

# Professionalization of Civil Service in Hungary: The Potential Impacts of Centralizing Public Administration Education

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## ABSTRACT

The article examines the recent developments in public administration training in Hungary and draws conclusions for the future.

The paper analyzes the connection between legalism and professionalism in Hungary. Legalism and professionalism are displayed as contrary notion by a considerable number of theorists. It appears that »legalism« is an appropriate label for the past status of public administration that reformists long to abandon. Since Hungary is considered to be part of the legalistic culture of European public administration (PA), the assumed conflict between legalism and professionalism appears more vividly.

As part of the currently undergoing reform, professionalism received an influential institutional promoter within the Hungarian PA: the National University of Public Administration that is primarily a university but is also a successor of the government agency that used to be in charge of civil service professional training. The article concludes with summarizing the currently undergoing reform regarding professionalism that is also presented as being contrary to the legalistic PA in the government reform program for modernizing PA.

*Key words:* legalism, professionalism, civil service reform, civil service training, teaching public administration

*JEL:* H10

## 1 Introduction

Hungary is considered by many theorists as a country that has a deeply legalistic public administrative culture (Hajnal, 2003; Hajnal, 2013; Hintea-Ringsmuth-Mora, 2006; Drechsler, 2005a). Having a legalistic PA culture after more than four decades of dictatorship appears to be desirable. However,

legalistic PA culture is usually addressed as an obstacle of efficiency and performance in the scientific literature on PA.

In the article we analyze the new institutional setting that emerged in 2011 by creating the National University of Public Services (NUPS) that was established to be in charge of PA teaching and civil service training as a single institution. Under a law issued in 2011, the National University of Public Services was appointed to be in charge of PA professional training in Hungary. The University itself was recently created by the merger of the following institutions: former Faculty of Public Administration of Corvinus University of Budapest, the Academy of Police Officers and the Miklós Zínyi University of Defense. The new university has its own institutional interests that also strengthen the drive for professionalization in the civil service. NUPS has a *de facto* national monopoly on PA education and a *de iure* national monopoly on mandatory civil service professional training. NUPS – in order to distinguish itself from the law-dominated approach of public administration – positions itself as a promoter of non-legalistic approach of PA.

The institutional changes fit into a wider government policy that also aims at increasing professionalization of the civil service. The restructuring of PA education and PA professional training fits into the concept of the Government to make the fields of public service permeable, open to each other. The University itself is a test field for this concept since police and military students now have the opportunity to have civil PA courses without having to move to another university. The need for this kind of cross-learning is supported by the new phenomenon that defense and policing are gradually becoming more civilian in character, therefore traditional training in those fields must undergo serious changes, too.

The article analyzes the personnel composition of central civil service in order to illustrate how the Hungarian central public administration is legal culture oriented. The new professionalization policy launched by the Government through NUPS aims at transforming Hungarian central PA and later on the entire Hungarian PA to a more performance oriented system instead of the current procedure orientation, identified by many theorists as legalism.

## **2 Theoretical Background: Hungary as an Example of Legalistic PA Culture**

The current efforts of the Government and of the new National University of Public Service regarding changing and modernizing the professional settings of Hungarian public administration have to be carried out in a legalistic environment. Being legalistic is considered as a prime component of Hungarian PA legacy. Public administration theory consequently classifies Hungary as part of the European continental, Weberian and legalistic culture. This applies both to PA practice and to PA education. Drechsler argues that in case of Hungary the Weberian PA culture was able to stay alive throughout

the years of communism (Drechsler, 2005a, p. 99.). He also argues that a *Rechtsstaat*-oriented public administration offers more internal security and it is more favorable to innovations than a managerialistic public administration (Drechsler, 2009, p. 14.).

In his 2003 study, Hajnal stated that in terms of PA education Hungary was without any doubt part of the European legalistic PA culture (Hajnal, 2003). Hajnal's approach focuses on PA education as a primary source of changing or reproducing PA attitudes. Hajnal revisited his research in 2013 and concluded that unlike other countries of Central and Eastern Europe, there has been no change in the dominantly legalistic orientation of PA in Hungary (Hajnal, 2013). According to Hajnal, Hungary and Germany formed the »legalistic« cluster, these countries did not change their orientation regarding PA education while other countries in the CEE region like Slovakia, Slovenia and Romania belong to other PA education clusters with either policy or management orientation. The latter countries slightly changed the content of their PA education according to international trends (Hajnal, 2013).

