WORKING PAPER – NOT FOR QUOTATION

Understanding Reasons and Implications of Agency Management "Politicization":
Parties vs Ministers

Miroslav Beblavy[1], Emilia Sicakova-Beblava[2], Darina Ondrusova[3]

Summary/Abstract

Discussion of politico-administrative relations as well as the research on agencies generally treats "politicization" of agency management as a single, "black-box" concept according to which agency managements (and other senior civil servants) are either political or not. Our paper shows that, using a strict, but widely applied definition of what constitutes a political appointment, agency heads in Slovakia are overwhelmingly "political", but that the implications of politicization vary depending on the type of politicization. In particular, we distinguish personal nominations of the responsible minister and contrast them with party nominations based on coalition agreements. Based on a series of interviews with senior policy-makers on both side of the politico-administrative divide, we show that the selection mechanism, incentive structure and robustness of actual accountability mechanisms differs more between these two type of politicizations than between the ministerial and formally "non-political" appointment.

Introduction

Politico-administrative relations can be studied not only within the core state administration – civil service – but also in state agencies. State agencies are part of a broader state administration and they are formed to deliver various types of service and/or conduct regulatory functions (Beblavy, 2002). The politicians have several tools to control the

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[1] Assoc. prof. Miroslav Beblavý, PhD., Institure of Public Policy and Economics, Faculty of Social and Economic Sciences. Email: beblavy@governance.sk
[2] Assoc. prof. Emília Sičáková-Beblavá, PhD., Institure of Public Policy and Economics, Faculty of Social and Economic Sciences. Email: ema@transparency.sk
[3] PhD student Darina Ondrusova, Institure of Public Policy and Economics, Faculty of Social and Economic Sciences. Email: darina.ondrusova@fses.uniba.sk

agencies and one of them is through personnel policy, recruitment systems of the senior management.

Recruitment system of the senior management level in the Slovak state agencies is the main topic of this paper, which consists of 4 parts. It starts with the overview of literature on politicisation of public administration and its forms and than provides the methodology. It continues with the presentation of findings and draws main conclusions.

1. Typology of Politicisation

On the following pages we focus on the definition of basic theoretical concepts associated with the issue of politico-administrative relations and in particular the process of recruitment into the civil service and public sector.

In the aftermath of every election the politicians start to exercise the powers vested to them generally having the ambitions to fulfil the promises made to voters in the campaign. To achieve this goal they can turn to the state administration including the public agencies. However, the personnel make-up of these institutions is not always in accordance with the wishes of either of the actors with respect to which people to include in the team managing the individual departments. Thus, Aberbach, Putnam and Rockman defined the relations between politicians and the civil service as an uneasy partnership in charge of the modern state (Aberbach *et al.*, 1981). The uneasy partnership between the given actors is driven by different expectations in regards to the types of activities performed by actors, as well as their quality, by which we mean their knowledge capacity, willingness to take action, enthusiasm for change or innovations, including the expectations of loyalty of different sorts. In this paper we focus only on one specific aspect of these relations, namely the relation of political elites towards the civil servants.

The political management is dependent on the bureaucrats on various levels – the politicians rely on them in the process of policy formation, presentation and implementation and delegate to them the decision-making authority in many areas, to divest themselves from the duties associated with the management of the department. The question is, whether this support should be provided either by career civil servants recruited through institutionalised recruitment process by partial self-reproduction of bureaucracy through merit criteria, or by

the political nominees appointed by the political elites. This is a decision between the use of the doctrines of administrative and political rationality (Aberbach – Rockman, 1994), or the extent, to which these two doctrines are combined.

The application of the doctrine of administrative rationality results in the merit-based system. It is an institutionalised personnel system with clear set of rules governed by an official format (i.e. legal norm), where the employees / civil servants are chosen on the basis of merit. The merit-based system means that the senior bureaucrats in the civil service are recruited with regard to their professional qualification, through an official selection procedure, with promotions to higher positions being conditioned by the fulfilment of a set of pre-determined criteria (e.g. a number of years worked in the civil service). The recruitment process is organised by the administrative apparatus, thus we can speak of the self-reproduction of bureaucracy. Even in this system the politicians have an influence on the selection of civil servants, but this influence is different from the system where they decide directly. Peters (2004) stresses the fact that even though the main goal of this system is to employ the best professionals, sometimes the recruitment process can intentionally take into consideration other criteria as well – for example if the given policy is focused on the support of a particular ethnic minority, the members of this ethnic community might be over-represented. This however applies more to the civil servants of the first contact that are in touch with the members of the given minority rather than the administrative elites.

