Abstract:
The value of public administration consists in its human potential. For this reason the civil service is a very important part of the public administration.
In comparative law’s view there are two definitions of what civil service means: the civil service can be defined by being related with the concept of public authority, or it can be reported to the public institutions from the executive power sphere.
In this paper, I have decided to make a comparative analysis between two different systems, the Romanian and the Swedish civil service. I have chosen Sweden because it is the third largest country in Western Europe, it is across Europe, having no historical connection with Romania and it is a member of European Union since 1995. Romania is also a big country, it is situated in the south-eastern part of Europe and it is a European Union member since 2007. These two countries have almost nothing in common – so I will try to find out the differences or if not the similarities when comes to civil services.
The main points that I am going to bring into attention are:
- The concept of civil service;
- Legal regulation of public administration and of the civil service;
- Civil service management;
- Employment in public administration.

Romania is a parliamentary democracy based on a bicameral Parliament: the Chamber of Representatives and the Senate. The head of state is the President who is elected by universal suffrage, every five years. Sweden is a constitutional monarchy, in which King Carl XVI Gustaf is head of state, but royal power has long been limited to official and ceremonial functions. The nation's legislature is the Swedish Parliament (Riksdag).

In Romania and as well in Sweden, the public administration and the civil service have a legal base. They are regulated by the constitution and by specific laws.

Having these premises, my intentions with this paper are to study in a comparative view the civil service systems in Romania and in Sweden, in order to reveal the fact that there are several meanings of a civil service existing in Europe, with important different features which depend on the political and administrative structure of the states and not at least on historical facts.

1. Introduction
The human resources are important values for any sector of activity, without human potential our society would not have the acknowledgement of progress and evolution.
Regarding the public administration, it is well known that the civil service is like a bedrock for it. The issue of civil service has been into attention since the Antic Rome. Hadrian Emperor is the one who created the first civil service statute.
In a state ruled by law, constitutional democratic and social-orientated, a civil servant represents a basis on which are achieved the democratic principles, materialized by the nature of the reports between the state authority and the citizen.

Regarding the judicial nature of a civil servant function, since the ending of the 19th century there have been outlined two major thesis: the mandatory civil servant function based on a contract, sustained in Germany strongly by Paul Laband and the civil servant function view as a public law contract-the administrative contract, promoted especially in France by Esmein, Hauriou, Duguit, Jèze.

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1 Bachelor student, National School of Political Studies and Public Administration, Faculty of Public Administration, Bucharest, Romania. E-mail address: iulia.cristina.popescu@gmail.com
2 Verdinas, Verginia, Statutul functionarului public, București: Nemira, 1998
3 Léon Duguit, Droit Constitutionel, 1930; Gaston Jèze, Les principes généraux du Droit Administratif, 1930; Maurice Hauriou, Droit Administratif, 1927.
During the time, in this field of civil service system, have been made studies regarding one or more administrative systems (comparative studies). I have to remind here authors like: Jacques Ziller – Égalité et mérite. L’accès à la Fonction Publique, dans l’États de la Communauté Européenne (1988), Jurgen Schwarze – Droit administratif européennes (1994), Duc JeanLouis – Le travaille et le droit (1994), Robert Polet and Koen Nomden – Employment in the Public Administration of the European Union Member States (1996), Robert Polet, Danielle Bossaert, Christoph Demmke, Koen Nomden – Civil Services in the Europe of Fifteen: Trends and New Developments (2001). In Romania authors like Lucica Matei, Ani Matei, Ioan Alexandru or Verginia Verdinhas have been remarked with many studies, books, papers regarding the public administration and the civil service system.

With this paper my will is to make a comparison and an analyze on specific elements of civil servant function, in Romania and in Sweden.

I intend to present the similarities and the differences, in order to reveal the fact that there are several meanings of a civil service existing in Europe, with important different features which depend on the political and administrative structure of the state and not at least on historical facts.

In all the European Union Member States the most marked sector by traditions and history footprints, of the administrative system, is the civil service system. In this field no European Union Treaty had made remarks. The European Union has no competences in regulating the national civil services. Each state has created his own civil service system based on its own traditions, influences. There have been many studies in this area, almost all of them mark major points like the definition/concept of civil service, the legal regulation on this domain, the civil service management. In my paper I use the same indicators in a comparative view between the two civil service systems.

