

# Strategies to Professionalize the Civil Service

**Lessons from the Dominican Republic** 

**Christian Schuster** 

## Inter-American Development Bank

Institutions for Development Sector

Institutional Capacity of the State Division

**TECHNICAL NOTE** 

No. IDB-TN-688

September 2014

## Strategies to Professionalize the Civil Service

**Lessons from the Dominican Republic** 

**Christian Schuster** 



Cataloging-in-Publication data provided by the Inter-American Development Bank Felipe Herrera Library

Schuster, J.W. Christian.

Strategies to professionalize the civil service: lessons from the Dominican Republic / Christian Schuster.

p. cm. — (IDB Technical Note; 688) Includes bibliographic references.

1. Civil service—Dominican Republic. 2. Civil service—Law and legislation—Dominican Republic. 3. Public officers—Dominican Republic. I. Inter-American Development Bank. Institutional Capacity of the State Division. II. Title. III. Series. IDB-TN-688

#### http://www.iadb.org

The opinions expressed in this publication are those of the authors and do not necessarily reflect the views of the Inter-American Development Bank, its Board of Directors, or the countries they represent.

The unauthorized commercial use of Bank documents is prohibited and may be punishable under the Bank's policies and/or applicable laws.

Copyright © 2014 Inter-American Development Bank. All rights reserved; may be freely reproduced for any non-commercial purpose.

Contact: Mariano Lafuente, mlafuente@iadb.org

#### ABSTRACT\*

Drawing on a case study of recent reforms in the Dominican Republic, this technical note derives lessons about strategies to professionalize the civil service. As in other countries with less professionalized civil services, the Dominican Republic's political economy is biased against reform: promises of public employment tend to be important to successful electoral mobilization. Nonetheless, passage of a new public service law and its partial implementation were achieved. The case study finds that the construction of a broad societal coalition demanding reform may account for this puzzle. For legislative approval, alliance formation extended to not only traditional reform allies, such as the international community, NGOs, business associations, the media, progressive governing legislators and a politically influential minister, but also novel allies, including opposition parties. Reform implementation was fostered by the periodic and well-publicized societal monitoring of an achievable set of reform objectives aligned with the strategic priorities of the Ministry of Public Administration. As a result, political incentives were tilted towards legal reform passage and incremental compliance in civil service subsystems—such as organizational structures, information systems and training—not perceived as threatening to core electoral mobilization interests, yet not in more politically contentious subsystems, such as recruitment and selection. The case study underscores the desirability of constructing broad societal coalitions to enable civil service professionalization—particularly in contexts where potential societal veto actors with vested interests, such as public sector unions, are largely absent. It also underscores the continued weight of political economy constraints in conditioning the subsystems in which civil service reform implementation may be achieved.

**JEL Codes:** H10, H11, J45

**Keywords:** Civil service; Professionalization; Reform Strategies; Dominican Republic

### **TABLE OF CONTENTS**

1. INTRODUCTION: LEARNING LESSONS ABOUT STRATEGIES TO PROFESSIONALIZE THE
CIVIL SERVICE AND THE DOMINICAN CASE
2. THE ROLE OF PUBLIC EMPLOYMENT IN THE DOMINICAN REPUBLIC'S POLITICAL ECONOMY
3. CIVIL SERVICE REFORM ATTEMPTS AHEAD OF THE 2008 PUBLIC SERVICE LAW8
4. THE 2008 PUBLIC SERVICE LAW: FORMULATION, NEGOTIATION, AND APPROVAL 10
5. THE 2008 PUBLIC SERVICE LAW: IMPLEMENTATION
6. LESSONS FROM THE DOMINICAN CASE: STRATEGIES TO PROFESSIONALIZE THE CIVIL SERVICE AND THEIR POLITICAL ECONOMY CONSTRAINTS
7. REFERENCES
8. INTERVIEWS CONDUCTED
9. ACRONYMS

## 1. INTRODUCTION: LEARNING LESSONS ABOUT STRATEGIES TO PROFESSIONALIZE THE CIVIL SERVICE AND THE DOMINICAN CASE

An increasing number of statistical studies is linking the professionalization of more discretional civil services to positive development outcomes, be they economic growth, democratic development, poverty reduction or lowering corruption (see, for instance, Dahlstroem et al., 2011; Evans and Rauch 1999; Henderson et al., 2003; Iyer and Mani, 2008;). As a flip side of these findings, less professionalized civil services are found to induce widespread public service delivery failures (Fukuyama, 2007).

Yet, for many developing countries, the construction of professional civil services has been as relevant for their development as it has been historically elusive. Latin America is no exception. In the IDB's 2004 assessment, 10 out of 18 civil services were found to be characterized by work forces with low skill levels, lack of information on remuneration, diversity of pay criteria, absence of performance evaluations, and discretion in recruitment and promotion decisions, to name a few (BID, 2006). Next to these archetypical cases of politicization, five of the remaining eight countries feature mixed systems in which merit and politicization coexist.

The track record to professionalize such civil services has been anything but stellar. To illustrate, the World Bank noted that its global US\$422 million lending per year for civil service and administrative reform between 2000 and 2006 had no measurable impact (World Bank, 2008). As echoed by the findings of other development partners on such reforms (see, for instance, DFID, 2005:3), the main obstacles to change were found to be political rather than technical in nature.

With this in mind, scholars and practitioners alike have taken a growing interest in the politics underlying the professionalization of civil services. Scholars have put forward a range of hypotheses to identify the conditions under which politicians face incentives to professionalize the civil service (see, for instance, Schuster, 2013). With few exceptions (see, for instance, Echebarria and Cortazar Velarde 2007; Grindle, 2012), however, little attention has been paid to the process through which such reforms may come about in politicized settings. This is an important omission. Politicized civil services tend to be—by their very nature—characterized by vested interests in maintaining the status quo, collective action challenges for reform advocates and institutions constraining reform choices, to name just a few of many reform challenges. Creative strategies and policy entrepreneurship to, for instance, alter incentives of stakeholders and circumvent institutional constraints thus take center stage to account for successful reforms. This in turn puts a premium on deriving generalizations and lessons about reform processes and dynamics—that is, how professionalization of civil services may be brought about.

With this in mind, this technical note traces recent civil service reform efforts in the Dominican Republic, drawing in part on 65 semi-structured interviews conducted by the author between March and July 2013 with high-level policymakers in the executive, legislature, and judiciary, as well as civil servants, union and NGO leaders, donor and international organization officials, academics, and journalists. The note focuses in particular on the emergence, approval, and implementation of the 2008 public service law (*Ley* 

3

.

<sup>&</sup>lt;sup>1</sup> Note that the interviews drawn on in this note were conducted as part of the PhD research of the author. Annex A contains a list of interviews by respondent type. The author would like to thank FLACSO for hosting this research in the Dominican Republic.

No. 41-08 de Función Pública y crea la Secretaría de Estado de Administración Pública). The Dominican reform is an exceptionally insightful case to derive lessons about strategies to professionalize the civil service. Evidenced by an increase from 27 to 39 (out of 100) in the Dominican Republic's civil service professionalization index from 2004 to 2012 (BID, 2006; Strazza, 2012), incremental reform was achieved despite strong political economy constraints.

As this note will argue, the construction of a polycentric coalition demanding professionalization stood at the core of reform progress. A 2003–04 financial crisis had elevated state modernization—albeit not civil service reform—to the top of the political agenda. Brought together by the Ministry of Public Administration (MAP), a coalition of NGOs, private sector associations, the media, development partners (i.e., donors and international financial institutions) and progressive legislators seized this reform window to push for a new civil service law. Innovative societal alliance formation in conjunction with the political weight of the Minister of Public Administration also facilitated the partial and incremental implementation of the new law. Yet, more comprehensive compliance was thwarted. Pro-reform incentives created by a good practice reform process were overwhelmed by opposition from vested interests for those personnel decisions—such as meritocratic recruitment—which jeopardized core political interests. The Dominican Republic is characterized by mobilization of electoral support principally on the basis of material benefits, including access to public employment (Kitschelt and Singer 2009; PNUD, 2004).

The case thus underscores the feasibility and desirability of constructing broad societal coalitions to enable civil service professionalization, in particular in contexts where potential societal veto actors such as public sector unions are largely absent. It also points to the continued force of political economy constraints in conditioning the success of such alliance formations for reform. Absent broad shifts in a country's political economy context—due to, for instance, rapid socioeconomic progress—even good practice reform processes will thus empower solely incremental shifts towards professionalization in a circumscribed set of civil service subsystems.