The second model approach, reflecting more the doctrine of political rationality, is when the personnel recruitment is controlled directly by the politicians. This decision by the political elites can but does not have to be preceded by formal or informal selection process.

This approach is called the politicisation, in the broader sense of the word, since politicisation is a term that is used to describe different processes in a society. It is associated with a (change in the) number of (party) political nominations, (party) political loyalty of the civil servants, as well as the political sensitivity of the bureaucracy (Van de Meer, 2007). Peters defines politicisation as the substitution of the merit principle in the recruitment process by the system of promotion, reward and obedience of the civil servants according to the political criteria (Peters, 2010). As already stated, this is quite a broad definition and in this paper we focus only on this definition of politicisation, namely the recruitment process into the administration/agencies, as defined by Gregory (2004) who sees the politicisation as "the

capacity for the political executive to exercise authority directly in the appointment of top governmental officials".

We can look on the process of politicisation from the view of how it is created and classify it (e.f. World Bank, 2003; Clifford and Wright, 1997) to top-down politicisation and bottom-up politicisation. There is a number of mechanisms with the goal of ensuring the politicisation from above (see for example Van den Meer (2009)) and we more specifically define the individual forms of top-down politicisation in the following text.

From the **legal perspective** we can differentiate between political nominations *de iure* and *de facto*. The former is the situation, when the politician has a formalised authority to choose and appoint the members of his/her cabinet, directors of state agency or advisors. In the latter case there is no legal authorisation for this method of recruitment but it happens in practice. An example of this is a manipulation, an informal political nomination to permanent position in the state sector.

Within the *de iure* framework of legal politicisation we can speak of the so called structural politicisation. It is a creation of formal legal structures, positions within the organisation that are filled according to the decisions of the political authority and this appointment of these positions through such political nomination is legally allowed (Rouben, 2004). In case of the structural politicisation it is possible to observe, which levels of the department are subjected to the **structural politicisation**. An example can be taken from the appointment of people to the departmental offices, the appointment to the senior positions in the state administration or the managerial posts in the departmental agencies. Another example of structural politicisation is the deconstruction of the lineal bureaucratic hierarchy and the creation of a new institution – QUANGO, which is more likely to be responsive to the orders of the political leadership. A change occurs in terms of the environment, within which the decisions are made and a greater control of the decisions adopted is ensured by the political nomination of the decision-makers. Due to smaller media publicity and public pressure they can be used as the tools of strengthened political or personal influence of the decision-maker, the personal or party patronage, especially in the cases where the core civil service is governed by stricter rules and expected a professional performance. The literature cites one of the core factors strengthening the existence of the structural politicisation to be the legal and/or political difficulties in changing the civil servants that are ignoring the needs of the current political

leadership, which is dissatisfied with their performance (Peters – Pierre, 2004). This can lead to the duplicity of employees, when the cadres chosen by the politicians are complementing the career civil servants.

Another factor present in the debate on the politicisation is the extent of **responsiveness** of the civil servants to the wishes of politicians and the type of competence of the civil servant. This factor shows whether in the recruitment process one focuses on the neutral capabilities, responsive competence or simply responsiveness.

The process of recruitment by the political leaders to the senior civil service positions does not have to involve party patronage or party appointees with no professional qualification. Politicisation, as it has been noted above, can also occur with the goal of improving the political compatibility of bureaucrats and politicians in their view of individual policies. Value-sharing does not necessarily mean party-affiliation and its societal legitimacy is higher than in case of using pure responsiveness, even though this changes with time as suggested by Peters (2004). Therefore when talking about politicisation, a second classification is often used, dividing politicisation into **patronage, functional and formal**.

In case of personal and party patronage/clientelism the key factor in the appointment is the personal or party loyalty and the decision-maker chooses it for number of reasons. An example is the formation and strengthening of party structures, as well as the personal positions of power in the party and the surrounding environment. This system of recruitment by the political appointment is typical for developing countries, less so in the older democracies, even though in some of these countries we can observe the cases of patronage. Greece would serve as an example in this respect (Van der Meer, 2007).

