

# Can an Authoritarian Regime Have a Meritocratic Public Administration? The Case of Azerbaijan

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In 2014, in the face of a severe economic crisis following the fall in the oil price, Azerbaijan experienced the smallest GDP growth of any post-Soviet country. These severe economic shortcomings opened up space for reform. Thus, in 2016, Azerbaijan launched an initiative to diversify its economy and minimize its dependence on oil, with the goal of achieving sustainable economic growth. One element of this reform has been improving public services, including by building a meritocratic civil service system, a process that has been carried out piecemeal since 2009. Since civil servants

are key actors in the design and implementation of public policies, professionalizing the civil service is central to realizing the government’s reform ambitions—although many believe this aim to be unachievable without democratic changes to the political system.

At present, Azerbaijan’s public administration system does not systematically rely on meritocratic principles. It is a patron-client system based on rent-seeking and corruption. The ruling regime distributes power among its clients and gives them informal authority to manipulate the country’s

economic activity. The clients occupy all chief administrative positions in the government. Since they are not appointed on merit, and are indeed heavily incentivized to extract rent from their positions, they are poor managers who jeopardize investment and growth in the country.

As Azerbaijan hopes to diversify its economy by attracting foreign investment to the non-oil sector of the economy, however, it will need to create a favorable business climate. One thing that investors often look for is quality public services. Thus, building a meritocratic civil service meshes with the goals of the country’s strategic economic roadmap, which seeks to attract foreign investors by 2025.

What do we mean when we say a “meritocratic civil service”? There is no universal consensus, but it is generally agreed that it involves hiring the people who are most qualified for civil service positions. Broadly speaking, meritocracy is a social system where “merit or talent is the basis for sorting people into positions and distributing rewards.” Race, gender, class, and other

identity markers are irrelevant to this competition. In many countries, meritocratic recruitment to the civil service involves open competition—exams, panel interviews, etc.—in which candidates are assessed on how well they meet each requirement of the position. Done correctly, this process should avoid patronage, nepotism, and corruption. Without a meritocratic bureaucracy, a state cannot hope to achieve its development agenda.

Taking a narrow view of “meritocracy” in the civil service, this paper seeks to examine the current situation of Azerbaijan’s civil service and compare it to the government’s aspirations for reform. It begins by providing background on Azerbaijan’s political system and bureaucracy, before describing the changes that have taken place since early 2018. It then seeks to answer the question of to what extent meritocratic civil service reform can be undertaken in the context of the country’s patronal system, turning to look at internation-

al practices designed to reform the bureaucracies—and improve the economies—of non-democratic states, and whether these are relevant to Azerbaijan. The methodology relies on data from secondary sources to assess the degree of meritocracy in Azerbaijan’s civil service and show that there is potential to build a meritocratic system supportive of economic development even in this non-democratic regime. The paper concludes by offering recommendations to local and international non-state actors who can influence governmental decision-making in the current political context.

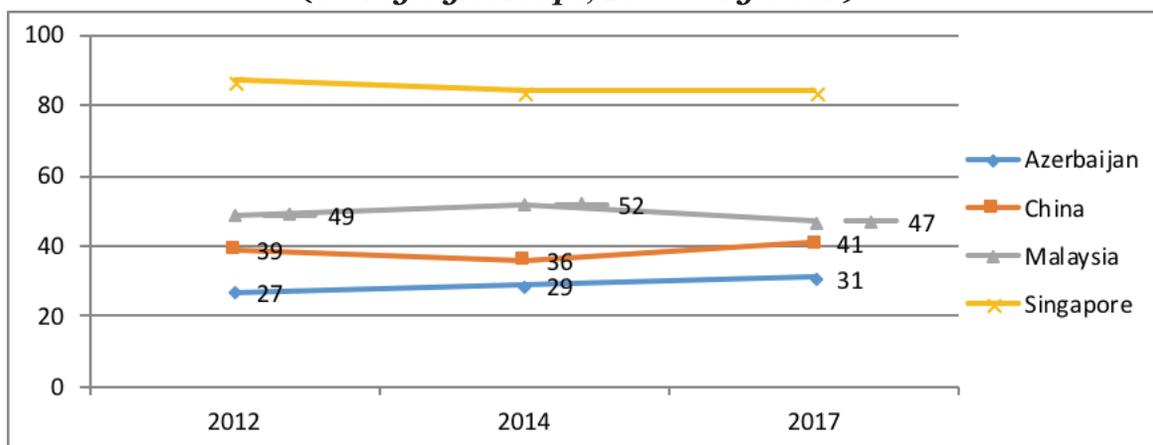
**Azerbaijan as a Patronal and Authoritarian State**

Like many other former Soviet republics, Azerbaijan has struggled to transform its Soviet-era public administration and economy into more modern forms. The incumbent regime has been in power since 1993. Heidar Aliev ruled the country for nearly two decades prior to independence

(1969-1987), then held the post of president for another decade, until his death in 2003. During his presidency, Azerbaijan was considered a semi-authoritarian country, maintaining some elements of political and civil liberties. After his father’s death, Ilham Aliev became president, constricting political space and moving the country toward full authoritarianism. In 2017, Intelligence Unit’s democracy index placed Azerbaijan on the list of “authoritarian” regimes, with an overall score of 2.65 out of 10.<sup>1</sup>