In the beginning I have to define the following concepts that I will use further: public administration and civil servants function.

The methodology of this paper is based on:
- A thorough literature review of existing research into terms and conditions of the civil service system;
- A comparison of the civil service system legislation (between Romania and Sweden).

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4 Xavier Fregé in Matei, Lucica, *Functions for subordinated levels of central or regional governments*, European Forum on the Future of Local and Regional Authorities and Local Administration, Uniunea Europeana si Guvernul Frantei, 2008.
5 Vedel and Delvolvé in Matei, Lucica, *Functions for subordinated levels of central or regional governments*, European Forum on the Future of Local and Regional Authorities and Local Administration, Uniunea Europeana si Guvernul Frantei, 2008.
6 Matei, Lucica, *Functions for subordinated levels of central or regional governments*, European Forum on the Future of Local and Regional Authorities and Local Administration, Uniunea Europeana si Guvernul Frantei, 2008.
2. Political and Administrative Structure of the States.
The states structure has a great impact on the organization of the public administration. Each state has an unique structure, according to its own evolution conditions, but still there are commune structural elements. Romania is located in Southeastern and Danubian Europe. It is an European Union member since January 1, 2007 and it has the 9th largest territory and the 7th largest population (with almost 22 million people) among the European Union member states.
Sweden (Kingdom of Sweden) is a Nordic country on the Scandinavian Peninsula. It is a member of the European Union since January 1, 1995 and it is the fourth largest country in Europe.
Romanian’s Constitution is based on the Constitution of France’s Fifth Republic, adopted by national referendum in 1991 and amended in 2003, in order to get into conformity with the European Union legislation. Romania is a sovereign, independent, unitary and indivisible national state; the form of government is a Republic; it has a bicameral Parliament and it is governed on the basis of multi-party democratic system and of the segregation of the legislative, executive and judicial powers. The head of state is the President who is elected by universal, equal, direct, secret and free suffrage every five years. The President represents Romania’s state and he guarantees for its national independence, unity and territorial integrity. He nominates the Prime Minister who is the head of government; and he also has the power to dissolve the Parliament, the legislative branch, which is bicameral: the Chamber of the Representatives and the Senate, and it is elected every four years. Sweden is a constitutional monarchy and a parliamentary democracy. King Carl XVI Gustaf is the head of state, but the royal power has been limited to official and ceremonial functions. The nation’s legislative body is the Riksdag, which holds the supreme authority in modern Sweden. It is responsible for appointing a prime minister who has to choose his government members. The government has a staff of civil service officials and political appointees to help it in its work. They are gathered in the Government Offices, a central government agency that consists of the Prime Minister’s Office, the various specialized ministries, the Permanent Representation of Sweden at the European Union and the Office for the Administrative Affairs. The constitution of Sweden consists of four fundamental laws: The Instrument of Government, the Act of Royal Succession, the Freedom of Press Act and the Fundamental Law on Freedom of Expression. The Riksdag Act is not one of the fundamental laws, but still it is not an ordinary law, it is positioned between a fundamental law and an ordinary law.
Regarding to the administrative divisions, Romania is divided into forty-one counties and the municipality of Bucharest, Romania’s capital. A county is administrated by a county council and a prefect, which is appointed by the government. The further subdivisions are the city and the communes. Each subdivision has a mayor and a local council. The capital has an unique status, it has a mayor, a general city council and a prefect; besides these it is divided into six sectors with their own mayors and local councils. “The public administration in the territorial-administrative units shall be organized and shall function on the grounds of the principles of decentralization, local autonomy, deconcentration of public services, eligibility of the government authorities, legality and citizen consultation in solving local matters of particular interest”.
Sweden is currently divided into twenty-one counties; each one is administrated by a county administrative board appointed by the government, and by a county council. Sweden has also two committees which constitutes the intermediate administration level with responsibilities in the health public sector. A county divides into municipalities which have a municipal government and a legislative municipal assembly, elected every four years in the same time with the national parliamentary elections. Another subdivision is the parish which is a traditional subdivision of the Church of Sweden.

