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**THE EFFECT OF THE PRINCIPLE OF MERIT ON THE
PUBLIC PERSONNEL PERFORMANCE POLICY:
TURKEY- KYRGYZSTAN COMPARATIVE ANALYSIS**

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**DOCTORAL DISSERTATION
The Department of Political Science
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THE EFFECT OF THE PRINCIPLE OF MERIT ON THE PUBLIC PERSONNEL
PERFORMANCE POLICY: TURKEY-KYRGYZSTAN COMPARATIVE ANALYSIS
(Ph. D. Thesis)

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ANKARA HACI BAYRAM VELI UNIVERSITY
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ABSTRACT

This thesis analyzes the effect of the Principle of Merit on the Public Personnel Performance Policy in Turkey and Kyrgyzstan. The introduction of this comparative study includes the theoretical perspectives of the concept of Public Performance Management and considered the practices of state administrations of several leading countries with good governance. The experiences of using the Merit Principles in those countries prove good governance within the realizing Public Personnel System. This means that only the practical use of Merit Principles can motivate public servants to work effectively with good results. The Kyrgyz Republic as a former Soviet republic has experience of State Personnel Policy with its own specifics. On the other hand, the experience of the Republic of Turkey as a key allied state having associations with the European Union has a tremendous significance for learning, understanding, and using as a sample side. The comparative study analyzes the legal aspect of the Public Performance Policy in Turkey and Kyrgyzstan. And this analyzes define the similarities and differences caused by political transformations of those countries. The analyses of historical aspects profoundly the reasons for promoting Meritocracy in the public service of two countries. Here also identifies the danger of failing the state's reasons, which also caused by the factor of emerging spoiled systems in the government. As a method, this study uses historical and scientific research methods. And within the results of the thesis, this research determines the effect of the Merit Principles on the Performance of public servants in terms of legal bases and historical aspects in the civil service system in Turkey and Kyrgyzstan. This is also found that the international dimensions of Merit Principles based on Public Performance Management. And the implementation of Public Performance Management in the Public Personnel System in Turkey and Kyrgyzstan is well-organized practice. The main achieving outcome of these realizations is the improvement of the quality of public services. Thus, the rule of law, good governance, and Public Performance Management in Turkey and Kyrgyzstan strengthen the capacity of state authorities to better understand and to provide effective public services for the citizens based on the e-government platform. The main discussion of this thesis concerns the impact of international donor organizations like the World Bank, EU, and OECD, which are promoting New Public Management in Turkey and Kyrgyzstan. That, the introduction of Public Performance Management in the Public Personnel System of both countries implicated positively in their outcomes.

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Keywords: Merit Principles, Performance, State Personnel Policy, legitimacy, development, effectiveness, efficiency, equality, equity, state policy, democracy, nepotism, state failure, experience.

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LİYAKAT İLKESİNİN KAMU PERSONELİ PERFORMANS POLİTİKASI
ÜZERİNDEKİ ETKİSİ: TÜRKİYE – KIRGIZİSTAN KARŞILAŞTIRMALI ANALİZİ

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ÖZET

Bu tez, Türkiye ve Kırgızistan'daki liyakat ilkesinin kamu personeli performans politikası üzerindeki etkisini analiz etmiştir. Bu karşılaştırmalı çalışmanın giriş bölümü, kamu performans yönetimi kavramını ve iyi yönetim konusunda öncü ülkelerinden bazılarının devlet yönetimi uygulamalarının dikkate alınmasını içermektedir. Liyakat ilkesi uygulama tecrübeleri, kamu personel sisteminin tatbiki ile iyi yönetimi kanıtlamıştır. Bu demektir ki; sadece liyakat ilkelerinin tatbiki kamu personelinin iyi sonuçlarla verimli çalışmaya motive edebilir. Eski bir Sovyet cumhuriyeti olarak Kırgız Cumhuriyetinin, kendine özgü devlet personel politikası tecrübesi vardır. Öte yandan, Avrupa Birliği ile ortaklığı bulunan anahtar müttefik olarak Türkiye Cumhuriyeti'nin tecrübelerinin; öğrenmek, anlamak ve örnek almak bakımından muazzam önemi bulunmaktadır. Bu karşılaştırmalı çalışma, Türkiye ve Kırgızistan'da kamu performans politikasının hukuki yönünü analiz etmektedir. Ve bu analiz çalışması, iki ülkedeki siyasal dönüşümün neden olduğu benzerlik ve farkları tanımlamaktadır. Tezin tarih aspektin kapsayan analizi Liyakatın iki devletin devlet memurluğu sistemi tarafından sürekli kullanım sebepleri ve dolayısı ile onun ilerlemesi keşfedilmiştir. Burada ayrıca, hükümetlerde görülmeye başlanan bozulmuş sistem unsuru da neden olduğu devletin sebeplerinin başarısızlığı tehlikesini tanımlamaktadır. Yöntem olarak bu çalışma, tarihi ve bilimsel araştırma metotlarını kullanmıştır. Ve tezin sonuçları arasında, bu araştırma, Türkiye ve Kırgızistan kamu hizmeti sistemleri içinde hukuki temelde ve tarihi açıdan kamu personelinin performansı üzerinde Liyakat İlkelerinin etkisini belirlemiştir. Şu da tespit edilmiştir ki; Liyakat İlkelerinin uluslararası boyutu Kamu Performans Yönetimine dayanmaktadır. Ve Türkiye ve Kırgızistan'daki Kamu Personel Sistemi içinde Kamu Performans Yönetiminin tatbiki, iyi düzenlenmiş uygulamalardır. Bu gerçekleştirmelerin asıl başarılı çıktısı, kamu hizmetlerinin kalitesindeki iyileşmedir. Nitekim, Türkiye ve Kırgızistan'daki hukukun üstünlüğü, iyi yönetim ve Kamu Performans Yönetimi; daha iyi anlama ve e-devlet platformuna dayalı olarak vatandaşlar için verimli kamu hizmeti sağlama, devlet otoritesinin yeterliliğini güçlendirmiştir. Bu tezin asıl tartışması, Türkiye ve Kırgızistan'da Yeni Kamu Yönetimini teşvik eden Dünya Bankası, AB ve OECD gibi uluslararası hibe sağlayıcı kuruluşların etkisiyle ilgilidir. Her iki ülkenin Kamu Personel Sistemindeki Kamu Performans Yönetiminin başlangıcı sonuçları bakımından olumlu etkilenmiştir.

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Anahtar Kelimeler: liyakat ilkeleri, performans, devlet personel politikası, meşruiyet, kalkınma, etkililik, verimlilik, eşitlik, hakkaniyet, devlet politikası, demokrasi, kayırmacılık, devlet başarısızlığı, deneyim.

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ABBREVIATIONS

Abbreviations	Definitions
ADB	Asian Development Bank
CIS	Commonwealth Independent States
CIA of USA	Central Intelligence Agency of the United States of America
CPSU	Communist Party of Soviet Union
DFID	Department for International Development
DMK	Devlet Memuru Kanunu
EU	European Union
IMF	International Monetary Fund
KG	Government of Kyrgyz Republic
Kyrgyz SSR	Kyrgyz Soviet Socialist Republic
KR	Kyrgyz Republic
NISI KR	National Institute for Strategic Researches of the Kyrgyz Republic
NSSD of KR	National Council for Sustainable Development of the Kyrgyz Republic
NPM	New Public Management
OECD	Organization for Economic Cooperation and Development
OSCE	Organization for Security and Cooperation in Europe
PM	Performance Management
PPM	Public Performance Management
PPS of TR	Public Personnel Directorate of the Republic of Turkey
PBDS	Personel Başarı Değerlendirme Sistemi
SIGMA	Support for Improvement in Governance and Management is a joint initiative of the OECD and the European Union.
SPS of KR	State Personnel Service of the Kyrgyz Republic

T.C.	Türkiye Cumhuriyeti
TODAIE	Public Administration Institute for Turkey and Middle East
TR	Republic of Turkey
UK	United Kingdom
UN	United Nations
UN Group	United Nations Group
USAID	United States Agency for International Development
USSR	Union of Soviet Socialist Republics
WB	World Bank



INTRODUCTION

History of any nation-state leads us to the area of justice, legislation and state authority. Well-known that the nature of state authority seeks to administer social relations in order to bring to citizens' peace, stability and development, which are concentrated under the rule of law. Of course, without rational and legal bureaucratic hierarchy i.e. well-established and practically effectively functioning government, the realization of public administration is impossible. Therefore, the question of effective state personnel policy and its performance are priority subject in modern researches. New realities of technological development in the world economy and challenges of social injustice of the population shape the influences on the public policy in nation states. Therefore, nation-states as a part of globalized world economy accepted the values and standards of Neoliberalism. These values are including several conceptions of what is involved in new public management. For example, instead of regulating administrative action by rules and hierarchical authority, most OECD countries now follow two broad avenues to improve production and delivery of publicly provided goods and services (OECD, 1991). At first, it is to raise the production performance of public organizations. Initiatives include improving the management of human resources including staff development, recruitment of qualified talent and pay for performance, involving staff more in decision-making and management, relaxing administrative controls while imposing strict performance targets, using information technology, improving feedback from clients, stressing service quality; and bringing supply and demand decisions together. For the second, it is to make greater use of the private sector to promote a dependable, efficient, competitive and open public service system. Initiatives include contracting out production of publicly provided goods and services, contracting in intermediate goods and services; and doing away with monopoly or other protection for suppliers. In addition, changes are being implemented to improve the quality of policymaking. Greater transparency and consistency should improve the

performance of the public sector ensuring greater accountability to decision makers, and eventually the public.

In this stream, Turkey as a developing state and Kyrgyzstan as a country with a transitional economy faces new alternatives and outputs concerning performance management. Here within these neoliberalism values task for public administration are focused on increasing the quality of public services via balancing the cost and efficiency. This is a core issue among public servants.

This new concept brings us more broad and inter-related principles such as effectiveness, efficiency, equality, and equity. Implementation these principles in the governance gave to reality more outputs concerning the state personnel policy. Concretely main output has obtained the issue of motivation, merit systems and its impact on performance in state personnel policy.

Why this segment of state personnel policy is so actual and attractive? As is shown in the research provided by many western scholars, impact of merit system to performance in state institutes has serious consequences and results to implementation of public policies. Hence in this study as a particular example brought two different states Kyrgyzstan and Turkey for providing the comparative analyses on above mentioned issue. General analyzes of the literature including laws, reliable researches, books and governmental reports give several understandings about the specifics and similarities of this research subject in two different countries.

For example, the Kyrgyz Republic as a former Soviet republic faced seventy years of state policy implementation under the strong totalitarian control of the Communist party of the Soviet Union in USSR. This historical period had a significant role in forming state personnel policy and its further realization based on the rule of Soviet administrative-command nomenclature.

Since the dissolution of the Soviet Union in 1991, Kyrgyzstan became an independent and sovereign republic and more than twenty-eight years implement liberal

reforms in the economy, policy, and public administration. Nowadays these reforms are comparatively different and transitional in terms of the outcomes. Of course, the impact of the transitional period in Kyrgyzstan gave advantages to form new public administration. Change of economic format based on the market liberalization and political democratization in society introduced new concepts and behaviors among the public servants. Therefore, this study also will bring wide range understanding about the impact of the merit system to performance in state personnel policy in Kyrgyzstan.

Turkey as a country having a historically strong statehood tradition including the periods of Selzhuk Sultanate and famous Ottoman Empire with more than seven hundred years draws significant and attractive conditions to search for their experience. Forming of the Republic of Turkey in 1923 also bright new perspectives for the state personnel policy concerning its merit system and performance. Thereafter this study will extract the conditions and impacts of the merit system to performance in state personnel policy of Turkey.

Based on above-explained notices, here emerges a question that what does this thesis mean? Therefore the answer is that, this thesis searches The Effect of the Principle of Merit on the Public Performance Policy in Turkey – Kyrgyzstan. And this thesis based on comparative analysis. Justification or actuality of this study has two dimensions. First of all, this is a global trend of performance management in the world. Because due to the empowerment of liberal values in the market economy and policy reflects in public administration. Practically this is visible in the process so called as improvement requirements of the new public management features in the world. Thereby the issues of efficiency, effectiveness, equality, and equity in implementing the public services by public servants stand a good research area for submitting real analyzes. This analyzes will give good advice to make good governance in Kyrgyzstan and Turkey on the institutional level.

Second dimension based on the national specifics on the implementation of state personnel policy in a particular state. Historically institutionalized state administration in

nation-state has its own cultural, social and economic, political specific and roots. It is known that this study covers state personnel policy in Kyrgyzstan and Turkey, which are two different and specific states having own public administration system. Concerning this specific of a country profiles, of course within this study also will be the ability to understand and discover the good examples or lessons of state personnel policy implementation achievements based on the impact of merit principle to the performance by public servants.

In the introduction part of this study, the title, subject and purpose of the sub-sections are given in the related literature.

Thesis Title: “The Effect of the Principle of Merit on the Public Performance Policy: Turkey - Kyrgyzstan comparative analysis”.

The aim of this research: The Effect of the Principle of Merit on the Public Performance Policy in the state institutions and organizations in Turkey and Kyrgyzstan.

The Purpose of this thesis: In order to get a clear analysis of the outcome effect of the Principle of Merit on the Public Performance Policy, this research will determine the effect of the merit principles to the performance of public servants in terms of legal bases and historical aspects in the civil service system in Turkey and Kyrgyzstan.

The merit, which is one of the most basic principles of public personnel management, affects the public personnel in terms of commissioning, carrying out the services and increasing the duty. The public administration organization is also embodied through the services provided by its staff. Therefore, the performance in the state personnel policy becomes significant and important for public administration in modern nation states. Thereby, it is thought that the effect of merit principles on public personnel will have an impact on their performance. This research conducts the comparative study to reveal the impact of the merit system to the performance of civil servants in the state personnel system in Kyrgyzstan and Turkey.

The Importance of this thesis: Public performance management has become an important concept, especially with the changes concerning the understanding of public administration. In the provision of public services, performance management has an important sense in the quality, effectiveness, efficiency and equity-oriented approach.

The principle of merit has been important in the management tradition since ancient times, but it has been institutionalized with the perception of modern state and citizens and has become one of the important principles of public personnel management. The principle of merit shapes the working life of the personnel from the start of the service to the end of the task. In doing so, he emphasizes the principles of competence, achievement, and equality. Therefore, the principle of merit is thought to have an impact on the performance of the staff. Therefore, it is necessary to determine the effect of the merit principle on the performance of public personnel. Although both performance management and merit issues have been studied repeatedly, there are not enough studies on the effect of merit principle on performance. In this respect, it is assumed that it will contribute to the literature. The results of this study are thought will be reaffirmed in terms of providing the expected performance in the presentation of public services with the understanding of changing in public administration. Would be useful to remark that the effective merit of the performance of the public servants will stimulate and motivate further processes of their providing services within their duties in good quality. In this circle of processes, the recipients of public services i.e. citizens will be satisfied with the services from the government. Reality in the world is that the present governments actually want the maximum quality of service delivery at the lowest administrative cost, without worrying too much about the means used. And all that the managerial changes do is to allow for public purposes to be carried out in a more efficient, cost-effective way, by providing more effective means and better information to those making decisions.

Hypothesizes: According to many western scholars effective implementation of merit principle in the public administration will increase the performances among public servants in providing the public services with good quality. From another hand, absence

or formal usage of merit principle among the public servants will demotivate them and therefore the quality of providing their public services will get poor. This hypothesis will get approved through this PHD research.

Concerning the rightness of the above-described hypothesis in the open academic and reading sources are given many definitions and explanations. For instance, The U.S. Office of Personnel Management (OPM) clarified that the merit system principles are providing a framework for responsible behavior and are key to mission success. Therefore, the common conception of the Federal Government's merit system principles is designed to ensure fair and open recruitment, competition and employment practices free of political influence or other non-merit factors. (The U.S. Office of Personnel Management (OPM)).

Another reference source charged the merit system as a process of promoting and hiring government employees based on their ability to perform a job, rather than on their political connections. It is the opposite of the spoils system. (Wikipedia, the free encyclopedia). The analysis of many researchers and publications shows that the merit system is an alternative against the spoils system in public administration. Therefore, implementation of merit system will prevent components of the spoils system or so-called patronage system in government as nepotism, favoritism, cronyism in practice. (McCourt, 2007, The Merit System and Integrity in the Public Service).

Method: Within this research is used the modern scientific methods that help to fix and measure the research area focused on the comparative study of the effect of Merit Principle to Public Performance Policy in Turkey and Kyrgyzstan. Based on that this research includes below methods.

- Historical and scientific research methods are used in this study.
- National and international dimensions of Merit Principles engage with the Public Performance Management in Turkey and Kyrgyzstan to improve the quality of public services.

- The connection between the rule of law, good governance and confident management in Turkey and Kyrgyzstan strengthen the capacity of state authorities to better understand and to provide effective public services for the citizens.

Theoretical Framework: In this theoretical section, the conceptual framework and theoretical perspectives of performance management and merit principle will describe and discuss within the concept of new public management, and theories of public choice and new public administration. In addition, changes and developments in various fields that lead to the use of performance management as a rational logic model in public administration will be briefly evaluated.

Assumptions: In this research covers the prevailing value and outputs which emerges the effectiveness, efficiency, equity and economy in providing the public services to the citizens determined by the New Public Management Concept and its substructure Merit-based Public performance management.

Assumption 1: The Impact of Merit Principles to the performance among the public servants in Turkey and Kyrgyzstan should be seen as a tool for more effective and efficient providing the public services. This is a significant contribution to the development of state institutes and organizations in improving capacities and outcomes based on equality, transparency, and efficiency. Moreover, the effectiveness of public services will contribute to the development of the national economy.

Assumption 2: Not usage of merit principles among the public servants in Turkey and Kyrgyzstan will affect negatively to their performance and the quality of providing public services. This condition will disrupt the image of state institutes and organizations. Thereby the citizens will lose their confidence in effective public services.

Assumption 3: Absentive implementation of the merit principles will make a bad performance among the public servants in Turkey and Kyrgyzstan, and this negative condition will raise nepotism, favoritism and cronyism in public administration.

Assumption 4: Objective implementation of laws concerning the rights and obligations of civil servants in Turkey and Kyrgyzstan based on good governance will have a positive influence on the effective use of merit principles. This will give a positive output to the performance of public servants in achieving good results in state institutes and organizations.

It is assumed that the sample size of the literature is sufficient. In order to identify and further clarification and final evaluation in the outcomes of the research are designed below research questions.

Research questions of the study:

- Why the use of merit principles is important for performance among the public servants in Turkey and Kyrgyzstan?
- What are the values and outputs of merit principles in achieving the performance among the public servants in providing by them the public services with good qualities in Kyrgyzstan and Turkey?
- How is the measurement of merit principles with prominent values for public servants in the state organizations and institutes in Turkey and Kyrgyzstan?
- What are similarities and differences of the merit principles and its impact on performance in activities of the public servants in Turkey and Kyrgyzstan?

Data Collection and Processing Tools: The method of collecting information includes a review of the documentary literature. Once the purpose of the study is identified, the information and documents received by the computer are stored in a computer-generated file. Information from written sources, such as books, magazines and articles, is also recorded in a computer-generated file. Researches in the library and related information in the newspapers are recorded. In order to avoid any confusion, the information obtained is written to the source cards. For this, information is recorded in an order.

Key Concepts and Definition of Research: New Public Management (NPM): The new public management concept constitutes essentially a replacement of the traditional model of public administration. Instead of being limited to reforms to the public sector, it represents a fundamental transformation of the public sector and its relationship with the government and society. The promoters of the new public management claim that it represents a change of paradigm. They announce that the bureaucratic paradigm is dead and that we are witnessing the birth of the post bureaucratic paradigm (Osborne and Gaebler, 1992). New public management recognizes the essentially political character of government; public servants work with politicians in an interactive process called management. In addition, there is recognition of the need for direct accountability between managers and the public i.e. citizens, as a result of increased demand for a client focus and for greater responsiveness to outside groups and individuals.

The concept of performance based on NPM and has several definitions. At first performance focuses on management processes including public administration. Below is given certain definitions of performance management.

Public performance management can be defined as the process and activities of providing the business success in the production of goods and services, which are taken under the authority, duty and responsibility in accordance with the establishment objectives in the public administration (Bilgin, 2004:17).

According to Talbot, performance is a concept with different meanings and has different aspects such as accountability, transparency, service orientation, user choice, customer service, efficiency, outcome, effectiveness, resource allocation and creating public value (Talbot, 2007: 496-501).

Performance management is a management style that incorporates and uses performance information for decision making. This approach includes incorporation, which is integrating performance information into policy and management cycles amongst others in policymaking, budgeting and contract management (Bouckaert-Halligan, 2015:37).

Performance management is a system through which organizations set work goals, determine performance standards, assign and evaluate work, provide performance feedback, determine training and development needs, and distribute rewards. And the efficiency of organizational activity concerns to motivate employees. This approach covers employee performance appraisal. So, this performance appraisal is a subset of performance management, refers to these activities applied to the individual employee and, traditionally includes some type of manager-employee feedback session (Brisoe-Claus, 2008:15).

In order to recognize and reward performance among the public servants in state organization widely uses the practice of merit pay. Due to this, an organization hopes to motivate its current workforce as well as influence the composition of its workforce by increasing the probability that high performing employees will choose to join and stay with the organization. Merit pay is defined and refers to a policy where the organizations give larger base salary increases to employees receiving higher performance (or merit) ratings than to employees receiving lower ratings (Gerhard-Trevor, 2008:67).

The simplest conception of merit, where it is used negatively to rule out cronyism, political favoritism or nepotism has a definition of merit with the “negative approach”. Historically, “the merit principle”, both in the context of anti-discrimination law and in the public service employment context, usually started life in this negative sense. The “positive approach” to merit tends much more problematic in its meaning and implications (McCudden, 1998:552). Cambridge English Dictionary (online source) defined the meritocracy as a social system, society, or organization in which people get success or power because of their abilities, not because of their money or social position.





PART ONE

CONCEPTUAL AND THEORETICAL PERSPECTIVE OF

PUBLIC PERFORMANCE MANAGEMENT

1.1. DEFINITION AND CONCEPT OF PERFORMANCE MANAGEMENT

This part is dedicated to the review and discussion on the concept of Public Performance Management and its ties to the Human Performance Management. This study brings the analysis of public performance management based on the new public management concept. Within this study used theory of public choice, and new public administration theory. Within this discussion, the changes and developments in the fields of public policy are explained, which lead the government to use performance management as a rational logic model in public administration in terms of Merit Principles.

The second subpart of this chapter analyses the conceptual and theoretical perspective of the Merit Principle. The conclusion of the conceptual and theoretical perspective of public performance management will estimate the relevance of Public Performance Management to Merit Principles. This approach will bring more wide range understanding about the importance and outcome of the Merit Principle in complexity with Public Performance Management in the public sector.

This is important to note that scientific approach of understanding the nature, concerns, and effects of existing practices needs considering these elements within the theoretical perspectives. Due to this, the science has such an understanding that the practice is dead without the theoretical justification. Therefore, this chapter will clarify, discuss and prove the definition and importance of Performance Management and the Merit Principles as its constituent part.

Performance is a topic that is a popular catch-cry and performance management has become a new organizational ideology. Under the global economic crisis, almost

every public and private organization is struggling with a performance challenge, one way or another (Kim, 2011:1).

The post-war years in 1950–60, the traditional effectiveness evaluation was developed taking into account costs and management accounting, and this was a purely financial perspective of performance evaluation, for this reason, it was considered inappropriate. As a result, multi-dimensional performance management was developed in the 1970s in western countries (Radnor and McGuire, 2004: 245-260).

Historically, the term performance management was not used until the 1970s (Armstrong and Baron: 2004:71). And the starting point was the 1970s when performance management began to be used as a daily feature of work in many public sector organizations, in one form or another, and the language of work was associated with setting standards or indicators to be achieved and auditing, organizational systems to ensure compliance (Boland and Fowler, 2000:417-446).

Different aspects of performance management have been widely discussed by many researchers and experts, which argue that a set of guidelines for designing performance management systems will lead to high performance (Kaplan and Norton, 1996, 2006:89-102).

For instance, Korean Professor Pan Suk Kim thinks that Performance Management includes activities that ensure that organizational goals are consistently being met in an effective and efficient manner so that it involves shared vision, management style, employee involvement, incentives and rewards, competency framework, teamwork, education and training, attitudes, and dialogue (Kim, 2011:1)

The concept of performance management is a concept associated with business performance and management processes. Therefore, the concept of performance first focuses on management processes including public administration. Performance is a concept with different meanings and has different aspects such as accountability, transparency, service orientation, user choice, customer service, efficiency, outcome, effectiveness, resource allocation and creating public value. (Talbot, 2007:491-517).

Performance management is characterized by a planned process in which prioritized basic building blocks appear in terms of the agreement, measurement, feedback, positive contribution and dialogue, and this ongoing flexible process focuses on future planning and improvement rather than past performance evaluation (Armstrong, 1998:38).

Performance management-the process of defining, monitoring, and using objective indicators of the performance of organizations and programs to inform management and decision making on a regular basis – is of vital concern to managers in government and the non-profit sector (Poister, 2003:11).

The Concept of Performance uses goals, achieved results and mutual measurement and other substructures. According to the simplest definition made in this framework, performance is the measurement of the results in relation to the objectives. Therefore, performance is a concept which quantitatively or qualitatively determines the result obtained as a result of a purposeful and planned activity. The Performance is often defined as a concrete level of job or degree of success in any job (Bilgin, 2004:13). In some definitions, the degree of performance is highlighted and the word performance defined as the fulfillment of any work or service (Çevik, 2007:250). Performance cannot always be used in a positive sense, but superior performance is synonymous with success (Bingol, 2006:321).

The conventional definition of performance uses the metaphor of the production process including the outputs and outcomes of activities. And alternative view sees performance as the realization of public values. (Wouter van Dooren, 2015: 20).

Performance is an indicator of the numerical and qualitative aspects of the individual, group or institution, which can be achieved in order to achieve a goal (Bilgin, 2004:13). Performance generally determines what is achieved as a result of a purposeful and planned activity. According to this, performance management is a concept that is increasingly considered in recent years and it is a modern management approach to implement management's planning and supervision activities in the light of developments in a broader framework and performance concept. It is a process of

selecting and evaluating organizational resources according to their performance in order to achieve the objectives and duties of the organization in the best and most successful possible. (Bilgin, 2004:13).

Therefore, performance management is a focused organization management approach, in which it is necessary to set measurable targets in order to reach all these and to continuously measure outputs / products related to these targets. In this respect, management has important responsibilities in terms of performance management. Because, performance management must perform the following three basic tasks (Bilgin, 2004:14):

- Compliance of department, team and individual objectives in the organization,
- Performance evaluation system,
- Rewarding strategy and framework,
- In-service training,
- Development strategy and plans,
- Contact,
- Guidance,
- Feedback,
- Individual career planning,

Looking at what is happening in this process, one can understand that performance management is not a simple assessment of staff. Thus, performance management requires an individual assessment of performance (Bilgin, 2004:15). In fact, performance management is a fundamental approach that can be addressed in many management functions such as performance management, planning, purchasing, marketing, research and development, finance, maintenance, personnel management and auditing (Sloma, 1980:130).

Because performance management is a holistic and total process that enables corporate integration by applying its strategic decisions with effective communication in order to guide the future of the organization and its resources in order to predict the future of the organization.

However, it is clear that the communication between a manager and employees should be interactive communication in order for the process to operate effectively.

It can be said that, in spite of the various criticisms directed by performance management, the positive characteristics brought by the performance management approach can be analyzed, monitored and effectively implemented, it provides the management with the following benefits (Bilgin, 2004:15):

- Improve individual performance;
- Reveals the hidden power performance of individuals;
- Plans for future human resource needs;
- Conducts the objectives of the organization;
- Increases the spiritual power in the organization;
- Provides internal and external customer satisfaction;
- Performance - ensures balance of wages;
- Creates competitive advantage;
- Improves observation quality.

In performance management, together with all units of the organization, it is necessary to determine the level at which they are currently in terms of the production of goods and services, whether they can achieve a better level and where they can be successful and ideally determine the performance of the organization according to the responses to be taken. Thus, the vision of the organization in terms of its current mission and its future status should be established. A strategy for the future should be developed. Initiatives related to performance development should be designed, developed and

implemented. A measurement and evaluation system should be designed, developed and implemented to show how to go in the targeted direction.

Rewarding and incentive systems should be established to ensure the continuous improvement of the performance level. In order to achieve all these objectives, the performance management approach should be used to determine the aims of the organization, to provide the necessary resources for production and to encourage the human resources of the organization to work (Bilgin, 2004:16).

Therefore, the organizational structure of the organizations should be restructured according to the performance management approach.

In order to reach the content and objectives in performance management, first of all, it is necessary to determine the future targets with the strategic plans and decisions necessary to reach the purpose of the organization more effectively. In the second stage, the existing performance level of the organization should be measured and evaluated. The management systems and subsystems that are currently implemented in the organization should be ensured to comply with the performance strategies of their processes. As a result, planning should be made to improve performance.

Measurement systems with planning should be developed. For this purpose, what should be measured, how and how to measure? Methods for preparing and analyzing the data should be studied. Finally, in performance management, measures to improve performance should be determined. Activity plans should be prepared and implemented.

These stages actually play a guiding role in the performance management system, because, after the guidance of these stages, the monitoring and evaluation of the system and the production process of the system are required. The audit initiative in performance management means to improve the efficiency and efficiency of the organization by making the feedback understanding and function in the organization, to ensure that the expected changes and developments are achieved, for example, to be efficient, effective and economical (Bilgin, 2004:16).

This makes it possible to activate and increase the performance of the work and to see the results. As a result, in the light of the data obtained, the managers who follow the performance may innovate and make necessary corrections in the organization goals and strategies.

Human resources should consider renaming their role in management as support for performance; managers must concentrate on monitoring the latest developments in technology to find tools to improve performance. Because, in the next thousand years, they will be selected from high-performance people such as human resources and sports stars, they will have a high-paid career, and the best performers will be given great prizes (Bilgin, 2004:17).

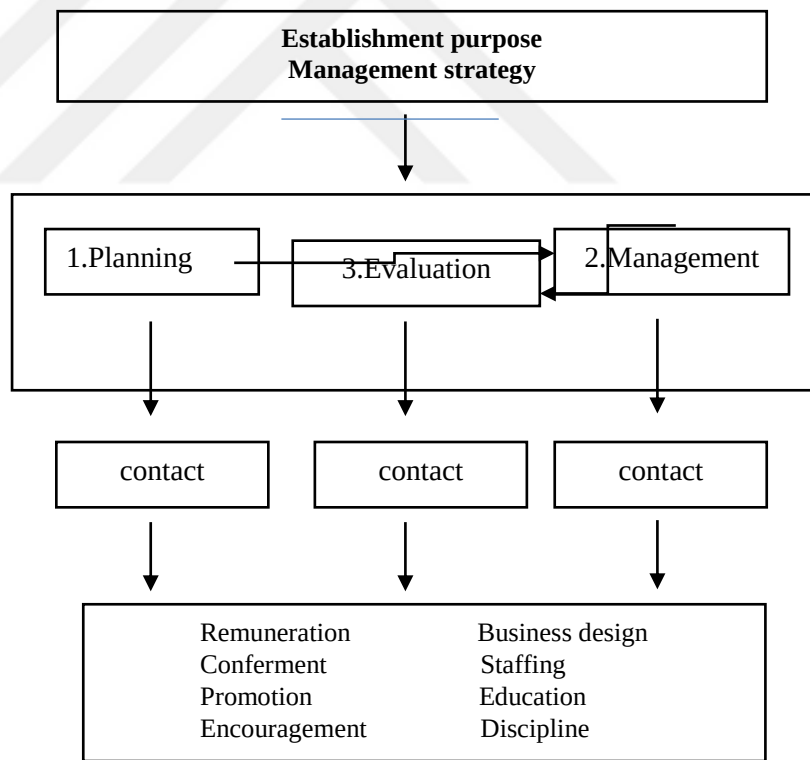


Figure-1.1. Performance Management Process

(Source: Bilgin, Kamil Ufuk: 2004:17)

When we want to transfer the performance management approach to the existing

system of the organization, we can see that the main purpose of this system is to develop individual performance and organizational effectiveness together by measuring, measuring and informing the parties through individual performance (Bilgin, 2004:18). Such a viewpoint is defined as providing an interaction between performance management, performance behaviors and abilities that are “how is individual performance and performance objectives and criteria of performance and individual performance (Bilgin, 2004:18).

In this case, as shown in Figure 1 of the performance management of the system, as the process of the system in accordance with the management strategy is determined in accordance with the establishment objectives; to evaluate the performance of resources after they are guided; providing internal communication, including research, development, and feedback on all of these phases; The information obtained from the stages should be processed and converted into data, and it should be ensured that it contributes to other sub-systems of the management system such as business design, cadre, wage, incentive, promotion, in-service training, conferment and discipline.

1.1.1. Principles of Public Performance Management

In the reality of the twenty-first century, in every country there is a serious grievance from the current level of performance of public institutions and public administrations are expected to make a noticeable improvement on these performances. According to the objectives and results, management has devices in such cases as management, paid money, performance management, total quality management and being close to the customer (Bevir, 2003:11). All public institutions and organizations without the exception, the taxes entrusted to them in the right areas, efficient and economical way to spend, the goods and services they offer quality and according to the desire and expectations of the citizens to be presented in a good way, and the administration of all institutions , publicly and transparently, financial and service indicators to facilitate accountability to citizens submission are expected from the state organizations (Ateş, Kırılmaz, Aydın, 2007:9).

Public Performance Management is actually a state-of-the-art approach to performance management. Therefore, the general principles and characteristics of performance management in public administration are greatly affected by public administration understanding and culture. However, it is expected that the impact is not in the form of traditional public administration habits, in the light of the developments in the new public administration concept, in the interest of the public, in accordance with the concept of democracy and law, and in the direction of the principle of being a citizen in the management.

In order to realize this expectation, the principles and characteristics of Public Performance Management should be considered in two respects. The first of these is that the principles and features that come to mind or have been scientifically suggested when it comes to performance management should be valid for public administration; secondly, public institutions and organizations, which we call public administration, must change in the name of legal, managerial and practical structure and traditional understanding and functioning in the name of the effectiveness of the democratic process. It is not possible to start this change by saying that we will apply Public Performance Management from now on. Because even if the legal and administrative dimension of performance management approach is realized immediately, it cannot be expected that the public will not act according to this understanding. However, the issue has another real dimension, which is that Public Performance Management should first be introduced, placed, made effective, publicized in and out of the public, informed about the results and benefits, and problems should be identified and resolved.

When we consider the principles and characteristics of public performance management in parallel with the principles and characteristics of performance management, we can see that they adequately describe and demonstrate Public Performance Management. However, when we look at the results to be achieved with the intended targets, it is seen that there are some differences in terms of the criteria such as transparency, legality, and accountability, as well as the effect of similar measures such as economics and efficiency on the performance. For this reason, the principles to

be put forward as the principles of Public Performance Management should contain this difference, and in particular, change the understanding and ensure the effectiveness of the criteria. Accordingly, we can define the principles of Public Performance Management as follows:

1.1.1.1. The Principle of Acceptance of Performance

Any idea or action to be accepted by the public or by an organization /team/individual must first be adopted by the authority of this idea or action. Performing action and action without consensus is one of the reasons for failure. Therefore, the necessity of performance in the public administration, or the necessity of success in the name of the manager, should be explained to the manager and the human resources, and this understanding must be established (Bilgin, 2004:26). The adoption by the top administration, especially the undersecretaries, will not necessarily be in compliance with the principle of competence of rising demands from bottom to ceiling. Moreover, it seems difficult to create a democratic demand, especially in a country with a transitional stage like Kyrgyzstan. Therefore, necessity of performance in the public administration, or the necessity of doing business in the name of management, should be explained to the manager and the human resources, and this understanding should be established.

In the establishment of the principle of acceptance of performance approach, the evaluation and the outcome of the measure are rewarded, and the monetary return is important among the public servants. Therefore, accepting the public performance management according to Armstrong performance means, the importance of values, the consistency of individual and corporate objectives, meeting expectations and creating discretionary behavior (Armstrong, 2006:8).

1.1.1.2. The Principle of Creating Corporate Performance

The establishment of the level of performance adopted by the political will and the senior administrative authority to the level of the institution is the second public performance management principle. Performance management is defined as a management system that uses performance information to control the corporate culture and corporate systems and processes to control whether the implemented policies will achieve the stated objectives by ensuring the objectives that will lead the organization forward, the allocation of resources and allocation to priority areas (Yenice, 2007:95). In order to realize the principle of creating the corporate performance, a dynamic performance management system should be established, including determining objectives and objectives, thus identifying strategies, evaluating and measuring performance, monitoring and reporting, correcting and restarting the process. When this is done, it will be possible to monitor the individual performance which enables comparisons in the same system. After the adoption of the understanding of Public Performance Management, the processing of this understanding of the organization allows the evaluation of the degree to which the strategic objectives are achieved. Economic, efficient and efficient service delivery can be controlled here. This understanding focuses on the results, while aiming at customer satisfaction, focusing on the processes, helps to perfect the quality, the equality that it provides in the presentation and utilization, and the publicity which should enable the beneficiaries to benefit from it, should reveal the color specific to the public. However, in general criteria are given such as the performance of institutional performance, the efficiency, the efficiency of service distribution, efficiency and customer satisfaction (Çevik, 2007:267). It is possible to influence the strengths and weaknesses of an organization (Drucker, 2007:95). Meanwhile, at the institutional level, the organization should definitely decide whether to use the official performance system. Further, a decision should be made that the employees will know what type of assessment they will take (Daley, 1992:42). This system should be able to trivialize the weak sides while revealing strengths. In the establishment of the corporate performance, the senior management in the public institutions and organizations are concentrated among the senior managers; All strategic objectives for actions, processes and outputs are provided to institutional programs that

are often negotiated and divided into specific program elements, specific criteria (OECD, 2005:3). This is also a vital element in the creation of corporate performance.

Following the adoption of the Public Performance Management approach, as we have read above, in line with this understanding, the principle of establishing corporate performance is to ensure that public institutions and organizations are efficient, effective and economic. This principle is, in fact, a parallel principle with general performance management.

1.1.1.3. The Principle of Individual Performance Monitoring

When personal goals are set, resources are allocated, processes are identified, and the results are evaluated and reported, and the new process is renewed, the work on individual performance will be easier. Because performance management requires measuring personal performance as well as measuring organizational performance (Çevik, 2007:267). Thus, the implementation of corporate performance management will create a performance assessment and evaluation culture in theories, and individual performance management will find value on this system (Çevik, 2007:265).

Bilgin (2004:26) sees the principle of monitoring individual performance as a classic understanding product. However, the principle of monitoring individual performance in the CPM mentions that the individuals who are followed by the other characteristics of the other aspects of the job success, should be a secondary criterion in assessing the other individual performance of the other features that are related to the authority, duties, and problems of the civil servant.

It has an important place in the individual performance agreement in the concretization of the principle of individual performance monitoring. Performance agreements, the role requirements required to reach the inputs and outputs include performance standards and objectives, performance measurement and indicators, knowledge, skills and competence, merging of core values and requirements, performance plan, personal development plan and process details (Amrstrong, 2006:67).

Individual performance can be monitored by the organization, and the individual's self-evaluation is always the guiding and the developer. By Drucker (1994:178), knowledge workers use these five questions in self-assessment:

- Who am I, what are my strengths, how do I work?
- Where did I belong?
- What is my contribution?
- Do I take responsibility for the relationship?
- Did I plan the second half of my life?

It is important for individual performance management to evaluate the performance of individuals and to follow the individual performance, and to reward incentives such as reward-education-punishment-promotion. Individual performance monitoring is both a directive and a manager; it requires significant capabilities in providing feedback as a feedback.

The principle of Monitoring Individual Performance is the product of a classic understanding. Because, in accordance with this principle, the traditional management approach is monitored by the evaluation of the performance of human resources in public institutions and organizations. However, the subject of Public Performance Management differs from the other Characteristics of the individuals whose job performance is observed and seen in the forefront. In other words, the number of goods and services produced by human resources and its effectiveness in service constitutes the basis of evaluation. Other features of the officer responsible for the duties and responsibilities of the officer should be the secondary criteria for evaluating individual performance.

1.1.1.4. Principle of Countable Performance Objectives

The principle of countable performance targets is one of the most problematic principles in Public Performance Management. Because, in accordance with this principle, it is necessary to ensure that there are countable targets in determining the individual goals of both corporate goals and human resources. This is contrary to the traditional concept of public administration dominated by the principle of public interest. However, since it is public interest and public service, avoiding countable targets will negatively affect performance criteria, it is necessary to determine performance targets as much as possible and as countable as possible.

As a matter of fact, Bilgin (2007:93-113) considers the principle of countable performance targets as a requirement of this principle, since it is necessary to ensure that there are countable targets in determining both the corporate objectives and the individual targets of human resources, and that this is contrary to the traditional public management understanding dominated by the principle of public interest. He is one of the most problematic principles in Turkey. However, avoiding countable targets because it is a public utility and a public service also emphasizes the necessity of determining performance targets as much as possible and countable, as they negatively affect performance criteria. In the broad sense, the opinion of the activity that expresses the realization of the goals and objectives; public initiative is based on the assumption that the objectives or outcomes of programs or projects are measurable (Abid, 1998: 104-127). Otherwise, it is the result of the negation of the performance management in the public sector. Indeed, as stated by the British Court of Auditors, the future will be used in public service agreements (PSAs) for the development of the past year. In addition to the improved efficiency and effectiveness associated with the treasury, the priorities of the department should be clearly stated on the public and the targets should be clearly stated (Flynn, 2007:127).

Considering the principle of countable performance targets in the public service, since the ultimate goal is citizen satisfaction, the percentage of citizens' satisfaction does not give us the countable performance target. Targeting the level of satisfaction of the citizens, who are at least the addressees of the service, is also appropriate for the

understanding of new public administration. In addition, for example, it is possible to set an alternative target for executives such as senior governor, which cannot be counted directly with a survey study. In this case, it can be counted as the satisfaction of the citizen. Or, instead of measuring the routine, strategic areas can be determined, and limited performance targets can be set in areas such as village, development, mobilization of local resources, etc. Of course, it is easier to set countable performance targets at lower levels. This time, however, should be done without entering into a study that prevents the routine.

If Chambers and Quiggin (2005: 201-228) state that the outputs are a risk substitution and that the standards will never be optimal if they are not socially desired, and Flynn (2007:128) regards the measurement of target and performance standards in public services as a permanent problem, Palmer (1993:31) has the following qualifications: highlights that the objectives and standards will be functional:

- Target and standards should be written.
- Objectives and standards should be specified in a precise language. Uncertainty leads to communication difficulties.
- It is important that the objectives and standards are measurable in order to make comparisons with the predicted results.
- It is necessary to specify when to reach a target and the standard.
- Non-realistic, inaccessible targets to be identified, the performance of the targets to improve despite the improvement of the year to come to an end; As a result, the elements can be evaluated very well, but this leads to a low evaluation.
- The goal and standards should be flexible.

The objectives and standards are a productive one to encourage the development of employees.

Horizontal alignment should be taken into consideration in order for the cooperating members to work in coordination.

Objectives and standards should be determined in such a way that the staff can access them within their competence.

At Thompson (2002:172), he emphasizes on the fact that meaningful performance standards cannot be carefully defined, tried and highlighted without being considered and tested without the participation of employees who will be affected by these standards. According to the principles of countable performance objectives, these targets and standards are sought for the activity indicators for the question. Are (or is it possible to give) results in the general nature of the output? Is the cost per unit of success is the formula of the cost-effectiveness indicator and the ratio of the resultant unit to the outputs (or the ratio of sources used in this output) (Tanao, 2002:23).

1.1.1.5. Principle of Measurable Performance

The Principle of measurable performance metrics is the introduction of measurable performance measures in accordance with measurable performance objectives. Thus, the performance position of the management in relation to these targets can be determined. In Public Performance Management, the more difficult it is to set quantifiable performance goals, the more difficult it is to bring measurable performance metrics. However, it is possible for management that exceeds this difficulty by acting in accordance with the principles of performance targets, which are successful in revealing performance at every stage.

1.1.1.6. Principle of Transparency

The Principle of Transparency is a Public Performance principle that is unique to public administration. According to this principle, no public decision and action can be closed to those outside the authorities, except for some restrictions. Having a management approach compatible with openness ensures performance in the public by

taking into account the demands and complaints of the public. Achieving this makes public institutions and organizations more effective.

The Principle of Transparency is also known as transparency criterion, basically all kinds of administrative decisions and actions carried out by public institutions and organizations, to be known by the public, to be seen; means not to be kept, to be kept confidential, not to be kept secret besides the rights of civil servants to obtain information, there are some restrictions such as state, profession, the privacy of private life (Bilgin, 2004:47).

1.1.1.7. Principle of Legality

The Principle of Legality, as the name implies, means that all public decisions and actions in Public Performance Management comply with the law. However, what is important here is not only to stay within the legal limits of the law but also to be fair and fair. Therefore, the principle of legality in Public Performance Management requires management based on a basic understanding of the law, rather than a traditional public management approach and practice that takes shelter behind the legislation.

1.1.1.8. Principle of Humanity

One of the criticisms brought to performance management and therefore to Public Performance Management is that performance management has an understanding that ignores the human characteristics of human resources. However, the happiness and satisfaction of individuals in the organization of performance management is essential. Therefore, with the principle of humanity, being subject to the objective evaluation of human resources as a result of the measurable nature of the objectives and criteria, these objectives and criteria should be reasonably accessible. In this regard, managers need to develop management strategies according to different personality traits of human resources in the organization. Thus, it is seen that people show their escape, independent, anxious, antisocial, limiting, emotional, narcissistic or paranoid personality types in the work environment (Bilgin, 2004:27).

1.1.2. The Relevance Of Personnel Performance Management To Merit Principles

This is considered above that the Public Performance Management as a rational and effective instrument in the public sector-focused for achieving the good practices and results by employees in service providing. And due to this instrument, the benefit and cost-efficiency criteria are proven in public policy. Here, of course, the main issue of Performance Management ties to Individual performance management. The reason for this factor is obvious. The effect, efficiency, and outcome of the organization are created by the personnel performance of every employee (Berman, 2006:9). Therefore, based on this logic, below is analyzed the Personal Performance of employees in the organization.

1.1.2.1.1. Personnel Performance Management, its significance, and importance in Performance Management

Theoretically, Personnel management can be defined as obtaining, using and maintaining a satisfied workforce. It is a significant part of management concerned with employees at work and with their relationship within the organization (Juneja, MSG, 2015:5).

Personnel management is concerned with the effective use of the skills of people. Due to this, in this study is considered the civil servants. Usually, personnel management characterizes with the recruiting and hiring of qualified people and continues with directing and encouraging their growth as they encounter problems and tensions that arise in working toward established goals.

Professor Flipppo defined that Personnel management is the planning, organizing, compensation, integration, and maintenance of people for the purpose of contributing to organizational, individual and societal goals (Flipppo, 1980:5-131).

Professor Brech thinks that Personnel Management is that part which is primarily concerned with the human resource of the organization (Brech, 1953:17).

As seen in those definitions, the conceptual framework of Performance Management has a core basement with Human Performance Management. Human Performance Management is important to explain the real profound effects of Public Performance Management to the civil service system, it is significantly important to describe its relevance with the Merit Principles for employees. Thus the Human Performance Management to Merit Principles has practical mechanisms. This theoretical framework is significant to figure out that the role and contribution of the public servant in the organization mainly come from his or her personality. And surrounding organizational conditions and environment are mainly supply these individual performance contributions. Thus, the individual performance of an employee in the organization stands at the center of organizational or corporate performance. This meant that the individual performance of an employee is a driver of organizational development. Concerning this real fact, researchers noted the existence of motivational values and principles known as factors of Personnel (Individual) Performance. Thus, the task-orientation, participatory and developmental elements of employees create the teamwork in organization (OECD, 1990:69). Meanwhile, employees are motivated to gain high scores and activity results i.e. performances.

Within that, the Individual Performance of employees in an organization will have rational challenges, activities, and promotions. These actions have linkages to the proficiency qualities and effectiveness of personals and gradually will reward them financially and morally. Following these qualities, the employee stands all his or her best to be an effective and high rate worker in the organization. Therefore, the core tasks of the organization on team building, creating organizational cultures and competencies, developing the employees through education, training and gaining skills plus pursuing effective organizational performance, career path basically depend on the personals of every employee and organizational environment (Barbara, WB,1995:204).

Thereby Individual Performance Management requires the employees to keep good results and to be ready to face new tasks in the organization. This part of work known in theory and practice as job analyses, job profile, transparent selection,

achieving outcomes and compensations i.e. rewards and promotions (Robert M.,1990:1-10).

As a guiding rules for job analyses and job profile, Human Performance System requests from the employees and employer below criteria (Happy Manager UK, 2019:3):

- Be honest and open minded. This will bring a good relationship with the team and will create a good performance.
- Keep it simple. This means to be positive and emotionally stable. The smile will path on development and performance.
- Keep in touch. This will bring to do with a performance review.
- Creating real and interesting goals. This will challenge and engage employees and motivate them to achieve well performance.
- Aligning an individual's goals with team goals. This will improve team building in the organization.
- Using strengths and avoiding weaknesses. This means to be flexible and efficient.
- Using the complementary skills of team members in the organization.
- Give praise and recognize good performance as soon as it happens.
- Everyone in the team performs. This will create a good performance.
- Motivating team members will increase performance processes.

Improving personal performance is a key task standing for every employee in the organization. Therefore, Individual Performance Management and Merit Principles are making good conditions for improving skills and getting development. The analyses of Individual Performance Management in theoretical perspective shows that permanent condition for the public or private organizations is to have the necessary mechanism for

managing the performance of staff in the organization. Performance management getting changes during the last 15-20 years. Concerning this, rating employees based on a trait like neatness, punctuality, correctness as opposed to focusing directly on work output (Hunt, and Manning,1996:33). And moreover, the evaluation process was tended to be secretive. This condition in practice had a rule that the employees did not participate in their performance evaluation. However, organizational development is not standing in stagnation. New outputs of managerial experiences in private companies overcame and begun to implement the new mechanism of individual performance management. This new mechanism became known as good practices of Individual performance evaluation based on the principles of efficiency, effectiveness, equity, and economy (Mulreany, 1991:45). The new paradigm of Performance Management compliments the raising of qualification, practical skills and education of employees in the organization. Therefore, factors on task-orientation of workers, employee participation and their development in the organization are the main foreseen factors in Individual performance management. Taking into account the objectivity and usage of those components, in the below subpart analyses and discusses the advantages and priorities of these factors from the theoretical background and practice.

1.1.2.2. Task-orientated, Participatory and Developmental as factors of Individual Performance Management

The rapid development of IT technologies and active social media is creating new opportunities for the private sector to gain more productivity and income based on their business orientation in the market economy. In the same time, as seen in the dayli practices, the public sector is balmed to be transparent, accountable, effective and efficient in their public service providing. This is a well-known tendency and several international organizations such as the World Bank (WB, 2005:87) and OECD keeping this frame on their agenda (OECD-PUMA, 1993:37). Mainly via observing, and providing the recommendations and technical assistance on improving the quality capacity. Concerning the factors on improving the performance of personnel management in the public sector World Bank sure that the task-orientation, participatory

and developmental are the main driven factors in the organization by being focused on the individual i.e. employee (WB, 2015:67).

Taking into account the above-proclaimed factors, it is core to explore their advantages and innovativeness for noting the motivation and contributions of employees in the public sector.

In the beginning, this is highly important for individual performance management while it is concerned with employees and their relationships at work. Thus, employees in the public sector known as civil servants responsible to achieve good practices and performances in their job records. However, the basic step in achieving good results should be done from every employee as possible with accuracy, competency, and inspiration (Armstrong, 2006:57).

Those achievements are possible for every employee when the task-orientation in the organization is clear. Thereby, the administration in public institutes shall give to public servants in lower and middle levels clear tasks. The clear and justified task is well understandable by employees and due to this further job doing also will possible in a transparent and effective way.

Task-orientation in the public sector is based on the governmental agenda. It is known that the public sector provides public services for citizens. And within these services are good outcomes expressed in good qualities and enough quantities (Berman, 1999:110). Therefore, personnel in state bodies must be motivated, trained and able to do the daily work.

On the other side, Personnel managers must advise in formulating, and implementing personnel policies. Personnel policies are mainly including recruitment, selection, creating good conditions of employment, performance appraisal, training, public relations, social protections such as health and safety and career development (Juneja, MSG, 2015:6). Thus personnel management in the public sector indicates human resources as important drivers for achieving efficiency.

In the theoretical context, it is considered that for employees to become more valuable to the organization personnel policy should include (Juneja, MSG, 2015:7):

- Conducting job analyses,
- Planning personnel needs, and recruitment,
- Selecting the right people to the job,
- Orienting, and training employees,
- Terminating and managing salaries and bonuses,
- Providing benefits and incentives,
- Appraising performance,
- Solving disputes,
- Communicating with all employees at all levels.

This list of tasks is key competencies for administration i.e. manager. And, the effectiveness and motivation of employees depend on general team conditions in the organization. Thus, the factor of participatory in Performance Management stands as a compulsory condition for personnel in the organization. The participatory factor has two meanings. The first meaning is about the coaching advantage in the staff (Kirkpatrick, 2006:79). And the second meaning is about the self-interest and self-motivation of the employee in the organization (Berman, 1999:273). So, here may raise questions concerning these two distinguished meanings.

The case of coaching is a widely accepted managerial tradition in New Public Management. Main concept of coaching is to have effective team building and equal, efficient contribution sharing by every employee in the organization. Therefore, individual performance management has a direct linkage with the coaching practices in the organization. Effectively organized and practiced coaching gives to the organization the opportunity to achieve good performances on the individual level and on organizational level as well.

Coaching practices can be characterized as a technique for improving performance. And coaching looks in two pictures. First coaching as counseling among the employee and administration. And second is a coaching image when the manager

supplies the employee targeting to promote the organizational task. In both of these cases, the employee has an advantage in terms of getting trained, motivated and advised by the administration based on equality, solidarity, and efficiency.

Briefly saying the participatory factor within Individual performance management creates the possible conditions for the growing leaders in the organization. Thus, the participatory factor shows its positiveness and practical contribution to Public performance management, while it has transparency, accountability, and legality values leading to leadership in the organization. Based on the above-noted feature of Personnel Performance Management, definitely important to characterize the role and impact of leadership in the participatory factor. Good practices of Personnel Performance Management mainly based on the self-motivation and utility of employees in the organization (Marr, 2006:76). Under such conditions, every employee tries to get learn useful knowledge and skills. And these efforts are should solidarily be supported by the team members. This is a reason for conducting the team spirit in the organization and here informal leadership is well needed. Thereby in the coaching process of employees will accumulate cognitive knowledge and skills and priority skill here is experience and endowment sharing by everyone. In such cases, informal leaders in the organization usually correct and direct individual contributions. Real profound experiences of coaching based teams widely known in the private sector like companies and firms and moreover, this is widely using in the sporting teams on soccer or basketball. Real effectiveness and efficiency of coaching in the private sector are profitable. Meaning that everybody in the team earns a good profit and became famous depending on their contribution and participation. Concerning this, sporting championships and background of famous new technology companies like Apple or Tesla mainly based on coaching effects supported by good leadership (Forbes, 2016:89).

In the cases of the public sector, also visible efforts to use coaching in providing public services. This is mainly visible in the state bodies having young generation leaders in the sectors of IT technologies and mining (UNDP, 2014:35-40). However, in the public sector coaching processes are facing limitations by the reason of formal

bureaucracy. Formal bureaucratic obstacles are usually stand in a traditional conservative manner. For example, a strong authoritarian style of chiefs in structural units and section of the state bodies, moreover old style of bureaucratic techniques such as formality, inactiveness, and none-initiative create serious obstacles in the coaching efforts by team members in the organization. This is a reason, why since 2000 many countries worldwide have been chosen Public Performance Management for the public sector. Therefore, the positive and beneficial contribution of coaching based participatory behavior of personnel in the public organization obvious facts in many countries like Singapore, South Korea, and the UK.

The system working well in the above-mentioned countries are possible via meritocracy when every employee knows that a best-doing job will be rewarded and moreover there is professional promotion. As shown in practice that this system may function only under the existence of downsized government. And practically traditional bureaucratic apparatus with huge staff is not needed anymore. Providing several public services also is transited to the private sector. All these activities, of course, indicated with the administrative reforms and decentralization. The role and significance of Leadership and personnel performance are requested to be applied objectively by the condition of the meritocratic appraisal. These features of the participatory factor are a key conclusion in Personnel Public Performance.

It is known that post-soviet countries like Kyrgyzstan and others still have the problem of huge staff in the public service. This problem is against introducing merit-based performance practices. Therefore, the reasons to keep the public sector in update and reform are obvious there. And this is also noting regularly by the World Bank and UNDP reports.

The third factor of Individual Performance Management based on the Developmental behavior and contribution of the employee in the organizational performance. The theoretical perceptions of the Developmental factor defined with the intention, motivation and practical skills of every employee in the organization. These are deeply personal qualities and specifics, which are differing from individual to

another individual. However, according to many scientists like Bergman, Kim Ko Lung, etc, the main driver segment of the Individual Performance Management within the organization is a career development of personnel and engaging personal motivational goals. Concerning those goals also exists assumptions that the basement of career development based on earning good money, rewards, and title promotion and positions. Thus, from a general perspective, the examples of successful organizations either from the private sector or public sector request to build a good atmosphere and motivational possibilities for the employees for gaining good performances of development (Bergman, 2000:78).

Many researchers like Armstrong, Marr, etc., openly recognize that common reason for failed management in the organizations also based on the problems of conflict of interest and damaging the motivational expectation of employees (Marr, 2008:92). Therefore the importance of good leadership and effective team building in the organization are the actual need. Concerning the conflict of interests, the present system of public service in many developed and developing countries worldwide got settled the rules on preventing such conflicts. Therefore, prohibited by law working of relatives or family members in the same organization, etc.

Taking into account the significance of developmental factor in Individual Performance Management is real to mention that developmental factor is complementary unique with the task-orientation and participatory factors. And by being unified in the process of personnel activity of every employee in the organization, those factors are pursuing and providing the performance of team.

1.1.2.3. Performance Appraisal and its concern to Merit Principles in Personnel Performance Management

According to Management Study Guide Center known as MSG, Performance Appraisal is the systematic evaluation of the performance of employees and to understand the abilities of a person for further growth and development. Performance appraisal is generally done in systematic ways such as measuring the pay of employees

and compare it with targets and plans of the organization, analyses the factors behind work performances of employees and employers are in a position to guide the employees for better performance.

Advantages of Performance Appraisal in the public sector can be justified by the following elements:

- Promotion: Performance Appraisal helps the administrator chiefs to rule the promotion programs for efficient public servants and inefficient workers usually are dismissed or demoted;
- Compensation: Performance Appraisal creates a possibility of compensation packages for employees. Merit rating based performance appraisal usually includes bonus, high salary rates, extra benefits, allowances, and pre-requisites are dependent on performance appraisal. The main criteria here is merit than seniority;
- Employee Development: The performance appraisal supports to give training programs in the state bodies. Therefore, here is the ability to analyze the strengths and weaknesses of public servants that new jobs can be designed for efficient officers;
- Selection Validation: It is significant to understand the validity and importance of the selection procedure in the public sector. Therefore the strengths and weaknesses of the selection procedure will be known for further changes in selection methods.
- Communication: This advantage is about effective communication between employees and administration. Thus performance appraisal can maintain a comfortable and efficient HR relationship. As a result, the employees have a positive spirit of work.
- Motivation: Performance appraisal does itself as a motivation tool. Thus, it well motivates public servants for a better job and stimulates the employee to improve personal performance in the future.

Usually, as seen in practices at the individual level, many countries may have some kind of performance appraisal system (or performance evaluation) in the form of a performance agreement, typical performance appraisal methods including 360-degree feedback of employees outcomes. Individual-level performance appraisal is usually carried out by the HR department of each state body. This means that the individual performance of public servants is usually evaluated regularly. Thus based on the results of performance appraisals, incentives for government employees also usually provided by the administration. The core of the individual performance is motivation and there are many theories of motivation, such as the theories of motivation based on content and cognitive processes. Content models of motivation are aimed at identifying the essential nature of individual needs, while theories of cognitive processes try to explain how and why people are motivated (Nicholson, 1997:234).

Performance Appraisal in Public Performance Management stands as an instrument which concerns the Merit Principles. Thus, Personnel Performance Management is not simply the appraisal of individual performance: it is an integrated and continuous process that develops, communicates and enables the future direction, core competencies and values of the organization, and helps to create a horizon of understanding (Bilgin, 2007:95). It has many interconnections with the Merit Principles. In this regard, performance appraisal, reward and incentive strategies, and career planning are the main driving elements of the Merit Principles especially targeting the individuals i.e. personnel in the organization.

The analyses concerning the reasons for increasing the personnel performance in the public sector found that learning and empowerment factor is crucial for the employee. So According to Dr. Marr, Learning and empowerment are used to empower employees and provide them with the information they need to learn and make decisions that lead to improvements (Bernard Marr, 2009: 156). In terms of Merit principle, learning and empowerment for the public servants are vital and motivational to get more benefits in terms of improvements. Due to this, Bernard Marr concludes that learning and empowerment should be the main focus of any performance measurement activities.

Here indicators are used to gain insights that help us make better-informed decisions and improve performance.

This is actually on the agenda of the public sector that the main goal is to satisfy common interests, corresponding to the responsibility of the public service in the face of the government and citizens. Therefore in order to increase the quality of public services, the personnel should be well trained, skilled and motivated to provide quality public services. Thus, the factors on training and empowering public servants and appraising their further performances are shaping the employee within the organizational process.

Another important moment is Performance Appraisal and Performance Ratio (rating) in the public organization. And those are the main elements of the Public Performance to the Merit Principles because it gives a serious impact on organizational development. As a result of these assessments and ratios, the public sector will be able to have more effective outcomes and quality confidence with economic efficiency. Thus, performance management directly links with the career plans of the public servants. Because due to the good results of activities, creative and active servants will get increase the career development of personnel.

Merit Pay particularly included in the Reward system. So Reward System in which each reward element is linked together and treated as an integrated and coherent whole. These elements comprise base pay, contingent pay, employee benefits, and non-financial rewards, which include intrinsic rewards from the work itself (Armstrong, 2006:151). So, within the reward system can provide the Skills Development for the public servants. It can serve as a basis for motivating staff, allowing them to develop their skills. This provides a coherent framework for coaching and support to improve and focus on learning. In the case of career planning among the public servants, it reviews to provide an opportunity to discuss the direction in which a person's career is moving, and what they can do — with the help of the organization — to make sure that they follow the best career path for themselves and the organization.

Personnel Performance Management shapes also Work Involvement in the organization. Thus it focuses on intrinsic motivating factors, such as accepting responsibility for work results, job satisfaction, achieving and fulfilling personal goals and objectives by personnel.

The commitment of staff with the organization is also important for personnel. Because the promotion of commitment in the organization will integrate public servants and goals of the public institute.

The case of reconciling performance management and pay has a significant role. Therefore, there must be informed of the employments how the assessment was conducted and how it was converted into a pay increase. It is a matter of procedural fairness, which requires that when there is a system for evaluating effectiveness and competence, 1) the assessment should be based on “reliable information and a conscious opinion”, 2) supporting the assessment, 3) the person should know how and why the assessment was made, and 4) the person should be able to appeal the assessment.

The new concept of public administration has brought a significant change in public services and the traditional management approach has been replaced by good governance. As a result of these developments, public institutions and organizations are not only productive, effective and economical but also respecting human rights and questioning them within the framework of Regulatory Impact Analysis before taking their decisions; after receiving them to the public with a transparent understanding of them (Bilgin, 2004: 29). As noted in this context, definitely, in the production of good performances i.e. inputs, outputs by every employee in the public service are important also the development of human resources.

1.2. Definition And Importance Of Merit Principles

In this subpart, the importance and usefulness of the Merit Principle in the civil service system are outlined in terms of its theoretical framework and practical realization. The conceptual justification of Merit Principles describes its historical perceptions and implementations by the states and societies since ancient time. Therefore below are briefed the historical experiences of several states in adopting and improving the Merit-based civil services. Moreover, this study considers the Private Principles of Intellectual Property by discussing the useful outcomes of their implementation in the civil service system of worldwide countries. Here is also considered the problems of the spoiled system standing an obstacle to performance management in a broad sense. In a globalised world, the societies have requests and critiques to the government about the quality of the civil service system and downsizing the bureaucratic staff. These issues and actions also have been extracted within this subpart of study.

1.2.1. The Conceptual Framework of the Principle of Merit

The Conceptual Framework of the Merit Principles genealogically and originally based on the western political and economic philosophy well known as Anglo-European culture in 18, 19 and 20th centuries. In a specific term, the Merit Principles cored with the notion of Meritocracy. Main driven values of Meritocracy sourced from the Utilitarian concept of Social theory were rooted in Social mobility, equal opportunities conditioned with the competition (Bell D.A. & Li C., 2013: 412). The details of these conceptual streams will get considered and discussed below and, in the subpart, dedicated to the Historical Development of the Principle of Merit in the World.

The Meritocracy historically had been formed in general by the reason that the government should have to be able to reform the center of gravity in the country. Because the civil service facing the rise of needs for leadership positions in the first entrance, therefore political and other kinds of managerial positions contributes to the mid-qualification. In order to solve this task, competitive exams were deemed necessary

(Gerasimov V.S. 2015:198). It was desirable to achieve merit in almost every sector of social life and almost always. Considering the principles necessary for a better system, the first thing that comes to mind is “merit”. At this stage, it is helpful to explain merit as a concept.

In the understanding of new public administration, the main idea of political meritocracy is that everyone should have equal opportunities to get an education and take part in political activities, but not everyone will show equal ability to approach political decision-making with all responsibility (Bell D.A. & Li C., 2013:412). From this, it follows that within the framework of this theoretical paradigm one of the leading directions of state politics is the search and selection of people with outstanding abilities, as well as the creation for them of conditions for the most effective service to their state. In order to get a wider vision on the definition and perception of Merit Principles below is considered the political meritocracy as a driven core of public administration aspect based on the western political theory.

Of course, the idea of political meritocracy is not completely alien to Western political theory and practice. Plato in his “State” essentially defended the meritocratic political ideal. The best political system, in his opinion, consisted of political leaders selected on the basis of their exceptional abilities to make political decisions with all possible responsibility; leaders who acquired all the power to control society.

Meritocracy remained rather influential in the subsequent historical periods, although thinkers rarely defended the pure form of political meritocracy. The founding fathers of the United States and such “liberal elitists” of the nineteenth century, as John Stuart Mill and Aleccés de Tocqueville, put forward political ideas in an attempt to bind together meritocratic and democratic principles (in particular, the introduction of such measures, as the application of educational qualifications to voters). However, from the modern Western political discourse theorizing about political meritocracy practically disappeared. In the West, there are hundreds, if not thousands, of books on the theory and practice of democracy, but it is difficult to find serious work on the ideas of political meritocracy, and in post-soviet and Russian, there are none at all.

Lack of interest in a meritocracy would be justified by the existence of a consensus that liberal democracy is the best political system (or at least the worst, as Winston Churchill said at the time). On the contrary, there are more and more doubts about this. “Management crises” in Western democracies, caused by the unprecedented globalization of the movements of people, goods, services, and capital, are obvious and are being studied by experts. Economic interests distort the political process, especially in the American political system, which is sometimes described, and perhaps not as unfair as “one dollar - one vote” rather than “one person - one vote” (Kupchan C. 2012: 62-67).

Political theorists raise questions about the electoral system as such. On the one hand, the problem is that voters often make their choice based on their personal material interests, without thinking about the interests of future generations, which will be affected by the results of current government policies. The modern political philosopher Jason Brennan argues that voters should not come close to voting booths if they are not able to express their political will without proper responsibility (Brennan J., 2011:232).

Indeed, there are situations when the impact of selfish economic interests in the electoral booth can lead to undesirable consequences for voters who lack representation (for example, the situation with global warming). Equally disturbing is the fact that voters are often unable to articulate their own interests. Based on extensive empirical research, American economist Brian Kaplan showed that voters often behave irrationally, and suggested that special competence testing of voters for competence be suggested as a solution (Caplan B., 2007:296). Such proposals have repeatedly been expressed in the history of liberal democracy, but no one wants to give or limit their right to vote once they have received it. Needless to say, full-scale meritocratic reforms are hardly possible in liberal democracies, but they can find their expression in the formation of principles for recruiting effective political elites, expressed in the formula “one person - one vote”, where each “Behaves responsibly in the spirit of the Confucian concept of a noble husband” (Kim D.J. 1994 :189—194).

There are many definitions of Merit and Meritocracy similar to each other. Accordingly, “Merit” i.e. liyakat in the Turkish language has origin from the Arabic language means “decent, appropriate, sufficient”. Liyakat in Turkish language also means a target group that can successfully to be worthy of something and deserve something and moreover liyakat means a “right” for success. The Concept of Merit is also meant a talent. (Terzi, 2015).

According to Jelaledin Rumi i.e. Mevlana, in his most famous “Mesnevi” publication had been pointed out the topic of competence and merit, with meaning that it is only possible to ensure peace, justice in society based on the competence and merit. Moreover, Mevlana urged that if there are attempts to perform administrative work regardless of an official license and merit, the functioning of the social order will be disrupted. (Yazıcı, 2009:932).

From this point of view, the ideal system that opens the way for a high society of an open society, in which people who have merits in the social hierarchy, is called meritocracy. In this sense, meritocracy-based idea allows socially vulnerable groups to be “successful” and social justice will be realized through this process, ensuring the principle of equality of opportunity, allowing the “best” and “most successful” to achieve the highest status in social sectors. This concept was first used in 1958 by Michael Young in the book *The Rise of Meritocracy*. This concept refers to the management and management of society “best” and “most intelligent”, as well as the distribution of social resources based on “talent” and “success”. It is considered that the professional positions of people or the determining factors of social status are, first, their work, efforts, skills or merit. For this reason, the idea of meritocracy is, above all, controversial because of the concept of “merit”, because merit is an “ambiguous” and “flexible” concept and socially constructed. Although it is usually defined as the sum of efforts and skills (or efforts and intelligence), the fact that someone has merit is related to judgments about what is needed in this society. In other words, it is believed that he has human virtues, which gives results that will be popular for society (Barker, 2006:36-44). However, today the “desirable” and “precious” cannot be tomorrow. There is no

single criterion for people's popularity. Defining it; ideologies are moral and social values and beliefs. In short, the concept of “merit” is socially constructed and does not depend on value systems.

Theoretical perception concerning the Merit Principles mainly has been considered, described and discussed by several famous scholars such as Michael Young (1958, who understood ‘Meritocracy’ as produced through the formula $I + E = M$ (Young, 1958, :78), or ‘Intelligence combined with Effort equals Merit’, Daniel Bell- an American sociologist and friend of Michael Young, who pronounced that ‘the post-industrial society, in its logic, is a meritocracy’ (Bell, 1973:409) Bell's theory was interested in achieving a social order in which the surplus of capitalism is restrained by the state, and hopes that the meritocracy can be re-calibrated in such a way as to avoid its consolidation in the new caste system, instead of providing an incitement engine for a dynamic but fair society. Here meritocracy begins to position itself as the engine of “productive wealth”.

In the UK, a 1995 brochure by Adrian Wooldridge, founder of the Meritocracy and Classless Society, Social market funds, advocated the concept of meritocracy, which was clearly opposed to comprehensive education, student grants, housing benefits and any other kind of collective support. Meritocracy here is opposed to what Wooldridge calls the “nice's revolution” of the 1960s and 1970s. As part of this, he clearly opposes the “community” (Wooldridge, 1995:45) and the welfare state, which is considered an “obstacle” to the dissemination of meritocratic values (Wooldridge, 1995: 43). The meritocracy in the Woolridge version was then clearly connected with the logic of the capitalist market and with entrepreneurship and to a large extent against the collective provision of social democracy and the welfare state. Here meritocracy fully embraces the liberal idea of equality of opportunity and makes it synonymous with economic growth, capitalist competition, and market development. Meritocracy is marching on the market, and this marketing is good.

Another scholar is Michel Foucault. Mainly he provided a series of distinctions between liberalism and neoliberalism in lecture series (1978-1979 in the Collège de

France). According to Foucault, the neoliberalism became was a situation in which ‘the overall exercise of political power can be modeled on the principles of a market economy’ (Foucault, 2008:131). Due to this, it was not just that the market became dominant but that, since the 1970s, it had begun to structure the way political power itself works. He analyzed that classical liberalism had to be subjected to a number of transformations. A key transformation is that whilst classical liberalism accepts monopolies, neoliberalism does not: competition under neoliberalism is not considered natural but structured (Foucault, 2008:134-137). Moreover, the only ‘true’ aim of social policy for neoliberalism can be economic growth and privatization; thus, the multiplication of the ‘enterprise’ form within the social body, Foucault states, is what is at stake in neoliberalism, and it is what comes to constitute the ‘formative power of society’ (Foucault, 2008:148).

So, neoliberalism has been analyzed by Foucault and its political discourse gave a product for several decades of new right thinking, ‘meritocracy’ is clearly posited as an engine of competition.

Based on the above conceptual discussions, this is suitable to note that the current reality of neoliberalism activated the merit system in the public administration. This includes employees of public services and public institutions; the principle of ownership of a license under any circumstances when calling, hiring, promoting and elevating, moving, dismissing and dismissing. Therefore, in order to use merit, it is important to recruit and select the most suitable person who has the authority to perform the task. However, only qualifications are not required in terms of job and job requirements; all rights and interests of an official, as well as the procedures to be applied to public servants in the performance of their duties, as well as working conditions, must coincide with the competence. The reason for the existence of the merit system is to protect administrators from political appointments and to increase the quality of bureaucracy. Thereby this structure against discrimination and nepotism in government.

1.2.2. The Historical Development of the Principle of Loyalty

Stressing the importance of these theoretical perceptions concerning the Merit Principles, also this is actual to discuss the Principle of Loyalty, which stands as a key value for public bureaucracy. Therefore, it is necessary to consider the Principle of Loyalty, from the view of the historical and constitutional managerial aspect. Historical development of the Principle of Loyalty in public administration has many old roots. For instance, kingdoms in the ancient civilizations in Egypt, Mesopotamia, Greek, China, Rome, and furtherly the Islamic Khalifates, Empires of Britain, Ottoman, Russian, Austro-Hungarian, etc. and afterward emerged secular-republics in the western world created different and unique examples, Ecoles and models of governing. The analyzes of available research sources gave several categorizations for the Historical development of the Principle of Loyalty in the western world (Frederick, C.:2018:85).

Historical Development of the Principle of Loyalty has four categorical levels: ancient period, medieval times, enlightenment period and modern stage. Below is described above mentioned periods in detail.