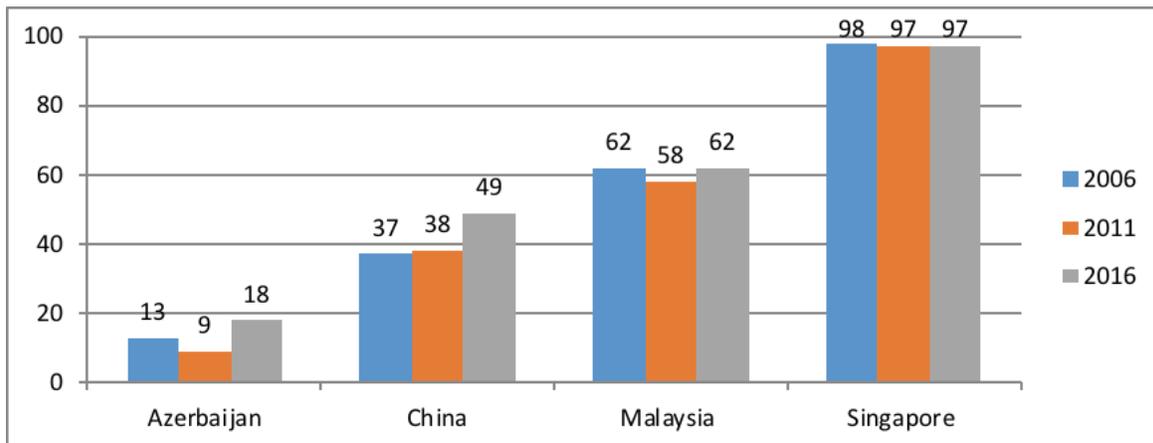
Azerbaijan’s political system is characterized by strong, centralized administration; low political participation; weak rule of law; and widespread corruption. The state administration system is formed of a “pyramidal web” of patron-client relations: the ruling elite (patron), who is at the top of the pyramid, distributes political and economic power to clients, thus buying their loyalty.<sup>2</sup> The dominant political and economic powers are the Pashayevs (the family of the First Lady)<sup>3</sup> and

**Figure 1. Transparency International corruption perception index (0—highly corrupt; 100—very clean)**



Source: “Corruption Perception Index,” Transparency International, 2017, [https://www.transparency.org/news/feature/corruption\\_perceptions\\_index\\_2017](https://www.transparency.org/news/feature/corruption_perceptions_index_2017).

**Figure 2. World Bank governance indicator: Control on corruption (percentile rank)**



Source: “Worldwide Governance Indicators,” World Bank, <http://info.worldbank.org/governance/wgi/index.aspx#reports>

three regional clans (the Nakhchivanis, Yerazis, and Kurds),<sup>4</sup> with regional clans as their clients. Clan leaders, in turn, favor and support members of their own clans, causing this informal web to spread across the entire state apparatus. Henry Hale describes this “social equilibrium,” where “individuals organize their political and economic pursuits primarily around the personalized exchange of concrete rewards and punishments through chains of actual acquaintance” rather than impersonal ideas and values, as patronalism.<sup>5</sup>

Neptism, cronyism, and favoritism are characteristic of patronalist states, and Azerbaijan is no exception.<sup>6</sup> Corruption sustains the patronal structure by reinforcing clients’ dependence on the ruling regime.<sup>7</sup> Unsurprisingly, therefore, Transparency International’s corruption index for 2017 ranked Azerbaijan 122<sup>nd</sup> out of 180 countries (see Figure 1).<sup>8</sup> World Bank data on governance also indicates that control on corruption is very low in Azerbaijan

(see Figure 2).

The patronal system means that state resources are underutilized, assets are mismanaged, and even the most qualified bureaucrats are powerless to resist corruption.<sup>9</sup> Thus, the state needs an effective body for fighting corruption. The Commission on Combatting Corruption of the Republic of Azerbaijan, intended for precisely this purpose, remains largely ineffective, although some progress has been observed, according to the latest OECD reports on Monitoring of Istanbul Anti-Corruption Action Plans.<sup>10</sup>

#### *Strategic Roadmaps for Reform*

In 2016, Azerbaijan adopted a number of strategic roadmaps for developing the non-oil sector of the economy. Alongside the main “Perspectives of National Economy” document, eleven separate roadmaps were adopted for specific sectors. The project is broken down into three stages of diversification: 2016-2020, 2020-2025, and 2025 onwards.

The goals for the period ending in 2020 are to increase state effectiveness and market competition. This involves increasing the efficiency and flexibility of the country’s public services. The main roadmap emphasizes the role of the government in establishing a favorable atmosphere for doing business. It draws attention to improving public-private partnerships, ending illegal intervention into business, increasing market competition and exports, supporting entrepreneurs, improving e-governance, and improving Azerbaijan’s position on international indexes. The Presidential Administration formed a commission focused on the latter goal in 2016. It has had some early success: Azerbaijan rose 6 positions on the World Bank’s “ease of doing business” index in 2017 (to 57<sup>th</sup>). The country has attempted to simplify the bureaucracy around doing business, although systemic issues continue to hinder the growth of small businesses.<sup>11</sup>

## Azerbaijan’s Civil Service System

### *Brief Overview of the General Situation and Recent Changes*

Since the early 2000s, Azerbaijan has attempted to reform and transform its Soviet-style civil service to a contemporary model that would meet the demands of the modern world. The first law on the civil service, adopted in 2000, applies to the executive, legislative, and judicial branches, while Article 109 of the Constitution differentiates political appointees from civil servants.<sup>12</sup>

In 2005, a special government body—the Civil Service Commission—was established by presidential decree to take control of human resource policies and their implementation. The Commission was responsible for preparing a central written examination for civil service recruitment, improving and implementing civil service strategy, conducting relevant trainings for civil servants, and dealing with complaints of Ethics Code abuses. It was subsequently abolished and the majority of its functions handed over to the State Examination Centre (SEC), established in 2016 by presidential decrees. The SEC has also subsumed the State Student Admission Commission, making it responsible for the admission of students to higher education institutions. According to the OECD’s anti-corruption report, the unification of these two state commissions can be explained by “the need for cost efficiency of public administration in line with new approach of the government

to transfer some state functions to the public entity, which can also exercise commercial activity and earn income.”<sup>13</sup>

### *Recruitment Process*

There are two categories of recruitment to the civil service in Azerbaijan: *general* and *specialized*. The specialized one is for a select group of state bodies that have their own recruitment and promotion systems similar to the general one.<sup>14</sup> The recruitment process for the *general* civil service involves open competition, which consists of a written test and an interview. This applies to the 1<sup>st</sup>-7<sup>th</sup> classification of administrative positions of the 1st-5th category of state bodies (see details in Appendices 1 and 2). The SEC usually conducts written exams at least once a month, and exams are given by groups of civil service positions. The “A” group refers to administrative leadership positions, while the “B” group includes administrative executive positions. The written test given to the “A” group is more challenging than that given to the “B” group. Under the new system, applicants pay 70 to 110 AZN (US\$41-65), depending on the types of certificates required for the relevant subgroups of administrative positions.<sup>15</sup>

Civil service recruitment begins internally. State bodies can interview current employees with the relevant skills and experience to fill administrative vacancies. If no suitable individual is found, the position goes to open competition, a far more transparent practice. Since the implementa-

tion of changes in early 2018, the SEC has been organizing written examinations for the “A” and “B” groups, issuing certificates valid for five years to those who pass the exams. It then offers interviews only to those who possess the relevant certificates. The interview takes place before a panel composed of at least three persons—one (or more) from the relevant state body, one from the SEC, and one independent expert—and the interview process is open for public viewing in order to ensure transparency and fairness. The written competition and interview evaluate the general knowledge, professional skills, and reasoning abilities of a candidate, as well as his or her position-specific expertise. Individuals dissatisfied with their results have the right to appeal.