3. The concept of civil service. Legal regulation of public administration and of the civil service.
The concept of civil service is a fundamental institution of the administrative law; it is close related with other concepts like public activity, authority, administrative institution. In another point of view, the concept of civil service can be defined as a group of competences and attributions with the main purpose to satisfy the general interest.
In comparative law’s view there are two definitions of what civil service means: the civil service can be defined by being related with the concept of public authority or it can be reported to the public institution from the executive power sphere.

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In order to provide a better image of the civil service I will make a short comparison marking the following aspects: form of government, legal regulation, nature of the administrative system, legal situation/form of a civil servant, the report between a public function and a political function.

**Form of government:** Romania is a republic, a unitary state, based on a parliamentary democracy.

**Legal regulation:** To define what a public servant according to his work duties is, has always been hard. This classic questions still has not a general accepted answer, not even in the “classic bureaucracies”\(^1\). In Romania the law no. 188/1999\(^2\) establishes that the civil service is an assembly of attributions and responsibilities, statue under the law with the purpose of fulfilling the prerogatives of public power by the central and local public administration. According also to this law, a civil servant function is classified in: general and specific functions, functions requiring high, medium and low professional skills.\(^3\) There is another definition regarding the civil servants, provided by the penal law\(^4\): a civil servant is a person who exercise permanent or temporary a task in order to serve a public authority, a public institution or other public law entities. Sweden has a general regulation regarding the civil service, in which are established rights and obligations of a civil servant, while the other important aspects of how civil service is regulated can be found in labour law legislation. A civil servant function is classified in: central civil servant function, community’s civil servant function, local civil servant function.\(^5\) In Sweden there is no Civil Servant Statute, but it exists a distinction between the central, communes and local civil servant function.

**Administrative system:** Romania is a decentralized unitary state.\(^6\) Territorial administrative decentralization is based on a community of “public interests” of the citizens, which recognize the local community, technical and financial decentralization of the public services.\(^7\) Decentralization is defined as a base of changing the structure of intergovernmental relations and a guaranty of an efficient, responsible, effective and transparent public administration. It should be regarded as an administrative and financial competences transfer from central to local public administration or to private sector.\(^8\) Romania’s administrative subdivisions are the counties, cities and communes. Sweden is also a decentralized unitary state, with 2 regions, committees and local administrations. The local administrative body is characterized by: the dual administrative structure with ministers and independent executive agencies and by strong decentralization with important responsibilities for regional and local administrative levels.

**Legal situation of a civil servant:** In Romania, a civil servant as while as he serves in service, he has a judicial report. There is another definition regarding the civil servants, provided by the penal law.\(^9\) There are no specifications to point that a civil servant would occupy a function for an undetermined period of time. A judicial report of service appears and it is exercised on the administrative act of appointment basis, under the regulation of the Civil Servants Status. In Sweden, by the Public Employment Act, a judicial report of service is also regulated for the civil servants. There are no specifications to point that a civil servant would occupy a function for an undetermined period of time.

**The report between a public and a political function:** In Romania and as well as in Sweden, public servants should be without any political connections.

### 3.1. History in Brief

Since 1989 the public function in Romania has been redeveloped as an institution of the administrative law, being, in this way, put out from the labour law frame. During the socialism period of time, Romania had three different

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8. Matei, Lucica, *Functions for subordinated levels of central or regional governments*, European Forum on the Future of Local and Regional Authorities and Local Administration, Uniunea Europeana si Guvernul Frantei, 2008.
Constitutions and neither of them had no specifications regarding civil service. But there is a need to say that before this historical period, Romania had a great tradition in this field of civil service. The first composition proceeding of the civil service was in 1864. The Constitution from 1923 statues for the first time modern principles for state organization. On its behalf, also in 1923 it had been created the first Civil Servants Code. In 1991 Romania has adopted a new Constitution which laid down the Civil Service Statute. The Constitution is now modified, but still in act.

