
8 A splendid ruined reform: the creation and destruction of a civil service in Argentina

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Merely urging people in government to try harder and use more statecraft is unlikely to help.
Hugh Hecló, *A Government of Strangers*

8.1 INTRODUCTION

The fragmentary professionalization of public bureaucracies in Latin America and the modest success of civil service reforms in the last 20 years have been considered in a number of studies (see, for example, Evans 1979; Ames 1982; Geddes 1994; Weyland 1996; Maxfield 1997; Huber and McCarty 2001; Philip 2003; Eaton 2003).

The present chapter studies Argentina's federal bureaucracy, ten years after the civil service reform of 1991–2, which created a civil service career for the whole public sector. The reform had a Weberian character, that is to say, it was based on meritocratic recruitment, internal promotion, job tenure, and improved salaries for civil servants entering the system. About 30 000 positions in the federal administration were transferred to the new civil service career, and future appointments for these positions were opened to public competition. The nucleus of 30 000 civil service positions was to form the basis for the expansion of the system. Nevertheless, this number of civil service positions was significant from the beginning, considering that the country's federal administration comprises about 120 000 employees. The new civil service system was given the name SINAPA (Sistema Nacional de la Profesión Administrativa).

The study of Argentina's federal bureaucracy presented here is based on informant interviews conducted in Buenos Aires in 2003–4, official statistics, official surveys, and secondary literature. The study focuses on bureaucratic professionalism and operative capacity, and it pays special attention to the relationship between the new professional civil servants and the political managers of the state, that is, the high-ranking political appointees. The discussion of this relationship relies on informant interviews with

career civil servants, although political appointees were interviewed as well. In all, key informants included 16 career civil servants, seven political appointees, and four local experts on public administration.¹

Section 8.2 introduces the precarious character of a professional civil service in presidential democracies, a theoretical standpoint that will be discussed again in the conclusions. Presidential democracies are characterized by a vast presidential appointment capacity, which represents a serious barrier to bureaucratic professionalism, and has several negative consequences on government effectiveness. Three of the most negative and powerful of such consequences will also be discussed. Section 8.3 describes the structure of top management levels in Argentina's federal bureaucracy, in order to assess the influence that professional civil servants are able to exert on public policy decisions, comparing this structure with the case of the US. Section 8.4 presents a retrospective view of the federal bureaucracy since Argentina's democratization in 1983, tracing the origins of the distrust shown by political appointees toward career civil servants, and describing the politicians' corporate reaction to the creation of a professional bureaucracy after the reform of 1991–2. Section 8.5 presents a comprehensive empirical estimate of the degree of professionalism in present-day Argentina's federal bureaucracy, that is to say, the ratio or relative number of professional civil servants compared to political appointees and other, non-professional types of public employees. Again, there is a comparative perspective on the US federal administration, regarding the growth of bureaucratic professionalism after the Pendleton Act of 1883. Finally, the chapter's conclusions discuss the rationality of politicians' motivations for opposing the creation of professional bureaucracies, or for refusing to work with career civil servants after such bureaucracies are created, as will be shown to be the case in Argentina.

8.2 PRECARIOUSNESS AND ITS EFFECTS

A common trait of presidential systems in Latin America and the US consists in the fact that every newly inaugurated administration is expected to appoint a large group of top political executives. Such political appointees enable the President – at least theoretically – to lead the state bureaucracy. According to an estimate by Peters (2004, p. 128), at the moment of assuming office in 2000, President Bush and his cabinet officers were able to appoint approximately 4500 people to positions in government, that is, 0.25 per cent of the total number of 1 800 000 federal civilian employees at the time (CBO 2001, p. 1).

Effective leadership over the public bureaucracy constitutes a desirable

and legitimate goal for the presidential institution, although the methods employed to reach these goals are often controversial. The practice of appointing loyal followers for higher public office, rather than basing such appointments on merit, constitutes one of the most criticized features of the presidential appointment capacity. Precisely for this reason, the compatibility of the presidential system with a professional and permanent civil service cannot be taken for granted. Hecló (1977, p. 29) famously pointed out that the civil service remains in the US 'a precarious idea'. In contrast, in Western European parliamentary democracies it is considered entirely appropriate for the bureaucracy to protect long-term public interests by not being fully responsive to short-term concerns of the government of the day (Manning et al. 2000). In Western European democracies, attempts by the government to take control of state institutions tend to be seen as an illegitimate encroachment. The separation of government and state is an accepted political principle, and its blatant violation has a high political cost.

Latin American states adopted from the US the idea of combining in a single person the character of head of government and head of state; there is no principle of strict separation between both public organizations in presidential democracies. In contrast to the US, however, in Latin America the idea of a professional civil service could never properly begin to counteract the presidential claim to exert a far-reaching control over the administration. Hence the appointment of party members and personal confidants in much greater – relative and absolute – numbers than in the US, a practice which extends even to the lowest positions in the bureaucratic hierarchy, as an appointee designates his or her own confidants and party loyalists. According to a recent estimate, the number of political appointees amounts in Brazil, for example, to about 18 000 officials or 5.5 per cent of the 328 000 total federal civilian employees (Marconi 2002, p. 15; Pacheco 2004, p. 7). In the case of Mexico, estimates vary from about 15 000 to 50 000 political appointees, that is to say, from 6.8 per cent to 22.7 per cent of the 220 000 federal civilian workforce (Benton 2002, pp. 21–2; Philip 2003, p. 44).² We could also mention the case of Chile, where the number of political appointees was recently estimated at between 2900 and 4200 officials, which equals between 4.8 per cent and 7 per cent of a federal workforce totalling about 60 000 employees (Valdés 2003).

The sudden introduction of a professional civil service, in the context of any Latin American public administration system, inevitably means a major commotion. The focus of the Argentinean reformers – mirroring here the usual focus of the literature – was, however, on the political conditions necessary to achieve reform. If and how the new professional civil servants were to be able to work with the political managers (in other

words, the conditions for a working relationship between the new professional bureaucracy and the political elite) did not represent a significant issue. As we will see, this oversight was to have very serious – even fatal – consequences.