*Rechtsstaat* culture is an inseparable attribute to Hungarian public administration (Hajnal, 2008, p. 132.). *Rechtsstaat* culture in itself is a definitely positive factor and has been of high importance during the decades of the 1970s and 1980s since it represented a higher standard to the Soviet type administrative culture and as such – within narrow barriers – offered a certain alternative to the over-politicized operations of the Hungarian public administration. Drechsler states that Weberian PA worked as a protective and supportive vehicle for the young democracy and also for the new market economy (Drechsler, 2005b). However, the content of naïve *Rechtsstaat* culture can be compressed into the slogan: »Whatever is not explicitly allowed by law – is illegal«. This thinking deeply affects public administrative practice and can hardly be counterbalanced by unified interpretations of law supported by court decisions.

Thus during the communist period, maimed *Rechtsstaat* culture mixed with the traditional irresponsiveness of Soviet-type public administration was producing a really stiff, rigid combination. In the 1990s, this administrative attitude suddenly faced inexperienced challenges. Legalism – especially after the years of communist dictatorship – should be considered positive however, Central and Eastern European theorists tend to use this term in a negative connotation compared to managerialism or to policy orientation. Why is this so? According to Hintea, Ringsmuth and Mora, legalism does not refer to the proper application of law, the expression rather refers to an oversimplified way of policy making meaning that whatever reforms are needed then a law is issued accordingly and the policy implementation is automatically done by the apparatus entitled to apply the law (Hintea, Ringsmuth & Mora, 2006).

Legalism in public administration has had a bad reputation in the past as well. Cahn argued that legalism has two aspects: one is referred to as positivism

and the other identifies legalism as a moral issue. The latter approach defines »legal« as moral without any further need for explanation (Cahn, 1955 p. 36–37). Foster positioned pure legalism as contrary to moralistic thinking of public administration and urged that PA should be developed according to the latter (Foster, 1981).

### 3 Legalism in Hungarian Public Administration: A Historical Perspective

Legalism in Hungarian public administration has had a long history. Traditionally legal education and public administrative education have been closely interwoven in Hungary. In 1883 (during the Monarchy of Austria-Hungary) a law was issued that declared that the eligibility for higher positions in state administration was tied to having a law degree. At this stage of history, professionalism in PA meant *per se* legalism. Since a law degree – even at that time – was difficult to obtain, the PA system had to open up its original concept of professionalism. In order to meet the increasing personnel needs of the local administrations, an act was issued in 1900 that allowed the local notaries to be employed with having only a notary training. In 1929 the diplomas of economics received equal state recognition as diplomas of law, later university level public administration and economics education was established in 1934. In 1952 – in order to provide mid-cadres for the regime – Academies of the Soviets (Soviets meaning municipal and county administrations) were established with 5 month, later 10 month programs. From this stage – throughout a number of institutional changes – a single Academy (equal to a *Hochschule*)<sup>1</sup> of the Soviets was created out of the remaining three such institutions. Academy of Public Administration (*Hochschule für Verwaltung*) was established in 1977. The brief historical overlook indicates that PA as an academic discipline had to undergo a certain separation process from law. On the other hand, law as a discipline had to look for a new self-definition during communism as many branches of conventional law such as commercial law or bank law were virtually abandoned from the curriculum. Even public administrative law was purified from its original function that contained the legal apparatus for questioning administrative decisions. During the communist regime all branches of law as a discipline and as a practice that were considered *bourgeois* were virtually erased. (E. g. public administrative courts were abolished in 1949 since in the communist state public administrative rulings were not supposed to be brought to court.) In connection with the politically enforced change of the internal content of legal education, »state science« occupied the field that other bourgeois fields left behind them. The approach of »state science« was that law was a textual formulation of state authority. In this context law and public administration as academic disciplines (but also as everyday practices) could easily be in close harmony since their purpose was basically the same i. e. the repetition of

<sup>1</sup> I use German terms only to explain the Hungarian terminology since direct translation to English might be misleading.

the will of state authority in all issues of life. Over the decades this attitude has crystallized to an overall mindset that today appears to many observers as »legalism« that ought to be changed.