1.2.2.1. The Development of the Principle of Loyalty in an antic period of history

The Practical examples of kingdoms in the ancient civilizations in Egypt, Mesopotamia, Greek, China, and Rome. According to many scholars such as Plato, Aristotle, etc. bureaucracy in the ancient Greek states were presented in the form of absolute monarchy and with the time by time prevailing power-sharing with the Archon i.e. Councils. In the case of the Roman Empire, according to Cicero, this Empire had experienced the power of Emperor and power of the Roman Senate. Taking into account the political regime of these ancient states, the absolute power of Emperor had used the system of executive governance, based on the involvement of local elites, aristocrats. The effect of Senate or Councils had been in case of legislation and efforts on balancing political power sharing in the state. These are noted in Encyclopedia of Britannica, that in antiquity the Egyptians and Greeks organized public affairs by the office, and the principal officeholders were regarded as being principally responsible for administering

justice, maintaining law and order, and providing plenty (Britannica, 2018:94). The Romans developed a more sophisticated system under their empire, creating distinct administrative hierarchies for justice, military affairs, finance and taxation, foreign affairs, and internal affairs, each with its own principal officers of state. An elaborate administrative structure, later imitated by the Roman Catholic Church, covered the entire empire, with a hierarchy of officers reporting back through their superiors to the emperor (Britannica, 2018:92).

General characteristic of ancient Greece and Roman Empires in terms of political loyalty of the officials i.e. civil servants to the Emperor and Senate members. Taking into account the existence of slavery in those societies, political loyalties had awarded by financial and non-financial privileges. Concerning these practices are found so many historical pieces of evidence and archives about the financial support of servants and their pensions etc.

In the case of ancient China, The Qin dynasty (221–207 BCE) established the first centralized Chinese bureaucratic empire and thus created the need for an administrative system to staff it. Recruitment into the Qin bureaucracy was based on recommendations by local officials. This system was initially adopted by the succeeding Han dynasty (206 BCE–220 CE), but in 124 BCE, under the reign of the Han emperor Wudi, an imperial university was established to train and test officials in the techniques of Confucian government. This process had permanent continuation within the further dynasties Su (581–618), Tan (618–907), Song dynasty (960-1279), Ming dynasty (1368-1644) and Qing dynasty (1644-1912), (Britannica, 2018: 76).

The civil service system has expanded to the point that many consider it the highest point of the Song Dynasty (960-1,279). Public schools were established throughout the country to help talented citizens, but underprivileged business contacts were prohibited between officials linked by blood or marital relations, relatives of the imperial family were not allowed to hold high positions, and promotion was based on a

merit system in which who appointed another for promotion was considered fully responsible for that person's behavior.

Under the Ming dynasty (1368–1644), the civil service system had succeeded in development. Mainly during this period, no man was allowed to serve in his home district, and officials were rotated in their jobs every three years. The recruitment exam was divided into three stages: the xiucai (“cultivated talent”), or bachelor's degree, held on the local-prefecture level; the juren (“recommended man”), given at the prefectural capital; and the jinshi, held at Beijing. Although only the passage of the jinshi made one eligible for high office, passage of the other degrees gave one certain privilege, such as exemption from labour service and corporal punishment, government stipends, and admission to upper-gentry status (juren). This bureaucracy development had copied successfully by the Qing dynasty and used until the fall of Monarchic State in China in 1912.

General analyses of ancient China found many innovative examples concerning the bureaucracy system and its effectiveness. In this regard, important to note two things. First, recruitment exams with different levels had been introduced for the civil servants, for the second, they had strong efforts to build the effective and efficient public administration excluding the elements of the spoilt system such as corruption, cronyism, and nepotism. Their system practiced meritocracy and political loyalty among the civil servants. These principles had been introduced as values in the Confucian concept of governance.

1.2.2.2. The Development of the Principle of Loyalty in medieval times

From the middle of the 13th century in Europe, three institutions began to emerge as the main organs for managing the affairs of the state: the supreme court (mainly from the office), the treasury and the collegiate royal council. However, in England and France, such bodies appeared only in the early 14th century. In Brandenburg, which was ruled by an elector (a prince with the right to elect the emperor

of the Holy Roman Empire) and which later became the basis of the Prussian state, they became independent entities only in the early 17th century (Heywood, 2004:78-82).

In the end of 17 and beginning of 18th century, the Emperor of Prussia Frederick II rationalized the Merit system in practice and due to this reason, he formed a Purposive State in Prussia. Prussian Emperor the Great Frederick different from other European monarchs he saw himself as an 'administrator' of a nation-state, not as the sovereign of certain land. He used rather aggressively, his very strong bureaucratic apparatus for the power and goals of the state. This is usually accepted as the first example of the modern nation-state and bureaucracy. Many practices of modern bureaucracies either may be seen directly or may be rooted back to the Prussian Empire. This step had a great impact to further development of rational and legal bureaucracy in Western European states and all over the world (Heywood, 2004:106).

According to Frederick, what a head is to the human body, the administrator is the same for the whole society. His duty is to 'see, think and act' for the Society and he should use every opportunity and advantage for its interests. Frederick had established a highly centralized bureaucratic apparatus. He had not transferred his authority as much as he can administer in reality. The motto of his bureaucracy was this: 'Emperor knows everything, may do everything and everything done had been done by him'. He didn't understand bureaucracy as a collectivity of subordinates working on behalf of the emperor. Rather he organized bureaucracy so as to provide information and knowledge flow from subordinates to him to help his decision making.

He utilized many (modern) bureaucratic tools. He himself wrote Ministers' and even bureaucrats' detailed job descriptions. He ordered written reports from them. He gathered information about bureaucracy via his agents located outside of bureaucracy. He introduced 'job-dismissal' for the bureaucrats, he dismissed them without any investigation even he put them into prison. Meanwhile, Frederick II also used the Merit Principles for the bureaucrats in order to increase their efficiency. In his government, political loyalty of civil servants was the main compulsory request proved by the normative law.

Prussia was a teleocratic state governed by a strong 'single man' the emperor. To accomplish the state's objectives was the only factor around which a very strong and centralized bureaucracy was established. This influenced Hegel (1770-1831) and Weber (1864-1920). According to Hegel, Frederick represented putting himself away from a subjective will in the presence of a legal-rational authority (depersonalization). It was an 'ideal state'. Bureaucracy assumed an instrumental role in the goals of the state (G.W.F. Hegel, 1820, 43-68). The inner working (operation) of this instrument was provided by Max Weber. Weber also 'praised' Frederick the Great and Prussia and probably he had in his mind there when he defined an ideal type of bureaucracy (Weber, 2015: 73-128).

1.2.2.3. The Development of the Principle of Loyalty in the enlightenment period and in modern stage

Another example of the historical development of public administration including the merit principles and political loyalty is France. A fundamental change in the status of public servant occurred as a result of the French Revolution in 1789. The fall of the ancient regime and the creation of the republic meant that the civil servant was no longer considered the servant of the king. The civil servant became an instrument of public authority, and not an agent of a person. This depersonalization of the state contributed to the rapid growth of the sphere of public law related to the organization, duties, and rights of "public authority", the main component of which was civil servants. The logical development of administrative law began to be added to the orderly structure of the Prussian bureaucracy (Rugge, 2003:177-191).

This bureaucratization was greatly encouraged by Napoleon I, who created a new civil service, marked not only by certain features of the military organization but also by the principles of rationality, logic, and universality, which were a legacy of the Enlightenment. There was a clear chain of command and a clearly defined hierarchy of officials with clearly distributed responsibilities between the authorities. The government was impersonal and went to the office, not to the official, although Napoleon insisted that each official should be responsible for the actions taken on behalf

of his office. France was divided into new territorial units: departments, districts, and communes. In each of them, public civil servants have a common responsibility for maintaining public order, health, and morals. All of them were linked to the national Ministry of the Interior. A special school, the Polytechnic School, was created to provide the staff with technical specialists in both military and civilian areas, especially in the area of general management. In general administration, the Conseil d'État ("Council of State"), derived from the old Conseil du Roi ("Council of the King"), established the intellectual and judicial power over the rest of the Civil Service; as the first major European administrative court, he became the creator of a new type of administrative jurisprudence. The prestige of the new French administrative organization and the logical arrangement of its internal structure prompted many other European countries to copy its main features. And the expansion of the French Empire spread many of its features around the world (Gallouedec-Genuys, 1998:38-62).

In France under the Third Republic (1870–1940), however, a significant political intervention developed in some branches of the civil service; and much of its viability was reduced because its bureaucratic methods became cumbersome and its staff sluggish. The system was reformed in 1946, which included the restructuring of the administrative structure of the central government, the centralization of recruitment, the creation of a special ministry of civil service and the creation of a special school, the National School of Management, and senior civil servants for training. This school, in particular, attracted the attention of the whole world for its ability to instill in graduates the skills of both specialist and general profile (Knapp and Wright, 2006:47-49).

The Merit Principles and Loyalty are well conceptualized in the bureaucratic system of France. The theoretical bases of these intervene had been formulated by famous thinker Jean Jacques Rousseau, who proposed the secularism based rational and legal public administration in the revolutionary New France. In practice, his concept gave the influence to create normative actions in France for power-sharing and functional transparency among civil servants.

In the particular case of UK civil service is itself the provisional end product of three administrative revolutions. The first revolution was the shift in administrative functions from the feudal state to the household of the monarchy during the middle ages. The second revolution was the transition from a patriarchal to a bureaucratic form of administration during the 16th century. The third revolution came in the late 19th century with the creation of the Home Civil Service following the Northcote-Trevelyan Report in 1854 (reproduced in the Fulton Report 1968). And Home Civil Service is being adapted and self-reformed within the stream effects of Neo-liberalism policy since 1979. Practically this means that within 1979-1997 has been done a reform and a shift towards managerialism, agencification, marketization, and contractorization. After 1997 and nowadays period of post-Nolan Report and the 'modernized' civil service in the UK (Fry, 2000:12-35).

The historical genesis of political loyalty primarily based on the concepts works of Plato, Aristotle, N. Machiavelli, Hobbes T., A. Bricker, Tarle E. Mainly they have formulated a number of conceptual perceptions of human society and the role of the state in this process. The studies of various aspects of social and political development from a comparative historical position known as structural theories by D., Bourdieu E., Durkheim. Anthony Giddens has great importance for identifying the specific manifestations of political loyalty, Max Weber, Karl Marx, Jurgen Habermas, Jaspers et al provided systemic and activity approaches and analyzes on this subject.

The theoretical basis of the analysis, despite the huge variety of approaches to the problem of loyalty, are based on the principles of political culture, formulated on the basis of the ideas of M. Weber, A. Creber, T. Parsons, and embodied in the works of G. Almond, S. Verba, L. Pai and et al. Actually, all of these researchers paid great attention to the research for cultural values and patterns of political behavior that contribute to the development of democratic consciousness and democratic policy of the state. Of course, political loyalty is obviously among these values. Because the administration system needs support, which is a manifestation of the loyalty and benevolent attitude of the citizens to governmental decisions and actions, moreover, it is expressed in the material

and non-material form of support. Forms of support - law obedience, military service, paying taxes, carrying out activities in support of government policies, conscientious implementation of government decisions, etc. The final outcome of this political loyalty makes the state progressive, due to this also the public administration system ensures stability, the progressive development of society, the satisfaction of its needs, interests, and expectations.

The Historical Development of Loyalty had experienced by the societies in order to have the government system adequately respond to public needs and ongoing transformations, challenges in society.

1.2.3. The Historical Development of the Principle of Merit in the World

The Earliest Merit-based civil service had been practiced in Ancient China. This system had developed gradually under the strong conceptual influence of the Chinese philosopher Confucius. According to many researchers Confucius “invented the notion that those who govern should do so because of merit, not of inherited status. This sets in motion the creation of the imperial examinations and bureaucracies open only to those who passed tests” (Sienkewicz, 2003: 434).

The further historical development of Merit Principles had origins from the second half of the 19th century and whole 20th century. Beginning of this historical period included the United States of America. The US President Woodrow Wilson (1856-1924) in 1887 gave the rationale of public administration as an independent scientific discipline. He believed that the subject of study of the science of public administration should be not only the problems of the personnel of public institutions, and also should include the whole authorities. Wilson sought to push the development of public administration a step further by studying “the organization and working methods of government institutions”. In his classic work, “The Science of Public Administration” (1887), W. Wilson postulated that there was a significant difference between politics and public administration and stressed the need for a systematic study of government institutions and working methods of the people employed there as a professional

management apparatus, regardless of the influence of temporarily chosen politicians on their posts. In his opinion, the change of political leadership should not affect the activities of the professional administrative apparatus. Science should help the public administration to perform its task, which was the postulate of the prompt and competent implementation of the decisions of political leaders elected by the people. In a broad sense of that time, his concept was actual for eliminating the spoils system in the government based on nepotism, cronyism, and favoritism. In this regard, he believed that the subject of study of public administration as science is, firstly, the definition of what the government can properly and successfully implement, and, secondly, how it can accomplish what is planned with the most possible performance with the least possible resources (Rutgers, 2001: 220-244).

In addition, B. Wilson is considered one of the founders of the separation of politics and government, or “political and administrative dichotomy”.

The Principle of Merit can be defined as the organization of a personnel system in such a way that each person is considered the determining factor in accessing and promoting a service; ability and success are defined as contributing to the level and continuity of service. A system that uses the ability of individuals to become public servants in accordance with their knowledge and skills or to improve or upgrade their skills in accordance with their knowledge and skills is also defined as a merit system. The laws on civil servants in many countries of the world also include the principle of merit, which is a function of state public services, progressing and rising public performance, basing a task on a merit system, and ensuring the safety of public servants with equal opportunities.

The spoil system is also taken into account when introducing the civil service and political trends in promoting the profession and services of the party. There are two main elements in the public administration system. First, it is the change of officials in the government. The other is political appointments. The basis for the appointment of government officials in the United States before 1883 was the first example of the historical development of the system of nepotism. Before that, the US President who

won the national election created the government based on his supporters i.e. his team. However, with the adoption of the Public Service Act known as the Pendleton Act in 1883, the spoil system was limited. This was a reform movement, which secured the adoption of the first law that created the legal basis for the transformation of the federal public service (the Law on the Management of the Civil Service and the Improvement of its Activities (Pendleton Act), 1883), which settled the essence of the reform in its appointment to a public office based on the Merit system (Peters, 2001:110).

According to many researchers, the change or promotion of government officials based on meritocracy will create the condition to the civil servant to work with a greater soul by doing everything possible for the success of the governmental policy, gaining more results.

In Europe, Merit Principle also had been considered in Germany by sociologist, Professor Max Weber (1864-1920) within his bureaucratic theory. Max Weber's bureaucratic theory explains that bureaucracy is the basis for the systematic formation of any organization and is designed to ensure efficiency and cost-effectiveness. It is an ideal model for management and its administration, allowing to focus the structure of the organization's power. Rational and legal model of bureaucracy computing and proving the ability of the administration to motivate public servants based on the contracts to ensure their efficiency activities in providing public services for the citizens. This concept also shapes the Performance measurement in terms of control people's behavior, external reporting and compliance, learning and empowerment. Because the Weberian model of bureaucracy identified that efficiency can be achieved through a rational division of labor and a clear definition of areas of competence (Wouter van Dooren, 2015:38-39).

If we consider the elements of the Weberian model of bureaucracy, then each of them meets this criterion of efficiency. The main feature of the bureaucracy is the systematic division of labor, by which administrative problems are broken down into manageable tasks. The Bureaucracy's impersonal character guarantees the absence of favoritism in the selection of personnel, who are appointed in accordance with individual

achievements, in management itself, free from the unpredictability of personal connections. Subordination to the rules allows the bureaucracy to conduct a large number of cases uniformly, while the existence of procedures for changing these rules frees the tradition from restrictions.

Influenced by the ideas of Max Weber, for the most part of the 20th century, the prevailing approach to public administration relied on a bureaucracy model based on the twin principles of hierarchy and meritocracy. It was originally introduced as part of large-scale bureaucratic reforms in the United Kingdom and Prussia at the end of the 19th century to overcome tribal management systems where patronage and favoritism dominated in government decisions and public appointments. This approach had a number of distinctive features.

It relied on centralized control, set rules and guidelines, separated policymaking from implementation, and employed a hierarchical organizational structure (Osborne, 2006:377-388).

Main specifications of the above discussed the traditional approach to public administration is predicated on a top-down and elitist approach in which public officials are instilled with values of hierarchy, independence, and integrity, and are insulated from politicians and citizens. Despite its strong centralized hierarchy, the traditional approach of public administration used the Merit Principle in terms of integrity and efficiency.

The further historical development of Merit Principles happened within the towards of the Neo-Liberalism concepts in the western countries. For the beginning, this stream of neoliberalism conceptualized by the theoretical perceptions and innovations by Daniel Bell, Michael Dunlop Young, famous economist Milton Friedman and scientists from the Group of Minnow brook 3. Mainly within these theories had been found the essence of the New public administration stated in public choice theory and the principal agent approach, in which government officials need control and supervision in order to limit their own behavior and thereby prevent inefficiency and corruption. Old personnel administration practices abandoned, and emphasis given on employment based on

contracts (hire & fire practices). Merit-based performance and productivity. Innovative personnel policies are devised and applied.

Starting period of this new stream was 1979-80 with the Thatcher's liberal reforms in Great Britain and reforms in the USA provided by the Reagan administration. Under the strong support of the international financial institutes such as World Bank, and international organizations like OECD the New public administration model invented into the governmental system of many developing countries in the world.

According to OECD, the transition from the Old Public Administration to the New Public Management occurred in the 1980s and 1990s in advanced industrialized countries. From 2000 there was a discernible trend towards an emerging model variously termed the "new public service", the "new public governance" or the "post-New Public Management" (Dunleavy, 1994; Denhardt, 2000; Osborne, 2006).

The administrative reform included the reform of the public service. The New Public Service perspective, rooted in democratic theory, emphasizes the accountability of officials to citizens, whereby officials serve and respond to citizens rather than steering society. It assumes that public officials will be motivated to serve by virtue of a commitment to the public interest and will respond to citizens' expectations of a healthy and responsive public service (Osborne, 2006; Denhardt, 2011).

New Public Management system in order to provide effective public services for the citizens pays special attention to the personnel i.e. civil servants. Usually, the direction was towards "meritocracy" - the best person for every job, competitive exams for admission, as well as merit-based selection and promotion. And currently, more and more attention are paid to other factors than intellectual merit, including personal attitudes, incentives, personality, personal relationships, and collective bargaining, etc.

A widely known good example of the implementing merit-based personnel policy is in Singapore. The Singapore model of public management is premised on Meritocratic Principles in recruitment and promotion, a strict bureaucratic hierarchy and administrative impartiality. Success in achieving high scores on international

governance indicators and sustained economic growth for almost 50 years largely derives from four policies adopted in the early post-Independence period: comprehensive reform of the Singapore Civil Service; strong and enforceable anticorruption measures; decentralization of the Public Service Commission; and payment of competitive market salaries to attract and retain the best candidates in the public service (Quah, 2013).

Since 1990, the Merit Principles is selectively introducing in the world by the New Public Management reforms, which is adopting market-based principles through privatization, decentralization, the adoption of new management models and e-government techniques, and the introduction of greater responsiveness in public service delivery. Under this new emerging realities, bureaucratic strict rules are gradually get abandoned by giving way to management by objectives, which implement additional hocracy and project management. This transformation makes the government productive, flexible and innovative.

The practical implication of the government activities with the adoption of NPM reforms contributed to important changes. Social development became possible through efficiency (Triple E, EEE economy, efficiency economy efficiency effectiveness (Ethics). The Increase of efficiency is possible by using communication and organizational-administrative technologies. This is for a 'disciplined' workforce bearing ideal of productivity.

Plan, application, and measurement may only be possible with Professional managers. The government is downsized due to his competitiveness based on public-private partnership, market orientation, results-oriented public administration, successful funding, Pay for Performance practice wherever possible, Linking expenditures with successful completion of jobs, etc. Concerning the Merit Principles, it is assumed that the motivational basis of public servants is based on entrepreneurial spirit, desire to reduce the size and functions of government. This is widely showing that the adoption of market-oriented public administration system has the managerial bonus practices based on the performance appraisal to motivate and reward the employees. In order to give

more explanation about the above discussion, below presented Table 2. comparing perspectives on Old public administration, New Public Management, and the New Public Service.

Table 1.1. Comparing perspectives on old public administration, New Public Management, and the New Public Service.

	Old public administration	New Public Management	New Public Service
Theoretical foundations	Political theory, native social science	Economic theory, positivist social science	Democratic theory
Rationality and models of human behavior	Administrative rationality, public interest	Technical and economic rationality, self-interest	Strategic rationality, citizen interest
Conception of the public interest	Political, enshrined in law	Aggregation of individual interests	Dialogue about shared values
To whom are civil servants responsive?	Clients and constituents	Customers	Citizens
Role of government	“Rowing”, implementation focused on politically defined objectives	“Steering”, serving as catalyst to unleash market forces	“Serving”, negotiating and brokering interests among citizens
Mechanisms for achieving policy objectives	Administering programs through government agencies	Creating mechanisms and incentives through private and non-profit agencies	Building coalitions of public, non-profit private agencies
Approach to accountability	Hierarchical - administrators	Market-drive- outcomes result from	Multifaceted-public servants guided by

	responsible to elected leaders	accumulation of self-interests	law, values, professional norms and citizen interests
Administrative discretion	Limited discretion granted to public officials	Wide latitude to meet entrepreneurial goals	Discretion needed but constrained and accountable
Assumed organizational structure	Bureaucratic organizations with top-down authority and control of clients	Decentralized public organizations with primary control within agency	Collaborative structures with shared leadership
Assumed motivational basis of public servants	Pay and benefits, civil-service protections	Entrepreneurial spirit, desire to reduce size and functions of government	Public service, desire to contribute to society

Source: Adapted from Denhardt (2000:554)

Since 2000 the last stage of the Historical Development of the Merit Principles is ongoing under the big concept named such as “the new public service”, the “new public governance” or the “post-New Public Management”. This period involved with the globalization process in the world, which transformed national economies and output the national bureaucracies to adopt the standards of democracy-oriented to serve the citizens. Therefore, the civil servants of modern public administration systems are multifaceted-public servants guided by law, values, professional norms and citizen interests. In this regard, the Merit Principles are wide known tool element for Performance aimed to increase the motivation of civil servants in the government.

1.2.4. Private Principles in the Implementation of Intellectual Property

For the beginning is necessary to explain the significance of Intellectual Property. “Intellectual property” is a generic term that probably entered regular use in the twentieth century. This generic label is used to refer to a group of legal regimes, each

of which, to different degrees, confers rights of ownership in a particular subject matter (Drahoš, 1998:17-18).

As a subject exists Private Principles. These Principles in the Implementation of Intellectual Property mainly possess to state personnel policy. In reality, it regulates the functioning of individual elements of personnel processes in the public service. These principles are equality principle in recruiting the personnel for the civil service, competition policy among the specialists for entering the public service, selection, and promotion of civil servants, the career development in civil service, fair and sufficient wage policy, and in-service evaluation policy. Implementation of these private principles within the state personnel policy in democratic states creates stability, succession, development, and efficiency in the national bureaucracy. In general, these principles create a Merit-based Civil Service.

The real impact of Neo-Liberalism Concept based on democratic values such as freedom, equality, legitimacy, social mobility, rationality, development, etc directly fits these Private Principles. Because these Principles are unique and effective. In practical essence, they are measurable, productive and tangible.

In general sense, private principles are compatible with the New Public Management. Because practical implementation of these principles is applicable to the standards of the private sector. Competitive driven, the market-oriented government is effectively using these principles in personnel policy. Therefore, in output indicators of state organizations, quality of organizational staff and their service outcomes are efficient as well the same as with the private sector. Due to OECD, World Bank assistance the civil service reforms ongoing in developing and transitional states in the world have the task to make a balance in terms of cost and benefit in public sector activities. In practical meaning, this means to downsize government expenses by optimizing its functional, personnel and managerial bases. Public-private partnership also has good experience and cooperation in service providing for the citizens. The Merit-based civil service provides the active implementation of the interaction based on e-government techniques among the civil servants. This technique also disseminates the

transparency and efficiency in the activities of the public sector. Below is considered the discussion of Private Principles one by one.

1.2.4.1. Principle of Equality Policy

Principle of Equality is a key pillar of state personnel policy. Its significance and priority are based on the national legislation of many countries in the world. The practical usefulness of the equality principle present in recruiting personnel to the public service. This means that every citizen of any democratic state in the world has the right to apply for entering the public service within the needs of the state personnel system according to national legislation. This principle also widely recognized on the international level based on the International declaration of human rights guaranteed by the United Nations and ratified almost all of the UN member states. Equality before the law is the most important principle of democracy and classical liberalism. All citizens are equal before the law regardless of their race, nationality, gender, sexual orientation, place of residence, position in society, religious or political beliefs.

The theoretical essence of the Equality Principle origins from the liberalism concept by John Lock, David Ricardo, and Hayek, etc. The main significance of this concept was to give a human being equal opportunity in order to activate social mobility and entrepreneurship in a society based on Social contract. Concept of Neoliberalism is a continuation of classical liberalism with a strong element of libertarianism. This is the main root for economic freedom, political liberalism, transparency, accountability, and efficiency in public administration.

1.2.4.2. Competition Policy

Competition policy is another tool of new public administration. Here is the assumption that providing the competition policy among the candidates to be recruited in public service will stimulate the quality and effectiveness of selected personnel. Among the civil servants also competition creates more opportunities to achieve more

bonus and higher positions. The competition policy in the public administration system makes the public services effective, available, equity and qualitative essence for the consumers/citizens.

The competition policy has many explanation links to public policy, public administration, and economy. For example, according to OECD, the primary objective of competition policy is to enhance consumer welfare by promoting competition and controlling practices that could restrict it. More competitive markets lead to lower prices for consumers, more entry and new investment, enhanced product variety and quality, and more innovation (OECD, 2015:27-30).

Usage of competition policy in public institutes orderly stimulates merit-based civil service and due to this, the civil servants are active, effective and creative in their daily professional activities.

Competition policy as a private principle of Intellectual Property predominant value of New Public Management. As described above competitive condition in civil servants will select best of best for further promotion in state personnel career system.

1.2.4.3. Career Policy

The Career system has many similarities with the Merit system. Here is a traditionally understanding that due to the merit system civil servants are working in the government throughout their lives. In this case, the career system does not always meet all the conditions of a merit system (Mdny-Lloyd, 1990-263). However, the merit system and the career system have more similarities. For example, in the countries of continental Europe civil servants have constitutional and statutory guarantees and generally fixed terms of their employment based on public law regulations. The other western countries like Great Britain, and the United States of America, etc practices the contract system. This is known also that the contract system is mainly practicing in the private sector (Siegel-Myrtle, 1985:153; Shafritz, 1992:181). According to the world practices, in terms of career, the civil service systems have two different groups i.e. open

career system and closed career system. Table 3 shows the more detailed distinctions between these two systems.

Table 1.2. The Open Career System and Closed Career System: detailed distinctions table

Open career system	Closed career system
➤ Rank-in-job	➤ Rank-in-person
➤ Recruit individuals who can perform a specific position's duties	➤ Recruit relatively inexperienced high-potential young people
➤ Selection based on candidate's ability to perform a specific set of duties for one position	➤ Selection based on candidate's long-range potential and aptitude to perform through the career
➤ Lateral entry	➤ No lateral entry
➤ Promotion based on results of open competitive examination involved competition with outsiders	➤ Promotion more or less automatic, without outside competition
➤ Appointment and assignment	➤ Selection out; need to make room for newer careerists
➤ Career development is responsibility of individual	➤ Organizational career-development planning and documentation, career management
➤ May do work force planning with the assumption of an adequate supply of replacements at all levels	➤ Extensive human-resources planning and forecasting
➤ Elite specialists	➤ Elite generalists
➤ Elimination of job means separation of incumbent, unless he or she is successful in competing for another appointment	➤ Elimination of job results in reassignment of incumbent
➤ Placement tied to promotions and to the meeting of specific standards	➤ Periodical transfer of positions
➤ Security of tenure, but career prospect are limited	➤ Entire career within civil service

Source: F. F. Ridley, (1983:180).

Traditionally European countries prefer a closed career system. Reason for that based on their ideology because it emphasizes the special character of the public service; in practice, closed career system allows the state to develop its own administrators.

The traditional American practice maintains an open career system. Their ideology emphasizes the equality of opportunity and avoids the elitism of the life path, which separated from the rest of the community. In practice, the recruitment to posts based on performance evaluation. This emphasizes work efficiency. The advantages of closed career system are, firstly, the people with broad general competence are initially recruited for lifelong career development, in this case, no needs for individuals with certain competencies. Thus, less attention is paid to specialized experience or training for initial selection, but rather for subsequent career advancement. Secondly, systematic learning is emphasized for faster response. Thirdly, the ability of administrators to assign staff extends to a variety of positions without changing the rank or compensation, which is accepted and recognized by members. Fourthly, there is a careful selection for promotion and often “selection” for those who fail in the promotion.

According to several scholars, some real or potential disadvantages of a closed career system have been identified. This may limit the ability to adapt to new ideas and may stimulate resistance to change. In addition, due to its proximity between the civil service and outsiders, a gap in communications can occur and lead to mutual misunderstanding, hostility, and lack of response.

In general, the open career system works for dynamism and flexibility, the closed career system works for stability and continuity. Depending on the historical and political background of any state in the world they had to choose own career system, which is either an open system or closed. For example, Turkey has a closed career system and meanwhile, Kyrgyzstan has an open career system.

1.2.4.4. Fair and Sufficient Wage Policy

The base of this principle is a good and enough salary for the civil servant in the public sector. This practice also is widely using more in the private sector. The civil servant working within the duties should know clearly that for his/her activity will earn Fair and Sufficient salary. This principle is crucial in the case of preventing corruption and motivating the personnel to improve the quality of public services. Fair and Sufficient Wage Policy has a significant effect on governmental budget planning and civil servant recruiting. Due to this policy, the governments of democratic states are increasing their efficiency, accountability and transparency practices. Through a fair wage policy, the federal government can leverage public spending to support important socioeconomic goals, including improved labor conditions and greater equality of income (Caut, 2018:4).

In the emerging e-government concept, efficiency, accountability, transparency, equity and rule of law principles are guaranteed under the condition of good governance including the Fair and Sufficient Wage Policy for the personnel.

It is also important to know that international financial institutes such as World Bank, and organizations such as OECD implement the projects targeting to promote the idea and methodology for sustaining the Fair and Sufficient Wage Policy in the civil service of member states.

The theory and practice in implementing the Fair and Sufficient Wage Policy in the civil service have real methodologies and outputs. For example, according to several researches financially supported by World Bank considered the Public service pay reform based on developing countries. They within this research have done a complex analyzes on the Distinctive Approaches, Techniques and Tactics of public service pay. Below is given in the Table 4.

Table 1.3. A Complex analyzes on the Distinctive Approaches, Techniques and Tactics of Public service pay

Characteristics Approaches	Techniques and Tactics
1. National Incomes policy	➤ A statutory “National Incomes and Employment” body is mandated and tasked to define policy targets and limits that bind both public and private sectors in pay adjustments ➤ Decisions for public service pay adjustments, including those based on, for example, the salary reviews commissions and collective bargaining agreements (CBAs) were based on the above policy framework.
2. Salary (and conditions of service) Review Commissions	➤ Head of State appoints a team of eminent nationals to collect views among stakeholders and present recommendations on salaries and terms and conditions of service ➤ The commission also facilitates consensus building ➤ Commission usually technically supported by experts and provided with administrative support public/civil servants. ➤ Commission makes recommendations to Government
3. Controlled Collective Bargaining	➤ Labor laws provide for trade unions to bargain for pay adjustments ➤ Trade unions are linked to the ruling Political Party
4. Free Collective Bargaining Agreement	➤ Labor laws allow and regulate trade unions to negotiate pay with Government ➤ Trade unions present proposals and arguments for pay adjustments. ➤ Salaries of non-unionised staff adjusted on the basis of CBAs
5. Indexation of salary adjustments	➤ Invoke mathematical/statistical basis for early fixing of future pay ➤ Negotiate/agree future levels many years in advance ➤ Pre-empt future negotiated outcomes ➤ Government and workers representatives negotiate indices by which salaries for various grades will be adjusted over the years ➤ Automatic adjustment of salaries by Ministry of Finance

6. Wage bill and employment modelling	➤ Define wage bill ceiling for fiscal stability ➤ Reduce and/or control employment to within wage bill ceiling ➤ Adjust salaries within the wage bill envelope ➤ Enhancing transparency of pay system ➤ Monetize in-kind benefits ➤ Consolidate allowances and monetize benefits into a basic salary structure ➤ Eliminate distortions and non-transparent compensation (allowances) ➤ External pressure to accord priority to fiscal stabilization (usually as part of structural adjustment) ➤ Allowances and in-kind benefits not associated with facilitating specific organizational functions or operations, are eliminated
7. Cost of Living	➤ Determine the minimum acceptable standard of living for the public servant as the basis for establishing a target minimum salary ➤ Accord priority in salary adjustment to achieving the MLW (if necessary compress the structure)
8. Crisis-driven Pay Adjustments	➤ A high prevalence of award of ad hoc allowances and in-kind benefits indicates use of this technique. Powerful or influential groups put pressure/threaten government with industrial action or political consequences ➤ Government yields to the pressure/threat usually by an award of allowance outside the salary structure ➤ Use of allowances and in-kind benefits ➤ ~~Introduction of new salary scales for select groups~~
9. Job evaluation and salary regrading	➤ Comparative analysis and regarding of jobs as specified ➤ Pursuit of both fairness and equity ➤ Participatory but limited ➤ ~~Use of “expert opinion”~~
10. Market benchmarking	➤ Comparative salary survey across sectors ➤ Decompression of salary structure in favor of the senior and skilled staff ➤ Parallel progression salary structure for skilled professionals
11. Performance-based adjustments	➤ Productivity measures ➤ Performance bench marking ➤ Performance contracts

Source: Kithinji Kiragu, (2003:17)

As seen in this table, for the public service pay is very important the National Incomes Policy, Salary Review Commissions, collective bargaining practices, Indexation of salary, wage bill, and employment modeling, Crisis-driven Pay Adjustments, Job evaluation, and salary regrading, Market benchmarking and Performance-based adjustments. Within these characteristic approach Job evaluations, Salary regrading, Market benchmarking and Performance-based adjustments are the main trends to the New Public Management practices. These approaches are continual to reveal the merit-based civil service. And the main conditional proposition for implementing the Fair and Sufficient Wage Policy are providing the comprehensive civil reforms based on the values and precepts of Public Performance Management, which is an element of the New Public Management concept in the world.

Due to these efforts, since 1990 within the spreading of New Public Management in the world, especially in the developing countries and former Soviet republics has been started the comprehensive civil service reforms. One of the declared aims of this civil service reform was to downsize the government and activate the merit-based civil service. The merit-based civil service planned to be realized with the performance-based pay model of wages. In a broad sense, World Bank declared that Civil service and administrative (CSA) reform involves all aspects of the management and organization of personnel. It includes programs to downsize the civil service and reforms to the personnel information system (including civil service censuses), career paths, pay grades (decompression), other aspects of the incentive system, and the organization of ministries (World Bank, 1999:4).

However, the reform efforts in the civil service of developing countries like Turkey and countries with the transitional economy like Kyrgyzstan have different conditions for implementing Fair and Sufficient Wage Policy. Therefore, many international databases and researchers explain that the effective implementation of Fair and Sufficient Wage Policy in any state depend on the level of economic development, national legislation and political stability. Concerning this factor, there are claims that the effective fiscal policy in the state i.e. collection of taxes from the private sector and

citizens with good outcomes might support the government to provide the civil servants with Fair and Sufficient salaries. In the case of low income of the states with the transitional economy exist the challenges in implementing the good governance policy. Concerning this issue, in the second and third part of the research, I will consider the particular cases on effective outcomes and existing challenges in the civil service system in Turkey and Kyrgyzstan.

In order to way out from this problem and as an alternative example for the post-Soviet republics is recommended the Singapore model of wage policy, which links civil service pay levels and allowances with overall macroeconomic performance.

Moreover, the practical implementation of the Fair and Sufficient Wage Policy in the world present different conditions and outcomes. Among these results the successful practices of Fair and Sufficient Wage Policy mainly are available in the western countries like Canada, New-Zealand, Australia etc.

1.2.4.5. In-Service Evaluation Policy

The usage of In-Service Evaluation Policy is actual in the Performance Measuring process in the public sector. The practical details of this measuring process are described above in discussing the relevance of Public Performance Management with the Merit Principles. Here is suitable to consider the values and efficiencies of In-Service Evaluation Policy.

The first personnel evaluation models in management applied appropriately for evaluating employees of civil servants and measuring their suitability has been introduced in the United States of America. This invention is explained by two values such as human resource management values and the values based on the “American dream”, which is human development, enhanced opportunities, and strict management.

Despite the United States of America, the practice of European public service system uses the different approach, the key features of which involve smaller personnel management departments, a lower percentage of wages spent on training, a

performance-based remuneration system and more information on the strategy and performance that is available to employees (Anderson, 1968:87).

This is also described by several researchers that the process of individual evaluation of employees considered as one of the key pillars in strategic human resource management for two reasons - first, it is asserted that the criteria on which personnel evaluation is based have to be reflected in the competitiveness strategy of any organization. For the second direct supervisors are involved in the evaluation of employees as evaluators who are concurrently evaluated by their managers (Beaumont, 1992:165).

Many reasons for evaluating the employees by managers reflected in the cases like potential transfer, promotion, enrolment in training courses or a pay rise. Managers may perform an evaluation based on a well-thought-out system instead of their subjective opinions. In general, job performance evaluation includes systematic information about the employee's performance and his/her potential for further development and learning. In the public service system are widely used three types of evaluation:

- performance-based evaluation - an evaluation of the in-service mainly accounted per quarters i.e. every three months and six months;
- performance evaluation of annual one year;
- potential evaluation - an evaluation of the employee's potential for performing future tasks targeting five years.

Above described types of evaluation widely used in the civil service and private sector. Mainly the outcome of the evaluation will bring to civil servants learning, improving skills and further career development.

In-service evaluation of civil servants in terms of per quarters and half of the year aims to measure the output of job achievements in the short term. This type of evaluation is useful for controlling organizational development in order to increase

annual job results. From the other hand, in-service evaluation of civil servants will give them the opportunity to gain merit-based bonuses.

Performance evaluation of civil servants for the annual year has significance for identifying the organizational achieved results in general and particularly due to this administration will set new objectives for the coming new year. The civil servants have the advantage to get their big bonus and thirteen's salary.

The potential evaluation which is an evaluation of the employee's potential for performing future tasks targeting for the longest period such as five years is a part of organizational development strategy. The key feature and priority of this type lead the Program outline of organizational development based on its HR capacities.

In-service evaluation policy as a practical tool of Performance measurement and assessment has a list of consequences. In this regard, Prof. K.U. Bilgin noted that Performance coaching (monitoring, feedback coaching, development), and performance review (formal performance appraisal at the end of the period) conducted between managers and personnel to track and improve individual and corporate performance and to provide information for one or more personnel functions. As an integrated process, it ensures that personnel (Bilgin, 2004:98):

- Are aware of what is expected of them and how their contribution fits into the “big picture”;
- Have been involved in establishing the objectives they are required to achieve;
- Receive appropriate support and coaching throughout the period;
- Understanding how their performance is to be measured and can track how well they are doing;
- Are given challenges that they feel are important but attainable;
- Are given appropriate recognition and reward for their achievements;

As seen in this list of the personnel's ensure involved in the in-service evaluation are positively expressed with the practical outcomes and rewards for the civil servant.

Here is the ending stage of Private Principles in the Implementation of Intellectual Property, which was discussed above in a wide range format with conceptual references and examples. Below is considered the Principles of Merit in the world in terms of overall practical guides and perceptions.

1.2.5. Examples of the Principles of Merit in the World

The implementation of Merit Principles in the public sector of countries in the world widely practices within the Pay-for-performance i.e. Merit pay system. This method is widely utilized means of improving productivity and decreasing costs in the public sector. The declared task of any effective governments worldwide makes effort to succeed in improving productivity and decreasing the expenditure costs in the public sector. Frankly saying this is a hope and expectation of governments around the world, which is well needed especially under the condition of raised global economic crisis.

Below is examines pay-for-performance schemes as a practical tool of Merit Principles in the public sector. Mainly within this study consider the experiences of different countries in the world to illustrate the success and failures of pay-for-performance in the public sector.

The starting period of New Liberal Concept in the western world in 1980, have stimulated the nation states to re-consider a basic issue about government service, which is how to make that service more productive and more cost-effective. Governments were being forced to respond to what was termed “the fiscal crisis of the State” that is that government was costing taxpayers more and more, and the demands being placed on taxpayers were becoming unsustainable (Cardona, 2002:85).

During that time, the ability of taxpayers i.e. citizens to finance government services reached its limit, and their demand for public services has not declined. Demand to public services was high and it was gradually increased. So the question of

governments in the world was how to solve these issues on high demand and high cost for government services? The answer to these issues was to increase the productivity of government service workers – to get more output from them within the same monetary input. The achievement of this goal was given from the practice of the private sector. So the possibility given to the governments were to fundamentally alter the ways in which the pay for government workers was disbursed. Therefore many governments introduced a form of the pay-for-performance scheme for government workers called merit pay or performance-based pay. These schemes tie an employee's base pay or bonuses to their productivity on the job. These schemes are widely used in the private sector and concerning this especially World Bank found it as a route to improving the cost-effectiveness of the delivery of government services.

Based above explanation, below is reviewed the merit pay systems in the civil service of several countries such as Estonia, Hungaria, Spain, South Korea, and Uganda. The geographical distinction of these countries is also important in terms of understanding their specific background occurring to crisis or development based on their civil service system's fail or success. The governments worldwide try all their best to utilize the merit pay system in order to improve the cost-effectiveness of the delivery of government services. These particular countries have been chosen by the reason that the World Bank and OECD organization have done researches and analysis targetting to determine their effectiveness compared to other systems of reimbursement for government employees (World Bank annual reports, 2005, 2009, 2017). Therefore in this study additionally, the benefits and liabilities of the merit pay system compared to more traditional pay schemes will be examined.

As this was reviewed in the previous subpart, the private principles of equality, competition, career development, and sufficient and fair wages are the main motivating values for the civil servants. And those principles usually using in the merit pay system.

The traditional, system of pay in the public sector of many states in the world has been a system based on grades and seniority. Practically the civil service sector pay has been implemented due to the different positions assigned different grades or levels or

some other designation that differentiates base pay justified on the perceived value and difficulty involved in realizing the demands of that position. For example, a clerk or a janitor position, have a lower grade assigned than the position of a senior specialist or administrator.

Once being enrolled in a position of civil service personnel will be compensated based on seniority. This compensation system uses incremental salary scales, usually guaranteed to civil servant's salary increases at specified times during their tenure in their position. This is usually practicing that such raises are annual, and were automatically based on seniority. The workers in the public sector in many countries remain hard to terminate from a position regardless of performance. This made "public perceptions of civil servants as under-worked and overpaid" (OECD, 2005:38).

The advantages and disadvantages of the service incremental salary scale model of civil service compensation are actual. Mainly this pay increases to length of service help keep employees on the job and reduce turnover. This will save in training costs for new hires and allows the staff members to learn and become an expert at what they do. A disadvantage of this pay is that there is no link between pay and performance, therefore incompetent or lazy civil servants are able to get the same raises as productive and energetic workers. This is seen that the notion of equity which is as an important element in employee motivation is broken easily and thus lead to a perception of inequity of treatment and a decline in overall motivation within state agencies. This traditional pay has made civil servants be unresponsive to the needs of the citizens who ultimately pay their salaries and moreover leads to managerial inflexibility i.e. lack of flexibility. Administrators are unable to reward strong performing workers more than weak performers if raises are based on length of service. The only way to reward strong performers is possible through promotion in grade, and due to this, the strong performers will get transferred to another set of tasks. In this way, those who are doing a strong performance in an important set of tasks can only be rewarded by removing them from those tasks, and furtherly there will get assign someone new worker to those tasks.

The traditional service incremental salary structure contributes, in the view of the World Bank, to “endemic overstaffing and unsustainable wage bills” for governments. Within the effort to reform civil service in developing countries, the World Bank sent a message that developing countries could not afford a non-cost-effective civil service.

As the OECD noted that, starting in the 1980s the United States of America, the United Kingdom, Canada, Denmark, the Netherlands, Spain began introducing plans as pilot projects on merit-based pay-for-performance salary in their governments.

Therefore Merit-based pay-for-performance has become an alternative to the traditional structure of salaries in the government. This alternative included a method of improving performance and ending bureaucratic dysfunction in the governments and as a means to gain relief for taxpayers from the burden of supporting non-performing governmental services while still providing those services with good qualities. Therefore, the understanding of merit-based pay-for-performance including its offering benefits and same time its drawbacks are significant for further development of good governance.

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Several researchers pointed out that a wide variety of different types of pay-for-performance schemes that implementing in the public and private sectors. These schemes are used individually, in combinations, and combined with more traditional salary schemes. The important thing is that in general, the Merit-based pay-for-performance schemes share two basic ideas.

At first, the financial rewards are a key motivator in employee performance. And for the second, the financial rewards to measurable work output will increase employee productivity, because the employees will do their best to maximize their earnings.

The common types of Merit-based pay-for-performance schemes available in the public and private sectors are explained below. Piecework, which is the oldest form of pay-for-performance being implemented in the early days of manufacturing. Employees are paid for the number of finished products that they turn out during a defined pay period. The Employers' Organization for Local Government identified that piecework is still used as a pay-for-performance scheme in governmental direct service organizations. For example, police in communities are rewarded depending on how many tickets they issue to drivers for moving or parking offenses.

1.2.5.1. Estonia's case on the successful implementation of Merit-based pay for Performance in the civil service system

Post-soviet country Estonia has an example whose civil service remuneration strategy includes elements of piecework. After achieving independence from the dissolution of the Soviet Union in 1991 Estonia faced itself in a difficult situation. These difficulties were the absence of a tradition of civil service organized in the Western sense, and legacy of unaccountable ministries from the Communist regime. Estonians tried to create a civil service in the Western model under the support of the European Union, therefore within 1991, the Estonian government introduced a pay-for-performance component in its civil service remuneration scheme. This meant that under the plan the government agencies could apply pay-for-performance funds by developing annual plans which fit within the framework of overall government action plans vis-à-vis those agencies.

The Funds were given available on a group basis to reward achieving the goals set in the action plans. In this case, the Estonian governmental agencies adopted measurable goals in terms of units of work achieved.

1.2.5.2. Hungarian successful experience of civil service reform on introducing the Merit- based common form of pay-for-performance and reimbursement

Another common form of pay-for-performance and reimbursement is Payment by results. In this scheme, individuals or groups are paid bonuses based on their achieving measured qualities or values outputs within specific time periods. This type of scheme is known as an organization-wide incentives system. This system also has disincentives effects.

Concerning this issue, good example exists in Hungary, this country is not just paying for results of its civil servants but also penalizes for lack of results. This practice became possible in 2001, after the adoption of a Hungarian law calling for the assessment of all full-time civil servants. Within this law is enacted three layers to the assessment. First or top layer is a definition of the goals of each unit of the civil service, set by heads of public service bodies and ministers. The second layer is a definition of personal criteria. This means that each civil servant has objectives given within the framework established by the first layer for the unit in which the civil servant works. The final layer has a written evaluation of each civil servant by his or her supervisor. Practically this is an assessment i.e. how the civil servant performed against the objectives. The civil servant then may have his or her pay increased or decreased within a range of +30% to –20% based on the evaluation (SIGMA, 2005:18).

Merit pay is also an early form of the scheme for pay-for-performance. Merit pay is defined as pay, bonuses, or raises based on an evaluation of the civil servant by superiors.

Individual performance related pay (IPRP) is a tighter and more structured form of merit pay. IPRP scheme enact pay, raises, bonuses awarded based on an employee's performance against previously set objectives as reviewed using a formal performance management system. This type of pay has a difference from merit pay. Because this system has more precise definitions of performance and more clearly stated objectives and a more formal rating scale. An IPRP is used also on a group basis.

As explained above, by using IPRP all office staff can be measured against pre-set objectives, with pay, bonuses, raises based on the performance of the office as a whole. The Hungarian scheme also is seen as concerned into this category as well. According to the Hungarian government, their program has been successful in tending toward the creation of a more efficient and professional and motivated civil service and the central tenet of the system is a rigorous evaluation of individuals by supervisors (SIGMA, 2005:25).

1.2.5.3. Successful civil service reform in Spain on the introduction of an IPRP

Another example of a country is Spain which has done a civil service reform based on the introduction of an IPRP. In the 1980s Spain introduced pay-for-performance in the public sector, which uses a “collective” performance incentive system. In this regard, a group IPRP called the ‘productivity complement,’ which represents up to one-quarter of the individual civil servant’s salary in each year.

At the beginning of the year, the Ministry of Finance sets the productivity complement for each government agency, and goals are settled for all management centers. Departments are evaluated on a group basis, and the only unit heads evaluated as individuals. As an example of the success achieved, there is improvement gained in the Spanish social security system, where claims once took six months to process but now average seven days (Breul, 2005).

1.2.5.4. South Korean civil service reform based on pay-for-performance in the public

South Korea as a country known with highly developing economy and IT technologies deeply concerned to have an effective, efficient, economy and equity-based public sector. In order to achieve this goal, the Government of Korea uses an IPRP and they have a success story in the utilization of pay-for-performance in the public sector. Therefore, the success of South Korea is tangible in four elements such as 1) increased managerial autonomy and skills; 2) reliable and timely information; 3) adequate skills to supervise and evaluate workers based on solid criteria; 4) a political will of state

authority. According to Shirley, while there are ways to build up and compensate for lacks in the first three elements, there is no substitute for the fourth element (Shirley, 1989:67). However, this is well seen that the political will of state authority in South Korea gave a guarantee for the effective civil service in the country, which is needed by citizens requests.

1.2.5.5. Efforts and success of the Ugandan government in improving civil service performance

African country Uganda since the 1980s and later on in 1990s made serious efforts to improve civil service performance. The main initiative was a change in remuneration policy. Previously usual civil servants in Uganda were poorly paid, and such situation contributing to endemic corruption. Another problem was a major patronage area in the civil service system of Uganda. All appointments and raise, promotions were based largely on political connections, and thereby the performance was depressed. Under such realities, the government of Uganda made an effort to improve civil service performance in the country. Therefore, in the 1980s the government raised basic pay and introduced performance measures in its remuneration package. Afterward, in the 1990s Uganda started structuring an IPRP, and the results, as observed by the World Bank and others have been a great increase in effectiveness and professionalism in the Ugandan civil service (Lienert, 1998:79).

The main advantage of a Merit-based pay-for-performance scheme in the public sector is using active performance-based remuneration system. This is increasing productivity and cost-effectiveness of civil service and the pay-for-performance scheme will result in better performance by employees i.e. civil servants.

It should be noted that use of the Merit-based pay-for-performance schemes mainly also contributes to overall accountability within the public sector. By delineating exactly what is expected by agencies and the managers and workers within those agencies, government ministers and the general public can now have a clearer picture of

who is responsible for good or poor performance within the civil service (Lienert, 1998:99).

Moreover, the use of merit-based pay-for-performance schemes gives managers the opportunity to examine carefully the exact employee's achievements and their motivational expectations.

Therefore, state agencies also carefully assess what are the actually desired outputs are seeking by employees. Due to this opportunity managers are able to focus on what is central to their operation and become familiar with how the parts of an organization ought to operate in order to excel. Managers have their workers accountable for their performance and being accountable themselves, in terms of how they measure up to standards that are established in accordance with a close examination of function.

However, according to several scholars, merit-based pay-for-performance schemes have some disadvantages. The problem is behind such schemes are not necessarily that potent a motivator among all workers. In a survey of American workers both in the public and private sector, for example, found that many workers were very concerned about their level of job security (Le Blanc-Mulvey, 1998:78).

Pay-for-performance schemes give managers more flexibility to reward the best performers, and moreover manager able to label the least effective workers, all against standards set by managers.

And another disadvantage of merit-based pay-for-performance schemes usually concerns the public sector unions. The introduction of merit-based pay-for-performance schemes makes the public sector union unpopular among the workers. Usually, they do serve the valuable function of helping to keep civil service non-political and protecting the rights of civil servants on managers. The undercutting of unions by pay-for-performance threatens the professionalism of the civil service.

1.2.6. Problems in Applying the Principle of Intellectual Property

In the previous subpart on applying the private principles of Intellectual Property has identified that those principles are motivating the civil servants, increasing their productivity and cost efficiency, also promoting the accountability, equality, and transparency in civil service. And within the implementation of these principles are available the problems sourced from the spoiled system which stands against the merit system in general.

Giving privilege to some individuals in the organization is may not always be for direct pecuniary interests. This may arise from certain commitments and obligation. Therefore, would be correct to say, that rather than economic power, such as money or property, the likelihood of the use of a non-pecuniary power, i.e. kinship ties, as the means of influencing is highly probable (Berkman, 1983: 25-26).

According to many international organizations such as OECD and Transparency International, etc, the elements of spoiled system threatens to accountability and efficiency in the public sector of many developing and underdeveloped countries in the world. Those problems are mainly nepotism, favoritism, and cronyism, which are creating problems to merit-system in civil service. Below is considered and discussed those problems in terms of their inefficiency and corrupt behavior.

1.2.6.1. Nepotism

The Nepotism is the first form of preferential treatment in civil service. The word nepotism originates from the Latin word 'nepos', meaning “nephew” (Kiechel, 1984:143-144). Nowadays, the concept of nepotism refers to the misuse of office in favor of family members (Ford-McLaughlin, 1985:57-60). Nepotism is widely considered as unprofessional behaviors in work life, which is still existing in the civil service system of many developing and underdeveloped countries. Nepotism is negatively perceived in society as a source of negative impacts. Especially nepotism is considered as a part of a corruption problem. Concerning that Transparency International noted that corruption, particularly in the form of favoritism, nepotism, and abuse of authority, can affect all HR

management processes, including the management of recruitments and promotions, compensation, conditions of services and personal records.

It is seen in the above-given definition that nepotism in civil service exists in personnel recruitments and promotions, compensation, and motivation of the civil servants. Therefore, nepotism is considered as a problem in applying the merit principles in the public sector.

The practical cases of nepotism is well measurable and visible in the civil service. Nepotism is briefly known as the subject of preferential treatment by blood relation and emotionality is the main element as required by primary relations of relatives. In the case of civil service, nepotism is based on the administrator who gives preference in recruiting, protecting, promoting and rewarding own relatives within the civil service system.

The preferential treatment has weakness in respect to the privileged individuals, and in such condition, labor loss and failure for the work environment, as well as success and skills are not criteria for appointment. In the process of choosing employees, organizations must consider the compatibility of the candidate to the nature of the job as well as his or her education, experience and his or her knowledge on the department and sector. However, if the candidate in question has any kind of relationship with one of the executives of an organization, choice loses its objectivity (İyişleroğlu, 2006:44).

In organizations with intensive preferential treatment, kinship, fellow townsmanship or friendship or other forms of relationship get to replace the Merit principles, such as knowledge, skills, ability, competence, success or level of education, in the recruitment and promotion of employees (İyişleroğlu, 2006:44).

This is also heavy for the employees working under an incompetent person, which is a distressing situation for an employee subject to preferential treatment. Inequality between the contribution rate and offered benefit makes workers think that they work in an unfair environment. The lack of confidence appearing in such circumstances negatively affects job satisfaction, organizational commitment, and

individual performance of workers. Especially favoritism-based pay system leads to detachment from the organization (Büte, 2009:737).

In the state agencies and organizations where nepotism exists, the human resources departments fail to independently carry out their activities (Abdallah, 1994).

The employees being in competition with a privileged by nepotism individual, have a quite low probability of promoting. The climate of unfair competition emerging from nepotism and favoritism negatively affects job satisfaction of workers and will lead to weakening in organizational commitment and finally triggers the best workers to quit (Arasli, 2006: 297).

Researchers Araslı and Tümer (2008:1237-1250) have identified that nepotism, favoritism, and cronyism increase job stress of workers and thereby boosting job dissatisfaction. In addition, according to other scholars, Asunakutlu and Avcı's (2009:736) pointed out that the promotion and processing dimensions of nepotism and favoritism had a negative concern of job satisfaction among the workers in the organization.

Transparency International describes the nepotism in wider format with many examples that political patronage and nepotism based on kinship ties or political allegiance, depending on the local context, are also common practices in many developing countries. In the absence of fair and transparent recruitment processes, officials can use their discretionary powers to employ and promote friends, relatives or political supporters into public jobs that they would not get otherwise (Transparency International, 2015:02).

United Kingdom's DFID organization in their research on worldwide civil service reforms in developing states noted that having personal connections inside the state helps a significant minority of civil servants obtain recruitment, promotions, and pay rises across countries studied. In fact, the incidence of personal connections is more widespread... it is equally pernicious, adversely affecting the work motivation, job

satisfaction, public service motivation, performance and integrity of civil servants (DFID, Feb. 2018:3).

Within their study survey, Meyer-Sahling, Mikkelsen, and Schuster found the possible priority way for reforming the civil service system in many developing countries. According to that curbing the incidence of personal connections (nepotism) in civil service management thus constitutes a second reform priority. As a recommendation, they raised that formally meritocratic civil service management practices - such as public advertisements of positions and written exams - are, on average effective in doing so (DFID, Feb. 2018:3).

1.2.6.2. Favorism

In the practice, Favorism first has been entered the public policy and administration literature with the misuse of the system of favorism adopted by General Jackson, when he was elected as the United States President in 1828 (Tortop, 1994:48).

Favorism is a second problem in Applying the Principle of Intellectual Property. The ‘favorism’ consists of two different meanings: 1. the general inclination to favor one person or group over others; 2. concrete preferential treatment of those to whom one has personal connections, such as relatives, friends, neighbors or other acquaintances (Loewe, 2007:19-20). Araslı - Tümer defined the favorism” referring to the provision of special privilege to friends, colleagues, and acquaintances in the areas of employment, career and personnel decisions (Arasli - Tümer, 2008: 1239).

Favorism involves the latent effect of ties with pals, close friends, and acquaintances other than family members.

DFID’s researchers Meyer-Sahling, Mikkelsen, and Schuster concerning the Favorism in civil service pointed out that, having political connections matters for the recruitment, promotion, and pay of a significant minority of civil servants across all surveyed countries. Its incidence is associated with lower work motivation, job dissatisfaction, public service demotivation, poor performance and corruption of civil servants (DFID, Feb. 2018:4).

Concerning the real examples of favoritism Poocharoen and Brillantes note that some countries have central examinations in place to address the recruitment in civil service, this does not necessarily eliminate risks of favoritism in the hiring process, as favoritism may occur after the central examination takes place. For example, insiders may leak the exam questions to their favourite candidates. At the interview stage, those with the better connections may be better rated, with sons and daughters of the elite families receiving preferential treatment (Poocharoen, 2013). In such examples became known that favoritism is using public services.

In the countries of South East Asia, such as the Philippines and Malaysia exists the practice of recommendations from government officials as selection criteria. This kind of practice also can be misused, by leading to patron-client relations, where the person hired feels indebted to the person who made the recommendation (Poocharoen, 2013:3).

Favorism problem is widespread in the public service sectors in many developing countries. As a particular example, favoritism and nepotism problems have been researched in the state bank system in Turkey within the survey from the public banks operating in Ankara. Survey-based out of a total of 300 questionnaire forms distributed, 243 were used for analyses and Favorism and nepotism found as a negative factor demotivating best employees, personnel's job dissatisfaction and quit of best performers from the public bank system (Büte,185-208).

The common cases of post-soviet countries also include the facts of favoritism and nepotism in the civil service system. As a particular example below briefed the cases of two countries.

In the case of former Soviet republic Tajikistan in Central Asia, the President of the country Emomali Rahmonov have appointed to key government positions his family members. For example, his son Rustami Emomali is head of the Agency for State Financial Control and the Fight against Corruption and his daughter Ozoda works as a Chief of President Administration and member of the Senate of Grand Assembly of Tajikistan. Besides them, the President's relatives such as son in law and nephews have

key positional occupations in the different ministries of government (Stronski, 2016:1-8).

In the Russian Federation, the president of the country Vladimir Putin is using the favoritism widely in the state personnel policy. This is a fact that President Putin gave the high positions in the government and parliament to the members of his team representing the Saint-Petersburg's group. For example, Prime minister of Russian government Dmitry Medvedev, Speaker of Senate of Russian Federation Svetlana Matvienko, Sports Minister Vitaly Mutko, Sergey Naryshkin is head of the Foreign Intelligence Service, and before that he was the Speaker of the State Duma i.e. parliament, Alexander Bastrykin is a chairman of the State Investigation Committee, which is the Kremlin's legal instrument, Igor Sechin, the head of state oil company Rosneft (Mandraud, 2019:6).

According to many western-based media sources and organizations such as Radio Liberty, Human Rights Watch, Transparency International, etc authoritarian political regimes in the former Soviet republics using the favoritism and nepotism in the civil service system in order to have political and security control in society and gain financial resources for the benefit of own interest groups. The favoritism and nepotism in these countries leads to negative outcomes such as inequality, lack of transparency and accountability, the drain of best performing specialists, stagnation of organizational development, poor level of providing public services, corruption.

Concerning this issue, Transparency International proves that Preventing corruption in HR management involves merit-based HR and recruitment policies, transparent pay packages and internal controls, as well as integrity management systems, including the implementation of codes of ethics, ethics training, and whistle-blowing mechanisms (Transparency International, 2015:1).

Way out from the condition of favoritism in the civil service system of many developing states is possible within the empowerment of rule of law and instituting the merit-based civil service. As it has been considered above in the previous subpart, successful implementation of Merit-based Pay for Performance in the civil service of

post-Soviet republic Estonia and former socialist regime country Hungary show that the increased rule of law, political will of state authority and strict following the Public Performance Management in the state personnel policy will bring effective outcomes. This outcome involves a productive and cost-effective public service.

1.2.6.3. Cronyism

The direct and non-pecuniary, interest-oriented practices are defined as “preferential treatment”. Cronyism also concerns to “preferential treatment”. Concerning this, Oktay (1983:209) gave definition on preferential treatment as “the state of prevalence of specific criteria, such as attendance to the same school, being from same place or similar political tendency, in the relations of organizational units or in the relations between these units and social environment, thus replacing universal criteria governing the management studies”.

The “Cronyism” concept is a compound of the word crony, which seems to have originated as slang among undergraduates at the Cambridge University in the 17th Century, meaning close friend (Khatri-Tsang, 2003:290). Araslı and Tümer (2008:239) found cronyism as a preferential treatment only to long-standing friends regardless of their qualifications, such as skills, competence, success or level of education, especially due to sharing the same political preference.

Cambridge University dictionary defined Cronyism as a situation in which someone important gives jobs to friends rather than to independent people who have the necessary skills and experience.

New appointments and benefit gains based on Cronyism are possible when the appointer and the beneficiary such as an appointee are in social or business contact.

In politics, “cronyism” means buying and selling favors. For example, votes in legislative bodies, doing favors to organizations, giving desirable well-paid positions in the diplomatic missions or appointing to international organizations, etc (Garza, 2012:35).

In many developing countries the governments practice administrative transparency in recruiting personnel and improving performance, however, an appointment to positions in a government also is often based on cronyism. For example, the ruling political parties in the country appoint to positions in the government own party members. This is known as a political intervention in appointments. Because political affiliation plays an important role in the appointment of civil servants. This kind of appointment will lead to the politicization of the public sector, and therefore political parties gain control over bureaucrats. In this regard, according to Transparency International, in some countries membership in party organizations is a prerequisite for entering the public service, which is often considered a hidden norm. For example, in the People's Republic of China, communist party members make up 5% of the population but hold 80% of the civil service posts. In Singapore, the People's Association Party has a strong hold on appointments of all leading positions in government. In the Philippines, in a survey of high-ranking civil servants, the majority (77%) of respondents indicated that there is interference or pressure by politicians or other influential persons in hiring (Poocharoen, 2013:78).

In the Kyrgyz Republic, since April 2010, the Social Democratic Party as a ruling political party appointments party member to the key positions in the government. Therefore, such a political intervention in appointments give to the ruling party more advantages in the local and national elections to gain more supports from electorates (Galieva, 2015:22-31).

The facts of cronyism link to the politicization of civil service. In the research provided by the DFID organization in the civil service system of developing countries in the world was identified that in sum, political connections matter for the recruitment, promotion, and pay of a significant - but varying - number of civil servants across levels of hierarchy and countries.

However, the negative effects of cronyism in civil service politicization are obvious. Meyer-Sahling, Mikkelsen & Schuster confirmed that Politicization can

adversely affect the behavior and attitudes of civil servants through several channels. For example, political criteria have weight in personnel decisions, competence is no longer (fully) prioritized, with negative consequences for performance. It's also changes the career incentives of civil servants. Responsiveness to political demands becomes the driver of career success - not impartial service delivery to the public. Moreover, politicization changes the role of the identity of civil servants. Civil servants become 'political servants' who are appointed and promoted for their political service to politicians - not public service to society. This shifts the sense of obligation of 'public' servants towards political superiors and, potentially, away from the impartial and lawful exercise of their duties.

This is important to note especially that cronyism expressed within the political connections negatively affect the behavior and attitudes of civil servants, curbing work and public service motivation, job satisfaction, and performance while leading to more corruption and clientelism in public service (DFID, Feb. 2018:23).

In order to prevent cronyism in civil service, must provide the depoliticization in the civil service system. Mainly the civil service system in developing countries should be protected from political interference. And the way forward is possible within the merit-based civil service procedures, including public advertisements of public sector jobs, followed by written examinations and interviews for entry. International organizations also have a prominent agenda and assistance on this issue.

1.2.7. Examination Methods

Merit-based civil service system means competitive examinations in the public sector. The experiences of worldwide countries concerning the examination methods differ from each other. In general, these examination methods are presented in the way of a competing system for appointing and promoting the personnel in the civil service system. Implementation of examination methods is empowering the Merit-based civil service. Practical realization of examination methods in nation-states mainly given to the state body working on state personnel policy.

The names of this state body are different. For example, in India, this is a Union of Public Service Commission, in the United States of America –United States Civil service commission, Kazakhstan has State Agency for civil service affairs and anti-corruption, etc. (CIA, The World Factbook: 2018). In general, the practices of Examination Methods in worldwide countries are based on the establishment of Examination and conducting Examinations on local, regional and central levels. Below is described the detailed explanation about the implementation of those Examination Methods.

1.2.7.1. Establishment of Examination

Establishment of Examination is a method, which has the aim to standardize the recruitment of civil servants. Therefore, countries implement the national exam for the citizens, especially newly graduated from universities/institutes to be civil servants with non-leadership level. This exam includes an IQ test submitted with the subjects of law, history and a country profile (Kējū, 2009:405-410). This method gives a big opportunity for young specialists to become a civil servant through selection, competition, appointment. Establishment of examination usually has three levels.

- At first, there is the creation of the joint expert group or working group under the coordination of the above-mentioned governmental agencies in order to make the examination questions or test materials.
- For the second, submitted output materials i.e. examination questions should be submitted and approved by the government.
- The last i.e. third level is an organization of a one-time exam in the country.

Concerning countries such as China, Turkey, and many others who practice this exam proud that this system has objectivity, transparency, accountability, and efficiency. In another hand, the establishment of entering exams for the candidates means that applicants spend more financial and human efforts in training courses. In overall terms, this method has a significant impact on the quality of education among the youth.

1.2.7.2. Versions of Examination

The practical meaning of the Versions of Examination concerns the evaluation and further monitoring and analyses of the knowledge capacity and skills of the participants in a suitable time period and in the necessary place (Armstrong, 2009:79). Versions of Examination are proven within its modernity, flexibility, and legality which involve the public personnel management system. Depending on its area coverage and sectoral focuses of applicants, Versions of Examination are divided into certain administrative and territorial levels. Therefore, those levels are presented in central, regional and local stages. In order to describe these levels below are analyses of the stages of examination.

1.2.7.2.1. Central of Examination

Central Examination is a method organized by the state agency dealing with the personnel policy. Central Examination usually conducts systematically depending on the emergence of free vacancies in the civil service system. Mainly these vacancy announcements are published transparently in the website of a state personnel agency and after submission of documents from the applicants, will get create shortlist of candidates for testing, and further interviewing and selection. Advantage of Central Examination Method is that free vacancies in the central state bodies will get complete on time through the open and competitive examination accordingly with the national legislation of countries. The central examination method is widely practicing almost in all of the former Soviet republics.

1.2.7.2.2. Regional Examination

Regional Examination Method means the Qualification exams in the civil service conducting on the regional level. The Aim of this exam is to assess the skills of civil servants in a specific region. The regional examination is conducted mainly in the countries with big territorial capacities such as Russian Federation, USA, Canada, Australia, etc. The advantage of this method is self-conducting and on time examination

on the qualification of the civil servants working in the regions. This examination gives more opportunity to regional civil servants to keep their time and resources in case of passing exams. Therefore, regional examination characterizes as a flexible mechanism in assessing the qualification of civil servants.

1.2.7.2.3. Local Examination

Local Examination Method is mainly practicing in the state organizations on the local level. This method provides local civil servant recruitment examinations organized by the local government organs at various levels, organized for the staff of the recruitment agencies and national civil servants. Local method occurs in job examinations and qualification examinations. Usually, this exam is organizing by the provincial and municipal personnel offices i.e. bureaus in many worldwide countries. In general, the use of the Local Examination Method has advantages for effective management in terms of measuring the performance of local state personnel staff through its recruitment, selection, and further promotion.

PART 2

MERIT PRINCIPLES OF PUBLIC PERSONNEL SYSTEM AND ITS REALIZATION IN TURKEY

The Second part of this study is dedicated to describing, analyze and find out the specifics, effects and advantages of Merit Principles in the civil service system in Turkey. This part of the study is will reveal the historical and legal aspects of Merit Principles usages in the period of Ottoman Empire occurred more than 500 years in history and later historical modern stage - the Republican period based with the emergence of Turkey. Therefore this part of the thesis includes defining the distinguishing characteristics and similarities of above mentioned two historical periods in terms of a meritocracy based public personnel system realizations. The significance of this part of the study is that within the comparative analyses of countries of Turkey and Kyrgyzstan will allow defining the country profile or experiences of Turkey. The main output of this research will show good examples or gaps in the public personnel policy in Turkey.

2.1. The Historical Development of Merit Principles in the Public Personnel System in Turkey

Studies on the historical development of Merit Principles in the Public Personnel System in Turkey directs us to the measuring performance of employees in public administration which have a long-term history including the Ottoman Empire and its heritage Republic of Turkey.

These periods are mostly shaping the reforms in the government. As shown in many relevant publications, within these reforms, the improvements concerning the performance have been introduced and its applications have been done. However, the effects of the spoiled system in the 17th century and its further spread made a crisis of the public administration system in the Ottoman Empire. This issues also are presented below in this study.

Later on, the developments in the Republican period has been done in three different times in 1923-1960, 1960-2000 and since the 2000s to nowadays is still continuing. This is discussed below in the wide range form.

2.1.1. Merit Principles in the period of Ottoman Empire

The historical period of the Ottoman Empire had its beginning since the second half of the 13th century in 1220 concentrated on the Anatolian Plateau. According to famous Turkish historians such as Halil İnalcık, and İlber Ortaylı during that time was known as a Sultanate of Seljuks. And the bureaucratic ruling of those periods mainly had been characterized as a union of Turkmen tribes united under the power of Seljuk Sultan. The subordinate ruling was concentrated in the hand of Council of tribes leaders supplemented with the military commanders and main ruling state power had been given to the competency of Sultan known as Sultan of Seljuks. Those periods of history is full of events occurred with the tragedy, occupation, wars for independence and glory of victory by Selcuk tribes. As seen in many sources, the result of those processes brought the Turkmen tribes to national unity, establishing centralized bureaucracy, the effective army, active foreign and regional policies. The aim of these achievements has been promoting peace and stability, increasing cooperation and integration among ethnic groups, and developing trades and economic activities in large areas. The establishment of centralized bureaucracy and its functionality was adopted from the model, Ecole of existed in that time central bureaucracies such as Islamic Khalifate of Abbasids dynasty in Bagdad and later on some elements adopted from the bureaucratic system of Byzantine Empire. Sultan was powerful and within this centralized bureaucratic system, he had appointed the Emirs (Beylik beyleri) for the governing in the regional administrative units (sancak) (Inalcık, 2004:19).

Within this early bureaucratic system of Seljuk's country, the Merit-based Performance awarding practices had been used in order to motivate the military staff and Sultan's administration. It is known from the archives of famous travelers like Marco Polo in 13 century i.e. in 1279 that Selcuk Turks had practices of awarding the braveheart solders and military commanders with the valuable income sources such as

gold, yurts, domestic animals, wives, land and as a high award the soldiers were able to get high military ranks. It is also known that in the case of disloyalty and betrayal, turkmen tribes had used a strong punishment usually realized with the death penalty. Meanwhile, in the cases of serious disputes and conflict of interests occurred between the tribes, Sultan tried to prevent the provocative disorders in the Sultanate. This is known as a practice of expelling the guilty persons from their families and tribes. According to Marco Polo, the Seljuks country in Anatolian Plateau has name Turkmeniya (Gumilev, 2018:4-5).

In general, the historical processes emerged between 1235-1261 years, also influenced to Seljuk Turkmen tribes to successfully liberate themselves from the Mongol occupation and their heavy taxes. And further their active efforts pushed to the emergence of the first Ottoman state in 1305 that became one of the biggest Empire in Eurasia and North Africa. This period is very significant in terms of widely expressed flexibility of Ottoman's policy in local communities consisting of the roman greek population having the religion of Orthodox Christianity. The advantage of this flexible policy mainly meant that the Turks after conquering the territories of western and central Trakiya had obligation to protect the local greek Christian population in the villages and towns from the attacks and crimes of outside military groups such as crusaders and other nomadic tribes. This policy became famously known as "İstimâlet - hoşgörü" i.e. tolerance that means winning on the benefit of Empire. Concerning this policy, Ottoman sources emphasize the importance of tolerance in regard to local communities in the Ottoman conquests, which make the further easy spread of the Empire in the largest territory (Inalcık, 2004:34).

"İstimâlet – hoşgörü policy was used with the aim of peaceful integration of multinational society in the Ottoman Empire. This policy had been successfully implemented many centuries in order to keep the citizens in peace, cooperation, and solidarity. In the context of merit-based public performance policy, many famous bureaucrats in the central government were the descendants of the Christian families and ethnic minorities. This is well known from the examples of Sedrül Ezam-main vizier i.e.

prime minister of the Ottoman's government. For example, the Sadrazam Pağalı İbrahim Paşa in the time of Sultan Süleyman Kanuni's reign came from the greek family in Parga in Greece.