It is well known, in any case, that the ample appointment capacity of presidents in the US and Latin American countries has several negative effects on the public bureaucracy, and on government effectiveness in general. The creation of a civil service career is intended to counteract or to eliminate some of the worst of these effects. We will briefly describe three effects of the presidential appointment capacity, which are amongst the most negative and powerful. This description will form the basis for our evaluation, in the following sections, of the success or failure of Argentina's civil service reform in reducing and counteracting the impact of excessive political appointments.

The first negative effect of the presidential appointment capacity can be called the 'brownie effect', and it is perhaps the best known of such phenomena. It consists in the appointment of a party loyalist or personal confidant of the president, or personal confidant of a member of the cabinet, to a position of some responsibility in public management. It sometimes happens that the party loyalist or personal confidant thus appointed has no record, experience or proven capacity for the job. Moreover, in some cases the person thus appointed takes wrong decisions and manages very badly – as can hardly be expected to happen otherwise. In such circumstances, we can speak of the brownie effect, which sometimes leads to catastrophic mismanagement and disastrously wrong policy decisions – as in the episode giving its name to the phenomenon (Krugman 2005). A career civil service should reduce or eliminate the brownie effect by making the appointment to positions of responsibility in public management rest on proven merit.

A second negative effect of the presidential appointment capacity can be called the 'bubble effect'. This results from the fact that some presidents and ministers are perfectly able, through the vast appointment capacity associated with their office, to surround himself or herself with loyal followers, who are the only ones providing advice in all kind of matters. In such cases, the principal, president or minister, completely lacks independent advice. The idea of independent advice is often understood to indicate advice provided by private consultants. This is a serious mistake. Private consultants are normally as dependent on the authority providing their contract as any political appointee. From a structural point of view, all such advice is not independent: there is an objective conflict of interest, for the adviser, in having opinions that go too strongly against the principal's wishes. Surrounded by such advisers, the principal can find himself

or herself in a bubble, perceiving the situation only according to previous expectations and plans. A career civil service reduces or eliminates the bubble effect by providing the principal with advisers whose position in office does not depend on the principal's will. From a structural point of view, only career civil servants are able to provide independent advice. Therefore, the creation of a career civil service should reduce or eliminate the bubble effect.³

The third negative effect of the presidential appointment capacity is closely related to the 'thickening' of government, a concept coined by Light (1995, 2001). The profusion of political appointees leads to the creation of numerous layers, that is, hierarchy levels in the top echelons of the bureaucracy. We find in the US, for example, positions such as deputy to the deputy secretary, principal assistant deputy under-secretary, principal deputy to the deputy assistant secretary, and chief of staff to the assistant assistant secretary (Light 2001). As a consequence, the distance or gap between top management and front line employees keeps getting wider. In many Latin American countries, the huge numbers of political appointees make it very difficult for a minister to have any kind of contact with middle level managers, let alone front line employees. The group of higher officials that take decisions on public policy, that is, the ministers and under-secretaries, are in no position to receive proper feedback from the officials trusted with implementation. In extreme cases, as we will see in Argentina's federal bureaucracy, communications are fragmentary, or never even established, and we can speak of a broken communications effect.

8.3 INFLUENCE AT THE TOP

The political management of Argentina's federal administration includes the president, vice-president, head of cabinet, ten ministers, 44 secretaries of state and 66 under-secretaries of state (Infoleg 2002; Mecon 2002a).⁴ These 123 officials are termed 'superior authorities' (*autoridades superiores*) of the federal administration and they are appointed, except, of course, for the elected president and vice-president. The appointment of the head of cabinet requires congressional consent.

A second, lower level of political management corresponds to the 'supernumerary officials' (*funcionarios fuera de nivel*). The supernumerary officials are political appointees as well. As the name suggests, the job description for these positions is left open. They sometimes assume management positions under the under-secretaries of state, as heads of semi-autonomous agencies, or they can serve as executive assistants to ministers. They numbered 366 in October 2002 (Mecon 2002a).

Table 8.1 Top political appointees in Argentina's federal administration

1. Superior authorities (not counting president and vice-president)	121
2. Supernumerary officials	366
3. Superior advisers	589
Total	1076

Source: Mecon 2002a (own estimate for superior advisers, see endnote 5).

A group of advisers completes the political management staff. Known as 'superior advisers' (*asesores superiores*) they work at different political levels, that is, for ministers, secretaries and under-secretaries – building a personal cabinet in each case. The number of superior advisers can be estimated at 589 employees for the year 2002, which equates, in average, to almost five for each superior authority.⁵

Superior advisers are not mere consultants, working outside of the operational hierarchy. Of the 16 senior career civil servants interviewed in Argentina, 12 reported more frequent work contacts with superior advisers than with the incumbent under-secretary of state – or with other political authorities. Superior advisers operate thus as intermediaries, that is, deputies or representatives, between career civil servants and political authorities. A high-level career civil servant, a director, described the role of superior advisers as a 'transmitting pulley', although he called attention to cases where this resulted in a duplication of efforts, because messages had to be clarified, confirmed, corrected, etc. Among superior advisers working for each minister and secretary of state, moreover, it is customary to appoint a chief of cabinet of advisers, who openly assumes executive functions. A former chief of cabinet of advisers, interviewed in August 2003 in Argentina, declared that not only himself, but several of the other ministers' advisers had been assigned executive functions as a matter of course.

Below the three groups of political appointees described above, and partially overlapping with them, we can find the top professional layer in Argentina's federal bureaucracy, namely the highest career civil servants. They lead the administrative units called national directions and general directions (see Figure 8.1). Numbering about 250 (SGP 2004), national and general directions are the actual operational units of the federal administration, that is, units charged with specific tasks, as well as personnel and resources to carry them out. In contrast, the units headed by political appointees have policy making, management and supervisory functions.