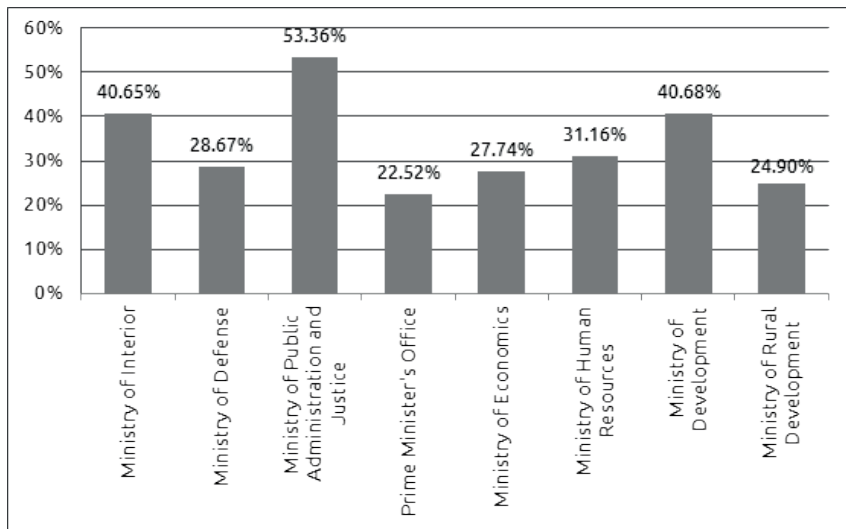
#### **4 What is the Connection Between Legalism and Professionalism?**

Legalistic PA culture has an impact on the content of professionalism in PA. It is not yet determined though whether professionalism is contrary to legalism or these notions can be in harmony with each other. The notion of professionalism can contain legalism in its original *Rechtsstaat*-sense. In this sense, state authority is subordinated to law that is a token of the consensus of the people who overlook state authority through democratic engagement. However, professionalism is difficult to implement in an overregulated environment. Professionalism can be defined as a high priority to professional expertise and a client-centered autonomy (O'Reilly & Reed, 2011). This definition involves a considerable level of expert autonomy that might be reduced by overregulation. Overregulation occurs when public administrators cannot follow regulations because of the detailed nature and the frequency of the changes (Foster, 1981). In the case of Hungary, the annual quantity of newly issued laws and regulations was multiplied by 2.5 between 1990 and 2010, while the average internal complexity of each law was also multiplied by 2.5 (Gellén, 2012, p. 76). If legalism is understood as the increase of the quantity of law, then legalism is definitely contrary to professionalism. Under the conditions of constant overregulation between 1990 and 2010, two major forms of dysfunctions appear: on the street level, a wave of *contra legem* practices made everyday life bearable (Gajduschek, 2008; Hajnal, 2008). On the macro level, public administrators tend to apply regulations in a selective way (Foster, 1981).