To construct this argument, this technical note is organized as follows: Section 2 delineates the role of public employment in the Dominican Republic's political economy as context for the analysis of the civil service reform process. Section 3 outlines the implementation trajectory of civil service reforms in the Dominican Republic ahead of the 2008 public service law; against this backdrop, Section 4 examines how the 2008 public service law emerged on the agenda, was formulated, negotiated and finally approved. This is followed in Section 5 by a discussion of the implementation of the law to-date, its obstacles and strategies to overcome them. The paper concludes with generalizations and lessons learned about strategies to professionalize civil services in Section 6.

## 2. THE ROLE OF PUBLIC EMPLOYMENT IN THE DOMINICAN REPUBLIC'S POLITICAL ECONOMY

Due to both political supply and demand-side factors,<sup>2</sup> employment offers from the state are "at the center of the Dominican Republic's political context," according to a former Director of the National Council for State Reform (Interview, 2013).

Prima facie, the Dominican Republic could be expected to see increases in public goods demands—and thus demands for civil service professionalization—from citizens and the private sector alike. The country recorded one of the highest economic growth rates in the region over the last four decades. Yet, this growth pattern has not been inclusive. Moderate poverty levels (34 percent) in 2009 exceeded those in 1997 (26.7 percent). Moreover, job creation in the same period was largely (three out of four jobs in 1999–2009) limited to the informal sector and focused on lower-productivity activities (BID, 2012). In 2010, informality stood at 56.5 percent, up from 52.9 percent in 2000, and unemployment averaged 15.7 percent in 2000–2011 (Organización Internacional del Trabajo, 2013). A substantial fraction of citizens thus faces incentives to individually demand access to formal public employment from public officials rather than to collectively demand civil service professionalization. To illustrate, over 75 percent of the population considers it either not corrupt or justifiable if politicians use their influence to provide public sector jobs to unemployed relatives (Morgan and Espinal, 2010).

Collective demand for civil service reform and state modernization in general tends to be discouraged even by those in formal employment. Middle and upper classes frequently substitute what they perceive to be poor-quality public service provision with individualized private alternatives. To illustrate, private expenditures on health and education amount to 56 percent and 38 percent of total spending, respectively. With a large share of the middle and upper classes having individually solved service delivery problems, incentives for collective action to demand state reforms, including civil service professionalization, to improve public service delivery are undermined (Sánchez and Senderowitsch, 2012). To illustrate, the Dominican Republic features, with 5.4 percent, one of the lowest rates of participation in protests in the region (Morgan and Espinal 2010). Where collective action occurs despite these disincentives, it is often co-opted by political parties. Survey data suggest that the receipt of material benefits is positively associated with civil society participation (Espinal et al., 2010).

One caveat to this generalization is in order. A small number of professional and largely Santo Domingo-based NGOs, independent media outlets, progressive private sector associations, and development partners, among others, demand state modernization from the government; a latent coalition demanding reform thus existed, albeit lacking articulation ahead of 2004 and, more generally, a broad societal base.

The presence of citizen demands principally directed to material benefits such as access to public employment—rather than professionalization and other state modernization measures—is paralleled by an exceptional ability of governments to supply such benefits to court electoral support. In the context of the

5

<sup>&</sup>lt;sup>2</sup> Demand-side factors refer to political (dis)incentives to professionalize the civil service emanating from collective reform demand (or individual demand for access to public employment) from citizens and other societal actors such as unions or business associations. Supply-side factors refer to political conditions (dis)incentivizing governments to professionalize the civil service when facing a given level of societal demand for (lack of) reform.

country's "excessive presidentialism" (World Bank, 2004: 104), the president is described as "a kind of Republican monarch" (Collado, 2005: 60). This is evidenced by, for instance, presidential discretion in budget formulation and execution. Congress requires a two-thirds majority to alter budget bills introduced by the executive; even if Congress were able to summon this two-thirds majority, it could modify only institutional ceilings for personnel expenditures. In practice, budget bills do not contain organizational charts with functions and positions. Moreover, deviations from approved budgets in budget execution are frequent. The Office of the Presidency, for instance, spent on average almost three times the approved budget amount between 1967 and 2009 (Marsteintredet, 2010). In addition, Article 55 of the Constitution granted, until a 2010 reform, the president the power to recruit and dismiss public employees in the executive at will, without any requirement to take into account merit-based criteria. Concomitantly, the President's party "equates the appointment of their members to positions in public administration with their right to exercise power" (World Bank, 2004: 104).

Presidents and parties in power made ample use of this discretion to court electoral support from citizens seeking access to public employment. The general government workforce on the payroll grew from 266,000 in 1994 to roughly 627,000 in 2013—that is, from roughly 6 percent to almost 11 percent of the labor force (based on data in Contraloria General de la Republica, 2013; World Bank 2004; World Bank 2013b). About 80 percent of public employees—yet only 52.5 percent of the populace—sympathize with a political party, with 82.9 percent of public employees with party memberships identifying themselves in a 2010 survey as members of the governing Dominican Liberation Party (*Partido de la Liberación Dominicana*—PLD) (Morgan and Espinal, 2010).

In short, both societal demand for and a government's discretionary supply of public employment and other material benefits are particularly pronounced in the Dominican Republic. Not surprisingly, electoral contests have come to revolve principally around promises of private benefits in exchange for political support.<sup>3</sup>

With electoral accountability revolving largely around the exchange of benefits for political support, political parties have become "non-ideological [and] highly personalized," despite containing strong programmatic elements when originally founded (Mitchell, 2009: 210). Voters base their decisions considerably less on policy platforms and considerably more on party affiliation compared to the Latin American average (cited in World Bank, 2013a). Parliamentarians are, according to survey data, the least ideologically polarized compared to their counterparts in Central America and Mexico (Benito Sanchez, 2011). Ninety percent of respondents deem that parties defend solely the interests of their members and leaders (PNUD 2008), and control of corruption has deteriorated in the period under study, with the corresponding World Bank indicator falling from the 42nd to the 22nd percentile from 2004 to 2011 (World Bank, 2013c).

<sup>&</sup>lt;sup>3</sup> The Dominican Republic ranks first in Latin America in terms of the share of survey respondents reporting that they were offered a material benefit in exchange for their vote at least sometimes in recent elections (22 percent) (Faughnan and Zechmeister, 2011); first in terms of the share of respondents confirming to have done campaign work for candidates (19.9 percent) (Morgan and Espinal, 2010); and last in terms of the share of respondents believing that the government acts on behalf of the whole population and general welfare (15 percent) (cited in Sánchez and Senderowitsch, 2012). To mobilize political support in this context, public employment has become particularly coveted. Party affiliates in public employment facilitate not only votes, but also campaign support and the political targeting of other discretionary benefits provided by the bureaucracy (Gonzalez-Acosta, 2009).

In sum, political economy factors strongly militate against civil service reform in the Dominican Republic, with one donor official going as far as asking "how can you implement civil service reform in a governance environment like this?" (Interview, 2013). Nonetheless, and against the odds, civil service reform appeared on the political agenda, saw the successful formulation and approval of a new law, and its partial implementation. The Dominican reform thus serves as a particularly useful case to derive lessons about strategies to professionalize civil services in adverse political economy contexts.

## 3. CIVIL SERVICE REFORM ATTEMPTS AHEAD OF THE 2008 PUBLIC SERVICE LAW

Until the 1980s, formal civil service reform had remained elusive in the Dominican Republic (Kearney, 1986). Seeking to move beyond the public employment legislation of the pre-democratic period, the National Office for Administration and Personnel (*Oficina Nacional de Administracion y Personal*—ONAP) had drafted eight civil service bills since the 1960s, yet, none were approved (World Bank 2004). Instead, governments prioritized personal and party loyalty of public employees over professional human resource management. It was not until 1991—when 14 out of 18 Latin American countries already had merit-oriented civil service legislation (Grindle, 2010)—that the repercussions of an economic crisis, coupled with societal pressure and the initiation of a civil service bill by the opposition PLD and the Dominican Revolutionary Party (*Partido Revolucionario Dominicano*—PRD), prompted passage of a civil service and administrative career law (*Ley No. 14-91 de Servicio Civil y Carrera Administrativa*). While the law enumerated fundamental civil service principles for the central government, concessions in legal formulations to smooth passage after multiple failed reform attempts and limited legal implementation thwarted substantive progress towards professionalization.