There is a separate general competition for those who have worked in the civil service for at least five years and who possess the relevant skills and competencies for their intended administrative positions. The candidates for this competition are not required to have certificates to work in a civil service job.<sup>16</sup>

Candidates who pass the interview are introduced to the head of the relevant state body, who makes a final decision. The selected person does a six-month internship, during which time they are mentored by an appropriate specialist. If the mentor’s feedback is positive, the individual is hired on a three-month probationary contract. Upon successful completion of this period, the civil servant is given a long-term

job contract. Other candidates remain on a reserve list for two years, to be considered should a vacancy arise. If there are suitable candidates in reserve for a new civil service vacancy, these vacancies are not announced for competition.

Comprehensive reform efforts in 2016 have encompassed changes in the civil service. Prior to the establishment of the SEC, only the 5<sup>th</sup>-7<sup>th</sup> classifications of administrative positions were recruited through a centralized exam (organized between 2009 and 2016 by the now-abolished Civil Service Commission). Meritocratic recruitment has now been extended to the 1<sup>st</sup>-7<sup>th</sup> classification of administrative positions in the 1<sup>st</sup>-5<sup>th</sup> category of state bodies. Nevertheless, open competition does not apply to the supreme-3<sup>rd</sup> classes of administrative positions in the supreme category of state bodies (see details in Appendix 2). The recruitment process for this category involves direct promotion or internal interview, entailing a lack of transparency that casts doubt on the implementation of meritocratic principles at the highest level of public administration. Another concern

is the last stage of recruitment, in which heads of state bodies choose one of a shortlist of candidates, a process that undermines the merit-based system.<sup>17</sup>

Parrado, who has extensively studied the Azerbaijani civil service and recruitment system, notes that the 5<sup>th</sup>-7<sup>th</sup> grades of civil servants, who have been recruited through open competition, make up 31 percent of all vacant positions and those in the 1<sup>st</sup>-4<sup>th</sup> categories make up 9.6 percent of all positions, amounting to a total of 2,838 staff members (as of 2014).<sup>18</sup> The latest State Statistics Committee figures, from 2016, indicate that Azerbaijan has a total of 30,090 civil servants. Of these, 1,214 civil servants occupy supreme-3<sup>rd</sup> category administrative positions. However, no separate statistics are publicly available on those working in supreme state bodies to identify the number of civil servants to whom open competition does not yet apply. There are separate statistics only on the number of deputy heads of local executive bodies (257), the recruitment of whom does not go through open competition. In addition, administrative positions in state bodies

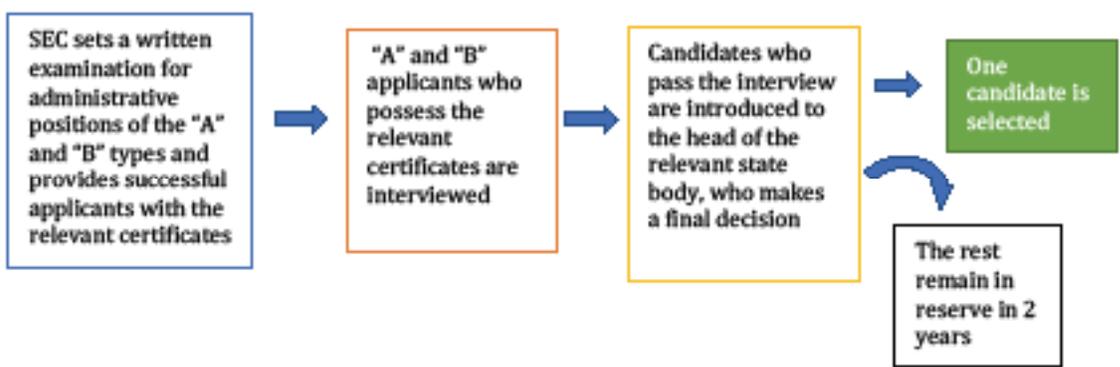
under local executive bodies and representatives of administrative territorial units do not go through open competition.<sup>19</sup>

*Performance Appraisal*

Civil servants' performance is assessed according to the "Rules of Performance Appraisal of Civil Servants," adopted in 2014. The performance appraisal system seeks to evaluate the performance of civil servants within a year. Currently, performance-based assessment applies to the 3<sup>rd</sup>-7<sup>th</sup> classifications of civil servants. The civil servant is evaluated by his/her direct supervisor based on a list of measures, including professional skills and ethical values. The supervisor's remarks are placed on the civil servant's "performance appraisal report," which affects promotions, demotions, bonuses, and future training.<sup>20</sup>

A recent change to the Law on Civil Service<sup>21</sup> was the removal of the regular attestation exam every five years for civil servants, substituting it with SEC's certificate system. Hence, every civil servant who has been hired since 2018 is required by law to earn a

**Figure 3. Recruitment to Civil Service in Azerbaijan**



valid certificate every five years. After receiving the certificate twice (for 10 years), civil servants receive the third certificate for an unlimited time.<sup>22</sup>

*Code of Ethics*

The government of Azerbaijan has promoted ethical behavior in the civil service. The Commission on Combatting Corruption under the President of the Republic of Azerbaijan was instituted in 2004. Since then, the “Law on Combatting Corruption” (2004), “Law on Rules of Ethical Conduct of Civil Servants” (2007), National Anti-Corruption Action Plan (2012-2015), and National Action Plans on Promoting Open Government (2012-2015, 2016-2018) have all been adopted to take steps against corruption.