#### **5 Tracing Legalism in the Civil Service**

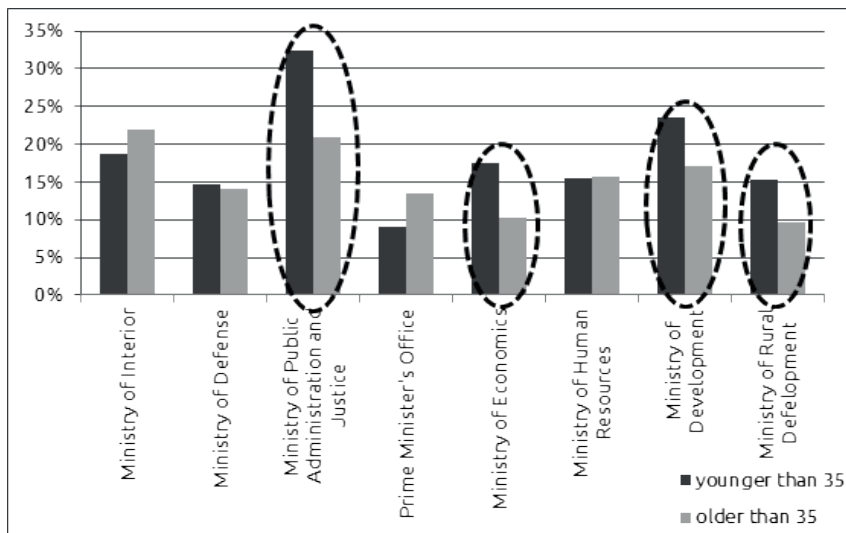
In the following we analyze the composition of the Hungarian central PA regarding the proportion of lawyers. This method might be misleading since not all lawyers are necessarily legalists and there might be legalists among those who are not lawyers. On the other hand the proportion of lawyers in the central civil service is a tangible indicator of the influence of law as the necessary knowledge in dealing with public matters. Graph 1 shows that the proportion of lawyers is unequal within central PA institutions. It can be justified that lawyers are overrepresented at the Ministry of Public Administration and Justice and at the Ministry of Interior. The relatively high proportion of lawyers at the Ministry of Development though – that is in charge of transportation, energy, telecom, state asset management and the allocation of EU funds – can be considered unexpected.

**Graph 1: Percentage of civil servants with law degree within central PA**



Source: KSZSZR (2012)

**Graph 2: Comparing proportion of lawyers under and above 35**



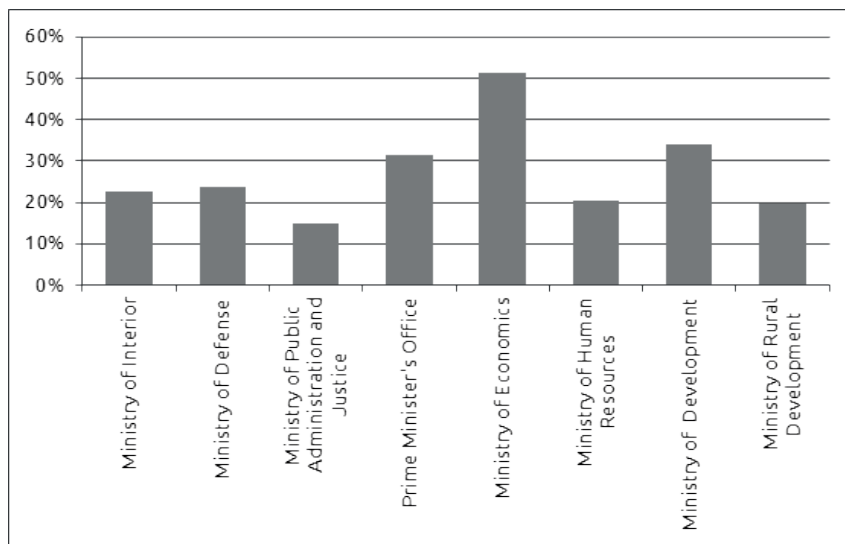
Source: KSZSZR (2012)

If the proportion of lawyers is analyzed according to age groups (Graph 2), we find that the percentage of civil servants with law degree will even increase in the foreseeable future. This factor can be used as an indicator for estimating the future weight of law as a profession at the central civil service. At the Ministry of PA and Justice, at the Ministry of Rural Development, at the Ministry of Economics and at the Ministry of Development the number of junior lawyers under 35 exceed the number of lawyers above the age of 35.

This involves that the proportion of lawyers and thus the influence of the lawyer profession is expected to increase in these Ministries.

In order to indicate that professionalization at the Ministries is not entirely one-sided, Graph 3 presents the proportion of Ministerial civil servants having university degree in economics or in management. The figures are significantly lower than the proportions of civil servants with law degrees however, at the Ministry of Economics the percentage of economists is somewhat above 50%.

