Reduce wasteful spending in the public sector	57
Launch a new public employment information system and enhanced transparency by publishing comprehensive public labor statistics	57
Prepare comprehensive public pay scales assessments	57
Complete the final report on PREMAC by end-September	57
Decrease public sector wage bill in 2012 by at least EUR 3,000 million	77
Reduce the number of government employees by limiting staff admissions in order to achieve annual decreases of 2 % in 2012-2014 in the permanent staff of central, regional and local government	77
Decrease the number of temporary positions	77
Suspend all promotions in 2012	77
Improve the working of the central administration by increasing efficiency, reducing services that do not represent a cost-effective use of public money, saving EUR 130 million annually	78
Reduce the number of services while maintaining quality of provision	78
Promote mobility of staff in central, regional and local administrations	78

Implement a privatization program under the new framework law for privatization	88
Work together with the municipalities and regional governments in order to identify the scope for further privatization	88
Conclude the PREMAG by the completion of procedures for the preparation, approval and publication of all legal acts, comprising the internal organization, including the reallocation of human resources	89
Each municipality will present its plan to reduce their management positions by 15 % by the end of 2012	90
Reorganize local government administration	90
Reinforce the mobility schemes and theregulation on mutual agreement on contract termination, as an instrument to manage human resources across administrations	91
Limit staff admissions to achieve annual decreases in 2012- 2014 of 2 % per year in the staff of central administration	91
Implement this measure at local administration level	91
Comprehensively review wage scales to identify unwarranted differences in remuneration between the public and the private sector for similar types of qualifications	91
5th Review – October 14th/2012 (IMF, 2012g)	
Create a new legal regime for local SOEs	64
Streamline management positions at the local level	64
Reduce the number of parishes	64
Decrease of 2 % permanent staff of central, regional and local governments and decrease the number of temporary positions and overtime pay	83
Reduce operational cost of public administration, education and school network and operational cost of state-owned enterprises	83
Conclude the PREMAG	92
Based on a cost/benefit analysis, decide whether to maintain, reduce or extinguish foundations	92
Identify potential duplication of activities and other inefficiencies between central, local and locally-based central administration and	92
reform the existing framework to eliminate the identified inefficiencies	
Promote flexibility, adaptability and mobility of human resources in all sectors of Public Administration	93
Limit staff admissions to achieve annual decreases in 2012– 2014 of 2 % in the staff of central administration and 2 % in local and regional administrations	93
Reduce fixed-term contracts	93
Review wage scales in the general government to identify unwarranted differences in remuneration between public and private sector for similar types of qualifications	93
6th Review – December 19th/2012 (IMF, 2013)	
Shape a more efficient State	75
Successfully conclude the PREMAG program	75
Continue streamlining excess employment	75
Improve training and qualification of public employees and reinforce human resources management policies	75
Continue with the privatization program	75
Decrease the number of government employees by limiting staff admissions in order to achieve annual decreases of 2 % in 2013-2014 in the permanent staff	93
Reduce fixed-term contracts by 50%	93
Review wage scales to identify unwarranted differences in remuneration between the public and the private sector for similar types of qualifications	104
Comprehensively study SOEs in Q2-2013.	104
Review the Special Mobility scheme more oriented to support Public Administration Reform	104

The reforms initiated in 2003, although based in concepts proven to lead to modern models of public employment, have been conditioned by economic and financial constraints. Therefore the Government went out for solutions more or less urgent. In some cases they ended up being consistent with what was theoretically desirable. Portugal did wrong, as stated by the outgoing 19th Constitutional Government Minister of Finance, in his letter of resignation: *"The error I speak of is that I thought it would be possible to prioritize fiscal consolidation and financial stabilization without undertaking a profound structural transformation of public administrations. Currently, it is clear that from day one it would have been more appropriate to concert efforts in the transformation of public administrations"* (Gaspar, 2013).

The minister's academic skills and the warnings provided by many authors (Dunleavy and Hood, 1994; Canotilho, 2000; apud Gomes, 2001; Nunes & Castro, 2009, 26; OECD, 2013, 53; Schwartz et al., 2013, 18), make this error very difficult to understand. It becomes however clearer when connected with the State Councilor Marcelo Rebelo

deSousa's revelation: that the Troika had noticed a lack of political will to consummate some of the measures, most notably to perform the State reform (Diário de Notícias/Daily News, 2013).

5. Conclusions

Hybrid models of Civil Service emerge as a result of the merger of traditional models, causing a dilution of the traditional dichotomy between continental and Anglo-Saxon models. They do not necessarily dictate the end of the traditional career system that remains however reserved for the sovereign functions, covering a far smaller perimeter. The unexpected similarities between Portugal and Ireland were this study motivator: after a period of economic growth, both plunged into a recession that imposed them an economic bailout. The international sovereign debt crisis affected Ireland over the banking sector and not so much in Public Administration. The Irish EFAP was not therefore focused directly on public employment. Ireland redefined Civil Service scope and undertook the State reform before

and during the crisis period. At the very beginning of the EFAP, OECD identified discretion in Irish Civil Service redundancies, a determinant feature of a restricted scoped Civil Service. For those reasons, it is possible to conclude that Ireland's Civil Service was already turning into a hybrid model before the bailout program, which hasn't done more than accelerate that ongoing process. Portuguese Governments have intervened in sectors of the economy where public intervention is not justified and therefore ended up facing an impossible task: to respond efficiently and effectively with obsolete instruments and cumbersome capabilities. Portuguese reform was delayed and conditioned by economic and financial reasons, which hopelessly compromised its success. There is a lack of political will to implement the reform of the State. Although the GSCL promotes an approach to private law, the termination of public employment relationship continues to be regarded as a matter requiring different treatment. Portugal maintains a system closer to abroad model of Civil Service because of its lack of political will to do otherwise. The country's government struggles to approach more modern models because of its huge historical and political luggage. However, the way forward will be undertaken in a low cost travel that will require the luggage to be reduced to a minimum. The ability of both countries to transform themselves in light weight travelers will determine these two countries State reforms success rates. Ireland, unlike Portugal, has already completed the check-in procedures.

6. Funding

This work is funded by National Funds, through the Foundation for Science and Technology, within the framework of the project UID/GES/ 04752/2016.

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