The authority that corresponds to the Prime Ministry in the Ottoman Empire today. It is also written as Sadr-ı Azam. The Arabic head is composed of the combination of the word Sadr, which means advanced, and the word Azam as "great". It is also known as Vizier-i Azam or Vizirazam (Ortaylı, 2008:38).

In the Ottoman Empire, the grand vizier was primarily responsible for administrative affairs. The Grand Vizier's office was called Sadaret, Pasha Gate, Babiâli or Bâb-ı Asafî. Among the duties and powers of the Grand Vizier who presided the Divan-ı Hümayuna i.e. the Cabinet of Ministries and was responsible to apply laws, public order and country order, to make appointments, to dismiss, to organize promotions of civil servants, to apply exiles and executions of guilty bureaucrats, to collect the congregation, to accept foreign ambassadors, to determine the contents of the notes and letters to be sent to foreign states, during the war to go out with the sultan. He represented the sultan's seal (tuğra). In general, the above listed competencies were quite big power (Inalcık, 2004:68).

This means that the central bureaucracy of the Ottoman Empire widely used the potential and capacity of Main viziers representing origins from the ethnic and confessional minorities on the benefit of Empire. The main wisdom of such state personnel policy included the transparency, objectivity, and neutrality of such persons, who had charged their duties in the government. Such condition was justified to avoid corruption based on the nepotism, favoritism, and cronyism in the Ottoman's government.

The example of Main viziers in the Ottoman Empire has significant practices, which had used in order to prepare the young civil servants for the central government. This practice of Ottomans known as devşirme. Devşirme is a system of recruiting young and talented children from Christian lands, especially in Rumelia and the Balkans, under the strict control of the Ottoman Empire and realized in order to form a superior class of

soldiers and rulers. Recruiting young and talented children had formed the basis of the Janissary Quarry and Bostancı Quarry. Recruitment, according to the abilities of foreign families in the Ottoman conquered regions by taking 1/5 of the children by raising them. Janissary had been taken to the Palace if he was strong and prone for fighting or if he was prone to state affairs. Many of the great commanders, statesmen, and viziers in Ottoman history came from the devşirme system. Concerning this, Professor İlber Ortaylı pointed out that “Enderun, recruit (recruit) is the department where children are raised for state administration and army command. Here they took theoretical lessons and served in the palace. The servant knew to serve. These children 15-16 years old entering the palace, 25-30 years old they probably gained the rank of general. There was a strong discipline in this courtyard and wards, which we call Enderun” (Ortaylı, 2008:14).

The income of huge Ottoman bureaucracy had formed from the taxes of citizens in the big empire. Especially there was long time used the system known as timar. Since the establishment of the Ottoman Empire, the “Seljuk Power System” was taken under the name “Timar System” and this situation continued until the period of Tanzimat in the 18th century. The timar or timarion system means that the state had such a practice that the government had not paid salaries to civil servants and soldiers directly in cash from the central state budget. Instead of this, the Ottoman government gave an income in the form of some lands to these officials in return for their services. In addition to being a military system, the Timarion System was also an administrative system. In this system, the villagers gave the state taxes to the owner of the timar i.e. soldier and civil servant (Karakeçili, 2017:43, Tevfik, 2006:2).

The classical golden age of the Ottoman Empire in 14, 15 and first half of the 16 centuries had used the above-mentioned system in an effective way. Mainly the empire grew geographically, administrative-politically, social- economically, culturally and militarily in enough big capacity. Meanwhile, from the early beginning, this empire was built as a theocratic country, in which the ruling political regime was based on Islamic law known as Shariat. Therefore, the empire itself was an Islamic Khalifate engaged in

practice the mixed form of economic and administrative models. Such a mixture of models had been justified with the big size of the Empire having multiethnic and multiconfessional societies.

2.1.1.1. The main characteristics and principles of the statehood of the Ottoman Empire build upon the Performance Policy and Meritocracy

This is important to note that the Ottoman state was established and developed under medieval conditions. The first nucleus was the Osmanogulları Principality founded in 1299. The Principality was expanded in Rumelia and Anatolia to the Ottoman Empire, and in 1453 it was transformed into the Ottoman Empire during the conquest of Istanbul by Yavuz and Kanuni and became the Cihan state (Great world power). During these 350 years, the Ottoman Empire was under almost similar conditions with the European states that were contemporary, although there were some important differences. The agricultural economy (agri-animal husbandry) based on labor, geographical conditions and time were valid on both sides. The ideology was dominated by the Christian religion in Europe and the Islamic religion in the Ottomans. However, Europe was under the pressure of church, scholastic thought, and feudality in this period (Niyazi, 2004: 78)

While living in a stereotyped and closed system, the Ottomans had a more dynamic and world-facing system compared to the conditions of that day and Europe. As a matter of fact, it developed rapidly in terms of political, administrative, military, scientific and social aspects and reached the classical age by the establishment of Kanuni Sultan Süleyman. Thus, the Ottomans believed that he had achieved perfection as he said in his essence, that the health of life and he limited his aim with the idea of muhafaza preserving the present. In the same period, Europe was breaking into the shells of its current system and entering a new and different system. In other words, when the Ottoman thought that it had achieved its goal and decided not to take a break but to stay where it was, Europe was taking new action in its own right. The most important

difference between the two systems was that the Ottomans were static and Europe was dynamic.

In general, below are presented the main principles of the statehood dynamics of the Ottoman Empire from 1299 to 1600 concerned to performance policy and meritocracy:

- **Ulû Ull-Emre:** Obedience referred to the caliph-sultan and his deputies. The obedience to Ulû'l-Emre was to obey the caliph-sultan and his military-civil servants. Muslims in the Ottoman Empire, due to their religious beliefs, were at the highest point of the religious hierarchy and had the sacred duty to obey the Sultan (Sultan) who was the head of the state which represented the highest authority due to his worldly needs (Inalcık, 2004:112).
- **I believe** that I have the concept of existence. Since ideology is an Islamic religion in the Ottoman society, faith is the basis of both worldly and otherworldly life. In this respect, the ready knowledge of religion and clergy is the expression of absolute truth for individuals. In this context, living, organizing and maintaining life was considered to be the most ideal lifestyle. The concept of I believe and I live had enabled the society to gather around the caliph and the ulama. They transformed this potential into political and administrative power for the caliph and the ulama and had the opportunity to mobilize for their purposes. Indeed, based on this understanding, the Muslim people were invited by the caliph to gather for the jihad i.e. war. People in the "religion of the state" had a strong belief that if I will die I am a martyr if I will win I'll be a veteran i.e. gazi. This was the main belief in the jihad. This spirit has always been tried to be kept alive in the state 3- The Foundation of the State is Justice. The Ottoman Empire took justice as the starting point of its system and justice existed at the center of its central bureaucratic system. For this reason, the principle of the foundation of the State is justice has been included in the minds as an expression of the management understanding. It is known that the Ottoman justice played an

important role in the rapid progress of Ottoman conquest and the expansion of its borders at a time when the Byzantine Empire and the Balkans were in anarchy. Unlike Europe, the Ottomans put the concept of justice rather than production, money, freedom, and equality among their main objectives. Because, under the circumstances of that period, the most important need of the societies or individuals was justice. In this respect, it is highly understandable that the Ottomans, who were in pursuit of political order (world order), promised justice in order to turn their world order into a center of attraction and based the reason of existence of the state on justice.

- **Justice** was not only the foundation of the state but also the basis of religion. As a matter of fact, Sheyhulislam was at the top of the justice organization. Under the Shaykh al-Islam were the Rumeli and Anatolian Kazaskers, and the state judges (the Great Molla), the Sancak judges (the mullah), the kadi in the accidents, and the regents in the districts. All of these people were included in the science class and graduated from the highest part of the madrasas, within forming the most important spiritual power of the Ottomans. As the law of the Ottoman Empire was considered justice, the cases were settled very carefully and with knowledge. The Kadi who made the wrong decision was not promoted and was dismissed if he got a bribe. The cases of objection to the decisions were decided by the case makers or the last authority, Divan-ı Hümayun (Imperial Council or Council of Ministers). As justice was both the foundation of the state and the basis of religion, the Ottoman Empire gained the trust of Muslim and non-Muslim communities in terms of fulfilling the principle of equality, and also had a well-deserved reputation in Europe. Therefore, it should be taken into consideration that the understanding of justice plays an important role in the rise of the Ottoman Empire (Ahmet Tabakoğlu, 2005: 79).

- **Kapıkulu System:** Kapıkulu is the name given to the officials in the service of the sultan-palace. These military officers were originally prisoners of war and

slaves. The Ottoman State abandoned this procedure and adopted a healthier and orderly new system called *devşirme*. According to this, the children he gathered from non-Muslim communities were brought to Istanbul and subjected to a second election, the good ones were taken to the palace and the rest were sent to Muslim peasant families. The gifted and talented ones selected for the palace were taken to the Enderun School and subjected to a serious education and trained to become candidates for higher authorities. As a matter of fact, among the graduates of Albanian, Greek, Bulgarian, Bosniak, Armenian and Macedonian children who were gathered through the recruitment, many commanders, grand viziers, poets, writers, scholars, painters and architects emerged. While these people were strong, they provided great services to the Turkish culture and the Turkish state. These spurs, called *Kapıkulu*, who were educated in Enderun and assigned to the top executive positions, had full loyalty to the sultan and the palace. As long as they did their duties, they could have position, rank, glory, fame, property. Such opportunities were an important source of incentives for the good interests of the state-sultan, as well as providing personal interests. As long as they do not defect the loyalty, obedience and service to the sultan. Because the slightest flaws and weaknesses were in danger of losing every opportunity and everything they had, and even losing their lives and property.

They found their existence to be successful in loyalty, obedience, and service, as they lived a detached and distant life from their own community and Muslim community. When we look at this *Kapıkulu* system for the Sultan, it is possible to see a mutual interest relationship. Because the formation of the military and ruling classes of the sultans had the interests of the formation. Strong local authorities, families, tribes, and dynasties, which could oppose the authority of the central government, have always been seen as difficult to control by the sultans and therefore as a source of concern and threat. This danger for the Ottoman sultans could have come from families of Turkish origin, tribes and gentlemen with a social base. The best way to avoid this danger was to keep such

local-indigenous forces away from the central government and instead to create an army or class of bureaucrats and soldiers. Thus, strong support has been formed between the Sultan and the Kapıkulları in the form of mutual protection and mutual benefit solidarity and unity of interest. As the state conquered, its lands and incomes increased, the interests, sovereignty and reigns of the sultan and his captains would continue in safety. It can be said that one of the important reasons for the power and rise of the Ottoman Empire in 15, 16, centuries was this Kapıkulu system (Osman Nuri, 1977: 17-18).

- **Ulema Class:** The word ulema or concept refers to an autonomous class in a Muslim country that governs society religiously according to Islamic principles. In this sense, the real duty of the ulema is to serve God and religion, to educate the people. Ulema had to have qualifications such as Halim-Selim, humble, Arif, honest, Kamil-Fazil, clean, reputable, investigative, good morality, chaste, people-to-people chat, and piety. With these characteristics, the tradition aspect represented a very strong classical Islamic culture and understanding of science. In this class, social superiority was attained not by the property, by lineage, but by religiosity and good morality (Halil Inalcık, 2004:114). First of all, the Ulama had to have knowledge of the Qur'an, the Hadiths and other information required by them and the Sharia law. The Ulama class was divided into sections according to their duties as follows:
- **Fakihler:** Those who did research on Sharia;
- **Qadis:** Practitioners of Islamic law, those representing the judicial power;
- **Müderrisler:** Those who carry out education. d-Muftis: Those who conduct worship. The head of the ulama was SheikhuIslam. In this respect, according to the task and position hierarchy in the ulema class as follows. Shaykh al-Islam, kazasker, muhderris, kadi, mufti. Imam, muezzin, under these officials, were

located. Ulema class, madrasah with the professors that education; to judicial power, justice and administration with caseworkers and judicial officers; religious affairs with mufti offices; through imams and muezzins, they dominated the masjid, mosque, and their congregations, that is to say to the people and finally to the public services (sheikh, shikh, Sayyid, sheriff), and to the dervish lodges (sects). Due to these statuses and duties, the ulema class was the bridge between the state and the people. In the first centuries of the Ottoman Empire, there was a significant distance between the state and the ulema class. This distance made the ulema class autonomous to some degree. Therefore, it was the last word of the Ulema in all matters related to Sharia. Since the state implicitly accepted this autonomy, the ulema class had the opportunity to fulfill its duty with a certain reputation, authority, and privilege. From the 17th century onwards, as the ulama approached the state, political authority became dominant, so that the ulama class lost its character and autonomy (Halil Inalcik, 2004:118)

- **Nation (Millet) System:** The Ottoman Empire seeks both to become a great-powerful world state and to establish a new world order. In the 16th century, the Ottoman Empire, great political power and a world state, created a new model of a world order based on Islamic principles. At the peak of this religious and political order was the caliph-sultan as ruler. The Caliph was the emirate-believer but had no religious duty. He was not without the scholars, nor was he authorized to interpret religion. On the other hand, his duty was to accept the rule of Islam and the rule of the Muslim state and to protect the property, life, and security of the non-Muslims (i.e the people of non-Muslims), and to provide them with the opportunity to carry out their worship and their own affairs. While assuring this, the state or caliph-sultan has adopted both reverence and love in society as the essence of the administration by remaining soft and strong without being weak against all subjects. In order to sustain this understanding of governance, the Grand Vizier was responsible for carrying out political-administrative affairs in the empire, which accommodated various religions and tribes; and Shaykh al-

Islam for Muslims, Patriarchs for Christians, and Rabbi for Jews (Lewis, 1996:141-147). The Ottoman Empire aimed to establish a common new historical identity around the Turkish language, Ottoman dynasty and Ottoman bond for the national system and the imperial society. This system allowed non-Muslims to become religious and cultural groups (mukhtars), while at the same time envisaging them to cooperate with the state in administrative, political, financial and commercial fields. Despite this mukhtarship, the non-Muslim community has been granted the right to make decisions and conduct contrary to Sharia law. Their decisions had to be approved by the state. The state did not intervene in internal affairs by providing legal protection to non-Muslims within the framework of the national system. This understanding was in accordance with the imperial structure (Özyüksel, 1993: 103-104). Using the language of each non-Muslim community within the national system and to develop religious, cultural and educational institutions; they had legal rights such as collecting taxes and performing judicial duties within the framework of community law. Therefore, each community had the opportunity to protect their own identity, enrich themselves and move freely within this system. The Ottoman Peace was achieved through this system. During the periods when the Ottoman Empire was strong and powerful, this system was carried out, non-Muslims who were pleased with their situation and found prosperity and peace through the Ottoman Peace, voluntarily accepted the Ottoman power and obeyed it.

2.1.1.2. The conceptual reasons shaped to the weakening and further fall of the Ottoman Empire

Europe lived in the darkness of its Middle Ages by living its own new age and creating its own classical period between 1299-1579. Thus, the historical process began to reverse in the late 16th century or the early 17th century. As a result, Europe had succeeded in a new alternative from the Middle Ages, such as individual-mind-science oriented on nation-centered approach. Therefore in practice, Europe had entered the new age with the new dynamic actors including scientists, philosophers, and merchants. At that time, unfortunately, the Ottoman Empire could not make new alternatives and new actors from its own system, while the Emire prepared its own Middle Ages based on Pause Period with its old system including traditional actors such as military civil pashas, ulema class and challenging economy with backward elements. Below is considered the causes of the Ottoman Middle Ages (Pause Period) divided into internal and external factors.

The rise of Europe constitutes **an external factor**. As it is known that the European Humanism, Renaissance and Reform movements created the New Age and new mentality as an alternative to the Middle Ages. With this, without denying religion, his mind, along with religion, brought the university, philosophers, and scientists instead of the clergy. The individual, who has attained liberty, came into contact with nature, the material world, and societies through mental knowledge and began to examine and produce knowledge. This changed the mentality and revolutionized Europe by giving a new way to Europe. With this revolution, Europe found ways of discovering both nature, matter, and society as well as their laws and started producing knowledge. As a result, European technology, especially in military technology, science developed the power, wealth increased and gained knowledge. And the superiority of European Empires occurred in 1453-1683 and during that time they had a multiplicity of scientific discoveries and new philosophical ideas (Andrew Heywood, 2011:357). At that time the superiority of the Ottomans had been coming to be ended.

Internal factor has many conditions interrelated each other. So, since the second half of the 16 century i.e. in 1792, the central bureaucracy of empire based on the absolute power of Sultan i.e. monarch began to spoiled gradually by the reasons of power-sharing problems occurred among the royal family members. Thus, the internal political ambitions and intrigues in central government, destructive outcomes of the regular wars with neighboring countries, stagnation of scientific and technological signs of progress and economic crises, unhealthy influences of the Western European economic and political groups had shaped often the political crises. Particularly, the Ottoman Empire's purchase of advanced weapon technology from Europe by paying large amounts of money brought a significant burden to the treasury (Hocaoğlu, 2004: 54-55).

Of course, all these processes came to the elimination of the meritocratic values and practices in the bureaucratic system of the empire. Therefore the quality of civil services had dropped down and corruption, nepotism dominated in the bureaucracy of the Ottoman Empire.

According to many scholars, lack of justice and accountability and transparency in the governmental system have spoiled the Ottoman society. Due to the injustice, many talented (yetenekli) persons had lost their chances to be civil servants and common facts of nepotism in the cases of recruitment and promotions of military officers have damaged the Ottoman army. Economic conditions also were not good. Especially collection of taxes were weak, the internal market was dominated by the goods of western companies. The Ottoman's entrepreneurs had suffered under the unequal competition with the western companies (Inalcık, 2014:124-136).

In the face of these adversities, while the Ottoman treasury was melting day by day, on the other hand, the Ottoman state whose territory was enlarged, had to pay a salary to the increasing bureaucracy. The war costs had increased with the beginning of defeats had brought a lack of money. In order to solve these difficulties of expenses, the state had increased taxes and to make a lower value of money. This measure affected the

salaries of soldiers, scholars, bureaucrats and increased their dissatisfaction. Reason for such lost had caused by the spoiled bureaucracy of the Ottoman Empire (Karpat, 2019:165)

From the 17th century onwards, the Ottoman state had lost the initiative and became helpless. Now, external factors follow each other, and internal disturbances trigger each other. Thus, signs of weakness have started in a central authority. All these developments occurred against the administrative, military, social, economic structure of the Ottoman Empire. This had caused the disruption of grooming and education system and thus upset the classical balances of the state. As a result, obedience tended to decline in the military-civilian pashas, ulema, bureaucracy under the great clerical emre. Justice actually ceased to be the foundation of the property. With the deterioration of the timar system, the feudal structure was formed by uncovering the manor system. When their economic and social power increased, and they became an autonomous authority they took the power of the governor, even weakened the kadi. The Sultan legitimized the status by giving some of the powers of the state to feudal lords called ayan-ı vilayet (ayan-ı province). Now, the central authority cooperated with them to share their powers (Halil İnalcık, 2014:205).

2.1.1.3. Efforts on Reforming the Ruling System in Ottoman Empire and Attempts to introduce the Merit-Based Performance Policies

Since the 18th century, the deterioration and decline of the social and economic order in the Ottoman Empire, which used to be unique and functioned well until recent years during the reign of Sultan Suleiman Kanuni, led to an increase in westernization efforts (Aslan and Yılmaz 2001: 287). This change also had a significant impact on personnel management and performance in public administration. In this context, the personnel regime in the Ottoman Empire and the management of personnel work were developed and formed in various dimensions before and after Tanzimat.

In the Ottoman Empire, which lasted until Tanzimat, civil servants were based on the slavery system. The Sultan had an absolute and strong structure on civil servants. The civil servant's appointment, transfer, dismissal, and promotion were determined by the Sultan realised through his main vizier. The so-called class of military service consisted of persons who were appointed to any public service as a reward offered by the Sultan, and thus exempt from certain tax obligations, but received the status of a soldier without aristocratic characteristics (İnalçık, 1954, 112). Heper (1974: 37) argues that the Principle of Merit was also respected during this period, however, the idea of merit included the concept of absolute loyalty to the sultan, who was part of the type of behavior expected from “religious” Ottoman behavior defined as the Ottoman code of conduct. In addition, persons appointed to important posts by the Sultan in the system of servitude had the right to largely create or appoint their own teams based on staff. For example, the authority of providing the sultan for appointments was a grand vizier (Ortaylı, 2008:220).

Powers to appoint a mufti of small administrative units i.e. Sanjak and the accident belonged to the mufti of the capital (Ortaylı, 2008: 231). He was also authorized to appoint all professors and judges to work in the Anatolian and Rumeli-Kasasker districts. He also had a deputy named Ruznamenci, who participated in the registration, ordering and registration procedures necessary for the appointment of professors and judges. Their assignments should not be interrupted, and their hierarchical order should be respected. In addition to the requirements of the Islamic law on the appointment of Cadiz (men and minors, appeals and sufficient information, not deaf-blind), attention was also paid (Ortaylı, 2008: 233-265). The Main features of the Ottoman-oriented personnel classification system for Turkey are considered as a career classification. Finally, there were offices associated with personnel associated with Reisülküttab, one of the secretary known as Divan-Hümayun Kalemleri. From them officer with the senior position known as Tahvil Kalemi was busy with appointments and promotions for senior civil servants, senior officer known as Ruus Kalemi was responsible to control salary, appointment, and retirement bureaucracy cases, with the

exception of the care and private owners of the Empire (Uzunçarşılı, 1988:45-46; Halaçoğlu, 1991:8-19). In today's perspective, it can be stated that talent, merit, and competence associated with personnel management had been dominated in the Ottoman bureaucracy during its formation and ascension period (Şahin, 2007:413). Briefly saying, it can be characterised that the basic system was created for institutionalization of personnel management in the period of formation and promotion of the Ottomans.

In fact, some researchers made a definite opinion on the soundness and the perfection of the functioning of the administrative structure of the Ottoman Empire, and therefore they claimed that the Christian continent i.e. Europe would also be saved by imitating this structure of government at the expense of accusations of “Turkomania Management” (Çiçek, 1998: 31).

Elements related to the structure and functioning of the second or last period of the Ottoman bureaucracy were transformed with the line of Gulkhan Humayun, which was announced in 1839. The last years of the period of Makhmut II and the period of Tanzimat were spent on the restructuring of all Ottoman institutions. In the same period, in addition to these arrangements, the foundations of the Ottoman bureaucracy with the first personnel system were laid (Sencer, 1984a: 41). In regards to personnel management, the wages of workers in cash occurred during the reign of Mahmut II (Eryilmaz, 2008: 133). However, salary attachment did not produce the expected results for this period. After the salaries of civil servants who were paid for their work in the past, there was a significant decrease in the pace of their work (Göküş, 2010: 233). On the other hand, the principle of rotation and the limitation of the term of office (up to one year) is an important issue, especially for government employees who pay high prices for obtaining such important powers as the provincial governor (Findley, 2011: 87). Civil servants impose arbitrary taxes as a solution, which, leads to an increase in the gap between the state and the citizen. At the same time, the method of submission forced Ottoman officials to take part in various areas of government and became the main obstacle to specialization (Akyıldız, 2009:24). In 1838, the method of subordination was abolished. It is guaranteed that the displacement and dismissal of civil servants do not

change if this is not necessary. Thus, anxiety and concern for civil servants were eliminated. Civil servants now have the opportunity to give themselves better work and increase their experience (Terzi, 2012: 318–319).

At the beginning of the constitutional movements in the Ottoman Empire, new measures were taken on the principle of competence, which is considered as well functioned during the ascension period (Aykaç, 1990: 103). In accordance with the Esasi Law, i.e. the Main Law adopted in 1876, the principle of rights and competence (qualifications) is emphasized by the phrase “In the public service they are accepted to public servants who correspond to their general competence and abilities (Article 19)”. The Constitution of 1876 proclaimed the principle of merit in the appointment of civil servants with the provisions of some amendments in all subsequent constitutions and constitutional rule. Officials were forced to ensure official security, albeit limited, and compliance with the law is considered superior to loyalty (Güler, 2005: 159). On the other hand, under the name of civil servants, for the first time, the conditions for conducting elections for civil servants regulated by law that covered the person, his right to appointment and promotion (Gözübüyük, Kili, 1982:38; Tural, 2004: 71-72).

The work set forth in the relevant articles of the Law was organized in 1881 by the law named as “Progress and liberation” adopted decree of Civil Servants Rights known as “Memurin-i Mülkiye Terakki ve Tekaüt Kararnamesi”. The decree is in the nature of the general staff and the pension rights of these employees. In this regard, adopted law recognized a public service as the main form of employment. This law regulated the qualification, commissioning, conduct, registration, discipline, punishment, promotion and dismissal of civil servants. (Aslan, 2012:23-24).

In accordance with the instructions issued in 1879 and 1888, the “Sicill-i Ahval Komisyonu” i.e. Hospital Commission was established, which functioned as a central personnel organization. This commission had tasked with deciding on the appointment, evaluation of registration and promotion of senior management, such as ministries, members of parliament and heads of courts. It is assumed that folder files of all civil

servants, with the exception of these, had been stored in the personnel registry offices created in ministries and province administrations (Güler, 2005: 160). In addition to these tasks, penalties, wages, titles and engagements are recorded in registry documents (Findley, 201:330). After 1848, the Ottoman Empire numbered 14 different titles: Sadareth and Meshihat, Bala, İstanbul, Khamise and Hasegan (Sadaret ve Meşihat, Bala, İstanbul, Hamise ve Hacegan). According to the rank of officials after the Tanzimat period, each rank was also defined, whose order was called Mejidi, Hanedan-i-Osmanly, İmtiyaz, and İftikhar (Mecidi, Hanedan-ı Osmanlı, İmtiyaz ve İftihar). Those who offered sacrifice and success were awarded in the form of medals and awards of gold, silver, nickel, copper, except the engagement (Terzi, 2012: 352-359).

In 1896, the Hospital Commission (Sicill-i Ahval Komisyonu) was abolished, and instead of this, A Civil Service Commission (Memurin-i Mülkiye Komisyonu) was created. Although the Commission was abolished in 1908, it was re-commissioned in 1912. The state personnel system, individual ministries, and professional groups to be recruited, the rules for promotion and retirement continued to be governed by regulations (Güler, 2005:162).

Finally, the concept of efficiency in the management of government personnel, which had been left to the newly formed state of the Ottoman Empire, also had based on the principles of career and merit, as well as seniority, however, these principles had important problems within its implementation (Akgüner, 2009:14):

- When the Empire was in a decay stage, the state personnel system had a career without security;
- The Order of Merit was not accepted with assurances. When entering the public service, irregular and favoritism have been applied. There were practices such as addiction, bribery, and favoritism;
- There was no collective and harmonious classification scheme. Promotions were based on work experience, not on information; all officers were taken to rise in their classes.

The end of the military dictatorship system known as Kapıkulu Sistemi had done within the governmental reforms in the Empire. This led to the creation of a new Ottoman bureaucracy, during the reign of Mahmut II. The Ottoman bureaucracy began a strong influence on society, played an important role in the history of the Ottoman Empire afterward the republic became active by using public authority (Sencer, 1984:49).

2.1.2. Development of Merit Principles in the Republican period

Fall of the Ottoman Empire occurred within the First World War (1914-1918) and afterward continued the war for independence in the hinterland of Asia Minor known as Anadolu. Heavy lost of territorial, cultural and economic and bureaucratic Ottoman heritages in the huge geography created a difficult and dangerous situation for the population in Istanbul, Anatolian plateau and western coasts of the country. Turkey as a heritage of the Ottoman Empire under the strong and braveheart support of the society has won the war for independence by forcing out the occupant's military divisions from Greece, Italy, France and British. Therefore this factor also has proved the effectiveness of the military commanders such as Gazi Mustafa Kemal Atatürk, İsmet İnönü, Fevzi Çakmak, Kazım Karabekir, Nureddin Paşa, and ideolog thinkers such as Mehmet Akif Ersoy and Ziya Gökalp, etc. (Akşin, 2007:236).

2.1.2.1. Main Conceptual principles upon that established the Republic of Turkey and their Encouragement to the performance policy and meritocracy

The establishment of the Republic of Turkey on 29 October in 1923 has significant meaning in terms of beginning the new period history in the destiny of Turks. The Republic of Turkey as a heritage of the long period existed Ottoman Empire had declared the new format and new way of development in the 20th century. The main characteristic of the Republic of Turkey consisted of its reforms provided in all spheres of society. Mustafa Kemal Atatürk is a founder of the Republic of Turkey. The main concepts or principles of establishing Turkey also has been initiated and promoted by

Ataturk in 1922-1923. These principles have been presented at that time as modern, liberal-reformation adopted as a model (Ecol) from the western countries. Below are presented these principles:

- **Republicanism** is the main principle and fundamental value of state and government representing in Turkey. This principle is the basis of the new Government of Turkey. This principle is written as a basic value in the 1924 constitution of Turkey. The Republic is the most reliable guarantee that prevents the dominance of personality and arbitrariness in state order and administration. Also acting in the most vigorous terms the social structure changed hands and the distribution of political power in Turkey is the leading principles of Ataturk. As a matter of fact, it is clear from all Atatürk's speeches that the Republic is a democratic parliamentary order. Republicanism, Nationalism and Populism, in other words, the efforts and principles of being a nation, a democratic administration, are inseparable from each other (Yücel, 1988:270-332).
- **Nationalism.** This principle constituted the starting point of the National Struggle and shed light on the liberation and development movements of all captive nations. As it is known that nation, nationality, and nationalism are defined differently according to various thought currents or scientific principles. The first cornerstone of Atatürk's nationalism is independence. Because, he said that “Freedom and Independence is my character”(Atatürk, 2004:388-597). National Sovereignty comes along. Another feature was that it had an important place for integrality, which is more open to national unity and solidarity in Turkey.
- **Populism.** Atatürk's principle of populism was directed primarily towards the realization and establishment of a real western democracy which means the administration of the people by the people for the people. He did not accept people as a separate class and group within the nation, nor as a mass ruled by a sovereign power. According to the founder of the Republic of Turkey Ataturk, the people in Turkey are the Turkish nation. This is determined by the promise of

the Turkish nation as a whole mass itself is directly fused classless and underprivileged. If this is examined in essence, the people's populism, the power, sovereignty, administration is given directly to the people, i.e. in the hands of the people. The aim of Kemalist populism was to achieve success in the democratic and socio-economic field and on the way to modernization (Akşin, 2007:239).

- **Statehood** i.e. Statism. Atatürk's principle of etatism is a principle that states more methods in social, economic and cultural development. Statism is generally defined as the work that requires a lot of organizations, capital, and instruments that will provide broad benefits for the country; In particular, the large industry and agriculture, the desired and at the same time required by the state organization and operation by the state. However, it should be stated immediately that the method and extent of its definition and application are based on the needs and characteristics of Turkish society and country. On 17 February 1923, in the opening speech of the Izmir Economic Congress Atatürk includes the following words: "No matter how great political and military victories are if they are not crowned with economic victories, the victories obtained cannot be sustained". In this respect, the economic life, economic sovereignty in Turkey must be provided, strengthened and expanded in order to gain the beneficial yields.
- **Secularism.** The most important principle of the Turkish Republic is secularism. Secularism, in the Islamic thought of the Middle Ages, is to demolish the scholastic mentality that undermines social progress on the grounds that the gate of ijthad is closed, undermines the freedom of ideas, to protect the freedom of conscience and to prevent the exploitation of religion for personal and political benefits. Secularism, in its broadest sense, is the respect of the freedom of thought, which is the holiest of freedoms, in an impartial manner. In the Western sense, this is the basic condition for democracy to be an objective institution of state and rule of law. Secularism in its narrow and classical sense means that the state remains neutral to all kinds of religious beliefs, rituals, and institutions and does not make a distinction between those who are committed to various

religions, thus ensuring the freedom of religion. On the other hand, the beliefs of religious authority and principles do not interfere with state and world affairs in any way. Such an understanding of secularism dominated all of the Atatürk's reforms. Secularism, which constitutes the common and fundamental basis of Atatürk's revolutions, is not to enmity against religion, but to remove religion from the affairs of the world, to prohibit it from going beyond the framework of relations between Allah and use, and to want it to be closed to the realm of conscience. In the context of a religious western and rational culture, these conditions can only give a social presence and value. The application of the principle of secularism in Turkey on the basis of full respect for religion is the result of such an understanding. According to Atatürk, secularism is not only a separation of religion and world affairs. This is a guarantee of the freedom of conscience, worship, and religion of all citizens. There is no doubt that with this definition, Atatürk aims at separating religion and world affairs from each other, that is, as society and state, not to confuse the rules and principles of religion into world affairs. In other words, with this definition, he wants to explain that all citizens should be free to decide their status against religion as ordered by their conscience and that the state must ensure and implement the guarantee and protection that these rights and freedoms will carry out. Atatürk's position against Islam has an important role in secular ordering and understanding. Atatürk is not an enemy of religion. It is against the exploitation of religion, its involvement in politics, and the making of the state principle. His opponents are bigots, superstitions, religious brokers and actors rejected by the Islamic religion (Akşin, 2007:327).

- **Revolutionism.** The principle of revolutionism has been adopted as the principle of preserving the principles of Atatürk on the one hand, and on the other hand as a dynamic society living principle that will ensure the development and future of the Turkish society in light and advanced ways with new moves. Because this principle of Atatürk considers saving his philosophy from staying in a strict and narrow framework as in some religious, political and philosophical theories. The

establishment of Turkey means changing the existing classical Ottoman institutions. After defining the Turkish nation which has left the institutions back in the last centuries, it has put new institutions that will ensure the progress of the nation according to the highest civilized requirements. The shape of the present of state has been the most developed style that has abolished the old forms that have been coming for centuries. The common bond that the nation considers among its members to maintain its existence has changed its form and nature for centuries, ie the nation has gathered its members through the Turkish national bond instead of religious and sectarian connection. Nation considered the principle that science and technology will be the cause of life and force in the field of universal struggle can only be found in contemporary civilization. As a result, the nation, as a natural and necessary of the changes and revolutions of the general administration and all the laws of the world and the necessity of mankind only the change and development of the necessity of continuous change and development of a worldly mentality that will continue throughout the life of an administration (Berkes, 1982:54).

As a matter of fact, Atatürk explained these statements more clearly: “They are the real revolutionaries who know that the people who they want to lead to the revolution of progress and innovation infiltrate the real tendency in their souls and consciences. In this respect, let me state that the real owner of the political and social reforms of the wonders of the Turkish nation in recent years. You are... We did and the aim of the reforms we are making, entirely appropriate to our age and people of the Republic of Turkey to reach into civilized society with all the meaning and format” (Yücel, Yaşar: 1988: 810-824).

All of this above description is basic ideas or Principles of the Turkish Republic. Each principle determines a goal or objective. There is an extremely delicate balance between the principles. The main source of the assessment of their implementation is based on the state policy of democracy (Populism) being implemented in Turkey since

1923. As seen in the history of Turkey, the form of government which provides the most modern and logical application of the principle of democracy is the Republic. Under the Republicanism has built the secularism, democracy and statism and nation values. Therefore the practical application of these principles and values, in reality, make huge impacts in the social life of Turkey nowadays. The strong efforts on implementing these principles in the public administration system of Turkey has core significance concerning the merit-based performance policy, which is directed to eliminate the spoiled system.

The beginning of reform has included the legislation, which officially adopted the secularism of Turkey. Based on this core principle, the newly adopted constitution of Turkey have guaranteed the rights for the citizens. The official reforms targeted to build the new secular and democratic society in Turkey with effectively functioning government institutions and public organizations (Berkes, 1984:27-38). In order to explain the values and practical achievements of Turkey, below is explained in details the further development of the Merit-based performance policy in the state administrative system of Turkey. The Development of the Merit Principles in the Republican period has three different periods covering 1923-1960, 1960-2000 and from the 2000s to present. Therefore, this study is explained and analyzed the implementation and development of Merit Principles through its historical and legal aspects.

2.1.2.2. Republican Period (1923-1960)

Law no. 788 was enacted in accordance with the principle stipulated in Article 93 of the Constitution of Turkey adopted in 1924, that the qualifications, rights, and duties of all civil servants, their salaries and allowances, their search and dismissal and their promotion in the office were regulated by a special law (Öktem, 1992: 86). For the first time adopted the “Civil Servant Law” No. 788 dated 18 March 1926. And this law for the first time Civil Servants got described the recruitment of civil servants, their salaries and all the working conditions. Thereby, social rights, and obligations of civil servants were determined (Öztürk, 2001:5). Article 20 of the Law No. 788 on Civil Servants determined the degree on promoting civil servants. In order to be promoted,

each office requires civil servants for at least three years. Seniority is essential in the promotion. In case of equality in seniority, the specialist license is the reason of choice (DPD, 1982: 21). The discretion of the specialist's license belongs to the authorized delegations. Apart from the Civil Code, there are two important regulations related to performance appraisal. These are the 19 Regulation on Appraisal of the Qualifications of Civil Servants adopted by the Council of Ministers' decision in 1947 and "State Regulation on the Dispatch of Pensions on the Registrar of Officials and Servants Related to the Pension Fund".

Regulation on the Competencies of Civil Servants: First of all, in the 2nd Article of the Regulation, the concept of authorization is defined as open registry records that should be kept according to the Civil Servant Law dated 7826 and numbered 788. Articles 7 and 8 of the Regulation are particularly important in terms of issuing a qualification voucher. Accordingly, at the latest one month before the end of the officer's promotion period, the vouchers named as implementing proficiency slips with application in practice and given to the supervisors who have the authority to fill the paper for the secret authorization. After the supervisors have written own opinion in the special digit of the receipt, the receipts are sent to the competent authority. The competent authority approves the competence of the officer, if, he considers it sufficient, taking into account the officer's record, secret papers and the reports of the inspector (Canman, 1993:82).

State Regulation on Retirement Responsibilities on the Registrations of Officials and Servants Related to Retirement Fund: It is regulated according to the Pension Fund Law. According to this, due to morality and insufficiency, the record refers to the stages of the process of referral to retirement and referral (Canman, 1993, 82-83).

The mentioned laws and regulations emerged as the basic performance regulations of the period. Apart from the mentioned laws and regulations, recommendations on measuring or improving the performance of personnel are included in the reports of foreign experts prepared between 1949-1959 (DPB, 1963: 1-137):

- **Neumark Report:** The report, which was prepared in 1949, sought answers to the question of how to make the public institutions and organizations and the staff working more rational. According to the report, which collects the thoughts about the improvement of the personnel under the title of Measuring Quality Issues in Civil Servants is stated that the basic problems cannot be fully utilized and/or that some civil servants cannot be provided as a result of incorrect assignments. In order to overcome this, in-service training, competition examinations and the existing extent regime have suggested the elimination of salary differences between state institutions. In particular, with regard to competition examinations, he stated that all civil servants should be hired by examinations, and the duration of the candidate should be extended to 3-5 years and that the rules to be applied in all appointments should be defined precisely (DPB, 1963: 2-37).
- **Barker Report:** In the “Personnel Administration” section of the report prepared in 1951, there are comments on the improvement of personnel. Accordingly, it was stated that job descriptions were not determined well and coordination was insufficient, inefficient civil servants were rewarded on the basis of seniority rather than promotion, and purchasing power of salaries decreased over the years. As a solution, they proposed that the existing civil servant administration system should be completely revised and a career system based personnel should be established and the establishment of a Central Personnel Administration should be continuous in order to supervise and combine the personnel policies and practices of all organizations. In addition, it was recommended to train personnel in other parts of the Report and to carry out studies related to in-service training (DPB, 1963: 38-60).
- **Martin and Cush Report:** Although the title is described as Report on the Establishment and Activities of the Ministry of Finance, which was prepared in 1951. This report has a general nature directly related to all ministries and departments. It contains extensive comments on the solution of civil servants

problems. The report includes issues that need to be taken into consideration in order to increase performance and employee motivation such as:

- If the officials of the Ministry of Finance are required to achieve the right to work, they should first raise their spirituality.
- A Legislative Classification Law should be prepared to determine the qualifications of those who will be employed by taking into consideration the collection and experience, to measure the capabilities of the candidates appropriately, to establish the conditions of the promotion, to eliminate the problems of personnel training and to establish the salary system without any difference.
- A fair salary system needs to be established and implemented.
- An appointment system of the Ministry should be established to attract valuable personnel to various positions and to fill each level with qualified persons.
- The Ministry's organization shall prepare an encouraging training program for the conduct of the Ministry's work and for the personal development of civil servants.
- The Ministry should have taken measures to ensure better work in both the central and provincial organizations, to ensure the order of promotions, to reduce the number of civil servants, and to evaluate the work of civil servants in terms of regulating their work.
- Personnel records system should be established.
- In order to be the basis for long-term breeding in the administration, the personnel should conduct research in the affairs.
- It must make continuous efforts to maintain favorable working conditions in order to keep high morale.
- It is mentioned that the performance of the substances should be measured. In addition, it is stated that whether the registration system is suitable for increasing salary by the reason of seniority and/or productivity besides grading, it can be used as a determination for the studies on the need for training and the

preparation of a training program and it is stated especially that the system should be reflected in performance.

In addition, the report mentions the need for job satisfaction for high performance and the establishment of a Classification System that directs the Turkish Personnel System, which has special importance in terms of the personnel regime (DPB, 1963: 69–109).

- **Dantel Report:** The report was prepared in 1959, and mainly focused on the promotion system in relation to personnel management. In the “Promotion Institution” section of the report, it is emphasized that promotion is not only an administrative measure but also affects the officer socially and psychologically. In contrast to the European System of promoting public officers, the Public servants' promotion system in Turkey is seen as a profession noted. This report also considers the establishment of a State Personnel Office and the preparation of the State Personnel Law as a necessity (DPB, 1963:111-137).

The laws that were enacted starting from the first years of the Republic of Turkey until the planned development period could not go beyond the efforts to determine the salaries and cadres of civil servants (Ergun, 2004: 249).

Although a draft law similar to the American system was prepared in 1956, it was not possible to mention the studies related to the measurement of performance when the period conditions were added. However, from the 1960s onwards, the reports of foreign experts mentioned above took on a role as a guide in the management of personnel and therefore in measuring and evaluating performance.

2.1.2.3. Republican Period (1960-2000)

The Constitution of Turkey adopted in 1961 introduced significant changes to the public administration in terms of new principles and public personnel order. The Government of the National Unity Committee, in 1961 established the State Personnel Office under the Prime Ministry. Thus been established the central personnel office

(Akgüner, 2009:20). Immediately after the establishment of the department, foreign (Van Mook, John Fisher and Richard Podol Reports) and domestic (Preliminary Report on State Personnel Regime and Central Government Research Project-MEHTAP) reports were prepared. These reports prepared did not foresee any significant change in the evaluation of the performance of the personnel, unlike the previous reports. For example, in the Central Government Organization Research Project known as MEHTAP (1966:73), only the expression “merit-based measures should be applied with seniority in terms of seniority and annual promotion methods on a monthly basis”.

The most important development in this period was the Civil Servants Law no. 657, adopted on 14 July 1965 and still in enactment nowadays. The law has faced great resistance since its enactment. This regulation was canceled by the Constitutional Court upon the recruitment of university staff within the scope of financial provisions; Law no. 1327 dated 31 July 1970 could not be applied until 55% was changed. The text, which has the feature of being the most amended law in the Turkish legal legislation, has almost disappeared and the integrity of the law has been corrupted since it has been replaced by new, discrete provisions. This situation prevented the entry into an enactment of the registration regulation (article 121) stipulated by the Civil Servants Law until 1986 and led to the continuation of the old registry practices. Old practices came to an end with the State Regulation on the Registration of Civil Servants published in the Official Gazette on 18 October 1986 (Tortop, 1986:5).

According to Articles 17 and 18 of the Civil Servants Registry Regulation, Every person who registers the registry report is obliged to; appearance (disguise, dress), intelligence and understanding ability, perseverance, honesty, reliability in secrecy, success in human relations, alcohol, gambling, and so on. The civil servants are subjected to a general assessment of their bad habits and behaviors, such as insecurity, excessive thinking of their personal interests, lying, gossiping, jealousy, and hatred. Using the information and observations obtained during the registration period, the opinions about the positive and negative aspects, defects and deficiencies of the officers according to the results of the evaluation to be prepared written separately, clearly and

briefly or according to necessity in the part of the registry report's personal evaluation. The supervisors evaluate each of the questions that determine the qualifications of the officers in the professional, managerial and overseas duties of the registration report on the basis of the elements they contain based on 100 full grades, and determine the registration note of the officers by dividing the sum of the notes they give to the questions. The average score of the civil servants shall be calculated by dividing the sum of the registration notes determined by each registrar in this way by the number of registrars. Accordingly, the average grade of the registry:

- Medium from 60 to 75,
- Good from 76 to 89,
- Very good from 90 to 100, are successful, positive;
- Those who score 59 or lower are considered to be inadequate and have a negative record.

According to the regulation, there are no statements about civil servants receiving positive records; It is stated that the negative registry areas will be warned, two consecutive negative registry areas will be assigned to another registry supervisor, and in case of negative registration, their relations with the civil service will be cut off.

The closed (hidden) registration system, one-way and top-down evaluation, performance criteria and scoring method are inadequate (Akçakaya, 2012: 189-190) and subjective criteria are more effective in the registry system missing as negative aspects (Canman, 1998:4). The Registry Regulation had lacks qualifications to keep up with the age, and therefore it was repealed in 2011. The Regulation on Registration has a statement that it could not go beyond an updated presentation of the rights of the State Regulation on the Competence of Civil Servants.

The KAYA Report is one of the important studies on the performance of the Turkish public personnel regime and public personnel. Kaya Report (1991) concerned the evaluation of personnel performance in the personnel regime section; The evaluation of civil servants in Turkey is based on a closed and confidential registry system. In fact,

job valuation and personnel evaluation aim is to create a complete and objective inventory of the personnel in order to determine the most suitable, sufficient and skilled personnel for the job. The most important of the problems in the personnel evaluation system is the possibility that the managers who will make the evaluation may abandon the objectivity principle in evaluation. As a result, objective criteria (time, quantity, quality and cost standards) to measure performance in personnel evaluation have not been developed; evaluation is at the discretion of managers...(Geray:1993:1991-2011)

During this period, the overall personnel policy matter to make an assessment because it lacked a certain system so advanced, that number of staff - fluffy inefficient officer got occurred (Can, et al., 2002: 278) and carried out the work in terms of restructuring of the public administration in Turkey, as shown in the form of alternative bureaucracy project that is given a vague and temporary impression (Güler, 1996: 99).

2.1.2.4. Republican Period (the 2000s to present)

Administrative-territorial structure of Turkey is composed from 81 provinces. Cities with a population of 750 thousand and above are metropolitan municipalities. The numbers of metropolitan municipalities are 30 from 81 provinces in Turkey. According to Statistic database of Turkey on September 2, 2019 in general 50 278 neighborhoods and village headmen are working in fact. According to Presidential Strategy and Budget Unit the total number of public personnel in the first quarter of 2020 are a total of 4 million 698 thousand 941 public personnel. 2 million 942 thousand of this total number of permanent staff, 455 thousand contracted personnel, 1 million 100 thousand permanent workers, 51 thousand temporary workers and other 105 thousand public personnel. These numbers are showing the big size of the state bodies in Turkey. Therefore after the pain economic crisis of Turkey happened in 2001, the government of Turkey got changed. And in 2002 Justice and Development Party known as AKP came in power, which is still continuing its government in the country. From this term, the new government implemented a structural transformation process in the public administration. The change has been valid in the performance management of public

personnel regime and public administration. Efforts towards establishing a performance management system based on objective criteria for public officials in the eighth, ninth and tenth development plans, especially with the Draft Law on Public Administration, have accelerated (EU SIGMA report 2012:17). With the Law No. 6111, adopted in 2011, the relevant provisions of the Registry System Regulation and the Civil Servants Law were abolished. In addition, the Public Financial Management and Control Law No. 5018, adopted in 2003, this law emphasizes the importance of performance-based budgeting of public institutions and organizations.

Public Financial Management and Control Law have such characteristics:

- First, the main purpose of the Law is to regulate the structure and functioning of public financial management. In the planning part of the Strategic planning and performance-based budgeting section of the Law, Public administrations; development plans, programs, relevant legislation and within the framework of the basic principles adopted in the future to form the mission and vision, to determine strategic goals and measurable targets, performances in accordance with predetermined indicators to measure and monitor and evaluate the process to prepare a strategic plan with participatory methods. Public administrations shall allocate resources on budget and program and project basis in order to provide public services at the desired level and quality; strategic plans, annual goals and objectives and performance indicators.
- For the second, The Statements declares that the strategic plans prepared by public administrations include the targets for evaluating and improving individual performance as well as corporate performance targets. For example, in the 2013 Budget Performance Program performances prepared by Kepez Municipality (2013), performance targets have been determined in terms of training of personnel, improvement of personal rights, and implementation of the personnel monitoring system.

- At third, the Draft Law on Public Administration emphasizes the principle of result-oriented public services. In addition, a number of principles concerning the public personnel regime were also discussed in the draft. This bill gives particular importance to the principles of Merit and performance evaluation under the title of human resources management. Accordingly, draft recruitment and promotion of civil servants and other public servants shall be carried out on the basis of a qualifying examination and Merit-based on qualification and civil servants and other public servants shall be evaluated and rewarded according to performance criteria.

Municipal Law: The Municipality Law No. 5393, adopted in 2005, included statements by measuring the performance of municipal employees. Article 38 states the duties and powers of the Mayor. The same statement was included in Article 18 of the Metropolitan Municipality Law No. 5216, adopted in 2004, and the task of preparing the performance criteria of the municipal staff was assigned to the Metropolitan Mayor.

Eighth Development Plan: In the ninth part of the Plan, considered Increasing Efficiency in Public Services i.e. here is a written task that to increase productivity, effectiveness, and efficiency; to ensure a system that effectively measures employee performance, a delegation of authority and flexibility, accountability and managerial transparency. In the purposes of Strengthening is prevails the introduction of managerial methods. And there will be principles. (SPO, 2000:191).

Ninth Development Plan: (2007-2013) Plan People in the Public Sector, Personnel assessment system will be reviewed and standards that will provide an objective and transparent measure of personnel performance will be developed and implemented by taking into consideration the characteristics of the tasks (SPO, 2007: 96). In the annual plans prepared in accordance with the Ninth Development Plan, statements concerning the performance of public personnel are included.

Table 2.1. Performance Evaluation in Annual Programs of the Government of Turkey
(2007-2013)

Year, Relevant Article and Expression	Related Organization	Action and Description
2007 and Measure 1.4. An effective human resources planning will be carried out in all public institutions and organizations.	State Personnel Presidency Public institutions and organizations	Effective human resources planning will be carried out in order to reach all employees at a competent level and adapt to changing conditions in public institutions and organizations.
2008 and Measure 1.1. Studies on the draft law on public personnel regime reform will be finalized.	State Personnel Presidency, Finance Ministry, Public administration institute for Turkey and Middle East (TODAIE)	In order to eliminate the deficiencies seen in the public personnel regime, to evaluate the opinions of the public institutions and organizations on the draft law, which envisages a radical reorganization of the public personnel regime in order to perform the public services effectively and efficiently, the studies will be finalized.
2009 and Measure 207. The personnel evaluation system will be revised within the	State Personnel Presidency, Public administration institute	The personnel evaluation system will be reviewed, standards that will enable

framework of a modern management approach and objective and open standards will be developed to measure personnel performance.	for Turkey and Middle East (TODAIE), universities	objective and clear measurement of personnel performance will be developed by taking into consideration the task characteristics and studies will be carried out to implement these standards in the public sector.
The expression numbered 253 in the 2010 annual program is the same as the one adopted in 2009		
2011 and Measure 261. Efforts will be made to improve public personnel system legislation.	State Personnel Presidency and other Public Institutions	Necessary works will be carried out in order to adapt the legislation concerning public personnel in accordance with the developing and changing conditions of the day and to the ever-changing needs. In addition, amendments will be made to DMK and related laws in order to comply with the amendments made in the Constitution.
2012 and Measure 281. Standards will be developed	State Personnel Presidency	A new system including effectiveness and efficiency

to measure the performance of all employees objectively and transparently in public institutions and organizations, and successful employees will be supported.		analysis will be created in place of the abolished registry system and a Performance Evaluation Guide will be prepared in order to establish an evaluation system that also takes into account performance in the public sector.
2013 and Measure 311 Standards that measure the performance of all employees objectively and transparently in public institutions and organizations will be developed, successful employees will be supported and remuneration will be based on performance.	State Personnel Presidency, Development Ministry, Finance Ministry	A new system including effectiveness and efficiency analysis will be created in place of the abolished registration system, a Performance Evaluation Guide will be prepared in order to establish an evaluation system that takes into consideration performance in the public sector and a pilot application will be carried out as an example to the implementation.

Sources: SPO, 2007: 241; SPO, 2008: 260; SPO, 2009: 242; SPO, 2010: 245; DPT, 2011: 262; DPT, 2012: 266; Annex to the Decision of the Council of Ministers, 2012: 280.

Tenth Development Plan: The Tenth Development Plan emphasized the need to establish a performance evaluation system in the public sector; accordingly, a functional

performance evaluation system was developed. In Article 384, “An effective performance system will be established in order to increase the productivity of public personnel and the service, personnel and salary relationship should be made healthier in Ministry (Ministry of Development, 2013: 58). In the 2014 annual program prepared according to the plan, the work to be carried out on performance appraisal is stated as follows:

Table 2.2. Performance Evaluation in 2014 Annual Program

Policy / Measures	Responsible / Collaborating Institutions	Action and Description
Measurement 157. Performance Evaluation Guide will be prepared in order to establish an evaluation system that takes into account performance in the public sector.	State Personnel Presidency, Ministry of Development, Ministry of Finance, Ministry of Science, Industry and Technology, Public administration Institute for Turkey and Middle East (TODAİE), Civil Servant Trade Unions and Confederations	In place of the abolished registration system, a new system including effectiveness and efficiency analysis will be created, efficiency and success will be rewarded and a Performance Evaluation Guide will be prepared in order to establish an evaluation system that takes into account performance in the public sector.

Source: Decree of the Council of Ministers, 2013: 155.

Law No. 6111 known as Bag Law dated 13/2/2011 and numbered 657 introduced a number of amendments to the Civil Servants Law. First of all, for the title of Chapter 6, “Personnel File” is used instead of “Registers“. The civil information system, which is Article 109, has changed its name and content as stated in the personnel file. Article 110 registration file, Article 111 personality and the importance of registration file, Article

112 supervisors, issues to be specified in Article 113 and 114 registration reports, Article 115 filling in registration reports, Article 116 evaluation committees, Article 117 warnings, Article 118 right to appeal, Article 119 positive and negative registration, Article 120 negative registration, Article 121 registration regulation and Article 123 award has been repealed. Article 122 of Law No. 657 has been changed in terms of name and content.

The content of Article 122 of the Civil Servants Law No. 657 regarding the evaluation of personnel performance in public institutions and organizations has been amended as follows. “Public institutions and organizations may determine evaluation criteria in order to measure the success, efficiency, and efforts of civil servants by taking into consideration the characteristics of the services that they carry out, and provided under the taken approval of the State Personnel Presidency”. Since the 2000s, studies on performance evaluation have not been able to go beyond the planning and the work carried out in a few state organizations such as the Ministry of Health, as indicated in the development plans. This situation revealed the deficiency and clarity in the management and thus evaluation of the performance of public personnel.

Within this research has been conducted the meetings with the specialists working in the State Personnel Directorate under the Ministry of Family, Employment and Social Services of the Turkish government. According to comments of those specialists and their shared documents above mentioned amendments in the legislation have practical reasons and further outputs. Because, the registry system, which lost its effectiveness as a result of the amendment made in the Civil Servants Law No. 657 and abolished with the Law No. 6111 in 2011 and thus instead of the 122th article of the same Law with the purpose of establishing a new system for the Public institutions and organizations, the State Personnel Directorate provided the opinion of the appropriate assessment criteria. In this context, regulations were prepared by the state institutions in order to evaluate the achievements of the civil servants and began to implement accordingly with the opinion of the State Personnel Directorate.

However, in order to create a general system that is not punitive but motivating for the civil servants to work more effectively and efficiently, the State Personnel Directorate has carried out studies on the performance evaluation system with the participation of social partners, and as a result a general regulation draft on a performance evaluation system covering all public employees has been prepared. It is foreseen that performance evaluation results will be the basis for identifying and eliminating the development needs of civil servants and raising their duties.

The regulation will introduce a culture of performance evaluation in public institutions and organizations; an objective, effective, participatory, consensus-based, transparent, fair and functioning performance evaluation system will be implemented (Saydam, 2018:78-89).

Moreover, the analyses of the several government documents and publications such as the book written by Prof. Dr. Ömer Dinçer and Dr. Cevdet Yılmaz on behalf of the committee for the preparation of the Draft Law on Public Administration designed within the framework of the Restructuring in Public Administration initiated in 2003 identified that the efforts to introduce the merit-based performance policy in the civil service system of Turkey has provided with the aim of increasing the effectiveness, efficiency, and economy of the public sector (Dinçer ve Yılmaz, 2003:34-98).

Taking into account the above reviews and discussions concerning the historical development of Merit Principles in the Republic of Turkey here is a common point meant that the public administration system in Turkey is experiencing the reform efforts targeting to increase the effectiveness and efficiency of the public sector. Therefore based upon this context below is considered the Legal Bases of the Merit Principles in the Republic of Turkey, which is mainly written in the Law on Public Servants No. 657 assented 14.07.1965.

2.2. The Legal Bases of the Merit Principles in the Republic of Turkey.

In the Constitution of the Republic of Turkey is proclaimed that the country is succeeding the Ottoman Empire. According to several foreign analyzes, the civil law system of Turkey mainly based on various European legal systems, notably the Swiss civil code and the public administration system has similarities with the administrative model of France (CIA, Turkey Factbook).

In 2017 was held constitutional referendum in Turkey. Therefore President directly elected by absolute majority popular vote in 2 rounds if needed for a 5-year term (eligible for a second term). Under the new presidential system has been eliminated the post of the prime minister and after the 2018 general election the Council of Ministers appointed by the President of Republic. Thus the executive branch is wholly concentrated in the hand of the president (EU monitoring report, 2017:28).

The constitutional referendum in 2017 has introduced the presidential system instead of the parliamentary system in Turkey. Concerning this transition, among the academicians and researchers including local and international groups are existing different opinions. At first, there are strong opinions meant that within this transition from the parliamentary system to the presidential system, Turkey aims to eliminate the double-headedness of the executive branch and to ensure stability in government and a rapid and effective executive performance (SETA Perspective, No 45: July 2018).

However, other opinions such as the Venice Commission assessed that the constitutional amendments in Turkey as lacking sufficient checks and balances as well as endangering the separation of powers between the executive and the judiciary (EC – Factsheet, the 2018 Report on Turkey).

The main development strategy of Turkey targeting 2023 year has a clear task to increase the effectiveness, efficiency, and economy of public administration system. Therefore, the performance-driven merit-based public service is a high priority tool in administrative reforms.

After the constitutional reforms of Turkey in 2017 and the presidential election in 2018, the president of country Recep Tayyip Erdogan declared the new structure of government. The new structure of government included the shrinking of the large state bodies via reorganization and downsizing. Therefore as a result of these activities, 23 state bodies in the government have been decreased until 16. For example, Public Administration Institute of Turkey and the Middle East (TODAIE) which had activities since 1953 completely closed. The State Personnel Presidency working since 1961 was reformed and this state body becomes the department of the Ministry of Labor, Social Services and Family (The decree of the President of TR No703 from 09.07.2018).

This is clearly known that the main practical tool for the realization of the merit-based performance policy is an evaluation or assessment of the public servants. Concerning this subject, in the case of the Republic of Turkey exists the transitional situation. So, during the research, it was defined that the public personnel record system (sicil system) has been abolished in Turkey in 2011. In addition, when the previous system was canceled, government agencies and organizations were empowered to determine their own evaluation criteria for evaluating the success, productivity, and efforts of staff based on the volume of their own services. This has destroyed the unity of application between state institutions in terms of personnel evaluation. From the other hand, among the member states of the OECD organization, Turkey is the only country which does not apply any performance assessment for the public employees (Saydam, 2018: 70).

Despite such a situation, since 2012 the State Personnel Presidency of Turkey had efforts to create the Assessment System for the Turkish Public Administration known as Personnel Achievement Assessment System (PAAS). And this system is proposed to the public institutions in Turkey as a unique system for evaluating the state personnel. Within the creation of this New PAAS system, the literature on assessment systems from foreign countries such as USA, UK, France, Germany, South Korea, Singapore, and Turkey itself was analyzed. Therefore a new model of such a system was

created, which is generally more convenient for the Turkish state administration. It is emphasized that the new system must maintain harmony among institutions and must be flexible for institutional adaptation. This system can harmonize the system of evaluation of personnel under a contract employed in state economic enterprises and public servants. It is assumed that it will be objective, clear, measurable, transparent, based on reconciliation and cooperation, functional, multidimensional and citizen-oriented. Unfortunately, this system is still not yet adopted due to the resistance of the Public personnel's trade unions known as Memur-Sen. And this situation stands a serious obstacle for the systematic and modern implementation of the Personnel Achievement Assessment System (PAAS) in Turkey. Of course, this condition makes the ministries and state agencies to realize their own assessments measures now. And for now, this kind of fragmented and locally activated public performance assessment measures are in action. However, according to the specialists of the State Personnel Directorate, some ministries have tried to implement the PAAS system in the upper managerial level of their ministry. For example, Mr. Beraat Albayrak, the former minister of the Ministry of energy and natural resources of Turkey in 2013-2015 years had implemented the PAAS among the administrative staff of this ministry. According to the information given from the HR department of the Ministry of energy and natural resources, the use of the PAAS system gave helpful and objective outputs for measuring and assessing the administrative staff.

However, it seems that the public requests to reform the public sector are a strong agenda for the authorities of Turkey. Therefore there is a hope that the recently proposed Assessment System for the Turkish Public Administration known as Personnel Achievement Assessment System (PAAS) will get officially adopted and all state agencies and institutes will deal with this unique technique and standard within the united systematic approach.

2.2.1. Legal Bases adopted in the Law for the Public servants of Turkey

The needs of government for the real implementation of the Principle of Merit in the Turkish Public Personnel Regime direct to the legislation and its realization. This is

well known that in the world, especially in the 1990s in the scope of the New Public Management approach to public services quality, participation, citizen focus, transparency, governance, accountability, ethics, and performance-based management have been realized performance policy in the public sector of many western countries. The importance of these principles and values also has been impacted to Turkish public administration, therefore, the country has adopted the good practices based on the model of USA, UK, France, Germany and South Korea.

Turkish public administration system occurred the reforms in personnel management included types of employment in public, recruitment process of public employees, financial and social rights, disciplinary practices, inter-institutional transfer, temporary assignment, wage systems, and employee training. Thus the regulations concerning the implementation of the Merit Principle within the Turkish personnel regime has been characterized by the New Public Administration approach. This study is a good opportunity to examine this practice.

The administrative staffs in Turkey have qualified for the task to improve the quality and clear staff development in the public sector. Thus below are identified features meant that a merit system is given to ensure the institutional solutions for improving and developing.

The Legal Bases of the Civil servants in Turkey is mainly based on the Law on Public servants No. 657, adopted on 14 July 1965. The development and background of this law have been described in the subpart dedicated to Republican Period (1960-2000). Due to the governmental needs reasoned by administrative reforms for the Law on Public servants No. 657 enacted amendments in the latest years. The working conditions, qualifications, appointments, training, advancement, promotion, personal rights and obligations of public servants in Turkey are regulated by the Law on Public Servants No. 657. Article 3 of this law includes the principles of career, classification, and merit i.e. qualification for public employees. The analyzes of this law will consider that there are problems in the implementation of these articles. Although laws and

regulations are also available, it is obvious that the improvement activities for the merit system experiencing in practice are generally transitional.

Below is given the analyzes of this Law in terms of its encouragement of Merit principles and performance.

2.2.1.1. Basic Principles of Merit System

One of the main duties of the state is to provide public services to the citizens within the scope of the principle of equality, which is written in Article 10 of the Constitution of Turkey. Among those who want to get the public services, it is expected that they will treat people within the scope of equality principle without any difference due to language, race, color, gender, political thought, philosophical belief, religion, sect or similar reasons and provide services without making any difference between them and be impartial in their services. This neutrality can be achieved in two ways. The first is that during the provision of services, the beneficiaries are not discriminated against for political, ideological, religious or any other reasons; the other is that there should be an opinion in the society that the public service organization will treat the beneficiaries impartially (Keskin, 2015: 60).

The confidence that the state will perform public services in an impartial manner is called institutional neutrality (Keskin, 2015:67). Institutional neutrality is ensured by strict implementation of the principle of impartiality in the public services and provided transactions. An important issue in the formation of institutional neutrality is ensured by respecting the principle of equality in administrative procedures in the case of recruiting candidates for civil service. In this context, no religious, political or ideological distinctions should be included in the procedures to be carried out on the personnel. Otherwise, the public personnel system built on unequal and unjust foundations will negatively affect the perception of institutional neutrality. Therefore it shall be free from the instincts of public servants, while they are part of a system of public personnel system which is including equality and justice and providing public services in an impartial manner.

The most important legal tool that can be used to prevent unfair and spoiled practices is the Merit Principle. The Principle of Merit is an approach that requires only the qualifications required by the task to be taken into account in the procedures to be performed on public personnel and does not include any political, religious and ideological distinction. Therefore, the legal protection provided through the Merit Principle imposes an obligation on the one hand to the authority authorized to establish transactions on the personnel; on the other hand, it provides special protection to the relevant public personnel (Diler, 2018:1-2).

Meritocracy, a merit-based management system, is a form of management aimed at recruiting or raising the rank of employees with the best performances and qualifications only, and ignoring all other conditions based solely on individual capabilities (Şahin, 2008:33). Service eligibility and impartiality are two basic conditions of the merit system. The eligibility criteria for the service are carried out by exam applications. In the process of recruitment or promotion within a public office, the most important tool used by the administration in decision-making is examinations. Examinations serve to ensure the merit and equality principles by providing the possibility of comparison and evaluation among persons who have similar qualities to the administration in the assignment process. In particular, the fact that those who meet the conditions required to apply for exams can apply for this exam during entry into service, indicating that minimum qualification is required for those entering the service (Diler, 2018: 153-154).

In 1999, Turkey has applied the central examination system to the State Personnel in group A and B squads and thus the implementation of Selection Examination (KPSS) is applied in practice (Falcon, 2016: 237). The KPSS exam is a pre-qualification for group A occupations. The relevant institutions then perform their examinations in accordance with their own regulations. These exams may be in the form of written or oral interviews. In particular, discussions about the objectivity, openness, and appropriateness of the interview exams have been enacted from the moment the exam system began into practice.

Another condition of Merit Principle is impartiality. The impartiality in public personnel management means that the administration (bureaucracy) and political will that should be neutral in the selection and promotion of state personnel. Again in this context, the discretionary authority of the administration comes to the fore. Although the discretion of the administration is subject to certain restrictions by laws and regulations, and it is not easy to see this in practice. Therefore, it can be clearly observed that the Principle of Merit is not observed especially in the appointments and upgrades made to the senior management levels (Aykaç, 1990:108).

One of the criticisms brought to the Principle of Impartiality is on oral interviews. According to Şahin (2008: 37); in order to be able to work in different positions of theories or to be promoted within the institution, the widespread application of oral interview practices is not appropriate.

2.2.1.2. General requirement and specific conditions for Merit Principles in Public Personnel Policy in Turkey

The Turkish Public Personnel System is based on the Constitution adopted in 1924 and Law No. 788 on Civil Servants. In this law, the concept of a civil servant is defined as the person who is assigned to state service and who receives a salary from public or private budget as a reserve for registration. According to this definition given in the law, three basic characteristics of civil servants are public service, being subject to staff registration and receiving a salary from the budget.

The desire to reform the public administration in Turkey concerned law No. 788 established in the early years of the Republic of Turkey. After the end of the Second World War and the transition to a multi-party system, especially in the 1940s certain assessment reports have been prepared by foreign experts. Upon this, the new draft law prepared in 1955 was only finalized in 1965 as the Civil Servants Law no. 657 and adopted on 14 July 1965. It was decided to enter into force Law no. 657, on 1 March 1966 with all its provisions, and delayed for five years as a result of the resistance, and could come into enact with the law No. 1327 officially published in 1970. After the

entry into enactment, the systematic of the law has been corrupted with the changes made to solve many current problems and being far from integrity (Altan, 2016: 394). However, the principles of classification, career, and merit, which constitute the main lines of the law, have survived nowadays (Toprak, 2009: 4).

The entry into force of the Civil Servants Law No. 657 on 23.07.1965, Article 117 of the Constitution of Turkey adopted in 1961 claimed that State and other public legal entities, according to the principles of general administration are required to carry out the basic and permanent duties, civil servants are considered hierarchically, and have duties and powers, rights and obligations, monthly and allowances and other personal affairs, which are regulated by law in accordance with the provision. This regulation included in article 117 of the 1961 Constitution and furtherly was similarly moved to the Constitution of Turkey adopted in 1982 and written in the second paragraph of article 128 that the qualifications, appointments, duties and powers, rights and responsibilities, salaries and allowances of public servants and other public officials, and other matters related to their status shall be regulated by law (Bucaktepe, 2014: 465).

In the Civil Servants Law No. 657, the qualifications of the civil servants, training, appointment and in-service training, progress, promotion, duties, responsibilities, rights, prohibitions, pensions, permits and disciplines are included. With this law united the public personnel working under different legal and financial status under a single roof, wage justice has been tried to be provided among public employees.

In Turkey, the civil service is accepted as a profession that can be entered by exam technique among citizens who meet the necessary knowledge and ability criteria and offers opportunities for promotion in civil service. The fact that the civil service is considered as a profession within the scope of legal regulations has three main consequences for the employees. First of all, it requires civil servants to be impartial. Under this theory, civil servants cannot be members of political parties under Article 7 of the Civil Servants Law. Secondly, although political power has changed hands, civil servants continue to work according to pre-established rules. Thus, any link between

civil servants and political power is prevented. Lastly, accepting the civil service as a profession requires that the legal rules to which the civil servants will be subject to be determined in advance and objectively. The basic principles of civil service are listed in article 3 of the Civil Servants Law as classification, career, and merit.

- **Classification-A:** The principle of classification is regulated in Article 3 of the Civil Servants Law. The classification is to classify the duties of the state public service and the public servants charged with those duties, according to the qualifications required for their duties and their professions (DMK, 1965). In other words, the classification is based on personnel and duty and the collection of public service units in a group. Classification is made in two ways as rank and rank classification. Staff classification is an abstract status outside the personnel and a task-based system that shows the powers and obligations of the personnel. Personnel will be appointed as a civil servant. The squad allows the system to apply the principle of equal pay for equal work. Rank classification is a system that emphasizes the personality and status of the civil servant (Bucaktepe, 2014: 467). In the rank system that enables the application of the career system, the civil servant rises by taking into account his current qualifications, his education in his professional life and his time in the civil service. Although the Civil Servants Law no. 657 is based on rank classification, it has also adopted a certain degree of staff classification.

Civil Servants Law, civil servants administrative services class, technical services class, health services, and auxiliary health services class, education and training services class, lawyer services class, religious services class, police services class, ancillary services class, civil administration class, national intelligence services class. Within the scope of this classification, the degree and the levels in which civil servants can be promoted according to their educational status during the period of entry to the civil service and working are identified in Article 36 of the Civil Service Law. Under this law, civil servants cannot be employed in subordinate positions even though they are outside and inside the class.

- **Career-B:** Article 3, defines the basic principle of the Civil Servant Law known as the career principle (B). According to this article, career means to provide public servants with the opportunity to excel to the highest degree within their categories in accordance with their existing knowledge and training required for their duties (DMK, 1965).

In this context, civil servants starting from the lower levels of civil service, education, specialization, talent, experience, etc. If they fulfill the requirements of higher levels of civil servants will be appointed.

- **Merit-C:** The Principle of Merit is defined in Article 3 under paragraph C of the Civil Servants Law. According to this article, Merit is to provide the necessary level of security for public servants in being recruited to public service duties, to be advanced and promoted within the categories, and to allow them to complete their careers within a system based on merit and equal opportunities (DMK, 1965).

The Merit system is the system on which the qualifications of the civil servants are based on the appointment, progress, training, promotion, suspension, and dismissal of civil servants. In other words, the principle of merit is a principle that must be considered during the entire term of the person.

With the Merit Principle stipulated in Article 3 of Law No. 657, the merit system was tried to be placed at every stage of the public personnel regime. In this way, while everyone can be a candidate within the scope of entry and promotion to the public service, equal opportunities are provided within the qualifications required by the cadre or duty. Ensuring equal opportunity will prevent nepotism and increase the quality of public personnel (Uz, 2011: 69). The merit system requires the administration to treat persons wishing to take part in public service in a fair, impartial and equal manner in the process of entry into civil service, in their working life and finally in the termination of civil service. Therefore, the state is not obliged to grant privileges to any group, opinion, political party or group.

The Merit system ensures the most appropriate and quality management of the service for both the employee and the employer. According to Bucaktepe (2014: 469), “the merit system was intended to end partisanship, favoritism, nepotism, and patronage and to be saved from being a godsend. The Merit system is based on moral values such as knowledge, intelligence, character, energy and efforts”.

The provisions of the Constitution of the Republic of Turkey stipulate the formation of civil servants around the Merit and Career system. In this context, the first regulation in the Article 70 of Constitution under the title of “Every Turk has the right to enter public service” is a substance norm that No criteria other than the qualifications for the office concerned shall be taken into consideration for recruitment into public service. Thus the Republic of Turkey with the provisions of the citizen has been taken under the provisions will never be a form of discrimination of civil servants. The second regulation of Article 10 in the Constitution also stated, about the equality before the law “Everyone is equal before the law without distinction as to language, race, color, sex, political opinion, philosophical belief, religion, and sect, or any such grounds. State organs and administrative authorities are obliged to act in compliance with the principle of equality before the law in all their proceedings” (Consitution of Republic of Turkey, 1982, No 2709:12). Furthermore, another important basis for the adoption of the merit and career system in the Civil Servants Law is the provision in the Tenth Development Plan (2014-2018) for the establishment of a merit-based and objective recruitment and promotion system. Considerable aspects of the legal status of development plans; They are mandatory for the public and guiding the private sector (EBS, 2017).

- **Necessity of Education:** In order to become a civil servant in Turkish public administration, there is considered a certain level of education. According to the Civil Servants Law No. 657; first of all, if there is no other education level determined by the administration in the job announcement, junior high school graduates may be recruited as public servants. Pursuant to Article 41 of the Law concerning the education factor in classification, it is permissible to complete elementary school graduates may also be recruited as public servants when there

are no junior high school graduate applicants. However, this regulation, which is still fulfills the conditions of the period in which it was accepted and has not been changed until today, and this regulation has granted to the administrative authorities to introduce training requirements in job advertisements under the same article. In this context, the administrative authority may issue a certain level of education, degree of education, completion of vocational or occupational training programs or a foreign language requirement as a condition of recruitment by the regulation to be issued.