**Graph 3: Proportion of Ministerial civil servants having a degree in economics or in management**



Source: KSZSZR (2012)

An interesting conclusion can be drawn regarding PA education. The three Ministries that constitute the Board of the National University of Public Service are the Ministry of Defense, the Ministry of Interior and the Ministry of Public Administration and Justice. All three Ministries are dominated by lawyers. In the Ministry of Public Administration and Justice the percentage of lawyers is 53.36%. This setting might cause a difficulty in the future if NUPS would intend to increase professionalism in its curricula by decreasing the element of law while increasing the proportion of political science, public management or public sector economics.

## **6 Creating the National University of Public Service as a National Champion of Teaching PA**

Traditionally legal education and public administrative education have been interwoven in Hungary. The former Academy of Public Administration was integrated into the Budapest University of Economics and Public Administration (today's Corvinus University) as a Faculty of Public Administration in 2000.

Recently in 2011 this Faculty was moved into the National University of Public Service where it became a Faculty of PA besides the Faculty of Law Enforcement (former Police Academy, *Hochschule*) and the Faculty of Defense (former University of Defense). This institutional change has had a significant impact on PA education in Hungary in terms of being legalistic or professional. Previously PA was considered as part of »Law and state sciences« as an academic discipline. Now NUPS has achieved that the National Accreditation Committee acknowledged PA as an independent, non-legalistic discipline. Until 2013 there used to be no doctorate school in general PA in Hungary. Potential Ph. D. aspirants with a theme in PA had to enter doctoral schools in either law or political science or try one of the interdisciplinary doctoral schools. In September 2013 for the first time a general PA doctoral school will be launched in Hungary. The documentation of the Doctoral School had to convince the Accreditation Committee (dominated by lawyers) that PA as a discipline is different from the traditional, legalistic image of PA. Due to considerable efforts the step was made, the accreditation process of a non-legalistic PA doctorate school succeeded.

Creating a university based on the concept of the unity of public service appears to be a unique approach since the university comprises the education of general public administration, law enforcement (policing) and military officer education. In a sense it is unique but from the polity perspective, it has a rationale. Primarily: Hungarian military is small compared to other NATO armies, for instance only 59 military officers graduated in 2008. Such modest demand by no means requires an entire university (thus the former military university used to have a significant non-military portfolio). Regarding the HR needs of the police, Hungarian law enforcement always had the ambition of having a university level education facility: finally, the opportunity has been given within NUPS. From the polity point of view, civilian public administration education is also a beneficiary of the fusion since its financing appears to be more secure through the budgets of three ministries (Ministry of Public Administration and Justice, Ministry of Defense, Ministry of Interior) in times of a fiscal situation that deeply affects public university expenditures that are financed from the education budget. As a general remark regarding the content of the three areas of public service it can be stated that in many fields they are already in interaction more than they were earlier: peace keeping missions, emergency situations, logistics, IT security, social stability and many other fields could be mentioned where the three academic fields can be in synergy with each other.



## **7 Conclusions of Institutional History: New Opportunity for Professionalization**

There are certain relevant conclusions that can be drawn based on this brief historic outline.

First, the connection between the lawyer profession and civil service can be described as a delicate combination of contention and cooperation. PA graduates often continue their studies at a law faculty, faculty of law teachers often teach at PA courses.

Secondly, the historical overview suggests an interpretation that civil service education (PA profession) always had an ambition to receive university-level recognition. This was offered as being part of the University of Economics (now: Corvinus) but this cohabitation could not become a real symbiosis. Since the legalistic content of PA education has not changed, the relatively small PA Faculty became gradually isolated within a vast, self-confident, market oriented University of Economics.

It appears that PA was identified as a different academic field from economics and business by the rest of the University of Economics while a similar phenomenon occurred in the law-PA relation, too. These traditional neighboring sciences (and professions) did not accept general PA as part of their intellectual realm while PA as a discipline tried to identify itself by defining its relation to these. PA discipline's attraction to law and to economics proved to be one sided. PA had no other logical choice than to redefine itself as a unique discipline and profession. The driving institutional force in this effort is the National University of Public Service. As such NUPS has the interest of positioning itself as an institution that offers different and unique services compared to law schools. Therefore the long term perspective in designing the curriculum would be to focus more on policy management, public management and the science of public administration.