When talking about civil service, Sweden has a long tradition. In the 16\textsuperscript{th} century there were state officials in local communities. By the 17\textsuperscript{th} century in the central administration was established a system of collegium. In 1809 Sweden established the Ombudsman of Justice. He was elected by the Parliament and he had to supervise the civil servants and complains from the public. In the 18\textsuperscript{th} century the Swedish civil service was considered inefficient, corrupt and nepotistic. During the period of time from 1850 till 1860 there were important reforms in the civil service system, they have managed to make structural and economical reforms of the public administration, succeeding to modernize the state. For these reasons Sweden can be described as a successful model case.\textsuperscript{19}

4. Recruitment in Civil Service

There is a great diversity and specificity of civil services in all the countries of Europe. However there have been followed two organizational patterns: the employment system and the career system.

The employment system regards post in the same way as in the private sector, like an assembly of functions and professions which are classified by the qualifications required, task involved and level of remuneration. In this system, the civil servants are rather specialists than generalists. They are recruited by specific skills and they have no guarantee or security of employment.

The career system is based on the principle of specificity of the public services and on the concepts of stability and continuity in career. The civil servants devote their entire working lives to serving the state, their communities. The civil service is structured according to a hierarchical conception into corps, grades and posts.

The diversity of civil services is principally the result of the following five factors:

- The unitary or federal nature of the state;
- The state’s conception of the notion of general interest and its role in the implementation of its public service missions;
- The impact of decentralization movements and reforms;
- The cultural pluralism of local authorities;
- The degree to which the local civil service is differentiated from the national civil service.\textsuperscript{20}

Beyond this diversity, there does seem to be a certain north-south divide among the state members of the European Union.

The Nordic European Countries are steeped in a monarchical tradition which initially meant that the civil servant served directly the person of the sovereign. This pattern of a direct and personal relationship favored the development of a type of civil service management with the principle of negotiation as basis. There was also a contract and this facilitated the adoption of the employment system with no special features for public servants other than those they were able to negotiate particularly through their union representation.

Concerning the Central and Eastern European states, these, during the soviet period were accustomed to civil servants in various public services being subject to ordinary labour law, under the iron hand of a single party. During democratic transition, they start to organize their new civil service according to predominantly career models.

Regarding Romania and Sweden I will point out in my comparison the following aspects: civil service system, principles of accession in the civil service, recruitment method, accession requirements.

\textit{Civil service system}: As I have outlined, there is a career civil service system and an employment civil service system. In the table below there are the main features for each of these systems\textsuperscript{21}.

\textsuperscript{19} Aijmer Cavallin, Maria, Phd., \textit{The Road to Incorruptibility. The transformation of the Swedish Civil Service in the 19\textsuperscript{th} century, The Quality of Government}, University of Gothenburg: 2008. Also available online at http://www.qog.pol.gu.se/participants/maria_cavallin2.htm. (last access: 25 February 2009).


\textsuperscript{21} Bossaert,Danielle, Demmke, Christoph, Nomdem, Koen and Polet, Robert, \textit{Civil Services in the Europe of Fifteen: Trends and New Developments}, Maastricht: European Institute of Public Administration, 2001, pp. 84.
In the nineties Romania opted for civil service structures with classical career paths, in which civil servants can be promoted in accordance with seniority (among other criteria). One of the main objectives of this choice was to fight politicization and patronage which were a communist legacy. So, Romania has a career civil service system. Efficient promotion of career is a fundamental request for a successful public administration. This is supposed to make the civil servants to be proud of their place of work, highly motivated, all in order to serve better the citizens.

Sweden has an employment system. In this country the general trend is to have a civil servant function headed to results and to a management with specific purposes. In Sweden exists also a convention regarding the security of the workplace, which allows the state to make an attention note, to civil servants, for changing the classification methods, of assignment of a mission or other measures regarding this function, which are guaranteed by the state.

**Principles of accession in the civil service:** According to the Romanian legislative framework, principles for exercising a public function are:

- An efficient assurance without corruption, power abuse or political pressures for any public administration activity;
- Civil servants selection should be made only by competence;
- Equal treatment for accession and promotion in the civil service system;
- Stability for the civil servants.