Concessions to smooth passage turned the law into one "without teeth" (Cuello, 2008: 99). ONAP lacked the requisite authority to assure compliance with the law, as an office in the third tier of public administration with insufficient management and accountability links to ministerial HR offices (Ventura Camejo and Montero, 2008). Moreover, it depended upon presidential decrees to evaluate civil servants for inclusion in a tenured "career track" in all state institutions except Finance. The spirit of the administrative career track was undermined by articles in the law which provided job stability for career employees (Art. 33) while also permitting unjustified dismissals, provided compensation was paid (Art. 28). This was an important shortcoming not least against the backdrop of mass public employee turnover—locally known as "steamrolling" (aplanadora)—when a new administration took office. To illustrate, 40 percent of all central government employees in 1996 had been in their position for two years or less (World Bank, 2004).

In its first decade, the law was only very partially implemented. A decree to regulate the law was passed in 1994, followed by a 1996 decree creating a general classification manual for central government posts next to a battery of ONAP instructions on, among others, performance evaluations, an ethical and disciplinary regime, and personnel registration and control (Ventura Camejo and Montero, 2008). These and other norms, however, were largely ignored in practice. To illustrate, the decree requiring classification of central government positions was never implemented (BID 2006), and only 1,291 civil servants had been incorporated in the administrative career track—roughly 0.5 percent of those eligible—by 2000 (Castillo Lugo, 2002).

The Mejia Administration (2000–04) initially appeared to be continuing the de-prioritization of civil service reform. It allegedly dismissed several hundred (the precise number is unknown) career bureaucrats without, at times, due compensation (Collado, 2005)—even though due process had been followed in the hiring of 86 percent of them according to an audit (Castillo Lugo 2002). Contrary to its predecessors, however, the administration accelerated implementation of the 1991 law. ONAP saw a virtual doubling of its budget as part of a decree empowering it to incorporate career employees across

executive institutions. With this legal authorization, 13,847 employees were added to the personnel roster in 2001 and 2004 (Collado, 2005).

Based on the elaboration of organizational charts and corresponding career track position descriptions, eligibility evaluations of employees in the public sector were performed for 96.9 percent of those hired. These evaluations prioritized, among other factors, seniority and fulfillment of minimum formal qualification requirements for career positions. The remaining 3.1 percent were hired based on competitive examinations for public sector employees. A 2003 decree mandated withholding salary payments if career positions were not filled through competitive processes (Ventura Camejo and Montero, 2008). The decree also mandated the creation of a single account to pay salaries. The lack of technical criteria in salary setting had created vertical and horizontal pay inequities as well as limited control over the payroll (Iacoviello, 2009).

Similar to previous reform decrees, however, the 2003 decree was only partially implemented. Only 5.8 percent of those hired for administrative positions until 2012 were based on competitive examinations (based on MAP data). Moreover, when the Fernandez administration (2004–12) came to power, many career tenures were reversed. A lower bound for the total number of dismissals, 4,259 career employees—22.5 percent of all employees hired up to that point—sued to obtain compensation for unjustified dismissals in 2004–07 (Participación Ciudadana, 2007). This was accompanied by instability in the broader public sector. A 2008 survey found that 60 percent of public employees had worked for four years or less in their state institution (cited in Iacoviello, 2009).

In the early 2000s, the limitations of pursuing civil service professionalization on the basis of the 1991 civil service and administrative career law became increasingly evident. As one analyst put it, "so long as Article 28 [permitting unjustified dismissals] remains in force, the consolidation of a career system will be ... impossible" (Delmas, 2007: 60). The technical grounds for reform were thus relatively uncontested. Against this backdrop, the political construction of a coalition to demand reform took center stage.

## 4. THE 2008 PUBLIC SERVICE LAW: FORMULATION, NEGOTIATION, AND APPROVAL

A good-practice reform strategy, characterized mainly by the construction of broad coalitions in society and the legislature in favor of civil service professionalization, stood at the core of the shift in incentives underlying the approval of the 2008 public service law. Modernization of civil service legislation took place in a context in which state reforms more generally had risen to the top of the political agenda.

After a large-scale banking crisis in 2003–04 triggered devaluation, inflation, and a rapid increase in poverty in the country, Leonel Fernandez won the 2004 elections with anti-corruption at the center of his campaign platform (CEPAL, 2009). In conjunction with conditionalities stemming from International Monetary Fund standby agreements and the United States-Dominican Republic-Central America Free Trade Agreement (DR-CAFTA), this led to a "normative revolution" (Interview MAP, 2013). Between 2005 and 2007, the country modernized legislation for integrated financial management, procurement, planning and public investment, internal control and auditing, budgeting, public debt, customs, tax administration and the treasury, among others (Contreras, 2009).

In this broader state reform context, a series of 2003 assessments of the shortcomings of the 1991 law in relation to its own objectives marked the beginning of the reform episode culminating in the 2008 public service law. After the assessments were disseminated within state institutions and their HR offices, technical consultants, with funding from the EU's Program to Support the Reform and Modernization of the State (PARME), developed a draft law to address shortcomings in existing legislation. The new draft contemplated, among others: strengthening competencies of the HR management governing body, expanding coverage of the law to all state institutions, prohibiting unjustified dismissals of career employees, establishing due dates for compensation payments for dismissed employees outside the career, establishing an eight-year limit for the evaluation and incorporation (or redundancy) of all eligible public employees into the career, and regulating in more depth crucial civil service subsystems such as performance management (Iacoviello, 2009).

The draft drew on inputs from not only ONAP but also the National Council for State Reform (CONARE) and international consultants from France, Costa Rica, Argentina, and Chile, with funding from, among others, the IDB's Program on Reform and Modernization of the Executive (PROREFORMA) (Participación Ciudadana 2007). Moreover, the draft law consciously followed in content the 2003 Ibero-American Charter for the Public Service (*Carta Iberoamericana de la Funcion Publica*). The charter had recently been approved by the region's heads of state and the United Nations General Assembly, which enhanced the technical legitimacy of the draft law (Cuello, 2008). This legitimacy also served as a useful antidote to criticisms, including by ONAP staff, that legal revisions were premature. According to these critiques, the valence of the 1991 law was still unknown given its limited implementation. Reform advocates countered that one of the reasons for the limited implementation was the shortcomings in legal formulations.

After the draft law and its internal dissemination were finalized, the Fernandez administration (2004–12) took office. As one of the few examples of continuity in public administration programs in the Dominican Republic, as a former MAP Vice-Minister noted (Interview, 2013), the new government left ONAP's technical team intact and sustained its efforts to foster a new public service law. What is more, civil

service reform moved up on the political agenda. ONAP gained in political importance with the appointment of Ramón Ventura Camejo as its new director. As a former senator and member of the PLD's Political Committee, Ventura Camejo was in constant contact with ministers and legislators. Moreover, he enjoyed a reputation for honesty and integrity.

Nonetheless, in view of the aforementioned role of public employment in the DR's political economy, passage of a new public service law was far from assured. Enhancing the legitimacy and credibility of the draft law was necessitated by some anticipated political economy challenges in implementation. In response, ONAP opted to seek societal consensus around and support for reform ahead of submitting it to Congress. For this purpose, the draft law was presented in 2005 for consultation to the National Dialogue where, for 15 years, the country's main representatives of civil society—including business associations, unions, churches and NGOs—had come together. In 12 weekly meetings, an average of 80 participants examined, discussed, and reached agreements on each chapter and article of the draft law. Importantly, consensus also extended to articles contested in consultations, such as the expansion of legal coverage to municipalities and the creation of a Ministry of Public Administration. In mid-2005, a plenary session of the Dialogue approved a draft which it asked President Fernandez to submit to Congress.

Concurrently, ONAP organized bilateral consultations with both media outlets and key societal organizations to increase the pressure for legal approval. Organizations consulted included the local Transparency International chapter *Participación Ciudadana*, the National Council for Private Enterprise (CONEP), and the National Association of Young Entrepreneurs (ANJE). In early 2006, President Fernandez made a commitment to the coordinator of the National Dialogue, Monseñor Núñez Collado, and Ventura Camejo to submit the bill to Congress (Delmas, 2007).