## **8 Professional Training in a Legalistic Setting**

Professional training is mandatory for all civil servants in Hungary. There is an entrance exam and an advanced exam that is mandatory to pass regardless of being in a leadership position. Until 2011 civil service professional training and the related mandatory examinations were coordinated by a government agency. By the Act No. CXCIX. of 2011 the professional training agency was integrated into the newly established NUPS regarding the entire civil service. The trainings regulated by the law contain the PA basic exam and the PA advanced exam (*Fachprüfung*). The PA basic exam has to be taken by each civil servant within one year after entering the civil service. It is a condition to pass PA advanced exam in order to be promoted to »counselor« grade that is a significant career step after a few years at the civil service. The content of the

PA basic exam and the content of the PA advanced exam are litmus tests on what the official view is on the necessary skills at the civil service.

I analyzed the content 2012 course book for the basic PA exam that was based on the curriculum applied by the former government agency. The result of the content analysis is the following:

- Basic PA exam: Law: 55%, PA: 45%
- Advanced PA exam : Law: 46% PA: 54%

The results are only appropriate to compare the weight of the disciplines within the curriculum, the figures do not indicate any judgment on the internal values of the learning material. The content of professional training is deeply influenced by law as a discipline. In the basic PA exam curriculum we find a dominantly legalistic interpretation of public administration. The curriculum of the mandatory professional civil service training is currently under revision. In one-two years time it can be expected that the internal composition of the curriculum will be changed in order to increase the general PA content and reduce the percentage of law.

The content of professional training has a major impact on the concept of what civil servants think of their own profession, this impact is indicated by the following figures:

In 2012 PA basic exam was taken by 2868 civil servants – while PA advanced exam was taken by 1315 civil servants.

Professional training might be a decisive and obvious factor in increasing professionalization of Hungarian PA, especially the central PA. However the dominance of legal discipline in the curriculum questions whether a swift change can be expected. Nevertheless the approach that was taken by NUPS when the Doctoral School program was accredited as a non-legalistic general PA program projects that the same approach is likely to spread along the curriculum of the mandatory professional training as well.

## **9 Professionalization in a Legalistic Environment: Further Steps**

The Government launched a vast PA reform program (Magyary Plan) under Gov. Decision 1207/2011 (VI. 28.). This contains three strategic priorities regarding HR development: Professionalization, motivation and permeability among the various fields of public service. Regarding professionalization the major areas of action are: recruitment, reforming education & professional training and specialization on policy areas. These efforts first have to cope with the overall legalistic heritage of Hungarian PA that has its own rule of law values but can also hinder result oriented policy implementation.

The legalistic heritage is also addressed by Magyary Plan via renewing legislative processes. Regarding the reducing annual new releases of law there has been a certain achievement during the last year, however decreasing regulatory burden by issuing new regulations always raises a legislative paradox.

Magyary Plan defines NUPS as the institution in charge of increasing professionalism in the Hungarian PA via education and civil service professional training. The structure of the latter has also been renewed. Previously there was no leadership training in the Hungarian civil service training system. Now NUPS is in charge of launching a new system after a one year pilot project in 2014.

As a new institution, NUPS has a national monopoly on PA professional training and has a lion's share in general PA education as well. It appears that the polity interests of NUPS harmonize with its role as being the national champion of professionalistic – and not only legalistic – PA culture in Hungary.

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POVZETEK

## **PROFESIONALIZACIJA JAVNIH SLUŽB NA MADŽARSKEM: MOŽNI VPLIVI CENTRALIZACIJE IZOBRAŽEVANJA ZA JAVNO UPRAVO**

*Ključne besede: legalizem, profesionalizem, reforma javne uprave, izobraževanje za javno upravo, usposabljanje zaposlenih v javni upravi*

Članek obravnava razvoj izobraževanja za javno upravo na Madžarskem in z analizo povezave med legalizmom in profesionalizmom, zgodovine in sedanje institucionalne ureditve sklepa, kakšen bo razvoj v prihodnjih letih.

