CIVIL SERVICE IN THE FRENCH REPUBLIC: 
CHARACTERISTIC FEATURES OF FORMATION AND DEVELOPMENT

CZU: 35.08(44)

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SUMMARY
The article deals with historical grounds, evolution and modern trends of the civil service in France. The state bureaucracy foundations, modern civil service formation and its legislative basis as well as the procedure of competitive selection for civil service, career advancement and administrative staff’s professional training issues are being considered.

Keywords: civil service, civil servant, bureaucracy.

The experience of the French Republic is significant for many “new democracy” countries, including Ukraine. Throughout its long history, France has often demonstrated examples of a clear and efficient administrative system and the functioning of public bureaucracy mechanism at all levels. After the restoration of Ukraine's independence in 1991, the first steps in creating a new civil service for the young state were marked by a certain copy of the French experience. Not being always successful, it made possible to build a system that is broadly in line with European democratic norms. Today, the civil service reform, according to European standards, is going on. Therefore, the study of foreign best practices on the basis of civil service functioning and development remains relevant.

It is important to note that the process of centralization was completed and the professional bureaucracy emerged in France earlier than in other Western European countries. In the middle of the 18th century, the royal power began to distance itself from society with the help of professional bureaucracy. During the Great French Revolution, some events took place contributing to the formation of the French civil service in its modern form. In 1789, all feudal privileges in the civil service were abolished. In 1790, departments replaced provinces, and in 1791, the law forbade the creation of any voluntary associations, “intermediate associations” between the state and citizens.
The French bureaucratic system underwent rapid changes during the reign of Emperor Napoleon I (this time could be called the stage of formation of the modern civil service system in France). Napoleon signed a contract with Vatican, allowing the state control over the church; organized the gendarmerie, appointed police commissioners in all cities, created a civil code, etc… Napoleon was fascinated by both military affairs – the army and the church. Consequently, he borrowed the bureaucratic system elements for his state from both of these two institutions. Napoleon's desire was to create a system of bureaucrats who would serve only the public interest, would be half military, half priests, with certain privileges, but would be independent of ministers and even the emperor himself [2]. Special schools were created designed to educate the bureaucrats – the elite of the society.

The next stage in the civil service evolution dates back to the beginning and the middle of the XIX century, when a competitive system for hiring officials was introduced in the civil service, contributing to the growth of the bureaucracy professionalism in France. Senior officials promoted the idea of serving the state and saw themselves as guardians of public interest. The private entrepreneurial activity was considered as a "second-rate" one, so the transition to the private sector was limited. For example, during 1860-1880 only one financial inspector left the civil service and went into business. However, despite the competitive system introduction, the top administration was formed entirely of privileged society members. During the Second Empire (1851-1870) 95% of department directors in the ministries, 82% of prefects, and 87% of state advisers came from bourgeoisie or aristocracy. Even during the Third Republic (1871–1940), democratization did not affect the upper bureaucracy: among 546 members of the "upper corps", there were only 10% coming from "popular classes" and petty bourgeoisie [2].

During the reign of Louis Philippe in the middle of the XIX century, there was a stage of civil service standardization in France. The desire to make changes in the civil service system re-emerged. It was about creating a politically neutral bureaucracy, and widespread introduction of a competitive system for appointing the most capable officials to public office. Civil servants were obliged to be restrained in their private life and to keep administrative secrets. In some institutions, officials were prohibited from reading newspapers or foreign books at work.

In the second half of the XIX century holding a position in state apparatus became a powerful factor for social advancement. The civil service provided large employment guarantees. As the number of officials was growing (at the end of the XIX century there were already about 500,000 of them), their position became rather stable. Only senior government officials depended on the political situation. In 1853, the general pension regime for civil servants was created [2]. However, since the 1920s the salaries of ordinary officials started lagging far behind the salaries of skilled private sector workers (the difference was even more in comparison to the incomes of private sector employees). This trend continued to intensify and still exists [2].

Nowadays, as a classic model, the French civil service is designed to solve social, economic, political, organizational, legal and ideological problems. Their implementation ensures the effectiveness for public authorities functioning as a complex social institution. Actually, the French civil service system activity is ensured by a number of subsystems, the main of which being: selection, training and promotion of civil servants. As a result of their interaction, the entire civil service system acquires new features: integrity; clear division of administrative functions; interconnectedness of elements; functionality; unity of approaches in solving problems of a certain type; compliance to uniform organizational and legal norms, rules, standards and traditions [4].