In the Public Employment Act of Sweden it is clearly specified that appointments attention shall be paid only to objective factors such as service merits and competence. The equal treatment principle is also considered.  

**Recruitment method:** In Romania the civil service recruitment is regulated by a Government Decision regarding organization and development of civil servants career. There is established that civil service recruitment should be based on a contest for occupying vacant civil servant functions. The principles that govern the contest management are: open competition, transparency, service merits and competence, equal treatment. The contest resides in three steps: 1. files selection, 2. written exam, 3. interview. According to the administration levels, the civil servants function can be classified in: state civil service function (central public administration and autonomic administrative authorities), territorial civil service function (disconcert public services) and local civil service function.

The professionalization of the public management represents the process of attraction, selection and making of the specialized in public management civil servants. The public manager is the new model of a civil servant. She/he has the mission to contribute in order to assure the efficiency and the continuity of the public administration reform and the implementation of the acquis communitair. The public manager works usually under the direct coordination of a high civil servant.

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22 Bossaert, Danielle, Demmke, Christoph, Nomden, Koen and Polet, Robert Civil Services in the Europe of Fifteen: Trends and New Developments, Maastricht: European Institute of Public Administration, 2001, pp. 46.
The Swedish Constitution sets out the criteria for selecting civil servants to central government posts. There are specified minimum educational requirements, but the Public Employment Act specifies that priority should be given to skills and competence. There are different selection methods applied during interviews. There are contests organized only by exception for the judicial and for the foreign affairs departments.27

Accession requirements: In Romania accession requirements can be classified:
- depending on the appreciation of the public authority: objective requirements (the minimum requirements) or subjective requirements (permit appreciation from the public authority);
- depending on the applicability sphere: general and special requirements.28

According to the Civil Servants Statute art.54 the general requirements for a civil servant function are:
- Romanian citizenship and a stable residence in Romania;
- Romanian language acknowledgement;
- Age requirement of minimum eighteen years;
- Full exercise capacity;
- A proper health situation;
- Educational requirement for each public function;
- The person has not been convicted for any fact that would make it incompatible with serving for the state;
- The person has not been deprived from a public function in the last 7 years;
- The person has not made political police.

Sweden: According to The Constitution (The instrument of Government) the selection of the civil service shall pay attention only to objective factors such as service merits and competence, still there is an age request (minimum 18 years) and a linguistic request. The Government may require in special cases the Swedish citizenship:
- Posts within the Government Offices or foreign service;
- Public posts that may be combined with exercise of official duties or dealing with issues that affect the relationship with other States or within international organizations;
- Public posts that may involve knowledge about circumstances that are of importance for the security of Sweden or for other important, public or private financial interests.29

5. Rights and Obligations
In doctrine three different rights and obligations categories have been identified:
- General rights and obligations for any person who has a work place;
- Specific rights and obligations for civil servants;
- Specific rights and obligations for special categories of civil servants.30

Every country points out itself by its own specific of civil service. I will analyze each country from the following aspects: patrimonial and non-patrimonial rights, the career right, deontological obligations.

Patrimonial and non-patrimonial rights: In Romania, once the legal requirements regarding accession in the civil service are accomplished, the civil servant enters in a stage period between six and twelve months and he is called a debutant. During this stage period the debutants activity is deployed under the supervision of a civil servant. As a debutant, a civil servant has the following rights:
- The right to be supported and guided in order to accomplish his attributions;
- The right to have specific attributions correlated with his knowledge level;
- The right to have individual study time in order to prepare to became a civil servant;
- The right to access useful information for his preparation.

Aside from this special rights, a public servant has rights like: an opinion right, the right to benefit by an equal treatment without any discrimination, right to be informed about the decisions regarding him directly, right of association ( in unions or in professional organizations), right to strike, right to have a pay-packet, right to continuum study and improvement work, right to a normal timetable with payment for the supplementary working-hours, right to have a normal leave, a medical leave or a maternity leave, right for pension.31

31 Law number 188/1999 regarding the Civil Servants Statute published in the Romanian Official Journal, part I, no.251/ 22 of March 2004, art.27-42
In Sweden, the patrimonial rights recognized are the salary right – salary increment has to be negotiated every one or two years. There exist also performance bonuses and supplementary hours gratifications; and the right to pension. The non-patrimonial rights are: the right to strike, right to continuum professional improvement (this is recognized but it is not compulsory), right to appeal and to consultation in case of disciplinary digression, right to participate in the decision making process and the right to equal treatment.