Povod za članek je bila 6. konferenca Vseevropskega dialoga, ki je potekala v Postdamu (Nemčija) od 6. do 8. februarja 2013. Konferenca je bila namenjena ponovnemu pregledu dela Györgyja Hajnala iz leta 2003, ki je predstavilo stanje izobraževanja za javno upravo v evropskih skupinah. Hajnal je za konferenco izvedel novo raziskavo, da bi ugotovil, ali je v zadnjem desetletju prišlo do kakšnih sprememb. Prišel je do ugotovitve, da se Madžarska (skupaj z Nemčijo) še naprej nahaja v »legalistični« skupini, saj ni opazil nobenih sprememb, nekatere druge države, kot so Slovaška, Romunija in Slovenija, pa so se približale menedžerializmu ali usmerjenosti k politiki.

Članek preučuje »legalistično« javno upravo in izobraževanje za javno upravo. Uporablja pojem profesionalizem, ki se pogosto navaja kot nasprotje legalizma. Veliko teoretikov legalizem in profesionalizem prikazuje kot nasprotna pojma. Zdi se, da je legalizem primerna oznaka za preteklo stanje javne uprave, ki bi ga reformisti želeli opustiti. Ker Madžarska velja za del legalistične kulture evropske javne uprave, je tu domnevni konflikt med legalizmom in profesionalizmom še bolj očiten. Madžarska je po mnenju mnogih teoretikov država z nadvse legalistično javnoupravno kulturo. Zdi se, da je po več kot štirih desetletjih diktature legalistična kultura v javni upravi zaželen, toda slednja v strokovni literaturi večinoma velja za oviro učinkovitosti in uspešnosti. Tudi v preteklosti je imel legalizem v javni upravi slab sloves. Cahn je trdil, da ima legalizem dva vidika: prvi je opredeljen kot pozitivizem, drugi pa legalizem označi za moralno vprašanje in brez kakršne koli dodatne potrebe po razlagi »legalno« opredeli za moralno. Foster je čisti legalizem označil za nasprotje moralističnega mišljenja in priporočil, da bi se morala javna uprava razvijati v skladu s slednjim. Pomemben del strokovne literature torej obravnava legalizem kot dejavnik, ki je v nasprotju s profesionalizmom.

Znanstvena analiza razumevanja profesionalizma in legalizma zahteva kratek zgodovinski pregled, kako se je profesionalizem v času Avstro-Ogrske (kjer je bil položaj v javni upravi sprva vezan na diplomu iz prava) počasi oddaljil od legalizma. V obdobju komunizma se je ta proces ustavil in izkrivil. Tako je na primer prvotno funkcijo prava nadomestila nova funkcija, pri kateri je šlo

za lojaln in neviden prenos državne oblasti na državno ukrepanje – po možnosti v preobleki legalizma.

Zgodovinska zapuščina je pustila pečat na današnji interpretaciji legalizma in profesionalizma. Trenutno ni popolnoma jasno, ali je profesionalizem nasprotje legalizma ali pa sta lahko ta dva pojma v sožitju. Profesionalizem lahko v svojem prvotnem pomenu pravne države vsebuje legalizem. To pomeni, da je državna oblast podrejena pravu, ki je znak soglasja med ljudmi, ki državno oblast nadzorujejo z demokratičnim sodelovanjem. Toda v okolju s preveč pravili je težko izvajati profesionalizem. Pravil je preveč, če jim javni uslužbenci zaradi podrobne narave zakonodaje in zaradi pogostih regulatornih sprememb ne morejo slediti. Na Madžarskem se je med letoma 1990 in 2010 letno število novo izdanih zakonov in drugih predpisov povečalo za 2,5-krat, zapletenost posameznih zakonov pa prav tako za 2,5-krat. Če legalizem pomeni povečanje števila zakonov, potem zagotovo gre za nasprotje profesionalizma.