With respect to the functional politicisation, numerous authors cite political responsibility of politicians who need tools to ensure the fulfilment of duties and want to have greater control over policies as well as the performance outcomes of organisations over which they hold political responsibility. The public tends to view politicians as responsible for the actions taken within their department. Functional politicisation thus comes to existence as a reaction to the problem of control (Peters – Pierre, 2004) and as a coordination mechanism. This is why numerous authors (for example Mulgan, 1999) divide this type of politicisation into two

subtypes, which in practice are often hard to differentiate, namely the policy-oriented politicisation and managerial politicisation.

The policy-oriented politicisation refers to the appointment to senior administration based on the political agreement of the nominee with the general policy orientation of the given government. Managerial politicisation according to Mulgan is based on the fact that the new government appoints to senior positions new people with the goal of keeping control over what happens in the organisations that it is responsible for. In this case the main reason for the appointment is the control of governance/system and not the support for the party affiliation. This way the signal is made that there is a change from the past system or in the implementation of policies. The leadership that was in power until now was associated with the strategies of the past government and its replacement should signalise a new approach. Therefore this view of the functional politicisation does not stress the characteristic of the new leadership but more with the circumstances of the appointment (Mulgan, 1999).

Formal politicisation is a situation when from the appointment is directed by the political decision-maker, but the criteria of the selection are based on neutral competence. The reason for this situation can be the tradition of appointment by the political decision-maker into the particular position and broad societal consensus for a required professionalism in the given senior position.

Combining the legality criterion with the responsiveness/competence at political nominations we get the types of political appointment given in table 1.2.

Table 1
Typology of Politisation

Criterion: motivation in the choice of the civil servant Vs	Criterion: responsiveness	Criterion: responsive competence	Criterion: neutral competence

Legal criterion			
Illegal nominations	Illegal personal/partisan patronage/clientelism	Illegal functional politicisation	–
Legal nominations	Legal personal/partisan patronage/clientelism	Legal functional politicisation	Formal politicisation

Source: Authors.

Third criterion of classification of politicisation is the **type of political decision-maker**. Decision-makers at political nominations can be individuals as well as collective organs. Besides the minister, the decisions can be also made by the government, president or parliament. In coalition governments this picture gets much more complicated and the actor is the coalition council. We will deal with this issue in the methodology part.

2. Methodology of the Research

The Slovak state sector consists of different layers, including the core civil service and agencies. Within the concept of agencies we understand state for example state budgetary and contributory organizations, public law organizations and state owned companies. In this paper we look at the politico-administrative relations in state budgetary and contributory organizations.

To better understand politico-administrative relations in the Slovak state agencies we focused on following questions:
- to what extent there is a structural/de iure politicisation in the Slovak public agencies
- what type of politicisation is it - individual or collective politicisation?
- what is the real/de facto politicisation of the selection of the senior management level in the Slovak state agencies
- what is the relation between de iure and de facto politicisation in the Slovak state agencies.

To answer the first two questions we look at the way the senior management level at agencies has to be selected and who makes that decision as defined by the law (qualitative research). We distinguish between individual and collective decisions.

Collective body is for example the Slovak government. However, the government is not the only collective body, which has the power to conduct political nominations, and to this group we can include also the parliament. The power to appoint certain positions is also in the hands of the president of the republic. The president seemingly operates as an individual body by himself. However, his nominations cannot be fully compared with the nominations of the minister, especially if the president is elected directly by the people. The difference is that while the minister has a political responsibility for his nominee and in case of the latter's failure there will be pressure on the minister to resign, there is not such direct responsibility for the president. Furthermore, the nominee of the president has no accountability towards the latter as the nominee is not his subordinate.

Therefore the second criterion for determining the type of political function according to the decision-maker is the political responsibility, where the direct political responsibility is in the hands of ministers and the indirect political responsibility in the hands of collective bodies and the president. The overview of the combination of both criteria is offered by the following table.

Table 2

Types of decision-makers by the chosen criteria

Criterion	Collective decision-maker	Individual decision-maker
Direct political responsibility	–	Minister
Indirect political responsibility	Government, parliament	President

Source: Authors.