With civil society consensus reached, ONAP proceeded to educate legislators about the draft law. Prior to the 2010 constitutional reform, parliamentary or presidential elections were held every two years, preceded by primaries. In this context of constant electoral mobilization, a civil service bill submitted without adequate awareness building or at an inopportune moment in the election cycle faced a high risk of stalling (Delmas 2007). In response, ONAP and the EU's PARME hired consultants with close ties to party leaders in the PLD, the opposition Reformist Social Christian Party (PRSC), and the PRD. These consultants were tasked with lobbying in favor of the new public service law with legislators from their parties (Interview MAP, 2013). Similarly, in the first half of 2006, a meeting was organized by *Participación Ciudadana* with the participation of 40 legislators or candidates for office to disseminate the new draft bill. Participation from high-ranking EU and USAID officials underscored international support for the reform.

Against this backdrop and delays in the submission of the bill by the Presidency, the president of the Chamber of Deputies, Julio Cesar Valentín, opted to initiate the legislation himself. Valentín had previously participated in a variety of donor-funded civil service reform forums in the Dominican Republic and Spain, and was closely linked to ONAP's Director Ventura Camejo, who was, as president of the provincial committee of the PLD in Santiago, at least formally the party superior of Valentín (Interview civil society, 2013). Valentín mirrored the broad consensus-building strategy employed outside the legislature. He sought endorsement of the law from leaders of all parties, even though the PLD could have passed the law with its own majority. In his words, "this enabled that all legislators and party leaders

understood that this was their topic (...) in other words, there was a collective protagonism, not protagonism by an individual legislator" (Interview, 2013).

Opposition parties were natural allies for the reform law. In the words of ONAP's 2000–04 Director Dario Castillo Lugo, "opposition parliamentarians viewed the law in a favorable light as (...) the law says that recruitment is to be based on competitive exams, so all can participate, my people and yours." (Interview, 2013) In line with the previous broad consensus-building strategy and with donor support, 140 parliamentarians were convened in a May 2007 seminar on the bill. The Secretary General of the Latin American Center for Development Administration (CLAD), Julio Cesar Fernández Toro, was invited to this and other seminars to promote the technical legitimacy of the law. In the seminar, speakers of all parties voiced unanimous support for the bill.

Notwithstanding the unanimous rhetorical support for the bill, there was no lack of covert resistance. As could be expected in view of the country's political economy context, a fraction of party elites opposed the law on the grounds that, as a former MAP Vice-Minister put it, they felt "they had the right to place their people and nobody will prevent them from doing so" (Interview, 2013). Yet, a political reform strategy led by a politically influential ONAP Director who had equipped the bill with uncontested technical legitimacy, broad societal support, and backing from opposition parties had sufficiently fragmented opposition to produce "a diversity of criteria in the positions of the PLD political committee (...) which makes it easier for us [legislators] to [vote] with autonomy" (Interview legislator, 2013). In conjunction with political disincentives to overtly oppose civil service professionalization, unanimous approval of the bill in the Chamber of Deputies and the Senate was fomented, and the law was promulgated in January 2008.

In sum, broad coalition formation both in society and in the legislature helped tilt incentives toward approval of a new public service law despite important political economy constraints. While most of the legal deficiencies in public personnel management were thus remedied, political economy obstacles persisted in implementation.

#### 5. THE 2008 PUBLIC SERVICE LAW: IMPLEMENTATION

The implementation of the 2008 public service law benefited—as its approval—from the forging of a polycentric coalition of people and organizations demanding reform. Together with the political weight of the Minister of Public Administration, demand from this coalition tilted incentives in line institutions toward incremental implementation in a subset of civil service subsystems amenable to reform. In those civil service subsystems that threatened core electoral mobilization interests, however, implementation did not proceed. For these subsystems, political economy constraints overwhelmed the pro-reform incentives that were generated by societal coalition formation.

### 5.1. Implementation Progress of the 2008 Public Service Law

Integral implementation of the new public service law demanded the modernization of a range of civil service subsystems. Government priorities of the recently re-elected third Fernandez administration boded well for such professionalization, as it had been part of President Fernandez' 2008 campaign proposals and was included in the 2010–2030 National Development Strategy (Schrank, 2010). Against this backdrop, the Ministry of Public Administration issued a series of instructions to regulate implementation of the new law, including on recruitment and selection, performance evaluation, labor relations, organizational structure, positions and salary policy, planning and budgeting of human resources, creation and classification of positions, and training and capacity building (Strazza, 2012; Ventura Camejo, 2010).

Yet, with the MAP lacking the legal authority to apply sanctions in case of non-compliance with the public service law, progress in implementation of these regulations was idiosyncratic. Substantive advances in some civil service subsystems were paralleled in others by lack of implementation or progress on formalities, yet not substance. To substantiate this conclusion, implementation progress towards four of MAP's strategic objectives shall be compared: (i) meritocratic personnel selections; (ii) performance management; (iii) job stability; and (iv) a civil service management and information system (SASP) (MAP, 2012).

Implementation progress was most curtailed in the realm of meritocratic personnel selections. The number of positions for which recruitment was based on public competitive examinations with supervision from MAP remained marginal, reaching 18 in 2011 and 39 in 2012, against the backdrop of a total workforce growth<sup>4</sup> of 27,676 in the two years (based on MAP data).<sup>5</sup> The number of intra or inter-

<sup>&</sup>lt;sup>4</sup> The number of vacancies rather than total workforce growth would be the appropriate base of comparison to understand the relative weight of competitive recruitment; as data on the (larger) number of vacancies could unfortunately not be obtained, reference is made to (the smaller) workforce growth.

<sup>&</sup>lt;sup>5</sup> As a caveat to this conclusion, the total number of recruitments based on public examinations in the Dominican Republic is higher as a share of both autonomous institutions and institutions with non-administrative careers administer public examinations. For example, the Ministry of Education recruited 21,223 teachers based on public competitive processes between 2007 and 2011, or 47.4 percent of all teacher vacancies (data provided by the Ministry of Education); the Supreme Court recruited 248 judges between 2002 and 2011 based on public competitive processes, or 100 percent of all vacancies for judges (data provided by the Supreme Court); and the General Directorate for Internal Taxation (DGII) recruited 1,223 technical and administrative staff based on public

institutional rather than public competitive personnel selections was higher—totaling 1,246 in 2008–12. Yet, equal opportunity in such selections is constrained. The overwhelming majority of those in the public sector with an opportunity to participate in these selections had originally been recruited on discretionary grounds. A subset of institutions sought to reduce the dissemination of vacancies to a minimum (Iacoviello, 2009), and only 36.7 percent of public employees surveyed considered that competitive selection processes complied with all procedural requirements (Gallup Republica Dominicana, 2010). Moreover, anecdotal evidence suggests prolonged processes for those who complied, with some competitive selections taking over six months in the context of limited available MAP supervision capacity (Interview Presidency, 2013). Against this backdrop, merit remains the least favorably evaluated of the Dominican Republic's civil service quality indices (Strazza, 2012).

More progress was made, at least formally, in performance management. At the same time, and mirroring challenges faced by public sectors in Latin America and beyond, substantive rather than formalistic progress toward performance-based management was largely curtailed. Almost 260,000 performance evaluations were carried out between 2005 and 2012, oscillating between roughly 20,000 and 50,000 evaluations per year (based on MAP data). Formally, these evaluations were to take into account fulfillment of ethical factors, compliance with competency profiles, and achievement of performance objectives. According to the corresponding regulation, good or excellent performance was to result in receipt of a performance bonus equivalent to a month's salary; and repeated unsatisfactory evaluations in dismissals. Despite resistance in some institutions, evaluations were expanded to 108 institutions in 2011.

Yet, the subjectivity and benevolence which have dominated evaluations to date have precluded them from orienting public employees substantively toward performance in most cases. With many state institutions lacking strategic plans, "imagination" has dominated the determination of performance objectives (Interview MAP, 2013); the concomitant subjectivity has lent itself to "manipulations and arrangements between superiors and subordinates" (Gallup Republica Dominicana 2010: 49). As a result and as is prevalent in performance evaluations in public sectors elsewhere, 96.4 percent of public employees were ranked between good and excellent in performance evaluations between 2005 and 2012—despite the low quality of public service delivery in the Dominican Republic overall (based on MAP data). Concomitantly, performance-based promotions remain, according to a majority of public employees surveyed (63 percent), infrequent (cited in Iacoviello, 2009). Against this backdrop, the MAP began piloting a new performance evaluation methodology in 2013.