Na Madžarskem je pri teoretičnih vprašanjih o legalizmu in profesionalizmu v praksi ter izobraževanju za javno upravo treba upoštevati radikalne spremembe v institucionalni ureditvi. Nacionalna univerza za javno upravo (NUPS) je bila ustanovljena leta 2010 z združitvijo vojaškega inštituta, inštituta za kazenski pregon in inštituta, ki se je ukvarjal z izobraževanjem za splošno javno upravo, v eno samo nacionalno ustanovo za izobraževanje za javno upravo, ki je na ta način pridobila monopol izobraževanja za javno upravo. V treh letih je postalo jasno, da je NUPS pomemben pospeševalec izobraževanja za splošno javno upravo na Madžarskem in glavni akter pri oblikovanju madžarske javnoupjavne kulture. Zaradi prizadevanj NUPS je Madžarska akademija znanosti priznala splošno javno upravo kot akademsko disciplino. S tem dosežkom je NUPS postala odločilni igralec pri opredelitvi te discipline kot »ne povsem legalistične«. To pomeni, da javna uprava sedaj velja za edinstveno strokovno disciplino, ki se razlikuje od prava (in tudi od »državnih in pravnih ved« – ta termin se je uporabljal in se še vedno uporablja v skladu s sovjetsko terminologijo).

Obvezno usposabljanje za javne službe je do leta 2011, ko je bila ta naloga dodeljena NUPS, izvajala neka vladna agencija. NUPS ima sedaj odločilni vpliv na profesionalizacijo vseh javnih služb. Čeprav je bila vsebina podedovanega kurikula predvsem legalistična, je dolgoročen interes NUPS, da bi razlikovali znanje, ki je potrebno v javni upravi, od znanja, ki ga nudijo pravne fakultete. Empirični del članka vsebuje podatke o sestavi zaposlenih v javni upravi z vidika deleža pravnikov in nepravnikov. Podatki kažejo, da pravna stroka v javni upravi še vedno prevladuje in da je v vsaj polovici ministrstev večina pravnikov pod 35. letom starosti.

Spopad legalizma in profesionalizma v madžarski javni upravi se lahko zazna tudi v tekočem vladnem programu reform. Vlada je v skladu s sklepom vlade 1207/2011 (VI. 28.) začela izvajati obsežen program reform v javni upravi, načrt *Magyary*. Načrt vsebuje tri strateške prednostne naloge v zvezi z

razvojem kadrov: profesionalizacijo, motivacijo in prehodnost med različnimi področji javnih storitev. (Slednje pomeni, da bi upokojeni uslužbenci v vojski in organih kazenskega pregona morali imeti še eno kariero v državni upravi.) Pri profesionalizaciji so glavna področja ukrepanja zaposlovanje, reformacija izobraževanja in strokovnega usposabljanja ter specializacija na področjih politike. Ta prizadevanja se morajo najprej spopasti s splošno legalistično dediščino madžarske javne uprave, ki ima sicer svoje vrednote glede vladavine prava, vendar je lahko tudi ovira za izvajanje ciljno usmerjene politike.

Načrt *Magyary* se loteva legalistične dediščine, tako da prenavlja zakonodajne postopke. Na področju zmanjšanja novo izdanih zakonov v enem letu je v preteklem letu prišlo do določenih uspehov, vendar zmanjšanje regulatorne obremenitve z izdajo novih predpisov vedno sproži tudi zakonodajni paradoks.

NUPS načrt *Magyary* opredeljuje kot institucijo, ki je odgovorna za povečanje profesionalizma v madžarski javni upravi prek izobraževanja in strokovnega usposabljanja javnih uslužbencev. Prenovljena je bila tudi struktura slednjega. Prej v madžarskem sistemu usposabljanja javnih uslužbencev ni bilo usposabljanja vodstva, sedaj pa je naloga NUPS, da po enoletnem pilotnem projektu leta 2014 uvede nov program.

NUPS ima kot nova institucija nacionalni monopol na področju strokovnega usposabljanja za javno upravo, pa tudi levji delež pri izobraževanju za splošno javno upravo. Zdi se, da so interesi NUPS usklajeni z njeno vlogo državnega prvaka v profesionalistični – in ne samo legalistični – javnoupравни kulturi na Madžarskem. Dejstvo pa je, da legalistična javnouppravna dediščina na Madžarskem še vedno pomeni temelj, na katerem je treba graditi, težnja po učinkovitosti in usmerjenosti s politiko morata temeljiti na preizkušanih vrednotah.