The Law on Ethical Conduct Rules for Civil Servants (2007) provides the main guiding principles for the ethical behavior of civil servants. Previously, the now-abolished Civil Service Commission and head of the relevant state body monitored ethical behavior. The Commission studied public opinion of civil servants’ behavior and raise public awareness as to which practices were ethical. It also prepared relevant recommendations for each state body to help it cope with corruption and violations of the Ethics Code. In addition, it delivered training courses on ethical behavior to civil servants, determined training needs, and gave suggestions to state bodies about the types of training that civil servants needed. On top of that, it was responsible for improving the adoption of legislation.

Presidential Decree 1008 (August 9, 2016) transferred all these functions and activities to the SEC. However, like the commission before it, the SEC has struggled to carry out all these functions in the face of limited resources and overburdened staff.<sup>23</sup>

*Why Is a Civil Service Job Not Attractive?*

A cursory look at the SEC’s website reveals that there is a considerable shortage of applicants for low-grade administrative positions. This shows that there is a lack of interest in civil service jobs. In addition, according to the head of the SEC’s Board of Directors, more than 2,000 positions are filled by temporary government contractors, who fill the vacancies until a civil servant can be selected in a competitive process.<sup>24</sup> However, even these contract-based employees do not apply for consideration in open competition.<sup>25</sup> Most civil service vacancies have to be re-announced, and even then there is not enough interest to fill them.<sup>26</sup>

One of the reasons for this is the low salaries that come with civil service jobs. In 2016, the average monthly salary of a civil servant was 634 AZN (US\$372.90).<sup>27</sup> The Numbeo database indicates that living expenses for one person in Baku (before rent) are US\$386, while a four-person family would need US\$1,389 to cover living expenses exclusive of rent.<sup>28</sup> The current salaries, therefore, can hardly hope to attract the “best people” to the civil service. Even if the most qualified individuals are selected, meritocracy is hard

to sustain, as skilled civil servants will likely find themselves with more lucrative offers. In addition, the underpaid civil servant will always have financial incentive to take bribes, undercutting the government’s potential anti-corruption drive. Thus, the compensation of civil servants, which currently lags far behind private-sector salaries,<sup>29</sup> must be made competitive.

*To What Extent Can Meritocracy Work in a Patronal System?*

Public administration reform is progressing in Azerbaijan. As described above, meritocratic recruitment principles now apply to mid-level administrative positions as well as low-level ones. This is a positive step toward building meritocracy. Yet research on the impact of meritocratic recruitment to the 5<sup>th</sup>-7<sup>th</sup> grades has found disappointing results. According to Weinmann’s focus group analysis, conducted in Baku with civil servants and citizens in 2013, civil servants did not follow ethical rules and personal connections were still important to promotion.<sup>30</sup> Respondents did not seem to believe that there was a sincere effort to engage in merit-based recruitment.<sup>31</sup>

The question is whether individual-level meritocracy can be effective within a highly patronal system. The centralized examination system aims to avoid patronalism, and this method has been deemed effective at promoting meritocracy in other contexts where a high level of patronalism exists.<sup>32</sup> Nonetheless, giv-

en how rooted patronalism and rent-seeking are in the state administration, it is hard to institutionalize meritocracy. Moreover, Azerbaijan lacks the institutional strength to sustain meritocracy: neither independent civil society organizations (vertical accountability) nor autonomous parliament (horizontal accountability) exist to oversee bureaucrats' activities.

*One Stop-Shop Innovation: Parallel Public Services for Building Meritocracy?*

ASAN (Azerbaijani Service and Assessment Network) was established by presidential decree in 2012 as a subordinate agency of the Public Service and Social Innovation Agency under the President of the Republic of Azerbaijan. Its acronym—ASAN—means “easy” in Azerbaijani, and it has become a one-stop shop for various types of high-quality public services. The five principles of ASAN—transparency, efficiency, gentleness, responsibility, and comfort<sup>33</sup>—have shown themselves to be genuine values. ASAN was established to:

- “reduce extra expenses and loss of time on the part of citizens”
- “respect ethical rules and civilized behavior toward citizens”
- “upgrade the level of professionalism”
- “strengthen trust in state structures”
- “increase transparency and strengthen the fight against corruption”
- “ensure great use of electronic services”
- “expand the effectiveness

of institutional reforms in this area”<sup>34</sup>

Currently, there are thirteen ASAN centers, five of which are in Baku. Since its launch, over 21 million people have used one of the more than 240 ASAN services.<sup>35</sup> These include: issuing IDs/passports, driving licenses, various other licenses, and an ASAN visa;<sup>36</sup> notarial services; registration of real estate issues; utilities; banking; insurance; fine-paying; legal services; migration issues; and so on. The ASAN Service makes substantial use of e-governance, with a particularly noteworthy service being “ASAN Imza” (electronic signature obtained by mobile number), which allows citizens to sign documents digitally.<sup>37</sup>

With its clean, fast, and gentle service, ASAN has gained popularity both at home and abroad. Ninety-eight percent of users have expressed satisfaction with it.<sup>38</sup> Moreover, some international bodies, such as the OECD, World Bank, UN, and Transparency International, have positively appraised ASAN's activities;<sup>39</sup> ASAN was given a UN Public Service Award for “Improving the Delivery of Public Services” in 2015. It has also obtained ISO 9001:2008 international certification for its quality management standards.

ASAN has brought new organizational standards to Azerbaijan's civil service system, emphasizing transparency, integrity, and a corruption-free environment. Its contribution to curbing petty corruption in public administra-

tion has been positive. According to research done by ASAN (and therefore potentially biased), 71 percent of respondents believe that ASAN is an effective tool in fighting corruption.<sup>40</sup> ASAN has also boosted the business environment of the country by facilitating the issuing of licenses and reducing fees, which is welcomed by EU businesses.<sup>41</sup> It has also contributed to improving the country's image on some international indexes, such as “doing business” and “perception of corruption.”