The officers who meet the training requirements required during recruitment are subjected to in-service training in order to follow the developments related to their profession from the moment they start to work. In-service training is not limited to a certain period of time and may cover the whole civil service period. In-service training includes the skills of the employee; technical, economic and social developments in accordance with the modern understanding of the working day aimed to change and improve (Sabuncuoglu, 2005: 125). One of the reasons that necessitate in-service training is to increase the knowledge and skills of the employees and to follow the technological developments closely, a career in their profession, professional development. Therefore, education should be continuous during working life (Selimoglu and Yilmaz, 2009: 2).

While the concept of in-service training in previous years was understood only as the loading of technical information, in-service training aims to provide individuals with the skills that are more important than technical information, decision-making and implementation, rapid and sudden development, keeping pace with changes, performing under pressure and maintaining production under all conditions (Görmüş, Kahya, 2014:39).

Article 214 of Law No 657 stipulates that On-the-job training shall be applied within the framework of regulations to be jointly prepared by the State Personnel

Department and the institution concerned for the purpose of training public servants, increasing productivity and preparing staff for further positions.

The Regulation for On-the-job training of the State Personnel Department prepared within the scope of this provision and came into force in 2005. Within the scope of the Law, on-the-job training programs are organized using courses, seminars, conferences and practical training methods as candidate training (basic training, preparatory training, and internship), adaptation to changes, refresher training, preparation for senior staff and training of trainers. Therefore, within the scope of the law, it was decided to establish a training board to determine the general policy of the ministry regarding in-service training, to determine the need for in-service training and to evaluate the results of in-service training activities.

Turkey in the personnel system aimed at improving the quality of public administration; It is a long process to ensure that the public personnel does their job properly by organizing the training that will enable them to work efficiently until they are retired. In this process, in line with the merit principle, bringing people with the characteristics that will do the best to the public services means the public servants will be able to use the development opportunities offered to them. As a result; It is also thought that the merit understanding in the personnel system performs an important function such as improving the personnel in the service provided during the working life.

2.2.2. The development features of legal-based Merit Principles in the Public Personnel System in Turkey

The development features concerning the legal-based Merit Principles in the Public Personnel System of Turkey occurs on the law on public servants. So, the analyses within this study show that the beginning of the Merit-based principles engaged with the enactment of Law No. 788 on Civil Servants adopted in 1926. The Law on Civil Servants is a law that can be considered in terms of arranging the public personnel in a general status and introducing the basic principles necessary for the establishment of

the public personnel system according to the conditions of that period i.e. day. Law No. 788, is not active today, this law included the separation of civil servants and servants (Saydam, 2018:7). Officers, the noble elements of the service, the servants (fortune) were considered as auxiliary elements of the service. The Law on Civil Servants adopted the distinction between primary and auxiliary services but envisaged that both types of services should be carried out by civil servants. Concerning salaries, the Law No. 1108 in 1927 and the Law No. 1452 on the Monotheism and the Meaning of the Salaries of Civil Servants in 1929 were enacted and a standard was set for calculating civil servant salaries.

Moreover, in 1945 and 1952 years within the concrete analyses and expertise of public service legislation and its practical realization, the significant changes had been occurred in Turkey, especially in the management system and personnel management revealed the inadequacy of the system. This situation raised the issue of the reorganization of public administration. The reporting period began, in which most of them are prepared by foreign experts in order to obtain effective solutions. In 1949, Dr. Fritz Neumark, Professor at Istanbul University had prepared Report on Rational Working Principles in State Departments and Institutions. It should be noted that this report was the first original work on this subject. In this report have been prepared detailed research and analysis on Turkish Personnel System. Suggestions such as strengthening the inspection system, eliminating the unbalanced distribution of public personnel, improving the salary system, and disciplining unnecessary burdensome personnel expenditures were made for the disruptive and dysfunctional aspects of the system (DPB, 1963:9).

On 4 June 1951, within the IBRD mission James. M. Barker had prepared a Report on Turkey. This report included the Economic Development and a common personnel policy covering all the Turkish public administration. The main advantage of this report was the necessary recommendations for further improvement implementation in Public Personnel System. For example, the idea of establishing a central state

personnel organization in Turkey has been mentioned the first time in this report (US Department of Commerce, 1950:24).

Following this initiative, in the same 1951 year had been prepared the analyze by James W. Martin and Frank C.E. In the report prepared by Cush, it was proposed to establish a central Personnel Office, which would include all ministries, agencies with an added budget, state economic enterprises and local authorities (US Department of Commerce, 1950:25).

In 1952, the Mediterranean Reports were published by Leimgruber and Gıyas. According to this report, it was stated that an organization, which can to replace the self-employment bill could be established and made important recommendations on the wage regime, working hours, classification and legal status of public personnel. This step was soundly relevant to strengthen the basement of Merit principles in the civil service of Turkey (DPB, 1963:6).

In 1953, in order to provide scientific work in the field of public administration and personnel management, Public Administration Institute for Turkey and the Middle East known as TODAİE was established. The institute has started various research activities since its establishment. For example, the most important study was held in 1958 known as “A Study on the State Personnel in Turkey” entitled research resulted in a three-volume report. In this report, the changes in civil service since the first years of the Republic, salaries of civil servants, social status of civil servants and servants have been examined (TODAİE, 1965:23).

The State Personnel Department of the Prime Ministry was established by Law No. 160 on 17.12.1960. Law No. 657 on Civil Servants entered into force on 23.07.1965. This Law is detailed and systematic in accordance with the laws and other regulations issued for the personnel system. Nowadays this law still maintains its first place as the basic legal law regulating the regime of the state personnel policy in Turkey (DMK, 1965).

In 1978, upon the decision of the Council of Ministers, the Principles for the Employment of Contracted Personnel were adopted and the way for the employment of contracted personnel was opened and these Principles are still in force nowadays.

Towards the 1980s, there was provided public personnel reform. In addition, the Fourth Five-Year Development Plan envisages the reorganization of the State Personnel Office in a way to improve central public administration. In 1984, the Directorate of State Personnel Department was reorganized with the Decree-Law No. 217 dated 08.06.1984 and re-established with the name of the State Personnel Department under the Prime Ministry office.

Since the 1980s, in case of the abolition, privatization or cancellation of some of the public institutions and organizations, the appointment of the personnel to other public institutions is carried out by the State Personnel Presidency. Following this functional regime, in 1999 the Civil Servants Exam and in 2002 the Public Personnel Selection Exam system was established and the central examination procedure was initiated and the implementation and follow-up of this objective system are carried out by the State Personnel Presidency. Moreover, the State Personnel Presidency is carrying on its activities in the field of signing a collective agreement granted to public officials with the 2010 constitutional amendment (DPB, 2014:28).

The analyzes of the system of civil service of Turkey has clearly defined that since 1952 and later on after 1982, 1987 and 2000 the public administration in Turkey experienced reforms. And all these reform efforts had tasks to increase the efficiency of public service. In these processes, the State Personnel Presidency, jointly with TODAIE and other state bodies played a key role as an expert institution and gave a contribution in directing and guiding the public administration and public personnel system with its effective and efficient activities.

Concerning these achievements, the Public service system in Turkey has modernized, well equipped and pays attention to the professionalism of the cadres. For example, the existence and wide-range use of the e-government system known as e-

devlet is solving many before effected problems in a transparent, accountable and equal way.

The KPSS exams are also well designed and proved mechanisms to attract the best specialists to the public service. And career development of state servants also widely guaranteed by the law on public servants in terms of their training, retraining, gaining skills and gradual promotion. Concerning this aspect of question would be rational to mention the closed career system of civil service in Turkey which is historically adopted administering model from France and Swiss. This condition makes the stable and gradual promotion of civil servants within the rule of law.

This study also has found that after 2002, a new ruling party known as AKP in Turkey also continued the administrative reforms in the country. This reform shaped the state personnel policy based on the merit-based performance policy in public service. This start is characterized by the introduction of the KPSS exams and the performance measurements. All these things were based on the analyzes of foreign countries experiences. Further improvement of this policy is widely known in the governmental development plans. For example, The Tenth Development Plan of the Turkish government for 2014-2018 has been implemented with the indicator of increasing merit-based performance achievements. Moreover, The State Personnel Directorate has introduced a new institutional strategy that covers civil service areas in a wider perspective for 2018-2022 (SIGMA, May 2019:21).

In case of the Merit Principles of Public Personnel System and its realization in Turkey exists two parallel understanding:

- First is about the positive achievements mainly based on the national legislation expressed in the law on public servants No 657 adopted in 14.07.1965 and its practical implementation being empowered by the further administrative reforms;

- For the second, is the critical view on the implementation of the state personnel policy. These critical opinions systematically abording that merit-based performance policy in the civil service of Turkey has limits since 2016 to nowadays (OECD-SIGMA, 2019). This condition started within the official transition of the governing functionalities to the President of Turkey and the elimination of the prime minister post. Therefore, the new constitutional reform conducted on 16 April 2017, somehow has effected the performance policy and meritocracy in Turkey. Thus, currently in the civil service system is visible some elements of nepotism and cronyism. The practical obstacles of this condition have been described in this study based on certain examples and references. From the other hand, in civil service system is existing the practices of the merit-based performance policy occurring the middle level and low-level bureaucracy. During this study, many civil servants from these categories have confirmed that merit-based performance policy is well needed and effective tool for them to keep motivation and self-development of personnel staff. The Merit-based Performance policy application in the public sector of Turkey shows that the good quality of public services is achieving an outcome of meritocracy.

2.3. Implementation of Merit Principles in Public Personnel System in Turkey

The 1982 Constitution of the Republic of Turkey contains provisions for working life and the freedom to work in a variety of materials. First of all, according to Article 48, Everyone has the freedom to work and conclude contracts in the field of his/her choice. Another provision defines a norm that Everyone has the right and duty to work according to Article 49.

The State shall take the necessary measures to raise the standard of living of workers and to protect workers and the unemployed in order to improve the general conditions of labor, to promote labor, to create suitable economic conditions for prevention of unemployment and to secure labor peace.

The Merit has been cited as one of the basic principles of the Turkish public personnel regime under the protection of all relevant legislation including the Constitution. In this sense, no regulation and practice should not contradict this principle or there should be a problem that may cause difficulties in the application of merit, while in practice there are often situations that contradict this principle (Yıldız, 2016: 171). In the merit system, both the system itself and non-system factors or deviations and distortions arising from the environment and applying in it (Güran, 1980: 124). Nor did the efforts to regulate civil servants' law for everyday problems over time have changed this view. Due to the disruption of the merit system, for example, the positions of the officers have changed in the transition of every political power, but they remain in the civil service profession. As a result of this, it is seen that the bureaucracy has a large number of civil servants from the old political regime that have only been displaced (Öztürk, 2002:132).

Due to the widespread use of political appointments in Turkish public administration, the quality of the bureaucracy has deteriorated. The quality of the Turkish public bureaucracy providing services to the citizens has suffered significantly (Gökdeniz et al., 2017: 212). Although the administrative authorities are varying degrees of independence from political power, appointments to these institutions are usually made by the ruling political parties. Duties and Powers are impossible for politicians or political authority to intervene directly with administrative authorities, as they are clearly defined. However, as the appointments to public institutions are determined by politicians, they are indirectly open to political intervention. The administrative authority has no chance of opposing, especially against strong governments. (Gökdeniz et al., 2017:212).

Two main conditions of merit system are service compliance and impartiality. The analyses of many publications found that the implementation of public service in Turkey base on the objectivity and impartiality and the merit-based exams are discussed. In order to improve the public personnel recruiting via interview system, it is necessary to increase the confidence of the board personnel who will conduct the interview exam

by having people who have established trust in the society and have proven themselves for the institution.

Taking into account the above notes and visions, it is important to analyze and explore the main principles of the merit system in the civil service of Turkey. Below is presented the analyzed and description of those principles including its implementation.

2.3.1. Principle of Equality

Principle of Equality as the main pillar of merit-based performance policy in the public sector of Turkey has two parts. At first, the legislation i.e. Consitution and law on public servants. The Constitution of Turkey adopted in 1982, has norm in the last paragraph of article 128 that public servants provisions on a collective agreement concerning financial and social rights are reserved.

The article 10 of the Law on public servants includes the norm that Superiors shall treat the public servants in their charge equally and fairly. This norm of article 10 has a significant meaning for equality in civil service.

The second part is the practical implementation of the equality principle. In practice, beginning with the public personnel recruiting and further rank and positional promotions also keep equality. For example, the KPSS exams knowns as the national exam for entering the civil service in Turkey strictly follow and coordinate the equality of citizens and citizens are able to apply for this exam in the whole country. This exam also has an element of transparency and impartiality. In brief, based on this national exam, state organs give equal conditions for the citizens to apply in order to measure his or her knowledge and qualification on the standard level.

According to OECD-SIGMA, the civil service in Turkey is based on Merit, which implements through external recruitment organized for entry-level positions within the external recruitment system-KPSS. The KPSS (the Turkish acronym for the Public Personnel Selection Examination) country-wide exams are the first filter, allowing successful candidates to apply for entry-level positions in the civil service. Since 1999, this exam is acting in Turkey. In addition to these generic exams, individual public

authorities organize tailored exam processes that include interviews and/or written exams (SIGMA, 2016:6).

This study found the civil servant's trade union organizations known as KAMU görevlileri sendikaları. These trade union organizations have a serious impact on the political authority in the government in terms of protecting the rights of civil servants based on the collective bargaining decision. Their activities are based on Law No 4688, Public Servant's Trade Unions and their collective agreement (25.06.2001). The often raising and being under the hot discussion of the agenda between the government and the civil servant's trade union organizations are about the civil servant's salary and their social packages. These activities are targeting in order to protect the equal right of the civil servants in their duty. The civil service remuneration system in Turkey is regulated according to the principle of equal pay for equal work (Turkey 2015 Report:11).

The practical usage of the principle of equality by the civil servants in Turkey also assets the merit-based performance policy in the state institutes. This is known especially in the cases of in-service training and learning through informal contacts and programmatic activities. In general the in-service training and sharing experiences in micro-level most valuable for increasing the qualification of the young specialists and obtaining motivations. Moreover, article 78 in the Civil servants' law supports the successful and competitive civil servants with the dispatch to abroad for training purposes with the period maximum of two years.

Training strategies and plans are in place to ensure professional development of civil servants in Turkey, but they could be further improved (Turkey 2015 Report:11).

Public servants believe that the manager will take into account in performance assessments of the specialist's objectively personal rights, education, etc. Thus, the motivation of the civil servants will get raised and good results will be assured in the organization. Evaluation that employees do not consider fair will not be easy to adopt as a method. After a long time and effort in the establishment of the evaluation system, managers will lose credibility and influence to the poorly performing employees, as they will naturally lose confidence in the system when they realize that there is no difference between the high performing employees in terms of assessment results. Therefore,

equality motivated with justice in the evaluation of the performance measurements among civil servants is a key requirement for the managers in the public service.

Despite the above good practices concerning the equality principle of the merit system in the public administration of Turkey implementing in the public sector according to the national legislation, nowadays is existing the practices of nepotism, cronyism, and favoritism in the government institutes. This problem is much discussed by the local academicians and researchers and moreover, noted by the SIGMA project of the OECD organization.

The problem here arises with the political parties coming to power in the national elections and having the right to create the coalitional government. In many cases, it is revealed that the state personnel policy influenced by the ruling Justice and Development Party AKP by promoting own cadres in the civil service.

2.3.2. Principle of Impartiality

Principle of impartiality or neutrality in the Merit system of Turkey exists in the law. Civil servant's law includes article 7 under the title of Neutrality and devotion to the State. This article has the norm that Public servants shall not become affiliated to political parties, or conduct themselves in any manner aimed at providing advantage or disadvantage for any political party, person or group; they shall not discriminate on the basis of language, race, sex, political ideology, philosophical belief, religion or religious doctrine; they shall not under any circumstances make any declarations and pursue a course of action with political and ideological aims or participate in such actions.

Implementation of this article in the law has many sophisticated practical senses. Because, Turkey as a country succeeding the Ottoman Empire still have a serious internal influence, impacts, and spreads of the religious groups and political movements to the public administration. Therefore for civil servants in Turkey to follow the principle of impartiality is a real professional obligation. This specific condition also has underlying basic factors such as multiethnic and conservative qualities of the society in

Turkey. In a broad sense, the principle of impartiality also relevant to the core value of Republic of Turkey known as secularism - the divide of the religion from the authority. Besides that, this study has found many interesting practices of the government on the realization of the rotation policy of the civil servants among the central authority and its regional branches. The Republic of Turkey with huge territorial and demographic capacities (81 provinces and more than 80 mln population) has many reasons for effective using the direct appointments of the heads of regional municipal entities. This practice is known as kayyum ataması and practices by the central government since 2016 by the reason of anti-terrorist operations ongoing in the southern and eastern provinces Siirt, Shirnak, Hakkari, etc against to the PKK and YPG groups. The case of Turkey shows that the country has faced the instability and military coups in 1960, 1971, 1980, which in every case gradually resulted in a return of formal political power to civilians (CIA Turkey factbook). The last military coup efforts in Turkey conducted on 15 July 2016 was stopped by efforts and heroic death of patriot civilians. Therefore, the country has faced an emergency situation from July 2016 to July 2018. This was a time to stabilize the security situation and to increase administrative effectiveness, keep productivity.

Concerning the above-described issue in Turkey, the Law on Public servant has been amended in order to include a reason for termination of civil service status when a civil servant is linked to a terrorist organization (LCS No. 657, Article 125, E, l.). Due to the broke of impartiality principle by the group of civil servants in Turkey, the country has faced the attempt of the military coup on 16 July 2016. Only the braveheart and patriotic voices and actions of citizens have prevented this coup. After this bloody event, the government of Turkey immediately has introduced the State Emergency (OHAL) which continued from July 2016 to July 2018. During this emergency period, 125,806 civil servants have been terminated.¹ The main reason for such mass dismissal was reasoned their affiliation with the terrorist organizations FETO, PKK and YPG in charge of the destructive actions against the Turkey. However, in order to obtain justice, the

1 <https://www.karar.com/guncel-haberler/15-temmuzdan-bugune-kamudan-125-bin-806-kisi-ihrac-edildi-907231>

civil servants who were dismissed during the period of the State of Emergency are able to appeal to the State of Emergency Procedures Investigation Commission i.e. OHAL Commission (Law No. 7075, 1 February 2018). For example, by December 2019, the Commission had processed 50 300 of the 125 600 applications received up to the end of 2018, rejecting 46 600 applications and granting reinstatement of applicants to their functions in 3 700 cases.²

In the practical sense, the use of the impartiality principle directly shapes the strengthening of the performance policy among civil servants and meanwhile, it prevents the nepotism and cronyism behaviors in the public sector (SIGMA, May 2019:24).

2.3.3. Principle of Guarantee

Principle of Guarantee (Güvence) exists in the Law on Public Servants. For instance, Article 18 has a norm that Public servants shall not be discharged from duty except as described in the laws and shall not be deprived of remuneration and other rights. Social protection of public servants followed by article 19 that Public servants shall be entitled to a pension, subject to the provisions of the special law. Within this law also has been guaranteed to the public servants on complaints and legal proceedings in article 21, and the norm to establish trade unions included in Article 22.

So according to Article 21, Application for official and personal affairs related to civil servants institutions; they have the right to submit a complaint and a lawsuit due to administrative actions and procedures applied to them by their superiors or institutions. Applications and complaints are made by skipping the supervisors who are complained through the line starting from the nearest supervisor by verbally or writing. Applications and complaints are examined and notified to the relevant party as soon as possible. The principles and procedures for applications and complaints shall be regulated by a regulation to be prepared by the President. Article 22 – Civil servants may establish and

² www.hurriyet.com.tr/gundem/ohal-komisyonunun-bir-yili-125-bin-itiraz-50-bin-karar-41066920.

become members of trade unions and higher organizations in accordance with the provisions of the Constitution and the special law.

The Law No 4688, Public Servant's Trade Unions and their collective agreement (25.06.2001) in article 22 has obligatory norm that in order to express an opinion on the working conditions of the public officials at the institution level and the equal application of the laws to the public officials, the administrative boards of the institutions shall be established by an equal number of public employers' representatives and the trade union with the highest number of members. These boards meet twice a year.

And Article 23 of same law explains Workplace union representatives and trade union representatives. According to this article, Trade union representatives are selected from the workplace in order to listen to the problems of public officials in the workplaces related to the employer or the workplace, to convey them to the relevant places and to provide communication between public officials and the employer. Trade union representatives shall perform these duties at the workplace for four hours a week and shall be deemed to be on leave during this period.

Unions operating outside the trade union, which has registered the highest number of members in a workplace, may also appoint a union workplace representative from that workplace to carry out the coordination task for the execution of trade union activities covered by this Law.

The public employer shall provide the union representatives with the facilities to be able to perform their duties in and out of working hours to the extent possible, without hindering the functioning of the administration and service.

According to OECD-SIGMA, in 2016 Trade union for civil servants i.e. the Board of the Unions of Civil Service Employees, managed to include in their collective agreements the commitment to achieve several types of conversions: a) permanent worker (contracts under labour law) into contract worker positions (referring to staff from CSL Article 4b) in state-owned enterprises; b) permanent worker into civil service

positions in state public authorities; and c) full-time temporary personnel into contractual staff (SIGMA, May 2016:12). This is also visible indicator for the strengthening the Principle of Gurantee in civil service of Turkey.

The complaints and unsatisfaction of the civil servants are under the mission of the Ombudsman Institution in Turkey known as T.C. KAMU Denetçiligi Kurumu which has been established in 2012 (Act No 6328, 29.6.2012). According to their official status, the Ombudsman Institution is attached to the Turkish Grand National Assembly. Ombudsman Office has a legal personality and a separate budget. The mission and purpose of the Ombudsman Institution in Turkey are including the below tasks:

- to establish an independent and efficient complaint mechanism regarding the delivery of public services and investigate;
- to research and make recommendations about the conformity of all kinds of actions, acts, attitudes and behaviors of the administration with law and fairness under the respect for human rights;
- Natural and legal persons including foreign national may lodge complaints to the Ombudsman Institution.

Within these purposes, since 2013 a total of 59,567 complaints have been made by citizens to Ombudsman Institution and from this amount, 17,585 complaints were raised in 2018.

Table 2.3. TR Ombudsman statistics.

Year / Date	2013	2014	2015	2016	2017	2018	Total
Total Number of Complaints	7.638	5.639	6.055	5.519	17.131	17.585	59.567

Analyzes of the complaints made in 2018 on a subject basis showed that the highest number of applications was made in the field of public personnel regime with 26.76% as in previous periods, with 24.56% in the field of work and social security and

11.82% in education, training, and youth- sports fields. When compared with 2017, it is seen that the first 6 issues that have been applied the most remain the same.

Table 2.4. Distribution of complaints by subject in 2017-2018

Subject / Field	2017	%	2018	%	2017-2018
					Rate of change%
Public Personnel Regime	4803	28,04	4705	26,76	-2,04
Labor and social security	1953	11,40	4319	24,56	121,15
Education, youth and sports	4480	26,15	2079	11,82	-53,59
Justice, national defense and	1126	6,57	1202	6,84	6,75
Services provided by local administrations	926	5,41	1122	6,38	21,17

Source : The Ombudsman Institution in Turkey (T.C. KAMU Denetçiligi Kurumu), 2018:23

Article 6 of the Regulation on Procedures and Principles on the Implementation of the Law on the Ombudsman Institution has referred to the principles of good management, and is responsible for both the assessment of compliance with the principles of good governance in the examinations carried out and the conduct of the Institution in compliance with these principles in its activities. Therefore this has created the necessity to make sense of the principles of good governance within a certain framework (T.C. KAMU Denetçiligi Kurumu, 2018:27).

In the activity and annual reports for 2018 of the Ombudsman Institute in Turkey has been noted that civil servants mainly made applied their complaints stressing the injustice dismissal their job, and the subjective manners of the decision in oral exams for entering the public service, etc. Based upon these facts, it is possible to say that the Principle of Guarantee as a norm in the Law on Public Servant well enact. However, due to the reasons of narrow managerial interest of some chiefs, the right of civil servants

sometimes get broked. Therefore Ombudsman Institute and trade-unions are standing in protecting the legal rights of civil servants in Turkey.

This should be noted also that Guarantee interrelated with the Reliability especially in success evaluation of the civil servants within the Merit Principle. And it has one of the main features. Reliability, at different times, means that the results of the individual success evaluation do not change without a change in the performance of the evaluators. This feature, which is also considered as continuity in the evaluation, is another sign of work in the Guarantee principle. In other words, without any change in the performance of the employee, the evaluation results made by the same or different evaluators at different times should not change (Erdoğan: 221-223). The extent to which the assessment results are reliable should be understood by those who measure or obtain information from the measurement result. The characteristics and qualifications of the employees and therefore their performance may change over time. The reliability of the systems, which can measure the performance of employees whose qualifications and qualities do not change at different times with approximate units, is gradually increasing in the cases of several ministries such as the Ministry of Health, Ministry of Treasure and Finance. Within this study also found that the Guarantee system that serves as an element of Merit Principle implementation in the public service of Turkey has a wide analysis by academicians researchers Prof. Dr. Cahit Tutum and Prof. Dr. Uğur Ömürgönülşen (Tutum: 127-128, Ömürgönülşen: 385-386).

Based on the above analyzes this is possible to conclude that Principle of Guarantee (Güvence) is well defined in the relevant legal acts such as No 657, Law on Civil Servants and in the Law No 4688, on Public Servant's Trade Unions and their collective agreement. The practical implementation of these laws has linkages to the HR office of the Administration of the President of Turkey in terms of general coordination. And state bodies such as the Ombudsman Institution, the Ministry of Labor, Social Services and Family, Ministry of Treasure and Finance and many other ministries have significant engagements as a core structure of public administration having charges in

the realization of Guarantee principle in the civil service. Administrative courts and state institute on ethics also ensure the supervision of this principle.

2.3.4. Principle of Transparency

One of the most important results expected from the reform in the civil service of Turkey is to overcome the question of trust between the citizens and the state and the various political groups that make up the state. Reform process that is not based on transparency, honesty, and goodwill will result in a further increase rather than overcoming this question. In this respect, the most important issue is to prevent the institutional and individual interests from becoming prominent in the reform process, not to be an opportunity for entrepreneurship, and to constantly check the harmony between the objectives and the changes made (Dinçer, 2003:134). Thus, Transparency is a main condition of the Neoliberalism stands as a core value and pragmatic tool for the public administration in Turkey. Therefore Principle of Transparency is that the administration fulfills its duty of providing information in a systematic, easy, fast and accessible way for real and legal persons to access information. Transparency is a task for administration; for the citizen, it is a right (TR Ombudsman 2018 annual report:36).

Practices and realities of civil service in Turkey include the Principle of Transparency. In this regard, the implementation of the e-government policy is widely known example. Because now the governmental bodies interaction and public services providing abilities to citizens are well organized and combined in the IT platform on a national level. Therefore, the citizens are able to get public services easily via the e-government tool. This opportunity has many benefits for the government, especially to measure and assess the performance of civil servants in online regime. From another side, it shows for citizens transparently the real output and achievements of the government.

Concerning the external feedbacks, EU-SIGMA in November 2017 report has noted that Turkey has a well-established practice of performing outcome-based

institutional monitoring that is publicly available (EU-SIGMA, November 2017:35). This also direct evidence and indicator about the existence of transparency in the public administration of Turkey.

In Turkey specific by-laws from individual institutions for category A positions may require an additional written and/or oral exam. At this point, several elements pose a risk to fully merit-based recruitment (and promotion) (EU monitoring report, 2016:9). Concerning this, has done fragmented monitoring to check the recruitment of the potential candidates in the civil service from those who obtained good grades in the KPSS exams. So, on 15 December 2018 the Ombudsman Institute of Turkey, in order to publicly show to other state bodies about how to conduct the interview and written exam for the successful candidates has organized the practical realization of applied rules for employment in the civil service based on interviews and written exams. In this event, the media also has participated and broadcasted on the TV. Complaints from the candidates raised interviews were effective. The Ombudsman Institute has recorded the problems experienced by the interviewees in various public institutions. And as a result of verbal examinations which should be assessed by the principles of objectivity, impartiality, transparency, accountability and get reasoned decisions. All these practices have been advised by the public institution to other state bodies in Turkey. It was learnable for other state bodies. The interview processes including decision taking part have been recorded in the camera. Later if there are complaints from the candidates, video record must prove the evidence. 3

Taking into account the above explores, it would be useful to note that the Principle of Transparency jointly with the Accountability Principle has the significant role for the civil service to provide the efficient, result-oriented public services with beneficial costs. So, the implementation of the merit-based personnel policy in the civil

3 <https://www.memurlar.net/haber/795953/kdk-dan-ornek-mulakat-uygulamasi-cam-fanus-ve-kamera-kaydi.html>

service directly crossed with the state financial and budget policy. In this case, No 5018, Law No. 5018, Public Financial Management and Control forms the legal basis of Performance Management in the public sector. This Law sets out four main elements in the use of public resources: ***financial transparency, accountability, strategic planning, and performance-based budgeting***. The new financial management system envisaged by Law No. 5018 is based on the interrelated understanding of strategic planning, performance program preparation, and accountability. The plans, programs, and reports prepared in this process are conducted publicly in accordance with the Principle of Financial Transparency. In addition, the budgets of the state institutions are prepared on the basis of strategic plans and performance programs.

Public institutions and organizations subject to Law No. 5018 are subject to performance audit within the scope of internal auditing and external audit activities. The internal auditors in the internal audit units directly under the senior manager assess whether the resources are managed in accordance with the principles of economics, effectiveness, and efficiency in the relevant public administration. On the other hand, performance audits are carried out as an external audit activity on public administrations through audit reports containing regularity and performance audit results performed by the Court of Accounts. The external audit general evaluation report prepared by the State audit Institute of Turkey and audit reports on public administrations are submitted to the Grand National Assembly of Turkey together with the general compliance declaration by the President of the State audit Institute of Turkey. Thus, the Assembly discusses the management and accountability of the public administrations in relation to the acquisition and use of public resources. Within this research, was possible to conduct meeting with the chief of the department on state budget policy and financial control in the Ministry of Treasure and Finance. According to their vision and practices, in the public administration of Turkey is well needed to have performance being simple, tangible, measurable and with data separator and in accordance with the aims and objectives. There was especially noted that in every state department would be rational to have five performance aims. This visionary concept is described in the below subpart.

2.3.5. Principle of Performance

Article 6 of the Law on Public Servants has a norm that Public servants shall adhere faithfully to the Constitution and the legislation of the Republic of Turkey in the service of the Nation. This is a clear task of the civil servant in a broad sense. In the Law on Public service of Turkey No:657, 14.07.1965, the merit-based performance ingredients are in Article 3 and Articles 49-51. Thereby under the new Presidential system in Turkey is retained merit and competition as relevant principles in the Law on Public service. According to the Articles 36-38 in the Law, public servants progress in their career in two ways. At first, horizontally by moving to a higher grade in the same position, and for the second, vertically by being promoted to a higher-level position. Thus merit-based civil service is present in the legislation in terms of the obligation to create staffing plans, job classifications and the composition of selection committees. Moreover, all governmental bodies also have special secondary regulation on creating staffing plans and composition of selection committees.

According to OECD-SIGMA report on Turkey in 2019, in general, currently is no demotion in the Turkish civil service, except for civil servants who are appointed by the President to a top civil service position and then have to return to their original position (SIGMA-OECD, 2019:27).

Local authorities in Turkey except for the village and village associations are implemented performance management processes used at the central government level. In addition to lawfulness and financial audit of municipalities and special provincial administrations, performance auditing was also adopted. In addition, the accountability of top managers (mayor in municipalities, the governor in special provincial administrations) has been reorganized through activity reports to be submitted to local government councils. It is also decided to pay bonuses to the civil servants of the municipalities and special provincial administrations not to exceed two times a year according to their success (Akcakaya, 2012:28).

However, in Turkey, strategic management system-based performance measurements in the public sector are limited in empirical studies. Therefore, based on the opinions of certain academicians like Murat Akcakaya et al, it can be said that it is difficult to develop an opinion on the success of the practices and the results of performance management in the public sector. The main problems on strategic planning and performance management processes of public institutions and organizations in Turkey occur that few of the performance indicators used in central government organizations are result-oriented. There are problems in the preparation of annual reports, which are key to ensuring performance evaluation, transparency, and accountability in public institutions and organizations. For example, in a study where the activity report of 70 municipalities with a population of more than 50,000 was examined (Demirbaş, 2010: 308-310), although the level of disclosure of information was 61% on average, significant deficiencies were found in terms of transparency, suspicious information was used on the accuracy of the reports and performance information was missing.

There are also problems in the internal audit system, which is an important element of performance audit in public administrations within the scope of Law No. 5018. According to the findings obtained from a questionnaire applied to 361 internal auditors (Bilge and Kiraci, 2010: 140-154), the nature of the powers granted to internal auditors by the legislation, the number of internal auditors working in the institutions, the legislation provides sufficient independence to internal auditors, It has been determined that there are insufficiencies about the importance of the management of internal audit. In addition, the respondents stated that the continuation of the internal audit activities under the senior management would adversely affect the performance of the internal auditors, that there were resistance and prejudice against the internal audit in their institutions, and that regulations were required to ensure the separation of duties between the audit boards and the internal audit units.

This is also has been noted by the several specialists in the State Personnel Directorate that nowadays, the good performance achievements based on the Merit

efforts are recorded in the Ministry of Treasure and Finance, Ministry of Interior, Ministry of Health and Ministry of Energy and Natural Resources. In this regard, would be useful to note that the Ministry of Health effectively using their online web portal which covers all the country by providing the online and summary analyzes about the ongoing medical services in Turkey. This experience has been shared by the Deputy Ministry of Health Dr. Şuayıp Birinci on 17 April 2019 at Ensar meeting in Ankara. According to Dr. Şuayıp Birinci, due to online monitoring, observation and gradual summary of the achievements of doctors, nurses practically stimulate them to perform with good qualities and benefits. And this tool is objective, transparent and accountable for the medical personnel and patients.

In the cases of Ministry of Treasure and Finance, the chief of the department on state budget policy and financial control has shared his own view concerning their existing performance practices. So, there are five goals in the lowest management unit. Those goals are personal development, development of business processes, monitoring and evaluation of personnel, get involved with the most important tasks of the department and the unit.

Despite these efforts, nowadays still exists the difficulties concerning the performance culture, in the cases of measurement and evaluation of works, business processes do not fit the performance system, definition of duty and responsibility does not correspond to the performance system.

Taking into account the above explanation here is combined the principal opinions about the possible ways of improving the performance principle within the civil service in Turkey. These suggestions include a review of organizational structures, review of job descriptions, conducting management training to the performance system and developing a merit-based performance culture, performance goals, and objectives, establishment of an information management system related to performance monitoring and evaluation.

This is known that without Merit Principle, performance doesn't matter therefore the movement should be straight towards career promotion, progress and motivation of the civil servants based on education, experiences, and awards. However, core questions shaping the Merit-based Performance Policy is still actual and well needed in Turkey. Why we need a performance system? What we can't do today and what doesn't do better with the performance system? Do we our work with the performance or with money inspiration? Are we having performance system development in changing measurement? This kind of different questions should be considered by the HR department and administration of state bodies in regular bases.

Meanwhile, this is obvious that in general, the Merit-based Performance Policy is widely applicable in the civil service of Turkey.

The public needs and requests formulating through the strong civil society in Turkey is also an important pillar for assessing the efficiency of public service. Concerning this case, this study found:

- The Ombudsman Institute and Memursen – Trade Unions of the civil servants in Turkey. Besides, the department of public relations under the Administration of the President of Turkey presents to citizens transparent access to give inputs about the state bodies and their services;
- These mechanisms also having tested by the European Union profile institutes. For instance, the SIGMA project of the EU is closely working and monitoring the achievements and disadvantages of public service in Turkey. Their aim is also directed to stimulate the meritocracy and performance in the civil service of Turkey underlined with EU standards;
- All these measures show a strong will and effort of national institutes in Turkey to gain reform and high standards of civil service. Taking into account those above-described notes, the experiences of Turkey in implementing the public administration reforms are learnable for post-soviet

Turkic countries like Kyrgyzstan. For instance, the public service of Turkey canceled the personnel evaluation system known as Sicil sistem after a long time of using. In the case of Kyrgyzstan, this system is newly adopted and currently in use. So, the awareness about the advantages and disadvantages of Turkey's experience in using this system would be useful for Kyrgyzstan.

The emergency situation (OHAL) of Turkey in 2016-2018 years seriously tested the public service system. Due to this Principles of Neutrality, Transparency, and Accountability in the civil service of Turkey particularly deeply needed while the country has the threat of terrorism and betrayers. Taking into account this specific condition in the country, the Merit-based Performance Policy has enough potentiality to increase the efficiency of the public sector.

PART 3
MERIT PRINCIPLES OF PUBLIC PERSONNEL SYSTEM
AND
ITS REALIZATION IN KYRGYZSTAN
3.1. MERIT PRINCIPLES OF PUBLIC PERSONNEL SYSTEM IN
KYRGYZSTAN

Well-known that the nature of state authority seeks to administer social relations in order to bring to citizens' peace, stability and development, this is concentrated under the rule of law. Of course, without rational and legal bureaucratic hierarchy i.e. well-established and practically effectively functioning government, the realization of public administration is impossible. Therefore, the question of effective state personnel policy and its performance are priority subject in modern researches. These values are including several conceptions of what is involved in new public management. For example, instead of regulating administrative action by rules and hierarchical authority, most OECD countries now follow two broad avenues to improve production and delivery of publicly provided goods and services. At first, it is to raise the production performance of public organizations. Initiatives include improving the management of human resources including staff development, recruitment of qualified talent and pay for performance, involving staff more in decision-making and management, relaxing administrative controls while imposing strict performance targets, using information technology.

Since the dissolution of the Soviet Union in 1991, Kyrgyzstan became an independent and sovereign republic and more than twenty-eight years implement liberal reforms in the economy, policy, and public administration. Nowadays these reforms are comparatively different and transitional in terms of the outcomes. Of course, the impact of the transitional period in Kyrgyzstan gave advantages to form new public administration. Change of economic format based on the market liberalization and political democratization in society introduced new concepts and behaviors among the

public servants. Therefore, this study will also bring a wide range understanding of the impact of the merit system to the performance in state personnel policy in Kyrgyzstan.

Scientific researches provided by many scholars concerning further development of former soviet republic Kyrgyzstan is noting several actual issues. And these issues are concerning the historical and legal aspects of Kyrgyzstan's public administration system including its modern stage. Here the main state-building processes link to the adoption of Neoliberal Concept. This choice of Kyrgyzstan cores to the modernization and effective use of good government practices. Taking into account the above-pointed actuality of this subject this study will analyze the Merit Principles of Public Personnel System and Its realization in Kyrgyzstan. This study is a part of the comparative study including Turkey and Kyrgyzstan. So for this reason below is described and analyzed the Effect of the Principle of Merit on the Public Personnel Performance Policy in Kyrgyzstan as a case study. Thus case study occurs analyzes of historical and legal aspects of the development of Merit Principles in Kyrgyzstan.

3.1.1. Historical Development of the Public Personnel System in Kyrgyzstan

Historically, Kyrgyzstan as the former Soviet republic had experienced the implementation of several Public Personnel Systems. These experiences have been caused due to the colonialism period by Russian Empire in 1863 – 1917 years. And after this, the socialism period in USSR, which practiced within 1917-1991 years. This study analyses the Historical Development of the Public Personnel System within those two periods, while the general effect and administrative heritage of the institutional memory are standing as an actual factor in the present days. This featural accent in the Public Personnel System of the sovereign Kyrgyz Republic also presented in this research. Taking into account this profound condition below also done analyses of existed the Public Personnel System of sovereign Kyrgyzstan.

3.1.1.1. The Colonial Public Personnel System of the Russian Empire in Kyrgyzstan.

This was a real historical reason in the destiny of the Kyrgyz Nation in Central Asia to be colonized by the Russian Absolute Tsarism. Academical researches have found that the reason for this was the active competition between the Russian, British Empires, and Chinese Qing to colonize Central Asia. From the other side, the internal disintegration of regional elite groups, inefficient traditional bureaucracy engaged with nepotism, corruption, and instability caused by the failure of the feudal Kokon Kingdom resulted in the rapid colonization of Central Asia by the Russian Empire. Thus, Public Personnel System of the Russian Empire began to be organized in colonial Kyrgyzstan actively since 1863-1865 and later on 1892 years. State policy in the Russian Empire was characterized by strict centralism in the selection and placement of officials of the state apparatus at all levels and was a strategy of the Russian monarch, his entourage and the highest state bodies of the country to form, demand, deploy and rationally use the personnel potential of the Russian Empire in order to strengthen the state and resolve national tasks.

Main characteristic features of the Public Personnel Service were:

- Statism and hard centralism;
 - Development of regulatory and organizational frameworks;
 - Nobility, nepotism, and favoritism;
 - Unity for all of Russia;
 - Perspective and stability, focus on staffing all sectors of the public administration system with professional personnel;
 - Control and a high level of responsibility of managerial personnel;
 - High moral reference - serving the sovereign and the Fatherland.
 - Career policy was aimed at the selection and placement of professional officials.
- One of its main tasks was the professional development of employees, assistance in the implementation of promotion of officials.

The main concept of the Imperial Russian administrative personnel system was organized on January 24, 1722. Thus, the decree of Peter I, a law was introduced under the title “Table of Ranks for All Ranks of Military, State, and Court ...”. This law lasted until the establishment of Soviet power and defined three types of public service - military, civil and court. Based on this law, a unified system of ranks was introduced, their nomenclature and hierarchy in each type of service, regulatory conditions were created for stabilization and reproduction of personnel processes. A total of 262 posts were included in the 14 classes of the Table. They were divided into three parallel series of ranks: military, civil and court (Melnikov, 1998: 411).

Civil servants were divided into two groups, the first of which was personnel officers of the 14th grade, and the second group consisted of civil servants not included in the list of posts on the “Table of Ranks”⁴. This group consisted of lower officials who were not included in the structure of 14 classes. For them, the institution of “clerical ministers” was introduced as the initial stage of public service. Additionally, in the “Table of Ranks” there were also the highest honorary titles - state secretary, member of the State Council and senator. The ranks were also assigned to elected officials of local government bodies - leaders of the nobility, and later - to city heads and chairmen of zemstvo i.e. local councils. Sometimes civil servants received court ranks as a special distinction (Arkhipova, Rumyantseva, Senin, 1999: 57).

The second part of the “Table of Ranks” was composed of the so-called paragraphs, which contained an explanation of this document, and the basic principles of the state personnel policy were legally established (Isaev, 2013: 362). The clauses provided for civil service, in which vacancies were filled by promotion, and not from outside. For this, a reserve was created from young nobles who were enrolled in the rank of the college of cadets and who received in this connection the 14th rank. Admission to

⁴ The full name of the “Table of Ranks” is “The Table of Ranks of all officials, military, state, and courtiers, which have classrooms; and which class has one.”

the public civil service was carried out primarily from the nobles, in which the absolute monarchy saw its main social support.

The general order of production was expected and requested with successful service and “good morality” employees acquired the right to the next rank for seniority. Along with this, there were a number of reasons for the accelerated advancement of ranks and positions along the hierarchical ladder, including higher education and the academic degree of an official, diligence and commendable service, as well as special Merit values expressed in exploits and differences. But at the same time, gradualism in the passage of public service was strictly maintained, production through the rank or obtaining the highest rank was excluded, bypassing the lower ones. This was one of the serious obstacles which cut the motivation of low level and middle-level public servants (Mukhaev,2012:226).

Based on the “Regulation on the production procedure for ranks in the civil service” (1834), and then in the Charter on the civil service two types of grounds for promotion were established: “diligent and commendable” service in the length of service; special differences in cases for the “benefit” of the state, testifying “about the special works and virtues” of the official.

The service career was reasoned with successful service and “good morality” employees acquired the right to be awarded another higher rank for seniority. Officers were promoted to ranks from 14th to 10th grade after three years. For the acquisition of ranks from 10th to 5th grade, it was necessary to serve for four to six years. For presentation to the production ranks above the state adviser, i.e. from 4th to 1st grade, no service period was established, and their award was completely transferred to the sovereign.

The peculiarity of production in the ranks for the “differences” consisted mainly of the reduction of the service life within the framework of the corresponding classes.

For “distinguished” officials, the length of service compared to the general term was reduced in the ranks from 14th to 9th grade to two years. The terms of production in ranks for the differences from the 8th to 5th grade were reduced by one year. Office clerks who were not in the 14th grade were also given the opportunity, through long service (12 years or more) and using the “differences”, to acquire the right to receive the first-class rank of a college registrar.

The Senate allowed personnel departments of ministries and provincial boards to nominate “distinguished” candidates for 14th-grade vacancies on a competitive basis. The appointment to the post of this class opened up opportunities for former clerical employees to pursue a career already as part of the class bureaucracy.

In accordance with the general terms established by the “Regulations on the production of ranks,” employees were able to serve from the 14th to the 5th grade, inclusive of 24 years of service -26 years (Simopishvili, 2011:117).

Public service completion ended with resignation. Each employee had the right to request resignation at any time. The dismissal could not be refused, except in those cases when officials were obliged to serve in government institutions for a certain period. At the same time, the regulations and charters on the civil service gave commanding authorities the authority to fire officials from their jobs and on their own initiative. The reasons for dismissal could be a mismatch of the position, an unfair attitude to official duties, crimes of service, violation of moral standards. (Isaev,2013:365).

The Public Personnel System of the Russian Empire has been directly implemented in colonized Central Asian region including Kyrgyzstan. So, in 1867, a new decree on the administration of the Turkestan Territory was approved by the Russian Tsar. Concerning this decree, appointed by the Tsar the head of Turkestan was the governor-general, who had a big power by controlling administrative, civil service

and the military power. The chiefs in the regions were military governors appointed and dismissed by the Minister of War in agreement with the Governor-General, and regional governments, equal in their rights to other provincial governments of the Russian Empire. County and volost chiefs were also appointed from among the military. Along with administrative, military governors were vested with police and judicial functions. The head of the county administration was the county governor, to whom the troops located in the county were also subordinate. The administration of the volost was carried out by the volost governor, who, in addition also performed police functions. Thus, the administrative apparatus was a rigidly centralized system operating exclusively in the interests of Russian colonial policy. (Abdurahimova, Rustamova, 1999:47). At the same time, for all the rigidity of administration, the colonial authorities pursued a rather flexible policy with regard to the local population, which was so unlike other subjects of the empire. First of all, this applied to everything connected with religion Islam and local traditions (Kalishevskiy, 2012:12).

Representatives of the indigenous population were quite widespread represented in the lower structures of the administrative system in as governors of volosts, elders of villages, people's judges and their assistants, aksakals, mirab i.e. water distributors, and others. For representatives of the indigenous population, who served in the colonial administrative system, the annual salary and the right to receive various incentives were established. The annual salary of the chief of the volost was 500 rubles, his assistant - 200 rubles, elders of the villages and their assistants - from 40 to 200 rubles. (Glushchenko, 2010:575).

With the participation of the indigenous population, and public bodies, like volost, organized rural emergency meetings and congresses. Subsequently, under the "Regulation on Management Turkestan Territory" in 1886, instead of a one-stage electoral system for a settled population, a two-stage system was introduced. Everyone has the right to participate in rural and village meetings owners of cabins and courtyards of this community. Voting took place on the basis of dropping balls into the boxes for

candidates. Information about the candidates was compiled, which contained brief information about the age, education, property, family of the candidate. The election results were approved by an authorized government official, after which they were transferred to the county governor. The head of the county submitted information to the military governor of the region. The governor of the region issued an order approving the elected candidate. Despite the fact that outwardly the grassroots election system, the structure of the administrative system was based on the free will of citizens, in practice, all issues related to the elections, approval, and activities of lower-level officials were under the strict control of representatives of the top of the colonial administration, in particular, representatives of the colonial government. Last at their discretion, had the right to appoint local chief positions of any person without holding election. (Chernyaev, 1915:15).

Concerning the total amount of public servants in colonial Kyrgyzstan in 1914-1916 years it was estimated about 5000 and local servants also represented in 8000 persons. Within this period approximate population was about 800 thousand people in colonial Kyrgyzstan. In 1914-1917 years, due to the 1st World War happened the mass mobilization of the male public servants for war battles. Therefore, the rights of women to engage the civil service has been expanded for the positions not higher than grade 8 in a number of departments (Tutov, 2015:278). Thus, happened the crash of the Russian Empire in October 1917, its Public Personnel System was canceled in practice. The main reason for the fall of the Russian Empire was reasoned in the social-economical inequality and poor life of citizens, nepotism and favoritism based corrupted bureaucracy, the revolt of the colonized regions and the continuous of bloody 1st World war.

3.1.1.2. The Public Personnel System of Soviet Kyrgyzstan in the Period of the Soviet Union

After the October Revolution of 1917, the pre-revolutionary legislation of Tsarist Russia on public service was abolished, and for the next 70 years in the Soviet Union,

including Kyrgyzstan, there was no independent state legal organization, and the state apparatus was joint part of the Communist party leadership. (Chorotegin, 1995:79). The conditions of the administrative-command system influenced the formation of the personnel administration system in government bodies. Personnel work at all stages of this period was considered by the Communist Party as the main link in the realization of its leading role in the state and society, as a result of which party organs made decisions, while others carried them out. To a large extent, this was due to the fact that the formation of a rigidly centralized power system after the revolution under the conditions of demoralization of the state apparatus took place on the basis of the organizational structure of the Bolshevik party: from the Central Committee to the provincial, city and district committees.

The practice of the first years of Soviet power showed that successful radical socio-economic transformations are impossible without a strong state with its power bodies and a professional, constantly operating apparatus. The low cultural level of the population, the lack of political literacy, the complete or partial lack of qualified personnel in the middle and lower levels of government (the most numerous) forced them to rely on the administrative apparatus in the upper echelon. The implementation of the chosen course could not have a tool other than strengthening directive principles, strict centralization of administration, operational administration, and tight control. The main methods for achieving the goal were not qualifications, not professionalism, but command and administrative techniques. In these conditions, the public personnel style could only be authoritarian. Especially these trends, emphasizes the famous Russian researcher V.G. Ignatov, intensified in the late 1920s and 1930s under the conditions of the deformation of the Soviet government, the intensification of ideological and party monopolism, the emergence and strengthening of the personality cult, and the authoritarianism of the party-state elite. The will of the highest official, the power of the official-bureaucratic apparatus, the ultimate concentration of authority in the hands of the sovereign party and state leadership, the subordination of the Soviet (state) authorities and governing party and, accordingly, Soviet servants are Party servant. The

functioning of the public service was negatively affected by the violation of the rule of law, the diminution of the role of the court, the prosecutor's office, legal and judicial arbitrariness, and mass repression. (Ignatov, 2008:34-83).

Under the conditions of nationalization of industry and total nationalization, the state apparatus sharply increased. In 1927, about 4 million employees were employed in the state apparatus, that is, almost 1.5 million more than in large-scale industry. For comparison: in 1913 in the Russian Empire with a population of 174 million people 253 thousand officials were in the public service. In the USSR in 1954, administrative and managerial personnel grew to 6.5 million people. The peculiarity of the civil service of the Soviet period was that except for people who worked in government and administration bodies, government employees included scientific and pedagogical personnel, as well as managerial staff, specialists and engineering workers employed in various sectors of the national economy, doctors, etc. (Letuchiy, 1991:5). This was due to the fact that the public service system that developed in the country did not have clear parameters. Civil servants were assigned to administrative and managerial personnel. Attempts to isolate managers among the whole mass of employees led to a very peculiar interpretation of the concept of "government body": from the government to the administration of enterprises and institutions. Over the years of the existence of the Soviet Union, the law on public service was not adopted, the legal base of this institution was an uncoded and unincorporated set of regulatory legal acts of various legal force and diverse departmental affiliation (Polyakova, 1981:345).

Relations in the state apparatus during the Soviet period were regulated by general legislative acts of the USSR and the Kyrgyz SSR on the Council of Ministers, local councils, as well as special normative acts "Temporary rules on work in state institutions and enterprises", approved by the Council of People's Commissars of the Russian Soviet Federal Soviet Republic on December 21, 1922, and the corresponding "Provisional Rules for Service in State Institutions and Enterprises" approved by the Council of People's Commissars of the Kyrgyz Soviet Socialist Republic in 1937, the Regulation on Disciplinary Liability in the order of subordination adopted on March 20,

1932, the Unified Nomenclature of the posts of employees from September 9, 1967, the Qualification Directory of the posts of managers, specialists and employees from 1987, etc. Over time, the emphasis shifted to regulating the activities of the Soviet state bodies themselves. So, in 1957-1984 more than ten decisions of the Central Committee of the Communist Party of the Soviet Union were adopted, in which they talked about the increasing role of the Soviets. Within these efforts in the latest 1980s began works on creating a draft law on public service, but the collapse of the USSR did not allow it to complete (Akunov, 2001:59-65).

The leadership of the cadre corps of civil servants was formed primarily from among the members of the Russian Communist Party (PKБ6), primarily from representatives of professional revolutionaries so-called Leninist Guard in 1920. Therefore 53% of the Soviet communists were employees in the state institutions. Gradually, a new mechanism for the selection of managerial personnel was formed and improved. For workers of higher state authorities, a nomenclature was introduced, which defined the most important posts in the state apparatus. Candidates for these positions were approved by communist party committees (Abrosimov, 2009:195).

Historically, the basis of nomenclature, like the class of nomenclature itself, was the Leninist principle of creating a party as an organization of professional revolutionaries. The creation of a nomenclature system is usually associated with the decision of the Organizing Bureau of the Central Committee of the Russian Communist Party, adopted in November 1923, which determined the procedure for selecting and placing public personnel in important positions. The decision was accompanied by a list of nomenclature posts. At first, there were two lists: nomenclature No. 1 (3,500 people), according to which the workers were approved by the Politburo or the Organizing Bureau of the Central Committee; nomenclature No. 2 (1,500 people), whose employees were under the jurisdiction of the accounting and distribution department of the Central Committee and were appointed on the authority of one of the secretaries of the Central Committee. In November 1925, the Organizing Bureau of the Central Committee somewhat reworked these lists and added a third one to them - nomenclature No. 3 for

the so-called departmental nomenclature. The most significant function of nomenclature was political administration and this authoritarian order existed until the dismissal of the Soviet government in December 1991. Thus, the nomenclature was canceled by a resolution of the Secretariat of the Central Committee of the Communist Party of the Soviet Union on August 22, 1990. (Mohov, 2005:3-5).

The Soviet nomenclature included four levels - the Central Committee of the All-Union Communist Party of Bolsheviks (b), the Central Committee of the Communist Parties of the Union Republics like Kyrgyz SSR, regional, city and district party committees, each of which had a list of senior positions, the candidates for which were selected and approved by the bureau of the corresponding committee, but actually by his first secretary. The nomenclature was divided into the main and accounting control. (Yatskov,1982:133). For example, the secretaries of the regional party committees were included in the main nomenclature of the Central Committee of the Communist Party of Kyrgyz SSR and in the accounting and control nomenclature of the Central Committee of the CPSU. Therefore, all appointments to this post could be made only with the consent of the CPSU Central Committee. Moreover, the power structure was such that, without having passed the nomenclature of the district, the city, the nominee could not get into the nomenclature of the region, etc.

During the Soviet period, there was a tendency to increase the number of public servant posts and cover an increasingly wide range of senior employees with centralized selection and placement of personnel. Moreover, with the leading role of the communist party in the country, there was a rotation system that provided for a constant change of status: the party worker switched to Soviet, trade union or Komsomol work, and, on the contrary, the Soviet workers were the personnel reserve for the party apparatus. The inclusion of a position in the nomenclature did not depend on whether the position was elected or was replaced by an appointment. In the composition of the main nomenclature, the share of the directors' corps of large industrial, research and construction organizations was comparatively high. Concerning this, I. Abrosimov, emphasizes that direct influence on production managers through the appointment

procedure was intended to tighten the control and influence of higher authorities on the main links of the economy. In 1946, the main and control and accounting nomenclature of the Central Committee of the All-Union Communist Party of Bolsheviks covered up to 42 thousand managerial posts. (Abrosimov, 2009:195).

In general, the total number of nomenclature workers of the USSR is estimated by researchers as about 2 million people. It should be noted that in Soviet Kyrgyzstan, as a union republic, public personnel work was carried out by party organizations of the republic. In Kyrgyzstan, a two-tier system of party bureaucracy was gradually formed. The main nomenclature of the Central Committee of the Communist Party mainly consisted of responsible workers of the Central Committee apparatus, secretaries of regional committees, first secretaries of city and district party committees. The control and accounting nomenclature have incorporated top-level personnel - heads of departments of regional and large city committees, secretaries of city and district committees. At the same time, the list of nomenclature positions of the regional, city and district party committees was clearly defined. Along with them, the heads of enterprises and organizations of districts, cities, and oblasts were included in the personnel register. (Jumanaliev, 2002:245).

When selecting frames, various parameters were taken into account. Traditionally, starting in the 1920s, in personnel work, the emphasis was on “working out” the leading party cadres. And in subsequent years, preference was given primarily to those who had a working-class, and secondly, to peasant origin. Distrust of the “rotten” intelligentsia persisted from Leninist times to the end of the Soviet period. As of 1980, let's say, 66.2% of the secretaries of city and district party committees worked as workers or collective farmers. Among the managerial staff men dominated, at the same time in connection with the proclaimed gender equality, considerable attention was paid to increasing the proportion of women in the public service, including in senior positions. (Yatskov, 1982:133).

More attention was paid to the management of personal files of senior employees who were subject to nomenclature accounting. In addition to personal data and an autobiography, they included various characteristics and references containing an assessment of work, political training, and personal qualities. Moreover were letter-denunciations, the results of checks on them of various commissions, decisions of party bodies, adopted on the affairs of this person, and other materials. The data contained in the personnel file were analyzed, especially regarding the presence of any discrepancies or ambiguities, as a result of which a party characterization was compiled, in which, in particular, the formal criteria that the head should meet were compared with information that flowed from documents. On the basis of the party characterization, a conclusion was drawn about the correspondence of the leader of the position or the possibility of nominating him to a higher position. Such formal approaches familiar to the bureaucratic system formed the basis of the substantive part of the work of the party bodies, which prepared the necessary decisions on personnel issues (Yatskov, 1982:137).

The main task of the state was to manage the economy, and the main function of the state apparatus was to ensure the dissemination of decisions of the Communist Party regarding the production and distribution of resources in all sectors of the economy and to ensure the implementation of these decisions in accordance with the official government line. Government officials were not required to analyze political processes, manage resources or manage the process of implementing government decisions in an independent legal field. They did not need knowledge of economics, law, management, finance. Instead, most civil servants had a technical background and some product knowledge. Moreover, such personal qualities as a discipline, loyalty, obedience, and the ability to follow orders were important. Civil servants were appointed to these positions or promoted to higher posts on the basis of these qualities and knowledge of production. Briefly saying the civil service of the Soviet Union was a highly disciplined bureaucracy.

The nomenclature principle, covering the entire sphere of public administration, however, did not have legal registration. Leading positions were to be held only by party

members recommended for these positions by the relevant party committees. The characteristic features of the nomenclature bureaucracy were secrecy, strict selection on the principle of devotion to the party and business qualities. Moreover, if Lenin brought to the forefront in the selection of the conscientiousness of the appointed leader, then Stalin considered the political criterion to be the main one. (Kukushkina, 1985:257).

Considerable attention was paid to the preparation, first of all, to raise the general educational and ideological and political level of civil servants. By the decision of the party organizers, many communists were sent to study at higher and secondary special educational institutions, the number of which increased significantly. Higher Party Schools included two departments: on the basis of higher education and on the basis of secondary education. The first gave higher party education in two years on a full-time basis and in three years - in the correspondence department, and the second - higher general and party-political education for 4 and 5 years, respectively. In the nomenclature environment, motivation for obtaining a second party-political formation grew, the presence of which opened up more favorable opportunities for a party or state career. Political education has become an integral part of a significant number of other leadership positions in the state. Thus, there was some “neutralization” of business executives as part of the secretary’s corps, and the being engaged with the technocratization of the subregional political elite was softened. In the party education system were also institutions that did not give a university diploma, but were limited to a departmental document on obtaining political and managerial knowledge. A diploma of graduation from the evening university of Marxism-Leninism has become almost a prerequisite for promotion to any leading position. (Gorbachev, 1995:180).

The analysis of the practice of Public Personnel Management in Party and Soviet bodies in the conditions of the administrative-command system can be noted as a positive and negative experience. The positive experience includes:

- The Creation of an extensive system of training, retraining and advanced training of managerial personnel for public authorities, which is constantly evolving,

solving more and more complex problems and improving forms and teaching methods;

- The experience was accumulated in the formation of the leadership corps, a clear mechanism for the selection, training, and verification of managerial personnel was created;
- A system of staff motivation for effective, efficient work, the responsible performance of official duties was worked out.
- The motivation system that existed at that time had both positive (motivation by patriotism) and negative (motivation by fear) sides.

The negative examples of soviet public personnel regime mainly were:

- The absence of professional bureaucracy, the absence of a normative legal order of selection for public service and career advancement affected the style of management of the staff of the Soviet public service;
- Communist party influence on the selection and placement of personnel in state bodies;
- The legal disempowerment of employees who could be dismissed at any time and many of them did not have the right to consider their labor dispute in court;
- The lack of law but the service and the legal regulation of public-service mainly followed by labor rights about salaries, working hours and leisure time, vacation, certification, etc.

3.1.1.3. The Public Personnel System of the Sovereign Kyrgyz Republic

The dissolution of the USSR opened the independence and sovereignty for Kyrgystan. However, this study has found that the soviet nomenclature legacy in the transitional period from 1991 to 1998 years have the administrative reform applied gradually in practice for more than 8 years. And only in 2003 has been started the

mechanism of institutional reform in public administration beginning from the Public Personnel Management System in Kyrgyzstan. Since 2010, with the adoption of the New Constitution, Kyrgyz Republic is a Unitary, Secular, and Parliamentary Republic. Administrative and regional structure of Kyrgyzstan composed from 7 provinces and 40 districts. Two cities Bishkek and Osh have republican importance, 12 cities have provincial importance, and 17 towns have districts importance. Moreover there are 453 village administrations known as *ayıl okrug*. As a result, there are 484 local government bodies. These numbers are showing that Kyrgyzstan is a compact country and must have effective government.

The Merit-Principles in the civil service system of the Kyrgyz Republic are existing in practice. The reasons for the introduction and realization of the Merit Principles were caused by an increase in the performance i.e. efficiency, effectiveness and equity and economy of the public servants and municipal servants in Kyrgyzstan. This decision and steps are the output of the Neoliberalism concept, which justifies the benefit cost-efficiency and quality services. (Koichuev, 2000:5-17). Thereby Public Performance Management as a substructure division of the New Public Management gets used in practice at the public service system in Kyrgyzstan. Concerning the application of the Merit-based performance approach in the public service of Kyrgyzstan, international organizations such as UNDP, World Bank, EU Commission, USAID, and DFID provided important technical, educational and methodological assistances. Expecting effects from these assistances and enacting in practice reform already have some results. So according to the annual activity reports of the State Personnel Service of the Kyrgyz Republic and some researchers, Reforms of the government system, as a rule, are aimed at reducing the level of bureaucratic inefficiency (by fixing at the legislative level the procedures for selecting candidates for bureaucratic posts - for example, mandatory examinations on a competitive basis) and bureaucratic corruption (by introducing special measures to protect public servants - for example, a standardized scale remuneration and the system of lifetime contracts). This is completely clear that the course of economic reforms, progress towards the

democratization of society, overall stabilization and development of the country largely dependent on the system of government and the professionalism of officials, their legal capacity and initiative, commitment to the chosen course of the country.

This study also identified that since the establishment of the Public Personnel Service of the Kyrgyz Republic in 2004, significant reforms were carried out in the field of state and municipal services. Mainly has been achieved following introductions:

- System of competitive selection for state and municipal services;
- The institution of state secretaries has been introduced as a tool to ensure stability and continuity of public service;
- A system for the declaration of income of state and municipal employees;
- A continuous system of training, advanced training of state and municipal employees on the basis of the state program and state order;
- A system for evaluating the performance of state and municipal employees;
- A new system of remuneration of municipal employees;
- Relations have been established for cooperation with international and donor organizations on the issues of training and advanced training of state and municipal employees;

However, this study also identified that despite the positive achievements, the State Personnel Management of the Kyrgyz Republic has problems obstructing the Merit Principle implementations. Concerning this point, The National Institute for Strategic Researches of the Kyrgyz Republic, in 2013 year published the Analysis of the effectiveness of public administration in Kyrgyzstan (NISI, 2013:57). This Analysis have mentioned key problems in the civil service of the country such as the bulkiness of the state apparatus, its high centralization, imperfect distribution of functions between state bodies, civil organizations, including local governments and business organizations. Therefore, an analysis of previous measures to reform state bodies indicates not only insufficient efforts to bring their activities in line with the

requirements of the rule of law, but also inadequate and unsystematic approaches to the reform itself. The changes did not consist in reforming the activities of ministries and departments, but mainly in giving them a new look with the old content. A functional analysis was carried out, the number of government agencies was changing, but there was no significant improvement in the quality of their work in managing the processes of socio-economic development.

- The lack of a person-centered approach to the quality of public services in government bodies continues to lead to disorientation of ministries and departments. Instead of results, functioning becomes the goal. Being engaged in current tasks, many state bodies lose sight of promising issues and do not always work out concrete measures to achieve priority goals in a timely manner.
- The staffing potential of public administration and local authority remains weak. Professionalism, competence, and moral and value guidelines of a certain part of state and municipal employees do not meet the requirements.

This study also found that the State authority of Kyrgyzstan has a strong political will to eliminate those problems in order to increase the efficiency of the public administration. And the Kyrgyz Republic implemented the National Strategy of Sustainable Development for 2013 – 2017 years and continuing the New Strategy for 2018-2040. The main goal of this Strategy is restoring citizens' confidence in public service. Hereby the public sector works on:

- Creation of a workable system of public administration;
- Modernize the state apparatus, including law enforcement agencies and the judicial system of the country;
- Improving the quality of public services to the main consumer - citizens of Kyrgyzstan;
- Overcome the negative phenomena in public administration, including corruption, a lack of professionalism and responsibility, duplication of functions, as well as clannishness and regionalism;

- Ensuring optimal management of not only the state's material assets but also intangible, humanitarian assets: the development of norms, rules, projects, strategies and their implementation.
- This research found that the priorities of the National Strategy are aimed at the foundations of a unified system of public service. Within this aim is ongoing measures on;
- Creating a compact and professional state apparatus capable of effectively performing the functions of the state, focused on providing high-quality services to the population, stable against corruption and enjoying the trust of society;
- Ensure the increase in the potential of personnel in the state and municipal services, the creation of a single database and a system for stimulating the professional growth of employees of state and municipal government, and also to regulate the mechanism of rotation of managerial personnel at the legislative level in order to exclude corruption and tribal manifestations.

Within 2013-2017 years and nowadays, the state bodies of the Kyrgyz Republic gradually increase the use of a modern “e-government” system. And this system is effective in the practice and citizens began to use this device. Therefore outcomes from these steps are stresses the usefulness of the Merit-based Performance policy for the public service of Kyrgyzstan.

3.1.1. The Historical Development of Merit Principles in the Public Personnel System of the Kyrgyz Republic

Historical development of Merit Principles in the Public Personnel System of Kyrgyzstan mainly has linkages with the history of the Kyrgyz Nation and concretely its public administration system. The Analyzes of research materials and publications of many famous historians such as Jamgerchinov, Karaev, and Osmonov, etc. are defining that the Kyrgyz Nation as a part of a Turkic community historically had succeeded to built own statehood in three historical periods. Those historical periods are including

ancient times, medieval time and end of the 20th century. So according to the Kyrgyz historians, the statehood of Kyrgyz Nation has more than 2200 years of existence. Due to this large historical background of Kyrgyz statehood, efforts on searching and analyzing the governing methods and specifics, and moreover the internal and external social-political, economic processes have found many interesting and actual artifacts and heritages. (Kyrgyzstan. Encyclopedia, 2001: 307). Concerning our subject, the main profound value is the Kyrgyz Nation used the traditional Merit-based public administration supplied by the nomadic rules known as urp-adat.

This subpart of the study discovers the main events and features of the Kyrgyz statehood beginning from the periods of the second half of the 19th century known as colonization period by the Russian Empire, and the period of the Soviet Union in the 20th century in 1917 and 1991 years. Based on the above brief introduction, below is presented the analyzes on the Historical Development of Merit Principles in the Public Personnel System of Kyrgyzstan.

3.1.2.1. Merit Principle in the Kyrgyz Society in the Colonialism Period by the Russian Empire (1863-1917)

The reason for the accession of Kyrgyz tribes to the Russian Empire was caused by the urgent need to protect themselves from the occupation of the Qing dynasty of China. The fall of the Kokand Khanate also exacerbated the situation of civil war among the local population. In this regard, the political leaders of Atake Baatyr and Borombay Biy of the Kyrgyz tribes Sarybagysh and Bugu since 1785, sent Ambassador Abdrakhman Kuchakov and others to Russia in order to get their military and political patronage. These efforts took real feedback action from 1863 to the end of 1867. As a result, Russia colonized the lands and people of the Kyrgyz. So, on July 2, 1867, the Turkestan governor-general was formed. A military-colonial control system was established. The territory inhabited by the Kyrgyz Nation was part of four areas of the governorship such as Jeti-Suu, Syrdarya, Ferghana and Samarkand. At the head of the

regions were military governors. The regions were divided into counties, which were governed by county governors. The counties were divided into volosts, and the volosts were divided into seniority, which was headed by the rulers of Kyrgyz tribes and clans (Zhamgerchinov, 1966:129).

Soon after the abolition of serfdom in Russia (peasant reform of 1861), the resettlement of landless peasants from the Western and Central regions of Russia to the eastern regions of the country, including to Central Asia and Kazakhstan, begun. The goal of tsarism was: the formation of Russian resettlement villages as a pillar of the tsarist autocracy in new places, due to the displacement of local peoples from fertile lands. So, by 1906 in Turkestan, there were more than 77 thousand migrants, including more than 35 thousand people in Kyrgyzstan. Russian and Ukrainian immigrants organized agricultural holdings, developed pedigree animal husbandry, and beekeeping. New cities like Pishpek, Tokmak, Karakol and many Russian villages had been settled. Small artisan enterprises appeared, and the manufacturing, coal, and oil industries sprang up. The agrarian policy and the resettlement of peasants in Kyrgyzstan led to the expansion of colonialization, the displacement of the Kyrgyz People from fertile lands, which led them to a dangerous line — the extinction. For example, Russians and Ukrainians, who were 20% of the population in Przhevalsky district, have captured over 67% of all arable land. A new tax system has been introduced. Taxation was divided into two categories: land tax and household tax (per house), etc. (Chotonov, 2009:126-130).

In 1877-1878. after the suppression of the anti-Qing uprising in China, fleeing the national oppression of the Manchu-Qing feudal lords, refugees — Dungans, Uighurs — appeared on Kyrgyz soil. They compactly settled in the south of Kyrgyzstan, Aravan, Kara-Suu, Osh, in the north - Karakol, Pishpek, and in the Chui valley (Zhamgerchinov, 1966:138).

The historical significance and consequences of the accession of Kyrgyzstan to the Russian Empire are dual and contradictory. First, many researchers consider the progressiveness in these processes in terms of socio-economic and cultural development

of Kyrgyzstan. On the other hand, many historians have noted the bloody consequences of the colonialism of the Russian Empire among the Kyrgyz society.

- First of all, a new stage has begun in the development of the political, economic, social and cultural life of the Kyrgyz.
- The threat from Qing China and Kazakh khans has been eliminated, Kokand domination has been eliminated.
- The tsarist government rejected tribal and tribal wars, completely abolished slavery, and streamlined the tax system. Russia has undertaken obligations - defense, protection of the population; do not call into the army from the local population. Therefore, the local population was forbidden to have weapons. There was peaceful disarmament.
- A new administrative-territorial division was introduced, which undermined the basis of tribal division of the Kyrgyz.
- Judicial tax policy was pursued.
- The land has been declared as a property of the state. The Land divided among the manaps, bays, and Russian immigrants.
- Established trade and economic ties with Central Russia, etc.
- Developed industry, agriculture, culture, etc.
- Capitalist enterprises appeared international financial capital began to penetrate, and urban settlements grew.
- The stratification of the Kyrgyz village and the Russian resettlement village intensified. Commodity production was gradually growing, the poor mainly settled on the land, who did not have the opportunity to conduct a nomadic economy.
- After the entry of the Kyrgyz people into Russia, a comprehensive scientific study of the Kyrgyz society, history, culture, nature of Kyrgyzstan began. The Kyrgyz people got the opportunity to join the European advanced achievements of culture. The network of secular and religious educational institutions and cultural and educational institutions has developed. Textbooks, the first scientific

works, and literary works in the Kyrgyz language began to be published. As part of Russia, Kyrgyzstan entered the global modernization process: the first books, newspapers, hospitals, railways, and highways, etc. appeared.

This is important to note that the colonialism period of Russian Empire in Central Asia and particularly in Kyrgyzstan created the resistance of local Turkic speaking and Muslim people against the Tsarism Power. For example, the Andijan uprising held in 1898. The Uzbek, Kyrgyz and Tajik laboring masses took part in it; it was directed against the agrarian and resettlement policies of the tsarist autocracy. Representatives of the feudal nobility also took an active part in the uprising. To achieve their goals, they declared "gazavat" - a holy war against the "infidels", i.e. Russians. Uzbek and Kyrgyz peasants, artisans of Andijan, Margelan and Osh districts were headed by Mohammed-Ali-Khalif Mulla-Sabir-Sufiev, who was also called Madali or Dukchi- Eschen. The imperial authorities sent punitive detachments to the areas of the uprising. On May 20, in the village of Charvak (east of Andijan), Madali Eschen was captured. In total, 777 people were arrested, and from this 415 were put on trial. On June 12, 1898, Madali Eschen and 12 other active participants in the uprising were hanged, 362 people were sent to exile and penal servitude (Chorotegin, 1998:157).

Another famous, bloody activity of the Kyrgyz people manifested during the 1916 national liberation movement. A direct cause of the uprising was the Decree of the Russian Emperor of June 25, 1916 "On mobilizing men from the indigenous population aged 19 to 43 years for military rear work" (from Kyrgyzstan about 36 thousand people). The uprisings throughout Central Asia and Kazakhstan began with the unrest of Khujand residents on July 4, 1916. The uprising encompassed more and more new areas of the Ferghana Valley and Jety Suu, an ever wider population.