The civil service status of national and general director's positions was established at the time of the reform of 1991–2. These posts should be,

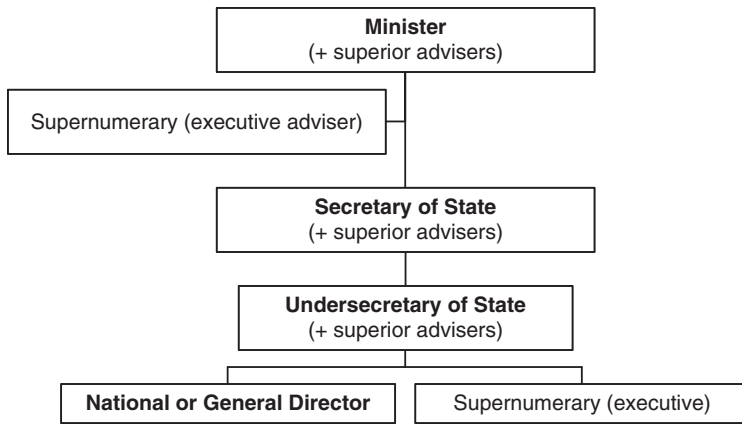


Figure 8.1 Argentina's federal bureaucracy: top management levels – political and professional

according to the law, assigned through open competitions to career civil servants.⁶ A basic organizational divide can be traced thus at the level of the under-secretaries of state: these represent the front-line political management for career civil servants.

Taking this organizational divide into account, it is evident that the bureaucratic structure displayed in Figure 8.1 does not encourage an active participation of high-level career civil servants in the decision-making process. Ministers are the source of most final decisions on public policy; but the directors' access to ministers is not only obstructed by two intermediate political management levels (secretary and under-secretary) and the occasional supernumerary official. To this, at least three informal levels of superior advisers must be added. As discussed above, superior advisers have the working profile of representatives or deputies (intermediaries) for political authorities, therefore duplicating the formal management structure.

It is interesting to consider that the formal political management levels in the US federal administration amount to an average of three, according to the last exhaustive count done by Light (1995, 2001), while the informal political levels run to an average of six. However, this unexpected similarity between the US and Argentina is more apparent than real. In fact, the majority of top political positions in the US federal administration are filled by career civil servants. In other words, presidential appointees bring their share of assistants and deputies, as is the case in Argentina, but in the US a majority of such personal staff tend to be chosen among professional bureaucrats. The proportion of top political positions covered by

permanent career civil servants has thus been growing steadily in the last 40 years, reaching 64 per cent in the last comprehensive count in 1992 (Light 1995, p. 91). The US federal administration came, in this way, to reproduce a model of interaction between permanent bureaucrats and politicians which has a long tradition in the German figure of the 'political civil servant' (*Politischer Beamte*), meaning a career civil servant chosen by the administration of the day for top executive positions (Goetz 1997).

The three formal and three informal political layers in Argentina represent, therefore, a considerably greater operational distance between politicians and career bureaucrats than that which prevails in the US. Whereas in the latter case political management positions, as already described, are staffed by a majority of career civil servants, this is unusual in Argentina. Official data do not provide this information, but the answers to a specific question within the surveys tend to corroborate the point. Out of 27 respondents among career civil servants, political appointees and public administration experts, 17 stated that 'less than ten per cent' of top political appointees have a civil service background. A former national director was quite definite in her answer: 'to appoint career civil servants for political positions is not on the value scale'.

Another way to assess the working relationship between political appointees and career civil servants at the top levels focuses on their absolute and relative numbers. As seen in Table 8.1, the political management staff represents, in total, 1076 appointees. The national and general directors, for their part, amount to approximately 250 employees. All of the 1076 top political appointees have superior or, at least, equal authority in executive and advisory matters *vis-à-vis* national and general directors. There are, in other words, more than four political appointees to one career civil servant in positions of influence.

All in all, due to the profusion of political layers and the sheer number of appointees with higher authority, it is rather difficult to establish communication, let alone a working relationship, between top career civil servants and chief political managers. From this structural arrangement we can surmise that regular consultation between policy makers and top career civil servants is not regarded as a necessity. Top career civil servants assume instead the role of mere 'implementors', who simply execute decisions on public policy taken by political managers. The advice or involvement of career bureaucrats with such decisions appears not to be expected.

The results for a specific question dealing with the issue, within the surveys conducted in Argentina, point clearly in the same direction. From 16 respondents among senior career civil servants, 12 described the frequency of direct contacts with policymakers, minister or secretary of state, using the categories 'occasionally' (seven answers) and 'almost never' (five

answers).⁷ Two directors stated emphatically that the role of career civil servants in Argentina does not include the formulation of public policy. A national director declared that they do indeed contribute to public policy decisions, albeit the political authorities seldom acknowledge this.

It is true that the traditional role of the senior professional bureaucracy, namely providing ministers with advice and information, has been under attack for the last two decades in those countries where the reform proposals of the New Public Management (NPM) were influential. Following the market-based political ideas of the NPM, the public administration and professional civil servants came to be regarded as a possible obstacle to innovative public policies. Politicians preferred, in some cases, to seek advice from their own politically committed advisers (Peters and Pierre 2001). This trend was restricted to certain key posts and decisions, however, and it was never supposed that the professional bureaucracy could be substituted extensively in its advisory capacity. Thus, even in those developed countries where the NPM rhetoric was more influential, policy advisers remained for the most part career civil servants, employed on a permanent basis (Boston 1994, p. 5). In contrast, Western European countries like France, Germany, Sweden or the Netherlands rejected the ideas of NPM from the beginning, and followed instead a model for public administration reform that Pollitt and Bouckaert (2004) define as the Neo-Weberian State (NWS). The NWS continues, in modern form, the European tradition of strong statehood and it supports high levels of influence over policy-making for top career civil servants. Here, the role of top civil servants as policy advisers and as a source of expert knowledge was never put into question.⁸

The dependence of governments upon the skills and experience of permanent public servants has been particularly demonstrated in transitional regimes. New leaders in former socialist systems, for example, could not readily dismiss inherited bureaucrats, even those compromised with the earlier regime, without some element of risk for their capacity to perform the central tasks of government (Steen 1996; Peters 2001).