More substantive advances have been achieved in expanding job stability in the Dominican Republic's public sector. By 2012, a gross of 59,300 public servants had been incorporated in an administrative or special career, roughly 30–37 percent of the estimated total of 160,000–200,000 eligible public employees.<sup>6</sup> Within this group, the administrative career accounted for 33,395 of total incorporations;

competitive processes between 2006 and 2012 (data provided by the DGII). Competitive processes in these and other autonomous institutions were not based on the 2008 public service law, however, nor were they supervised by the MAP. As such, their reform dynamics are distinct from the case presented in this paper, and they are hence not further detailed.

<sup>&</sup>lt;sup>6</sup> Career eligibility does not extend to political appointees or, since the 2008 public service law, employees in "general services," the lowest of five occupational groups in the Dominican Republic's public sector. As with the total number of public sector employees, the number of employees eligible for career incorporation is not precisely known, with estimates ranging from 160,000 to 200,000 (Ventura Camejo, 2010; Interview MAP, 2013). The gross number of public employees incorporated into the career does not consider the number of career employees who

teachers accounted for 24,154, and other special careers for the remaining 1,751 (based on MAP data). These incorporations were preceded by the rationalization of public personnel structures in state institutions, including the definition of organizational charts, position structures, and individual job descriptions.

In 2010, tenure protection for career employees was further strengthened. A constitutional reform included an article which declared the unjustified dismissal of administrative career public servants to be an act against the Constitution. In parallel, de facto protections against unjustified dismissals—as well as labor relations more generally—have been strengthened by the multiplication of Associations of Public Servants, whose number increased from 8 in 2005 to 54 in mid-2013 (De La Cruz Hernández 2005; Interview MAP 2013). Against this backdrop, the 2012 transition from the Fernandez to the Medina Presidency (both PLD) did not witness—as in previous presidential transitions—large-scale "steamrolling."

Despite these advances, concerns about tenure protection remained by mid-2013. The enforcement of legally strengthened tenure protection in case of party turnover in the Presidency is still untested. In a weak rule of law context, the Dominican Republic scores in the bottom 26th percentile in the World Bank's corresponding governance indicator (World Bank, 2013c). Protecting tenure will remain a challenge. As of 2013, Associations of Public Servants do not provide protection. While they represent public servants in, for instance, conflict resolution bodies, they still lacked capacity to collectively defend core employees' interests as of mid-2013. Even if de jure or de facto tenure protections could be maintained, they would cover less than 10 percent of the Dominican Republic's estimated 627,000 public employees (Contraloria General de la Republica, 2013).

This stems in part from an incorporation process which is relatively slow even when compared to the gradual pace at which professionalization processes tend to proceed. The professionalization of the U.S. civil service in the nineteenth and twentieth centuries took over 50 years (Grindle, 2012). In the Dominican Republic, roughly 2,600 public employees were incorporated annually over the last decade in the administrative and special careers. As a result, the annual number of incorporations seems to have been smaller than the annual increase—due to public sector workforce growth—in the number of public servants eligible for career incorporation over the same period (assuming a constant proportion of public servants eligible for career incorporation as a share of total public employment). At the current pace then and all else being equal, the number of eligible public employees *not* incorporated into the career would grow—rather than shrink—each year. This is of concern not least because the contracts of eligible employees not incorporated into the career by 2016 need to be cancelled according to the 2008 public service law.

Beyond concerns about the incorporation pace and challenges to the longevity of tenure protections, two additional factors have constrained career-induced civil service professionalization. First, despite 18 years of incorporation of public servants into the "career," career paths still have to be defined. As such, the career to-date is limited to enhanced job stability for administrative public servants. Second, career

were dismissed from or left the public sector. As of mid-2013, MAP was conducting a census to determine the number of public employees remaining in the career.

<sup>&</sup>lt;sup>7</sup> As teachers already enjoyed job stability ahead of joining the teaching career, career incorporations of teachers have yet to substantively affect teaching careers.

incorporations of public servants via evaluations have only been conditioned on formal compliance with educational and experience requirements of positions. Formally, four factors are considered in evaluations: educational qualifications, professional experience, a technical test, and the performance evaluation. In practice, the overwhelming majority of employees who meet the educational and (minimal) years-of-experience requirements are incorporated in the career (Interview MAP, 2013). Even an employee who scores zero on the technical test passes in case of a benevolent performance evaluation, sufficient educational and professional experience, and lack of disciplinary charges. While evaluations were contemplated in the 2008 public service law as a transitory means to incorporate existing personnel, a MAP resolution extended them to employees who had been recruited by state institutions up to 2010 (Interview MAP, 2013). To date, they have accounted for 94 percent of total incorporations, while competitive examinations accounted for the remainder.

Against the backdrop of a formally relatively qualified bureaucracy—three-quarters of public servants surveyed in 2008 had some tertiary education<sup>9</sup> (cited in Iacoviello, 2009)—in which personnel recruitment is vulnerable to politicization, evaluations which assure in practice only formal qualifications have not always safeguarded career incorporations of substantively qualified personnel. To illustrate, the Ministry of the Presidency provided the MAP with an observation on the 2008 public service law after the 2012 transition, based on discontent with the tenure of non-performing career personnel (Interview MAP, 2013). Moreover, the largest share of public servants hired since 2004—68 and 86 percent in 2011 and 2012 respectively—had been recruited in 2004 or later (Collado, 2012; MAP data). In this context, some analysts go as far as concluding that "the administrative career is employed to prevent affiliates of the party in power from being dismissed by successful challengers in elections" (Schrank, 2010: 322).

Unequivocal progress was made toward a civil service management information system, the *Sistema de Administración de Servidores Públicos* (SASP), developed with technical assistance from the IDB. The automated system was inaugurated in 2007 and includes modules for recruitment and personnel selection, payroll, organizational structures, classification and valuation of positions, performance evaluation, registration and control, labor relations, training and benefits, and statistics (Iacoviello 2009). By mid-2013, SASP coverage had expanded to 148 institutions and 237,383 employees, mainly in the central government (MAP, 2013). With important modules such as salaries and, to a lesser extent, organizational structures in operation, SASP provides data on the number and location of staff, age, gender, contract type, and salary rank distribution, among others. Moreover, it facilitates payroll control by linking line institutions, the MAP, the general auditor, and the Ministry of Finance (Collado, 2012).

In sum, implementation of the 2008 public service law has fomented transparency of the payroll, organizational structures, and position profiles; gradual increases in job stability, training opportunities, and collective organization of a share of public servants; and formal advances toward performance evaluations. However, no substantive progress has been made toward meritocratic recruitment and promotion of personnel.

<sup>&</sup>lt;sup>8</sup> The MAP pre-qualifies candidates who meet minimum educational qualification requirements and minimum years of experience in the public sector. While the MAP does not register the percentage of pre-qualified candidates who are not incorporated into the career, this is estimated to be "very minimal" (Interview MAP 2013).

<sup>&</sup>lt;sup>9</sup> Public servants also benefited from improved formal training opportunities provided by the state since 2000. The number of public servants trained annually by the National Institute for Public Administration (INAP) increased from 2,100 in 2000 to 16,600 in 2010 (based on MAP data).

## 5.2. Accounting for Idiosyncratic Implementation: Coalition Formation versus Political Economy Constraints

As with the passage of the 2008 public service law, implementation benefited from demand from a polycentric reform coalition coupled with MAP policy entrepreneurship. To publicize the degree to which state institutions had advanced toward implementation of civil service subsystems, the Ministry set up a public administration monitoring system (SISMAP). A broad societal alliance followed this monitoring process.

In response to economic duress and a series of well-publicized corruption scandals—epitomized in the drop in the Dominican Republic's ranking on the World Bank's control of corruption indicator—in 2009, President Fernandez approached the international community for assistance to address corruption. A coalition of 13 donors, embassies, and international financial institutions helped set up a multistakeholder Participatory Anti-Corruption Initiative (IPAC). From 2010 to 2012, IPAC brought together 260 societal stakeholders in ten multistakeholder working groups, including one on civil service reform, to develop concrete recommendations and actions for reform. Accountability workshops to measure implementation progress with a traffic light system were held every three months, and a coalition of 14 civil society organizations oversaw implementation (World Bank, 2012). IPAC civil service objectives included quantitative targets for career incorporations of public servants, the expansion of SASP across state institutions and the re-design of the performance evaluation framework.