Northern Kyrgyzstan became the epicenter of the 1916 uprising. There were objective and subjective reasons for this. First of all, this is the difficult economic situation of the Kyrgyz in the conditions of colonization. In early August, the residents of the Kemin Valley were the first, then the residents of the cities of Tokmak, Pishpek,

and Sokuluk village. And then the Kyrgyz people revolted in Przhvalsk. The mass protest quickly escalated into riots (cattle theft, arson of farms of immigrants), ended in the massacre (beating, murder). In Pishpek and Przhevalsky counties alone, 94 resettlement villages were destroyed. In Przhevalsky district 2179 were killed and 1299 people were missing (Dzhunushaliev, 2003:83).

During the suppression of the uprising and after the defeat, the situation changed. Now the Kyrgyz people become the suffering party. Punisher-Cossacks (Cossack army) brutally cracked down on them. According to rough estimates, about 4 thousand Kyrgyz were killed. During the running to China, about 12 thousand Kyrgyz died at the hands of punishers. The total number of Kyrgyz refugees who arrived in China was about 130 thousand. 70 thousand of them died of hunger, epidemic, and disease, many of them the Russian government refused to accept. Only Soviet government raised into power in November 1917 allowed the surviving Kyrgyz people to return to their homes.

The Kyrgyz people opposed the anti-people policy of colonial social oppression and robbery, against the arbitrariness and violence perpetrated by tsarist officials, local feudal lords, and also against the world imperialist war. This determined the nature of the uprising as national liberation, anti-feudal, anti-colonial and anti-war. The uprising was fair, nationwide. However, many researchers noted the reasons for the defeat of this uprising caused primarily due to its spontaneity, locality, fragmentation. Rebellion arose in different areas at different times. And unfortunately, the superiority of the tsarist troops in combat training and armament and meanwhile backwardness of the military weapons of the Kyrgyz population led to the bloody end of this uprising. One an obvious reason for the unsuccessfulness of national uprising also based on the lack of internal coordination among the local commanders and leaders. This indicates the weakness of internal coordination and management in an emergency situation. Colonial mentality of slavery and belonged in tsarism among some local leaders made above-mentioned obstacles. Under those difficult conditions, Political Meritocracy in Kyrgyz people was used in low level and its potentiality also used not in a whole capacity. Reason for that was led on the dependence, colonialism and slavery mentality formed in the mind of

local elites. Thus, the big political and revolutionary processes in Russian Empire complete erose of Empire and there settled the First Bolshevik Soviet State. This big historical event gave to Kyrgyz Nation chance to survive as an ethnic group and kept own territory within this emerged state known as USSR.

3.1.2.2. Merit Principle in the Period of Soviet Union (1917-1991)

The Practices of Merit Principles in the state administration system of the Soviet Union has searched academically in relevant studies mainly in political, legal and economical aspects. In this regard, the case study of Soviet Kyrgyzstan has own story and examples, which are correlating in the whole Soviet administrative system known as Soviet bureaucracy. In order to give wide and clear analyzes on the above topic, below are considered the analyzes of the historical development of Statebureaucracy in Kyrgystan based on the forming the Kyrgyz statehood during the Soviet time. This study also considers the periods of the constitutional development of the Soviet bureaucracy in Kyrgystan with focus on the Merit Principles realization.

The Establishment of Soviet Kyrgyz statehood: The well-known political events in October and November 1917 in Russia gave serious influence to the colonial suburbs, including Central Asia. Thus from February to June 1918, the first cells of the people's councils, which were actually created by the Bolsheviks, were established at the regional and local levels. These councils took power by the motto: Land for peasants, industries for labors and power for people. So, during 1919 in the Turkestan region, including Kyrgyzstan, a transition was made from the Soviets and their executive committees to revolutionary committees, which were appointed by a higher party and Soviet bodies and the military command. The revolutionary committees were given special and extraordinary powers. By the end of March 1919, in Osh, August in Talas, and in early December in Pishpek, Prezhevalsky, Tokmak districts, and cities have been formed revolutionary committees, moreover rural and village revolutionary committees were created.

The revolutionary committees established revolutionary orders, suppressed counter-revolutionary actions, and dissolved the Anti-Soviet organizations. They contributed to the economic and cultural development, assisted the military authorities in organizing a defense, mobilizing people in the Red Army, carried out the food policy of the Soviet state, and provided general labor service for the entire population.

From 1918 to 1922, a struggle of the power of the Soviets was waged on the territory of Kyrgyzstan, i.e. Bolsheviks with leaders of national liberation movements. Officially, the Kyrgyz statehood was formed as a result of the victory of the Great October Socialist Revolution. The decisive role was played by the implementation of the Leninist national policy of the Bolsheviks. On November 3, 1917, the Soviet government adopted the “Declaration of the Rights of the Peoples of Russia”, which proclaimed the equality and sovereignty of the peoples of Russia, their right to free self-determination up to the secession and formation of an independent state, abolished national privileges and restrictions. Poland, Finland, Estonia, Latvia, and Lithuania seceded from Soviet Russia at that time. (Ilyasov, 1959:78).

From the first days of the victory of the October Revolution, the Bolshevik Party has headed for the creation and development of the national statehood of the peoples of Central Asia. The parties considered the deepening of nation-state building in the province as one of the most important conditions for eliminating the actual inequality of indigenous peoples, the involvement of the broad masses of workers in government, in the active struggle for socialism. (Ilyasov, 1959:97).

For this purpose, on June 13, 1920, V.I. Lenin considered it necessary:

- To instruct to compile a map (ethnographic, etc.) of Turkestan with a division into Uzbekistan, Kyrgyzstan, and Turkmenistan.
- Lethal clarification of the conditions for the merger or separation of these 3 parts (V.I. Lenin PSS.t.41, p. 436).

The process of national-state demarcation of Central Asia was guided and directed by eighteen parties and public organizations. In Turkestan, it was, first of all, the Alash party, which stood on the positions of pan-Turkism; “Shuroi-Islamiya”, “Ulema”, “Milli-Shyro” - advocated for self-determination on the principles of Pan-Islamism. Together with nationalists, they fought for the ideas of a “United Turkic Nation”, and at the same time, they opposed the Leninist idea of self-determination of peoples, and a fraternal union of working people on the basis of full equality and trust. (Osmonov, 2012:148).

The most popular was the idea of one of the influential Bolshevik leaders of Turkestan, Turar Ryskulov, to create a unified Turkic Soviet Republic (Republic of Turkic peoples - Kyrgyz, Uzbeks, Turkmens, Kara-Kalpaks).

In Kyrgyzstan, national leaders such as Yusuf Abdrakhmanov, Iskender Aidarbekov, Ishenaaly Arabaev, Abdykerim Sydykov and many others, sought the independent statehood of the Kyrgyz Nation based on the constitutional legal way of the Soviet government, and at the same time, others tried to settle statehood through the armed struggle. Due to the organizational and agitation activities of the Bolshevik Party on the name of the Soviet state, in 1924, real conditions had developed for the national-state demarcation of Central Asia. For seven years the Turkestan Autonomous Soviet Socialist Republic was part of the Russian Soviet Federation Republic, and from the end of 1922, Turkestan became part of the United Soviet Socialist Republics (USSR). (Chotonov, 2009:156-158). Over the years, the nations living in Central Asia came to the end armed interventions and internal counter-revolutionary clashes. Significant successes have begun to be achieved in economic and cultural construction. The working masses known as proletary and peasants were increasingly involved in state-building and grew up loyal to the Bolshevik party and the new system of national cadres. Party organizations strengthened. The process of consolidation of the peoples in Central Asia was going on successfully. Thus, there were no longer any obstacles to the delimitation of the peoples of Central Asia into separate states.

Creation of the Kara-Kyrgyz Autonomous Oblast under the Russian Soviet Federal Socialist Republic: On 2 June 1924, the Central Bureau of the Central Committee of the Republican Communist Party and on June 12 the Central Committee of the RCP (b) decide on the national-state demarcation of Central Asia. On October 14, 1924, the 2nd session of the All-Russian Central Executive Committee of the RSFSR, and on October 27 the session of the Central Executive Committee of the USSR legalized decisions on national demarcation. The Türkmen SSR and the Uzbek SSR, the Tajik Autonomous Soviet Socialist Republic as part of the Uzbek Soviet Socialist Republic and the Kara-Kalpak Autonomous region (okrug) as part of the Kyrgyz (Kazakh) Autonomous Soviet Socialist Republic, and the Kara-Kyrgyz Autonomous Oblast as part of the Russian Soviet Federal Socialist Republic has been formed. (Iliyasov, 1980:128). It was the fact of the formation of the statehood of the Kyrgyz people, without a national war of intercourse or internecine war, as was the case with many peoples in the world history, that became the legal basis for the peaceful declaration of sovereignty of Kyrgyzstan on December 15, 1990.

The national-state demarcation of Central Asia was a major victory in the struggle for national equality and freedom. However, many ethnic and territorial problems remained unresolved. Grains of distrust between them were sown by the facts of the arbitrary definition of boundaries, mistakes made and violations.

The Kara-Kyrgyz Autonomous Oblast included the Karakol, Naryn, Pishpek counties of Jeti Suuy region. Talas district stood out from the Syr-Darya region, Osh district and Jalal-Abad district - from the Ferghana region. Sulukta departed from the Samarkand region of Tajikistan. In total, there were 6 cities, 721 villages, 727 villages, 5 farms in the region. The population was about 737 thousand people, including 63.5% of Kyrgyz, 16.8% of Russians, 15.4% of Uzbeks, 4.3% of other ethnic groups. Kara Kyrgyz Autonomous Oblast occupied a territory of almost 172,000 km² (Chotonov, 2009:167-168).

For the first time, the Kyrgyz and their ancestral territories basically reunited within the framework of a relatively independent state formation, which contributed to the formation of a stable territorial, economic and cultural community of the people, accelerated its consolidation into a nation. Subsequently, 14th October 1924 became the Day of Kyrgyz statehood.

For the temporary administration of the Kyrgyz Autonomous Oblast (until the Constituent Congress of Soviets was convened), the Resolution of the All-Russian CEC established the Revolutionary Committee, which in December 1924 moved from Tashkent to Pishpek, which became the capital of the Kyrgyz Autonomous Oblast Iskender Aydarbekov was appointed the chairman of the revolutionary committee.

The I Constituent Congress of Soviets of the Kara-Kyrgyz Autonomous Region opened March 27, 1925. For the first time in a long history, representatives of the Kyrgyz people gathered to legally consolidate the formation of Kyrgyz statehood on a Soviet basis. At the congress, the regional state apparatus was formed. The first Chairman of the Regional Executive Committee was elected Abdykadyr Orozbekov.

Gaining the status of the Kyrgyz Autonomous Soviet Socialist Republic under the Russian Soviet Socialist Federative Republic: On February 1, 1926, taking into account the economic and political significance of the national-territorial committee of the Kara-Kyrgyz Autonomous Oblast, it was transformed into the Kyrgyz Autonomous Soviet Socialist Republic under the Russian Soviet Socialist Federative Republic. Abdykadyr Orozbekov was elected Chairman of the Central Executive Committee of the Kyrgyz Autonomous Soviet Socialist Republic, and Jusup Abdyrakhmanov was elected Chairman of the Council of People's Commissars (Chotonov, 2009:169).

On April 3, 1929, the Second Congress of Soviets of the Kyrgyz Autonomous Soviet Socialist Republic adopted the first Constitution of the Republic. The next stage of the nation-state building of Kyrgyzstan was connected with the 1936 Constitution of the USSR (adopted on December 5), on the basis of which the Kyrgyz Autonomous

Soviet Socialist Republic was transformed into the Kyrgyz Soviet Socialist Republic and became part of the USSR. Kyrgyzstan from the 3-step subordination (Sredazbyuro, RSFSR, USSR), which significantly impeded its development, put in a worse position compared to other republics of the region, from now it goes into the category of "equal among equals."

Forming the Kyrgyz Soviet Socialist Republic as a Sovereign Republic within the USSR: Article 15 of the 1936 Constitution of the USSR was written that “the Sovereignty of the Union of Soviet Republics is limited only within the limits specified in article 14 of the Constitution of the USSR. Beyond these limits, each Federal Republic exercises state power independently” (Constitution of the USSR,1936:17).

Thus has been established the Supreme Union of Republics. On March 20, 1937, the Fifth Congress of Soviets adopted the Constitution of the Kyrgyz Soviet Socialist Republic.

In November 1926, a new structure of the region of seven cantons was approved. In 1930, the republic switched to the most optimal variant of regionalization — regional and city divisions with direct republican subordination without intermediate district and canton links. This structure was preserved until the beginning of the 1940s.

The acquisition of statehood was accompanied by the creation and strengthening of state power bodies of the Soviets. The most important issues of politics and economics were initially decided at party congresses, plenums, conferences, and meetings of the bureau of party committees. The Soviets, however, retained the functions of subsequent legitimization of party decisions, material, financial and organizational support for their implementation.

Although the party and Soviet bodies were representative bodies of the dictatorship of the proletariat, the state bodies are known as Cheka, i.e. Emergency Commission, State Jandarmary known as OGPU, NKVD-State Police and Intelligence service were powerful and were outside from the control of the Soviets.

Establishment Practices of State Bureaucracy in Soviet Kyrgyzstan: The creation of the apparatus of state power in the years was carried out on the basis of a specially developed policy of “indigenization”. The essence of this policy consisted in the implementation of administrative-territorial division by taking into account the national composition, economic interests of the regions, in providing conditions for the indigenous population to have wide opportunities for education, cultural development and paperwork in their native language, in the selection, training, and nomination of personnel of local nationality to control devices; in the broad involvement of the indigenous population in all sectors of the national economy, especially in priority ones such as industry, agriculture, etc. (Osmonov, 2012:234).

The proclaimed policy of “radicalization” was not always carried out with due consistency and soon was essentially curtailed in the midst of a struggle against the manifestations of “bourgeois nationalism”. The radicalization of the administrative apparatus was also complicated by the group struggle for power of Kyrgyz workers, divided by tribal and regional characteristics.

The slow pace of “indigenization” has caused a lot of discontent and protests against to the center i.e. Moscow. One such protest is known as a “statement of 30” represented the Kyrgyz officials having thirty members of Soviet Kyrgyz Government. The authors blamed the leadership of the regional party committee of the Communist Party for the lack of “systematic indigenization”, vigorous measures to improve the state of public education, pointed out the glaring facts of the replacement of the functions of the Soviet bodies by party committees, the formation of the party-Soviet apparatus on a group basis, the nomination of people with poor local knowledge not owning the skills of this activity.

However, the actions of the 30 applicants, the leaders of the people, were condemned at the state level, thus they were groundlessly accused of Trotskyism, opportunism, nationalism in 1937-1938. Thereby, they became victims of the Stalinist repressions. According to some reports, the number of people repressed in Kyrgyzstan

was approximately 40 thousand people (per 2 million people in Kyrgyzstan), currently from this number of victims more than 15 thousand are rehabilitated officially. However, the location of many burials of those victims are still unknown. And the burial place of 137 prominent state and party figures who were murdered on November 6-8, 1938 in the tract Chon-Tash: Jusup Abdyrakhmanov, Kasim Tynystanov, Abdykadyr Orozbekov, Amosov, Bayaaly Isakeev, Torokul Aitmatov and many others were discovered in 1992, and they were reburied in the Ata-Beyit memorial complex near to Bishkek. This should be noted that study of the issue of victims of Stalinist repression in Kyrgyzstan, scientists came to the conclusion that “Analysis of archival materials shows that in the struggle against the manifestation of bourgeois ideology in Kyrgyzstan, a huge number of people innocently suffered, almost all the color with the incredible labor of the created national intelligentsia.

In the late 1940s, in the early 1950s, repression began again. As a result of this action, many prominent figures of science and culture, party, Soviet and economic workers were convicted and destroyed. T. Baijiyev, T. Samanchin, Z. Bektenov were arrested on charges of nationalism.

In 1953-1964 the Central Committee of the CPSU and the Soviet government carried out a number of measures to expand the rights of the Union Republics concerning their managing economic and cultural development. Therefore part of the all-Union ministries was merged; some of them were transformed into Union-Republic ministries. For example, in the Kyrgyz SSR, Union-republic ministries of road transport and highways, state farms, water management, meat, and dairy products, etc. were formed (Ilyasov, 1980:284).

The jurisdiction of the Union republics was also transferred to the issues of capital construction, material and technical supply, marketing of products, etc. The republic had the right to pay bonuses to employees of enterprises, to appoint personal salaries to advanced workers, to leave part of the profits of enterprises to create a wage fund, and also to decide on the reorganization and liquidation of enterprises and other

economic organizations, pedagogical institutes, and secondary specialized educational institutions of republican subordination. The jurisdiction of the Union republics included legislation on the structure of courts of the Union Republics and legal proceedings, as well as the adoption of civil and criminal codes.

The expansion of the rights of the Union republics contributed to the strengthening of the principles of democratic centralism and socialist federalism and thereby reinforced the sovereignty of the Union republics (Chotonov, 2009:179).

After the end of World War II in 1945, the transition to a peaceful life required not only the restructuring of the economy, but also the deepening of the democratic foundations of all state and public organizations, and a change in the style and methods of their work in the USSR. Therefore, appropriate changes were made to the organizational structure of a number of governing government bodies. In September 1945, the extraordinary combined body of party and state leadership of the country, the State Defense Committee, was abolished. His affairs and competence were assigned to the Council of People's Commissars of the USSR, transformed in 1946 into the Council of Ministers of the USSR (Osmonov, 2012:356).

The structure of the executive committees of the republican and local Soviets has substantially changed and adapted to the conditions of peaceful construction. In March 1946, the Council of People's Commissars of the Kyrgyz SSR was transformed into the Council of Ministers. Of paramount importance for strengthening the Soviet representative bodies were the post-war elections to the Supreme Soviet of the USSR (1946), to the Supreme Council (1947) and local Councils (1948) of the Kyrgyz SSR. 299 deputies were elected to the Supreme Soviet of the Kyrgyz SSR, and 12,735, including 4,254 women, were elected to the local Soviets of Workers' Deputies of the republic. Candidates were selected in party committees. The Central Committee of the Communist Party of Kyrgyzstan determined in advance the social composition of future deputies. 99.6% of the total number of voters voted for candidates of the party and the non-party bloc in the Supreme Soviet elections of the Kyrgyz SSR.

At the first session of the Supreme Council of the Kyrgyz SSR (March 15-19, 1947), the Presidium of the Supreme Soviet of the Republic was elected (deputy T.Kulatov was re-elected). The Government of the republic was formed - the Council of Ministers of the Kyrgyz SSR (chairman-MP I. Razzakov). Permanent commissions of the Supreme Council of the Kyrgyz SSR were created (Chotonov, 2009:179).

During the years of the war and the post-war period, increased centralization led to a weakening of attention to organizational mass work, the principle of collegiality was violated, a popular initiative on the ground was reduced, which led to a certain bureaucratization of the working methods of the executive apparatus. It was necessary to strengthen party leadership at all levels of state power. For this purpose, in 1946, the Academy of Social Sciences was opened at the Central Committee of the Communist Party in Moscow. This Academy trained ideological cadres for the Central Committee of the CPSU, the Communist Parties of the Union republics and regional committees, as well as university professors, employees of research institutions, organizations, newspapers, and magazines. During 1946-1992, more than 50 Kyrgyz citizens graduated from the Academy (Osmonov, 2012:78).

Under the Central Committee of the Communist Party of Kyrgyzstan in 1946 was created a two-year party school. Due to the activation of this party School, Komsomol branch was known as the Movement of Communists Youth which begun its activity. In order to improve the theoretical level and qualifications of trade union workers and activists, trade union schools with three to two-year training periods were organized. Thus, a unified system of training for Soviet, Komsomol, and trade union personnel was created. (Archive KSSR, 1987:45).

The role of the Komsomol was multifaceted. Komsomol organizations carried out mass mobilization of youth for the construction of the most important economic facilities in Soviet Kyrgyzstan. Komsomol members were among the initiators of high-speed working methods, movements for saving and thrift, the introduction of advanced labor methods. In agriculture, Komsomol members became skirmishers in the struggle

for high yields, the development of animal husbandry, and the restoration of the village's energy economy. Usually, the active leaders of the Komsomol organizations were able to get career development in the command-administrative system of the USSR. Thereby, Komsomol organizations were primarily, basic level for preparing the public servants for pursuing task given from the communist party in Soviet Kyrgyzstan.

3.1.2.3. Development of Merit Principles in the Period of Sovereignty (1991-2020)

The Kyrgyz Republic (Kyrgyzstan) is a sovereign, unitary, democratic, legal, secular, social state. Historical and legal formation and development of the civil service system in Kyrgyzstan has been studied and searched by many national academicians and practitioners. So, based on their opinions, the development of a civil service system of the Kyrgyz Republic has three periods of development. Thus historical and legal development of public service in the sovereign Kyrgyz Republic can be divided into three following stages:

- The first stage occurs 1991 - 1999 years that is the stage of formation and conceptual substantiation of the role and importance of the civil service of the sovereign Kyrgyz Republic.
- The second stage included 1999-2004, which was a further development of the civil service of a sovereign Kyrgyzstan.
- The third stage from 2004 to the present time is the modern stage of the development of civil service, in terms of its modernization and ensuring of the full-scale functioning of the public service of a sovereign republic.

In the beginning, it should be noted that in the Soviet period, the civil service of Kyrgyzstan went through the stage of origin, formation, and development within the Union State with all the inherent Soviet state nomenclature, which had drawbacks and advantages.

The Soviet civil service in Kyrgyzstan was the main basis for the formation and development of the civil service of the sovereign Kyrgyz Republic.

At the beginning of the period of independence, there was a situation when the political and economic decision worked out by the power structures could not be fully implemented. The problem was that the apparatus, mainly having the economic experience of a planned, directed economy, was called upon to implement fundamental reforms. In this regard, the country lacked professional managers of all levels, experience, and knowledge of the laws of the organization of a democratic and legal state based on private property and market principles. For this reason, much attention is paid to the reform of the public administration system, which began with the retraining of personnel in all areas of government. The countries of Western Europe and the USA were taken as an example, as a standard of an effective system of government. (Sheripov, 2011:31).

It should be noted that the first regulatory act comprehensively regulating the foundations of civil service, the foundation of the legal status of a civil servant and the passage of civil service was a provision on the foundations of public service in the Kyrgyz Republic from 1996. In particular, on June 14, 1996 the Decree of the President of the Kyrgyz Republic “On the Civil Service of the Kyrgyz Republic” No-202 was adopted, which ceased to be valid on July 25, 2000, No-191.

The provision on the foundations of civil service in the Kyrgyz Republic extended to persons with respect to whom the issues of performing civil service and filling public positions are determined by the Constitution, laws of the Kyrgyz Republic and other relevant regulatory legal acts to the extent not regulated by them.

By the Decree of the Administration of the President of the Kyrgyz Republic, the President of the Republic, by November 1, 1996, was instructed to submit, on the basis of the practice of applying the Temporary provision approved by the Decree, the draft Law of the Kyrgyz Republic on public service in the Kyrgyz Republic for submission to the Jogorku Kenesh (Parliament) of the Kyrgyz Republic. This order of the President of

the Kyrgyz Republic enshrined in the Decree was not fulfilled. The Law “On Civil Service” was fully developed and adopted later in 1999. (Tarbinskiy, 2018:3).

The provision “On the fundamentals of public service in the Kyrgyz Republic” determined the foundations of the organization of public service and the legal status of civil servants in the Kyrgyz Republic from June 14, 1996, to July 25, 2000.

The aforementioned Regulation is distinguished by the democracy of norms. Many provisions of the Decree for the first time introduced into the legal system of the legislation of an independent republic not only the basic definitions, but also the broad aspect of rights, obligations, and clear regulation of the passage of civil service.

It should be noted that after the approval of the Provisional Regulation on the fundamentals of public service in the Kyrgyz Republic by Decree of the President of the Kyrgyz Republic dated June 14, 1996 “On Public Service in the Kyrgyz Republic” a whole package of regulatory legal acts regulating the foundations of the organization of civil service, the legal status of a civil servant and the passage of civil service. These regulatory legal acts were the first regulatory legal acts after independence, which regulate in detail the specifics of civil service. In particular, following the Decree of the President of the Kyrgyz Republic dated June 14, 1996 “On Public Service in the Kyrgyz Republic”, the following regulatory legal acts were adopted: Regulation on the Disciplinary Liability of Civil Servants in the Kyrgyz Republic, approved by the Decree of the Government of the Kyrgyz Republic of 2 October 1996 N 451; Regulation on the contractual form of filling public positions, approved by the Decree of the Government of the Kyrgyz Republic of October 2, 1996 N 454 Standard provision on certification of public servants, approved by the Decree of the Government of the Kyrgyz Republic of October 2, 1996, No 453; The list of public positions of public servants in the bodies of state power and administration of the Kyrgyz Republic, approved by the Decree of the Government of the Kyrgyz Republic of April 15, 1997 No 228, etc. (Akunov, 2003:202).

It should be noted that all of the above acts adopted in 1996-1997 years were the first normative legal acts of a sovereign republic, clearly regulating many issues of legal status, civil service, and disciplinary responsibility. These regulations gave a powerful impetus to the establishment of the civil service institution.

In the sovereign republic, after the adoption of a package of regulatory legal acts in the field of public service, certain measures were taken to ensure the reform of the foundations of the organization of public service. In order to provide organizational, expert, analytical and scientific support for the reform of the public administration system and public service in the Kyrgyz Republic, the National Commission on Public Administration and Public Service under the President of the Kyrgyz Republic was formed. This commission was called upon to become a conduit of radical reforms in the field of civil service; it was created on September 4, 1997, by Presidential Decree No. 246 “On the National Commission on Public Administration and Public Service under the President of the Kyrgyz Republic”.

The National Commission on Public Administration and Public Service under the President of the Kyrgyz Republic was an advisory and advisory body to the President of the Kyrgyz Republic on issues of public administration reform and public service. The main tasks of the Commission included preparing for the President of the Kyrgyz Republic proposals on a strategy and program for reform of public administration and public service; development of proposals on the strategy of forming the personnel potential of the state and improving the efficiency of government bodies; preparation of proposals in the main areas of forming a unified system of regulatory support for work with personnel in government bodies; organizing the preparation of draft legislative acts, as well as decrees and orders of the President of the Kyrgyz Republic on issues of public administration and public service, etc (Momunaliev, 2015:85).

It should be noted that in carrying out the reform of the service, the role of this Commission was positive and important. In order to fulfill the tasks assigned to it, this

Commission carried out a number of activities: it organized analytical work to study and evaluate the state of the system of government bodies and public service; conducted an examination of proposals and drafts of normative acts, programs on organizational and financial support of the reform of public administration and public service; on behalf of the President, the Government of the Kyrgyz Republic, performed the functions of the general customer of state programs for the development of public administration and public service; developed recommendations for improving public administration and public service; studied the experience of foreign countries, etc. At their meetings, the Commission heard reports from the heads of state administration bodies on issues of improving managerial activity and work with personnel.

This Commission systematically carried out work to develop and improve the public service of the public. In particular, on December 23, 1998, A. Abdurashitov, Deputy Chairperson of the National Commission on Gift Administration and Public Affiliation under the President of the Kyrgyz Republic, approved an action plan for the reform of public administration and public service in the Kyrgyz Republic for 1998-2001. The present Plan specifically provided for the following activities and deadlines, which were mostly met: development of a draft law on the fundamentals of civil servants - December 1998; development and implementation of regulatory legal acts governing the selection for public service on the basis of competition, station of public servants - 1999-2000; development of managerial skills and training of civil servants - 1999-2001; retraining of civil servants, reduced during the administrative reforms in 1999-2001. At that time, Kyrgyzstan adopted important documents such as the Concept of State Personnel Policy in Kyrgyzstan, the Presidential Program for the Implementation of State Personnel Policy of the Kyrgyz Republic for 1998-2005, and the Strategy for Administrative Reform in the Kyrgyz Republic, which played an important role in development and improving the institution of public service.

The issues of organizing civil service in Kyrgyzstan dealt by the Administration of the President of the Kyrgyz Republic, the Office of the Government of the Kyrgyz Republic, and tasks were also assigned to the heads of ministries and departments.

However, in that time there was no single system for organizing civil service and personnel selection.

Under such condition by the active assistance of civil society and international organizations, in 2004 a new version of the Law "On Civil Service" was adopted. This law aimed to develop professional civil service in the country. The Kyrgyz Republic Law "On Declaration and Publication of Information on the Income, Obligations, and Property of Persons Filling Political and other Special State Positions and their close relatives" was also adopted.

As a result of the adoption of these laws, a Public Service Council was created to determine the development strategy of the civil service. Also, on September 18, 2004, by the Decree of the President of the Kyrgyz Republic, was created - the Kyrgyz Agency for Civil Service Affairs which was an authorized body for civil service. The formation of professional civil service in the Kyrgyz Republic is directly related to the activities of this body.

This Agency, as the authorized body implementing a unified state policy in the field of civil service, and was entrusted with the task of developing and adopting relevant regulatory legal acts and uniform rules binding on government bodies, introducing a competitive selection system for civil service, which ensures openness and transparency in admission to work, the formation of a national reserve of personnel, coordination of training, advanced training of civil servants (Tarbinskiy, 2018:8).

In 2009, this Agency was transformed into the State Personnel Service of the Kyrgyz Republic. In 2012, the State Personnel Service was also entrusted with the functions of developing the legislative framework of the municipal service.

Since the functioning of the authorized body for civil service affairs (first the Agency, then the State Personnel Service of the Kyrgyz Republic), significant reforms have been realized in the field of state and municipal service.

Since 2005, a declaration campaign has been conducted in the country. Annually, civil servants submit declarations to the State Personnel Service of the Kyrgyz Republic. The main purpose of the declaration is to facilitate public participation in building a transparent system of public service, responsibility, and accountability of senior officials, to the people of Kyrgyzstan by publishing consolidated information about their income and property in the media by public servants.

From 2005 to 2019, 11 declaration campaigns have been carried out, and during this time the number of declarations provided has almost tripled. If in 2005-2010, the declarations of persons replacing political and other special posts ranged from 988 to 1,511, then in 2016 their number increased to 2,276 declarations. The number of declarations received from civil servants filling administrative posts also increased from 12,225 to 29,067. (SPS of KR report in 216).

It should be noted that since 2016, persons filling political and other special posts in addition to their income also began to provide information about expenses, too. This became possible by the Law of the Kyrgyz Republic “On Amendments and Additions to the Law of the Kyrgyz Republic on Declaration and Publication of Information on the Income, Obligations, and Property of Persons Filling Political and Other Special State Positions, as well as their close relatives”.

The submission of income statements by civil servants has become a mandatory practice. But until 2012, a check on the accuracy of filling out income declarations was not carried out. The verification mechanism was absent in the legislation. To remedy the situation, the State Personnel Service has developed a draft Regulation defining the mechanisms and procedures for verifying the authenticity of information contained in declarations. The document was approved by the Decree of the Government of the Kyrgyz Republic dated December 25, 2012 No. 855. In pursuance of the said decree of the Government, an Interdepartmental Commission was formed, which included representatives of law enforcement and other state bodies (Momunaliev, 2016:5).

Since the introduction of the declaration of civil servants, in 2013, for the first time, the authenticity of the information contained in the income statements of persons filling political and other posts was verified. Based on the results of verification of declarations, the Interdepartmental Commission makes its conclusions and sends the relevant information to the President of the Kyrgyz Republic, to the General Prosecutor's Office of the Kyrgyz Republic.

In connection with the negative phenomena in the personnel policy such as the “instability” of the apparatus of state bodies, in 2004 the Institute of State Secretaries was created. It is no secret that with the change of the first head in state bodies there was a certain pause, workers instead of work plunged into a state of waiting for the next splash of dismissals. It often happened that the new leader pursued a personnel policy in his own way, there were such phenomena as the appointment of his people, at the request of, etc. In order to prevent such practices, the post of state secretary in government agencies was introduced. The state secretaries of state bodies are called upon to maintain the stability and efficiency of the apparatus of the state body and are the conductors of unified state policy in the field of public service (Tarbinskiy, 2018:2).

Today, the state secretary in a state body resolves all issues of personnel policy. The state secretary is engaged in attracting professional, competent personnel to the public service, is responsible for the development of staff, including the advanced training of civil servants, assesses the performance of public servants, makes proposals to the head of the state body on material and non-material motivation of personnel, and is engaged in financial management.

Currently, the post of state secretary has been established in 31 state bodies, of which 26 are the current state secretaries, and the position of state secretary is vacant in 5 state bodies. (Tarbinskiy, 2018:3).

In order to ensure equal access for citizens to the state and municipal services, in 2004 a competitive system for the selection of personnel began to be introduced. Certification and competitive commissions have been formed in all state and local

government bodies, which include not only employees of this state body, but also representatives of civil society institutions (or the expert community, business associations) of the relevant industry orientation, chairman of the ethics committee of the state body, representative of the State Personnel Service of the Kyrgyz Republic.

Since 2008, a Testing Center began to function in Kyrgyzstan, where candidates for vacant public positions undergo computer testing for knowledge of the legislation in the field of public service. The creation of a testing center was aimed at preventing corruption and creating a transparent competitive selection process. Branches of the Testing Center are organized in the regional offices of the State Personnel Service and in the regional centers of the republic. Currently, testing is carried out online in the province centers Osh, Jalal-Abad, Batken, Karakol, Naryn, Talas, and Tokmok. This activity is additionally mandated and organized in Mailu-Suu, Ala-Buka and Tokmok towns (Sheripbaev, 2015:8).

Since 2010, selecting candidates for state police and force bodies, as well as state secretaries, has been used polygraph testing and even a lie detector test. Thus Kyrgyzstan was the first republic in Central Asia among other countries who uses testing polygraph testing upon entering the civil service. Polygraph testing is conducted by candidates for the position of state secretaries, for vacant posts in the State Personnel Service, the State Tax Service of the Kyrgyz Republic, the Accounts Chamber of the Kyrgyz Republic, and the Ministry of Health of the Kyrgyz Republic.

In order to create conditions for career motivation, career advancement not only in the public administration system but also in local authorities in 2013, new registers of state and municipal posts were developed and approved by the Presidential decree on June 26, 2013. In the new classification, posts are unified, classified and aligned according to the equivalence of authority and responsibility. Thereby in order to create conditions for material motivation in conjunction with the real contribution of civil servants to the results of the activities of the relevant state bodies and local self-government bodies, a fundamentally new system of remuneration of state and municipal

employees has been developed. This wage system was approved by Government decree on June 28, 2013 (Tarbinskiy, 2018:6).

On August 1, 2013, the first stage of the transition to a unified system of remuneration for workers of local self-government bodies began, which allowed not only to increase the salary of specialists of village administration (ayil okmotu i.e. municipality) and the mayor's office, but also to partially equalize the amount of remuneration in local self-government and government. According to preliminary data, the salary of the specialist in municipal services has increased almost 3 times: from 2.5 thousand KGS to 6 thousand KGS and above. This directly affected the increase in the prestige of municipal service, especially in rural areas, helped to attract promising young people to local authorities, and created a stimulating basis for career planning for young civil servants (SPS of KR report, 2013:29).

The new wage system is unified, based on a single minimum base rate for all government bodies and local governments. And the size of the salary of state and municipal employees is calculated on the basis of this uniform rate and coefficient (step) of payment, established within the category of a position and taking into account the annual assessment of employee performance according to a system of key performance indicators. Thanks to this measure, for the first time it became possible to declassify the wage systems of state and municipal employees, without the bar “for official use”, as it was before. And within such way, the transparency of payment information of civil servants is one of the ways to combat corruption.

Reform targeting to improve the efficiency and qualification of civil servants in the Kyrgyz Republic, the first time since the establishment of state and municipal services, a Program for the Development of a Training System for State and Municipal Employees for 2013 - 2017 years have been developed and adopted by Presidential Decree on July 12, 2013. This measure is aimed at creating a sustainable system of retraining and advanced training of state and municipal employees on the basis of single state order. In pursuance of this Program, Government decisions approve a state order

for the training of state and municipal employees on an annual basis. Within the framework of the state order, more than 3,000 state and municipal employees undergo training annually (Tarbinskiy, 2018:9).

Since 2013, a system for evaluating the performance of state and municipal employees has been introduced. This aimed at improving the effectiveness and quality of their work. The system is based on the use of key performance indicators of employees, which provides for the addition of the coefficient to the base wage rate.

An important task of civil service in the Kyrgyz Republic is the creation of an information system for managing human resources. In this regard, the issues of automation of human resources management processes in the state and municipal services are being actively promoted. This work is underway to develop and implement a Human Resource Management Information System (HRMIS) similar to global HRMIS systems. This task is directly related to the more general goal of the public administration system - the introduction of e-government technologies. The works on the creation of e-government technologies and its platform are currently underway in the Kyrgyz Republic. Within this concept, Open government policy realizes by the government and testing regime of the e-government system known as "Tündük" activated since March 2019.

Within this activities, for the beginning 4 pilot government agencies: the State Personnel Service, the Ministry of Health, the State Agency for Local Government and Interethnic Relations under the Government of the Kyrgyz Republic, the State Agency for Youth, Physical Culture and Sports are connected to the existing Personnel system of the Infocom state registration service, for testing the HMIS (SPS of KR report, 2017:19).

Since 2017, the implementations of the AIS "Personnel" in the personnel departments of all government bodies are functioning well. This is directed to improve the regulatory framework of the state and municipal services, which will allow further systemic reform. So concerning this, a draft integrated Law on State Civil Service and

Municipal Service was developed. This law was signed by the President of the Kyrgyz Republic on May 30, 2016, and entered into force on June 7

The need to develop a draft law stemmed from the tasks set by the National Strategy for Sustainable Development of the Kyrgyz Republic for the period 2013-2017, presidential decrees, and the government's program. (NSSD of KR 2013-2017:34).

The new law aims to make the public service and municipal service truly effective and efficient and work for the good society. With the adoption of this law, a new stage in the development of the state and municipal services of the Kyrgyz Republic began. The purpose of the law is to promote the formation of a professional staff of governing bodies that are able to qualitatively and timely solve the key tasks of the state and the provision of services to the population.

The law proposes a number of innovations aimed at improving the efficiency of public and municipal employees by strengthening the material and non-material factors of motivation to work, including through the proposed rotation of promising personnel from the government to local governments and vice versa. (Tarbinskiy, 2018:18).

As the main innovations of the law, the following norms can be noted:

- Unity of civil service, as well as the introduction of a new concept of public civil service;
- Raising the status of both state civil and municipal services;
- Determination of criteria for assignment to political and administrative posts - on the basis of the availability of powers for political decision-making;
- The municipal service is organically integrated into the professional service system via equating it with the status of civil service, uniform approaches to career growth, a unified system of remuneration and evaluation of employees, the possibility of rotation, inclusion in personnel reserves, a unified personnel training system;

- One of the priorities in the activities of the state secretary is the responsibility for the formation and implementation of the strategy of the state body;
- A relationship is established between training, assessment, practical results of employees' work and their career advancement, material, and non-material motivation;

For the first time in the law, the article “Career planning of state and municipal employees” is enshrined, which will make the civil service more professional, consistent and developing. Measures are envisaged to increase the effectiveness of the National Personnel Reserve. The powers of the Council have been expanded, now the Council is coordinating the issues of the sphere of municipal service and known as the “Council on State Civil Service and Municipal Service”. (SPS of KR report 2018:17).

Implementation of the adopted law affect the improvement of the quality of the civil service system, increase the potential of state bodies and local governments. Currently, draft regulatory acts aimed at implementing the new law have been developed.

The adoption of this law, make active shifts in reforming the state civil service and municipal service of the Kyrgyz Republic in terms of increasing efficiency and effectiveness, which is based on Merit-based and Performance-oriented.

3.1.3. The Legal Bases of the Merit Principle System in the Kyrgyz Republic

The Merit Principle System is widely included in the Law of the Kyrgyz Republic on state civil service and municipal service adopted on May 30, 2016 No. 75. As described above the historical aspect of the Merit Principles in the statehood and administrative background of Kyrgyzstan has its legal aspect. Thus, since 1991 development of the civil service system in the Kyrgyz Republic concerned and introduced the Meritocracy. This caused by the impact of Neoliberalism concept in the policy and economy of Kyrgyzstan (Koichiev, 2000: 68). Introduction of the Merit-based Performance policy in the public service of post-soviet republic Kyrgyzstan stands

as a golden goal. This is a well-known task to gain the effectively functioning public sector with cost-efficiency via motivating the civil servants and using transparency and accountability. Therefore, below are analyzed and explored the Law of the Kyrgyz Republic on state civil service and municipal service adopted on May 30, 2016 No. 75 as a Legal Base of Merit Principles.

3.1.3.1. Legal Bases adopted in the Law for the public and municipal servant

In 2016, the Parliament of the Kyrgyz Republic - Jogorku Kenesh adopted the new basic Law “On the State Civil Service and Municipal Service”. Further, in 2016 - 2017, in order to implement the Law, relevant decrees of the President and government decrees were adopted. As a result, the number of political government posts was significantly reduced - from 862 to 228 (Tarbinskiy, 2018:11). The posts of deputy heads of state bodies and the posts of employees of the Government Office were transferred to the category of administrative. For the first time, qualification requirements that were previously absent were developed for these posts. Nowadays, an appointment to these posts should be carried out subject to candidates meeting qualification requirements.

The integrity of the recruitment and promotion cycle has been strengthened. Career advancement has been made possible on the basis of an annual assessment. If an employee receives an annual rating of “Exemplary”, which is higher in the ranking of “Excellent”, subject to a vacancy, the employee may be promoted by one position. For example, an employee who has distinguished himself by the results of the year may be transferred from the post of a leading specialist to the position of chief specialist, the head of a sector may become the head of a department, etc.

The replacement of vacant posts, first of all, began to be carried out from internal reserves and the National Reserve. From the internal reserve, on the basis of the internal competition, appointments to junior, senior and main administrative posts may be made. From the National Reserve to the main and highest administrative posts. In the absence of the necessary candidates from the reserves, an open competition is held. If earlier

internal reserves were actively used, then the formation of the National Reserve according to modern standards became possible with the adoption of a new basic law.

Previously, the National Reserve could consist of applicants for any position, including junior ones. It was also formed from persons dismissed by the reorganization. The contingent of reservists was heterogeneous. These were not always the best shots. Now the National Reserve is formed solely to fill the highest and main administrative posts. Enrollment in the reserve is possible due to strict selection in two ways: open competition or selection among persons who have received high marks with the simultaneous recommendation of the head of the state body. The initial entry into the service has remained accessible to all - through open competitive selection, which is consistent with the norms of the country's Constitution. On the one hand, the right of citizens to equal access to filling positions in the state and municipal services was preserved. On the other hand, current employees are now more motivated by career advancement. Career planning has become one of the innovations in the law.

Since 2013, the system of remuneration of employees has been harmonized. This system became one for state and municipal employees. If previously the size of wages in a particular position depended only on the length of service, regardless of the quality of the employee, now its size is affected by the coefficient (step) in payment, which is established based on the results of the annual assessment of employees. The pay step may increase annually, which is equivalent to an average salary increase of 8 to 17 percent. In total, 10 steps are provided (Tarbinskiy, 2018:14).

Tabel 3.1. Payment grid- the multiplicity factor used in determining the size of official salaries of state civil servants and municipal employees of the Kyrgyz Republic in administrative positions.

Classification of state civil and municipal posts	Steps									
	1	2	3	4	5	6	7	8	9	10

Higher "A"	3,36	3,53	3,71	3,9	4,1	4,31	4,53	4,76	5,0	5,25
Higher "B"	3,05	3,2	3,36	3,53	3,71	3,9	4,1	4,31	4,53	4,76
Main "A"	2,5	2,63	2,76	2,9	3,05	3,2	3,36	3,53	3,71	3,9
Main "B"	2,27	2,38	2,5	2,63	2,76	2,9	3,05	3,2	3,36	3,53
Senior "A"	2,06	2,16	2,27	2,38	2,5	2,63	2,76	2,9	3,05	3,2
Senior "B"	1,88	1,97	2,07	2,17	2,28	2,39	2,51	2,64	2,77	2,91
Junior "A"	1,71	1,8	1,89	1,98	2,08	2,18	2,29	2,4	2,52	2,65
Junior "B"	1,55	1,63	1,71	1,8	1,89	1,98	2,08	2,18	2,29	2,4

Adopted from the SPS of the KR report in 2018.

For the first time, the wage system for employees has become open to the public. Prior to the introduction of a unified system of remuneration, the size of their wages was approved by documents under the heading “For official use”. None of the employees knew the size of the payment of their colleagues in another ministry or department. The amount of payment could be significantly higher in individual bodies “close” to the leadership, who lobbied for such a payment. The current openness in wage issues has arisen due to the harmonization of the wage system for employees in 2013. Now everyone has the opportunity to get acquainted with the size of wages in state bodies and local authorities in any electronic database of legal documents. (UNDP report, 2016:28).

The introduction of steps in remuneration based on the annual assessment of staff is another type of incentive for the quality performance of official duties (Tarbinskiy, 2018:12).

The scope of rotation of employees has expanded. It has become possible to transfer to equivalent positions not only in other state bodies but also in local authority bodies. The legal framework allows the transfer of workers, those who holding the position “Junior“ A ” from village administration (ayil okmotu) to a similar position in

the district state administration. Further, a career can be built which the employee will show himself within his or her activity performance.

Municipal service, in fact, began to be recognized as equivalent in relation to public service both in terms of remuneration of labor and, if possible, rotation in other bodies.

Serious improvement has occurred in the practice of advanced training and retraining of employees. Since 2013, training of current employees has been carried out on the basis of a state training order, annually approved by the Government of the Kyrgyz Republic. According to the provisions of the new law, each employee holding an administrative position must at least once every three years take advanced training courses. When filling a new position, retraining is mandatory, as job duties change. Until 2013, on average, no more than 500 employees were trained per year, and even then unsystematically, occasionally and not according to standard programs. With the introduction of the State Order system, about three to four thousand employees of state bodies and municipalities improve their skills in a year (SPS of KR report, 2014:45).

Taking into account the above described innovational improvements in the Public service law of the Kyrgyz Republic mindful to note below positive achievements: The Code of Ethics for state and municipal employees has been adopted.

- The emphasis on employee behavior is placed on three aspects.
- Professional ethics - conscientious attitude to official duties.
- Business ethics - relationship with colleagues, visitors.

Anti-corruption behavior: Prior to the adoption of the Code of Ethics was almost not dealt in 1991-2000. The old regulation on the ethics of employees approved back in 2001, and it had little effect. Now, according to the Law, ethical commissions have been formed in all state and local authorities, their meetings are being held to discuss the ethical behavior of employees, their attitude towards citizens and official duties (Tarbinskiy, 2018:16). In general, from 2013 to 2017, full-fledged legislation was developed and regulates the cycle of state and municipal services.

3.1.3.2. Basic Principles of Merit System in the System of Public Personnel Management

Basic Principles of Merit System is included and implemented within the Law of the Kyrgyz Republic on public service. In the beginning, the point is important to note that those principles are engaged in the parts of ***employee selecting through open and transparent competition way, and further career development of employees including the training, motivation, and promotion and rotation of public servants. And the last part is about the ethical standards and implementation of social guarantees for civil servants.*** Therefore, below is described and analyzed the Law on public service in the parts of the above-mentioned improvements.

According to Article 1 of *the Law of the Kyrgyz Republic on public service*⁵, public civil service is defined as - a type of public service, which is a professional official activity of citizens of the Kyrgyz Republic in government bodies on an ongoing basis to carry out the tasks, functions and authority defined by the Constitution of the Kyrgyz Republic and other regulatory legal acts Kyrgyz Republic. In addition, the state civil servant was considered as a citizen of the Kyrgyz Republic, occupying an administrative position in a state body, carrying out on a regular basis professional remuneration for the exercise of the powers granted by the post from the republican budget and carrying responsibility for their implementation.

A state body is defined as established on a permanent basis in accordance with the Constitution and other regulatory legal acts, authorized to exercise the functions of state power, make decisions binding on them, and ensure their implementation, financed from the republican budget. And a state post under the Law is considered as a post provided for by the Constitution and other regulatory legal acts, or a post established in the manner established by the legislation of the Kyrgyz Republic as a regular unit of a state body with a certain range of responsibilities for the person performing it and

⁵ Law of the Kyrgyz Republic about the state, civil service, and municipal service adopted by the Kyrgyz Parliament dated May 30, 2016 No. 75

ensuring the powers of this body. Public positions are divided into political, special and administrative.

It should be noted that, along with the concepts and definitions discussed above, the concepts of career planning, retraining of employees and advanced training of employees are also considered in the this law. (Law on public and municipal service, 20016: Article 1-3). For a clearer understanding of these definitions, below is presented their definitions:

- So, career planning is a set of actions aimed at promising career advancement, based on a performance appraisal system, professional and moral qualities of a state civil and municipal employee.
- Retraining of employees is training carried out in order to acquire additional knowledge, skills, study individual disciplines necessary to carry out a new type of professional activity, expand the qualifications of employees, and ensure their adaptation to changing economic and social conditions.
- Advanced training of employees is training carried out in order to update theoretical and practical knowledge, skills in the field of employees' activities for the effective fulfillment of their official duties, the development of additional professional educational programs, including taking into account international requirements and standards.

The Law also spells out the definition of a tender participant for filling a vacant position. (Law on public and municipal service, 20016: Article 1-3):

- The Person who has submitted an application for participation in the competition and who is allowed to participate in the competition. These conceptual definitions in the Law on State Service of the Kyrgyz Republic certify and explain to citizens of the country and the world community the existence of practices of applying meritocracy in the public service system of the republic.

An analysis of this Law also revealed that Article 4 approved the principles of state civil service and municipal service. (Law on public and municipal service, 20016: Article 4). So, the State civil service and municipal service are based on the unity and integrity of the public administration system and operate on the principles of:

- The supremacy of the Constitution;
- Stability and continuity;
- Professionalism, competence, and initiative;
- Equal access for citizens of the Kyrgyz Republic to enter the service, regardless of gender, race, language, disability, ethnicity, religion, political or other beliefs, origin, property or another status;
- Career advancement based on professional merit;
- Discipline and personal responsibility for the performance of official duties;
- Legal, economic and social protection of employees, guaranteeing them and their families a decent standard of living;
- Exclusion of political, religious influence and unlawful interference in the activities of employees.

Concerning these principles, here is a strong interaction between the Merit-based values and the Principles of the professionalism, competence, and initiative; equal access for citizens of the Kyrgyz Republic to enter the service, regardless of gender, race, language, disability, ethnicity, religion, political or other beliefs, origin, property or another status; career advancement based on professional merit and exclusion of political, religious influence and unlawful interference in the activities of employees. These Principles are surely indicating and couching with the general basic Merit Principles like Equality, Impartiality, Assurance, Transparency, Accountability, and Performance. Within this study below those Principles are considered and analyzed as a case study in a particular subpart based on the practices of Kyrgyz Republic.

This is noted above that the public administration system of the Kyrgyz Republic is based on unity and integrity. Thus, the unity and integrity of the public administration system record its advantage for mobility, efficiency, flexibility, and accountability.

Taking into account these Merit-based values within those Principles below is analyzed the General requirement and specific conditions for Merit System in Public Personnel Policy of Kyrgyzstan.

3.1.3.3. General requirement and specific conditions for Merit System in Public Personnel Management

General requirements and conditions for the merit system in the public service of the Kyrgyz Republic are described in detail in Article 11 of the Public service Law, which is about the organization of the system of public civil service and municipal service. So, according to this article. (Law on public and municipal service, 20016: Article 11).

- The state civil service and municipal service are based on a system of posts tied to the general complex of tasks assigned to a state body, local government body.
- The functioning of the system is ensured by the promotion of employees on the basis of career planning.
- The organization of the state civil service and municipal service covers the following range of issues:
- the establishment of a hierarchy of posts by forming a register of state and municipal posts;
- the establishment of qualification requirements for posts and the rules for admission to the service;
- training and advanced training;
- approval of the procedure and procedures for promotion;
- the introduction of a system of motivation and responsibility of employees;
- determination of the procedure for dismissal from office.

- The state civil service and municipal service constitute a holistic cycle, which includes the following stages:
 - Joining the service;
 - Service;
 - Termination of service.

Article 15 of the Law on Public Service lists Class ranks. (Law on public and municipal service, 2016: Article 15). Class rank is also one of the factors for motivating a public servant. So, by definition:

- Class rank is a special rank assigned personally to each employee holding an administrative position.
- Class ranks correspond to groups and categories of the register of administrative posts.

Class ranks are awarded based on the results of performance appraisals, with the exception of cases provided for in paragraphs 11–13 of Article 16 of the Law on Public Service (Law on public and municipal service, 2016: Article 16). Due to that the following class ranks may be assigned to state civil servants:

- Junior inspector of the state civil service;
- Inspector of the state civil service of 1, 2 and 3 classes;
- An adviser to the state civil service of classes 1, 2 and 3;
- State Advisor to the State Civil Service of Class 1, 2 and 3.
- The following class ranks may be assigned to municipal employees:
 - Junior inspector of the municipal service;
 - Inspector of municipal services of 1, 2 and 3 classes;
 - Adviser to the municipal service of 1, 2 and 3 classes;
 - The Municipal adviser of the municipal service 1, 2 and 3 classes.

Article 16 of the Law on Public Service includes the Procedure for the appropriation, deprivation, and demotion in the class rank. These measures are also directly related to the merit system.

- The class ranks of the junior inspector of the state civil service, the junior inspector of the municipal service are assigned to employees holding junior posts.
- Class ranks of the inspectors of the state civil service of the 1st, 2nd and 3rd classes, inspectors of the municipal service of the 1st, 2nd and 3rd classes are assigned to employees holding senior positions.
- The class ranks of the State Civil Service Counselor of the 1st, 2nd and 3rd grades, the municipal counselor of the 1st, 2nd and 3rd grades are assigned to the employees holding the main posts.
- The class ranks of the State Counselor of the State Civil Service of the 1st, 2nd and 3rd classes, the municipal counselor of the municipal civil service of the 1st, 2nd and 3rd classes are assigned to employees holding senior positions.
- Assignment, deprivation, lowering of class ranks of the junior inspector of the state civil service, inspector of the state civil service of 1, 2 and 3 classes, the adviser to the state civil service of 1, 2 and 3 classes is carried out by the head of the state body on the proposal of the state secretary.
- Assignment, deprivation, reduction of class ranks of the junior inspector of the municipal service, inspector of the municipal service of 1, 2 and 3 classes shall be carried out by the head of the relevant local government body.
- Assignment, deprivation, reduction of class ranks of the adviser to the municipal service 1, 2 and 3 classes are made by the head of the authorized state body on the proposal of the head of the relevant local government.

- The assignment, deprivation, demotion of the rank of state adviser to the state civil service 1, 2 and 3 classes are made by the President on the proposal of the head of the relevant state body.
- The assignment, deprivation, demotion of the class rank of the municipal councilor of the municipal service 1, 2 and 3 classes are made by the President on the proposal of the head of the relevant local government body.
- The assigned class rank is indicated in the official certificate.
- An employee who has a class rank assigned by a municipal employee, after being appointed to a public position, shall be assigned the class rank of the state civil service corresponding to the class rank of the municipal service in the previous position, without assessment.
- An employee who has a class rank assigned by a state civil servant, after being appointed to a municipal post, shall be assigned the class rank of the municipal service corresponding to the class rank of the civil service in the previous position, without assessment.
- To persons specially appointed by the President, Speaker of the National Parliament, the Prime Minister, the President of the Supreme Court and the President of the Constitutional Chamber of the Supreme Court of the Kyrgyz Republic (hereinafter referred to as the Constitutional Chamber of the Supreme Court), and class ranks and special class ranks are awarded without assessment.
- Employees with military or special ranks, special ranks, diplomatic ranks shall be assigned a class rank corresponding to this military or special rank, special ranks, diplomatic rank, without assessment.
- The procedure for the appropriation, reduction, and deprivation of class ranks by administrative employees is determined by the President of the Kyrgyz Republic.

Article 17 of this law provides for the Career Planning of civil servants of the Kyrgyz Republic. (Law on public and municipal service, 2016: Article 17).

- The state body and local government are developing a set of measures aimed at the career growth of employees.
- The career planning process of employees in state bodies is provided by the state secretary, and employees in local self-government bodies, respectively, are the chief of staff or the executive secretary of the local government body.
- Organization of career planning is ensured by the functioning of the reserve of personnel of the state civil service and municipal service, compliance with the competitive selection process, rotation system, employee capacity building, employee performance assessment, material and non-material employee motivation.

Career Planning is one of key condition for the Merit-based Performance policy in the public administration system of the Kyrgyz Republic. Since 1991, a country in order to empower the strengthening the efficiency capacity of civil service and improvement of its outcomes tasked agenda for creating the system of flexible and modern career planning mechanism in the State Personnel Policy. And as seen in this article of the Law, by legislation it is settled well and further practical implementation also revealing by efforts and political will of the state authority. This is widely known through such a mechanism as the reserve of personnel of the state civil service and municipal service in the civil service of Kyrgyz Republic.

Article 18 of the Law includes the reserve of personnel of the state civil service and municipal service. (Law on public and municipal service, 2016: Article 18). So due to this article, the reserve of personnel of the state civil service and municipal service is a group of candidates for filling administrative posts.

- The personnel reserve consists of national and domestic reserves.
- The national reserve of personnel consists of candidates for the main and highest administrative posts.

- The national reserve of personnel is formed by the authorized state body through tenders among the following candidates:
- Employees applying for career promotion;
- Employees on the proposal of the head of the state body, local government according to the results of the assessment;
- Other citizens of the Kyrgyz Republic who meet qualification requirements.
- The national reserve of personnel may also be used in the replacement of posts for which appointment is carried out in a special (non-competitive) manner in accordance with Article 24 of this Law. (Law on public and municipal service, 2016: Article 24).
- The internal reserve of personnel consists of candidates for junior, senior and main positions.
- The internal reserve of personnel consists of:
- Employees holding administrative positions in this body, recommended by the results of the assessment;
- Persons dismissed from office in connection with the reorganization of the body, reduction of staff, long-term disability due to health reasons;
- Employees, as well as other persons who participated in the competition for filling a vacant position, showed good results, but not recommended for appointment;
- Persons dismissed from service in connection with a draft for military service or referral to an alternative civil service replacing it.
- The internal reserve of personnel is formed by the head of the state body, local government, respectively.
- The procedure for the formation and functioning of internal and national personnel reserves is determined by the Government.

As the above analysis of the law on public service shows, a position in the civil service can be occupied without competition in a special case. So, Article 24 defines that

competition for filling a vacancy is not held if it comes to patronage positions - for example, an adviser, assistant or consultant of any official.

- First, as now, a competition is being announced in the National Personnel Reserve.
- And when a vacancy appears, for example, by the department in the Ministry of Justice, candidates from this base will have priority over others. Unless anyone wants to. Successful managers with extensive work experience fall into the National Personnel Reserve.
- Also, the competition is not held for appointments to political positions in which the official is responsible for the policy of the state or any of its industries. Candidates for these posts are appointed by the president or prime minister, or people are elected - these are ministers, deputy ministers, directors of state enterprises.
- For other posts, from ordinary employees to state secretaries, competition is always held.

According to the Law on State Civil Service and Municipal Service, foster positions are positions of consultants, advisors, and assistants established for the term of office of persons holding political public positions, special state posts and political municipal posts to assist in the exercise of their powers.

- A political public office is a position in the process of which a person exercises authority and makes political decisions oriented to the implementation of political programs and projects, is responsible for the implementation of political goals and objectives within the powers established by the Constitution and other regulatory legal acts.
- National reserve - a group of candidates for the filling of the main and highest administrative state posts and municipal posts of the state civil service and municipal service.

- In accordance with paragraph 5 of Article 23 of the Law of the Kyrgyz Republic “On State Civil Service and Municipal Service”, the competition is primarily held among people who are in the internal and national reserves of personnel.
- The national reserve can be used when filling posts with a special (out-of-competition) order of admission, as well as when appointing political positions.

The reserve of personnel on the national and local levels in the civil service system of Kyrgyzstan aimed to keep and effectively use the potential of qualified specialists for their employment, promotion, and endowment in the public sector. This condition is also supplied by the open model of the civil service system in Kyrgyzstan. This kind of model was settled via the strong and long-time cooperation and settlement of the US Recipes promoted by the World Bank to the State personnel service of the Kyrgyz Republic.

Another condition for meritocracy in the civil service system is the procedure for entering the civil service in the Kyrgyz Republic. The point is that according to Article 23 of this Law, it is carried out on a competitive basis. (Law on public and municipal service, 2016: Article 23). So, under this article, the procedure for admission to the state civil service and municipal service is carried out as follows:

- Admission to the state civil service and municipal service is carried out on a competitive basis.
- Tenders for filling a vacant position are held in the following order:
- Competition of persons consisting of internal and national personnel reserves;
- Open competition.
- In the event of a vacant position, the state secretary (chief of staff, executive secretary, personnel management service) shall notify the authorized state body in writing of this within 3 working days.
- The competition for filling a vacant position should ensure equal access for citizens of the Kyrgyz Republic to the state civil service and municipal service.

- First of all, a contest is held among people who are in the internal and national reserves of personnel. If the competition did not take place or the person who passed through the competition was not appointed to the position, then an open competition is announced. When conducting an open competition, the appointment to a vacant position on other grounds is not allowed.
- An open competition is announced in the presence of a vacant position by posting information about the competition in the newspaper and on the website of an authorized state body or other official media, as well as on the website of a state body or local government.
- Information on holding an open competition for filling a vacant position should contain the following information:
 - the name and legal address of the state body, local authority;
 - the name of the vacant position;
 - qualification requirements for a vacant position;
 - the functional responsibilities of the post;
 - a list of documents required to participate in the competition;
 - The time and place of receipt of documents.
- Persons who submitted documents and information that do not meet the established requirements are not allowed to participate in an open tender.
- When conducting competitions, the competitive commission shall make a video and audio recording of the interview.
- When conducting competitions in remote areas, only audio recordings of interviews are allowed.
- According to the written application of the bidder, within 3 days he will be given a copy of the video or audio recording of the interview in the part concerning him, or the full video or audio recording of the interview in which he participated will be shown.
- Video and audio recordings of interviews must be kept for 3 years.

- The results of the open competition are reported to the participants immediately after its completion.
- The state secretary (chief of staff, executive secretary) is obliged, no later than 3 working days, to submit to the head of the state body, local authority body an idea about the appointment of a person who has successfully passed the competition for a vacant position, and post information on the website of the state body or body local government. When holding a competition in the territorial divisions of state bodies and local self-government bodies, the deadline for submitting the submission and posting of information on the website is 7 working days.
- The head of the state body, local government within 3 working days after receiving the submission issues an order on the appointment of a person who has passed the competition.
- The head of a state body or local government may reject a nomination only if a violation of the competitive selection procedures is established.
- It is allowed to fill a vacant position in the rotation order defined by this Law.
- When creating a vacant position, the head of a state body or local government has the right to appoint an employee based on the results of the assessment to the next higher position, subject to qualification requirements.
- The order of the competition and the procedures for career development are developed by the Council and approved by the Government.

Another key sign of meritocracy in the system of state personnel policy of Kyrgyzstan is the professional development of the state civil servant and municipal employee, which is included in Article 28 of the Law of the Kyrgyz Republic on public service. (Law on public and municipal service, 2016: Article 28).

- Employee training is carried out for the purpose of his professional development, necessary to fulfill the tasks of a state body and local government.

- The main forms of employee training are retraining and advanced training.

Retraining of employees is carried out:

- for persons first entering the service;
- upon the transfer of employees to a higher group of posts, including from the category of specialists to the category of managers;
- when changing the official and functional duties of an employee.
- Retraining is a prerequisite for career advancement of an employee. Retraining is carried out no later than 3 months after appointment to the post at the expense of the state budget.
- Retraining is a prerequisite for the position of Secretary of State.
- Further training is carried out within the framework of one group of posts at least once every 3 years.
- Retraining and advanced training are taken into account when evaluating the performance of an employee and are an advantage when taking a new position.
- Retraining and advanced training are confirmed by the relevant document.
- The employee is sent for training by the decision of the head of the state body, local government:
- At the initiative of the employee;
- At the initiative of the state secretary, chief of staff, executive secretary of the local government;
- upon recommendation of the tender committee;
- Based on the results of an assessment of the performance of an employee.
- Issues of training employees, the formation and placement of state orders for state training programs are coordinated by the authorized state body.
- The state order for training employees is implemented by the Academy of Public Administration under the President of the Kyrgyz Republic.

- The state order is a training plan for employees for a calendar year within the limits of the funds provided in the state budget for these purposes.
- The state order includes all programs for various categories of employees, continuing education courses, scientific research and educational and methodological developments.

By decision of the Government, persons holding political public positions, special public positions and political municipal posts can also be trained under the state order.

- The pre-emptive right to undergo training is for employees enrolled in the personnel reserve who were on maternity or childcare leave.
- For the training of employees, financial resources are allocated from the budget, based on at least one percent of the funds provided for financing the activities of state bodies and local self-government bodies. Training can also be carried out at the expense of other means not prohibited by law.
- The implementation of the state order is financed from the state budget on the basis of tuition standards approved by the Government, taking into account inflation.
- To conduct training in general areas from the budget of the authorized state body, financial resources are allocated as a separate line in the budget classification of expenses in accordance with the training needs, as well as to finance personnel, scientific and educational support of the training system.
- To conduct training in departmental areas, financial resources are allocated to state bodies and local self-government bodies in a separate protected line in the budget classification of expenses in accordance with training needs.
- An employee sent to training for a period of more than 3 months, concludes an agreement with the state body, local government on obligations to work out a certain period in the relevant state body or local government and reimbursement

of expenses associated with training if the employee terminates the service of his own free will.

- The employee is responsible for non-compliance with the requirements of part 19 of this article in accordance with the law.
- Training of employees is carried out on the basis of the needs of state bodies, local authorities. The procedure for determining, planning and forecasting training needs is determined by the authorized state body.
- The procedure for organizing and conducting training, coordination of donor assistance in the field of training, the formation of the state order and other issues in the field of training are determined by the Government.

Assessment of the activities of state civil servants and municipal servants also refers to the conditions and characteristics of the system of merit in the public service of Kyrgyzstan. This norm is enshrined in Article 29 of the Law of the Kyrgyz Republic on public service. (Law on public and municipal service, 2016: Article 29). This Article defines the below legal context:

- Evaluation of the performance of employees is a determination of the degree of effectiveness of the performance of official duties in accordance with the goals and objectives of the state body, local government, and career prospects.

The general Principles for conducting an assessment are:

- Objectivity - an impartial, unbiased attitude to an employee and his activities in a state body or local government;
- Uniformity - a list of estimated indicators and criteria established by a single model;
- Transparency - an open procedure for evaluating employees, the results of which are communicated to the employee with an explanation of the reasons and motives for their adoption;
- Regularity - periodically in a timely manner organized assessment procedure.

The objectives of the assessment are:

- Determination of the professional level of the employee, including the quality, volume, and complexity of the work;
- Determining the degree of employee contribution to the achievement of the goals and objectives of the state body and local government;
- Analysis of the current results of achieving the objectives;
- Adjustment of the process of achieving results;
- Employee professional development planning;
- Employee incentive to achieve high results.
- The assessment is carried out annually based on the employee's performance, taking into account quarterly estimates.
- To carry out the assessment, a commission of the state body, the local government body is formed (hereinafter - the evaluation committee).
- The evaluation committee determines the employee's annual assessment based on which:
 - determines the step (coefficient) in the payroll grid;
 - determine the conformity or non-conformity of the post;
 - makes proposals for promotion or demotion;
 - makes proposals for incentives;
 - makes proposals for advanced training;
 - makes proposals on employee rotation;
 - recommends for assignment of a class rank;
 - recommends for inclusion in the internal reserve of frames.
- On the recommendation and proposal of the evaluation committee, the head of the state body, the local authority takes a corresponding decision.
- The procedure for conducting an assessment is determined by the Government.

The practice of rotating civil servants and municipal servants is also considered as one of the advantages for motivating and promoting a public servant. Accordingly,

this provision is also provided in Article 30 of the Civil Service Law. (Law on public and municipal service, 2016: Article 30):

- Rotation - the transfer or movement of employees in the system of state civil service and municipal service.
- Rotation is carried out in order to:
 - increase the efficiency of the state body, local government;
 - the rational use of the potential of employees;
 - increasing career motivation;
 - Preventing conflicts of interest and reducing the risk of corruption.
- Rotation is carried out by the head of the state body, local government with the written consent of the employee, with the exception of cases of rotation in order to prevent conflicts of interest and reduce the risk of corruption.
- The list of cases and situations for which there is a risk of corruption is developed by the state secretary of the relevant state body and approved by the Council.
- The list of cases and situations for which there is a risk of corruption is developed by the head of the local government and approved by the local councils.
- Rotation is carried out on equivalent posts or subordinate posts. When rotating to lower positions, the employee's salary is maintained for the previous position.
- It is forbidden to rotate an employee to a position that is contraindicated for health reasons.
- Rotation, in order to reduce the risk of corruption, is carried out no more than once every 2 years.

Types of rotation:

- rotation within the state body;
- rotation within the local government;
- rotation between state bodies;

- rotation between local governments;
- Rotation between the state body and the local authority.
- Rotation between state bodies, between local authorities, is carried out by joint (interdepartmental) order of the heads of state bodies, local authorities, respectively.

By agreement of state bodies and local authorities, an employee may be allowed to rotate to another type of public service specified in Article 1 of this Law, taking into account compliance with qualification and other requirements established by the law governing the receipt and passage of relevant types of public service. (Law on public and municipal service, 2016: Article 1):

- Rotation between the state body and local authority is carried out by joint order of the head of the state body and local authority.
- The regulation on rotation is approved by the Government.

The main core of the Merit System, of course, is the Motivation of the activities of state civil servants and municipal employees, and along with this, there are also disciplinary measures. These norms are also written in Articles 31 and 32. (Law on public and municipal service, 2016: Article 31-32). According to their characteristics, motivation is considered in two ways, i.e. material and non-material motivation of state and municipal employees.

Article 31. The material motivation of state civil servants and municipal employees describes below):

- The material motivation of employees is based on a unified system of remuneration in accordance with the law.
- The remuneration system is based on a hierarchy of posts defined by the roster of posts and an assessment of employee performance.
- Salaries include salaries and allowances.
- The size of the salary is calculated on the basis of the application of a single minimum base rate and coefficient established by the evaluation.

- The employee shall be granted bonuses for the class rank and length of service in the state and municipal service.
- Laws may establish other allowances for state and municipal employees.
- An employee may be paid bonuses based on the results of the activities of a state body or local government taking into account the performance of the employee.
- The length of service of the state and municipal services for the payment of interest allowances for length of service shall be calculated in the manner determined by the Government. When calculating the length of service, the activities of citizens in the apparatus of party, Soviet, trade union and Komsomol bodies, in ministries, departments, enterprises, institutions and organizations associated with executive and administrative functions and consisting of the state budget of the former USSR, are conscripted in the Armed Forces of the USSR and Kyrgyz Republic, the performance of parliamentary duties on an ongoing basis, the period of retraining and advanced training in the direction of the state body, local authority Municipalities are accounted for as state and municipal service.
- Labor activities for the replacement of a temporarily absent employee are counted in the length of service of the state and municipal service, and in the presence of class rank and length of service, appropriate allowances are paid.
- To solve social problems, employees receive material assistance, including in the form of housing, from the state budget and other sources not prohibited by law.
- Salaries of employees are subject to indexation in the manner prescribed by law.

Article 32 is about the Non-material Motivation of State Civil Servants and Municipal Employees in the Kyrgyz Republic. (Law on public and municipal service, 2016: Article 32):

- In order to further stimulate employees, a state body, the local government shall apply a system of non-material motivation.

The following types of incentives comprise a system of non-material motivation:

- announcement of gratitude;
- rewarding departmental awards;
- rewarding with other prizes of the Kyrgyz Republic in accordance with the legislation;
- The assignment of an extraordinary class rank based on the results of the evaluation of an employee within the same group of posts;
- delivery of memorable gifts, badges;
- removal of previously imposed disciplinary action.
- The state body, the local authority may establish other types of incentives that do not contradict the law.
- Incentive measures for an employee are applied by the head of a state body, a local authority body.

The Public Personnel System of the Kyrgyz Republic constructed the whole norm for keeping the motivation by an employee and as a part of complement supply within the Law on public service covered the Responsibility of State Civil Servants and Municipal Employees. So this norm is written in Article 33 and has below points. (Law on public and municipal service, 2016: Article 33):

- An employee bears disciplinary, administrative, material and criminal liability in accordance with the law. Disciplinary liability means the application of disciplinary measures (penalties) to an employee for guilty, unlawful behavior, failure to perform or improper performance of their official duties (commission of a disciplinary offense).
- A disciplinary sanction on an employee shall be imposed by the head of a state body, local government or an authorized official only in cases when the fact of a disciplinary offense is established or confirmed.
- In order to establish or confirm the fact of a disciplinary offense, an official investigation may be carried out, appointed by the head of the state body, local

government, authorized official on his own initiative, on the proposal of the ethics commission or on the initiative of the employee.

- An official investigation can be carried out on the basis of appeals of individuals and legal entities, in cases of publication in the media of a message about an official (disciplinary) misconduct committed by an employee.
- An internal investigation is carried out by the body in which the employee works, with the participation of representatives of the ethics committee.
- An internal investigation is terminated or not carried out in the following cases:
 - Sincere confession by the employee of his guilt of perfect misconduct - in the event that the facts correspond to reality;
 - Expiration of disciplinary proceedings;
 - If signs of a criminal offense or administrative violation are found in committed misconduct, with the transfer of materials to the appropriate state body.

The procedure for conducting an internal investigation is determined by the Government. These norms on the Responsibility of State Civil Servants and Municipal Employees are impacting the civil servants to keep themselves accordingly with the law. And these effects are described in the latest subpart of this study concerning the practical prophylactic measures. And it is covered by Article 34 of this law (Law on public and municipal service, 2016: Article 34). This Article is about the Disciplinary sanctions imposed on a public civil servant and municipal employee. These Disciplinary sanctions are empowered to limit the civil servants from the mistakes, unprofessionalism and corrupt behavior in their official duty:

- For non-fulfillment or improper fulfillment by an employee of his duties, non-compliance with ethical standards, violation of the conflict of interest law, the following types of disciplinary sanctions are imposed on him:
 - Remark;

- Reprimand;
- Severe reprimand;
- A warning of incomplete official compliance;
- A demotion in a class rank;
- Demotion;
- Dismissal from his post.
- Disciplinary sanctions are applied immediately after the discovery of the misconduct, but no later than 6 months from the date of its commission. Only one disciplinary sanction may be imposed for each non-performance or improper performance by employees of their duties.
- An employee may not be promoted during the period of the disciplinary sanction imposed on him.
- A disciplinary sanction shall be imposed taking into account the gravity and nature of the offense committed, as well as the circumstances in which the offense was committed. The severity and nature of the misconduct, as well as other circumstances, are determined by the disciplinary commission formed in state bodies and local authorities, the result of which is the proposal to the head of the state body, local government or authorized official to apply a specific penalty.
- The provisions of this part regarding the submission by the disciplinary commission to the head of a state body, local authority or an authorized official of a proposal for the application of a specific type of punishment shall not apply to the state secretaries, as well as employees appointed to positions in accordance with parts 2-6, 10 and 11 of the Article 24 of this Law. (Law on public and municipal service, 2016: Article 24).