Transitional regimes in Latin America faced a similar dilemma. The performance of the public sector in years to come, after democratization, depended on the different responses to the situation. In Argentina's case, the pattern of a particularly bad relationship between politicians and career civil servants was established then, and it continues to affect the operational capacity of the federal administration very negatively, even after the reform of 1991–2. As will be discussed in the next section, Argentina's political managers, confronted with the new career civil servants, reproduced attitudes which were developed to deal, during the transition, with senior bureaucrats compromised with the military

government. This was probably to be expected; after all, the new career civil servants were as much a foreign body as the old bureaucratic cadres of the dictatorship.

8.4 SCORNED BUREAUCRATS

Argentina's most recent military dictatorship 1976–83 can be described as a bureaucratic authoritarianism (O'Donnell 1979), a regime that, among other characteristics, aims to manage social and political issues in terms of technical, that is bureaucratic rationality. Bureaucratic authoritarian regimes seek a close working relationship between the military leadership, high-ranking civilian experts and state bureaucrats. Not surprisingly, at the democratic transition, the elected Alfonsín administration (1983–9) harboured serious doubts about the loyalty of the public bureaucracy toward the new civilian authorities. In a press conference shortly after taking office, a prominent member of the governing party, the Radical Civil Union, called for an immediate and comprehensive bureaucratic purge (Oszlak 1997). Other public servants, like federal judges, were dismissed in most cases, because of their notorious allegiance to the dictatorship. A major purge of the bureaucracy, however, was never carried out.

The result was a style of management based on the suspicion of lack of loyalty on the part of civil servants. To implement certain strategic programmes, for example, the government created entire 'parallel bureaucracies'. This was considered very successful in cases like the Programme for National Alimentation, one of the most celebrated public policy initiatives of the Alfonsín administration. Interviewed in September 2003, the former minister in charge of the programme pointed out that, for its management and execution, about 2000 employees were appointed wholly outside the bureaucratic structure of the relevant ministry – health and social security – but under the operative control of its political direction. The permanent civil service was effectively by-passed and this was considered crucial for the programme's success.

As an emergency measure, it was reasonable to create parallel structures to sidestep a bureaucracy with dubious loyalty to the democratic authorities. As said before, extensive bureaucratic purges can put at risk the state's capacity to perform its central tasks (Steen 1996). Nevertheless, the proliferation of parallel structures becomes unworkable with time, and needs to be replaced by a structural solution, that is, a thorough democratic reform of the permanent civil service, which provides the new constitutional regime with a trusted and indispensable machinery for governing. The Alfonsín administration never really attempted to carry

out this kind of structural reform. At first, it was considered too risky to alienate the existing bureaucracy and, after 1985, plans for a comprehensive civil service reform conflicted with the strategy of fiscal austerity promoted by the new and powerful economy minister (Oszlak 1994, p. 144; Repetto 2001). The strategy of sidestepping the permanent civil servants became, as a result, something of a standard practice. A major civil service reform, the one discussed here, finally got underway under the next administration: Menem's 1989–99. The practice of sidestepping the permanent bureaucracy continued after the reform, however, in order to confront the new, and not very welcome, career civil servants.

A minister in the third administration after the transition, De La Rúa's 1999–2001, interviewed in August 2003, described his organizational strategy for the department as follows. The received administrative units, that is the directions, were either eliminated (dissolved in the organizational chart) or 'neutralized' (not given any substantial work at all). Policy initiatives were placed under the responsibility of new units called programmes, managed and staffed entirely with political appointees. The minister defended this drastic strategy with two arguments: (a) each new administration requires new bureaucratic structures and personnel to carry out its policies; (b) career civil servants remained loyal to the former administration because, in fact, they were political appointees and the previous open competitions to fill these posts were mere simulations. As reflected in this interview, the 'parallel bureaucracy' approach of the first years after democratization was, 16 years later, actually increased, in order to cover not just the most strategic but all public policy initiatives of the department.

The minister's testimony reflects one alleged source of politicians' distrust of career civil servants in Argentina: a lack of loyalty resulting from the fact that permanent bureaucrats are political appointees – of the former administration – in disguise. This claim can only be partially substantiated, however. In an extensive official survey on career civil servants, a significant but far from majoritarian part of respondents (19.77 per cent) declared that they would not apply, in the future, to open competitions for civil service positions, because these were unfair (SGP 2001, p. 63). The first reason advanced in the minister's testimony for the creation of new bureaucratic structures, in any case, completely overrides the second: if every administration needs a whole new bureaucracy of its own, it does not truly matter if permanent civil servants remain loyal to the former administration or not, because they are superfluous nonetheless. The claim about disguised political appointments seems to be the rationalization for a distrust of permanent civil servants with deeper roots. This point is confirmed by two episodes in the 1990s, where the political managers

had serious difficulties in working closely with a career civil service created under their own political auspices.

The first episode concerns the elite bureaucratic corps, introduced in 1987. As said before, the first administration after democratization, Alfonsín's 1983–9, was not able to carry out a thorough reform of the permanent civil service. A significant initiative which succeeded, however, was the creation of a small professional corps of top bureaucrats (*administradores gubernamentales*), including an open, competitive recruitment and training system (Oszlak 1994). Although the corps never reached the targeted figure of 1000 members and remained at about 200, the experience can be considered a success. The small elite bureaucracy survived the transition to a different administration in 1989 (Menem's 1989–99) and its members were able to gain the confidence of the new authorities, an achievement in itself. The corps had a leading role in the state reforms of 1991–2, including the major civil service reform discussed here. After 1995, however, the pattern of distrust reasserted itself. The elite bureaucrats resented the government's attempts to politicize the training of new members for the corps and this put an end to the spirit of mutual cooperation. The corps was not summoned to work on the second state reform in 1996, the government choosing instead to employ private consultants (Minsky 2001, p. 19). The elite bureaucrats were much reassured, therefore, when the same party that had created the corps – the Radical Civic Union – returned to power in 1999. They expected the new government, naturally enough, to support and strengthen the corps. Almost the exact opposite occurred. Starting with a much-resisted appointment for the post of under-secretary for public administration (the authority with overall responsibility for the elite bureaucrats) the government next threatened, in view of the resulting discontent, to dissolve the corps. The threat was not carried out, but the elite bureaucrats were offered incentives to accept a voluntary resignation plan. Many took advantage of this option. For the duration of its mandate (1999–2001), the administration did not call for the recruitment of new members to the corps, keeping it 'frozen', as it remains to this day (Minsky 2001, p. 16).