The career right: In Romania exists a career civil service system with a great accent put on the career concept. For this reason, one of the principles on which the civil service is build on is the public function stability for civil servants.

The current modernization concept for reorganization and development of the public administrations requires competent and well trained personnel. The training policy is changing progressively, adapting the needs and expectations. Training and professionalization have a great structural importance in the civil servants career plan. In Sweden the right to make a career in public administration is recognized but there is no guarantee for a permanent working place.

Deontological obligations: Generally, in the European systems, loyalty, professionalism and impartiality are the main prerogatives for civil servants. Despite of these, obligations and disciplinary sanctions exists also.

Romania: The debutant civil servant is in duty bound:

- to improve his theoretical professional grounding in order to apply it in practice;
- to consult his guide during working;
- to take part in scientific and professional manifestation;
- to participate in special trainings for debutants.

According to the Civil Servants Statute, a civil servant has the following obligations: to fulfill with professionalism and impartiality his working duties; he/she is obliged to respect the moral and ethical norms; according to his/her attributions he/she has to abstain from expressing or manifesting his/her personal political opinions or believes; he/she is obliged to keep the national secret or the service secret as well as keeping the confidentiality of facts, information or other documents that he/she is aware of, during exercising the civil servant function, excepting the general public interest information; he/she is obliged to respect the juristic regime of conflict of interests or incompatibilities.

Sweden is rather a special case: for more than two centuries the Swedish people can have access to all documents held by the royal authorities. There are two fundamental purposes for a transparent administrative activity: to permit the people to control the public authority in order to prevent and to denounce any arbitrary decision and to contribute to public opinion formation.

6. Performance evaluation and promotion

Western contemporary doctrine treats together the evaluation and promotion of the civil servants, claiming that those two cannot be studied separately. Performance evaluation serves for: helping the civil servant to a self evaluation, the authority to have an acknowledgement of professional preparation and working experience of civil servants; after the performance evaluation there is a selection for promotions. There are different types of evaluations with different modalities.

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33 Alexandru, Ioan, Carausan, Mihaela and Bucur, Sorin, Drept Administrativ, București: Luminalex, 2005, pp.330

34 Law number 188/1999 regarding the Civil Servants Statute published in the Romanian Official Journal, part I, no.251/ 22 of March 2004, art.43-49


The public employee’s development represents a stake, permanently felt by the citizens. The public administration reform has strengthened the need for the civil servants in-service training, playing an important role in the management process. The study of theories and function of administration, together with the analysis from the managerial perspective, does not lead immediately to creation of loyal, efficient, well-trained civil servants, but represents an important step in achieving these objectives. In this section I would like to present the evaluation systems and the promoting methods.

**Evaluation systems:** In Romania the individual professional performance evaluation has to be made annually. The evaluation procedure has the following purposes:

- Promotion in salary grades;
- Reducing to a lower rank in salary grades;
- Promotion in a superior public function;
- Dismissal from the civil service;
- Setting requests for civil service professional preparation.

After the evaluation period, the public servant obtains one of the subsequent marks: exceptional, very good, good, satisfactory, unsatisfactory.

In Sweden doesn’t exist a defined evaluation system especially grounded on the employment system which puts an accent on short or medium term results and not on the career.

**Promoting methods:**

Romania: Promotion in a superior professional grade has to be made by a contest or an exam organized annually. The promotion exam in the professional grade is organized by the public authority into the laws limit. In order to be able to take part in an examination for promotion, a civil servant has to fulfill cumulative the subsequent requests: to have at least four years of service in the professional grade from which the civil servant wants to promote; at least two years of service in the salary grade from which the civil servant wants to promote; to have obtained at least “good” at each performance evaluation in the last two years and to have a clean administrative record.