- When a disciplinary sanction is imposed, all circumstances of official activity must be taken into account before the commission of the misconduct.
- Prior to disciplinary action, a written explanation must be requested from the employee. A refusal to provide such an explanation is made out by an act which is subject to registration by the personnel management service and cannot serve as an obstacle to the application of the penalty.
- An order (order, resolution) on the application of disciplinary sanction shall be announced to the employee against receipt within 3 business days from the date of its publication. In case of refusal of the employee to sign the specified order (order, resolution), appropriate action is drawn up.
- The disciplinary sanction is valid for one year from the date of its application. If during this period the employee is not subjected to a new penalty, then he shall be deemed not to have a disciplinary sanction.
- The head of a state body, local self-government body or an authorized official shall have the right to remove the disciplinary sanction before the expiration of the period specified in paragraph 8 of this article, but not earlier than 6 months from the date of the penalty, as well as based on the results of the assessment.

This Law also has Article 35, which is concerned with the Appeal of decisions on disciplinary sanctions. (Law on public and municipal service, 2016: Article 35):

- The decision on the application of disciplinary sanction may be appealed by the employee in the authorized state body, and in case of disagreement with the decision of the authorized state body - in court, within 2 months from the date of familiarization with the decision.
- A certified copy of the decision of the state body, local government on the application of disciplinary sanction is issued to the employee within 3 working days after its adoption.

Article 36 of the Law considers the Liability of State Civil Servants and Municipal Employees. (Law on public and municipal service, 2016: Article 36). This article is crucial in terms of preventing the intentional loss and theft of state property in civil service. Hereby below norms are written in the law.

- The liability of the employee for the damage occurs as a result of his guilty and unlawful behavior (action or inaction).
- Damage caused to employees by third parties as a result of illegal actions (inaction) in the exercise of their official powers shall be compensated by the state body, local government in which he is in the service.
- The state body, local government is obliged to compensate for the damage caused by the funds provided for the financing of this body in the relevant section of the budget.
- The state body, local authority body, which has compensated the damage, may present reverse requirements (regression) to the person who directly committed illegal actions.
- Compensation of damage to employees shall be made regardless of bringing the employee to disciplinary, administrative or criminal liability for actions (inaction) that caused damage to a state body or local self-government body.
- If it is proved in court that the person who made the decision violated the employee's labor rights and, as a result of the decision of the court, the citizen paid the statutory payments, the state body, local government on the basis of the court's decision is obliged to withhold the person's salary, who made the decision, the amount of damage caused by him. In other cases, compensation for damage is carried out within the framework of the law.
- The authorized state body creates and maintains a database of employees and officials who caused material damage to the state.

- The procedure for maintaining a database of employees who caused material damage to the state is determined by the Government.

In order to keep the transparency and accountability values in such cases of civil service investigations, Article 37 of the law concerns the Temporary removal of a state civil servant and municipal employee from the office. (Law on public and municipal service, 2016: Article 37). Therefore below norms are presented in this article.

- An employee shall be suspended from office in cases of a decision by the prosecutor, investigator or court to remove him from office in accordance with the law until a final decision on the case is made.
- An employee may be removed from his post for the period of conducting an internal investigation (except in cases where an investigation is appointed at the request of the employee himself) by the head of a state body or local government.
- In cases of temporary removal of an employee from office in accordance with part 2 of this article, wages shall be retained by the employee.
- Compensation for harm caused by the unlawful prosecution of an employee is carried out in accordance with the law.

The Social guarantees of state civil servants and municipal employees are key pillar norms of this law. This is written in Article 38 and is about the Vacation of a State Civil Servant and Municipal Employee (Law on public and municipal service, 2016: Article 38):

- An employee shall be granted annual paid leave of 30 calendar days with the payment of a health benefit in the manner prescribed by law.
- In the case of work experience in the state and municipal service for a total of more than 5, 10, 15 and 20 years, paid leave increases by 2, 4, 6 and 8 calendar days, respectively.

- In some cases, the employee, upon his written application, in accordance with labor legislation, the head of the state body, the local authority may be granted leave without pay, the duration of which is determined by agreement between the employee and the head of the state body, local government.

Article 39 is defining Social guarantees and compensations to state civil servants and municipal employees (Law on public and municipal service, 2016: Article 39):

- When transferring employees to a service in another locality, they shall be compensated for the costs of moving and temporary housing in a new place in the amount and manner established by the Government.
- Employees are guaranteed reimbursement of expenses for business trips, including foreign ones. The employees are also subject to other compensations provided by law, including monetary rewards for working in particularly difficult conditions, overtime, non-working hours, holidays and weekends.
- Employees and family members living with them shall receive medical care in state and municipal health care facilities on the conditions and in the manner determined by the Government.
- Employees are subject to compulsory insurance from the state budget and other insurance funds in case of damage to life, health or property in connection with the performance of official duties, as well as illness or disability that occurred during the period of service, in the manner determined by the Government.
- In the event of a disability due to injury or an occupational disease in connection with the performance of an official's duties, an allowance shall be paid to him, the amount of which is determined by the Government.
- In the event of the death of an employee in the exercise of official duties, the family of the deceased shall be paid a lump-sum cash benefit in the amount established by law.

- An employee has the right to receive a pension in accordance with the law.

Guarantees for a state civil servant and municipal employee upon liquidation or reorganization of a state body, local authorities are concerned in Article 40 of this law. (Law on public and municipal service, 2016: Article 40):

- When liquidating or reorganizing a state body, local government, or reducing its staff, an employee should be offered another job within the appropriate category of posts, taking into account his profession and qualifications. In the absence of a vacancy and with the consent of the employee to be dismissed, he shall be given another position of a lower category with the same average wage at his former place of employment for the entire period of work in a new lower position or with a lower base rate.
- In case of refusal of the proposed position, the employee shall be released and may be sent at his request for retraining in order to ensure the possibility of his employment in state and municipal enterprises, institutions and the private sector.
- Upon release in connection with the liquidation, reorganization of a state body, local authority body or reduction of staff, an employee shall be paid in case of refusal of the proposed work:
 - severance pay, determined by multiplying one-fourth of the average monthly wage by the number of full years of work in this body, but not lower than three average monthly wages for the previous position;
 - the average salary for a previously held position within 3 months, provided that the employee, within 10 working days after release, has registered with the employment service as a job seeker.
- The average salary of an employee is calculated on the basis of payments for the last 12 months of the employee's work in the state and/or municipal service.

- At the request of a person who is dismissed (relieved) from service on the grounds provided for by this article, this person may be included in the internal reserve of personnel.

Article 41 is about the funeral allowance of a state civil servant and municipal employee. (Law on public and municipal service, 2016: Article 41). So according to this:

- If a deceased (deceased) employee or person who has died after termination of service due to a wound or illness received by him in connection with the exercise of his official duties is buried, to his or her spouse, close relatives, the legal representative of the deceased or to another person who has undertaken to carry out the burial, a funeral allowance is issued in the amount determined by the Government.

Ethics and anti-corruption mechanisms in the state civil service and municipal service is another key norm in this law. This norm is written in Article 42, which is about the Ethics of State Civil Servant and Municipal Employee. (Law on public and municipal service, 2016: Article 42):

- The ethics of a state civil servant and municipal employee is a system of norms that establish and regulate the rules of conduct for an employee.
- Ethics is the responsibility of every employee.
- The employee must comply with the following ethical principles:
 - Always behave in such a way as to form, maintain and strengthen the faith of citizens in honesty, impartiality and the effectiveness of the activities of state bodies, local authorities;
 - prevent the use of official position to achieve selfish interests and illegal enrichment;

- to be polite, correct, patient, principled, strive to thoroughly understand the essence of the issue, to be able to listen to the interlocutor and understand his position;
- take measures provided for by the Code of Ethics in case of detection of violations of ethical standards by other employees;
- not to force his subordinate to take illegal decisions or to commit illegal actions;
- not to allow a conflict of interests in their activities;
- conscientiously perform official duties;
- respect the customs and traditions of peoples;
- not to allow unlawful influence or influence on the part of someone, including other officials, regardless of their position and position, on their official activities;
- bear a moral and moral responsibility to the state and society.
- The head of a state body or local government is obliged to take all measures to prevent and suppress ethical violations by subordinate employees.
- The state secretary (chief of staff, executive secretary) is responsible for creating a working atmosphere in the team that excludes ethical violations by employees.
- The Code of Ethics is approved by the Council.

Conflict of Interest also part of these norms. So according to Article 43 the conflict of interest is described below. (Law on public and municipal service, 2016: Article 43):

- A conflict of interest arises in cases where the private (personal) interests of an employee may affect the performance of his official duties or functions, which leads or may lead to a violation of the rights and interests of citizens,

organizations or the state. The procedure for managing a conflict of interest in state bodies and local authorities is carried out in accordance with the legislation on conflict of interests.

- The head of a state body or local government is obliged to take measures to prevent a conflict of interest.
- The head of a state body or local government body, if there is a risk of a conflict of interest, must initiate an internal investigation.
- Based on the results of an official investigation, the head of a state body or local government takes measures to eliminate a conflict of interest.
- Failure to take measures by the head of a state body or local authority body in the case of an appeal by an employee who is directly subordinate to the issue of preventing a conflict of interest is the basis for relieving the head of the office in connection with the loss of confidence.

The Law on public service pointed in Article 44 about the Register of Persons Exempted from the State Civil Service and Municipal Service on Negative Grounds (Law on public and municipal service, 2016: Article 44). This is an output indicator shaping the details and statistics of the exempted persons on negative grounds, which is useful to have and to use in the public personnel system.

The register of persons dismissed from the state civil service and municipal service on negative grounds contains personal information about employees dismissed from their posts on the grounds provided for in paragraphs 6-8 of part 1 of Article 47 of this Law.

The procedure for forming, maintaining, amending and supplementing the Register of Persons Exempted from the State Civil Service and Municipal Service on negative grounds is determined by the Government.

The register of persons dismissed from the state civil service and municipal service on negative grounds may be used in the competitive selection for the filling of vacant administrative posts.

The Register of persons exempted from the state civil service and municipal service on negative grounds is maintained by an authorized state body.

The data of the Register of Persons Exempted from the State Civil Service and Municipal Service on negative grounds cannot serve as a basis for refusal upon admission to the service.

In addition to the above-described law, currently, the Parliament of the Kyrgyz Republic (Jogorku Kenesh) has considered the draft law No 6-18881/19, from 12.09.2019 “On Amending the Law of the Kyrgyz Republic On State Civil Service and Municipal Service” in the first and second reading. Information about the bill was presented by MP Aaly Karashev⁶. The concept of this draft Law is aimed at improving legislation in the field of organization of the state civil service and municipal service, eliminating discrepancies and concretization of the rules regarding professional service in government and local governments. Thus the bill provides:

- review of qualification requirements for the position of state secretary, in terms of length of service in the state and municipal services, in other areas of activity;
- norms establishing that the length of service in state and municipal positions are included in the seniority of state and municipal service, including military service in the Armed Forces of the USSR and the Kyrgyz Republic, as well as seniority in the apparatus of party, Komsomol and state bodies of the former USSR;

⁶ <http://kenesh.kg/ru/draftlaw/550385/show>

- specification of cases in which civil servants with class ranks of the municipal service can be assigned a class rank, as well as cases where municipal servants having class ranks of the state civil service are assigned class ranks;
- specification of the procedure for awarding class ranks to employees with military or special ranks, special class ranks, and diplomatic ranks;
- norms that determine that the National reserve of personnel can be used when filling posts that are appointed in a special (non-competitive) manner, as well as establishing that the filling of posts that are appointed in accordance with paragraphs 7 and 8 of Article 24 of the Law on State Civil service and municipal service”, with the exception of foster positions, is made primarily from the number of persons on the National Reserve;
- Exclusion of the terms of an open competition for filling vacant posts.

The above-mentioned activity on amending the draft to the law on public service in Kyrgyzstan indicates that the legislature process of polishing and making effective the law based on the real needs of the public service and by the time to take into account the international practice concerning neoliberalism criteria. Meanwhile, the task of increasing the legal culture of the citizens especially the young generation is standing a big aim. Reason for this based on the reports and recommendations of the UN agencies concerning the law culture of citizens (UN report 2019:34-35,53). This is the indirect aspect of performance measurement in public service, as while the young generation being well-educated with law culture may work effectively in the civil service of Kyrgyzstan.

And another well-needing factor is about the real and well providing financial and economical support of the civil servants and municipal servants via increasing their social package and wages (NISI report, 2016:17). This task also stands on the agenda of government.

The last factor, which should be mentioned, is the rule of law in Public service. This means that effective usage of law and positive achievements will come through the real implementation of rule of law with well trained personnel in the civil service (Bilgin, 2016:185).

Taking into account the above analyses of the relevant articles of the Public service law is possible to make pre conclusion that the General requirement and specific conditions for Merit System in the Public Personnel Management are identified and empowered normally. Within this law, the Public Personnel Management of Kyrgyzstan surely shaping the Meritocratic values and approaches. ***In this context, examples of the open competition tenders for gaining a job in the public sector and further procedural rules on evaluation and attestations of civil servants are proving this conclusion. Norms of the motivations, which are differentiated to material motivation and nonmaterial also showing the importance of this instrumental mechanism for civil servants. Besides the above comment would be useful to note that practical implementation of the Merit Principles in the Public Personnel Management of Kyrgyzstan has own specific and perspectives in terms of increasing efficiency or neither.*** Therefore below is analyzed the Realization of Merit Principles in the public service of the Kyrgyz Republic as a particular practice manner of Kyrgyz bureaucracy.

3.1.3.4. The Development Features of the Legal-based Merit Principles within the System of Public Administration

The development features of the legal-based Merit Principles in the system of national public administration of the Kyrgyz Republic have reasoned in three historical profound conditions. At first, following feudalistic and monarchistic traditional legal systems based on the national-nomadic tradition shaped with the Muslim law caused the emergence of the Merit Principles supplied under the Islamic and Nomadic values known as adat. The practical implementation of these adats was done mandatory life cycles in the system of medieval feudal states and nomadic unions. And as seen in many

historical events concerning the success or fall of states were depended on the effective governing and existence of the merit values awards and punishments.

The Second profound condition concerning the development features of the legal-based Merit Principles is engaged with the historical period known as colonization of Kyrgyz tribes by the Russian Empire. The public administration system of Russian tsarism largely used the continental roman and german legal system. Thereby, the colonial authority of the Russian Empire introduced this legal system in its colonial administrative region Turkestan including the Kyrgyz land. Thus, the elements of public service constructed by the principle of german rational-legal bureaucracy have been adapted in the colonial administration acted in the Kyrgyz land. The rational-legal system of the bureaucracy of the Russian tsarism brought to Kyrgyz society the main legal principle of state authority known as legislation, executive and judge powers. Due to this introduction, the feudal legal system based on tradition and Muslim law has been co-integrated with the administrative regime of the Russian bureaucracy. As an example, many researchers indicated the people's councils known as kurultai, which widely used by the colonial administration in the case of periodical feedback or input meetings with the local population. Meanwhile, local elites got chances to be elected and re-elected in the village and districts on the positions of basic administrators. Legislation initiative has been not given as a right to the local people's councils, thus the chancellery of the general governor of the Russian Empire in the Turkestan region wholly concentrated these big powers in the one hand. Colonial Russian bureaucracy was organized by the principle of the closed system, which gave a priority in the cases of public personnel promotion from the representatives of regional and local elites and nobles. Thus, equality and legality principles were not followed in practice in the colonial administration. However, the heritage of the introduced the continental European roman-german legal system created the system of public service and its functioning.

Further historical development of the legal system in the Soviet time precisely proved the empowerment of this legal model in practice. Mainly, the Merit-based legal

system has been created upon the strong sense of communist and bolshevik ideology explained with the motto such as the best of best workers are excellent creators of Soviet socialism, etc.

The transformation of the economy and the strengthening of centralization tendencies in the state authority of USSR led to the formation of a new model of society with the complete “stateization” of the national economy. The changes that have occurred in the economic, social and political, and national-state development of the Soviet Union since the middle of the 1920s demanded changes to the Constitution. Therefore on December 5, 1936, the VIII Extraordinary Congress of Soviets approved the new Constitution of the USSR. This Constitution recorded the characteristic features of the command and administrative system that had formed in the country. The Soviet Union was proclaimed a socialist state. The electoral system has undergone serious reform. A universal, direct, equal and secret ballot was introduced. Voting rights were granted to all citizens of the USSR, regardless of their social origin. The distinction in the norms of representation of workers and peasants was abolished. The general democratic rights of citizens have expanded. The Constitution proclaimed a whole series of new social rights such as the right to work, to rest, to get education, to material support in old age or in the event of disability, etc. These principles have received worldwide recognition and have become an important component of any modern system of views on civil society.

The 1936 Soviet Constitution also declared other democratic rights, borrowed in many respects from Western European traditions, such as freedom of conscience, freedom of speech, press, assembly and rallies, street processions, inviolability of the person, housing, independence of the courts and the right of defendants to defend themselves. The social basis of the state was declared as a union of workers and peasants while maintaining the dictatorship of the proletariat. In practice, this was expressed in the dictatorship of the Communist Party of the Soviet Union and its apparatus. The socialist economic system and socialist ownership of tools and means of production

were declared the economic basis of the USSR. This property existed in two forms: state (mines, factories, and industry, state farms in the countryside) and collective-farm cooperative. Labor was declared the duty of every capable citizen according to the principle: “He who does not work does not eat”. (Makarov, 1968:267).

Furtherly adopted in 1978 on 20 April Constitution of Soviet Kyrgyzstan proclaimed that the Communist Party of the Soviet Union was the core of the political system (Section 6). This led to a duplication of the entire party apparatus in administrative system. The nomenclature principle of appointment was widely maintained. The highest posts in government and administration could only be held by people approved for office by decisions of the Secretariat or the Politburo of the Central Committee and included in the nomenclature of the Central Committee (Constitution of Soviet Kyrgyzstan, 1978:31-32). Soviet nomenclature was a civil service of the Soviet Union including Soviet Kyrgyzstan. The awarding of employees achieving good and best performances has been leading the agenda of Soviet nomenclature. Trade Union Associations were active providers and popularizing the values of the proletariat working class in the society and the best performances of workers were permanently informed officially all over the country. This step was necessary in order to increase the effective achievement of the Development Plan of the Soviet Union for every 5 (five years). For this reason, due to the best performance achieving several workers and peasants have been appointed the directors of state industries and collective farms. Moreover, the best of best workers were elected as delegates of the Supreme Council.

The 1978 Constitution did not change the political organization of society. As before, the Supreme Soviet of the Soviet Kyrgyzstan was declared the supreme body of state power. Theoretically, the Supreme Council personified representative power and was the legislative body. He was elected for a term of 4 years by universal, equal and direct suffrage. A citizen of the USSR no younger than 23 years old could be elected as a deputy. Deputies gathered twice a year at a session of the Supreme Council. The rest of the time they had to work at their previous job (Constitution of USSR, 1977:9).

Effective workers for the state nomenclature usually had been recruiting through the division of young communists known as Komsomol staffing. Moreover, High Schools of the Soviet communist party provided the education for young leaders from Komsomol and the alumnus became the nomenclature servants at different levels of the state authority. One reason which became a failure of the USSR was well-known formalism in the state economy, which resulted gradually brought a spoiling system in the state personnel policy. Meanwhile, the value of meritocracy was too much politically ideologized and as seen in the latest stages of soviet legal history, due to the impact of nepotism, cronyism, and favoritism, the functional persons of soviet nomenclature practiced spoiling system, which also denied the justice and usefulness of the soviet ideology. The state reforms in the USSR known as the policy of perestroika in 1987-1990 years tried to liberate the political system and economy from the dictate and monopoly of the Communist Party of Soviet Union (CPSU). Due to these efforts, at first, the central administrative-command system ruled by the CPSU lost its influence (Voslensky, 1991:164). As a result of these processes, the effect of law i.e. rule of law had weakened and the central administrative command system crashed under the stream of liberal perestroika policy. The Soviet Union faced dissolution.

Therefore, Kyrgyzstan as a former soviet republic got a chance to gain political independence and internationally recognized official sovereignty. In this way at first, Kyrgyzstan gradually began the course to reform its state administrative system. The analyzes of many publications concerning this reform showed that the Council of Ministers in Kyrgyzstan as a high state executive body was to work under the new laws and constitution. The New Constitution of the sovereign Kyrgyz Republic was adopted on 5 May 1993. The official declaration of the sovereignty and independence of the Kyrgyz Republic on 31 August 1991 gave a start for the creation and further strengthening of the public administration system based on the national specifics and mixed on the synergy of the modern world practices (Chotonov, 2009:189-191).

Public performance management, within the political reforms, brought the merit-based performance policy in public personnel policy. Thus gradually, Kyrgyzstan as a

newly established sovereign state began to transform the soviet model of state administration -nomenclature into the national administration based on the democratic state with a strong civil society, and effective market economy. Due to this reform further adopted the law on public service has had a mission to create modern, flexible, and efficient public administration. The advantages of new public service law of the Kyrgyz Republic have certain characteristics such as open, transparent recruitment into the civil service based on the competition and exams, and further promotion based on the achieving appraisal performances of the employee i.e. public servant. Moreover, the rotation of the state servants among the state bodies and internal divisions also considering a priority for the positional and professional development of the state servants in Kyrgyzstan. New Law gave a priority to the professional development of public servants based on their training, education and practical skills in duty. All these new envisions have been introduced into the Law on public service and all of them are compatible and soulful with the Meritocratic approach and values.

Legal-based Merit Principles also indirectly written in Chapter three about Citizenship in the Constitution of the Kyrgyz Republic. So, according to Article 52, Citizens have the right (Law on public and municipal service, 2016: Article 52):

- to elect and be elected to bodies of state power and bodies of local self-government in the manner prescribed by the Constitution and laws;
- Citizens have the right to hold people's kurultai on issues of state and public importance.
- The decision of the people's kurultai is sent to the relevant authorities as recommendations. The procedure for holding people's kurultai is determined by law.

Main characteristic of this legal empowerment resuming that the Meritocratic approach used in forming the state power and bodies in the Kyrgyz Republic is well followed in practice. Another, sign of the meritocracy also concerns the institutionalization of the people's kurultai. This is one of the oldest forms of public control on the activity of state authority being heritage from ancient times in Turkic

communities, which is also had practices on awarding the best performers public servants.

In order to discover and analyze the achieving advantages and disadvantages of implementation of the administrative reforms in Kyrgyzstan below subpart of the study has its focus on the Analyzes of the Development of Merit Principles in the Public Personnel System of Kyrgyzstan in the period of sovereignty i.e. from 1991 to the present time.

3.2. Realization of Merit Principles of Public Personnel System in Kyrgyzstan

The Analyses of the Merit Principles of Public Personnel System in Kyrgyzstan also covers in the Realization Part. The Realization factor is a key segment for achieving the practical results of the Merit Principles in the Public Personnel system of the Kyrgyz Republic. Taking into account the actuality and core of this factor below is analyzed the Realization of Merit Principles in the Kyrgyz Republic.

3.2.1. Realization of Merit Principles in Kyrgyz Republic

Due to the realization of the Public Service Law of the Kyrgyz Republic, Merit Principles are mandatorily recognized to be implemented in the Public Personnel Policy. Being part of this policy, mainly Merit Principles identified and empowered within the Principles of Equality, Impartiality, Assurance, Openness, and Performance. In this part of the study is widely analyzed and searched for the implementation of Merit-based Principles such as Equality, Impartiality, Assurance, Openness, and Performance.

Since the dissolution of the USSR, Kyrgyzstan as a sovereign republic chosen to build the democratic society upon the existence of neoliberalism-based values. Hereby economical and political reforms in Kyrgyzstan transformed the society. Emerged private sector, a new generation came in action and civil society is stronger. Under such new conditions, the public sector has to be effective for responding to the needs and request of the citizens. Open source for improving the public services showed its possibility on the well-functioning state bureaucracy. Within this, in the state bodies of

Kyrgyzstan are practicing the use of the motivation and merit-based values among the civil servants. The discovery of these practices is presented and analyzed below.

3.2.1.1. Principle of Equality

At first, the Principle of Equality is written in the Constitution of the Kyrgyz Republic. (Constitution of the KR, 2010:Article 5). It is explained in Article 16 and has a fundamental basic concern to Human rights equality and has an indirect shape to the Merit Principle.. Constitution of the KR, 2010: Article 16) So, Article 16 explains that:

- Human rights and freedoms are inalienable and belong to everyone from birth. Human rights and freedoms are among the highest values of the Kyrgyz Republic. They act directly, determine the meaning and content of the activities of all state bodies, local governments, and their officials;
- The Kyrgyz Republic respects and provides all persons within its territory and under its jurisdiction with human rights and freedoms. No one may be discriminated against on the basis of sex, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, property or another status, or other circumstances;
- In the Kyrgyz Republic, everyone is equal before the law and the court;
- In the Kyrgyz Republic, men and women have equal rights and freedoms, equal opportunities for their implementation;

Taking into account these obligatory rights given to the citizens of the Kyrgyz Republic, this is relevant to note that in Article 41 of the Constitution are clearly stated that (Constitution of the KR, 2010: Article 41):

- Everyone has the right to appeal to public authorities, local authorities and their officials, who are required to provide a reasoned response within the time period established by law;
- Everyone has the right, in accordance with international treaties, to apply to international human rights bodies for the protection of violated rights and freedoms. These norms are based on the Universal Human Rights recognized in the world and the Kyrgyz Republic as a member of the United Nations

organization has ratified certain conventions and agreements coring the Principle of Equality.

For the second, the Public Service Law of the Kyrgyz Republic also recognizes the Equality Principle within a subdivisional implementation of the Constitutional rights of the citizens of the Kyrgyz Republic. Article 4 of the Public Service Law explains one of the Principles of the state civil service and municipal service as (Law on public and municipal service, 2016:Article 4):

- acting on the equal access for citizens of the Kyrgyz Republic to enter the service, regardless of gender, race, language, disability, ethnicity, religion, political or other beliefs, origin, property or other status. This is a wide concept pursuing the equality principle, which is also relevant and mutual with the Merit value in civil service.

A third, the Principle of Equality being sourced from the above law is implementing in the State Personnel Management of Kyrgyzstan. In this case, would be useful to correlate example of state bodies' activities on how they provide the equality principle in motivating and awarding the effective civil servants. Currently, the numbers of state bodies in the Kyrgyz Government are 33 in total. And in order to promote the efficiency of state bodies, government is transparently realizing the Open Government Policy. (KG Act No 226 p, 27.06.2018). The Meaning of Open Government Policy is global initiative trend engaging the OECD and other countries to make the national government effective, efficient, equal and economic in terms of giving services with good qualities balanced with cost-benefit factors. In this trend, the priority is to make the contact among the citizens and state bodies flexible, rational, equal, transparent and accountable⁷. Basic driving mechanism of this state initiative based on the e-government unit known as Tunduk. Tunduk is a system on optimizing the procedures for the provision of public services in electronic format and providing them through the State portal of electronic services in the Kyrgyz Republic.⁸

⁷ <http://ogp.el.kg/en/mission-and-strategy>

⁸ <https://www.tunduk.gov.kg/>

Currently, this e-government platform united 17 state bodies. Hereby, the direct contact among the citizens - consumers and the state bodies-the executors are going to be transformed in electronic format. Thus, the issues of nepotism, cronyism is going to be reduced gradually or automatically. Time will show within 3-5 years. Furtherly activities of the state bodies in Kyrgyzstan are targeted to be creative, flexible, and efficient. In this context, the spirit of couching in civil servant and their performance are fixing on the top of state personnel policy. Since 2017 several state bodies such as State Committee on IT, digitalization, and registration, Ministries such as Interior, Education, Foreign affairs, State Mining Committee, and City administrations fully connected and got integrated into the e-government system Tunduk. State Personnel Service is also included in this system and job recruitment and competition processes are fully transformed in digital format under the subname of e-kyzmat (KG report, 2019 June:56). Working processes of the courts and prosecutor offices are also broadcasted and recorded in e-government platform. All these examples are proving that the Principle of Equality is in action and gaining own outputs. Ideally, all of this is for the benefit of citizens.

3.2.1.2. Principle of Impartiality

In the system of State Personnel Policy of the Kyrgyz Republic, the Principle of Impartiality is one of the core and important distinct values. On the other side, this principle has imperative and ethical characteristics. The practical meaning of this Principle written in the Law of the Kyrgyz Republic on public, municipal and civil services. So, in Article 4 of the principles of state civil service and municipal service, it is clearly stated that

- *the State civil service and municipal service are based on the unity and integrity of the public administration system and operate on eight principles. So, the eighth principle concerns the exclusion of political, religious influence and unlawful interference in the activities of employees. (Law on public and municipal service, 2016: Article 4).*

This principle in the activities of civil servants is a real limitation and warning for the political, religious influence and unlawful interference in public service. Taking into account, the increasing tendency of religious activation of population and moreover radicalization of youth among the citizens of Kyrgyzstan and particular cases of political turbulences known as revolutions, which experienced on March 24, 2005, and April 7, 2010, have tested and proved the necessity of this principle.

According to the Ministry of Interior Affairs of the Kyrgyz Republic within the 1996-2015 years has been detected and arrested several civil servants and municipal servants in Kyrgyzstan (MoI reports). The main reason for these arrests was the collaboration and creation of informal networks several public servants and municipal servants for the benefit of prohibited in the Kyrgyz Republic religious radical organization – party Hizb-Ut- Tahrir. These kinds of facts have been noted in Osh, Jalal-Abad and Naryn provinces. Another dangerous case has been found during the provocative inter-ethnic and separatist conflicts on 17-18 June 2010 in some village administrations of the Kara-Suu district in Osh province⁹.

Here the heads of village administration in Kyzyl-Kyshtak, Nariman other villages agitated the local inhabitants to revolt against the government and mobilized the armed groups.

Another big crime case happened with the chief of the international relations section of the Prime Minister Office of the Kyrgyz Republic in 2014. In this case, a senior civil servant was accused and arrested by the reason of his spying on the benefit of the neighboring country. And due to his serious spy actions, the national interest of the Kyrgyz Republic got threats.

Due to the broke of the Impartiality principle, in 2017 Vice-prime minister of the Kyrgyz Government Duyshenbek Zilaliev dismissed from his position and has been arrested. The reason for this was he gave agitation speech to support the ruling party SDPK in the meeting with the residents of Batken Province in 2015 during the national

⁹ Based on the news headlines of the National media in Kyrgyzstan on the Internet.

election campaign. It should be noted that due to other corruption cases and scandals Mr. Zilaliev is in jail for a longer time¹⁰.

In article 22 of the Law, the following actions are provided as limitations related to the state civil service and municipal service. (Law on public and municipal service, 2016, Article 22). The employee is prohibited from:

- to the state civil servant - to be in the municipal service, to the municipal employee - to be in the state civil service;
- engage in other paid activities, with the exception of cases provided for in clause 19 of part 1 of Article 20 of this Law;
- engage in entrepreneurial activity in person or through proxies, participate in the management of business entities regardless of their organizational and legal forms, and also use their official position to assist individuals and legal entities in carrying out entrepreneurial activities with any benefits received in exchange for this;
- be an attorney or other representative for the affairs of third parties in state bodies and bodies of local self-government, unless otherwise provided by laws;
- use for non-official purposes information, means of material, technical, financial and information support, official motor vehicles and other property intended only for official activities;
- to receive, in connection with the performance of official duties, remunerations not prescribed by law (monetary and other remuneration, services, payment for entertainment, leisure, transportation expenses) and gifts from individuals and legal entities. Gifts received in connection with protocol events, business trips and other official events are recognized as property of the respective state bodies or local self-government bodies and are transferred to the corresponding state body or local self-government body in the manner determined by the Government;

¹⁰ https://ru.sputnik.kg/tags/person_Dujshenbek_Zilaliev/

- to create, participate or assist in any form in the activities of political parties, public associations and religious organizations in connection with their official activities and during official time; submission of official activity to party programs and decisions;
- to be in the service associated with direct subordination or control of persons who are in close family relations with him;
- to undertake obligations and make promises related to his service, to which he is not authorized;
- to use his official position in order to resolve issues that directly affect the personal interests of the employee and his close relatives;
- to organize strikes, rallies, demonstrations and other events that impede the functioning of state bodies and local self-government bodies, or to participate in them;
- to disclose or use for purposes not related to the performance of official duties, the information referred in accordance with the law to information of limited access, which became known to him in connection with the performance of official duties;
- engage in election campaigning during referenda and election campaigns during office hours;
- be a member of the governing bodies, trustees or supervisory boards, other bodies of foreign non-profit organizations and their structural units operating in the territory of the Kyrgyz Republic, unless otherwise provided by international treaties and legislation;
- go on business trips outside the Kyrgyz Republic at the expense of individuals and legal entities, with the exception of business trips carried out in accordance with legislation and international treaties;
- publicly condemn the actions of a higher authority or official, except in proved cases of damage to state, local or public interests by them.

- The fact of non-compliance with the restrictions provided for in this article is the basis for the application of disciplinary measures to an employee, up to and including dismissal.

As seen in this list, all these prohibitions have mainly targeted the prevention of possible challenges and dangers coming from the internal and external environment of the public servants. In such conditions, the public servants and municipal servants should keep impartiality and limits accordingly to law. These prohibitions give public servants the right to keep far from any dangerous or risky conditions by avoiding nepotism, cronyism, and favoritism.

As an additional point, it would be useful to mention that according to the Labour Code of the Kyrgyz Republic, in order to correct and train the young employees for their effective working and avoiding the threats written the legal norm for mentorship. And as a mentor person is usually chosen as the old age and professional employee working in an organization.¹¹

The problem of nepotism, cronyism, and favoritism are mainly concerning the behavior of public servants. Therefore, in article 4 of the Constitution of the Kyrgyz Republic prohibits (Constitution of the KR, 2010: Article 2):

- the merger of state, municipal and party institutions; formation and activity of party organizations in state and municipal institutions and organizations; the implementation by state and municipal servants of party work, with the exception of cases when such work is carried out outside of official activity;
- the membership of military personnel, law enforcement officials and judges in political parties, their statements in support of any political party;
- the creation of political parties on a religious, ethnic basis, the pursuit of political goals by religious associations;

Moreover, the Law of the Kyrgyz Republic on public, municipal and civil services included systematic norms to avoid corrupted and dirty behavior. One such mechanism

¹¹ This norm is obligatory measure in the public organizations and private sectors in Kyrgyzstan.

or correctly is known as the Principle of Assurance. Below is described and analyzed this Principle.

3.2.1.3. Guarantee Principle

The Principle of Gurarantee is also one of the key and important values in the State Personnel Management System of Kyrgyzstan. This Principle has two basic source dimensions such as the law and its practical implementation. In the case of the Law dimension, Gurarantee Principle is widely and clearly fixed in the Constitution of the Kyrgyz Republic, Code of Labour and in Law of the Kyrgyz Republic on public, municipal and civil services.

In article 9 of The Constitution of the Kyrgyz Republic (Constitution of the KR, 2010: Article 3) states that

- The Kyrgyz Republic is developing social programs aimed at creating decent living conditions and free development of the individual, promoting employment.
- The Kyrgyz Republic provides support to socially unprotected categories of citizens, guaranteed minimum wages, labor and health protection.
- The Kyrgyz Republic is developing a system of social services, medical services, establishing state pensions, allowances and other guarantees of social protection.

In this context should be understanding that formulated, adopted and implementing National Laws and Codes are based on the Constitution of the Kyrgyz Republic. Thereby, the Code of Labour and Law of the Kyrgyz Republic on public, municipal and civil services having the Principle of Gurarantee known as social and legal guarantees are primarily supplied by the Constitution. Concerning this, Article 4 of the Law on Public Service with regard to the Principles of State Civil Service and Municipal Service of the Kyrgyz Republic in paragraph 7 is written directly about ***the legal, economic and social protection of employees, guaranteeing them and their***

families a decent standard of living. (Law on public and municipal service, 2016, Article 4). Moreover, in Article 20 of this law spells out the rights of a state civil servant and a municipal servant (Law on public and municipal service, 2016:Article 20). Thus, in clauses 7, 8, 9, and 14 of this Article, social and legal guarantees of state and municipal employees are fixed. They include the following rights:

- on vacation, provided by the establishment of the maximum duration of working hours, breaks during the working day for rest and meals, the provision of weekly days off, non-working holidays, as well as annual paid holidays;
- to provide benefits in accordance with the law;
- to create safe working conditions for health;
- for retirement benefits, social and legal protection by the state, including members of his family, in cases provided for by law;
- In the same Article 20, paragraph 17 also provides for the rights of state and municipal employees to join trade unions.
- And paragraph 18 gives the right to appeal to the court, trade unions and other bodies in the prescribed manner with the aim of protecting their rights, social and economic, professional interests, resolving disputes related to the service.

These rights have great importance for the protection of civil servants from encroachment and pressure from the administration of the state body of the country. In this regard, over the past 5 years, there have been precedent cases of appealing through the court to the unlawful release of certain state and municipal employees in Kyrgyzstan by the administration of state bodies. These facts were timely covered by the media and disseminated through social networks. As a result, most public servants were reinstated by court order. According to the analytical report of the State Personnel Service of the Kyrgyz Republic on Monitoring compliance with the legislation in the field of state civil service and municipal service is informed that as of ***January 1, 2019, 17 persons are in the database of illegally dismissed and reinstated employees, the total amount of damage resulting from payment of compensation is 2,435,857 KGS (som) 33 tyiyins (two million four hundred thirty five thousand eight hundred fifty seven som thirty***

three tyiyins). For comparison, it would also be useful to recall that the same report informs that on the January 1, 2019, 84 persons are included in the register of persons released from the state civil service and municipal service of the Kyrgyz Republic on negative grounds. (SPS of KR report, 2019:12).

Clause 19 of Article 20 of the same law includes the right of state and municipal employees on:

- to engage in educational, expert, scientific and other creative activities in the relevant professional field, additionally paid from funds not prohibited by law, as agreed with the head.

This right also gives civil servants the opportunity for self-realization in terms of strengthening their educational, expert and scientific research and on the basis of which they receive financial rewards in accordance with the law of the country;

Of course, the Code of Labour of the Kyrgyz Republic (adopted 4 August 2004, N 106) also has a Principle of Guarantee. In article 2 of the Labor Code (the Code of Labour of the KR, 2004: Article 2), the main principles of legal regulation of labor and relations directly related to them are recognized:

- the right to work, which every citizen freely chooses or freely agrees to, including the right to dispose of his abilities to work and choose a profession and occupation;
- freedom of work;
- the prohibition of forced labor and discrimination in the field of labor relations;
- The prohibition of child labor in the worst forms;
- protection against unjustified dismissal;
- guaranteeing the right to promote employment and social protection against unemployment;
- guaranteeing the right to work in conditions that meet the requirements of safety and hygiene;

- guaranteeng the right to remuneration for labor in accordance with an employment contract, but not lower than the minimum wage established by law;
- guaranteeng the right to rest;
- guaranteeng the right to compensation for harm to health caused to the employee in connection with the performance of labor duties;
- Promoting the professional development of an employee in production, training;
- guaranteeng the right to resolve individual and collective labor disputes in the manner prescribed by this Code and other legislative acts;
- the establishment of state guarantees to ensure the rights of workers and employers, the implementation of state supervision and monitoring of their observance;
- guaranteeng the right of every citizen to the state protection of his rights and freedoms, including in court;
- guaranteeng the right to association, including the right to create trade unions and other representative bodies of workers to protect their rights, freedoms, and interests in the field of labor relations and to exercise public control over their observance;
- guaranteeng the right of employers to an association to protect their rights, freedoms, and interests in the field of labor relations;
- Participation of associations of workers and employers in the regulation of labor relations.

Taking into account the above legal bases here is possible to conclude that Guarantee Principle is officially recognized and keeping realized in the Kyrgyz Republic by the state authorities. Especially, the State Personnel Service is in charge of providing the monitoring on the implementation of this segment of law on public and municipal service. Because, one of the key areas of activity of the State Personnel Service of the Kyrgyz Republic is the monitoring of compliance with legislation in the field of state civil service and municipal service in state bodies and local self-government bodies of

the Kyrgyz Republic, including compliance with procedures for conducting an internal investigation.

Based on the information provided by state and local authority bodies, the State Personnel Service of the Kyrgyz Republic maintains a database of state civil and municipal servants who caused material damage to the state and compensation for material damage.

Monitoring compliance with the legislation of the Kyrgyz Republic in the field of state civil service and municipal service helps to increase the level and effectiveness of the authorized state body for state civil service and municipal service represented by the State Personnel Service of the Kyrgyz Republic to strengthen the rule of law and prevent violations in the field of public civil service and municipal service, coordination of state secretaries -State bodies, heads of units and the executive secretaries of the local authority bodies, as well as strengthen the responsibility of local government heads of state bodies and bodies for the implementation of the requirements of legislation on civil service and municipal service (SPS of KR, 2018:17).

The revealed facts of a gross violation of the legislation in the field of state civil service and municipal service by the State Personnel Service of the Kyrgyz Republic are taken into account when conducting an annual rating of state secretaries of state bodies and evaluating the performance of heads of state bodies and local authority bodies. The monitoring results, which are indicated in the relevant certificates, are requested by other state bodies performing supervisory functions.

According to the Plan for monitoring compliance with legislation in the field of public civil service and municipal service, the State Personnel Service of the Kyrgyz Republic conducts scheduled monitoring (as well as unscheduled) to comply with legislation in the field of public civil service and municipal service (SPS of KR, 2018:19).

Table 3.2. Monitoring Statistics of the SPS of KR for 2016, 2017 and 2018 years.

Period	2016 year	2017 year	2018 year
State body/Local-self government body (LGS)			
Planned			
State bodies	10	14	16
LSGs	7	-	10
Total	17	14	26
Unscheduled			
State bodies	-	1	-
LSGs	-	2	6
Total		3	6
Total	17	17	32

Source: Analytical report for the period from 2016 to 2018, the department of monitoring and control of legality under the State Personnel Service of the Kyrgyz Republic.

Another serious actor dealing and engaging with the Guarantee Principle among the civil servants is the trade unions federation of the Kyrgyz Republic. Because as mentioned above the national legislation especially the Labour Code gives the right for organizing the trade unions by working collectives including the civil servants. Currently, overall 33 state bodies in Kyrgyzstan have basic trade union committees and the highest administrative body, who coordinates their general mission, is a federation of the trade unions of the Kyrgyz Republic. The practical functional and organizational measures of the federation of the trade unions of the Kyrgyz Republic are including the protection of the rights of workers including the public servants. The practical functional and organizational measures of the federation of the trade unions of the Kyrgyz Republic are including the protection of the rights of workers i.e. the public servants. According to the Law of the Kyrgyz Republic on trade unions (adopted on August 4, 2004, No. 105) clearly states that

- Trade unions are independent in their activities and are subject only to the legislation of the Kyrgyz Republic. They are not accountable and not controlled by state authorities, employers, political parties and other public associations. Any interference that may restrict the rights of trade unions or impede the exercise of their statutory activities is prohibited, unless otherwise provided by law (Law on trade unions, 2004: Article 4).

Article 12 of the same law defines the rights of trade unions on the social protection of citizens in below formulation:

- Republican, territorial associations of trade unions and primary trade union organizations, within their competence, participate in the development of measures for the social and economic protection of workers, determination of the main criteria for living standards population, the amount of compensation depending on changes in the price index, monitor compliance with the legally established living wage and the size of pensions, scholarships, benefits, have the right to apply to the court with a statement of claim to violators of the social rights of citizens (Law on trade unions, 2004: Article 12:4).

The analyzes and review of the quarterly, monthly and annual reports of the Trade Unions Federation of the Kyrgyz Republic found that concerning the merit-based approach and within that the assurance principle trade unions are standing on the side of junior and middle-rank civil servants. Hereby, they present them even in the court processes in case of illegal dismissal and law violations¹².

Implementation of Gurantee Principle also has direct concern with the Day of public servants and muncipal servants of the Kyrgyz Republic. This was entered in order to increase the role of state and municipal servants, as well as taking into account the contribution of public and municipal services to the country's development process. Thus, the Government of the Kyrgyz Republic established the Day of public servants and muncipal servants of the Kyrgyz Republic on January 4, 2017. The Day of Public and Municipal Servants is a tribute to specialists who make a significant contribution to the solution of important functional tasks related to the organization and management of public processes taking place in the republic. Only a high level of professionalism, impeccable honesty, and responsibility of employees in the state apparatus and municipal services make it possible to competently organize effective process management at all levels of government. So, in general how many public servants are working in Kyrgyzstan? According to the National Statistics Committee of the Kyrgyz

¹² <http://www.fpk.kg/index.php/profsouz-pomog>

Republic, at the beginning of 2020, the number of public servants in the Kyrgyz Republic (excluding data from government agencies providing defense, public order and security) amounted to 19 thousand people, of which more than 39 % were women.

Table 3.3. The number of civil servants employed in government and local government
(at the beginning of 2020)

Public servants and their categories	Thousand person	Percentage of total
Public servants	18,7	100
legislative activity	0,6	3,1
executive activity	14,8	79,2
judicial activity	3,3	17,7
Local government workers i.e. municipal servants	10,0	100

Source: National Statistical Committee of the Kyrgyz Republic, database January 2020, <http://www.stat.kg/ru/news/cifry-i-fakty-23-iyunya-na-nachalo-2020-goda-chislennost-gosudarstvennyh-sluzhashih-kyrgyzskoj-respubliki-sostavila-19-tysyach-chelovek/>

Excluding government agencies providing defense, public order and security. At the beginning of 2020, of the total number of public servants, about half (48%) carried out activities in the city of Bishkek. See Table 3.4. Number of public servants in Kyrgyzstan by the territorial category as of January 1, 2020 (person).

	Public servants	Including by posts	
		political and special	executive
Kyrgyz Republic	18 679	845	17 834
Batken Province	926	128	798
Jalal-Abad Province	1 778	78	1700
Issyk-Kul Province	1 085	43	1042

Naryn Province	883	30	918
Osh Province	835	38	894
Talas Province	545	30	584
Chui Province	1.395	18	1445
Bishkek – capital city	8.883	447	9305
Osh- republican city	1.128	34	1.148

Source: National Statistical Committee of the Kyrgyz Republic, database January 2020, <http://www.stat.kg/ru/news/cifry-i-fakty-23-iyunya-na-nachalo-2020-goda-chislennost-gosudarstvennyh-sluzhashih-kyrgyzskoj-respubliki-sostavila-19-tysyach-chelovek/>

3.2.1.4. Principle of Openness

The Principle of Openness also known as Transparency is also one of the key principles and values in implementing the merit-based performance policy in the State Personnel Policy in Kyrgyzstan. Practical distinction and value impact of this principle is a key factor for attracting the feedback from the consumers i.e. citizens getting the public services in the country. From another side, open, transparent ongoing processes of public services by civil servants increase the efficiency of the public services. Thus, due to the usage of this principle, entering the civil service system, and further career development of state specialist, including the training and financial awards, and plus public feedback of received performance has a systematic manner. Because all these steps are transparently written in the Law of the Kyrgyz Republic on public, municipal and civil services. And this was widely explained in the above part of this study.

One of the fundamental provisions of the state civil service and municipal service in Kyrgyzstan is the competitive selection of specialists for administrative state and municipal posts (introduced since 2004), the publicity of which ensures that the official media inform about vacancies, the openness of testing and its publication results. However, if there will prevail cronyism and favoritism, the non-transparency of

interviews, the announcement, and holding of a competition for pro forma for a particular person make the competitive selection formal.

Article 4 of the Law on the Civil Service of the Kyrgyz Republic (Law on public and municipal service, 2016: Article 4) states that:

- the State Civil Service and the municipal service are based on the unity and integrity of the public administration system and operate on several principles; And those principles are including:
 - stability and continuity;
 - professionalism, competence, and initiative;
 - equal access for citizens of the Kyrgyz Republic to enter the service, regardless of gender, race, language, disability, ethnicity, religion, political or other beliefs, origin, property or another status;
 - disciplines and personal responsibility for the performance of official duties as a whole include elements of transparency, equality, collegiality, and professionalism.

Therefore, an analysis of the principle of openness of the merit system from the point of view of the legal aspect gives us the opportunity to affirm that the legislative and legal foundations of the principle of openness exist and applied in practice in all state bodies.

In the country case of the Kyrgyz Republic, the practical line of implementing this principle within the framework of the law and state personnel policy has important relevance. These features are indicated in the Global Open Government initiative. Therefore, the achievements and existing shortcomings in the implementation of the state personnel policy in the aspect of openness and transparency are discussed below.

In November 2017, the Kyrgyz Republic was officially adopted by the 75th member of the Open Government Partnership (OGP), aimed at strengthening the commitment of governments to the principles of transparency and accountability, as well

as promoting the use of new technologies to fight corruption and ensure responsiveness state to the wishes of its citizens. Within the framework of the adopted Achyk Okmot National Action Plan for 2018-2020, the Kyrgyz Republic committed itself to implementing 19 initiatives in three main areas: affordable public services, transparent public procurement and open data.

So, according to the public memorandum on promoting the Open Government, representatives of civil society institutions, the expert community and other interested parties agreed on joint actions to build an Open Government through:

- Development of civic initiatives to increase transparency, accountability and civic participation in government decision-making processes.
- Promotion of civic initiatives to expand access and disclosure of information on state activities at all levels of state and municipal government.
- Active civic participation in decision-making processes at all levels of state and municipal government.
- The development and implementation of an assessment of compliance with the standards of conscientious performance of their functional duties by public authorities.
- Promoting increased access to new technologies to build an open and accountable government.
- Regular monitoring of the process of building an Open Government.
- Promotion of information on the Open Government.

This was also analyzed above in the part of the Equality principle that the Government of the Kyrgyz Republic implements the obligations and activities provided for by the National Plan of Action (NAP) to build an Open Government in the Kyrgyz Republic for 2018-2020, approved by the order of the Government of the Kyrgyz Republic on October 16, 2018 No. 360. So, this key measure activity also concerns the

Principle of Transparency. Therefore below is explained the current details of the Open Government National Action Plan in Kyrgyzstan.

Within this in particular, the Government has a positive achievement to introduce an electronic platform for holding auctions for leasing state property, and the process of opening data on 12 pilot state bodies has also been launched (KG Government report, 2019:09). Due to this initiative, ***transparency and openness, reduction of resource costs, and the possibility of remote participation in tenders are ensured.*** However here are significant shortcomings, a similar opportunity should apply not only to rent, but also to sale, as well as municipal property. At the same time, in many state bodies for the fulfillment of obligations, detailed action plans and financial calculations for the implementation of measures are missing or do not comply with the established format¹³. There is also a task in order to organize the proper implementation of the National Action Plan, the need to ensure closer interaction and cooperation of initiators-developers of obligations from civil society and representatives of government bodies involved in direct implementation.

Table 3.5. Report on the condition of the openness measurement of the state bodies of the Kyrgyz Republic in October 2019

Name of state body	To be disclosed an activity information		Disclosed
	According to the annual report of the Stat Committee on IT Services	According to official letters of state bodies	According to the developed Open Data Portal October 15, 2019
State Customs Service	47	47	28
Ministry of Justice of the Kyrgyz Republic	37	40	40
Ministry of Education and	45	63	34

¹³ http://ogp.el.kg/sites/default/files/reports/npd_sent_2019.pdf

Science of the Kyrgyz Republic			
National Statistical Committee of the Kyrgyz Republic	332	331	32
Compulsory Health Insurance Fund under the Government of the KR	34	10	12
Ministry of Health of the Kyrgyz Republic	29	29	22
Ministry of Economy of the Kyrgyz Republic	80	30	11
Ministry of Finance of the Kyrgyz Republic	197	Data not provided to the Secretariat	1
State Tax Service under the Kyrgyz Government	40	in the process of agreement	0
State Registration Service under the Kyrgyz government	25	25	11
State Committee for Industry, Energy and Subsoil Use of the Kyrgyz Republic	20	in the process of agreement	0
Investment Protection Agency of the Kyrgyz Republic	50	15	12
TOTAL:	936	580	215

Source: Report on the implementation of the National Action Plan on building an Open Government for the period from October 16, 2018 to October 16, 2019,(2019:17)

The State Personnel Service under the President of the Kyrgyz Republic engages in the Open government platform mainly within the National portal of the e-government

services “Tunduk”. Under this platform recently in 2019, the state company Infocom has developed an automated personnel information system E-Kyzmat. This is one of the state projects in the framework of the introduction of e-government in Kyrgyzstan. IS “E-Kyzmat” is a centralized system based on web technologies, which is a single electronic database of employees and is intended for use in enterprises, government agencies, ministries and departments that can store and process information about their employees in a single base (SPS of KG report 2019:3).

This system allows the administration to register, view (edit) personal cards of all accepted employees, keep records of employee experience, keep a register of criminal cases, administrative responsibility, generate reports, and search according to specified parameters.

The introduction of AIS “e-Kyzmat” allows to improve the quality of the collection, processing, and analysis of information on personnel, to standardize the process of office work, to increase the effectiveness of management decisions based on the use of operational and reliable personnel information.

The main objectives of the new E-Kyzmat system are:

- Improving functioning: creating a single mechanism for resolving personnel issues in electronic format at all stages of service.
- Use of information: automation of the functions of collecting, processing, using the information and exchanging data on personnel.
- Power of attorney control: ensuring the completeness, reliability, and efficiency of information support in resolving personnel issues.

According to the State Personnel Service, this system will be the basis for many other departments, including the tax service and so on. In addition, errors are excluded. So, for example, in case of incorrect data filling or incorrect data filling, the system simply fails.

The e-Kyzmat system consists of 6 functional modules:

- Organizational structure: this module allows you to create the organizational structure of a state body, positions and staff units, link to the approved register of state and municipal posts;
- Personnel management - an employee's electronic file, counting functionaries for various types of length of service, 59 output report forms, information on continuing education, awards, and rank grades;
- Competitive selection: announcement of the competition for filling vacant posts, setting requirements for the position, electronic submission of applications for participation in the competition, management of the stages of the competition, the formation of an internal staff reserve.
- National reserve of personnel: announcement of the competition, issuing requirements, electronic filing of applications for participation in the competition, management of the stages of the competition, recording the results of the competition, personal accounts of reservists and members of the competitive commission.
- Evaluation of the activities of employees: planning the activities of the state body and units, planning the activities of the employee, timely and fair assessment of achievements, the formation by employees of a report on completed tasks and so on.
- Training of employees: identifying the needs of employees, planning the needs of the contingent and topics of training, organizing distance learning on the ground, assessing the assimilation of material, handing in an electronic certificate.

Advantages of the E-Kyzmat system for the state:

- Possibility of regulated access to the system of all branches of government, up to ayil okmotu i.e. village administration.
- Operational data exchange between government and local authorities.
- Ensure transparency of selection for state civil and municipal service.

- Create a register of persons in the national reserve of personnel.

For citizens, this system gives ability to track vacant posts by state bodies from one access point.

In January 2019, a total of 44 government agencies were connected to the E-Kyzmat system (including 2 local governments), and 8,960 employees were digitized. This year i.e. 2019 the regional administrations are digitizing. And next 2020 year will be the year of digitization and connection of the system at the local government level. After completion, citizens will be able to use public services online, i.e. effectively. (SPS of KG report 2019:7).

Currently, the e-Kyzmat Automated Information System has been put into operation in 43 state bodies and the Bishkek City Mayor administration. The data of 12 thousand employees was digitized, 400 active users were registered. The system has the ability to generate analytical reports on education, qualifications, age, marital status, gender, number of staff, and much more. Also, based on the developed modules, self-training tools and applying for vacant positions in the online mode are provided. (Tarbinskiy, 2019:8).

The introduction of the e-kyzmat platform creates a strong system capacity to cut the physical contacts between the citizens and civil servants in the processes of applying for public services, including the job vacancies and further proceeding. And this is a widely known indicator of the transparent and open format of public management, as it has transparency and accountability for citizens and easy and speed used by the civil servants.

Taking into account this innovation practice is possible to remark that Kyrgyzstan since 2008 in order to increase the efficiency of the national civil service, special emphasis is placed on the development of an open personnel career policy system based on the American model. This means that in practice, the recruitment to

posts based on performance evaluation. This emphasizes work efficiency. Moreover, the usage of the In-Service Evaluation Policy is actual in the Performance Measuring process in the public sector of Kyrgyzstan. Below the subpart of this study is discussed and analyzed the Principle of Performance and its usage in the State Personnel Policy in Kyrgyzstan.

Concerning this is existing a strong understanding of development agencies, civil society and international donor organizations such as World Bank, EU, OSCE, USAID to keep developed this system. And the Government is fully engaged to implement this initiative in practice.

3.2.1.5. Principle of Performance

The Principle of Performance is officially recognized in Article 4 of the Law on the Civil Service of the Kyrgyz Republic (Law on public and municipal service, 2016, Article 4). In this Article, the Principle of Performance appeals the professionalism, competence, and initiative as the requests for civil servants' disciplines and personal responsibility for the performance of official duties.

Clause 2 of Article 11 of the same law on public service (Law on public and municipal service, 2016: Article 11) clearly spells out the organization of a system of public civil service and municipal service in which the functioning of the system is ensured by the promotion of employees based on career planning. The scope of tasks also in terms of organizing public service includes:

- training and advanced training;
- approval of the procedure and procedures for promotion;
- the introduction of a system of motivation and responsibility of employees;

So, based on these norms of the law, the civil service system of the Kyrgyz Republic practices personnel training and advanced training, there is also a promotion

procedure, and moreover, a system of motivation and responsibility of civil servants has been introduced.

Therefore in the legal aspect, a whole system of civil service in Kyrgyzstan covers performance and professionalism. Because, in the same law is included the norm for periodic performance evaluation of the civil servants, training and retraining, and rotation of civil servants. These are the main indicators for implementing the Principle of Performance. Below is considered and analyzed the implementation of these indicators in practice.

Within the consideration of the Principle of Performance in Kyrgyzstan reasonable and important to note below practical innovations. So, in Kyrgyzstan since 2013, a system for evaluating the performance of state and municipal employees has been introduced. This aimed at improving the effectiveness and quality of their work. The system is based on the use of key performance indicators of employees, which provides for the addition of the coefficient to the base wage rate. In the public service system of Kyrgyzstan are widely used two types of evaluation: performance-based evaluation - an evaluation of the in-service mainly accounted per quarters i.e. every three months and six months; performance evaluation of annual one year.

Article 29 of the Civil Service Law includes an assessment of the performance of civil servants and municipal servants. This Article is widely explained and described in the above subpart of this study. And now, in order to show the real structure and maintain of the performance assessment in civil service below is presented the part of the Performance Evaluation Document and its form adopted by the Governmental Act No 131, 1 March 2017.

The Document on the procedure for assessing the activities of state civil servants and municipal servants of the Kyrgyz Republic

(As amended by the decrees of the Government of the Kyrgyz Republic of
June 8, 2017 No. 358, December 6, 2018 No. 568, October 11, 2019 No.
536)

This Regulation on the procedure for assessing the activities of state civil servants and municipal servants of the Kyrgyz Republic (hereinafter - the Regulation) defines the procedure and procedures for assessing the activities of employees holding administrative positions in the state civil service and the municipal service of the Kyrgyz Republic (hereinafter - employees).

Assessment of the activities of the state secretary of a state body is carried out in accordance with the methodology set forth in Appendix 1 to these Regulations.

This Regulation does not apply to persons temporarily replacing absent employees.

Evaluation of the activities of employees is an integral component of a single system for evaluating the activities of state bodies / local authorities, their structural divisions and personnel in the manner prescribed by the legislation of the Kyrgyz Republic.

Evaluation of the activities of employees (hereinafter - the assessment) is carried out in order to improve the quality, effectiveness and efficiency of the state body, local government by encouraging employees to achieve high results in professional activities.

The assessment is a determination of the degree of effectiveness of the employee performing official duties in accordance with the goals and objectives of the state body, local authority (hereinafter - the bodies).

The assessment is carried out on the following general principles:

- objectivity - an impartial, unbiased attitude to an employee and his activities in a state body or local government, excluding various forms of discrimination;

- uniformity - a list of estimated indicators and criteria established by a single model;
- transparency - an open procedure for evaluating employees, the results of which are communicated to the employee with an explanation of the reasons and motives for their adoption;
- Regularity - periodically in a timely manner organized assessment procedure.

The objectives of the assessment are:

- determination of the degree of employee contribution to the achievement of the goals and objectives of the body;
- determination of the professional level of the employee, including the quality, volume and complexity of the work;
- analysis of the current results of achieving the objectives;
- adjustment of the process of achieving results;
- planning professional development of the employee;
- stimulating the employee to achieve high results.

The results of the assessment are the basis for:

- determination of the step (coefficient) in the payroll grid;
- making proposals for promotion or demotion;
- giving recommendations on the assignment of a class rank;
- making proposals for tangible and intangible incentives;
- making suggestions for continuing education;
- making proposals on rotation;
- recommendations for inclusion in the National and internal personnel reserves;
- making proposals on the removal of previously imposed disciplinary action;

- determining the conformity or non-conformity of the post.

The assignment of a step (coefficient) in the payroll grid is applied in those state bodies and local self-government bodies in which a unified payroll system operates.

Organization of the assessment;

The assessment is carried out annually from January 1 to December 31.

The assessment is carried out in three forms:

- quarterly;
- annual;
- at the end of the trial period.

The quarterly assessment is aimed at determining current performance and serves as the basis for developing measures to improve performance. A quarterly assessment is carried out by the immediate supervisor of the employee.

The direct manager for employees is the head of an independent structural unit of a state body and local authority body, taking into account the specifics of its organization (management, department, sector, etc.), the deputy head of the body, or the head of the body (for heads of independent structural units and persons, not included in the structural units of the body) in accordance with the distribution of responsibilities between the management of the body. The direct manager for employees of the territorial/subordinate unit of the body, in which structural units are not provided, is the head or deputy head of the above-mentioned unit of the body in accordance with the distribution of responsibilities between the management of the body.

The direct manager for employees who are not part of the village administration structural unit, where the position of deputy head of village (ayil okmotu) administration is not provided, is the head of ayil okmotu.

The direct manager for employees who are not part of the ayil okmotu structural unit, where the position of deputy head of ayil okmotu is provided, is the deputy head of ayil okmotu.

The direct head of ayil okmotu for the head of the department, executive secretary and deputy head of ayil okmotu is the head of ayil okmotu.

In-state bodies / local authority bodies, a different hierarchy of subordination may be provided for, taking into account the specific activities of the body, determined by departmental acts.

The annual assessment is aimed at adopting a final assessment in accordance with the results achieved. The annual assessment is carried out by the evaluation committee taking into account the results of quarterly assessments.

Evaluation at the end of the trial period is carried out to determine the suitability of the post. This assessment is carried out by the evaluation committee taking into account the assessment of the immediate supervisor.

In the state body, the assessment is organized by the state secretary (chief of staff).

In the local government, the assessment is organized by the chief of staff/executive secretary.

The personnel management service or an authorized person for personnel management ensures the assessment in the body.

The assessment materials and its results are stored in the personnel management service or at the authorized person for personnel management for 3 years.

The result of the employee's annual appraisal and a copy of the order (s) approving the decision of the appraisal committee and the appellate committee are stored in the personnel file of the employee.

These materials can also be stored in electronic format in an information (automated) human resources management system in the state civil service and municipal service.

The personnel management service or an authorized person for personnel management issues a report on the results of the annual assessment to the authorized state body for state civil service and municipal service no later than March 15 of the year following the reporting period, in the form established by the authorized state body for affairs state civil service and municipal service.

The report on the results of the annual assessment to the authorized state body for state civil service and municipal service may be submitted in electronic format through an information (automated) human resources management system in the state civil service and municipal service.

Assessment procedure at the end of the trial period:

The direct manager, together with the employee, determines the tasks and draws up an individual work plan for the period of the probationary period as part of the official duties of the employee in the form in accordance with Appendix 4 to this Regulation.

Within 3 working days from the start of the trial period, the immediate supervisor submits the employee's individual work plan for approval to the state secretary (chief of staff/executive secretary), deputy head of the body, in accordance with the distribution of responsibilities between the leadership of the body.

The state secretary/chief of staff and the supervising deputy head of the state body has the right to delegate authority to approve the work plans of employees to the heads of the respective subordinate and territorial divisions of the state body.

An employee 3 working days before the end of the trial period submits to the immediate supervisor a report on the implementation of his work plan in the form in accordance with Appendix 5 to this Regulation.

The report on the implementation of the employee's work plan also contains the results of other orders that are not indicated in the individual employee's work plan.

Within 3 working days from the date of receipt of the report from the employee, the immediate supervisor checks the implementation of the employee's plan and together with it determines the volume of each task in percentage terms.

The immediate supervisor evaluates the results of the employee's work plan for the relevant components with their own justification in the form in accordance with Appendix 5 to this Regulation and makes recommendations for improving the performance.

The immediate supervisor must familiarize the employee with the assessment under the signature and, if necessary, solve possible problems and other contentious issues on the employee's report. In case of refusal by employees to sign in the report on the implementation of the employee's quarterly work plan in the form in accordance with Appendix 5 to this Regulation, an act is drawn up.

The report on the implementation of the employee's plan is approved by the state secretary (head of the apparatus/executive secretary), deputy head of the body in accordance with the distribution of responsibilities between the management of the body, within 3 business days from the receipt of the report from the immediate supervisor.

The state secretary/chief of staff and the supervising deputy head of the state body has the right to delegate authority to approve reports on the implementation of work plans of employees to the heads of the relevant subordinate and territorial divisions of the state body.

The evaluation committee within 3 working days from the receipt of the employee's report puts an assessment on the basis of the trial period.

The decision of the evaluation committee is recorded in the minutes on the day of the meeting and is communicated to the employee on the next business day.

Criteria, measurement system and interpretation of the results of performance evaluation

The following criteria are the basis for evaluating performance:

- for employees - the results achieved in the course of the implementation of tasks and additional assignments;
- for the heads of structural divisions - the results achieved in the implementation of the work plans of the structural unit and additional assignments;
- for the deputy head of the body - the results achieved in the implementation of the plans of the body and additional assignments, in accordance with the distribution of responsibilities between the management of the body.

Results are evaluated in four components:

- degree of completion - up to 10 points;
- the quality of the task - up to 15 points;
- the complexity of the task - up to 15 points;
- timeliness - up to 10 points.

The annual assessment may be reduced by the assessment committee on the basis of non-compliance:

- performing discipline - up to 5 points;
- labor discipline - up to 3 points;
- ethical standards - up to 2 points.

Personal information on performing and labor discipline are submitted by the relevant structural units of the body. And personal ethics information is provided by the organ ethics committee.

Based on the number of average points received, an employee is given the following annual assessment:

- when receiving from 46 to 50 points inclusively, the mark is "Excellent";
- when receiving from 36 to 45 points inclusively, the mark is "Good";
- when receiving from 26 to 35 points inclusively, the mark is "Satisfactory";
- If you receive less than 26 points, the rating is "Poor".

The rating "Exemplary" is given to no more than 5 percent of employees among those who received the rating "Excellent" and scored the highest score. In the event that an independent evaluation committee is created in a subordinate or territorial subdivision of a state body / local authority, then a 5 percent quota is calculated separately for each of the subordinate and territorial divisions of a state body / local authority.

In government bodies / local authority bodies, in which the number of employees does not exceed 30 people, the "Model" rating is assigned to no more than one employee from among those who received the "Excellent" rating and scored the highest score, excluding the 5% quota.

In the event that when determining the employees to receive the "Exemplary" grade outside the quota established by this clause, the employees who score the same points remain, the evaluation committee conducts an interview between the employees who score the same points to determine the most worthy candidate for this grade.

The rating "Exemplary" is not set by the employee specified in clause 37 of this regulation.

Rounding of fractional numbers to an integer is carried out according to the following rules: if the decimal digit is greater than or equal to the number 5, then the integer is amplified by one, and if the decimal number is less than 5, then the amplification is not performed.

Upon receipt by the employee of the assessment “Model”, the evaluation committee:

- makes a proposal to appoint him without holding a competition to the next higher position in this body, provided that it meets the qualification requirements;
- determines the transition to the next two steps (coefficient) in the payroll grid;
- recommends for awarding a class rank or an extraordinary class rank (special rank);
- recommends for inclusion in the internal reserve of personnel;
- makes a proposal to the head of the body on his subsequent submission to the National Personnel Reserve.

As additional types of motivation, the evaluation committee has the right:

- make a proposal for presentation for rewarding departmental awards;
- recommend an employee for a referral to advanced training outside the Kyrgyz Republic;
- make a proposal to remove a previously imposed disciplinary sanction.

When an employee receives an “Excellent” mark, the evaluation committee:

- determines the next step (coefficient) in the payroll grid;
- recommends for inclusion in the internal reserve of personnel;
- recommends for awarding a class rank (special rank).

As additional types of motivation, the evaluation committee has the right:

- make a proposal for presentation for rewarding departmental awards;
- recommend an employee for a referral to advanced training outside the Kyrgyz Republic;
- make a proposal to remove a previously imposed disciplinary sanction.

When an employee receives a "Good" rating, the evaluation committee:

- determines the next step (coefficient) in the payroll grid;
- recommends for awarding a class rank (special rank).

As additional types of motivation, the evaluation committee has the right to make a proposal to remove a previously imposed disciplinary sanction or to recommend an employee for a referral to further training outside the Kyrgyz Republic.

Upon receipt of a “Satisfactory” grade by an employee, the evaluation commission shall submit a proposal to improve the qualifications of the employee as part of the State training order and/or departmental training.

Upon receipt by the employee of the grade “Poor”, the evaluation committee:

- makes a proposal for employee rotation;
- makes a proposal for demotion;
- makes a proposal to lower the class rank (special rank in the manner prescribed by law).

If an employee receives an “Unsatisfactory” rating for two consecutive years in one body, the evaluation committee makes a proposal to relieve the employee of his post.

At the end of the probationary period, the employee receives the following types of ratings:

- "corresponds to a replaced position" subject to more than 25 points;

- "does not correspond to the replaced position" on the condition of receiving 25 points and less.

Evaluation Commission.

In order to ensure the objectivity and impartiality of the employee's assessment, an assessment committee is created by order (decree) of the head of the body.

An evaluation commission may be established in the subordinate or territorial division of the state body, the composition of which is approved by its head (as agreed with the state secretary/head of the state body's apparatus).

An assessment committee may be established in the structural or territorial unit of the city administration of Bishkek and Osh, cities of regional significance, the composition of which is approved by its head (as agreed with the head of the office of the city hall).

The annual assessment of the head (unless otherwise provided by paragraph 37 of these Regulations) and the deputy head of the subordinate or territorial unit of the body is carried out by the evaluation committee of the central office.

The composition of the evaluation committee includes employees holding administrative positions, if possible taking into account gender representation.

Structure and composition of the commission for the assessment of a state body:

- chairman of the commission - state secretary (chief of staff) of the state body. In the event that the position of state secretary (chief of staff) is vacant or the state secretary (chief of staff) is on a business trip, absent due to health reasons (confirmed by relevant documents), temporarily removed from his post or on vacation (labor, maternity) and childbirth, childcare, without pay), the chairman of the commission shall appoint one of the members of the commission, determined by the head of the state body. The chairman of the evaluation committee of the subordinate or territorial subdivision of the state body is a state

civil servant - one of the members of the commission, determined by the head of the subordinate or territorial subdivision of the state body (in agreement with the state secretary / head of the apparatus of the state body);

- secretary of the commission - an employee of the personnel management service (the authorized person for personnel management);
- members of the commission: the head (employee) of the personnel management service or an authorized person for personnel management, the head (employee) who is in charge of planning issues, the head (employee) of the financial service.
- The staff of the evaluation commission is approved by the head of the state body.

The structure and composition of the evaluation committee of the local authority:

- Chairman of the commission - chief of staff (executive secretary). In the event that the posts of the chief of staff, the executive secretary of village administration are vacant, or those holding these positions are on a business trip, are absent due to health reasons (confirmed by relevant documents), are temporarily suspended from their posts or are on vacation (labor, maternity and childbirth, childcare, without pay), the chairman of the commission shall appoint one of the members of the commission, determined by the head of the local government;
- Chairman of the commission - chief of staff (executive secretary);
- Secretary of the commission - an employee of the personnel management service or an authorized person for personnel management;
- Members of the commission: the head (employee) of the personnel management service or an authorized person for personnel management, the head (employee) of the legal and financial services;
- Representative of the local state administration, with the exception of local governments of cities of republican and regional significance.
- The staff of the evaluation committee of the local government is approved by the head of this body.

- A meeting of the evaluation committee shall be considered competent if at least two-thirds of its members are present.
- Replacement of an absent member of the commission is not allowed.
- The decision of the commission shall be adopted by an open vote by a simple majority of votes of the number of its members present at the meeting. In case of an equality of votes, the vote of the chairman of the commission is decisive.
- Members of the commission do not vote on their assessment (in this case, the quorum is considered without taking into account the estimated members of the commission).
- The commission reviews the employee's reports on the implementation of quarterly (individual) work plans with a quarterly assessment of the immediate supervisor.
- The commission requests the necessary information on the observance of ethical standards, labor and executive discipline in the relevant structural units for a final decision.
- The Commission has the right to carry out spot checks on the reliability of the submitted reports.
- The Commission, at its discretion, has the right to request an assessment of the head of the state body concerning the municipal employee of village administration, performing duties on delegated authority.

Below is presented Figure 2.1., the report form using in the assessment of the activities of state civil servants / municipal employees in the Kyrgyz Republic according to the annual year.