The second episode showing politicians' distrust for a professional civil service, even of their own making, was delivered by the same administration that thoroughly reformed the public bureaucracy in the first place. As described in the present chapter, a career civil service was created in Argentina in 1991–2. Four years later, in 1995, a decree of the executive power, still under the same administration, allowed ministers and secretaries of state to appoint employees at their discretion, bypassing the recently established merit system by means of temporary contracts.

This new appointment capacity came in addition to the categories

of political appointment in top levels already discussed in section 8.3 above. Subsequently called contracts after decree 92 of 1995, the new positions were intended for middle level managers, advisers and technical assistants.⁹ They grew rapidly, numbering nearly 3000 at the end of 1997 (Mecon 1997) and reaching about 5500 in 1999 (Mecon 1999). But these positions were not the only appointments which came to be allowed outside the competitive civil service. The executive decree of 1995 opened a sort of Pandora's Box. Very soon, every political authority was appointing additional employees at lower levels through the simulation of product and service contracts.

Since they bill for their services or products, the earnings of employees under product and service contracts were not considered salaries and the contracts themselves not counted as civil service positions. It was a deception based on a technicality because, in fact, such employees have the same working assignments as those of the regular personnel (appointed or career). When the next administration requested the departments to end this practice and register all such employees by October 2001, the number of positions brought to light was nearly 11 000 (Mecon 2001a). Together with the contracts after the decree 92-1995, the total sum of middle- and low-level appointments was more than 16 000 (Mecon 2001a). Using the new contracts, the same administration that had once introduced the career civil service created, towards the end of its mandate, whole parallel bureaucracies of middle- and low-level political appointees. By 1999, for example, two politically sensitive secretaries of state, social development and natural resources, were staffed with more than 70 per cent appointees (Fundación Norte y Sur 1999, p. 26).

In sum, about ten years after its creation Argentina's career civil service was being ignored or by-passed at the high bureaucratic levels, while at the middle and low levels the number of temporary positions excluded from civil service regulations kept growing. What is more, new recruitment for the career civil service had been partially stopped since 1995 and closed, in fact, since 2000, as it remains to this day.

Moreover, the laxity of civil service regulations meant that the career civil service was barely in a position to counteract or reduce the negative effects of widespread political appointments, described above. Political managers, such as ministers and under-secretaries, were able to appoint any political loyalist to positions of responsibility, by the simple expedient of creating new 'programmes' outside the existing administrative structure. As a result, there was no obstacle at all to the brownie effect, that is the appointment of political loyalists without qualifications for management positions.

A second negative effect of excessive political appointments, the bubble

effect, had almost been integrated into Argentina's administrative structure. The career civil servants, even those with high management responsibilities such as national directors, were seldom consulted about the formulation of public policy, including amendments to existing public policies in order to improve implementation. If they chose to do so, political managers could isolate themselves completely from career civil servants. Political managers were not encouraged, much less required by law, to seek advice from professional bureaucrats. Therefore, Argentina's career civil service has been rendered completely ineffective as a tool for reducing or counteracting the isolation from reality which sometimes affects political state managers surrounded by loyal followers and personal confidants (bubble effect).

Finally, the third effect of widespread political appointments considered above, the 'broken communications effect', could not be counteracted either by Argentina's career civil service. Career civil servants did in fact reach very high levels in the bureaucratic structure, as managers of its major operational units, the national directions. Again, owing to the laxity of civil service regulations, however, even those highest civil servants can be ignored or avoided by the political staff, as a majority of respondents reported in the interviews. The case of the national director who had not been introduced to the secretary of state, after the latter had been 18 months in office, certainly represents an extreme, but it shows how far a politician willing to ignore top career civil servants can go. The communication between the political layers and the top bureaucratic positions is very fragile, and prone to be broken.

All the problems and failures described notwithstanding, it would be wrong to conclude that the civil service reform of 1991–2 had been, ten years later, already nullified or completely ruined. More than 24 000 employees were still serving, after all, in the competitive career system. The figure is significant for a federal administration totalling in all about 120 000 employees. Thus, the proportion of professional civil servants, relative to other kinds of employees, compared not badly with the progress achieved by the US professional civil service ten years after its introduction in 1883. Argentina's civil service seemed to be going, or being led, to its destruction, but the process was slow and there was a chance for it to be reversed. This will be discussed in the next section.

8.5 DEGREE OF PROFESSIONALISM

In the present section, the numerical impact of the different kinds of appointed personnel upon the whole federal administration will be considered and weighted against the proportion of professional civil servants.

Table 8.2 Political appointees in Argentina's federal administration

1. Superior authorities	121
2. Supernumerary officials	366
3. Superior advisers	589
4. Middle and low level contracts (decree 92/1995 + product and services)	16 808
5. Personnel in projects financed by international organizations	1200
Total	19 084

Source: Iacoviello and Tommasi 2002; Mecon 2002b, 2002d; see endnote 5 for superior advisers.

This section records thus the degree of professionalism of Argentina's federal bureaucracy, about ten years after the introduction of the career civil service.