Civil service legislation in France is the result of the reforms launched after World War II. The civil servants’ activities are regulated by the General Statute of Civil Servants, which includes four basic laws:

- Law on the Rights and Duties of Civil Servants of July 13, 1983 № 83-634;
- Law on the Central Civil Service of January 11, 1984 № 84-16;
- Law on Territorial Civil Service of January 26, 1984 № 84-53;

The system of these laws regulates functional responsibilities for public authorities, local self-government and health care system civil servants. There are three branches of the civil service in
France: the central civil service, containing 2.5 million officials, the territorial civil service – 1.5 million people and the health care civil service – 1.5 million people [1].

The openness of the French civil service is ensured by the existence of two types of competitions: external and internal. External competitions recruit new officials, while internal ones are held for promotion. The applicants’ professional qualities are not the main factor within competitive selection, while their general erudition and classical humanities education are highly appreciated. In contrast to the United States and Germany, where the concept of civil servant specialization prevails, in France training for performing both administrative and technical functions remains dominant. The French civil service seeks to select officials with high level of general culture, able to perform various tasks. Internal competition is a way for promotion. This is expressed in salary increase depending on the length of service and the results of assessment. There are two options for promotion:

1) inclusion to the annual list of promotion, taking into account the opinion of the administrative parity commission on the basis of annual assessments and service experience;
2) professional selection via special exam.

Thus, guaranteeing slow but steady advancement depending on years of service or seniority in the institution is the main element of a bureaucratic career in France [2].

It is also possible to get into the civil service after a probationary period, which is assigned for trainee employees appointed to permanent positions in public authorities. During this time, they acquire theoretical and practical knowledge necessary to test their abilities and readiness to enter the civil service. Trainees perform all the functions of civil servants, but they have certain limitations in their rights. They can be fired during or after their internship due to insufficient training background, disciplinary misconduct or personal remarks. Based on the results of the internship, the trainee employee may be left for a second internship period, dismissed or accepted into the appropriate corps.

The peculiarity of the French civil service modern model is that a civil servant, having been recruited, not only holds a particular position, but also enters a certain civil servants’ corps, pursues his professional career and receives the appropriate rank. He may remain in it for the rest of his professional life, automatically advancing in his career (in terms of experience). In addition, during his service, he can change the corps. Such transition equates to a new assignment and a new career. The concept of a corps is the French civil service key element. This concept means an association of civil servants who depend on the same separate statute and have the right to be assigned the same ranks within the corps. [1].

In particular, getting into the corps of prefects is a prestigious option for the development of a civil servant’s career. The prefect is an official who heads the prefecture, a body of state control over local communities activities. Having lost his executive powers after the decentralization reform, the prefect at the same time remained the representative of the state in regions and departments. He represents the government, personally the prime minister and each minister in the territory, which emphasizes the inter-ministerial nature of his position. The prefect manages a number of state institutions and regional services, is responsible for the state policy implementation, cares about national interests, observance of laws and public order [3].

The prefect is a high-level civil servant who has been trained at the National School of Administration (ENA). He belongs to the prefectural corps and his career depends on the top state leadership. He may be transferred to another department, positions or reserve at any time. As a rule, an official who has joined the prefectural corps remains the prefect for a long time only changing departments.

France managed to create an effective civil service institute. Its thorough regulatory framework and effective system for civil servants training have been created.

V. Chmyha identified the following key theses characterizing features and current trends of the civil service in France:

1. The French civil service is built on the career development principles, guaranteeing civil servants’ employment throughout their professional lives.
2. Civil servants are in the regulated legal field. In other words, in contrast to other employees whose activities are regulated by employment contracts, civil servants are guided by the provisions of General Statute of Civil Servants.
3. The integrity and stability of the French civil service is the basis for the stability of the state and is ensured through the preservation and improvement of professional staff who have a high level of professionalism and significant work experience.

4. The Ministry of Civil Service develops and implements state policy in the field of civil service [1].

During the years of independence, the legal grounds for the functioning of the civil service have also been formed in Ukraine. They are contained in the Constitution of Ukraine, the Law of Ukraine “On Civil Service”, as well as in other regulations. The main principles of Ukrainian legislation in this field, in particular the Law of Ukraine “On Civil Service” were formed taking into account the European experience. However, the implementation of the established principles requires further hard work in order to improve the national civil service, increasing its prestige, transparency and efficiency.

BIBLIOGRAPHY