Based on this typology of decision-makers we identified two types of political functions in our research:
- collective political functions (CPF), which are filled through the appointment by the government or parliament

- ministerial political functions (MPF), which are filled through ministerial an appointment by the minister or another individual body, which holds direct political as well as substantive responsibility.

With respect to the sample of agencies, in which we analysed the structural politicisation, we focused on the public budgetary and contributory organisations, which are directly subordinated to the departments and are classified in the same manner as other bodies of state administration.

To answer the third question we conducted a series of interviews with senior policy-makers on both side of the politico-administrative divide. The sample of interviewees included individuals that were appointed to one or more of the following positions:
- minister,
- state secretary of the ministry,
- advisor to the minister,
- director general of a section (highest level of ministerial administration),
- director of a division (the second highest level of ministerial administration)
- chief executive of budgetary or contributory organisation.

The optimal interviewee was an individual who held same or different positions during the numerous governments and for the longest period of time to increase the information yield of the interview and allowed the direct comparison of personal experience. The sample included some prominent and politically active individuals as well as some non-prominent individuals with long-term connections to a particular political party but also some individuals who are neither members of nor associated with any political party. With regards to the nature of the interviewees and the questions they were asked they were informed that even though the analysis of the findings will include the information and the citations they offered, these will not be associated with the names nor presented in the way that could allow this identification.

The sample of ministries covered in the research includes the key departments from the point of view political, fiscal and security weight and at the same time respects their diversity so that it allows to uncover the differences between different types of departments. Namely the ministries are:
- Ministry of Finance

- Ministry of Education (the name has changed in 2010)
- Ministry of Labour, Social Affairs and Family
- Ministry of Justice
- Ministry of Interior
- Ministry of Foreign Affairs.

The interviews were conducted in the months of May-August 2011 and covered the governance of four executives: Dzurinda I, Dzurinda II, Fico, Radičová. The period of these four governments was chosen because it covers a sufficient diversity of governments and the ruling parties to allow us to make generalised observations. At the same time these governments include the period before and after the EU accession (2004) as well as the period before and after the passing of the law on the public service (2002).

3. Main Findings

The research came with 3 main findings.

The first finding is related to the way the senior management is selected in the Slovak public agencies. We have looked at the state budgetary and contributory organizations.

From the category of the budgetary and contributory organizations we covered through our research the institutions that formally belong to the institutions of state administration, for example The Slovak Statistical Office and The Office of Geodesy, Cartography and Cataster, Government Office (altogether in various years, 8-11 offices). At the same time we have included the so called institutions of the state administration that were instituted by the individual laws. These were being created mainly after the year 2000, two of them Telecommunications Regulatory Authority and State Railtrack Authority were created as an effect of transformation of subordinated offices. The highest number of the institutions in our sample of agencies are state agencies subordinated to the individual governmental departments – budgetary organizations. For the purposes of this research only those offices were counted amongst offices that are subordinated to the governmental departments (further

only subordinated offices) that had a participated at the creation of policies[4]. In this way, there had been 30 institutions that were incorporated into the research including their regional departments if they had any (for example 8 inspectorates of the Slovak Inspectorate of the Environment that resided in the regions). One of those 30 institutions in the meantime ceased to exist (Slovak chamber of food and agriculture - SPPK) and other two of them had transformed into different offices (see below), thus there are 27 subordinated offices that are currently active in Slovakia.

Method of appointment of the senior staff member in listed institutions is shown table 3.

Table 3:

Methods of selection of the senior staff members in public organizations, in years 1993-2011.

Year	Political selection	Formalized selection	Number of positions	Number of institutions
1993	60	0	60	26
1994	60	0	60	26
1995	62	0	62	27
1996	63	0	63	28
1997	63	0	63	28
1998	82	0	82	31
1999	84	0	84	29
2000	84	0	84	29
2001	88	0	88	33
2002	91	0	91	37
2003	106	1	107	41
2004	99	52	151	42
2005	88	61	149	40
2006	136	16	152	42
2007	144	16	160	41
2008	144	16	160	41

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[4] In this way for example Slovak Pedagogic Library had not been incorporated into the research, although it is a budgetary organization subordinated to the Ministry of Education similarly to the various theatres as a budgetary and contributory organizations of the Ministry of Culture.