Report Form

according to the results of the assessment of the activities of state civil servants / municipal employees

according to the results of ____ year

(name of state body / local authority)

Category in accordance with the Register of state and municipal posts	Number of employee es		Annual assessment						Evaluation Board Recommendation																
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
	By staff	By fact	Exemplary	Excellent	Good	Satisfactorily	Unsatisfactory	Total Assessed (3+4+5+6+7)	Appointment without a contract	2 steps in the grid	Grid step	Extraordinary cool rank	First class rank	Another cool rank	Internal reserve	Recommendation to the National Reserve	Departmental award	Further training in abroad	Cancel of disciplinary action	Training under the State order or departmental	Rotation	Demotion	Cool downgrade	Dismissal of employee	Appeal

Central Office

Top positions V-A, V-B																								
Main posts G-A, G-B																								
Senior posts S-A, S-B																								
Junior positions M-A, M-																								

B																										
Total:																										
Subordinate structures																										
Top positions V-A, V-B																										
Main posts G-A, G-B																										
Senior posts S-A, S-B																										

Junior positions																										
M-A, M-B																										
Total:																										
Territorial structures																										
Top positions																										
V-A, V-B																										
Main posts																										
G-A, G-B																										

Senior posts S-A, S-B																										
Junior positions M-A, M-B																										
Total:																										

*** For the accuracy of the reports submitted, personal responsibility is the state secretary/head of the apparatus of the state body, head of the apparatus/executive secretary of the local authority.**

The number of employees who received an assessment without following the procedures (paragraph 37)_____

Answer the following questions:

1. What difficulties arose during the performance assessment procedure?_____

2. Are there suggestions for improving Performance assessment procedures? _____

Name and signature of the responsible HR specialist / tel: _____

Name and signature of the state secretary (chief of staff) of the state agency /

Head of Staff / Executive Secretary of Local

authority _____

Date: _____

The Periodic Performance Evaluation process is organized by the all state bodies and municipality administration. And general rating and coordination of those processes are given to the State Personnel Service of the Kyrgyz Republic. The Public Personnel Service in charge to the Administration of the President of the Kyrgyz Republic implements legislation in the field of public service, namely, ensuring the continuity, stability and independence of the professional public service, attracting qualified personnel to the public service, creating incentives for more efficient and conscientious performance by civil servants of their duties, strengthening institutional measures to manage the civil service for unified state policy in the field of public service.

A second practical step is the policy of training and advanced training of state and municipal employees in Kyrgyzstan, which is implementing through the State order, where the customer is the state bodies and the executors are the country's universities and State academy on public administration under the President of the Kyrgyz Republic (SPS of KG report, 2018:9).

Types of those trainings:

- Further training - training carried out in order to update theoretical and practical knowledge, skills in the field of employees' activities for the effective fulfillment of their official duties (from 72 to 100 hours).
- And retraining of employees - training provided for the purpose of professional development and career growth of employees for transferring to another group of positions, including for persons first entering the service (from 100 to 300 hours).

Here should be noted again that the training and retraining for the civil servants are important and helpful tools to increase the skills and knowledge which further will stimulate to achieve the highest performance activity.

The state order is a plan for training employees for a calendar year within the limits of the funds provided in the state budget for these purposes. The state order

includes all programs for various categories of employees, continuing education courses, scientific research and educational and methodological developments.

- By decision of the Government, persons holding political public positions, special public positions and political municipal posts can also be trained under the state order;
- The pre-emptive right to undergo training is given to employees enrolled in the personnel reserve who were on maternity or childcare leave;
- To conduct training for employees, financial resources are allocated from the budget, at the rate of at least one percent of the funds provided for financing the activities of state bodies, local authorities. Training can also be carried out at the expense of other means not prohibited by law;
- The implementation of the state order is financed from the state budget on the basis of tuition standards approved by the Government, taking into account inflation;
- To conduct training in general areas from the budget of the authorized state body, financial resources are allocated as a separate line in the budget classification of expenses in accordance with training needs, as well as to finance personnel, scientific and educational support of the training system;
- To conduct training in departmental areas, financial resources are allocated to state bodies and local authority bodies in a separate protected line in the budget classification of expenses in accordance with training needs;
- An employee sent to training for a period of more than 3 months, concludes an agreement with the state body, local government on obligations to work out a certain period in the relevant state body or local government and reimbursement of expenses associated with training, if the employee stops the service of his own free will.

The policy of training and advanced training of state and municipal employees in the state personnel policy of Kyrgyzstan has deep engagement and cooperation with the universities and educational institutes. This cooperation usually defines the personnel

needs of the state bodies. Thus afterward, in Kyrgyzstan 7 universities including the State Academy on public administration under the President of the Kyrgyz Republic have academic programs and state licenses to prepare the bachelor cadres on Speciality: State Governance and Municipal Management. Alumni persons of these programs usually continue their education in the Master of public administration at the State Academy on public administration under the President of the Kyrgyz Republic. This Master program is accounted for 1,5 -2 years and usually implementing under the scholarship and methodical support of Hans Seidel Foundation from Germany.

Figure 2.2. Training of the public servants and municipal servants in the Kyrgyz Republic.

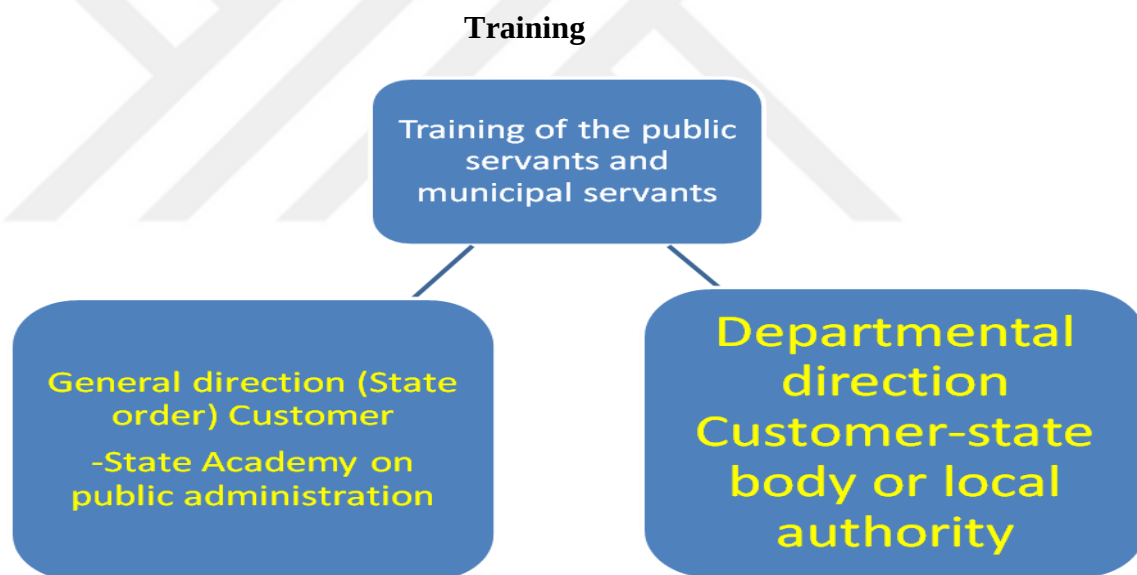
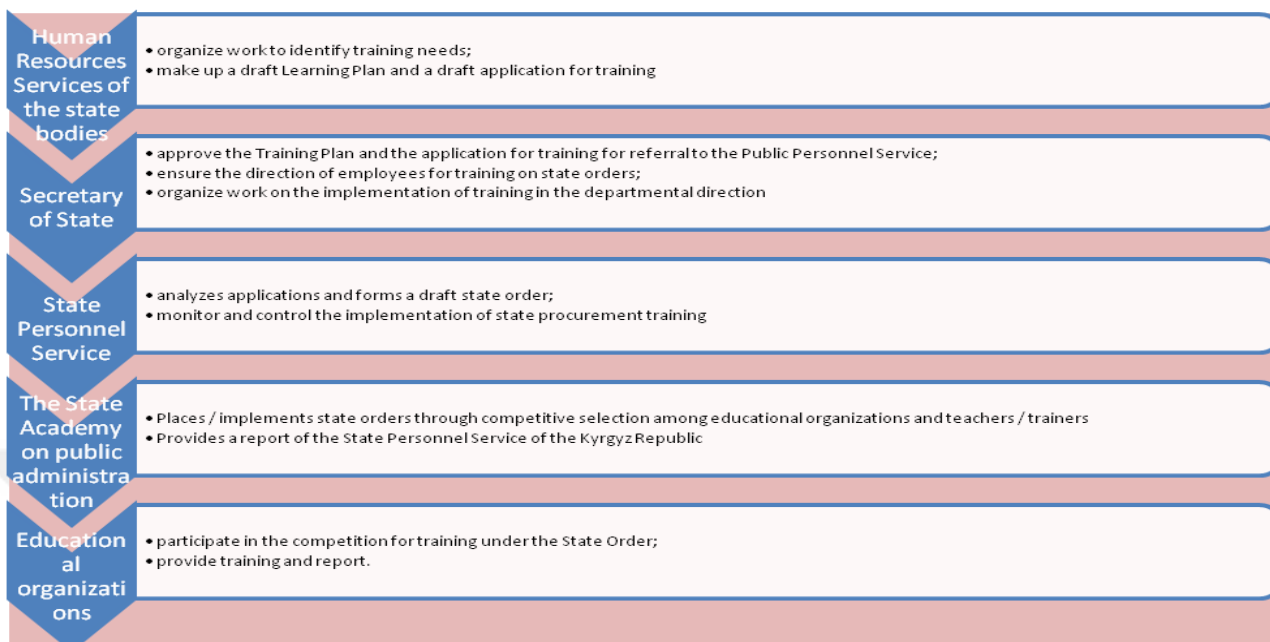


Figure 2.3. Key Participants of the State order and further training process of the state and municipal servants in Kyrgyzstan.



Quantitative Data of the state and municipal servants in the Kyrgyz Republic by the year

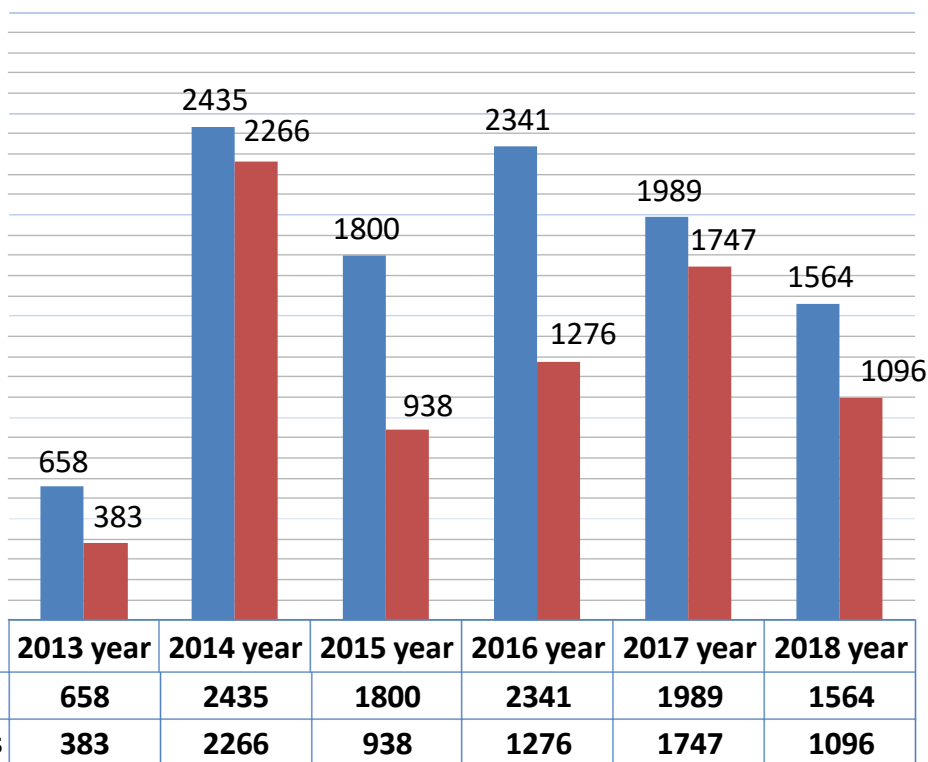
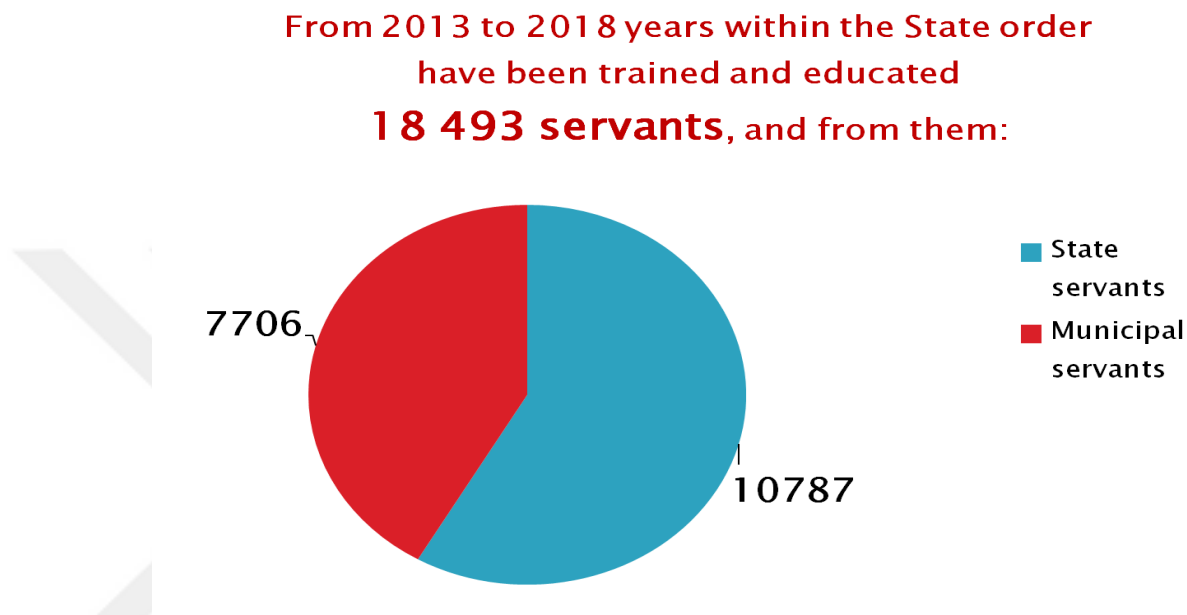


Figure 2.4. Quantitative data of the state and municipal servants in the Kyrgyz Republic from 2013 to 2018 years.

Figure 2.5. Categorical data of the state and municipal servants in the Kyrgyz Republic from 2013 to 2018 years.



Source: Annual Activity Report 2018 of the Public Personnel Service of the Kyrgyz Republic

According to the Public Personnel Service of the Kyrgyz Republic actively develops international cooperation on the training of the national civil servants and municipal servants abroad. (SPS of KR, 2018:6). The examples are presented below;

- Korean Agency for international cooperation known as KOICA has the main purpose of the training is to transfer important technical skills and knowledge, as well as to build capacity for sustainable social-economic development. Trainings are classified by a specific country, period, regional and global sectors from short to long term, including master's programs. Koica has been cooperating with the State Personnel Service of the Kyrgyz Republic since January 2016. During this time, 70 state and municipal employees were invited, 32 of them went to graduate school, 38 hours short-term courses;
- China. Based on the Memorandum of Understanding in the field of human resources between the SCS of the Kyrgyz Republic and the Ministry of

Commerce of the People's Republic of China, short-term training courses are held in the following areas: energy, investment, agriculture, trade, industry, etc. In total, from 2013 to 2019, about 200 courses were conducted and about 1,200 state and municipal employees were trained;

- Hanns Seidel Foundation (Germany). Since 2002, the Fund has been successfully implementing a model in the Kyrgyz Republic to assist institutions that train and improve the skills of young personnel from local authorities, state administration, non-governmental organizations, and parliament. Educational institutions - partners of FHP - are supported through the development of training modules, invitations of international experts, and the organization of exchange of experience. Since 2015, the Representative Office of the Fund has been actively involving professional training centers of relevant ministries in order to provide in-depth and practical knowledge on a number of issues. The purpose of the fund is to ensure that graduates become a pillar in the reform of government, in the formation of civil society and in the development of parliamentary culture;
- JICA (Japan). JICA provides short and long term training courses. The JDS project is a project aimed at assisting the Kyrgyz Republic in training personnel for the state and municipal services in Japan. The project is being implemented as part of the Japan Grant Aid Program. JDS project - annually provides 18 state and municipal employees of the Kyrgyz Republic who have the opportunity to take 2-year studies at leading universities in Japan with the right to obtain a master's degree. Since the beginning of the implementation, 12 groups have been sent in the amount of 191 employees.

Taking into account the above described and analyzed the legal aspects and practices of the Performance Principle implementation in the State Personnel Policy of Kyrgyzstan is possible to conclude that the Merit-based Performance approach adopts in the civil service. As seen in the relevant databases these improvements are practically contributing to the public service in Kyrgyzstan to provide public services with good qualities. For example, ***according to the annual image ratings of the state bodies in***

Kyrgyzstan provided by the State Statistic Committee since 2012, top high ratings has been given to the ministry of Foreign Affairs, Ministry of Defence, however, in 2018 annual rating gave high rates to the Ministry of Emergency Situation, Ministry of Health, while they have done services with good results. Governmental regulation on the “Population Confidence Index” to the activities of state executive bodies and local authorities of the Kyrgyz Republic State Statistic Committee provides the rating of the state bodies based on their providing service qualities. Feedbacks are collected online from the citizens in half of the year and the end of the year. After official submitting and publishing the results, national media, and social media carefully and transparently discussing those ratings.

Thus the Public Performance and achievements of the state bodies in Kyrgyzstan are under strong and objective consideration under the civil society i.e. citizens. From another side, the introduction of the e-government concept also increases the transparency, accessibility and service quality by the state bodies. In this context, rationality, cost efficiency, economy, transparency, and accountability values in state bodies are gradually coming into practice. Hereby this is an open sign of Neoliberalism and its subpart the Public Performance Management impact.



PART FOUR
TURKEY - KYRGYZSTAN
COMPARATIVE ANALYSES ON IMPACT OF MERIT PRINCIPLES
TO THE PERFORMANCE IN STATE PERSONNEL POLICY

4.1. COMPARATIVE ANALYSIS OF THE LEGAL BASES OF THE MERIT PRINCIPLE SYSTEM

The Analysis of the Legal Bases of the Merit Principle System in Turkey and Kyrgyzstan is one of the key pillar factors of this study. The actuality and trend of this analysis are including the issue of efficiency, modernity, and productivity of the Merit System's implementation within the public services of Turkey and Kyrgyzstan based on law. Another side of this factor also covers the culture and capacity of the national legislation, which shaping the quality and stability of the law on civil service that deciding the norm of meritocracy. Therefore, taking into account the historical development and modernity of the system of national legislation in Turkey and Kyrgyzstan, especially in the part of using legal models and formats are the main priority for discovering similarities and differences of the legal-based Merit Principles such as Equality, Impartiality, Guarantee, Openness, and Performance. Hereby, in order to analyze and to present a certain outcome, below are provided this subpart of study.

4.1.1. Similarities of Legal Bases of the Merit Principle System

The analyses formed in the above parts that are based on the profile analyses of Turkey and Kyrgyzstan, in general, the Legal bases of the Merit Principle System have important output. Concretely it means that the legal system of the Republic of Turkey and the Kyrgyz Republic are using the continental European model of the legal system. And this similarity explains that the Law on public service of Turkey No. 657, adopted on 14 July 1965 under the format and sample of the Franch-Swiss legal model. Moreover, there has been active participation of the western experts in the process of

forming the draft of this law. And the further practical enactment of the law was supplemented with the active consultation and soft coordination of international organizations such as the European Commission, OECD, and Worldbank. The reason for such support of the law design and adoption was caused by the strong will of the Turkish state authority to gain effective and modern public service within the New Euro-Atlantic initiative. This factor was one of the key elements in the improvement efforts of the state personnel policy in Turkey in the past.

The Law No. 657 is the Civil Servants Law of Republic of Turkey. It is a law which is in any state institution provides the process of the public service in practice, as well as the law concerning the public servants working as public personnel, the conditions, qualifications required to be public personnel, the rights and duties of public personnel, as well as many other definitions. (DPB, 2019:3).

The basic principles of this law are including Classification, Career and Merit:

Classification:

A) To classify public service duties and civil servants working in these positions according to the qualifications and professions required by the duties.

Career:

B) To provide civil servants with the opportunity to progress to the highest degree in their classes in accordance with the information they need and the conditions of their upbringing.

Merit:

C) To base public service duties, to progress and rise in classes, to terminate the task, and to make civil servants safe in the equal implementation of this system.

As seen here, introducing this Law brought values such as neutrality, secularity, the principles of career, classification, and merit i.e. qualification for public employees indicated in Article 3 of this law. (DMK, 1965:2).

These legal norms of the law gave guaranteed open and right way for public servants to be under the protection of the state and gained the opportunity to develop their educational and professional capacities. In resume, those efforts gave serious legal

support to civil servants in Turkey to increase their performance supplied with the meritocracy. This has been noted and mentioned within the several reports and memos prepared by the EU and US agencies. (SIGMA, OECD, EU, 2015:37).

In terms of the above note, the candidacy of Turkey into the EU membership seriously stimulating national legislation outcomes including the civil service reforms. Briefly saying Turkey making strong efforts to raise the quality of national institutes according to the standards of the European Union. This has been found within the analyses of the EU, SIGMA and OECD annual monitoring reports.

Legislative initiative of the Grand Assembly of the Republic of Turkey concerning the increasing the performance of public service supports the government proposals. Therefore, the Law on public service got several key amendments aimed to increase the efficiency and outcome of the public service in Turkey in 1972, 1974, 1980, 1982, , 2007, 2011. Thus, Law No. 657 is one of the most frequently changing Laws due to the additional indicator chart, special service compensation, discipline and permit provisions. For example, the latest amendments were made to the Law as of January 4, 2017. (Resmi gazete, 2017:32).

Due to these amendments, public service in Turkey experienced flexible optimizations and shrinks. Fresh example, concerning this in 2017 was held constitutional reform, which gave to the serious quantitative and functional optimization in the public administration system in Turkey. Therefore, the issues of Merit-based Performance policy are highlighted within the governmental acts and decisions.

The current analyses and reading of the Media publications in Turkey showed the presence of actual needs in Legal Bases of the Merit Principle System for public service. These critics mainly concern about the law culture among the simple citizens and their habits, behavior in order to use the principle of rule of law in practice with obedience and entrance into public service. Thus the citizens need to be educated and to have trustworthy in the civil services. Therefore, the mentality of the rule of law and

human rights values including meritocracy as a social culture should be promoted among the citizens. And the citizens get interested in the modern, democratic and transparent law on public service being motivated to be gain position and outcomes. These notes are described by the well-known in Turkey media platform memurlar.net.

In the case of the Kyrgyz Republic as a post-soviet country, which is forming new experiences of the Legal Bases of the Merit Principle System in practice. The specific is that this is not an easy practice, which stands with several key challenges of soviet legal legacy and administrative - command traditions based on nomenclature. However, the similarity of the Legal Bases of the Merit Principle System of the Kyrgyz Republic is in the same similar context with Turkey concerning the useful impacts and contributions of the international organizations Worldbank, EU and UNDP in the designing, consulting, further public hearings and adoption of the civil service law by the Jogorku Kenesh i.e. parliament. Thus, the Law of the Kyrgyz Republic “On Public Service” was adopted the first time on 11 August 2004, under No 114. Further on this Law was amended on November 10, 2014, under No. 150 in respect of persons applying for the position of advisers, consultants and assistants to political civil servants; on the formation of an internal reserve of personnel of a state body, civil servants holding administrative public positions in this state body and recommended for increase according to the results of certification, etc. (Kornilov, 2015: 71-78).

So, concerning the characteristics, this law has inclusions such as elements of European German rational bureaucracy based on the Weberian model and values of Public performance management focused on Meritocracy. This means that this law has a normative segment stimulating the Neo-Weberian model of public administration. (Akunov, 2015:79) For instance, the Basic Principles of Merit System is engaged at the beginning of the law. So this part defined employee selection through open and transparent competition way, and further career development of employees including the training, motivation, and promotion and rotation of public servants. And the last part is about the ethical standards and implementation of social guarantees for civil servants.

Therefore, the Law on public service in the parts of the above-mentioned improvements has a direct link to the Neo-Weberian model and public performance approach.

Legislative initiative of the Jogorku Kenesh of the Kyrgyz Republic strongly encouraging to increase the efficiency and performance of public service in Kyrgyzstan. Therefore, following this purpose, the Kyrgyz parliament supported the initiative of the Public Personnel Service of the Kyrgyz Republic under the President of the Kyrgyz Republic and was amended the Law of the Kyrgyz Republic on the civil service, and municipal service on May 30, 2016, under the No.75.

A core reason for amendments in this law was to create an effective, efficient public service with merit-based performance policy, to combat corruption, nepotism, and formalism. Due to these tasks were introduced the methods for increasing the performance of civil servants. Qualification requirements for state and municipal servants of the Kyrgyz Republic, including professional competencies, were approved in the Civil Service Law in 2013. In 2016, they were amended.

The changes made to the competitive selection process in 2016 reflected the recommendations of external experts and consultants on human resource management.(Tarbinskiy,2018:8).

The Provisional Regulation on the competition for filling the vacant administrative civil service position of the Kyrgyz Republic, approved by the Government of the Kyrgyz Republic dated November 29, 2011 No. 741, and being valid until 2016, was a tool for standardizing the competitive selection process and provided a unified approach to the selection of personnel for the civil service. However, it did not take into account the possibility of career advancement for merits, achievements, and significant results in work. Any vacancy should have been closed only by the results of the competition. (Iskakov, Abdugarimova, Jalil:2017:13-14).

The new regulation on the procedure for holding a competition and career advancement in the state civil service and municipal service of the Kyrgyz Republic

satisfied the hopes and expectations of many public servants and their leaders. Now the head of the structural unit has the opportunity to recommend and promote an employee who has shown significant results in work to a higher position or position in another structural unit, which will be the next step for the employee in the career of a civil servant.

Practical tasks were introduced into the competitive process to determine special knowledge and skills on issues related to performing functional duties, as well as tests to identify professional abilities, logical thinking abilities, and psychological tests, professional competency assessments, along with tests on management and Human Management Resources for the executive category. These tasks are provided for each state body and local government of the Kyrgyz Republic. (SPS, 2018:4).

In reality, the personnel services of state bodies are engaged in the technical work of organizing the functioning of the state body and do not have the skills to select and adapt tests and develop practical tasks.

Changes in the Law of the Kyrgyz Republic “*On State Civil and Municipal Service*” affected the State Personnel Management Service in state bodies, which organizes the selection and personnel records, records management on personnel issues. The remains question is competence in the field of human resources management, namely, in the selection staff on a competitive basis. Today, HR specialists are participating in the competitive selection as organizers and secretaries of the competitive commission. And for them here is a need for methodological support from the authorized body for civil services, as well as organizations and experts specializing in staff recruitment. And for this reason, international donor organizations and development agencies such as the World Bank, and UNDP are providing assistance within these needs. (UNDP, 2016:48).

Within the adopted law on civil service in 2016, is introduced the performance evaluation system for public servants of the Kyrgyz Republic based on the quarterly,

half-year and annual records. The practice of cadre rotation also introduced in internal and inter structural units of the state bodies. And in order to eliminate the corrupted behavior of the public servants, the new law was defined as the norms for ethical commissions and ethical code.

All these efforts according to the law on public service in Kyrgyzstan defines that several key amendments in 2016 within Law No. 75 practically promoting the meritocracy in the public personnel management system in Kyrgyzstan. In this law of the Kyrgyz Republic on public service, Basic Principles of Merit System is included and defined. At the beginning of the law, important to note that the Merit principles are engaged in the parts of employee selection through open and transparent competition way, and further career development of employees including the training, motivation, and promotion and rotation of public servants. And the last part is about the ethical standards and implementation of social guarantees for civil servants (Chapter 1, Article 1-3).

This condition has similarities like in the case of Turkey, in line with the *Law on Public service* of Turkey, which includes the norms and values of merit-based recruitment, training, promotion, and awards of public personnel. Because merit principle for the Civil Servants in Turkey is evident with the entry into force Law on civil servants under No. 657 in 1965. As it is noted above, in Article 3 of Law No. 657, defines within the basic principles, the principle of merit clearly emphasized and defined as follows: “To base public service duties, to progress and rise in classes, to terminate the task to merit the system and to make civil servants safe in the equal implementation of this system”. (DMK, 1965:2). As it is understood in the article, the merit system has been determined as the basic principle of entering the civil service, rising in office and ending the duty.

Taking into account the above comparative analyses concerning the Similarities of Legal Bases of the Merit Principle System in the legal-bases of Turkey and

Kyrgyzstan is defined the key similarities covering the employee selection through open and transparent competition way, and further career development of employees through the training, motivation, and promotion and rotation of public servants.

Following (Table-4.1.) the above-described similarities of the Legal Bases of the Merit Principle System in Turkey and Kyrgyzstan below are presented the detailed comparative analyses in the table form. Here is assumption that the analysis based on the table form will give an informative and clear understanding of this topic.

Table-4.2. also presented below. This table is a large part of the Legal Bases similarities of the Merit Principle System in Turkey and Kyrgyzstan, which analyses within the Principles of Equality, Impartiality, Guarantee, Openness, and Performance. It is important to note that Table – 2 is designed especially in order to define the similarity indicators on the Legal Bases of the Merit Principle System in both republics.

Table 4.1. Legal Bases similarities of the Merit Principle System in Turkey and Kyrgyzstan

Key questions	Republic of Turkey	The Kyrgyz Republic	Indicated similarities
The name of the main law and its adoption dates	Law of Republic of Turkey “On Public Service” adopted on 14 July 1965 under No. 657	Law of the Kyrgyz Republic “On State Civil and Municipal Service” adopted on 11 August 2004, under No 114	In general, both laws are designed in the format of Continental European legislation; Both laws are including the principles and norms of the performance-based meritocracy, career development, neutrality, and legality; The norms of those laws are guaranteeing equality, justice, and secularism concerning the citizens be in the civil service. Furthermore, it is supplying the general line of the modern statehood policy and modernity; Both laws are officially adopted

			by the national parliaments of Turkey and Kyrgyzstan, moreover, these laws are enacting as the main drive law at their public administration system;
Impacts and contribution of the international organizations and foreign experts in designing and enacting the law on public service	Within 1945 and 1952 years the concrete analyses and expertise of public service legislation and its practical realization has been done. Thus, the significant changes had been occurred in Turkey. Mainly those reports were prepared by foreign experts in order to obtain effective solutions. In 1949, Dr. Fritz Neumark, Professor at Istanbul University had prepared Report on Rational Working Principles in State Departments and Institutions. It should be noted that this report was the first original work on this subject. In this report have been prepared detailed research and analysis on Turkish Personnel System. Suggestions such as	In the Kyrgyz Republic within 2004 and 2016 years, technical, expert and organizational assistance was provided in the development and implementation of the human resources management system in the civil service by international organizations and financial institutions. Basically, these partners provided support in the form of projects providing technical assistance in the development of regulatory legal acts and training. Below are examples of some of them: The delegation of the European Union in the Kyrgyz Republic with the projects “Promoting the reform of public service in the Kyrgyz	Technical, consultative and methodological assistance and contribution has been provided by international organizations such as Worldbank, USAID, and European Union Agencies and their member states in the cases of designing and promoting the public hearings the law on public service; Positive, and constructive contribution of the western foreign experts being contracted through the international organizations in

	strengthening the inspection system, eliminating the unbalanced distribution of public personnel, improving the salary system, and disciplining unnecessary burdensome personnel expenditures were made for the disruptive and dysfunctional aspects of the system (DPB, 1963:9). On 4 June 1951, within the IBRD mission James. M. Barker had prepared a Report on Turkey. This report included the Economic Development and a common personnel policy covering all the Turkish public administration. The main advantage of this report was the necessary recommendations for further improvement implementation in Public Personnel System. For example, the idea of establishing a central state personnel organization in Turkey has been mentioned the first time in this report (US Department	Republic”, the beneficiaries of technical assistance are the State Personnel Service of the Kyrgyz Republic, the Ministry of Agriculture of the Kyrgyz Republic, the Ministry of Labor and Social Security of the Kyrgyz Republic; “Support to the education sector of the Kyrgyz Republic”, beneficiary - Ministry of Education and Science of the Kyrgyz Republic; World Bank with the project “Capacity Building in the Field of Economic Management”, beneficiaries - Ministry of Economy of the Kyrgyz Republic, State Personnel Service of the Kyrgyz Republic; Multilateral Donor Trust Fund “Capacity Building in Public Finance Management”, the executive agency is the Ministry of Finance of the Kyrgyz Republic; German Society for International Cooperation with the project “Support to Regional Economic	designing and enacting the law on public service; Nowadays the impact of international donor organization is notable in the processes of legislation output, accordingly with the UN and EU standards and conventions. In this regard, active monitoring and impact are providing by the EU, OECD and SIGMA projects in Turkey on the public service. In the case of Kyrgyzstan, the same situation exists and notable impact and assistance of the UNDP and Worldbank in terms of legislation designs and further public hearing on civil service.

	of Commerce, 1950:24). Following this initiative, in the same 1951 year had been prepared the analyze by James W. Martin and Frank C.E. In the report prepared by Cush, it was proposed to establish a central Personnel Office, which would include all ministries, agencies with an added budget, state economic enterprises and local authorities (US Department of Commerce, 1950:25). In 1952, the Mediterranean Reports were published by Leimgruber and Gias. According to this report, it was stated that an organization, which can to replace the self-employment bill could be established and made important recommendations on the wage regime, working hours, classification and legal status of public personnel. This step was soundly relevant to	Cooperation in Central Asia”, the beneficiaries are the Accounts Chamber of the Kyrgyz Republic, State Enterprise under the Ministry of Economic Development and Trade of the Kyrgyz Republic “Single Window”; International Labor Organization with the project “Application of the G20 Training Strategy”, the beneficiary is the Agency for Primary Professional Education under the Ministry of Labor, Migration, and Youth of the Kyrgyz Republic; Asian Development Bank with the project “Vocational Education and Skills Development”, the beneficiary is the Agency for Primary Vocational Education under the Ministry of Education and Science of the Kyrgyz Republic. This is an incomplete list of international projects that have contributed to the	

	strengthen the basement of Merit principles in the civil service of Turkey (DPB, 1963:6).	implementation of positive international experience in the field of human resources management in the civil service of the Kyrgyz Republic. With the support of the World Bank, in the framework of the development of civil service, from 2011 to 2016, consultative and technical assistance was held to develop a draft Law of the Kyrgyz Republic on public and municipal services, which was subsequently adopted in May 30, 2016 under No. 75 in 2016. As part of these initiatives, a unified recruitment system for the public service was created and a Testing Center was created, which plays a key role in assessing the professional knowledge of candidates for vacant state administrative and municipal posts.	

Table 4.2. Legal Bases similarities of the Merit Principle System in Turkey and Kyrgyzstan

The Name of the Merit Principle	Based on the Constitution and law on public service of Turkey	Based on the Constitution and law on public service of the Kyrgyz Republic	Existing similarities and ingoing effects
Principle of Equality	One of the main duties of the state is to provide public services to the citizens within the scope of the principle of equality, which is written in Article 10 of the Constitution of Turkey. Among those who want to get the public services, it is expected that they will treat people within the scope of equality principle without any difference due to language, race, color, gender, political thought, philosophical belief, religion, sect or similar reasons and provide services without making any	The Principle of Equality is written in the Constitution of the Kyrgyz Republic (Chapter 1, 2010:5). It is explained in Article 16 and has a fundamental basic concern to Human rights equality and has an indirect shape to the Merit Principle. So, Article 16 explains that: Human rights and freedoms are inalienable and belong to everyone from birth. Human rights and freedoms are among the highest values of the Kyrgyz Republic. They act directly,	The Principle of Equality is a widely known and well-described value in the legal bases of public service in Turkey and Kyrgyzstan. The main ingoing effect of this Principle makes the direct linkage with the system of the universal human rights declaration in the world. The main output or contribution of the Principle of Equality is that the citizens of both countries are proud to use the opportunity to recruit into public service and to gain professional and intellectual development.

	difference between them and be impartial in their services. The article 10 of the Law on public servants includes the norm that Superiors shall treat the public servants in their charge equally and fairly. This norm of article 10 has a significant meaning for equality in civil service.	determine the meaning and content of the activities of all state bodies, local governments, and their officials; The Kyrgyz Republic respects and provides all persons within its territory and under its jurisdiction with human rights and freedoms. No one may be discriminated against on the basis of sex, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, property or another status, or other circumstances; In the Kyrgyz Republic, everyone is equal before the law and the court; In the Kyrgyz Republic, men and	

		women have equal rights and freedoms, equal opportunities for their implementation; Taking into account these obligatory rights given to the citizens of the Kyrgyz Republic, this is relevant to note that in Article 41 of the Constitution are clearly stated that (Chapter 2, 2010:10): Everyone has the right to appeal to public authorities, local authorities and their officials, who are required to provide a reasoned response within the time period established by law; Everyone has the right, in accordance with international treaties, to apply to international	

		human rights bodies for the protection of violated rights and freedoms. These norms are based on the Universal Human Rights recognized in the world and the Kyrgyz Republic as a member of the United Nations organization has ratified certain conventions and agreements coring the Principle of Equality. The Public Service Law of the Kyrgyz Republic also recognizes the Equality Principle within a subdivisonal implementation of the Constitutional rights of the citizens of the Kyrgyz Republic. Article 4 of the Public Service Law explains one of the Principles of the state civil service and municipal service as (Chapter 1,	

		Article 4: 4): acting on the equal access for citizens of the Kyrgyz Republic to enter the service, regardless of gender, race, language, disability, ethnicity, religion, political or other beliefs, origin, property or other status. This is a wide concept pursuing the equality principle, which is also relevant and mutual with the Merit value in civil service.	
Principle of Impartiality	Civil servant's law includes article 7 under the title of Neutrality and devotion to the State. This article has the norm that Public servants shall not become affiliated to political parties, or conduct themselves in any manner aimed	In the Article 4 of the Public service law is clearly stated that The State civil service and municipal service are based on the unity and integrity of the public administration system and operate on eight principles. So, the eighth	Principle of Impartiality is standing as a key precondition for the effective, efficient public service system in Turkey and Kyrgyzstan. Due to the introduction and use of this principle, Meritocracy value and

	at providing advantage or disadvantage for any political party, person or group; they shall not discriminate on the basis of language, race, sex, political ideology, philosophical belief, religion or religious doctrine; they shall not under any circumstances make any declarations and pursue a course of action with political and ideological aims or participate in such actions.	principle concerns the exclusion of political, religious influence and unlawful interference in the activities of employees (Chapter 1, Article 4:4). This principle of Impartiality in the activities of civil servants is a real limitation and warning for the political, religious influence and unlawful interference in public service.	its practices are strongly proving the development factor to the whole Public Personnel Management System.
Principle of Guarantee	Principle of Guarantee (Güvence) exists in the Law on Public Servants. For instance, Article 18 has a norm that Public servants shall not be discharged from duty except as described in the laws	Guarantee Principle is widely and clearly fixed in the Constitution of the Kyrgyz Republic, Code of Labour and in Law of the Kyrgyz Republic on public, municipal and civil services.	The principle of Guarantee is written in the legal bases of both countries including the Constitution and the law on public service with deep logic. It makes a serious sense in terms of raising

	and shall not be deprived of remuneration and other rights. Social protection of public servants followed by article 19 that Public servants shall be entitled to a pension, subject to the provisions of the special law. Within this law also has been guaranteed to the public servants on complaints and legal proceedings in article 21, and the norm to establish trade unions included in Article 22. So according to Article 21, Application for official and personal affairs related to civil servants institutions; they have the right to submit a complaint and a lawsuit due to administrative actions and procedures applied to	In article 9 of The Constitution of the Kyrgyz Republic (Chapter 1, 2010:3) states that The Kyrgyz Republic is developing social programs aimed at creating decent living conditions and free development of the individual, promoting employment. The Kyrgyz Republic provides support to socially unprotected categories of citizens, guaranteed minimum wages, labor and health protection. The Kyrgyz Republic is developing a system of social services, medical services, establishing state pensions, allowances and other guarantees	motivation and increasing the performance scales and outcomes in duty. On the other hand, the Principle of Guarantee is a subsequent factor co sounding with the Labour rights of servants. This is a sign that both states are socially oriented and democratic republics.

	them by their superiors or institutions. Applications and complaints are made by skipping the supervisors who are complained through the line starting from the nearest supervisor by verbally or writing. Applications and complaints are examined and notified to the relevant party as soon as possible. The principles and procedures for applications and complaints shall be regulated by a regulation to be prepared by the President. Article 22 – Civil servants may establish and become members of trade unions and higher organizations in accordance with the provisions of the Constitution and the special law.	of social protection. Article 4 of the Law on Public Service with regard to the Principles of State Civil Service and Municipal Service of the Kyrgyz Republic in paragraph 7 is written directly about <i>the legal, economic and social protection of employees, guaranteeing them and their families a decent standard of living</i> (Chapter 1, Article 4:4). Moreover, in Article 20 of this law spells out the rights of a state civil servant and a municipal servant (Chapter 4, Article 20:16). Thus, in clauses 7, 8, 9, and 14 of this Article, social and legal guarantees of state and municipal employees are fixed.	

		They include the following rights: on vacation, provided by the establishment of the maximum duration of working hours, breaks during the working day for rest and meals, the provision of weekly days off, non-working holidays, as well as annual paid holidays; to provide benefits in accordance with the law; to create safe working conditions for health; for retirement benefits, social and legal protection by the state, including members of his family, in cases provided for by law; In the same Article 20, paragraph	

		17 also provides for the rights of state and municipal employees to join trade unions. And paragraph 18 gives the right to appeal to the court, trade unions and other bodies in the prescribed manner with the aim of protecting their rights, social and economic, professional interests, resolving disputes related to the service. Clause 19 of Article 20 of the same law includes the right of state and municipal employees on: to engage in educational, expert, scientific and other creative activities in the relevant professional field, additionally paid from funds not prohibited by	

		law, as agreed with the head. This right also gives civil servants the opportunity for self-realization in terms of strengthening their educational, expert and scientific research and on the basis of which they receive financial rewards in accordance with the law of the country;	
Principle of Openness	Law No. 657 of Republic of Turkey provides the process of the public service in practice, as well as the law concerning the public servants working as public personnel, the conditions, qualifications required to be public personnel, the rights and duties of public personnel, as well as many other definitions.	The Principle of Openness also known as Transparency is also one of the key principles and values in implementing the merit-based performance policy in the State Personnel Policy in Kyrgyzstan. Practical distinction and value impact of this principle is a key factor for attracting the feedback from the consumers i.e. citizens	The Principle of Openness coexisting also as Transparency is a base of the base in making good and effective public service system. And these criteria have been carefully and scaly included in the legal bases of Turkey and Kyrgyzstan. Thus, the Principle of Openness by law makes useful contributions to the aim of good

	The basic principles of this law are including Classification, Career and Merit: <i>Classification:</i> <i>A) To classify public service duties and civil servants working in these positions according to the qualifications and professions required by the duties.</i> <i>Career:</i> <i>B) To provide civil servants with the opportunity to progress to the highest degree in their classes in accordance with the information they need and the conditions of their upbringing.</i> <i>Merit:</i> <i>C) To base public service duties, to progress and rise in classes, to</i>	getting the public services in the country. From another side, open, transparent ongoing processes of public services by civil servants increase the efficiency of the public services. Thus, due to the usage of this principle, entering the civil service system, and further career development of state specialist, including the training and financial awards, and plus public feedback of received performance has a systematic manner. Because all these steps are transparently written in the Law of the Kyrgyz Republic on public, municipal and civil services. Article 4 of the Law on the Civil Service of the Kyrgyz Republic	governance.

	<i>terminate the task, and to make civil servants safe in the equal implementation of this system.</i> This classification is representing the Principle of Openness in terms of law enforcement concerning the rights of public servants to promote themselves within these legal conditions and preparations.	(Chapter 1, Article 4:4) states that: The State Civil Service and the municipal service are based on the unity and integrity of the public administration system and operate on several principles; And those principles are including: Stability and continuity; Professionalism, competence, and initiative; Equal access for citizens of the Kyrgyz Republic to enter the service, regardless of gender, race, language, disability, ethnicity, religion, political or other beliefs, origin, property or another status; Disciplines and personal responsibility for the performance	

		of official duties as a whole include elements of transparency, equality, collegiality, and professionalism. Therefore, an analysis of the principle of openness of the merit system from the point of view of the legal aspect gives us the opportunity to affirm that the legislative and legal foundations of the principle of openness exist and applied in practice in all state bodies.	
Principle of Performance	Article 6 of the Law on Public Servants has a norm that Public servants shall adhere faithfully to the Constitution and the legislation of the Republic of Turkey in the service of the Nation. This is a clear task of the	The Principle of Performance is officially recognized in Article 4 of the Law on the Civil Service of the Kyrgyz Republic (Chapter 1, Article 4:4). In this Article, the Principle of Performance appeals the professionalism, competence,	The principle of Performance is a driver of the Public Personnel System in Turkey and Kyrgyzstan. And its preface is well designed within the legal bases of both countries. Because legal bases are recognizing the importance and

	civil servant in a broad sense. In the Law on Public service of Turkey No:657, 14.07.1965, the merit-based performance ingredients are in Article 3 and Articles 49-51. Thereby under the new Presidential system in Turkey is retained merit and competition as relevant principles in the Law on Public service. According to the Articles 36-38 in the Law, public servants progress in their career in two ways. At first, horizontally by moving to a higher grade in the same position, and for the second, vertically by being promoted to a higher-level position. Thus merit-based civil service is present in the legislation in terms of the obligation to create	and initiative as the requests for civil servants' disciplines and personal responsibility for the performance of official duties. Clause 2 of Article 11 of the same law on public service (Chapter 3, Article 11:11) clearly spells out the organization of a system of public civil service and municipal service in which the functioning of the system is ensured by the promotion of employees based on career planning. The scope of tasks also in terms of organizing public service includes: Training and advanced training; Approval of the procedure and procedures for promotion; The introduction of a system of motivation and responsibility of	polarity of the Principle of Performance. And based on this legal norm, the whole system of public service is mutually interacting to provide the effective and with good quality public services for citizens.

	staffing plans, job classifications and the composition of selection committees. Moreover, all governmental bodies also have special secondary regulation on creating staffing plans and composition of selection committees.	employees; So, based on these norms of the law, the civil service system of the Kyrgyz Republic practices personnel training and advanced training, there is also a promotion procedure, and moreover, a system of motivation and responsibility of civil servants has been introduced. Therefore in the legal aspect, a whole system of civil service in Kyrgyzstan covers performance and professionalism. Because, in the same law is included the norm for periodic performance evaluation of the civil servants, training and retraining, and rotation of civil servants. These are the main indicators for	

		implementing the Principle of Performance.	

4.1.2. Differences of Legal Bases of the Merit Principle System

This comparative analysis also focuses on the Differences of Legal Bases of the Merit Principle System in Turkey and Kyrgyzstan. Therefore within this study, it has been searched for many sources based on the legislation aspect of the civil service law. And the main profound differences are quite reasonable and justified accordingly with the country profile, its background, and the settled public administration system. Taking into account these difference, at the beginning is reasonable to describe the differences or specific of the legal system in Turkey and Kyrgyzstan.

According to the national legal system of the Republic of Turkey, the legal model of this country had been adopted from the Swiss and French model of legislation. And due to this model, the public service system of Turkey has been formed and modified a closed career system based on the Continental European practices. The specifics of this closed career system are that as traditional European countries, in the 1923 year, the Republic of Turkey emphasizes the special character of the public service. (USA CIA Factbook, 2015). Thus, in practice the closed career system allows Turkey to develop own public servants, which emphasize work efficiency. Therefore within this closed career system, the citizens with broad general competence are initially recruited for lifelong career development. Mainly the closed system means no needs for individuals with certain competencies. Thus, less attention is paid to specialized experience or training for initial selection, but rather for subsequent career advancement. For the second, systematic learning is emphasized for faster response and promotion. Thirdly, the ability of administrators to assign staff extends to a variety of positions without changing the rank or compensation, which is accepted and recognized by members. And the latest specific is that there is a careful selection for promotion and often “selection” for those who fail in the promotion. (Kochetkov, 2014:123) And this closed career system is integrated with the public administration tradition of the Ottoman Empire in terms of institutional memory and technical classifications for the public servants.

The modern public service system of the Kyrgyz Republic has been formed since 1991, after the declaration of state independence. Until that time i.e. in the period of the USSR, personnel procedures in governing bodies were determined based on the characteristics of a single centralized state economy. This model had fits well into the symbiosis of the Communist Party of the USSR, state, soviet, economic and other institutions. With the transition to a market economy, democratic principles, and the loss of the leading role of the Communist Party, this model failed. Kyrgyzstan needed to create its own model of public service, which became a difficult task.(Tarbinskiy, 2018:11).

From 1991 to the mid-2000s, Kyrgyzstan used the old model, inherited from the former party-state nomenclature. At the same time, the rudiments of a new model were formed with the experimental use of competitive procedures. Unified approaches to the selection and placement of personnel have not yet been developed, and the first law on public service was adopted only in 1999. And even then it lacked mechanisms and implementation procedures. In practice, failures occurred, since the elements necessary for full functioning were lost. In the absence of party control, cases of nepotism, and cronyism became more frequent. The device's right to work "on a call from above" has taken root. All this led to the degradation of public service. The need for radical reform became apparent.

The second stage in the formation of public service conditionally began with the adoption in 2004 of more detailed law. The law predominantly established norms according to the Anglo-Saxon model. (Trabinskiy, 2018:12) Its characteristic moment was the introduction of standards for competitive admission to work in state bodies according to procedures. The traditional Anglo-Saxon model is also known as the American practice of an open career system. This system emphasizes the equality of opportunity and avoids the elitism of the life path, which separated from the rest of the community. In practice, the recruitment to posts based on performance evaluation. This emphasizes work efficiency. The reason for introducing the open career system in the

public personnel service system of the Kyrgyz Republic is explained with the impact of the general liberal reforms provided in the economy and policy within the Neoliberalism concept in 1993-2003. It is well-known that the liberal reforms in Kyrgyzstan used the paradigm of the minimal government and enlargement of the private sector via privatization. Therefore the feature of the open competition and equality of opportunity for the citizens be public servants have been justified from the policies of international organizations such as the World Bank and EU, etc.

Therefore, within the law, conducted transformations outlined the system of recruitment and promotion. A significant aspect was the demand for political non-interference in the selection of employees. In order to give stability and continuity to the service, the post of state secretary of the state body was established. State secretaries ensure continuity of staffing, increase the professionalism of employees, develop measures of motivation to work and prevent the mass replacement of personnel with the appointment of a new head of the state body. The updated system has been in operation for more than ten years, introducing greater objectivity and impartiality into the practice of selection.

In 2016, the Jogorku Kenesh adopted the new basic Law “On the State Civil Service and Municipal Service”. Further, in 2016 - 2017, in order to implement the Law, relevant decrees of the President and government decrees were adopted. Under the new law, the category of administrative posts was transferred to deputy heads of state bodies, posts of employees of the Government Office. For the first time, qualification requirements that were previously absent were developed for these posts. Nowadays, an appointment to these posts should be carried out subject to candidates' qualification requirements.

The integrity of the recruitment and promotion cycle has been strengthened. Career advancement has been made possible on the basis of an annual assessment. If an employee receives an annual rating of “Exemplary”, which is higher in the ranking of “Excellent”, subject to the availability of a vacancy, the employee may be promoted by

one position. For example, an employee who has distinguished himself by the results of the year may be transferred from the post of a lead specialist to the position of chief specialist, the head of a sector may become the head of a department, etc. (SPS, 2017:4).

The replacement of vacant posts, first of all, began to be carried out from internal reserves and the National Reserve. From the internal reserve, on the basis of the internal competition, appointments to junior, senior and main administrative posts can be made. From the National Reserve to the main and highest administrative posts. In the absence of the necessary candidates from the reserves, an open competition is held. If earlier internal reserves were actively used, then the formation of the National Reserve according to modern standards became possible with the adoption of a new basic law. (SPS, 2017:5)

Previously, the National Reserve could consist of applicants for any position, including junior ones. It was formed, including persons dismissed by the reorganization. The contingent of reservists was heterogeneous. These were not always the best shots. Now the National Reserve is formed solely to fill the highest and main administrative posts. Enrollment in the reserve is possible due to strict selection in two ways: open competition or selection among people who have received high marks with the simultaneous recommendation of the head of the state body.

The initial entry into the service has remained accessible to all - through open competitive selection, which is consistent with the norms of the Constitution of the Kyrgyz Republic. On the one hand, the right of citizens to equal access to filling positions in the state and municipal services was preserved. On the other hand, current employees are now more motivated by career advancement. Career planning has become one of the innovations in the legislation. (SPS, 2017:7)

As seen in the above - comparative analysis concerning the Differences of Legal Bases of the Merit Principle System in Turkey and Kyrgyzstan resume that the main difference based on the legal models of the career planning. In the case of Turkey, Legal

Bases of the Merit Principle System in the public service organizes in the closed career planning. Meanwhile, the civil service of the Kyrgyz Republic uses the open career planning.

The second difference is that the Law on public service of the Republic of Turkey was designed and adopted in 1965 i.e. earlier than the Law on civil service of the Kyrgyz Republic, which was adopted in 1999. Thereby, in terms of efficiency, the law on public service of Turkey justified by the several amendments and modernization efforts by the aim of raising in practice according to the standards of the European Union. Concerning this aspect, the new law of the Kyrgyz Republic makes its first experiences. Therefore, for the young post-soviet Kyrgyzstan is actual to learn the positive experiences of public service of Turkey. For instance, the periodical performance evaluation system known as sicil sistem is using in the public service of Turkey since 1999, and this evaluation system is newly introduced in the civil service of the Kyrgyz Republic in 2016. This is an important factor concerning the Legal Bases of the Merit Principle System in Turkey and Kyrgyzstan.

The candidate status of state for the EU membership given to Turkey in 1987 seriously stimulated the quality of law design and its further adoption and realization. This factor is a key difference concerning the legal-based differences of the Merit Principles. This conclusion was supported by the several monitoring reports prepared by the EU SIGMA report and OECD publications (SIGMA, 2015:39).

The difference of the Kyrgyz Republic from Turkey's practices concerning the strengthening of the legislation on public service is that since 1991 experiencing a transition from the Soviet system to a liberal-democratic system. Regarding this, the strengthening of the legislation standards and increasing its efficiency mainly co-adapted from the western countries, Russia and post-soviet republics. This process also is actively supported by international donor organizations such as USAID, OSCE, World Bank, EU, and UN. However, the legal and institutional memory of the Public Personnel System of the Kyrgyz Republic is in a new dimension. Therefore, the legal experiences

of the public service in Turkey have many valuable examples for the Public Personnel System of Kyrgyzstan in terms of law design and its enactment.

4.2. Comparative Analyses Concerning The Practical Realizations of The Merit Principle System

The Practical Realizations of the Merit Principle System in Turkey and Kyrgyzstan have been analyzed and explained in the second and third parts of this research. And this fourth part is making outputs of comparative analyses in terms of Practical Realizations of the Merit Principle System. Taking into account the characteristics of the public service system and features of the capacity of the public administration system of Turkey and Kyrgyzstan have interesting outcomes covering useful, positive achievements. Meanwhile those mechanisms of achievements, outputs have several similarities and differences. Therefore, below are given the comparative analyses on the Similarities and Specifics in Realizations of the Merit Principle System in Turkey and Kyrgyzstan.

4.2.1. Similarities in Realizations of the Merit Principle System

The analyses of the Realizations of the Merit Principle System in Turkey and Kyrgyzstan defined several similarities. And these similarities are key elements in the Public Personnel System. Firstly, the Practical Realizations of the Merit Principle includes **Equality and Openness** Principles. Then the first similarity has engagement with the recruitment process in the civil service. For instance, Turkey has well established the general examination on a regular base once in the year known as KPSS exams.(SIGMA, 2015:32). Modern Turkey, since the 2002 year led by the ruling Justice and Development Party and its leader, the country's President, R.T. Erdogan, is undergoing transformations, the scale of which is difficult to overestimate - to date, he is, perhaps, only comparable with the transformations of the first president and founder of the Republic of Turkey M.K. Ataturk. A special role here belongs to Turkish officials. Because, the Turkish bureaucracy is an executor of the reforms being carried out and precisely the bureaucracy is gradually filling a vacuum of influence by limiting the

army. Therefore, has been adopted a new constitution of Turkey in 2016 and furtherly the adoption of the amendment in Civil Service Law. (Starodubtsev, 2012:2). This means that a reform of the state civil service in Turkey is provided on the scale of whole country.

In order to ensure the effectiveness of the executive power system, the country's leadership pays attention to increasing the attractiveness of civil service for citizens and creating a competitive, objective and transparent system for selecting candidates for future officials. It is significant that the Unified State Examination for civil servants (about which a few words are described below) is the beginning of this great practice. The most objective indicator of youth's desire to go to the civil service is the consistently high in recent years the number of applications for passing the Unified State Exam for civil servants, the so-called "KPSS": 2014 - 782 thousand people, 2016 - more than 3 million people, 2018 – more than 2 million candidates. Registration for this single exam is carried out annually from April 9 to April 18, and the exam itself (in the "full setting" it lasts two full days) is carried out on July 7 - 8. According to established practice, KPSS is rented on the premises of secondary schools¹⁴.

Speaking about the potential contingent for bureaucracy, it can be noted that work in government structures is preferred by both the most ambitious young people (in particular, this applies to children from wealthy families, families of established bureaucrats, for example, career diplomats, etc.) claiming special career breakthroughs. For the first, work in government agencies is a social elevator, the opportunity to make a career in prestigious departments (which include the Ministry of Foreign Affairs, the Department of Foreign Trade, the Central Bank, etc.). The second civil service can give relative stability and confidence in the future, which is not easy to find in the "mobile" Turkish business, where one's own business is equally easy to open and lose in a highly competitive environment, "multiplied" by a difficult external economic background. (Starodubtsev, 2012:3).

¹⁴ <https://www.memurlar.net/haber/830932/kpss-istatistikleri-yayimlandi.html>

One cannot fail to mention the opportunities that are provided by a number of departments for training and internships abroad with the provision of the necessary loans, for example, for studying at prestigious business schools, of course, provided that you return to work in the organization and work out a certain period of time.

And completing a brief review of the factors that support the logic of the choice in favor of the civil service, we should not forget about the principle of the “revolving door”: the position and relations developed in the civil service, over time, become a “fireproof sum” and are able to serve as a good launching pad for climbing career ladder in private business. Examples of such a development of life in Turkey are abundant.

In the most general terms, the civil service admission scheme in Turkey is as follows. Interested candidates monitor the opening of vacancies in a particular agency, advertisements for which with the requirements are presented, are made in the press and on the Internet - on the websites of the relevant interested organizations, as well as "Center for evaluation, selection and placement" (ÖSYM), tutoring companies or simply on thematic information portals. In general, it's a sin for candidates in Turkey to complain about a lack of awareness of existing opportunities.

The further selection procedure for most departments is fairly standard and “settled down”: candidates will have to pass a standardized KPSS exam, in some cases a KPDS foreign language exam (or its equivalent, which can be taken as TOEFL, IELTS, etc.), prepare the necessary set of documents and undergo internal selection at the department, often through a “sieve” of several exams and interviews (their composition and procedure is regulated by the relevant internal acts; for example, in the Ministry of Foreign Affairs, remember among other things, rather rigorous psychological testing is carried out), of course, subject to the requirements and restrictions (including age) provided for applicants to the civil service by the current legislation, in particular, Law No. 657 “On Public Servants”.

The number of applicants for officials is invariably large - the competition in prestigious departments, even if we consider only those who have shown high scores on the exam and the owners of a beautiful resume, is off-scale. As a result, demand for the

“service industry” was formed. Preparation for standardized exams, courses, tutors, literature - a large segment in the market of educational services. Above explained the practice of realizing of the Merit Principle System in Turkey in terms of civil service recruitment and career development based on educations and training. And this is an institutional practice in Turkey supplying the meritocracy and increasing the quality of civil service in Turkey.

The Public Personnel Service in Kyrgyzstan deals with the realization of the Merit Principle System in terms of civil service recruitment and further career development based on educations, training, and positional promotion are existing. In order to discover these similar practices below are described the details of the analysis.

The Kyrgyz Republic as a former soviet republic has done multidimensional transitional periods expressed in economic, political and administrative i.e. managerial reforms and transformations. All these reforms were caused by the settlement of a new sovereign state after the dissolution of the Soviet Union. The details and specifications of political and administrative reforms were mainly concentrated with a target to increase the efficiency of the government i.e. public service. Therefore, in practice, the state authority in Kyrgyzstan has created a regulatory framework for the coordination and regulation of effective public service and the system was settled. Concerning the similarities in the realization of the Merit Principles, stands as an example of the process of recruitment in civil service. In the beginning, the competition is announced by the state body within one month after the formation of a vacant administrative public position. First of all, internal competition is held among persons who are in the internal reserve of personnel of a state body and meet the qualification requirements. If the internal competition has not taken place, then competition is held with the participation of persons in the National Reserve of Civil Service Personnel of the Kyrgyz Republic (Iskakov, 2017:14).

If there are no candidates in the National Reserve who meet the qualification requirements or refusal to participate in the competition of persons listed in the National

Reserve, an open competition is held in which all citizens of the Kyrgyz Republic, including those registered in the National and internal reserve of personnel.

The announcement of the open tender is placed by the state body in the official media. This announcement may be additionally placed in other media and on the websites of government bodies on the Internet. In order to save budget funds, the announcement does not publish all the necessary information about the vacancy, which is bad for the preparation of the contestants for the competition. (Public service law of KR).

Documents are accepted in a period of two to four weeks. The announcement may contain additional information that does not contradict the legislation of the Kyrgyz Republic. Tenders for the same sex are not allowed. Consideration of documents of bidders must be carried out no later than one week after the completion of the acceptance of documents.

Frame selection: The selection procedure for future employees begins with the adoption of documents of candidates and the creation of a Tender Committee of a state body.

The competitive commission of the state body is created with the aim of holding a competition and selecting the best candidate based on their qualifications and personal characteristics.

The selection procedure consists of three stages:

- At the first stage, documents of candidates for compliance with the minimum qualification requirements are considered.
- In the second stage, various types of testing of candidates who have passed the first stage are carried out.
- The third stage is the interview, the final stage in the competitive selection process.

Review of documents: In accordance with the Interim Regulation on the holding of the tender, documents are considered by the Commission. At the same time, the Commission has to consider a large number of documents, since at the stage of receiving documents the HR department does not have the right to reject documents, in case of delivery of an incomplete package of documents and non-compliance with the minimum requirements. At the same time, in fact, it is the personnel department that checks for compliance with requirements and calculates the length of service, not the Commission. This is due to the fact that members of the Commission in most cases are engaged in the performance of their direct functional duties. However, there is no clear instruction for calculating seniority in public service, which entails many different options for calculating seniority in various government bodies.

Consideration of notarized copies of diplomas and workbooks gives information about education, work experience, position and place of work. However, given that previous work experience is the best indicator of the future work of an employee, more detailed information about previous work and the results should be requested. The method for assessing personal data related to competency is called biographical data. If opportunities allow and the rating is well thought out, then this may be the most effective selection method. An omission in the evaluation of biographical data may entail negative consequences. The data obtained can also be further used during the interview.

Testing: In accordance with the Interim Regulation on the competition, the examination of the general and professional knowledge, skills and competencies of candidates is carried out in the form of computer testing at the Testing Center of the State Personnel Service of the Kyrgyz Republic. The purpose of testing is to determine the general level of knowledge of the legislation of the Kyrgyz Republic in the field of public administration and public service, as well as the organization and activities of government bodies.

Testing the general and professional knowledge, skills and abilities of candidates involve the study of skills to write, count, negotiate, abstract thinking, memorization,

etc. However, currently enrolling in the civil service does not require confirmation of general and professional knowledge.

For testing civil servants and candidates for filling vacant administrative public positions, two types of tests are used: the main test and subject tests. The main test contains tasks for assessing the general knowledge of the legislation of the Kyrgyz Republic in the field of public administration and public service. Subject tests contain tasks to identify the level of knowledge of test participants in a special direction. Testing for this type of test is carried out taking into account the qualification requirements for a particular position, field of activity and special education. To determine special knowledge and skills on issues related to the performance of functional duties in an administrative public position, the state body, in agreement with the SCS, can be used practical tasks. However, in practice, they are not used in most cases.

Next step is interviewing, which is a most popular candidate assessment method - interviewing - may be one of the best methods for determining the candidate's future potential, but only if you use a structured version. However, practice shows that mainly unstructured interviews are used, which poorly predicts the candidate's future performance. In addition, education can inform the employer about the candidate's specialization and grades, but cannot predict the candidate's future productivity, especially if there is a big gap from graduation to application.

Job interview: In accordance with the Interim Regulation on the holding of the competition during the interview, the personal and professional qualities of the candidates and their ideas about future work, expectations, motivation are clarified. Decisions of the Tender Committee are made by voting, by a simple majority of votes of the number of its members present at the meeting. Basically, government bodies repeatedly ask questions about knowledge of the law and ideas about future work. (Public service Law of KR).

The Second similarities based on the Merit System are **Performance and Guarantee Principles**. Here the career development mechanisms are shaping by those Performance and Guarantee Principles. In the end, career development is a benefit of

public servants. According to the Public service Law of the Kyrgyz Republic, No 75, Public Personnel Management System implements a career development based on the education, training and gradual promotion of the best performing public servants. These mechanisms are usually providing under sustainable training on managerial knowledge and skills with duration 14 to 25 days in every year via an approved schedule. And training is implemented by the universities based on the state order and coordinated by the Public Personnel Service of the Kyrgyz Republic. In this training is mainly engaging newly recruited civil servants and public servants who need special knowledge within the professional duties. Besides the training, Public Personnel Management System also sends the successful public servants to study Master and Ph.D. programs abroad at universities several countries like Turkey, China, South Korea, India, Russia, Hungary, Kazakhstan, etc. This should be noted that training providing measures and scholarship opportunities to study abroad make good preferences and attractive opportunities among the youth to be civil servants. (SPS, 2018:12).

In Turkey, concerning the training and education of the civil servants is existing Regulation normative document **A General Plan of State Officials Training**. This document based on the decision of the Cabinet Ministers, dated 25.7.1983 and numbered 83/6854, and published in the Official Gazette dated 19 October 1983 and No 18196. The Civil Servants Law No. 657 is included provisions that shed light on and guide in-service training, educational units and training activities of these institutions and organizations in public institutions and organizations that carry out public service. In the light of these provisions, training policy based on the importance given by the Turkish Public Administration to education based on the value judgment of institutions or individuals lacking coordination, the implementation of the staff of institutions at all levels, in a coordinated way as a whole, determining the ways and methods of pre-service and in-service, as a whole.

As stated above, the public sector's ability to provide qualified staff will be possible by providing a training policy and plan that will meet the public needs of pre-service educational institutions. As a matter of fact, the Civil Servants Law No. 657

regulates the principles of training civil servants in service and stipulates that these activities should be linked to a general plan. Thus, it is aimed to take in-service training as a whole and bring it into a system in the public sector. While providing the necessary training to the staff of public institutions and organizations is attached to a plan, the institutions are also given sufficient freedom to meet their specific needs within the standard order.

Public Personnel Policy of Turkey considers the leading factors of national development in a country is the trained civil servants that will make this effort. Implementation of the Development Plans according to the national objectives depends only on the continuing education of the State Personnel who have received general and vocational education in accordance with the nature of the services. In this regard, education, which includes training personnel to public services and training personnel in service, plays an extremely important role in national development and in the fulfillment of public services in an environment compatible with the realities of the country.

Domestically, Public Institutions providing vocational education and training within their own bodies in general education institutions. Moreover, it is possible education abroad. In order for Public Institutions and Organizations give the opportunity to study and specialize students abroad (excluding scholarships in various branches with external sources).

In-service training is the training that is made to increase the knowledge and skills of the staff working in Public Institutions and Organizations. Regarding in-service training, the following types of training will be included, taking into account the characteristics and qualifications of the professions in terms of achieving the objectives envisaged in this plan.

Internship. This training is to gain experience by applying the theoretical information given to candidate officers during the preparatory training period and other information and procedures related to their occupation and duties, and the skills gained. This training can be done in candidates' own institutions, other institutions or in inter-institutional training centers.

In Primary Service. The relevant institution and Public Personnel Presidency shall determine together with the related institution that the various training to be given to the person will be given in another institution or institution in the institution or organization to which the personnel is affiliated, in inter-institutional training centers, in the relevant institutions or organizations or training centers abroad.

Training of Senior Public servants. The training of senior managers is done in accordance with the provisions of the legislation in this regard. The institutions are responsible for the training of public servants-managers other than the senior managers. Public institutions and organizations perform these training by staging them in accordance with the hierarchical structure in the organizational laws. Planning and implementation of training are based on guidance, teaching materials, curriculum development prepared by the State Personnel Department of Turkey, TODAIE¹⁵ jointly with other institutions and organizations, universities and high schools. In the process of providing training for public servants working in the regional units. Therefore, organizing training programs in provinces or regions is taken into consideration. The education responsibility in this matter belongs to the institutions or authorized provincial units of the institutions. The Ministry of Internal Affairs is responsible for the training of public managers other than the top-level managers in the local administrations.

In this staging, the responsibility of in-service training can be given to the Institutions or the authorized provincial units of the institutions within the framework of the annual training programs of the institutions.

As seen in this above-described analysis, the in-service training and education abroad show the existence and implementation of the Merit Principles like Guarantee and Openness. In general, the above analyses is indicating effective career planning in the Public Personnel System in Turkey and Kyrgyzstan.

¹⁵ TODAIE was the Public administration Institute for Turkey and the Middle East established in May 8, 1952 under the support of the United Nations. On 9 July 2018, within the Decree No703 of the President of the Republic of Turkey TODAIE was closed. The official basement for this key decision has been explained with the administrative reform and optimization of state institutes.

The next i.e. **third similarity of the Merit Principle** realization is career development. Career development is a central segment of the Performance Principle in the Public Personnel System of Turkey and Kyrgyzstan. In order to give detailed analyses below is described the Public Personnel Practices of both countries.

Republic of Turkey has Professional promotion of state servants based on the performance grades. The scoring system specified in the Civil Servants Law No. 657 and revealing the seniority of the officers is called a tier. Each public institution has a staff i.e. public servants. The public servants working in these positions are taken according to certain seniority years and continue. Starting degrees are determined according to the educational institute where the officers graduated at the beginning of their service and whether they have worked as a civil servant before. Generally, civil servants start working as one of the nine. The spelling of this indicator is expressed as 9/1 (See The Table-4.3).

Table 4.3. Salary Steps for the Civil Servants of the Republic of Turkey

Monthly Indicator Table									
Degree	Levels								
	1	2	3	4	5	6	7	8	9
1	1320	1380	1440	1500					
2	1155	1210	1265	1320	1380	1440			
3	1020	1068	1110	1155	1210	1265	1320	1380	
4	915	950	985	1020	1065	1110	1155	1210	1265
5	435	565	895	915	950	985	1020	1065	1110
6	700	785	810	835	865	895	915	950	985
7	705	720	740	760	785	810	835	865	895
8	660	675	690	705	720	740	760	785	810
9	620	630	645	660	675	690	705	720	740
10	590	600	610	620	630	645	660	675	690

11	560	570	5X0	590	600	610	620	630	645
12	545	550	555	560	570	580	590	600	610
13	530	535	540	545	550	555	560	570	580
14	515	520	525	530	535	540	545	550	555
15	500	505	510	515	520	525	530	535	540

Source: The Law No.657

As seen in the example above, the figure on the right shows an increase towards 3 altitudes. There are two important conditions for the civil servant's level to progress. The officer must serve for 1 year at the level where he is located. In order for the officer to move to the next level, there must be a vacant position. If the officer is a candidate officer, the rank does not progress until the candidate clerk ends.

The officer does not need to apply to any authority to progress gradually. However, if the officer is given a disciplinary penalty regarding the cessation of non-progress, the right to sue the competent administrative court in the area where the institution is located is reserved against this penalty. For example, if the officer started work on 01/09/2013, 01/06 /... every year. Its level is raised on.

The factors that increase the degree or level are as follows:

- Being in the same level for 1, 3 years,
- Having served for 8 years without penalty and giving one stage,
- State granting rights with extraordinary laws,
- Graduating from any school's undergraduate or associate degree program.

Useful progressive statement of the state to civil servants means that those who have not received any disciplinary sanctions over the past 8 years in slang terms among public servants. If during this time the employee has undergone a final disciplinary sanction, he cannot go to the cancellation level and will not be transferred to the next level.

The Rank of Public servants rises in such way that degree refers to the number on the left and there are 3 levels for each degree. It is necessary to stay 3 years to any degree in order for the degree to decrease (it means rising). In other words, the officer who started to work with 9/1 will be 9/2 and then 9/3 and then it will drop 1 degree as 8/1. However, if an application is made by the State regarding an extra degree or rank by the State with a special law or legal regulation, this is an exception.

Degree Step Calculation Method means that the officer must know from which degree of the cadre he started to work. And as mentioned above, the seniority is written on the left as 6/1 - 8/2, and the calculation is made from the right side downwards.

In Kyrgyzstan, since 2013, the system of remuneration of public servants has been harmonized. If previously the size of wages in a particular position depended only on the length of service, regardless of the quality of the employee, now its size is affected by the coefficient (step) in payment, which is established based on the results of the annual assessment of employees. The pay step may increase annually, which is equivalent to an average salary increase of 8 to 17 percent. In total, 10 steps are provided (Tarbinskiy, 2018:14).

PAYMENT GRID: The multiplicity factors used in determining the size of official salaries of state civil servants and municipal employees of the Kyrgyz Republic in administrative positions.

Table 4.4. Payment Grid

Classification of state civil and municipal posts	S T E P S									
	1	2	3	4	5	6	7	8	9	10
Higher “A”	3,36	3,53	3,71	3,9	4,1	4,31	4,53	4,76	5,0	5,25
Higher “B”	3,05	3,2	3,36	3,53	3,71	3,9	4,1	4,31	4,53	4,76
Main “A”	2,5	2,63	2,76	2,9	3,05	3,2	3,36	3,53	3,71	3,9

Main “B”	2,27	2,38	2,5	2,63	2,76	2,9	3,05	3,2	3,36	3,53
Senior “A”	2,06	2,16	2,27	2,38	2,5	2,63	2,76	2,9	3,05	3,2
Senior “B”	1,88	1,97	2,07	2,17	2,28	2,39	2,51	2,64	2,77	2,91
Junior “A”	1,71	1,8	1,89	1,98	2,08	2,18	2,29	2,4	2,52	2,65
Junior “B”	1,55	1,63	1,71	1,8	1,89	1,98	2,08	2,18	2,29	2,4

Adopted from the PPS of the KR report in 2018.

For the first time, the wage system for employees has become open to the public. Prior to the introduction of a unified system of remuneration, the size of their wages was approved by documents under the heading “For official use”. None of the employees knew the size of the payment of their colleagues in another ministry or department. The amount of payment could be significantly higher in individual bodies “close” to the leadership, who lobbied for such a payment. The current openness in wage issues has arisen due to the harmonization of the wage system for employees in 2013. Now everyone has the opportunity to get acquainted with the size of wages in state bodies and local authorities in any electronic database of legal documents (UNDP report, 2016:28).