There are few recent quantitative studies on the relative number of professional civil servants compared to political appointees in the case of the US federal administration, and they tend to concentrate on the growth of the professional civil service after its introduction in 1883 (Skowronek 1982; Johnson and Libecap 1994; Van Riper 1997; Kernell and McDonald 1999; Rosenbloom 2000). Similar quantitative studies are very unusual for Latin American cases. This is due, on the one hand, to the absence of civil service regulations applicable to the whole public sector. The difference between political appointees and professional civil servants, if not founded on separate recruitment systems established by law, must be assessed for each different employment situation, making it impossible to quantify accurately. Estimates are quite useful, nonetheless, in acquiring an approximate overview of the extension of patronage in Latin American public service systems (Philip 2003, p. 42).

On the other hand, official statistics are not usually available. Even the World Bank, for example, could not find a dependable official figure for the number of consultants working in Bolivia, estimates ranging from 2500 to 4200 (World Bank 2000, p. 30). A significant benefit of Argentina's Weberian civil service reform consists in the huge improvement, thereafter, in the quality and availability of official statistics regarding the numbers of professional civil servants and other kind of public employees. Accurate quantitative studies have become a possibility in this case.

Argentina's civilian federal employees, excluding police forces, amounted in October 2002 to 123 058 (Mecon 2002b, 2002c, 2002d).¹⁰ The different kinds of political appointees, top, middle and low, are summarized in Table 8.2. The only category not mentioned before is the fifth

Table 8.3 Permanent civil servants in Argentina's federal administration

1. Career civil servants (SINAPA)	24 718
2. Regulatory commissions staff	1 072
3. Scientific and technical staff	12 280
4. Others	6 838
5. Civilian personnel working for the armed forces	21 048
6. Tenured non-career personnel	38 018
Total	103 974

Source: Mecon 2002c (with PAMI and others added, see endnote 10) and Mecon 2002d.

of the table, which corresponds to consultants paid with donor funding for development projects, provided by institutions like the World Bank, Inter-America Development Bank, etc. Such consultants are appointed at the discretion of the local project manager, who is usually a political appointee, and thus all this personnel must be considered non-career and political. The figure provided corresponds to an official estimate (Iacoviello and Tommasi 2002, p. 16).

Now, contrasting the total figure listed at the end of Table 8.2 with the overall figure for federal employees quoted above (123 058), it is clear that more than 100 000 employees remain after subtracting the political appointees. It is not the case, however, that all of these remaining employees could be described as career civil servants. There are, in fact, diverse categories in this large group, all of them listed in Table 8.3. The 'true' professional civil servants correspond only to the first category of Table 8.3 and they amount to slightly less than 25 000. The remaining categories require, in each case, a brief explanation.

What can be safely said for all employees of Table 8.3 is that they are not political appointees because they are, either by law or in practice, permanent, so we are dealing with positions not at the disposal of each new administration.

The second category of Table 8.3 comprises permanent employees working in ten different regulatory commissions, for transport, communications, electricity, gas, etc. Regulatory commissions are organized as semi-independent public agencies and their permanent staff tends to be selected on merit, as confirmed by the fact that they have, on average, the highest educational level for all employment groups in the federal administration (Mecon 2003a). Civil service regulations are not applied to regulatory commissions' personnel, however, and this means that there are no guarantees or procedures to safeguard meritocratic recruitment. The permanent staff remains thus exposed to all kind of political pressures,

whether they are for recruiting or for other management decisions, an institutional weakness compounded by the fact that regulatory commissions are not staffed just by permanent civil servants; on the contrary, political appointees are very numerous at these agencies (Mecon 2002e).

The third category of Table 8.3 corresponds to scientific and technical staff working at federal research institutions. These personnel belong to several career systems, developed independently by each institution. Considering the fact that the main professional civil service career SINAPA also includes an employment grade for scientists (*agrupamiento especializado*), the existence of several other career systems and pay scales for scientists and technicians lacks coherency. Exactly the same can be said about the fourth category of Table 8.3, others, which contains further specific career systems related to professional activities, like medical residents at public hospitals, diplomats, musicians, foresters, etc. The many different career systems in both categories make public scrutiny over the fairness of recruitment and advancement procedures very difficult. The fact that all of these employees do not belong to the main civil service system cannot be justified on technical grounds.

The fifth category of Table 8.3 corresponds to civilian employees working for military institutions. Most of this personnel serves at different military hospitals; they undergo competitive recruitment and promotions, but there is, again, absolutely no control over the fairness of such procedures by any public institution outside the armed forces. The fact that civilian personnel working for the military do not belong to the main professional civil service, SINAPA, must be seen as a political, and budgetary, concession to the military. Overall coherency in civilian employment was evidently not a top priority for the reformers of 1991–2, and so the military got complete control over their own ‘career system’ for civilian employees.

Category six constitutes a class of its own. It comprises the employees who continue to serve in the old system of tenure without meritocratic recruitment (*personal convencionado*). This system survived the reforms of 1991–2 and it contains the most numerous group of public employees in Argentina. Recruitment and promotion are basically discretionary. One year after entering the service, employees belonging to this category become permanent. Theoretically, they serve under the same law as employees in the private sector. A constitutional provision, however, guarantees the stability of public sector personnel and this provision is uniformly applied for these cases.

Most of the employees in category six serve at three large public agencies: (1) the federal agency for tax recollection, AFIP, (2) the federal agency providing basic social services for pensioners and retired persons, PAMI, and (3) the federal agency that administers public retirement funds

and public unemployment insurance, ANSES. It is a strange paradox, indeed, that such essential state functions, tax recollection and social security among others, should be carried out by a non-professional staff, recruited without any safeguards for competitive procedures.¹¹

The overall figures in Tables 8.2 and 8.3 provide, finally, a statistical cross-section of Argentina's federal bureaucracy, from where its degree of professionalism easily follows. The simplest result starts with the total number of federal employees listed in both tables, namely 123 058. Against this overall figure, the degree of professionalism represented by 24 718 career civil servants (SINAPA) amounts to 20.09 per cent.