2009	145	16	161	42
2010	145	17	162	43
2011	146	17	163	44

Source: authors.

Comment:

Increase in the amount of positions that are being filled based on formal selection in 2004 had increased due to the creation of the Public Health Authority of the Slovak Republic and 36 regional offices. According to law 126/2006 and 355/2007 those positions are being filled by the director or the chief hygienist, after the agreement with the Minister of the Health. This is the cause of the increase in the numbers of ministerial political functions and decrease in positions that are being filled on the basis of formal selection processes.

The data in table show that the amount of institutions had nearly doubled since the creation of the Slovak Republic (increase from 26 to 44) and the amount of the positions in the senior management had nearly tripled (from 60 to 163), which is also related with the act of creation of the branches of these institutions in Slovakia. As for the way the senior management level is selected, the data clearly show that the vast majority of senior management personnel at the selected sample of public agencies (budgetary and contributory organizations) are filled through political processes, that imply de iure – structural politicisation of this types of the state agencies.

However, as we have showed in the methodology, decision-makers within the political processes may differ and we distinguished between individual (for example ministerial) politicisation with clear accountability for the nominee and collective (for example governmental) politicisation with less clear political accountability for the nominee. The table 4 thus provides the overview of the types of politicisation in the given set of public agencies.

Table 4:

Types of politicisation in the given sample of state agencies since 1993 till 2011

Year k	Collective political positions	Positions decided by minister	Number of positions	Number of institutions
1993	24	36	60	26

1994	24	36	60	26
1995	26	36	62	27
1996	27	36	63	28
1997	27	36	63	28
1998	27	55	82	31
1999	27	57	84	29
2000	27	57	84	29
2001	29	59	88	33
2002	40	51	91	37
2003	43	63	107	41
2004	43	56	151	42
2005	43	45	149	40
2006	44	92	152	42
2007	52	92	160	41
2008	52	92	160	41
2009	52	93	161	42
2010	52	93	162	43
2011	52	94	163	44

Source: authors

The data in table 5 show that de iure politicisation of these public agencies is mainly given to the hands of ministries that would imply clear political accountability to political nominees. The senior management at the state budgetary and contributory organization is mostly selected by ministers and in case of other offices (for example the Slovak Statistical Office) it is mostly collective decision. It implies that the legal form of selection is related to the type of the state agency.

Minister is in some cases directly limited by the law when selecting the candidate. There are two types of the limitations, sometimes they are combined. Either they revolve around the matter of his current term and previous experiences, or they are based upon the responsibility of the minister to consult selection of the candidate. Here we are offering short overview of the restrictions in 6 of the 30 offices that are subordinated to the governmental departments.

The second finding is related to de facto politicisation – how the decisions concerning the recruitment of the senior management level are done in reality. From the interview we can conclude, that the personal decision-making about senior management level positions at the central government level, including state agencies, is divided to three actors:

- minister or state secretary (including possible influences of his party or other in-groups on his decision-making)
- coalitional decision-making, where are the positions allocated to individual parties, that are able to make decision partially of absolutely independently from the minister
- long-term stability and mostly technocratic personnel decision-making, where the particular position is not filled only de iure, but also de facto on a basis of apolitical approach, in which neither the minister and nor the political parties interfere.

Personal decision of the minister and state secretary of the ministry concerns mainly the head of the ministerial administration and minister's advisors, little bit also the directors general of the sections and **CEOs of subordinate organizations (mostly budgetary and contributory organizations)**. Personal decisions are fragmented on the basis of structure of power in the government department. In some places they are concentrated only in the hands of the minister, in other places, this power is dispersed to the state secretary of the ministry and other key personnel (selected advisors, selected directors general...). An example is from the Ministry of Education, where the long-time senior executive said that in time of the Radičová´s government following situation occurred: „Today, Minister is involved only very little in personnel recruitment and this concerns only the people that are closest to him. From the section below they delegate the authority downwards – delegation of authority in practice." According to clerk serving under the Dzurinda's government operating in the Ministry of Justice this had been the way of doing things: „Minister had brought his own key people and then they have chosen the staff that they need. Meaning that there had been no single authority that would be picking people."