However, although ASAN underpins the public administration system of Azerbaijan, the majority of public services outside its scope remain inefficient and corrupt. In addition, the clans have largely monopolized economic areas of the country, including big state and private companies, export and import of main goods, etc., thus hindering open market competition.

Moreover, ASAN has not altered the services offered by public bodies, but rather created a parallel system that includes the most-used public services. The government has not commented on why it chose to create a parallel one-stop shop rather than reforming the public bodies as a whole,<sup>42</sup> but it is clear that ASAN has left room for the elite to continue to benefit from patronage at the same time as the political leadership claims to have reformed its public service delivery.<sup>43</sup> That is, ASAN has supplemented, rather than altering, the patronal Azerbaijani bureaucracy.<sup>44</sup> Thus far, it is unclear which system will pre-

vail: will ASAN's reformist model spill over to other public services or will it too be swallowed up in the corrupt system?<sup>245</sup>

All in all, the establishment of ASAN has been a tremendous innovation that has increased the efficiency of Azerbaijan's public service system, albeit only in certain areas. Its staff is young, highly skilled, and respectful of civil service ethics. However, the majority of the public administration is outside its scope and remains corrupted and non-meritocratic due to the prevalence of patronalism.

### **Theoretical Framework and Country Case Studies on Civil Service Reforms**

In order to build the rational-legal bureaucracy considered ideal by Max Weber, Azerbaijan needs to implement systemic changes that will weaken patronalism. Changing the patronal nature of the regime is unlikely in the near future, but there are still ways of improving the public administration system in order to achieve economic liberalization. In this section, I present some case studies of countries whose leaderships have successfully applied select principles of various theories of public administration to improve public governance in their non-democratic regimes. I focus in particular on non-democratic Asian regimes that have professionalized their public administrations and achieved sustainable economic growth. My goal is to determine which measures they took can be usefully transferred to Azerbaijan.

There are two dominant theories of public-sector administration in non-democratic states: traditional Public Administration and New Public Management. (Elements of the latter are selected for the "best fit" model.) The traditional Public Administration model, influenced by the ideas of Max Weber, first emerged in the UK and Prussia in the late 19<sup>th</sup> century, based on two main principles: hierarchy and meritocracy.<sup>46</sup> Relying on centralized control and organizational hierarchy, public administration detached policymaking from implementation in order to build an effective and efficient public administration system.<sup>47</sup>

In the 1980s, the New Public Management theory, designed to respond to the limitations of traditional public administration and the demands of a competitive market economy, emerged in several OECD countries.<sup>48</sup> This theory suggests implementing private-sector management principles in the public sector, emphasizing cost management, "small government," performance management and audit, the decentralization of public administration, entrepreneurial leadership, etc.<sup>49</sup> There are also so-called "third wave" public administration theories (New Public Service; New Public Governance, including the whole-of-government approach), which emphasize a democratic approach to governance and respond to the limitations of traditional public administration and New Public Management. I also will touch on e-governance, which focuses on using new technology to improve the quality and

efficiency of public governance.

Below, I provide a brief overview of the approaches that three countries—China, Singapore, and Malaysia—have taken to achieve meritocratic public administration without implementing democratic changes in their political systems.

#### *The Case of China*

Chinese good governance amounts to the "development effectiveness"<sup>50</sup> of the state. Good governance elements in China, such as transparency and accountability, do not really look like traditional good governance, but exist in another dimension. For example, top-down *vertical accountability* works within the Communist Party system, making civil servants accountable to their state bodies. Another important element of good governance is decentralization, which has aided in the effective management of state administration. By pragmatically selecting certain elements of decentralization to implement, the ruling party has maintained control and strategically enhanced governance. Local government bodies may enjoy administrative and economic independence, but they do not have political freedom.<sup>51</sup>

China has an authoritarian and patrimonial political system. These rules of the game are a great drawback in most developing countries, including most post-Soviet countries. However, the Chinese civil service is largely considered meritocratic.<sup>52</sup> Like politicians, civil servants are ap-

pointed, but they are allowed to rise up the hierarchical ladder of the state bureaucracy according to their merit.<sup>53</sup> Performance-based promotion—which aims at performance maximization—is applied in the Chinese civil service, with some exceptions at higher levels. It should be noted that this performance is primarily judged on economic indicators, in line with the Chinese government’s focus on social stability, improving people’s livelihoods, and raising GDP.<sup>54</sup> Powerful sanctions are imposed on the state bodies if civil servants do not meet economic demands. Career development in the civil service also depends on political loyalty, creating a “political meritocracy.”<sup>55</sup> This has allowed China to achieve its development goals (economic growth, poverty reduction, and human development),<sup>56</sup> even as patronage and personal connections remain important to some degree.<sup>57</sup>

The training of civil servants has been a key objective in China. The Chinese government has invested heavily in enhancing the education and skills—and changing the mindset—of civil servants. Another important issue is states’ capacity and the political commitment of the ruling regime to tackling corruption. China has advanced a lot in this regard, though corruption in its civil service has not been systematically eradicated. Singapore, for instance, has been far more successful at building professional public administration while achieving huge economic growth under a single party system.

### *The Case of Singapore*

Singapore is a good example of how an authoritarian political elite can construct a professional public administration and achieve the desired growth. Public administration reforms in Singapore targeted institutional and attitudinal changes in the civil service, and today Singapore has one of the most effective civil service systems in the world.<sup>58</sup> Singapore took a pragmatic approach, using the “best practices” that fit its context.<sup>59</sup> The government first dissolved ineffective state entities and replaced them with new organizations. To change civil servants’ attitudes toward citizens, the government has invested heavily in training civil servants. The “retention and retirement” program forced incompetent civil servants to retire while promoting competent ones.<sup>60</sup> The fired civil servants were replaced with new, more effective ones in open competition. To attract and retain competent employees, the government has raised salaries, making them competitive with those in the private sector. A performance-based awards and promotion system has also served to sustain meritocracy.

A Central Complaint Bureau was established to hear citizens’ complaints about mistreatment by civil servants. The political leadership has been ruthless in combatting corruption. The Corruption Practices Investigation Bureau has been very effective in fighting corruption in both the public and private sectors. The existence of a corruption-free business environment has made

it possible for the government of Singapore to attract foreign investment.<sup>61</sup> The Bureau’s research division supports this progress by offering recommendations to different state bodies as to how they should fight corruption.