For participating to a promotion contest for a management public function, the civil servants have to fulfill cumulative the following requests: to have graduated a master program or other similar programs in public administration or management field or in the specialization field necessary for exercising the civil servant function; to have been named in a first class civil servant function; to have a clean administrative record; to have a minimum two years of service.

A fast promotion system exists also. Can benefit of it civil servants who have graduated the course for public managers or those who cumulatively fulfill the requests: to have at least one year of service in the professional grade from which a promotion is wanted; to have obtained “very good” at last performance evaluation; to have a clean administrative record and in the last year to have graduated at least one professional training.

In Sweden it is not established a promotion system. The evaluation is made as a personal work note by a superior of the civil servant. There are only identified the following grades: assistant, functionary, head of direction, head of department, adjunct general director, general director.

The civil service system can be seen as bedrock for the public administration. My transparent intention with this paper was to reveal the differences and the similarities between one central-eastern civil service system and one northern civil service system.

Romania is a unitary state, as a republic, while Sweden is a constitutional monarchy. Both countries have specific legal regulation regarding the civil service. Regarding the legal situation of a civil servant, in Romania he/she has a

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38 Alexandru, Ioan, Carausan, Mihaela and Bucur, Sorin, *Drept Administrativ*, București: Luminalex, 2005, pp.327

39 Law number 188/1999 regarding the Civil Servants Statute published in the Romanian Official Journal, part I, no.251/ 22 of March 2004, art. 65
judicial report of service and in Sweden he/she has a similar report of service, but with no specifications of a civil
servant to occupy a function for an undetermined period of time. Based on these types of reports of service,
Romania has opted for a career system with classical career paths, while in Sweden is developed an employment
system. As for the recruitment method, in Romania are specific regulations, but in Sweden there are only minimum
educational requirements. Regarding the chapter of rights and obligations, here many similarities can be found, but
also differences based on the different features of the career system and of the employment system. This fact can be
observed also when discussing about evaluation and promotion. In Romania a whole evaluation system exists, while
in Sweden the evaluation consists in a work note written by a superior.

I consider that my goal with this paper has been achieved; I have discovered and explained major differences, but
also similarities between the Romanian and the Swedish civil service system.

6. Conclusion

The civil service is a wide-opened field for discussions, debates and studies in any state interested in having a
transparent and efficient public administration.

I have chosen to study two different civil service systems in order to make a comparison between two states with
different history, different traditions, different outside influence, with no link at all regarding the public
administration system. Despite of this, it is important to add that both, Romania and Sweden, are Member States of the
European Union.

I find this subject quite interesting and captivating so I have tried to discover the main differences and also the
similarities of civil service systems in these two countries.

Sweden is one of the most developed countries in the world, while Romania is still searching her own path for
achieving a transparent and efficient public administration. Romania still has to obviate the communism legacy. I
believe that the Swedish model can be seen as a positive example for Romania, which has to put accent on
transparency, functionality and efficiency when comes to civil service system; especially now, when the
international geopolitical changes that our society faces, have clearly a destabilization impact on public sector. A
new role of the state is defined, in which the public administration is orientated to the client/the citizen\(^\text{40}\). This new
dimension of the public administration is under a continue reform and adaptation in order to be efficient and
transparent.

My paper is based on literature and legislative review, concerning the subject of civil servants.
The diversity of civil services is the principally result of the following factors: the unitary or federal nature of the
state, the state’s conception of the meaning of general interest and public service mission, the impact of
decentralization, the cultural pluralism of local authorities. In my paper I have outlined all these factors and I have to
say also that beyond this diversity, there does seem to be a certain North-South divide, when talking about public
administration and administrative structures, among the countries of the European Union. Still, it is not utopian to
imagine that civil services, in Europe, might be eventually harmonized in a way of developing standard
organizational structures and adopting commonly shared guiding principles. It can be seen a trend of developing
convergent methods and mechanisms of human resources management totally independent from each national legal
framework.

Europe meets now a new challenge regarding public administration and civil services. The spatial dimensions of the
public sector need a reformulation, as a result to the growing need of strengthen local democracy on behalf of
citizens. Future studies have the mission to outline the connection between the administrative system and the civil
service system.

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