Coalition-based appointments are related mainly to the statutory positions in local state administration and high executive positions **in important organizations controlled by the ministry, mainly in the largest companies and key agencies**. When speaking of the border between personal and coalition decisions, according to a politician working in past in leading position of the department: „With respect to the local state administration, national agencies and public companies, we can observe in time a larger, more formal, clearer and rising

acceptation of politicisation of the management positions. It does not seem legitimate to parties, that the minister should have a veto power in local positions. There is a strong pressure of parties on a particular level and an understanding that local positions are local affair." The same politician explained: "Party has an interest in putting their people in these particular positions for the reasons of patronage, financing of the party, rewards or putting forward their ideology. Costs of this approach for the party are limited, because it receives discontent only partially – also the costs of the incompetence are limited – it hurts the party indirectly, but mainly the minister. Cost-benefit for the party/party-members turns out differently then the one for the minister and governmental department. For the minister, partisan nature of the person is not his main problem, but the incompetence, corruption and threat that governmental department will be controlled through partisan nomination by somebody else." Other politician, that had taken part in the management of the department, had agreed: „Party is spread out territorially and there are a lot of people that are trying to get work in this way. Local overlords are a lot more aggressive when placing their people into these positions and this is how it works in each party. You can fight against it only by the power of the minister. When I was in power people could not get to the department and its main structures in this manner. Mostly into the regional matters. I had seen it as a necessary evil. It was more important to uphold main structures, don´t let anyone in there."

Long-term stability and technocratic type of decision-making concerns mainly the directors of the divisions and lower executive positions, as well as **less important budgetary and contributory organizations of the government ministry**. In many cases it also affects the general directors of the divisions. These borders are quite fluid and are changing as an effect of the political power of the minister and type of government department.

One of the possible examples of these differences is Ministry of Finance under the leadership of Ivan Mikloš and Ján Počiatek. At first, Ivan Mikloš largely by his personal decisions filled by technocrats the key positions of chief executives of the sections and **more technocratically oriented agencies** (control of the debt and liquidity, state treasury). This had created the space so that Ján Počiatek and after his return Ivan Mikloš weren´t able to change these positions further. Borders of the technocracy had been thus at the Ministry of Finance defined quite broadly both vertically and horizontally. **Clash of the personal, partisan and coalition principle has been happening and is happening in relation to two key agencies, the tax and the customs directorate. Chief executives of these institutions**

had been largely personal decisions of the ministers, local chief executives of the tax and customs directorates had been much more coalition decision and the ministers were able to control it only in the limited way.

On the other hand, for example on the Ministry of Education such a stabilization and de-politicization had never been successful and so the positions of the chief executives and statutory organizations stayed mainly as a personal decision of the minster, but at the same time the local positions were still subordinate to the coalition agreements. Ministry of Education is quite an extreme, as we have been able to see above, for which the ministers from the SNS can be held accountable.

Third example is the Ministry of Justice under the leadership of Daniel Lipšic and Štefan Harabin, where in neither case there was a major interference from the side of the coalition, but there had been a very strong imprint of the personal decisions of the minister.

These findings are summarized in the scheme 1 that shows stylized findings about the decision-making about personnel questions and their placement amongst the three already mentioned decision-making points.