Of course, it could be said that some of the categories of permanent civil servants in Table 8.3, namely category three and – to some extent – category four, represent career personnel in their own right, like scientists, medics or diplomats. Such professions have specific competitive standards and they are sometimes exempted, accordingly, from general civil service regulations.¹² The point is debatable. Anyway, if we consider categories three and four as professional civil servants, overall degree of professionalism rises to 35.6 per cent. The lower percentage mentioned above represents much more accurately, however, the advancement of professionalism achieved by the reforms of 1991–2. Certainly, the incorporation of categories 3 and 4 in the main career system SINAPA would bring an improvement in terms of coherency, transparency and public scrutiny.

As said before, the degree of professionalism in Argentina's federal administration, ten years after the reform of 1991–2, does not compare altogether badly with the US federal administration at an analogous period. Ten years after the introduction of the Pendleton Act, by the end of Harrison's administration in 1893, the US professional civil service numbered 37 865 employees against a grand total of 176 000 in federal civilian employment, amounting thus to 21.5 per cent (Johnson and Libecap 1994, p. 58).

Of course, an essential difference between the two cases lies in the fact that the movement for the professionalization of the civil service experienced a strong upward trend in the US, at the time considered. After a further period of ten years, for example, at the end of Roosevelt's first administration in 1903, the degree of professionalism had reached 35.9 per cent. By the end of Taft's administration in 1913 it was already 60.14 per cent (Johnson and Libecap 1994, p. 58). In contrast, Argentina's career civil service shows a persistent decline in the last ten years, as shown in Table 8.4, and nothing indicates that this will change dramatically in the near future.

The decline in numbers of career civil servants recorded in Table 8.4 adds to the other phenomena, discussed in sections 8.3 and 8.4 of the

Table 8.4 Degree of professionalism in Argentina's federal administration, 1997–2007

Year	1997	1998	1999	2000	2001	2003	2007
1. Career civil service SINAPA	26 259	27 595	27 606	26 319	25 410	24 397	21 018
2. Total federal civilian employment	111 246	108 390	110 910	101 602	101 037	109 469	124 314
Degree of professionalism	23.6%	25.5%	24.9%	25.9%	25.1%	22.3%	16.9%

Source: Mecon 1997, 1998, 1999, 2000, 2001c, 2002c, 2003b, 2007. Employees at PAMI not included (data not available for the years before 2001, see endnote 10).

chapter, that point to a kind of resistance, on the part of political managers, to working with professional bureaucrats. It was the politicians themselves, after all, who introduced the two civil service career systems in the 1980s and 1990s, the small elite corps first, and then the extensive career system. When it comes to working with the professional bureaucrats recruited in this way, however, all kind of difficulties start to arise. A hypothesis about the institutional conditions for this troubled relationship between the two groups will be advanced in the conclusions of the chapter.

8.6 CONCLUSIONS

We can safely conclude by stating that Argentina's politicians do not trust professional civil servants. As shown above, they try either to ignore them, bypass them, or hold their numbers down, and often all three. As a final point, it would be interesting to consider if politicians are actually wrong in doing this. After all, it could well be that Argentina's civil servants are grossly incompetent. If that were the case, the behaviour of the politicians could be said to be entirely rational. Such a hypothesis has been advanced by Huber and McCarty (2001) for all Latin American democracies. For the authors, the assumption that bureaucrats are experts with significant capacity to implement public policy often does not apply to developing countries.

Certainly, bureaucratic competence and expertise cannot be measured by themselves on an extensive basis. An official report (SGP 2003b, p. 40) provides a close indirect measure, nevertheless, by comparing educational

Table 8.5 University education of career civil servants and middle level political appointees in Argentina's federal administration, in percentages (2002)

Age group	Career civil servants	Middle level political appointees
35–44	28.3%	28.3%
45–54	37.5%	22.6%
55–64	20.9%	12.6%

Source: SGP 2003b, p. 40.

levels of career civil servants and political appointees with similar working assignments, that is, middle level managers, advisers and technical assistants. If Huber and McCarty's hypothesis were to be verified in Argentina's case, educational levels of appointees should be higher than educational levels of career civil servants in similar positions. However, the opposite is true. In the report, based on statistics for the year 2002 covering 11 233 middle level appointees and 23 728 career civil servants, the proportion of employees between the ages of 35 and 44 with university education coincides exactly for both groups (see Table 8.5).¹³ Moreover, for employees between the ages of 45 and 54, there is a substantial difference in favour of career civil servants. For employees between the ages of 55 and 64, there is, again, a lower but significant difference in favour of career civil servants.

Considering the fact that career civil servants are, as a rule, much more experienced in the job than political appointees, the higher percentages of university education among the former confirm that competence and expertise of career civil servants must be much higher as well, compared to political appointees. The data, in other words, challenge the hypothesis advanced by Huber and McCarty. Not every manifestation of unwillingness or inability to work closely with career civil servants, from the part of Latin American politicians, can be explained as the rational answer to bureaucratic incompetence. In fact, as suggested by the testimony of the minister quoted in section 8.3 above, politicians regard as their democratic right – even their duty – to have public policy programmes formulated and implemented by loyal followers. The general reliability of the professional bureaucrat appears to carry less weight, as a credible factor, than in developed countries, where the close working relationships between politicians and career civil servants constitutes a standard feature of public management.

Of course, distrust of career civil servants can be construed, in another way, as an expression of rational self-interest by politicians – following

a well-known a priori assumption in political science. As Geddes (1994) states in her influential study, Latin American politicians aim to improve their chances of re-election by appointing as many personal followers and party loyalists as possible, even if this means a long-term reduction in state capacity. Geddes' thesis attempts to explain, however, the dilemma faced by politicians who confront the choice of starting a civil service reform. Once a civil service reform is in place, as happens in Argentina, circumstances change. As shown in section 8.3 above, the civil service reform of 1991–2 was not a serious obstacle to massive political appointments a few years thereafter. In other words, politicians had no need to choose between hiring professional bureaucrats, and appointing personal followers or party loyalists. There was no need to choose among these options, because political appointments were just as available as before the civil service reform and the professional bureaucrats, in any case, could not easily be fired in order to make their positions available for appointees. Even under these circumstances, the politicians were not able or willing to work with professional bureaucrats. Politicians declined to work closely with career civil servants out of principle, as it were, and not in order to secure personal or political benefits. As said before, politicians appear to regard working only with loyal followers or personal confidants as part of their democratic mandate.