Reforms in Singapore have embraced the whole public administration in order to achieve effective and efficient governance. The government has carried out budget reforms to make the state’s use of financial resources more efficient, a process that has seen state-owned companies largely privatized. The rule of law has been cemented in order to attract foreign investment. And the government has achieved public-sector reforms that have created high-quality healthcare, education, housing, and infrastructure, as well as providing financial security. Notably, these successful reforms have been driven by exceptional political will and facilitated by the country’s small size.

### *The Case of Malaysia*

Malaysia is another interesting example. It was fully authoritarian when it began its public-sector reforms in the 1980s, but the government nevertheless managed to select context-appropriate principles of New Public Management and build a better public administration system.<sup>62</sup>

The government believed that an Asian model of good governance would be most suitable for Malaysia. With the goal of reaching sustainable economic growth, the Malaysian government undertook extensive privatization of its

state-led companies, reducing the size of the public sector. This step enabled effective and efficient management of public-sector financing. One-stop public service shops were created to give businesses easy access to the government services they needed. The Malaysian government successfully promoted and incorporated Islamic values into civil servants' ethical code. All state bodies were required to have standards rated at ISO 9000 series<sup>63</sup> to improve service quality.<sup>64</sup> In addition, Malaysia invested heavily in e-governance, which boosted the quality of services while minimizing red tape and corruption. This approach to public service reform did not follow a single model of reforms, but drew on both Asian (Japanese) and Western (Australian, Canadian, British) practices to create a "best fit" model for its context.<sup>65</sup> Malaysia's strong, stable central government allowed for the success of reforms.

In sum, all three of the aforementioned countries used a "best fit" model to reform their civil service systems in a context-appropriate manner. This selectivity allowed incumbent political leaders to retain power. Evidently, therefore, even non-democratic regimes can successfully reform their civil service in order to improve the economy and people's livelihoods. In each case, we see that political will plays a key role in realizing reforms and economic liberalization.

### **What Lessons and Best Practices Can Azerbaijan Draw From Other Countries?**

The above case studies illustrate that it is possible to achieve meritocratic public administration without political democratization. Yet in selecting reforms, it is essential to consider the specific context of a country. Singapore's small size and favorable location were unique factors that contributed to the success of reforms. In addition, its state administration and political economy were not based on patronalism and rent-seeking.<sup>66</sup> The public administrations of Malaysia and China do have patronalistic patterns, however. Although Azerbaijan can hardly hope to simply copy-and-paste the methods of any of other countries, it can still draw lessons from each of these examples.

First of all, civil servants in all three countries are well paid. This is particularly true of Singapore. The aim has been to attract and retain skilled people, as well as reduce their incentive to take bribes. Related to this, all three countries have selectively employed principles of New Public Management to build efficient and effective public administrations. One element of this approach was reducing the size of state bodies and dissolving ineffective ones to reduce stress on the budget, thus freeing up funds that can be directed to improving the compensation of low-level civil servants.

Secondly, like the three countries discussed above, Azerbaijan can

make extensive use of e-governance tools to increase the effectiveness of its public services and fight corruption. This will remove an impediment to economic investment and growth in Azerbaijan. The Commission on Combating Corruption can establish a centralized online system to receive feedback from citizens and businessmen on the performance of public bodies and continuously improve public services on basis of this feedback.<sup>67</sup> Such an approach has proven effective in curbing corruption in Singapore. Another effective digital tool for fighting corruption would be a mobile app like the one currently being used in China, which allows users to instantaneously report corrupt practices. Evidently, there is substantial scope to use e-governance to fight corruption and boost the effectiveness of public services.

Again benefiting from Singapore's rich experience of public-sector reform, Azerbaijan has joined the Kazakhstan-based Regional Hub for Civil Services in Astana, a project conducted jointly by the UNDP and the Kazakhstani government that now involves 38 countries and several international organizations. The Hub is associated with the UNDP Global Center for Public Service Excellence in Singapore, and they have produced some joint studies discussing civil service system in the region. In the Hub, participant countries work to develop "best fit" practices for their public administrations by sharing their knowledge and experiences.<sup>68</sup> Whether through the Hub or bilaterally, Azerbaijan could work

more closely with Singapore to take advantage of its expertise in public service improvement.

The case of China provides a positive example of how to professionalize public administration under an authoritarian regime. Like Azerbaijan, it is a highly patronal state in which political loyalty is required (unlike in Weberian variants of bureaucracy) but meritocracy remains important. In highly patronal systems, Li and Gore emphasize, patronage can be limited by the establishment of an effective system of checks and balances to oversee the activities of civil servants.<sup>69</sup> A centralized examination is essential but not enough; a comprehensive approach is needed to build a merit-based civil service system, including a transparent and merit-based promotion system, legal protection of whistle-blowers, and independent and effective overseeing mechanisms (eg. China's vertical accountability). This system could be established in Azerbaijan, a recommendation I elaborate in the next section.

In conclusion, the success of reforms is dependent, above all, on the political will of the Azerbaijani ruling elite to implement them—and to curb corruption. As the political system is constructed to allow and strengthen executive power on the patronal ladder, reform is only possible once the regime itself is willing for change to happen. Top-down systemic reform is effective in authoritarian contexts—as the cases of Singapore, China, and Malaysia show—but popular detachment from politics means that only elite will-

power can see reforms through. If political will is lacking, reforms alone will be ineffective: creating a centralized exam to recruit meritorious civil servants will alone do nothing to fight corruption in the civil service.

### **Policy Recommendations**

Given the patronal nature of the Azerbaijani regime, it is unlikely that systemic changes will take place any time soon. Ideally, the government needs to limit clients' exploitation of state assets and monopolization of the economy so as to reduce corruption at the highest level of public administration. However, this is unlikely in the short term, as it might create additional risks for the country's ruling elites, who share power with their clients and manipulate the main economic areas.