Scheme 1:
Who actually is in charge of the recruitment to the significant positions
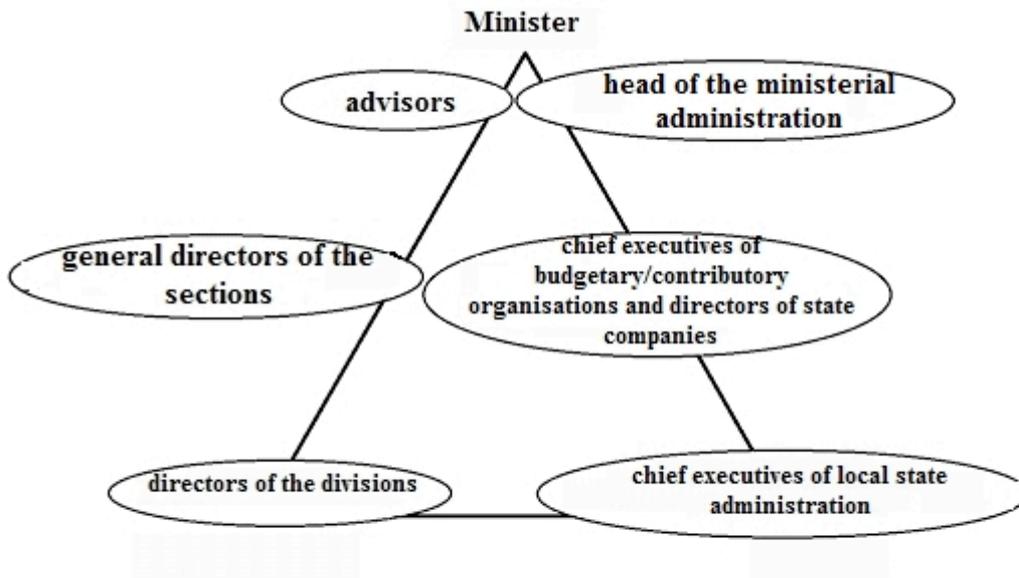
Sources: Authors

Due to the lack of relevance of formal institutions none of the actors uses the formal legal framework for the differentiation and conceptualisation of political and non-political actors. Minister, state-secretary and the head of office are understood to be clearly political actors. With respect to other actors, it is difficult to apply a generalisation.

From the point of view of factors that are the key for self-identification as well as the identification by others, we pinpointed the three main ones.

The first factor is the method of nomination, meaning not the formal recruitment process, but who contacted the individual and with what purpose. A number of interviewees found a more important difference between coalition and personal patronage than between the personal patronage and a technocratic decision-making. Coalition nominees are seen as more "politicised" since these are not chosen directly by the minister and the question of responsive competence can quite often by completely ignored. For example, with regard to the ambassadors a long-term middle manager said: "When choosing the ambassadors there is no difference if the minister comes from within the system or from the outside – because this is done by the government or even coalition, but not the minister."

The second factor is socialisation, where even an individual coming from an external environment behaves in a certain manner creating his personal connections and relations. If his personal values and the culture of work is consistent with the culture of the administration of the given department and if he successfully adapts to this environment and especially if he displays professional and technical competence in the manner appreciated by the department, the level of his perceived politicisation can be severely weakened. However, the more is his role directly linked with the minister, party and their political activity – for example spokesperson – the smaller this chance becomes. At the same time there is also an institute of "absorption" where the parties can "absorb" an existing employee on his position and this employee can still be viewed as apolitical but with an added official political identity.

The third factor is sustainability. The real test of identity is what happens after the change of government. Relatively sharp breaks between Mečiar and Dzurinda, Dzurinda and Fico or Fico and Radičová together with high degree of change in the senior positions lead to the observation that if an individual survives the change of government, his/her political identity is withered regardless of how he/she was originally appointed to the position. This was best described by a former advisor to numerous ministers: "A person who experienced numerous ministers in the office in the same position becomes a part of the system."

The third finding of our research is related to differences between de iure and de facto rules on senior management selection in the Slovak state agencies. We have found that there are some discrepancies between de iure and de facto approach in this area:

- formal and informal rules are not always the same
- although the acts provides dichotomy and distinguishes only between minister or government as decision-maker in appointing the senior management level of the state agencies, the real world works with trichotomy. It means that many of the senior managers at the state agencies are selected by the coalition council.

Conclusion

Our research proved structural/de iure politicization in the selection of the senior management level of the state agencies in Slovakia, as most of the positions are decided by politicians. It also showed that real decision-makers on concrete position are not necessarily the same as defined by law and the decisions are made not only by ministers or government but also by the coalition council and the given types of decision-makers have different political responsibility.

We therefore suggest not to treat "politicization" of agency management as a single, "black-box" concept according to which agency managements (and other senior civil servants) are either political or not as the implications of politicization vary depending on the type of politicization. We recommend to work with trichotomy rather than with dichotomy of selection processes and distinguished personal nominations of the responsible minister and party nominations based on coalition agreements. The selection mechanism, incentive structure and robustness of actual accountability mechanisms differs more between these two types of politicizations than between the ministerial and formally "non-political" appointment.

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