Funded by the international community, societal monitoring of civil service and other public sector reforms continued after IPAC completed its work. The local Transparency International chapter developed a mechanism to monitor implementation of IPAC commitments. Multistakeholder working groups to monitor public sector reforms were set up at both the national level and in seven provinces, with roughly 200 societal organizations participating (Interview civil society, 2013), and during the 2012 electoral campaign, meetings about the 2008 public service law were held with presidential candidates, each of whom signed a protocol committing themselves to IPAC civil service reform objectives and maintenance of the administrative career.

Societal reform demands coincided with MAP objectives. As such, IPAC and other societal alliance formations strengthened the MAP's bargaining power vis-à-vis those line institutions which resisted implementation of reform objectives (Interview MAP, 2013). As the Minister put it, such alliances are "what makes that one can survive" (Interview 2013).

This holds in particular as collaboration with the MAP was, in practice, optional for line institutions in a context of incomplete central-level support for the MAP. This was epitomized by a budget envelope constraining reform implementation. The Ministry's staff is comparatively well qualified and experienced: 70 percent are in the technical, professional, or managerial occupational groups and 80 percent are career employees (Telson, 2012). Moreover, its service provision is well regarded: 70 percent of public servants surveyed consider it efficient or very efficient (Gallup Republica Dominicana, 2010). At the same time, it lacks sufficient personnel to assure timely implementation of the public service law and its range of other legal mandates (data from Contraloria General de la Republica, 2013).

Capacity constraints have contributed to limiting the number of public servants evaluated for career incorporations each year, with the concomitant risk of violating the disposition in the 2008 public service law that all eligible public servants are to be evaluated until 2016. They have also contributed to slowing down competitive personnel selection procedures, against the backdrop of limited MAP capacity to supervise and accompany personnel selections. More critically, MAP's capacity to act is largely a function of support received from the international community. MAP's government-funded budget only covers fixed costs such as salaries, communication, and electricity. Funding from donors and international organizations—which contribute roughly 25 percent of MAP's total budget—is largely what keeps the Ministry operational (Interview MAP, 2013).

Insufficient central-level support is also illustrated by the fate of decrees in support of civil service reform. While such decrees were occasionally approved—for example, establishing deadlines for central government and autonomous institutions to join the SASP—the Presidency left, in practice, the choice to collaborate up to the discretion of each state institution. Non-compliance with the SASP incorporation decree, for instance, was tolerated, constraining expansion of the system (Interview donor official, 2013).

In addition to fostering the formation of a coalition for reform, MAP's Minister sought to advance compliance by lobbying the President for approval and enforcement of decrees and regulations, seeking to persuade his colleagues privately, and issuing public declarations in support of reform. The latter occurred most prominently in the 2012 transition after the unjustified dismissal of career public servants. In response, the Minister circulated a memorandum to state institutions alerting them to the illegality of unjustified dismissals, lobbied with the president for the reinstatement of dismissed career employees, and approached the press to publicly advise dismissed career employees to appeal to the Supreme Court (Martinez, 2012). These interventions incentivized dismissing institutions to backtrack and reinstate dismissed career personnel. Facilitated by his standing in the PLD's political committee, the Minister also met on repeated occasions privately and informally with his peers to solicit compliance with MAP directives (Interview MAP, 2013). Resistance to MAP directives in line institutions reflects the country's political economy constraints. As the Minister stated, "sometimes they tell me, 'well, you go and search for who will do the political campaign afterwards" (Interview MAP, 2013).

In conclusion, the construction of a polycentric coalition demanding reform and ministerial influence tilted incentives in line institutions toward compliance and implementation of the 2008 public service law, albeit only in subsystems which were perceived as non-threatening to core electoral mobilization interests. These non-threatening subsystems include training opportunities; job stability for public servants largely recruited by the governing party; performance evaluations with overwhelmingly positive assessments; formal organizational structures; and a management information system which enhances transparency for, among others, the payroll. For subsystems such as meritocratic personnel selections which "frontally run into the question of clientelism" as a former MAP Vice-Minister put it (Interview, 2013), however, political economy constraints overwhelmed pro-reform incentives created by lobbying from a broad coalition for reform and a politically influential minister.

While this finding underscores the continued strength of political economy constraints despite a goodpractice reform strategy, it does not suggest that such a strategy has not been meaningful. Not only was approval of a sounder civil service law and incremental implementation achieved in several civil service subsystems despite an adverse political economy context; public sector personnel reform has also advanced from a largely neglected to an enduring issue on the Dominican Republic's political agenda. This is evidenced not least by the panoply of public personnel-related laws which have been passed or discussed since 2008. In addition to civil service articles in the 2010 Constitution, a 2012 organic public administration law and a 2013 pay policy law were approved, and laws on teaching and medical careers were being debated as of mid-2013. The approval processes of these laws provide confirmatory evidence for the argument presented in this paper: incentives were tilted towards passage thanks to the construction of broad reform coalitions.

Concomitantly, broad societal stakeholder engagement can be expected to be crucial to tilt incentives toward compliance in the implementation stage of these laws. Relying on external (societal) reform alliances to overcome internal (governmental) resistance to reform will be unequivocally beneficial, particularly (yet not only) where potential societal veto actors with vested interests, such as unions in health and education, are absent. For the MAP at-large, the broader mandate will imply additional implementation challenges in the context of limited resources. This will put a premium on both an enhanced MAP budget envelope and continued creativity in reform strategies to ensure that the Dominican Republic's normative civil service revolution can be successfully implemented in practice.

## 6. LESSONS FROM THE DOMINICAN CASE: STRATEGIES TO PROFESSIONALIZE THE CIVIL SERVICE AND THEIR POLITICAL ECONOMY CONSTRAINTS

Several lessons about strategies to professionalize the civil service in adverse political economy contexts may be derived from the Dominican case. Its principal conclusion—and the central argument of the paper—is that constructing broad societal coalitions to enable civil service professionalization is both feasible and desirable. In this context, six lessons on *how* to construct such reform coalitions may be identified based on the case evidence:

- 1. *Identify a broad set of reform allies*. While the mobilization of broad grassroots movements for reforms of politicized civil services will remain an "anomaly rather than a constant" in view of collective action challenges (Grindle, 2012), several natural allies for reform may be mobilized to jointly pressure for—and thus tilt incentives toward—incremental reform. These range from traditional reform supporters, such as development partners, professional NGOs, universities, progressive private sector associations, and media outlets, to more unexpected allies, such as political opposition parties that stand to gain from more equitable electoral competition with reform implementation. Existing societal forums, such as the National Dialogue in the Dominican Republic, should be used for coalition building, in particular if they may serve to strengthen the legitimacy of a reform demand coalition. Such external (societal) reform alliances to overcome internal (governmental) reform resistance is unequivocally beneficial in particular in contexts where—as in the Dominican Republic—potential external (societal) veto actors with vested interests, such as public sector unions, are largely absent.
- 2. Define a set of incremental and achievable short-term civil service reform implementation objectives. Historic reform experiences put a premium on achievable incremental rather than ambitious comprehensive reform targets. The professionalization of the United States' politicized civil service in the nineteenth and twentieth centuries took over 50 years (Grindle, 2012). Civil service reform objectives should thus—as in the Dominican Republic's IPAC initiative—confine themselves to what may be realistically implemented in a brief time period.
- 3. Ensure societal consensus around and monitoring of civil service reform objectives. Incentives to respond to societal reform demands with more than lip service are most pronounced when a unified coalition of societal organizations demands and monitors the implementation of reform targets. Well-publicized accountability workshops at three-month intervals with a traffic light system to measure implementation of previously specified reform actions—as in the Dominican Republic's IPAC initiative—may usefully serve this purpose.
- 4. Link societal demands to the priorities of a reformist civil service ministry. Broad societal reform coalitions are most effective when enhancing the bargaining power of a reformist civil service agency vis-à-vis line institutions resisting implementation. Against this backdrop, societal demands should be aligned with the strategic reform priorities of a civil service agency/ministry, provided the latter is headed by a reform champion rather than politicized itself. Ministerial reform priorities in turn benefit from links with reform blueprints with high legitimacy—as, in the Dominican Republic, the Latin American Civil Service Charter, recently approved by heads of state and the United Nations. Adapting templates with high legitimacy to the local context helps forestall politically motivated contestation of civil service reform masked as technical qualms with reform content.