The appearance of ASAN was an outgrowth of Azerbaijan's patronal nature. The regime decided to create a parallel one-stop shop to take care of some public services rather than attempt reform of the state bodies themselves, thus simultaneously improving public service delivery and cementing patronalism.<sup>70</sup> This implies that the eradication of patronalism in Azerbaijan would be difficult, especially as it may be undesired.

Under these conditions, the following recommendations may help local and international public policymakers, academics, NGO leaders, and other interested parties to improve Azerbaijan's public administration system:

#### *Recommendation for the SEC:*

- *Conduct a study to understand why contract-based employees working temporarily in civil service positions are not interested in applying to become civil servants in open competition.* On the basis of these findings, the SEC could come up with recommendations for enhancing the prestige of civil service jobs and share these suggestions with the relevant state bodies.

#### *Short-Term Recommendation for the Central Government of Azerbaijan:*

- *Raise monthly salary of low- and mid-level civil servants.* Competitive salaries will help reduce corruption by making civil servants immune to the temptations of bribery (Singapore has been particularly successful in this). This policy will also attract competent civil servants and encourage them to remain in their jobs rather than seeking more lucrative private-sector employment.

#### *Long-Term Recommendations for the Central Government of Azerbaijan:*

- *Send the very best senior bureaucrats to earn degrees in Public Administration at the best schools abroad, with the stipulation that they return, work for the government for five years, and propose positive changes.* These individuals will learn the best international practices while studying abroad. In addition, the foreign atmosphere in the best

schools (located in Singapore, the UK, the US, etc.) will affect their attitude toward the civil service. China has successfully used this approach to professionalize its civil service.<sup>71</sup>

- *Establish an independent accountability inspection within each state body to oversee the activities of this state body (top-down vertical accountability).*

The commissions will assess the body's performance in relation to pre-determined benchmarks and report this information to the relevant higher-level institution at the end of each calendar year. This will help the state to achieve its development agenda and keep all state bodies accountable to the one above them in the hierarchy. It will also push out incompetent civil servants, which is particularly important in the superior-2<sup>nd</sup> grades, where there is currently no performance-based assessment. This method has inculcated accountability in China in the absence of non-state actors and an independent parliament, and could be similarly effective in Azerbaijan.

- *Promote e-governance in fighting corruption.* Develop a comprehensive online form on the SEC or Commission on Combating Corruption website in order to receive complaints from citizens and respond them quickly and effectively. Maintain confidentiality to protect citizens unless the cases turn out to be fake.<sup>72</sup> In addition, develop a smartphone app to report corruption, an approach already taken in India, China, and Russia, among other countries. This will encourage the reduction of corruption in public and private institutions alike.

- *Raise public awareness.* Encourage citizens to report civil servants' misuse of power via online tools and mobile apps.

- *Require public institutions to have ISO 9000 series standards to improve their quality management.* This strategy has helped Malaysian public organizations to boost their quality management.

### Appendix 1. Categorization of state bodies<sup>76</sup>

1 <sup>st</sup> category state bodies	<ul style="list-style-type: none"> <li>- Supreme Mejlis of the Nakhichevan Autonomous Republic</li> <li>- Chief Prosecutor’s Office of the Republic of Azerbaijan</li> <li>- Chamber of Accounts of the Republic of Azerbaijan</li> <li>- Office of Judicial Legal Board</li> <li>- Office of an Attorney of the Republic of Azerbaijan for Human Rights (Ombudsman)</li> </ul>
2 <sup>nd</sup> category state bodies	<ul style="list-style-type: none"> <li>- Supreme Court of the Nakhichevan Autonomous Republic</li> <li>- relevant executive power body of the Nakhichevan Autonomous Republic</li> <li>- Military Prosecutor’s Office of the Republic of Azerbaijan</li> <li>- Prosecutor’s Office of the Nakhichevan Autonomous Republic</li> <li>- Office of an Attorney of the Nakhichevan Autonomous Republic for Human Rights (Ombudsman)</li> <li>- appeal courts of the Republic of Azerbaijan</li> <li>- Office of the Central Election Commission of the Republic of Azerbaijan</li> <li>- Secretariat of the Commission on Fight against Corruption of the Republic of Azerbaijan</li> <li>- relevant executive power bodies</li> <li>- Office of the National TV and Radio-Broadcasting Board</li> </ul>
3 <sup>rd</sup> category state bodies	<ul style="list-style-type: none"> <li>- state agencies and state services established under the relevant executive power bodies</li> <li>- regional centers of the Office of an Attorney of the Republic of Azerbaijan for Human Rights (Ombudsman)</li> <li>- Office of the Central Election Commission of the Nakhichevan Autonomous Republic</li> <li>- relevant executive power bodies of the Nakhichevan Autonomous Republic</li> <li>- Office of the National TV and Radio-Broadcasting Board</li> <li>- courts on grave crimes</li> <li>- administrative economic courts</li> <li>- military courts</li> <li>- Military Prosecutor’s Office of the Nakhichevan Autonomous Republic</li> <li>- Baku City Prosecutor’s Office</li> </ul>
4 <sup>th</sup> category state bodies	<ul style="list-style-type: none"> <li>- relevant executive power bodies</li> <li>- regional divisions of relevant executive power bodies</li> <li>- bodies subordinate to/under relevant executive power bodies</li> <li>- city (region) courts</li> <li>- district (city) prosecutor’s offices</li> <li>- military prosecutor’s offices</li> </ul>
5 <sup>th</sup> category state bodies	<ul style="list-style-type: none"> <li>- local divisions of state agencies and state services established under relevant executive power bodies</li> <li>- bodies under relevant executive power</li> <li>- representations of relevant executive power bodies in an administrative territorial district</li> </ul>