The rejection of a professional bureaucracy seems to be grounded, in part, on a negative judgement about its social legitimacy, and not only on rational calculations of self-interest. The theoretical approaches mentioned above emphasize strategic behaviour, but in this specific question we also seem to be confronted with a set of preconceptions about democratic legitimacy. The case of Argentina shows that this kind of political rejection of the idea of a professional bureaucracy can be significant in Latin American countries, and that it represents a problematic factor for the success of civil service reforms.

NOTES

1. Local experts on public administration are widely employed as informants in business reports and studies on the quality of public bureaucracies, an approach that was reworked and applied to the study of bureaucratic structures in less developed countries by Evans and Rauch (1999).
2. The wide divergence in estimates, in the case of Mexico, reflects a common feature of Latin American public administration systems: the difference between political appointees and career civil servants is not always clear, because regulations are confusing. Therefore, the exact numbers of political appointees cannot be ascertained precisely. This will be discussed below in the case of Argentina.
3. Argentina provides a recent example of the bubble effect on a grandiose scale.

Confronted by rising inflation, in January 2007 the economy minister, with obvious backing from the president, decides to purge the top management of the Official Institute for Statistics (INDEC) and replace them with party loyalists. Thereafter, the inflation 'measured' by the Institute duly became much lower. The attempt to put the whole population in the government's bubble is laughable, of course, but the fact that the government continues to operate in a bubble, showing a consistent passivity regarding the problem of inflation, represents a cause for serious concern (Clarín 2007, 2008). Here, as in other areas, Argentina's career civil service remains ineffective, for reasons that are discussed below.

4. All official figures employed correspond to the year 2002, ten years after the civil service reform.
5. Official sources do not provide the number of superior advisers in Argentina. The federal budget for the year 2002, however, appropriates for their contracts \$21 570 000 (Mecon 2002f). The mean monthly salary of superior advisers can be estimated for the year 2002 at \$3053.4 (based on Grupo Sophia 2000, p. 15, with a 12.76 per cent reduction for best paid positions between 2000 and 2002). This equates to 589 employees.
6. These two requisites are approximately met. An official report about positions corresponding mostly to directors (national, general and 'simple' directors) states that 56 per cent have been assigned according to civil service rules. From the remaining posts, 20 per cent remain vacant and 24 per cent are filled by temporary assignments (SGP 2003a, p. 8). Now, temporary assignments are given to candidates with the requisite civil service status, but such positions are unstable and do not guarantee independence from the political levels.
7. Four respondents chose the category 'regularly'. Influence over policymaking is very difficult to measure, of course. The strategy of using contact patterns between bureaucrats and policymakers as an indicator was thoroughly explored by Aberbach et al. (1981). In their study, the average number of contacts reported by senior bureaucrats with the minister in their own department was 2.87 (more often than regularly) for Britain, Germany, Italy and US (Aberbach et al. 1981, pp. 213–15). The scale used for the present survey was a simpler four-points (based on Aberbach 1990, p. 84) but it can be easily adjusted for comparative purposes. On the six-point scale the average of contacts between senior bureaucrats and policymakers in Argentina corresponds to 4.06 (a little less than occasionally). In the Argentinean survey, it must be noted, respondents were asked for contacts not only with the minister but also with the under-secretary in their department, and the resulting figure expresses, all the same, a much lower frequency of contacts – compared to contacts only with the minister in the countries mentioned above. All in all, it seems that Argentinean senior bureaucrats are almost cut off from direct contacts with the political management staff, and they only meet political advisers to receive instructions. An extreme case was reported by a national director – the highest civil service level – interviewed in Buenos Aires in August 2004. When asked about the frequency of his contacts with the secretary of state in his department, the national director said, with a nervous laugh, that the secretary had been 18 months in office already, but they had not been introduced yet. In fact, he added, 'I would not recognize the secretary even if I happened to be in the same elevator with him.'
8. In their comparative study of public administration reforms in developed countries, Pollitt and Bouckaert (2004, p. 98) point out that the ideas of the NPM have been applied most decisively in a 'central core' of countries including Australia, New Zealand and the United Kingdom. In the US, the rhetoric of the NPM was very influential, but the ideas themselves were never applied as a result. In contrast, Continental European countries like France, Germany, Italy, Sweden, the Netherlands, and others, have mostly rejected NPM ideas and, in the last 20 years, they followed instead the reform model defined by the authors as Neo-Weberian State. This alternative model has been ignored by much of the Anglophone literature (Pollitt and Bouckaert 2004, p. 99).
9. These employees' discretionary recruitment does not mean that they get the job

- exclusively because of political connections. Merit can count in the decision. But, as a national director interviewed in August 2003 in Argentina put it, 'nobody without the necessary political connections gets such a job'.
10. Military and police force comprised at the time 151 966 officers and rank (Mecon 2002c) and thus the total figure for all federal employees in October 2002 is 275 024. The main official record (Mecon 2002b) presents, however, a lower figure, 262 733, because it does not include employees at the Institute for Social Services for Pensioners and Retired Persons (PAMI). These employees numbered 10 502 in October 2002 (Mecon 2002d). Neither advisers nor personnel in projects financed by international organizations are included in the main official record (see Table 8.2).
 11. The case of the tax recollection agency, AFIP, is also remarkable because in the early 1990s there was a serious attempt to create an elite force of tax inspectors in Argentina (Eaton 2003). After a successful start, however, the attempt was abandoned in the second half of the 1990s, basically because the president lost interest in fiscal stability.
 12. Lawyers, for example, are excluded from civil service regulations in the US federal administration. However, this is not the case for medics or diplomats (GAO 2002, p. 2).
 13. As recruitment for SINAPA was partially stopped since 1995 and closed since 2000, data for the age groups below 34 are not representative and, therefore, not considered here.

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