- 5. Maximize media coverage of reform. With politicians mostly not engaging in public defenses of politicized civil services, the idea of a professional civil service for a better state may go uncontested in public discourse. This puts a premium on efforts by each member of the reform coalition to maximize media coverage of civil service reform, and thus of the reputational benefits that ministerial authorities may derive from advancing implementation.
- 6. Secure, with coalition, high-level pledges to reform during political transitions. Public defenses of a politicized civil service are particularly costly to politicians when campaigning: deterioration in their image may affect their electoral fortunes. While no panacea, such moments may, as in the Dominican case, usefully serve to have politicians publicly commit with the reform coalition and the public atlarge to a specified set of monitored civil service reform objectives.

Even when successfully constructing broad coalitions for reform, however, reform trajectories will remain conditioned by political economy constraints, as the Dominican case underscores. On the upside, the case illustrates that political economy constraints do not fully determine outcomes of civil service professionalization attempts. In other words, good-practice reform strategies may enable incremental and partial reforms even when political economy constraints militate against them. These constraints also tend to be, in weak rule of law contexts, less binding for legal reforms than for substantive implementation. The anticipation of discretion in compliance may reduce reform opposition and facilitate passage of good-practice laws. Consequently, however, good-practice laws do not determine good-practice civil service management.

Where legal compliance is de facto optional for line institutions, good practice strategies to shift incentives toward compliance take center stage to advance reforms. Compliance in turn is particularly challenging in subsystems, such as recruitment and selection, which are perceived as threats to the electoral mobilization capacity of parties in power. As a corollary, good-practice reform strategies are likely to incentivize incremental reform implementation in particular in subsystems such as organizational structures, HR information systems, or training programs, which touch upon core electoral mobilization interests only intermittently.

For development partners seeking to fund civil service reforms, these conclusions imply two broader lessons. First, in funding civil service agencies, development partners will remain crucial. As the Dominican case illustrates, even politically influential ministerial reform champions may suffer from budget allocations that strongly curtail their capacity to act. Second, in funding activities, investing relatively less in the technical formulation of a battery of good-practice regulations and systems—which frequently remain unimplemented—and relatively more in societal coalition building to incentivize line institutions to comply with regulations may offer greater reform returns on aid.

#### 7. REFERENCES

- Benito Sanchez, A. B. 2011. Diagnóstico sobre la Situación del Sistema de Partidos en la República Dominicana. Programa de Formación y Gerencia Política. Santo Domingo, Participacion Ciudadana, INTEC y UNIBE.
- Castillo Lugo, D. 2002. El servicio civil de carrera en la República Dominicana: pasado, presente y futuro. VII Congreso Internacional del CLAD sobre la Reforma del Estado y de la Administración Pública. Lisbon, Portugal.
- CEPAL. 2009. La República Dominicana en 2030: hacia una nación cohesionada. Mexico, DF: CEPAL.
- Collado, F. 2005. La Carrera Administrativa. Mesas de búsqueda de consenso para la implementación de la ley de servicio civil y carrera administrativa. Oficina Nacional de Administración y Personal (ONAP) and Participación Ciudadana. Santo Domingo, ONAP: 53–82.
- Collado, F. 2012. Primer Informe Acerca Del Nivel De Cumplimiento De Las Recomendaciones A La Mesa No. 2 De La Iniciativa Participativa Anticorrupción (IPAC). Santo Domingo, DR: Participacion Ciudadana.
- CGR (Contraloria General de la Republica) 2013. Nomina Gobierno Central y Descentralizado Enero 2013. Santo Domingo: Contraloria General de la Republica.
- Contreras, M. 2009. "La economía política de la reforma institucional en la República Dominicana." *Buen Gobierno* 2(2): 4–9.
- Cuello, Z. 2008. "Fortalecimiento del servicio civil en la República Dominicana: aportes de PROREFORMA." La Reforma del Estado Dominicano: Avances y Retos – Ponencias presentadas en el XII Congreso del CLAD. CONARE and PROREFORMA. Santo Domingo, Consejo Nacional de la Reforma del Estado (CONARE).
- Dahlstroem, C. et al. 2011. "The Merit of Meritocratization: Politics, Bureaucracy, and the Institutional Deterrents of Corruption." *Political Research Quarterly* 65(3): 1–13.
- De La Cruz Hernández, M. 2005. "La Ley de Servicio Civil y Carrera Administrativa: Reforma y Aplicación. Mesas de búsqueda de consenso para la implementación de la ley de servicio civil y carrera administrativa." ONAP and Participación Ciudadana. Santo Domingo, DR: ONAP: 37–44.
- Delmas, A. 2007. "Estrategia Exitosa para una Reforma Legislativa Relevante: El Caso de la Ley de Función Pública en la República Dominicana." *ONAP Revista de Administración Pública* 2: 57–77.
- DFID. 2005. Review of DFID's Drivers of Change Country Study Reports. London, Department for International Development.
- Echebarria, K. and J. Cortazar Velarde. 2007. Public Administration and Public Employment Reform In Latin America. In: E. Lora (ed.), *The State of State Reform in Latin America*. Washington DC: Inter-American Development Bank.
- El Caribe. 2012. "Danilo, opuesto a reducir nómina si gana Presidencia." Retrieved November 26, 2013, from http://www.elcaribe.com.do/2012/05/15/danilo-opuesto-reducir-nomina-gana-presidencia.
- Espinal, R. et al. 2010. "Sociedad Civil y Poder Politico en Republica Dominicana." *America Latina Hoy* 56: 37–58.
- Evans, P. and J. Rauch. 1999. "Bureaucracy and Growth: A Cross-National Analysis of the Effects of 'Weberian' State Structure on Economic Growth." *American Sociological Review* 64(5): 748–765.
- Faughnan, B. and E. Zechmeister. 2011. "Vote Buying in the Americas." *Americas Barometer Insights* No. 57. Nashville, TN: Vanderbilt University.
- Fukuyama, F. 2007. "Foreword." In: Lora, E. (Ed.). *The State of State Reform in Latin America*. Washington DC, Inter-American Development Bank: xv-xviii.

- Gallup Republica Dominicana. 2010. "Imagen, percepción, conocimiento y actitudes de los servidores públicos, usuarios, beneficiarios o impactados por los servicios e instrumentos institucionales del Ministerio de Administración Pública (MAP) y de sus programas y actividades de comunicación." Santo Domingo, DR: Gallup.
- Gonzalez-Acosta, E. 2009. The Power of Political Parties Political Participation, Clientelism, and Remittances in the Dominican Republic. New York, NY: New School for Social Research. PhD Dissertation.
- Grindle, M. 2010. "Constructing, Deconstructing, and Reconstructing Career Civil Service Systems in Latin America." Faculty Research Working Paper Series. RWP10-025. Cambridge, MA: Harvard University.
- Grindle, M. 2012. *Jobs for the Boys: Patronage and the State in Comparative Perspective*. Cambridge, MA: Harvard University Press.
- Henderson, J. et al. 2003. "Bureaucratic Effects: 'Weberian' State Structures and Poverty Reduction." CPRC Working Paper 31. London, United Kingdom: Chronic Poverty Research Centre.
- Iacoviello, M. 2009. Informe de Republica Dominicana. *Barómetro De La Profesionalización De Los Servicios Civiles De Centroamérica Y República Dominicana*. F. Longo. Santo Domingo, DR: AECID, FLACSO and SICA: 30–81.
- IDB (Inter-American Development Bank). 2006. *Informe sobre la situación del servicio civil en América Latina. Dialogo Regional de Politica*. Washington DC: Inter-American Development Bank.
- . 2012. Tres retos laborales en la República Dominicana. Nota de Política. Washington DC: Inter-American Development Bank.
- ———. Forthcoming. Serving Citizens: A Decade of Civil Service Reforms in Latin America (2004-13). Washington, DC: IDB.
- ILO (International Labour Organisation). 2013. "Crecimiento, Empleo y Cohesión Social en República Dominicana. Consulta Tripartita De FMI-OIT sobre Crecimiento Incluyente y Generador de Empleo en la Republica Dominicana." Santo Domingo, DR: International Labour Organisation.
- Iyer, L. and A. Mani. 2008. "Traveling Agents: Political Change and Bureaucratic Turnover in India." CAGE Online Working Paper Series 24, Competitive Advantage in the Global Economy (CAGE).
- Kearney, R. C. 1986. "Spoils in the Caribbean: The Struggle for Merit-Based Civil Service in the Dominican Republic." *Public Administration Review* 46(2): 144–151.
- Kitschelt, H. and M. Singer. 2009. "Expert Survey on Citizen-politician Linkages: Initial Findings for the Dominican Republic in Comparative Context." Unpublished.
- MAP (Ministry of Public Administration). 2012. *Plan Estrategico del MAP 2012–2016*. Santo Domingo, Ministry of Public Administration.
- ——. 2013. "Portal de Estadísticas e Indicadores." Retrieved 20 de julio, 2013, from http://map.gob.do:8282/estadísticas/.
- Marsteintredet, L. 2010. "Rendición de cuentas horizontal y preponderancia presidencial: Una combinación difícil. El caso de República Dominicana, 1967–2009." *América Latina Hoy* 56: 85–109.
- Martinez, D. 2012. Camejo sugiere a cancelados ir ante la Suprema Corte. Santo Domingo, DR: El Caribe.
- Mitchell, K. 2009. "Democratisation, External Exposure and State Food Distribution in The Dominican Republic." *Bulletin of Latin American Research* 28(2): 204–226.
- Morgan, J. and R. Espinal. 2010. *Cultura política de la democracia en República Dominicana*. Latin American Public Opinion Project. Nashville, TN: Vanderbilt University.
- Participación Ciudadana. 2007. Segundo Informe Alternativo de Organizaciones de la Sociedad Civil sobre la Aplicación de la Convención Interamericana contra la Corrupción. Santo Domingo, DR: Participación Ciudadana.