**Appendix 2. Classification of administrative positions in civil service<sup>77</sup>**

<p>Supreme state bodies—the main executive, legislative and judiciary bodies of Republic of Azerbaijan:            1) <i>Administration of President of Republic of Azerbaijan</i>, including Administrative Department of the President, Special Medical Service of the President, and Cabinet of Ministries            2) <i>Milli Mejlis</i> (Parliament)            3) <i>Constitutional Court</i>            4) <i>Supreme Court</i></p>	
<p>Supreme category of administrative positions in supreme state bodies</p>	<ul style="list-style-type: none"> <li>- head of the Presidential Administration of the Republic of Azerbaijan</li> <li>- head of the Administrative Department of the President</li> <li>- head of Special Medical Service of the President</li> <li>- head of the Secretariat of the First Vice-President of Republic of Azerbaijan</li> <li>- head of Office of Milli Mejlis</li> <li>- head of Office of Constitutional Court</li> <li>- head of Office of Supreme Court</li> <li>- head of Office of Cabinet of Ministries</li> </ul>
<p>First classification of administrative positions in the supreme state bodies</p>	<ul style="list-style-type: none"> <li>- deputy head of the Secretariat of the First-Vice President in the Presidential Administration</li> <li>- head of division in the Presidential Administration</li> <li>- assistant to the First Vice-President in the Administration</li> <li>- deputy head of Office of Milli Mejlis and Constitutional Court, Supreme Court, Administrative Department of the President, Special Medical Service of the President, Cabinet of Ministries, and heads of divisions in these state bodies</li> <li>- heads of the Office of the state bodies of the <i>1st category</i></li> <li>- advisors and assistants of head of the Office of Ministries of Cabinet, Supreme Court, Constitutional Court, and Milli Mejlis</li> </ul>
<p>Second classification of administrative positions in the supreme state bodies</p>	<ul style="list-style-type: none"> <li>- deputy head of division in the Presidential Administration</li> <li>- deputy head of divisions in the Office of Milli Mejlis and Constitutional Court, Supreme Court, Administrative Department of the President, Special Medical Service of the President, and Cabinet of Ministries</li> <li>- deputy heads of the Office and heads of divisions of the state bodies of the <i>1st category</i></li> <li>- head of offices of the state bodies of the <i>2nd categories</i> in the Nakhchivan Autonomous Republic</li> <li>- heads of state agencies and state services established under relevant executive power bodies</li> <li>- trade representatives in Embassies and Consulates of Azerbaijan in foreign countries</li> <li>- deputy heads of relevant executive bodies</li> <li>- assistants to the Deputy Chairman of Milli Mejlis and Deputy Prime Minister</li> <li>- assistant and advisor to the Chairman of the Supreme Mejlis of the Nakhchivan Autonomous Republic</li> <li>- deputy head of the Baku City Executive</li> </ul>

<p>Third classification of administrative positions in the supreme state bodies</p>	<ul style="list-style-type: none"> <li>- specialists in the Presidential Administration, Administrative Department of the President, Special Medical Service of the President, Office of Milli Mejlis, Office of Constitutional Court, Office of Supreme Court, and Office of Cabinet of Ministries</li> <li>- heads of divisions, their deputies and specialists of other state bodies directly supporting the head of the Azerbaijani state</li> <li>- deputy heads of state agencies and services under relevant executive bodies</li> <li>- deputy heads of division of the state bodies of the 1st category</li> <li>- heads of office and their deputies of state bodies of the 2nd category</li> <li>- deputy heads of office and heads of division of state bodies of the 2nd category in the Nakhichevan Autonomous Republic</li> <li>- deputy heads of state agencies and state services established under the relevant executive power bodies</li> </ul>
<p>Fourth classification of administrative positions in the supreme state bodies</p>	<ul style="list-style-type: none"> <li>- specialists in the offices of state bodies of the 1st category</li> <li>- heads of division and their deputies in 2nd-category state bodies</li> <li>- deputy heads of division of 2nd-category state bodies in the Nakhichevan Autonomous Republic</li> <li>- deputy heads of relevant executive power bodies</li> </ul>
<p>Fifth classification of administrative positions in the supreme state bodies</p>	<ul style="list-style-type: none"> <li>- specialists of 2nd-category state bodies</li> <li>- heads of office of 3rd-category executive power bodies in the Nakhichevan Autonomous Republic</li> <li>- heads of division and their deputies of 3rd-category state bodies</li> <li>- heads of local division of 4th-category state bodies</li> </ul>
<p>Sixth classification of administrative positions in the supreme state bodies</p>	<ul style="list-style-type: none"> <li>- specialists of 3rd-category state bodies</li> <li>- head of division and deputies of relevant 4th-category executive power bodies</li> <li>- deputy heads of local divisions of 4th-category state bodies</li> <li>- heads and their deputies of the local divisions of state agencies and state services (5th category)</li> </ul>
<p>Seventh classification of administrative positions in the supreme state bodies</p>	<ul style="list-style-type: none"> <li>- specialists of relevant executive power bodies – state bodies of the 4th and 5th categories, local divisions of relevant executive power bodies, bodies being under and subordinated to relevant executive power bodies, regional (city) courts, bodies subordinated to relevant executive power bodies, local divisions of state agencies and state services established under relevant executive power bodies, bodies being under and subordinated to such state agencies and state services</li> <li>- heads, deputy heads, and specialists of the bodies under relevant executive power bodies</li> <li>- representatives, their deputies and specialists on administrative territorial areas of relevant executive power bodies</li> </ul>

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<sup>15</sup> Salvador Parrado, “Civil Service Professionalisation in Armenia, Azerbaijan, Georgia, Moldova and Ukraine,” *SIGMA* (November 2014), <http://www.sigmaweb.org/publications/ParradoDiezS-CS-Professionalisation-Nov2014.pdf>.

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<sup>18</sup> “Dövlət Qulluğuna Qəbul Qaydaları ilə Bağlı Nələri Bilməliyik,” Dövlət İmtahan Mərkəzi, 2017, [http://www.dovletqullugu.com/uploads/buklet-dovlet-qulluqu\\_.pdf](http://www.dovletqullugu.com/uploads/buklet-dovlet-qulluqu_.pdf).

<sup>19</sup> “Açıq dərs – dövlət qulluğu,” YouTube video, 48:24, posted by “Dövlət İmtahan Mərkəzi,” November 17, 2017, <https://www.youtube.com/watch?v=k9t-jRSV6btg>.

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<sup>34</sup> Ibid., 49

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<sup>47</sup> Farid Guliyev, email to the author, 2018.

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<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

<sup>56</sup> Li and Gore, “Merit-Based Patronage.”

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

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