- Sánchez, M. E. and R. Senderowitsch. 2012. "The Political Economy of the Middle Class in the Dominican Republic: Individualization of Public Goods, Lack of Institutional Trust and Weak Collective Action." Policy Research Working Paper 6049. Washington DC: World Bank.
- Schrank, A. 2010. Proceso de formulación de políticas públicas. In: M. Agosin, et al. (Eds). *La ruta hacia el crecimiento sostenible en la República Dominicana*. Washington DC: Inter-American Development Bank.
- Schuster, C. 2013. "Clientelismo y el Juego Político de Profesionalizar el Empleo Público en Paraguay."

  Documento de Trabajo. Asunción, Paraguay: Centro de Análisis y Difusión de la Economía Paraguaya.
- Strazza, L. 2012. República Dominicana. *Informe Barometro de la profesionalización del empleo público en Centroamérica y República Dominicana* No. 2. F. Longo. Santo Domingo, DR: AECID, FLACSO and SICA.
- Telson, L. 2012. "Nota de Política sobre la Función Pública en la República Dominicana." Santo Domingo DR: Inter-American Development Bank.
- UNDP (United Nations Development Programme). 2004. *La Democracia en América Latina Hacia una Democracia de Ciudadanas y Ciudadanos*. New York, NY: United Nations Development Programme.
- ———. 2008. Informe Sobre Desarrollo Humano República Dominicana 2008. Santo Domingo, DR: United Nations Development Programme.
- Ventura Camejo, R. 2010. Desafíos De Innovación De La Función Pública Dominicana. XV Foro de la De La Función Pública de Centroamerica, Panama y Republica Dominicana. San Jose, Costa Rica: Instituto Centroamericano de Administración Pública.
- Ventura Camejo, R. and G. Montero. 2008. "Estrategias de reforma y profesionalización de la función pública." *Revista Centroamericana de Administración Pública* 54–55: 289–301.
- World Bank. 2004. "Dominican Republic Public Expenditure Review: Reforming Institutions for a More Efficient Public Expenditure Management." Report No. 23852-DO. Washington DC: World Bank.
- ———. 2008. Public Sector Reform: What Works and Why? An IEG Evaluation of World Bank Support. Washington DC: World Bank.
- 2012. "Anticorruption Initiative Strengthens Surveillance over Public Finances." Retrieved September 9, 2013, from <a href="http://www.worldbank.org/en/news/feature/2012/08/13/iniciativa-anticorrupcion-monitoreo-finanzas-publicas">http://www.worldbank.org/en/news/feature/2012/08/13/iniciativa-anticorrupcion-monitoreo-finanzas-publicas</a>.
- ———. 2013a. "Patronage or Reform? Political Economy of Policy Performance in the Dominican Republic." Institutional & Governance Review Draft. Washington DC: The World Bank.
- ——. 2013b. World Development Indicators. Washington, DC: World Bank.
- ——. 2013c. Worldwide Governance Indicators. Washington, DC: World Bank.

### 8. INTERVIEWS CONDUCTED<sup>10</sup>

Institution (Current or Former)	Title (Current or Former)
Ministry of Public Administration	Minister
Ministry of Public Administration	Vice-Minister
Ministry of Public Administration	Vice-Minister Vice-Minister
Ministry of Public Administration	Director
	Director
Ministry of Public Administration	Director
Ministry of Public Administration	
Ministry of Public Administration	Director
Ministry of Public Administration	Advisor
Ministry of Public Administration	Consultant
Ministry of Public Administration	Analyst
National Office for Personnel Administration (ONAP)	Director
National Council for State Reform (CONARE)	Director
Comptroller General	Comptroller General
Ministry of the Presidency	Advisor
Ministry of Finance	Vice-Minister
Ministry of Finance	Vice-Minister
Central Bank	Manager
Banking Superintendency	Manager
Tax Administration Agency	Director
Customs Agency	Director
Ministry of the Economy	Director
Ministry of the Economy	Director
Ministry of the Economy	Advisor
Ministry of Planning	Vice-Minister
Ministry of Education	Minister
Ministry of Education	Director
Dominican Institute for the Evaluation and Research of	
Education Quality (IDEICE)	Director
Ministry of Health	Director
National Health Insurance (SENASA)	Director
Teachers' Health Insurance (SEMMA)	Executive Director
Ministry of Agriculture	Director
Ministry of Foreign Relations	Ambassador
Ministry of Industry	Director
Ministry of Public Works	Analyst
Senate	Senator
Chamber of Deputies	Member of Parliament
Chamber of Deputies	Member of Parliament
Supreme Court	Member of Council
Attorney General	Prosecutor
Asociación Dominicana de Profesores	Secretary General
Temple University	Professor
Iberoamerican University (UNIBE)	Professor
Tocroamerican University (UNIDE)	1 10103301

<sup>&</sup>lt;sup>10</sup> Institutions and titles of interviewees may be current or former: they reflect the work experience of the interviewee of most relevance for responding to interview questions.

Instituto Tecnológico de Santo Domingo	Professor
Instituto Tecnológico de Santo Domingo	Professor
Autonomous University of Santo Domingo	Professor
Autonomous University of Santo Domingo	Professor
Catholic University (PUCMM)	Professor
Acento	Journalist
El Caribe	Journalist
Teleantillas	Journalist
Alianza Dominicana Contra la Corrupción	Director
Coalición Educación Digna	Representative
Coalición Educación Digna	Consultant
Fundación Institucionalidad y Justicia	Project Director
Fundación Justicia y Transparencia	President
Fundación Plentitud	Researcher
Oxfam	Program Official
Oxfam	Program Official
Participación Ciudadana	Program Official
Participación Ciudadana	Consultant
Participación Ciudadana	Consultant
Participatory Anti-Corruption Initiative (IPAC)	Coordinator
USAID	Program Official
European Union	Program Official
Inter-American Development Bank	Senior Specialist
World Bank	Senior Specialist

#### 9. ACRONYMS

ANJE National Association of Young Entrepreneurs

CEPAL United Nations Economic Commission for Latin America and the Caribbean

CLAD Latin American Center of Administration for Development

CONARE National Council for State Reform
CONEP National Council for Private Enterprises

DR Dominican Republic

DR-CAFTA United States-Dominican Republic-Central America Free Trade Agreement

DFID Department for International Development

EU European Union

FLACSO Latin American Faculty of the Social Sciences

IDB Inter-American Development Bank

INAP National Institute for Public Administration IPAC Participatory Anti-Corruption Initiative

HR Human Resource

MAP Ministry of Public Administration NGO Non-Governmental Organization

ONAP National Office for Administration and Personnel

PARME Program to Support the Reform and Modernization of the State
PROREFORMA Program of the Reform and Modernization of the Executive

PLD Dominican Liberation Party
PRD Dominican Revolutionary Party
PRSC Social Christian Reformist Party

SASP Administration System for Public Servants
SISMAP Public Administration Monitoring System
UNDP United Nations Development Programme

USAID United States Agency for International Development