The introduction of steps in remuneration based on the annual assessment of staff is another type of incentive for the quality performance of official duties (Tarbinskiy, 2018:12).

And **the fourth similarity** is concerning the use of the performance evaluation mechanisms of the public servant's outcomes within the Public Personnel Management System in Turkey and Kyrgyzstan. This should be stressed especially that the practice of periodical and systematic performance evaluation of the civil servants in Turkey has been introduced a long time ago i.e. since 2004. Therefore, the experiences of the Turkish Public Personnel System in comparison with Kyrgyzstan's experiences are enough deeper. Thus, in 2017 the Government of Turkey scaled the public personnel regime. In the new system, considering the workload, the official has a 6-month or 1-

year report card. Additional payment is made to the personnel who are successful in the performance evaluation. After the constitutional reform in 2017, the public personnel regime in Turkey was reorganized. In the new system, which aims to prevent the reappearance of terrorist organizations such as FETÖ in the state and to eradicate the privileged groups, the official is given a 6-month or one-year report card considering the workload. Contract staff who have a successful report card receive additional payment. The headlines that draw attention in the regulation are as follows:

- 6-MONTH-ONE-YEAR REPORT: Public institutions and organizations will determine 6-month or one-year evaluation periods, taking into account service requirements and workload.
- IT CONSISTS FOUR-STAGE: Institutions and organizations have four-stage evaluations as A, B, C, D. The closest supervisor evaluate the performance of the institution in strategic tasks to achieve its objectives. The institutions decide who will evaluate their duties.
- 360 DEGREE MODEL: 360-degree evaluation model applied at the level of attitude, behavior, knowledge, and skill expected from the staff.
- SUCCESS POINTS ARE GIVEN: The success evaluation process will consist of planning, monitoring, stages. Achievement score, goal, task, competence and citizen satisfaction will be determined by their weight percent.
- SUCCESS FEE PAYMENT: The status of the staff is evaluated in their promotion, support of personal development opportunities, and assignments abroad. Contracted staff is paid the success fee.
- C-D LOW SUCCESSFUL: At least two of the successive evaluation periods, at least two of the personnel with a success score of D, such as a change of duty or place of duty, termination of the contract will be taken.
- CORPORATE REGULATIONS: Institutional regulations will be put into effect by obtaining an appropriate opinion from the State Personnel Directorate.
- THE OFFICER OF LOW-GRADE OFFICER TO BE CANCELED: A four-stage assessment is made on the report including A, B, C, D. Taking into account the objectives, duties, and competencies of the civil servant, citizen satisfaction is evaluated.

For those who have a report card A or B, priority fee is paid as well as priority in overseas missions. Development plans are prepared for those with a report card C and D, taking into account their shortcomings. At least two of the three evaluation periods, measures are taken about the staff at D level. When deemed necessary, the contract of the contracted staff will be terminated.

- **PERFORMANCE EVALUATION GUIDE:** The state regulation on the report card system for public personnel has been adopted after the discussion at the Governmental workshop on 8-9 March in 2017. Instead of the removed registry system, a performance evaluation guide was prepared for an evaluation system considering performance strengthening in the public service.

Source: Memurlar.net

The above-described mechanisms of the periodical performance evaluation system of the civil servants are the key instruments for measuring productivity and outcomes of the public servants in Turkey. On the other hand, it gives an opportunity to motivate the public officers and to increase the efficiency of the public sector. This factor has been especially noted in the monitoring report prepared by the OECD, SIGMA and EU in the 2015 year. Concerning the relevance of these practices with the Merit Principles, this is widely visible and indicatable that **the Performance and Guarantee Principles** are mutually integrated with that system.

In the Public Personnel System of the Kyrgyz Republic implements In-Service Evaluation Policy, this is an actual in the Performance Measuring process in the Public Sector of Kyrgyzstan. Since 2013, a system for evaluating the performance of state and municipal employees has been introduced. This aimed at improving the effectiveness and quality of their work. The system is based on the use of key performance indicators of employees, which provides for the addition of the coefficient to the base wage rate. In the public service system of Kyrgyzstan are widely used two types of evaluation:

- performance-based evaluation - an evaluation of the in-service mainly accounted per quarters i.e. every three months and six months;
- erformance evaluation of annual one year;

Since 2016 an assessment of the activity outcomes of civil servants and municipal servants is enshrined in Article 29 of the Law of the Kyrgyz Republic on public service (Chapter 5, Article 29:25). Thus, Evaluation of the performance of employees defined as a determination of the degree of effectiveness of the performance of official duties in accordance with the goals and objectives of the state body, local government, and career prospects. And General Principles for conducting an assessment are including:

- Objectivity - an impartial, unbiased attitude to an employee and his activities in a state body or local government;
- Uniformity - a list of estimated indicators and criteria established by a single model;
- Transparency - an open procedure for evaluating employees, the results of which are communicated to the employee with an explanation of the reasons and motives for their adoption;
- Regularity - periodically in a timely manner organized assessment procedure.

The objectives of the assessment are:

- Determination of the professional level of the employee, including the quality, volume, and complexity of the work;
- Determining the degree of employee contribution to the achievement of the goals and objectives of the state body and local government;
- Analysis of the current results of achieving the objectives;
- Adjustment of the process of achieving results;
- Employee professional development planning;
- Employee incentive to achieve high results.
- The assessment is carried out annually based on the employee's performance, taking into account quarterly estimates.

- To carry out the assessment, a commission of the state body, the local government body is formed (hereinafter - the evaluation committee).
- The evaluation committee determines the employee's annual assessment based on which:
 - Determines the step (coefficient) in the payroll grid;
 - Determine the conformity or non-conformity of the post;
 - Makes proposals for promotion or demotion;
 - Makes proposals for incentives;
 - Makes proposals for advanced training;
 - Makes proposals on employee rotation;
 - Recommends for assignment of a class rank;
 - Recommends for inclusion in the internal reserve of frames.
- On the recommendation and proposal of the evaluation committee, the head of the state body, the local authority takes a corresponding decision.
- The procedure for conducting an assessment is determined by the Government.

The Performance and Guarantee Principles of Meritocracy exist and available in the realization of the In-Service Evaluation practices in the Public Personnel System of Kyrgyzstan. Thereby it shall be stated that this practice of similarity is a key sign that the Merit Principles have actions by Public Performance Management practices within the whole system of public administration in both republics.

The Fifth similarity includes the existence of the special state body working on the state personnel policy. This similarity is justifying the wide range of existence of the **Openness and Equality Principles** in terms of Merit concept.

Since 2004 an authorized body for civil service affairs known as State Personnel Service of the Kyrgyz Republic is working. The main mission of this structure is to implement the state personnel policy. According to the Decree of the President of the Kyrgyz

Republic dated September 30, 2013 No 198 and as amended by the Decree of the President of the Kyrgyz Republic dated July 11, 2018, No. 150, the **State Personnel Service** of the Kyrgyz Republic (SPS) is a state body authorized to develop, implement and ensure the stable functioning of a unified state personnel policy in government bodies and local self-government of the Kyrgyz Republic.

- The SPS in its activities is guided by the Constitution, laws and other regulatory legal acts of the Kyrgyz Republic, international treaties that have entered into force in the manner prescribed by law, to which the Kyrgyz Republic is a party, as well as this Regulation.
- SPS operates in accordance with national and state concepts and development programs and builds its work on the principles of openness, close interaction with government bodies, civil society, non-profit organizations, and the expert community.
- The SPS is the single coordinating body on the formation and placement of the state order for state programs for the training, retraining, advanced training and internships of state civil servants and municipal employees, including abroad.
- SPS is the working body of the Council on State Civil Service and Municipal Service.
- SPS is a legal entity.
- SPS is directly subordinate and accountable to the President of the Kyrgyz Republic.

The main tasks of the SPS are:

- Improvement of a unified state personnel policy in the field of state civil service and municipal service;
- The construction of a highly professional management system for the state civil service and municipal service;
- Increasing the prestige of service in state bodies and local authorities;

- Ensuring the rights and legitimate interests of employees.

SPS is improving a unified personnel policy in the state civil service and municipal service and providing below functions:

- Analysis, monitoring, and evaluation of the functioning of the state civil service and municipal service for making decisions on its improvement;
- Development and approval of regulatory legal acts in the field of state civil service and municipal service;
- Giving an opinion on initiated draft laws in the field of state civil service and municipal service with subsequent submission to the Council;
- Development of employee ethics;
- Development of regulatory legal acts to systematize and create uniform conditions for standard qualification requirements, job descriptions, provisions and standards of procedures for competitive selection of candidates for vacant administrative public positions and administrative municipal posts, career advancement, admission to the personnel reserve and performance evaluation based on the results of state civil service and municipal service;
- Ensuring transparency, openness, timely updating and improvement of testing procedures and tools;
- Building a system of material and non-material motivation of employees, stimulating an increase in their professionalism;
- Implementation of mechanisms for the formation and functioning of the national and internal reserves of personnel of the state civil service and municipal service;
- Assistance in building the institution of mentoring in state bodies and local authorities through the provision of methodological assistance, consultations, training events;
- The formation, planning, and forecasting of the total training needs of employees and persons in the reserve of personnel;

- Organization of career growth of employees at the system level;
- Effective use of the personnel reserve in state bodies and local authorities;
- Participation in the preparation of draft international treaties and the implementation of international cooperation in the field of public civil service and municipal service;
- Providing advisory, methodological and informational assistance to state bodies and local self-government bodies on issues of state personnel policy, passing the state civil service and municipal service;
- Monitoring compliance with legislation in the field of state civil service and municipal service;

Regarding the building of a highly professional management system for the state civil service and municipal service SPS fulfills below activities:

- The orientation of operational management to achieve strategic goals and objectives of the personnel policy based on national and state program concepts and documents, as well as decisions of the Council;
- The formation of a managerial apparatus with sufficient authority and potential to implement a unified personnel policy in the field of state civil service and municipal service;
- Development of a register of state and municipal posts;
- Development of standards and competitive selection for the posts of state secretaries of state bodies;
- Assessment of the effectiveness of the activities of state secretaries and heads of staff of state bodies;
- Organization and conduct of a rating and monitoring of the activities of state secretaries and heads of state bodies;

- Evaluation of the effectiveness of the activities of the heads of apparatus and executive secretaries of local governments;
- Monitoring the activities of the heads of apparatus and executive secretaries of local governments on issues of municipal service;
- Regulation of the activities of the institution of state secretaries;
- Initiating the consideration by the Council of the issue of rotation or the correspondence of the position of state secretaries;
- Coordination of the work of state bodies and local self-government bodies on the selection of candidates for the state civil service and municipal service;
- Monitoring the implementation by employees of ethical standards;
- Application of the budget planning and execution model, ensuring the interconnection of budget financing with the results of achieving targeted development programs;
- Coordination of state educational programs for training, advanced training and retraining of employees;
- The formation of state order for the training of employees, as well as the organization of scientific and research activities in the field of state civil service and municipal service;
- Coordination of donor assistance in the field of employee training;
- Evaluation of the effectiveness and efficiency of employee training;
- The formation of statistical reporting in the field of state civil service and municipal service;
- Implementation, development, and administration of an information (automated) human resources management system in the state civil service and municipal service;

- Development, formation, and modernization of the base of test questions for employees and candidates for filling vacant administrative public positions and administrative municipal posts, as well as other tests in accordance with special requirements imposed by state bodies and local self-government bodies for administrative state and municipal posts;
- Organization and testing of candidates for filling administrative vacancies;
- Organization and conduct of polygraph testing of candidates for filling vacant posts and during official investigations;
- Organization of discussions and development of proposals on pressing problems of the state civil service and municipal service;
- Organization and support for the implementation of distance learning of state and municipal employees;

In the field of increasing the prestige of service in state bodies and local authorities:

- Annual generalization of proposals of state bodies and local self-government bodies on the subject of research work on problems of state and municipal government;
- Generalization, implementation and wide discussion of the positive experience of state bodies and local governments;
- Ensuring information transparency of the activities of state bodies and local governments;
- Interaction with various organizations of the political, professional and civil sectors at the national and international levels;
- The introduction of innovative mechanisms to stimulate promising developments and proposals of employees;
- Ensuring information accessibility in resolving personnel issues to state bodies and local self-government through the support of a departmental website and print media;

- Timely placement of relevant information on the characteristics of the personnel policy in the state civil service and municipal service in the mass media demanded by the company;
- Promotion of an effective state personnel policy at meetings and events of the state, public and professional plan;
- Ensuring the rights and legitimate interests of employees;

In the field of ensuring the rights and legitimate interests of employees:

- Consideration of applications and complaints of employees, individuals and legal entities regarding compliance with the legislation of the Kyrgyz Republic on the state civil service and municipal service for taking the necessary measures, as well as monitoring their implementation;
- The creation and maintenance of a database of employees who caused material damage to the state, as well as the implementation of control of compensation for damage;
- The formation of a database of employees dismissed from their posts on negative grounds;
- Providing advice to employees, citizens of the Kyrgyz Republic on issues of state civil service and municipal service;

As a concluding remark of the above-listed mission, functions, and tasks of the SPS that for implementing the above tasks and functions, the SPS is vested with the following powers:

- Submit for consideration by the President of the Kyrgyz Republic, the Government of the Kyrgyz Republic proposals for the further development and modernization of the state civil service and municipal service;
- Make proposals on canceling the decisions of state bodies and local self-government bodies, adopted in violation of the legislation on the state civil service and municipal service of the Kyrgyz Republic;

- In the prescribed manner to attract representatives of state bodies and local governments, other organizations to develop programs and projects in the field of public civil service and municipal service;
- Interact with relevant committees of the Jogorku Kenesh of the Kyrgyz Republic on issues of state civil service and municipal service;
- Listen to reports of state secretaries on the state of affairs in the field of public civil service;
- In the prescribed manner to cooperate and develop relations with international partners on issues of the state civil service and municipal service;
- In the prescribed manner to attract financial resources of international and other organizations for the development of draft normative legal acts in the field of state civil service and municipal service;
- Conclude international agreements in the field of training, advanced training, and exchange of experience of employees in accordance with the legislation of the Kyrgyz Republic;
- Create state information systems and databases in the field of state civil service and municipal service;
- Form a state order and organize the conduct of training and advanced training of employees;
- Make proposals to the President of the Kyrgyz Republic, the Government of the Kyrgyz Republic on the formation of advisory bodies on the issues of state civil service and municipal service;
- To request and receive from the state bodies and bodies of local self-government, legal entities, and individuals the information under their jurisdiction, within the limits of the powers granted;
- Conclude cooperation agreements with state bodies and local self-government bodies, public associations, and organizations;

- To make representations to the President of the Kyrgyz Republic, the Prime Minister of the Kyrgyz Republic on holding accountable the heads of state bodies and local self-government bodies that do not comply with the requirements of the legislation of the Kyrgyz Republic in the field of state civil service and municipal service;
- Exercise other powers provided for by the legislation of the Kyrgyz Republic.

So, in the activities of the State Personnel Service of the Kyrgyz Republic, the selection of personnel is one of the priority areas in terms of reforming the civil service. Accordingly, in the framework of the adoption of the Law on Public Service, uniform standards and rules were developed and put into practice, which are mandatory for all state bodies for the selection of personnel, ensuring openness and transparency in hiring, the formation of a national personnel reserve, and coordination of development and advanced training of civil servants.

With the support of the World Bank, within the framework of the development of the civil service and the creation of a unified personnel selection system for the civil service, a Testing Center was created in the 2006 year. This Center plays a key role in assessing the professional knowledge of candidates for vacant state administrative and municipal posts. The Testing Center competitive selection of candidates is carried out in two stages, while the general level of knowledge of the legislation of the Kyrgyz Republic in the field of state and municipal government, the directions of activity of state bodies, and local government bodies are determined, as a result of which the candidates pass the screening for the next stage - interview. (Tarbinskiy, 2018:45). In practice, testing issues are compiled according to regulatory legal acts, general and sectoral, therefore they do not show the full possession of professional competencies and the profession, as they do not evaluate professional competencies.

The practice of the Republic of Turkey: Since the 1960 year is effectively working the State Personnel Presidency (Devlet Personel Başkanlığı). Due to the reforms in 2018, this state body is under the Ministry of Family, Labor, and Social Services of the Turkish Government. However, this should be noted that the State

Personnel Presidency from 1960 to 2017 had been under the Prime Ministry Office of Turkey. And during those periods of time has been implemented the Public Performance Management practices based on the Merit Principles. According to the official normative acts of Republic of Turkey, The State Personnel Presidency is pursuing the below mission:

- To organize the main principles and policies of the Public personnel regime; the structure, responsibilities, and duties of public organizations and institutions; the personnel system of public employees, so that they fit the country's conditions;
- To apply and revise the Personnel Policies which are set down; to monitor and supervise the application;
- To maintain harmony, balance, and coordination among the personnel regimes.

Powers, Duties, and Responsibilities of this state body includes below functions:

- To assist the Board of Ministers in determining and implementing a personnel policy, and to maintain the coordination;
- To determine the principles of public personnel's legal and financial status;
- To prepare necessary laws and by-laws as well as other administrative texts about the public personnel system;
- To organize the procedures and principles that will be applied to meet the personnel needs of public organizations and institutions;
- To do research on the standardization of cadres and titles, job analysis and similar topics;
- To set up necessary principles so as to ensure harmony and balance among the personnel regimes;
- To present opinion regarding drafts of laws and legislation on personnel and organization prepared by the public organizations and institutions;
- To assist the public institutions with personnel planning and application;

- To track the case of the personnel, whose appointment proposal has been made to other public institutions and organizations, until the employee starts in his/her new position, to solve any problem of personnel;

The functional duty of the State Personnel Presidency of Turkey also implements the training of Public Personnel. This duty mainly provides below works:

- To work in order to train the public servants in the country and in abroad with pre-service and in-service training, to make proposals to the related institutions; to provide services of cooperation, if necessary to review, evaluate and supervise the application;
- To establish training centers for the employees to be recruited in the personnel departments of public institutions and organizations, to determine the training needs;

Recruitment Processes to public service based on a competitive and alternative examination, which is being widely accepted as a **Transparent, Open and Equality Principles of Meritocracy** also direct duty supply of State Personnel Presidency of Turkey. This duty includes below activities:

- To set out the principles and procedures to maintain justice and merit in the process of recruiting public personnel; to coordinate the planning of public personnel employment in collaboration with the related public institutions and organizations;
- To ensure that the Public Employees Selection Exam (KPSS) is held in accordance with the expectancies of public organizations and institutions as well as of the prospective civil servants;
- To review the positions with the public organizations and institutions wish to fill within the central placement; to complete the placement transactions in collaboration with OSYM;
- To publish the announcements of public recruitment on the website of the Ministry of Family, Labor, and Social Services of the Turkish Government;

And last part of the functional duty of the State Personnel Presidency of Turkey engages the cooperation with the Trade Union on Public Personnel Rights. And the following duties exist:

- To maintain coordination throughout the process of collective agreement between the public employees' trade unions, the confederations they are bound to Public Employers Board;
- To perform the required legislation preparation arrangements in order to put the agreement into effect on the condition that the parties have reached a mutual consensus in the collective bargaining process; to ensure communication between the public institutions and trade unions.

As seen in the above analyses of the fourth similarity, the State Personnel Service in both countries plays a key role in implementing effective Public Personnel Policies based on performance-oriented and merit-based practical mechanisms. Taking into account this factor, here is a conclusion meaning that the State Body providing Public Personnel Management and its policies mainly deal with legal- normative, organizational and methodological, and evaluation and feedback obligatory activities. And as seen in the above analyses, all those activities are widely accepted and interrelated with the Merit Principles of Equality, Openness, and Performance. Thus, the future perspective about the increasing merit-based performance practices in the public service is constantly will depend on the effective and transparent management in the whole Public Personnel System. Thereby, this part needs in periodical and annual researches by the order of the government, international donor communities or civil platforms. And the outcome of such studies will provide flexible and objective guidelines and recommendations on improving the efficiency of public service.

4.2.2. Specifics in Realizations of the Merit Principle System

Comparative studies on the differences within the realizations of the Merit Principles in the Public Personnel System in Turkey and Kyrgyzstan defined several key specifics. And these profound specifics are mainly based on the historical and traditional

heritages of the institutional conformity of the state authority and the rational neither irrational perception of the society itself. Taking into account the historical and legal background and heritages of the Republic of Turkey and the Kyrgyz Republic, the differences in the realizations of the Merit Principles in the Public Personnel System have objective consequences. In order to make relevant analyses in this study has been reviewed by relevant articles and monitoring reports. Thus, this study carries that the agenda and tendency of governmental plans targeting on political and administrative reforms, the impact of external actors i.e. international, subregional confederation, units and states to the political and administrative agenda, plus effects of the memories and precedents formed by the state institutes are standing as the main difference elements in the cases of both countries.

Concerning the Public Personnel System of the Republic of Turkey, differences in Realizations of the Merit Principle System are mainly visible and actual in terms of the impact of the introduced since 2017 the Presidential state authority system. This is a key factor, which is seriously influencing and moreover the forming the practical use of merit-based performance policy in the public sector. The strong authority of the President and new amendments into the Turkish constitution make an effect within the whole process of public administration. Influence of the ruling party AKP known as Justice and Development party of Turkey in the processes of appointing the ministries, deputy ministries, heads of state organizations and educational institutes and regional governors and many other key positions are quite prevalent. This factor is widely noted and discussed by several European Union's monitoring reports and notes and critics of the oppositional media.

According to official comments of the Administration of the President of Turkey, there are structurally existing 16 Ministries and state committees in the government. And this system was introduced within the new constitutional reforms of Turkey in 2017. As a result of this reform, the Prime ministry office was abolished; the number ministries and committees were shrunk from 22 to 16. Within these processes, the Public Personnel Presidency of the Republic of Turkey downsized and given to the Ministry of Labor,

Family, and social services. It especially should be noted that the Public Personnel Presidency of Turkey had functioned a long period of time under the direct coordination of the Prime Ministry office. Thus, conditions and inner effects of the practical usage of Merit Principles in the Public Personnel System of Turkey is facing challenges and transitions concerning the New Presidential System (Turan, 2018:43-85).

In the Kyrgyz Republic, according to the new constitution adopted in 2010, the state authority system is designed by the format and principle of a parliamentary republic. However, this model is not representing the pure parliamentary republic. This model is characterized as a mixed form of Parliamentarianism and Presidentialism. (Chotaev, 2013:101-113). And Public Personnel Management is under the charge of the President Administration of the Kyrgyz Republic. Therefore, the influence of the President's office to the Public Personnel system is also actual and useable. Here also can be seen that the processes of appointing to political positions such as the ministers, deputy ministries, heads of state committees are right of the Prime Minister with the approval of the Jogorku Kenesh i.e. parliament and the Ukaz of the President of a country. From the other side, the prime minister has a full of rights to appoint and to dismiss the directors of state agencies, and inspections, regional governors, heads of district state administrations, etc,

In these processes we can see that the power and rights of the President of the country are limited and meanwhile the Prime-minister as a head of government has more rights and obligations.

However, within this new system functioning since 2010 is an actual and prevail the impact of the ruling party known as the Social and Democratic Party of Kyrgyzstan concerning the Public Personnel Policy in terms of appointments and promotions own cadres. (Glinkina, 2017:149).

Based on the above analyses is possible to frame comment that the Merit Principles of Equality and Openness are seeming in practices and guaranteed in the law. However, on the other hands by the reason of some elements of cronyism and favoritism based on the lobby activities of ruling parties in Turkey and Kyrgyzstan, support of the

spoiled system exists. And in the middle range and strategic rates, this kind of condition may damage the efficiency and image of the public service system.

Within the career planning and career development stages also is an existing difference. Here main difference is concerning the organization of the public service recruiting exams. For instance in Turkey is providing the **Public Personnel Selection Exam** known as KPSS, which is well centralized, designed. Concerning this first should be explained what is Public Personnel Selection Exam known as KPSS? KPSS are all exams carried out by **ÖSYM** (The Center of Professional Exam) to determine the personnel to take part in public institutions and organizations. Exams in KPSS vary according to the departments where the candidates graduate and the positions they will be assigned. The staffs recruited with KPSS are divided into two groups, A and B.

- Group A Squads: Inspection of the positions and duties of the special provincial administrations and municipalities and the professions related to the professions, which are entered through a special competition examination and subjected to a proficiency exam after a specific training program, at the Ministries, and their secretariat, presidency, and independent general directorate levels.
- B Group Squads; general and special budget institutions and the institutions with revolving funds, the funds established by law and surety chests, provincial special administrations and municipalities, provincial special administrations and municipalities and their associations with revolving funds. It is for the first time to be appointed to the positions and positions to be appointed to public service and duties, except for the professions mentioned in (a) above in organizations and other public institutions and organizations.

As it was found in the research the KPSS exam for the B group applicants is conducted every year on the centralized manner on the same day and month in over country for the alumni newly graduated from the universities.

And the KPSS exam for the A group applicants is conducted once in two years, based on the personnel needs of the Ministries and state agencies.

Depending on the exam type, high school, associate degree or undergraduate graduates can enter in the KPSS exam. Students who will graduate within the validity period of the exam can also participate in the exam.(Kaplan, 2015).

Concerning the KPSS exam conducting periods, Public Personnel Selection Exam (KPSS) for Group A i.e. teachers vacancies regarding General Talent-General Culture-Educational Sciences conducted on 14 July 2019. KPSS for A group applicants conducted on 20 -21 July. 2019 KPSS Teaching Area Information (ÖABT) held on July 28, 2019. Thus, KPSS results announced on August 29. In 2019 KPSS undergraduate exam applications began on May 3, 2019, and were end on May 15. The KPSS late application deadline was until May 28, 2019, at 23:59.

And state organization known as ÖSYM is responsible to organize the KPSS exams. ÖSYM- The Measurement, Selection and Placement Center was established in 1974. When it was established, the name of this organization was the Interuniversity Student Selection and Placement Center, namely ÜSYM, later in 1981 became namely ÖSYM - a Student Selection and Placement Center. ÖSYM is the center of many exams preparing and implementing institutions in Turkey. There is also a Public Personnel Selection Examination (KPSS) within its responsibility. ÖSYM operates ÖSYS which is the Student Selection and Placement System.¹⁶

A practical example of Turkey concerning the rights of civil servants, on merit-based career development shows that in 2004 due to the critics of the President, the judiciary has also made some interventions in order to ensure the principles of career and merit. As an example; “Article 22 of the Regulation on the Appointment and Relocation of the Education Institutions Administrators of the Ministry of Education, published in the Official Gazette dated 11.01.2004 and numbered 25343” has been canceled by the Council of State on the grounds that “the verbal examination arrangement does not comply with the objective career and merit principles.” The Regulation on the Amendment of the Regulation on the Appointment and Relocation of

¹⁶ <https://www.osym.gov.tr/TR,8789/hakkinda.html>

the Directors of the Educational Institutions of the Ministry of Education' was published in the Official Gazette dated 02.12.2004 and numbered 25658. When the canceled regulation numbered 25343 was examined in general; 8 / c), it is worth noting that merit is taken as the basis for promotion. It seems to be in contradiction to his action.(Onural, 2005:71-72).

Contrary to previous multiple-choice exam examples, open-ended questions are the most criticized arrangement in this sense. In 2015 the Ministry of Internal Affairs Candidate Entrance Exam, explains how can be done measurement and can be shown. So, within that the Student Selection and Placement Center commented that “The exam will include open-ended questions (written exams) based on whether candidates write a long or short text on a topic asked for them, solve the given problems by writing or give long or short, written answers to the given questions. Candidates will be open in the exam. They will write the answers to the questions with three ends (written) in the answer fields in the question-answer booklet, the answers will be scanned in ÖSYM and transferred to the electronic environment by independently from the candidate. At least two raters will be evaluated independently of the candidate on the basis of the question. The score determined by the scorer will be taken into consideration. Despite the explanation, anxiety about the evaluation of the questions and merit. There have been doubts about its implementation.¹⁷

Comparatively, Kyrgyzstan is conducting the public service recruiting exams based on testing and written exams and interviews, in the case when the state bodies announce the emergence of a vacancy for the concrete position. And those exams are happening periodically within the whole year. Meanwhile, as seen in the Public Personnel System of the Kyrgyz Republic, the National Reserves of the public personnel and internal reserves of state bodies are supply mechanisms for cadre needs of state

¹⁷ <http://dokuman.osym.gov.tr/pdfdokuman/2015/Kavmakamlik/2015-KavmakamlikSINAVAILISKINGENELBILGILER30012015.pdf>

agencies in Kyrgyzstan. On the other hand, it helps highly motivated and skilled specialists to join the civil service. (SPS, 2018).

The difference exists also in the case of training and retraining of the civil servants in both countries. So, in Turkey training and retraining of the civil servants are organizing and providing by the state bodies within their internal capacity. And there is also existing Governmental scholarship support for civil servants to study abroad based on the qualification exam of knowledge of the foreign language. However, according to Public Personnel Presidency information, since 2018 Governmental scholarship support for education abroad for public servants of Turkey was temporarily frozen.¹⁸

In Kyrgyzstan, training, and retraining of the civil servants are providing under the planning, coordination, and control of the State Personnel Service of the Kyrgyz Republic with the engagement of the State Academy on public administration under the President of the Kyrgyz Republic and state universities. The process of education abroad is also available for the public servants and the scholarship support is given from the foreign universities through their state programs. This should be noted that the government of the Kyrgyz Republic is widely and effectively using educational cooperation with the developed and developing countries in order to organize the study and training of public servants.(SPS, 2018).

The next difference of the Merit Principles realization in Turkey and Kyrgyzstan concerns the promotion of career development in public service. So, as described in the above subparts of this study, Turkey has a closed career development system. So, within this system, once recruited in public service public servants will get promote positions based on the performance achievements and absence of sanctions. Within such a system, there are no need to take part in exams and competitions in order to be appointed in a higher position.

¹⁸ This information is based on the comments given by Mr. Yener Bayar, the Officer of the Public Personnel Presidency of Turkey under the Ministry of Labour, Family and Social Services on 3 March 2020.

The career development in Kyrgyzstan characterizes the open system based on competition. The main specific of this system in practice means that public servants have the opportunity to get promote positions in public service through open competition. In this case, first, the open competition provides internally among the available staff members. After that, the competition based on the tender is organized publicly within the law for all interested candidates.

This difference in practice has a key meaning concerning the use of merit-based performance. In the closed career system, the public servant has a stable and guaranteed right to continue duty and to gain promotion. The open career system requires the public servants to be prepared, trained to attend the competition tenders by the aim to get appointments for new positions within the promotion.

It can be also noted that not depending on the values of the merit-based performance policy within the career development, several politicians, with their positions against the existing ruling party and the President, quickly change their own ideology, positions and get transferred to the side of the ruling party. This kind of tendency is well known as Fouche syndrome¹⁹ in public administration, which has many examples among the bureaucrats in Turkey and as well as in Kyrgyzstan. The key concept of Fouche syndrome means that there are many bureaucrats in the civil service, which are using the elements of the universal opportunistic aim to occupy key appointments at the government. So, concerning this issue, it is possible to mention that in Turkey several officials i.e. ministers and key advisors in the Office of President are former leaders of oppositional parties against the government. In the case of Kyrgyzstan also known such officials, who continuously occupying the key positions in the government and President Administration. And they change their ideology and positions by orienting to the gaining election ruling party. Such persons in the past were active leaders of the Communist party and since 1991 they became active democrats. (Radio Azattyk, 2016). These kinds of people are dumping down merit-based performance efforts in public service. Here in order to solve such problems, the rule of law should

¹⁹ <https://www.karar.com/turkiyeden-bir-fouch-hikayesi-1546230>

keep the value, status and effective implementation of the merit-based performance policy within the system of the Public Personnel Management System.

As a prefinal note to submit this part of the analyses, it is important to make below several key conjunctions:

- So, in the case of Turkey, Merit has been taken under the protection of all relevant legislative provisions, including the Constitution, and is listed among the basic principles of the Turkish public personnel regime. In this sense, while no regulation and practice should contradict this principle or have a problematic quality in the implementation of merit, situations that contradict this principle are often encountered in practice.
- Ideal not only for the Turkish public personnel regime, but for all personnel regimes. The task of the beneficiary is to ensure that the requirements of the task and personal qualities are at the highest level, and the public personnel employed in this way are secured.
- In that case; To establish a well-functioning bureaucracy, a well-functioning public administration, the first thing to be done is to ensure that the person who is ahead of its competitors is selected for the task, which is compatible with the demands of the public service, in terms of both legal and conscientiousness.
- In order to ensure that the people with merit take place at various levels of the state, this criterion should be considered as the primary factor in recruitment, and non-merit practices should be stopped at the beginning stage of the duty. In this way, it will be ensured that the merit and the non-merger will be separated from each other at the recruitment stage, and while the merited owner will be the owner, he will be left out of the non-merit institution.
- Considering that only this method of elimination will not be sufficient for the qualifying staff, it is essential that an unconditional merit system is desired if the persons taken into public service are subjected to similar elimination later in their duties. In order to achieve this, it is imperative to seek merit in promotions made

during the task, to use the promotion discretion rights in favor of the personnel who perform the jobs and operations required by their duties in a fast, error-free and effective manner compared to other personnel in the same institution.

- It can be mentioned that there is a merit regime that includes merit in case of performing practices based on merit, both during the recruitment and following career paths, and through hiring and promotion mechanisms with objective evaluations.
- In order to have a merit-based performance regime, the Merit Principle is well needed to be effectively ensured among the articles of the Civil Servants Law. Within that, this study noted the consequences of ongoing discussions and critics in Turkey shaping the ineffective image of the Public Personnel System.
- The legal basis for the employment of a well placed and functioning staff has been laid. But; both the Civil Servants Law, which has been in force for more than half a century, and the provisions that go back centuries and that have been put into force, especially the Constitutions, from the Ottoman to the present day, have failed to ensure the enforcement of merit.
- In theory, the Principle of Merit, which is believed not to include privilege and arbitrary discretion, is accepted as a result of the rule of law, the order of political and social rights. However, in practice, contradictory practices, which are seen as contrary to the principle of merit, are not avoided, and the principles of this basic principle cannot be reflected in practice.

According to critical views and analysis of some domestic experts in Kyrgyzstan, at present, the tendency to reduce the quality of public administration continues. So, Azamat Temirkulov, an expert on public administration, for 28 years the public service created during the Soviet Union, was destroyed by widespread corruption and nepotism. People who had neither merit, nor even experience in the civil service came to senior and leadership positions in the public service. Most of the competent personnel went to international organizations and projects. Institutional memory and experience-sharing

practices ended with the departure of those who retired in the early 2000s. Today, many inexperienced young people come to the civil service, and it's scary that they meet with middle and senior managers who do not have sufficient competence and experience in public administration. A lot of citizens have appeared in the institutions of power, whose goal is to protect their own business, as well as citizens who shout loudly about patriotism, but who have no qualified idea of the state system. This situation will have an extremely negative impact on public administration at the time of the crises described above. Incompetent decisions and their implementation risk further aggravating the situation²⁰.

Concerning, the above critical opinions, the Public Personnel Service of the Kyrgyz Republic implements an open career system based on transparent tenders and competency. However, as seen in several researchers and Media publications, the problem of the cronyism practices are existing particularly among the members of the ruling political parties and factions in the parliament. Therefore, most critics and disappointments are concerning the political positions in the civil service. Second point of critics is about the too much-centralized system of training, retraining and educating the civil servants, which is mainly based on the State Academy on public administration under the President of the Kyrgyz Republic. So, concerning this is existing alternative opinions to give equal opportunities for all universities and institutes in order to gain the state orders on training the public servants.

Comparative analyses on the specifics or differences in Realization of the Merit Principle System within the Public Personnel System in Turkey and Kyrgyzstan found below points:

First, since 2018 the Public Personnel System of the Republic of Turkey, has a strong system of the Presidential state authority. Within this, forming the practical use of merit-based performance policy in the public sector. The strong authority of the President and new amendments into the Turkish constitution make an effect within the

²⁰ http://mnenie.akipress.org/unews/un_post:15695

whole process of public administration. Influence of the ruling party AKP known as Justice and Development party of Turkey in the processes of appointing the ministries, deputy ministries, heads of state organizations and educational institutes and regional governors and many other key positions are quite prevalent. Meanwhile, here are existing direct appointments of the heads of several municipalities known as kayum atama by the reason for preventing the separatist and terrorist threats. These are indicating signs of the presidential system in Turkey.

The Kyrgyz Republic has a parliamentary system, meanwhile, within that, the Public Personnel Management System is under the coordination of the President of the country. Therefore, the Public Personnel Policy is implementing in complex i.e. in a balanced model between the President, Prime Minister, and Parliament. Thereby in this system is existing efforts to keep the balance of power and power-sharing. The strong influence of international donor organizations shaped the creation of an open career system in the Public Personnel Regime based on transparent and open competition among applicants.

Despite the above specifications, the past historical heritage of governing in Turkey and the former Soviet nomenclature system creates the spoiled system images based on cronyism in the public service of both countries. Taking into account this condition, particular researches and efforts on eliminating this threat are well needed on the level of the state policy.

As a final point of this comparative analyses cures that in Turkey the Effect of the Principle of Merit on the Public Performance is weakened and here is existed a danger concerning the spoiled system based on nepotism, chronysm and favoritism impacting by the ruling party in government. In the same time, in Kyrgyzstan the Effect of the Principle of Merit on the Public Performance Policy in the public service is also weakened. Reason also mainly explained with the post-soviet political culture, revolutionary turbulences and ongoing brain drain of excellent specialists abroad.



CONCLUSION

Due to on all above-searched analyses of this study, here stands a question that what does this thesis mean? The answer is a thesis discovering and searching The Effect of the Principle of Merit on the Public Performance Policy in the Republic of Turkey and the Kyrgyz Republic. And this thesis based on comparative analysis of those two countries. Thus, this study aimed to reveal the factors stimulating the public personnel performance policy in Turkey and Kyrgyzstan. Meanwhile here also was aimed to charge overview and analyze the factors spoiling the public personnel performance policy in Turkey and Kyrgyzstan. Thereby, taking into account the importance and feedbacks of this research this study covered the analyses on the historical and legal aspects of the Merit principle development in the public personnel performance policy in post soviet country Kyrgyzstan and Republic of Turkey.

The historical and legal aspects of the Merit Principle development in the above countries have several similarities and meantime there are existing differences. The outcomes of this dissertation present key elements of this study. So, at first, the historical development shows that meritocracy has been applied in the system of public personnel policy in both countries' time by time. For instance, the success of statehood in the golden age period of the Ottoman Empire or the rapid development of Soviet Kyrgyzstan was caused in the effective implementation of public personnel policy based on meritocracy among the young generation of local society. These practices have been widely explained by scholars like İlber Ortaylı, Halil İnalcık and Aalybek Akunov and Iliyaz Satarov etc. This study also has identified that efforts to hold an effective government system based on meritocracy always existing in the political tradition of the Republic of Turkey. Here the Law on public service known as Devlet Memuru Kanunu No 657 is a powerful legal instrument giving political power for promoting the meritocracy in the civil service system of the country. And moreover, the methodological, technical and consultative assistance of the

western countries also have empowered the Public Personnel System in both countries.

For the second, the negative outcome of the public policies also existed by the factor of a spoiled system based on nepotism, cronyism, and favoritism. And these elements were critically unconstructive and the weakening of state and its further failing were the outcome of those processes. Meanwhile, the political transformations and new deal governmental policies have blocked and avoided the effects of the spoiled system in both countries. Concerning this, the examples of the dissolution of the Soviet Union and the establishment of the sovereign Kyrgyz Republic and the fall of the Ottoman Empire and appearance of the Republic of Turkey are well-known findings. In this regard, both countries have experienced the shift to the European model of the bureaucracy based on Weberian rationalism. Due to this, the government of both countries succeeded to create the Public Personnel System based on own traditional administrative heritages and European bureaucracy. Briefly saying the governmental system including the Public Personnel Regime of Turkey and Kyrgyzstan have a mixed form of the administration.

For third, the existing career development system of both countries is elaborated on two different systems like the closed European career system in the Turkish public personnel regime and the open competitive system known as the American model of career development in the Public Personnel System in Kyrgyzstan. And the implementation practices and bringing form those practices the outputs are showing that in both cases the career development is based on meritocracy. This is an advantage for the whole public administration and an opportunity to increase the efficiency of public sector.

Fourth, the appearance of the New Public Management (NPM) in the world has impacted Turkey and Kyrgyzstan. Thus the effects of NPM are transmitted to public service within Public Performance Management and its main

value of Merit Principles. Hereby, this research found the huge effects and trends of Transparency, Equality, Impartiality, Guarantee and Performance Principles in the Public Personnel Policy, which make the civil service efficient, effective, economical and equal.

Fifth, this study discovered many similar publications and researches about the future of the new public administration system in developing countries. There is a distinct condition applied within the Merit-based Performance Policy that constitute Good governance. Due to this conceptual advantage and practical engagements of Merit Policy is to motivate the public servants to provide the public services with good quality and efficient budget. Meanwhile, this study found such instruments like the E-government platform in Turkey and Kyrgyzstan, which are operating in order to achieve the effects of Transparency, Accountability, Efficiency, and Equality between the citizens (consumers) and the public sector (executor). Concerning this case, Kyrgyzstan may learn the experiences of the Turkish e-devlet system in terms of its functioning and using.

Taking into account the above points of conclusion, it is logically right to submit the emerging recommendations in order to use them in further researches and presentations for the government. Here is the hope that our government will pay attention below recommendations will improve the implementation of Merit-based Performance Policy in the public service.

Theoretically, the merit principle, which does not include privileges and arbitrary discretion, is recognized by the rule of law, granting the order of political and social rights for public servants. However, in practice, conflicting practices that are considered contrary to the merit principle cannot be avoided. In this regard, there are problems in implementing the basic principle of merit in practice.

In this regard, the proposals that can be made to ensure the effective use of Merit Principles in the public administration of Turkey and Kyrgyzstan can be stated as follows:

- The law on public service shows the general rules that lay the foundations of the state regime of public personnel;
- It is necessary to pay special attention to the process of training effective civil servants who willfully and effectively implement legislative provisions,
- It is necessary to create the necessary Merit Protection Committees, whose duties, powers and obligations will be clearly demonstrated in the law and will be binding on the public for its decisions,
- Strengthening the issues of detailed planning of the activities and processes of each state institution within the framework of effective dynamics, linking all personnel processes, determining job descriptions and working conditions from the highest official to the lowest public personnel;
- All work and transactions in institutions should be accessible to the public i.e. citizens;
- Ensuring the awareness of large masses about announcements about the availability of vacant places in state institutions using social networks and media of the country;
- Within the Internet-based Media, it is really necessary for NGOs and informal initiative groups in Kyrgyzstan especially to make efforts on organizing the online news and consultative platforms websites such as memurlar.net or kamupersoneli.net which effectively functioning in Turkey. These Internet-based platforms may promote awareness and provide support to the university alumni persons, who have intentions to become civil servants;

- Conducting objective exams and the formation of transparent assessments based on the results of exams;
- Reviewing the format and conditions of oral examinations, which are very inadequate and subjective in content when applying for the civil service, developing principles that will ensure objectivity in preparing examination questions, reducing the number of questions of general culture and increasing the number of questions to measure the knowledge and information of the contestant;
- Enabling the use of large circles, not only among those who will be first appointed to public positions at intermediate levels in the state but also, whether it is a public servant or a private sector worker who wants to become a public servant,
- Linking internal promotion with objective legal criteria, such as a term of office, education, registration, exam (promotion), academic studies, examination exam, sub-positions
- The construction of a wage system that is based on personal indicators that will be shown on the base wage, and stimulates the work of a public servant;
- With the help of performance evaluation/performance management systems, a distinction is made between those who see the service well and those who do not receive the service, who are absent, and/or who see poor service,
- The implementation of the discretionary powers of the administration in the framework of justice, ensuring the flexibility of the personnel regime;
- In order to strengthen the positive experiences of the Public Personnel Services of Turkey and Kyrgyzstan in terms of realizing the Merit-based Performance Policy within the public service sector, it is necessary to organize the open format contacts between two sides based on the intergovernmental plan of action between the Kyrgyz Republic and the Republic of Turkey. This format will

include the cooperation mainly engaging the sharing positive experiences among the state organizations and educational institutes;

- Here is objectively important to recommend for the Public Personnel System in Turkey to look forward and gradually adapt four practices of the Public Personnel System of the Kyrgyzstan. Those practices are widely analyzed and discovered in the part three and part four of this dissertation. These recommendations are including below proposals:

- First existing practice is Public Performance Evaluation system based on quarterly, half year and annually time periods, which is submitting the performance and achievements of every public servants transparently and objectively;

- Second existing practice is National and organizational public servants cadre reserve in Kyrgyzstan. This practice also may bring for the Public Personnel System in Turkey opportunity to conserve and to use the potentially effective cadres in the public service;

- Third existing practice is to re-establish the Public Personnel Directorate of the Turkey, while the same state body is existing in Kyrgyzstan, which is a state body charging to the President of the Kyrgyz Republic and providing and implementing the Public Personnel Policy;

- Fourth experience is about the limitation of spoiled efforts of the ruling parties in government and protection of public servant's rights. Based within the context of the differences of the legal bases of the Public service law of Turkey and Kyrgyzstan, here is open visible the need of the Public Personnel System of Turkey to adopt the classification of the public servants between the political and administrative i.e. executive posts. And this legal normative experience is active in the Public Personnel System of Kyrgyzstan. The adoption of this classification will give opportunity to public servants to be efficient employee. From another

side, the ruling political party or coalition in government will not violate the rights of public servants occupying the administrative posts. In practical sense, this will promote the rational Neoweberian bureaucracy;

- The intensive and proven academic researches on the Public Performance Management implementation in the public service sector are really needed for Turkey and Kyrgyzstan. Therefore cooperation of the academicians, researchers within the scientific groups between the universities and educational institutes of Turkey and Kyrgyzstan should be organized. Regarding this cooperation, would be practically useful to use the capacity of the KAYFOR network and to attract for this activity the State Academy of the Kyrgyz Republic on public administration under the President of the Kyrgyz Republic;

If all these elements are applied and disseminated in practice in the public service sector in Turkey and Kyrgyzstan, then there will be competition in hiring, competition in career advancement, efficiency in institutions, standards in the service sector, transparency, objectivity, and merit;



BIBLIOGRAPHIES

ABDALLA, H. F.- MAGHRABI, A. S. - AL-DABBAGH, T. H. (1994). "Research Note: Assessing the Effect of Nepotism on Human Resource Managers", *International Journal of Manpower*, Vol. 15, No: 1, p. 60-67.

ABDURAHIMOVA N.A., RUSTAMOVA G. (1999). The colonial system of power in Turkestan in the second half of the XIX - first quarter of the XX century. Tashkent.

ABID, N. (1998). "Performans Denetiminde Pakistanın Deneyimi Üzerine Bir Yaklaşım", *Sayıştay dergisi*. Çeviren: D.Kuvalı, 29 Nisan-Haziran. s. 104-127.

ABROSIMOV I. (2009). Personnel policy of state power in the USSR: 1939-1953. Available on <http://www.proza.ru/2011/>, (Retrieved: 06.08.2019).

AKÇAKAYA, Murat (2012). "Kamu Sektöründe Performans Yönetimi ve Uygulamada Karşılaşılan Sorunlar", *Karadeniz Araştırmaları Enstitüsü Dergisi*, Karadeniz Teknik Üniversitesi yayını, Sayı: 32, Kış, s. 171-202.

AKGÜNER, Tayfun (2009). Kamu Personel Yönetimi, Der Yayınları, İstanbul.

AKŞİN Sina, (2007). Kısa Türkiye Tarihi, İş Bankası Kültür Yayınları - Tarih Dizisi, İstanbul.

AKUNOV A. (2001). Political Kyrgyzstan. Biyiktik, Bishkek.

AKUNOV A. (2003). "Kyrgyzstan: A View from Europe". *Politics and Society*, No. 3-4, p. 59-65.

AKUNOV A.A., KANGELDIEV A.N., MAMBETALIEVA G.S. (2015). Political Science, Printhouse Teknik, Bishkek.

AKYILDIZ, Ali (2009). Osmanlı Bürokrasi ve Modernleşme, İletişim yayınevi, İstanbul.

ANDERSON, Stanley V., (1968). Ombudsman for American Government, Englewood Cliffs, Prentice-Hall, New Jersey.

ARASLI, H. - BAVIK, A. - EKİZ, E. H. (2006). "The Effects of Nepotism on Human Resource Management: The Case of Three, Four and Five Star Hotels In Northern Cyprus", *International Journal of Sociology and Social Policy*, Vol. 26, No: 7/8, p. 295-308.

ARASLI, HUSEYİN. - TUMER, MUSTAFA (2008). "Nepotism, Favoritism and Cronyism: A Study of Their Effects on Job Stress and Job Satisfaction In The Banking Industry of North Cyprus", *Social Behavior and Personality*, Vol. 36, No: 9, p. 1237-1250.

ARCHIVE KSSR, (1987). Bishkek, Vol.17.

ARKHIPOVA T.G., RUMYANTSEVA M. F., SENIN A. S. (1999). History of public service in Russia. XVIII – XX centuries, Publishing House of the Russian State Humanitarian University, Moscow.

ARMSTRONG Michael, (2006). Performance Management, key strategies and practical guidelines, 3rd edition, Kogan Page, London.

ARMSTRONG Michael, (2009). Handbook of Performance Management: An Evidence-Based Guide to Delivering High Performance, Kogan Page, London.

ARMSTRONG, M. and BARON, A. (2004). Managing Performance: Performance management in action, CIPD, London.

ASLAN, Onur Ender (2012). Kamu Personel Hukuku, T.C. Anadolu Üniversitesi Yayın No: 2701, Anadolu Üniversitesi, Eskişehir.

ASLAN, Seyfettin, Yılmaz, Abdullah (2001). “Tanzimat Döneminde Osmanlı Bürokratik Yapı ve Düşüncesinin Gelişimi”, *Cumhuriyet Üniversitesi İİBF Dergisi*, Cilt 2, Sayı 1, s. 287-297. Mevcut: <http://eskidergi.cumhuriyet.edu.tr/makale/105.pdf> (Erişim: 25.05.2019).

ASUNAKUTLU AND AVCI (2009). “Nepotizm-İş Tatmini İlişkisi: Aile İşletmelerinde Bir İnceleme”, *17. Ulusal Yönetim ve Organizasyon Kongresi Bildiririler Kitabı*, Eskişehir Osmangazi Üniversitesi, Eskişehir. Mevcut: <http://w3.balikesir.edu.tr/~seymen/yonetim.pdf> (Erişim: 27.05.2019).

ATATÜRK Mustafa Kemal, (2004). Nutuk, 2 cilt. Ankara,

ATEŞ, H. KIRILMAZ, H. ve AYDIN S., (2007). Sağlık sektöründe Performans Yönetimi Türkiye Örneği, Asıl Yayın Dağıtım, Ankara.

AYKAÇ, Burhan (1990). “Personel Yönetiminde Yeterlik İlkesi”, *Amme İdaresi Dergisi*, Cilt: 23, Sayı: 4, TODAİE, s. 91-109.

BARKER, Paul (2006). ‘A Tract for the Times’, in Geoff Dench (ed.), *The Rise and Rise of Meritocracy*. Oxford: Wiley-Blackwell, London.

BARBARA Nunberg, (1995). Managing the Civil Service: Reform Lessons from Advanced Industrialized Countries, World Bank Discussion Papers No. 204. World Bank, Washington, D.C.

BEAUMONT, P. B., (1992). Public Sector Industrial Relations, Routledge, London.

BELL D.A. & Li C. eds. (2013). The East Asian Challenge for Democracy: political meritocracy in comparative perspective. Cambridge University Press, London.

BELL, Daniel (1972). ‘On Meritocracy and Equality’, *Public Interest*, No 29 (Fall), New York. p. 30-68. Available on <https://www.nationalaffairs.com/storage/app/uploads/public/58e/1a4/b60/58e1a4b603517781616817.pdf> (Retrieved: 17.03.2019).

- BELL, Daniel (1973). *The Coming of Post-Industrial Society: A Venture in Social Forecasting*. Basic Books, New York.
- BERGMAN, R., Robbins, S., Stagg, I., & Coulter, M. (2000). *Management* (2nd ed.). Prentice-Hall, Sydney.
- BERKES, Niyazi, (1982). *Atatürk ve Devrimleri*, 1 baskı, Adam Yayıncılık, İstanbul.
- BERKES, Niyazi, (1984). *Teokrasi ve Laiklik*, 1 baskı, Adam Yayıncılık, İstanbul.
- BERKES, Niyazi. (2004). *Türkiye’de Çağdaşlaşma*, (haz.Ahmet Kuyaş), YKY Yayınlar, İstanbul
- BERKMAN, Ümit, (1983). *Az gelişmiş Ülkelerde Kamu Yönetiminde Yolsuzluk ve Rüşvet*, TODAİE Yayını, Ankara.
- BERMAN Evan M., Richard C. Kearney, (1999). *Public Sector Performance, Management, Motivation and Measurement*, Westview Press, Boulder, Colorado USA.
- BERMAN, E., BOWMAN, J., WEST, J., and VAN WART, M. (2006). *Human Resource Management in Public Service*, Thousand Oaks, CA: Sage, Berkeley.
- BERNARD Marr, (2009) *Managing and Delivering Performance*, Oxford, UK.
- BEVIR, Mark & RHODES, R. A. W. (2003). *Interpreting British governance*. Routledge. London.
- BİLGE, S. ve KİRACI, M. (2010). *Kamu sektöründe iç denetim ve iç denetimin başarıyla uygulanmasında rol oynayan faktörler: Kamu iç denetçileri üzerine bir araştırma*. Gazi Kitabevi Yayınları, Ankara.
- BILGIN K.U. (2007). “Performance management for public personnel: Multi-analysis approach toward personnel”, *Public Personnel Management*, Vol. 36, issue 2, Summer, p. 93-113.
- BILGIN Kamil Ufuk Bilgin, (2016). “A Parallel Change with the New Public Administration Approach: Human Resources Performance Management”, Edited by Yuksel Demirkaya, *New Public Management in Turkey, Local government reform*, Routledge, London, p.177-185.
- BİLGİN, Kamil Ufuk (2004). “Performans Yönetiminde İnsan Kaynağı Planlaması”, *Amme İdaresi Dergisi*, Cilt, 37, Sayı 2, Haziran. s. 123-147.
- BİLGİN, Kamil Ufuk (2004). *KAMU Performans Yönetimi*, TODAİE yayını, Ankara.
- BİNGÖL, Dursun, (2006). *İnsan Kaynakları Yönetimi*, Arıkan Basın Yayın, İstanbul.
- BOLAND, T. and FOWLER, A. (2000). “A Systems Perspective of Performance Management in Public Sector Organizations,” *International Journal of Public Sector Management*, p. 417-419.

BRECH E.F.L. (1953). The principles and practices of management, Longmans, Green and Co, New York.

BRENNAN J. (2011). The Ethics of Voting, Princeton University Press, New Jersey.

BREUL, Jonathan. (2005). August 26, Performance Pay: How the Spanish Government Makes It Work. Federal Times. OECD, Paris.

SHIRLEY, Mary M. (1989). Oct 31, Improving Public Enterprise Performance: Lessons from South Korea. World Bank. Washington D.C.

BRITANNICA Encyclopedia, available on www.britannica.com/topic/public-administration/History, (Retrieved: 06.05.2019).

BUCAKTEPE, A. (2014). “Devlet Memurluğu ve Memurların Değerlendirilmesi Üzerine Düşünceler”, *Gazi Üniversitesi Hukuk Fakültesi Dergisi*, 18/3, Temmuz, s.459-489. Available on <https://dergipark.org.tr/tr/download/article-file/789130> (Retrieved: 16.03.2019).

BÜTE, Mustafa (2009). “Aile İşletmelerinde Nepotizm: Trabzon İlinde Faaliyet Gösteren Aile Şirketlerinde Nepotizm Uygulamasının Tespitine Yönelik Bir Araştırma”. *17. Ulusal Yönetim ve Organizasyon Kongresi Bildiriler Kitabı*, Eskişehir Osmangazi Üniversitesi, Eskişehir. Mevcut: <http://w3.balikesir.edu.tr/~seymen/yonetim.pdf> (Erişim: 27.05.2019).

CANMAN, Doğan (1998) “Cumhuriyetin 75. Yılında Kamu Personel Rejimi”, *Sayıştay Dergisi*, Ekim- Aralık, Ankara.s. 4-8.

CAPLAN B. (2007). The Myth of the Rational Voter, Princeton University Press. New Jersey.

CARDONA, Francisco.(2002) October, Performance Related Pay in the Public Service. OECD, Paris.

CAUT, (2018). Karen Harper, Commentary/Working part-time in name only, available on www.caut.ca/bulletin/2018/03/commentary-working-part-time-name-only (Retrieved: 18.06.2019).

ÇEVİK. H.H., (2007). Türkiye'de KAMU Yönetimi Sorunları, Seçkin yayıncılık,Ankara.

CHAMBERS, R.G. and QUIGGIN, J. (2005). “Incentives and Standards in Agency Contracts”, *Journal of Public Economic Theory* 7, (2), p. 201-208.

CHERNYAEV. A. M.G. (1915). Chernyaev in Central Asia, Historical Bulletin. No. 15. Moscow.

CHOROTEGIN T.K. (1995). “About the origins of Kyrgyz statehood”, Scientific Journal: *Echo of events*. January 27 - February 2, Moscow, Izdat, p.79-83.

CHOTAEV Zakir, (2013). “Political Development of Kyrgyzstan after 2010 events: Prospects of Parliamentary Forms”, *Social Sciences Research Journal “Central Asia and the Caucasus”*, Vol. 16 Issue 2, Moscow, p.101-107.

CHOTONOV Usenaaly, DOSBOL Nur uulu, (2009). History of the Fatherland. Textbook for high schools. Uchkun Publishing House, Bishkek

CIA- Central Intelligence Agency of the United States of America, Factbook: Turkey, see on <https://www.cia.gov/library/publications/the-world-factbook/geos/tu.html> (Retrieved: 05.06.2019).

CIA, The World Factbook: 2018, see on <https://www.cia.gov/library/publications/resources/the-world-factbook/geos/kz.html> (Retrieved: 12.06.2019).

ÇİÇEK, Kemal, (1998). Osmanlı Yönetim Yapısında Yozlaşma ve Siyasetnameler. (Editörler: Davut Dursun ve Hamza Al) Türkiye’de Yönetim Geleneği, Kurumlar, Sorunlar ve Yeniden Yapılanma Arayışları, İlke. İstanbul.

CONSTITUTION OF SOVIET KYRGYZSTAN, Constitution of the Kyrgyz Soviet Socialist Republic, adopted on April 20, 1978, Frunze, available on <http://cbd.minjust.gov.kg/act/view/ky-kg/205064> (Retrieved: 05.11.2019).

CONSTITUTION OF THE KYRGYZ REPUBLIC, adopted by referendum (popular vote) on June 27, 2010 and enforced by the Law of the Kyrgyz Republic of June 27, 2010, Bishkek, Articles: 5, 16, 41. Available on <http://cdb.minjust.gov.kg/act/view/ru-ru/202913?cl=ru-ru> (Retrieved: 05.07.2019).

CONSTITUTION of the USSR, (1936), Moscow, available on <http://www.rusconstitution.ru/library/constitution/articles/1223/> (Retrieved: 15.11.2019).

CONSTITUTION OF USSR, Constitution (The Basic Law) Union of Soviet Socialist Republic, adopted at the Extraordinary Seventh Session Supreme Soviet of the ninth convocation, October 7, 1977.

DALEY, D.M. (1992). Performance Appraisal in the Public Sector, Techniques and Applications, Westport, Quorum Books Connecticut, London.

DEMİRBAŞ, T. (2010). Türkiye’de yerel yönetimlerin faaliyet raporları ile saydamlığı sağlama çabaları: Belediyeler üzerine bir araştırma. F. Altuğ, Ö. Çetinkaya ve S. İpek (Der.), Mahalli idareler maliyesi üzerine yazılar, Ekin Yayınları, Bursa.

DENHARDT, J. V. and R. B. Denhardt (2011). The New Public Service: Serving, Not Steering. 3rd Edition. Armonk, M. E. Sharpe. New York.

DENHARDT, R. B. and J. V. Denhardt (2000). The New Public Service: Serving Rather Than Steering. *Public Administration Review*, vol. 60, No. 6, p. 549-559.

DEVLET MEMURLARI KANUNU (657 sayılı), 12.06.1965 tarih ve 33246 sayılı Resmi Gazete. www.mevzuat.gov.tr/MevzuatMetin/1.5.657.pdf (Erişim: 18.05.2019).

DEVLET PERSONNEL BAŞKANLIĞI sitesi, 2019:3, (Erişim: 18.05.2019). Bu kurumun sitesi şuan kapatılmış.

DİLER, K. İ. (2018). Kamu Personel Hukukunda Liyakat İlkesi, Ankara Üniversitesi, Sosyal Bilimler Enstitüsü Kamu Hukuku Anabilim Dalı, (Yayımlanmamış Yüksek Lisans Tezi), Ankara.

DİNÇER, Ömer ve YILMAZ, Cevdet (2003). Değişimin Yönetimi İçin Yönetimde Değişim, Başbakanlık Yayınları, Ankara.

DPB (Devlet Personel Başkanlığı), (2014-2015). Mevcut: <http://www.dpb.gov.tr/tr-tr/kurumsal/tarihce/tarihce-ve-sunus> (Erişim: 25.05.2019).

DPB (Devlet Personel Başkanlığı). (1963). Hükümete Sunulan Yabancı Uzman Raporları (1949-1959 Yılları Arasında), Yayın No: 7, Ankara, Devlet Personel Başkanlığı..

DPB- Devlet Personel Başkanlığı yayını, (1963). Ankara

DPD (Başbakanlık Devlet Personel Dairesi). (1982). Atatürk Döneminde Devlet Personel Rejimi, Başbakanlık Basımevi, Ankara.

DPT (Devlet Planlama Teşkilatı). (2000). *Sekizinci 5 Yıllık Kalkınma Planı, Kamu Yönetiminin İyileştirilmesi ve Yeniden Yapılandırılması Özel İhtisas Komisyonu Raporu*, Mevcut: <http://ekutup.dpt.gov.tr/kamuyone/oik527.pdf> (Erişim: 22.05.2019).

DPT (Devlet Planlama Teşkilatı). (2000). *Uzun Vadeli Strateji ve Sekizinci Beş Yıllık Kalkınma Planı 2001-2005*, Ankara, Devlet Planlama Teşkilatı.

DPT (Devlet Planlama Teşkilatı). (2003). *Kamu İdareleri İçin Stratejik Planlama Kılavuzu*, Ankara, Devlet Planlama Teşkilatı.

DPT (Devlet Planlama Teşkilatı). (2006). *Kamu İdareleri İçin Stratejik Planlama Kılavuzu*, Ankara, Devlet Planlama Teşkilatı.

DPT (Devlet Planlama Teşkilatı). (2007). *Dokuzuncu Kalkınma Planı (2007-2013) 2007 Yılı Programı*, Ankara: Devlet Planlama Teşkilatı.

DPT (Devlet Planlama Teşkilatı). (2008). *Dokuzuncu Kalkınma Planı (2007-2013) 2008 Yılı Programı*, Ankara: Devlet Planlama Teşkilatı.

DPT (Devlet Planlama Teşkilatı). (2009). *Dokuzuncu Kalkınma Planı (2007-2013) 2009 Yılı Programı*, Ankara: Devlet Planlama Teşkilatı

DPT (Devlet Planlama Teşkilatı). (2010). *Dokuzuncu Kalkınma Planı (2007-2013) 2010 Yılı Programı*, Ankara: Devlet Planlama Teşkilatı.

DRAHOS Peter, (1998). The Universality of Intellectual Property Rights: Origins and Development in Intellectual Property and Human Rights. WIPO, Geneva.

DRUCKER, P.F., Maciariello, Welch J. ve Collins, J., (2007). Etkin Yöneticinin Seyir Defteri, İstanbul.

DUNLEAVY, P. and C. Hood (1994). “From Old Public Administration to New Public Management”. *Public Money & Management*, vol. 14, No. 3, p. 9-16.

EBS, EĞİTİMCİLER BİRLİĞİ SENDİKASI (2017), Kamu Performansı değerlendirme konuşmaları ve teklifleri, Ankara, Türkiye Memur Sen, see on <https://www.ebs.org.tr/manset/4318/ebs> (Erişim: 19.02.2020).

EC – Fact Sheet, the 2018 Report on Turkey, available on ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-turkey-report.pdf (Retrieved: 17.03.2019).

ERDOĞAN İlhan, (1991), İşletmelerde Personel Seçimi ve Başarı Değerleme Teknikleri, İ.Ü. İşletme Fak. Yayını, No:248, İstanbul.

ERGUN, Turgay (2004). Kamu Yönetimi, Kuram Siyasa Uygulama, TODAİE. Ankara.

EU, SIGMA and OECD monitoring report. (2016). The Principles of Public Administration, May, Turkey, available on <http://www.sigmaweb.org/publications/Monitoring-Report-2016-Turkey.pdf> (Retrieved: 27.03.2019).

EU, SIGMA and OECD monitoring report. (2017). The Principles of Public Administration, November, Turkey, available on <http://www.sigmaweb.org/publications/Monitoring-Report-2017-Turkey.pdf> (Retrieved: 27.03.2019).

EU, SIGMA and OECD, Assesment Tukey. (2012). March, available on http://www.sigmaweb.org/publications/Turkey_Assess_2012.pdf (Retrieved: 27.03.2019).

EUROPEAN COMMISSION. (2015). Turkey 2015 Report, Accompanying the document, communication from the Commission to the European Parliament, The Council, The European Economic And Social Committee and the Committee of the Regions, EU Enlargement Strategy, November 10. Brussels.

FINDLEY, Carter (2011). Kalemiyeden Mulkiyeye: Osmanlı Memurlarının Toplumsal Tarihi, Çev:Gül Çağlalı Güven, Tarih Vakfı Yurt Yayınları, İstanbul.

FLIPPO Edwin B.. (1980). Personnel Management. Grow-Hill, New York.

FLYNN, N. (2007). *Public Sector Management*. Thousand Oaks: Sage. New York.

FORBES Magazine, (2020.02.01.) Billions of dollars per coach: how business coaches have become indispensable, Ilmira Gaysina, Moscow, <https://www.forbes.ru/newsroom/karera-i-svoy-biznes/390641-milliardy-dollarov-za-kouchey-kak-biznes-trenery-stali> (Retrieved: 7.02.2019).

FORD, R. - MCLAUGHLIN, F. (1985). “Nepotism”, *Personnel Journal*, Vol. 64, No: 9, p.57-60.

FOUCAULT, Michel (2008). *The Birth of Biopolitics: Lectures at the Collège de France, 1978- 1979*, trans. Graham Burchell. Palgrave Macmillan, Basingstoke UK.

FREDERICK, William C. (2018). Corporate Social Responsibility: From Founders to Millennials, in *Corporate Social Responsibility*, edited by Weber, James and Wasieleski, David M., 3-38, Business and Society 360, vol. 2. Bingley, UK.

FRY, Geoffrey K. (2000). The British civil service system. In : *Civil service systems in Western Europe*. Bekke, Hans A. G. M. & van der Meer, Frits M. (eds.). Cheltenham. Elgar.

GALIEVA Zairash Idrisovna. (2015). *Modern Kyrgyzstan: power, political parties and society*, Kyrgyz National University, Kyrgyzstan, Bishkek.
<https://cyberleninka.ru/article/n/sovremennyy-kyrgyzstan-vlast-politicheskie-partii-i-obschestvo> (Retrieved: 22.01.2020).

GALLOUEDEC-GENUYS, (1998). *The French Administrative System*, IFCA.Paris.

GARZA Daniel, (March 12, 2012). [Government Cronyism is Back](#).
en.wikipedia.org/wiki/Cronyism (Retrieved: 7.04.2019).

GERASIMOV V.S. (2015). Political Meritocracy as Eastern alternative to the Western public administration traditions in the 21st century, Moscow State Institute of International Relations (University), Moscow, Russia.

GERAY, Cevat, (1993), “KAYA Yazanağı Açısından Yönetimin Taşra Birimlerinin ve Yerel Yönetimlerin Yeniden Düzenlenmesi”. *Çağdaş Yerel Yönetimler Dergisi*, Cilt 2, Sayı 1, Ocak, s.191-211.

GILBERT B. SIEGEL, Robert C. MYRTLE, (1985). *Public personnel administration: concepts and practices*, Houghton Mifflin Co. Boston.

GLEN, Robert M. (1990). “Performance Appraisal: an unnerving yet useful process”, *Public Personnel Management*, Vol. 19 (Spring), No 1. International Personnel Management Association, USA, p.1-10. available on
<https://www.questia.com/library/journal/1G1-8964519/performance-appraisal-an-unnerving-yet-useful-process> (Retrieved: 08.04. 2019).

GLINKINA, S.P. (2017). “Post-socialist world: results of the transformation”. Vol.2. Post-Soviet states, *Institute of Economics of the Russian Academy of Sciences*, Alethea Publishing house. St. Petersburg, p. 149-150.

GLUSHCHENKO. E. A. (2010). *Russia in Central Asia. Conquest and transformation*. Centerpolygraph. Moscow.

GÖKDENİZ, K., AYDEMİR, V. & ÇAĞAN, S. (2017). “Cumhuriyet Sonrası Türk Kamu Yönetimi’nde Liyakat Sistemi Uygulamaları”, *Ekonomi ve Yönetim Araştırmaları Dergisi*, 6(2). Ankara, s. 200-215.

GÖKÜŞ, Mehmet (2010). “Osmanlı İmparatorluğundan Modern Türkiye’ye YönetenYönetilen İlişkilerinin Gelişimi”, *Süleyman Demirel Üniversitesi İİBF Dergisi*, Cilt: 14, Sayı:20. Isparta, s. 194-201.

GORBACHEV M.S. (1995). Life and Reforms, Vol.1. Moscow.

GÖRMÜŞ, A. Ş. , KAHYA, V. (2014). “Hizmet İçi Eğitim Programlarının Kamu Çalışanlarının Motivasyonuna Etkisi: İti Maden İşletmelerinde Bir Uygulama”, *Optimum Ekonomi ve Yönetim Bilimleri Dergisi*, 1(1). Ankara, s.37-49. Mevcut: <https://dergipark.org.tr/en/download/article-file/202151> (Erişim: 05.04.2019).

GOVERNMENT OF THE KYRGYZ REPUBLIC, ORDER, (No.226-r), 27.06.2018, available on <http://cbd.minjust.gov.kg/act/view/ru-ru/216401> (Retrieved: 06.08.2019).

GÖZÜBÜYÜK, Şeref, Kili, Suna (1982). Türk Anayasa Metinleri 1839-1980, Ankara Üniversitesi Siyasal Bilgiler Fakültesi Yayınları, No: 496. Ankara

GÜLER, Birgül Ayman (1996). Yeni Sağ ve Devletin Dönüşümü – Yapısal Uyarılama Politikaları, TODAİE, Ankara.

GÜLER, Birgül Ayman (2005). Kamu Personeli Sistem ve Yönetim, İmge, Ankara.

GÜRAN, S. (1980). Memur Hukukunda Kayırma ve Liyakat Sistemleri, İstanbul Üniversitesi Yayınları, İstanbul.

GUMILEV, Lev. (2018). Полное собрание сочинений, Full Composition of writings, Moscow.

HALAÇOĞLU, Yusuf (1991). XIV-XVII. Yüzyıllarda Osmanlılarda Devlet Teşkilâtı ve Sosyal Yapı, Ankara.

HALİL İNALCIK, (2004). Osmanlı İmparatorluğu Klasik Çağ (1300-1600), (çeviren Ruşen Sezer), İstanbul.

HAPPY MANAGER UK, 2019:3 <https://the-happy-manager.com/articles/effective-management-skills/> (Retrieved: 16.01.2019).

HEYWOOD Andrew, (2004). Political Theory, Palgrave Macmillan, Printed in China.

HEYWOOD, Andrew, (2011), Global Politics, Palgrave Macmillan, NewYork.

HEGEL, F., “*Hegel’s Philosophy of Right*”, (1952, 1942). translated by T M Knox, Oxford University Press; Clarendon Press, (original of this book has been published in 1820), available on www.marxists.org/reference/archive/hegel/works/pr/ (Retrieved: 16.05.2019).

HOCAOĞLU, Durmuş (2004). İlerleme Üzerine Bir Tahlil Denemesi. Köprü, İstanbul.

HUNT Julie, and MANNING Nick , NOE L Jorm, I. (1996.). Working Towards Results: Managing Individual Performance in the Public Service, Strategies for Improvement Series No. 3. Managing the Public Service, Commonwealth Secretariat, London.

IGNATOV V.G. (2008). State and municipal service of Russia: history and modernity: textbook. allowance. Ed. 4th. Print Center “Mart”. Rostov.

ILIYASOV Satar (1959). Cooperative collective farm construction in Kyrgyzstan (1918-1929). Kirgizizdat-Printhouse, Frunze.

İNALCIK, Halil (2004). Osmanlı İmparatorluğu Klasik Çağ (1300-1600), (çeviren Ruşen Sezer), İstanbul.

İNALCIK, Halil, (1954). Osmanlı Fetih Yöntemleri, Söğütten İstanbul'a Osmanlı devletinin kuruluşu üzerine tartışmalar, Oktay Özel ve Mehmet Öz der. (2000). İmge, Ankara.

ISAEV I. L. (2013). “History of the state and law of Russia”, Norma; IPFRA-M. Moscow.

ISKAKOV Izdevaldy, ABDUKARIMOVA Aigul, JALIL Gulmira, (2017). “Staff Recruiting Problems for the State Civil Service and the Municipal Service of the Kyrgyz Republic”. *Reforma Scientific Journal of the Kyrgyz-Turk Manas University*, No 4-76, Bishkek, p.13-16. Available on <http://journals.manas.edu.kg/reforma/oldarchives/2017-4-76/02%20Iskakov.pdf> (Retrieved: 18.05.2019).

İYİİŞLEROĞLU, Salih C. (2006). Aile Şirketleri: Adana ve Çevresinde faaliyet gösteren aile şirketlerinde nepotizm uygulamasının tespitine yönelik bir araştırma, Çukurova Üniversitesi Sosyal Bilimler Enstitüsü, Yayınlanmamış Yüksek Lisans Tezi, Adana.

JUMANALIEV Akylbek (2002). Kyrgyz statehood in the twentieth century. (Documents, history, comments). Bishkek.

JUNEJA, MSG, 2015:5 <http://www.managementstudyguide.com/> (Retrieved: 8.02.2020).

KALISHEVSKIY M., (2012), “How Russia settled the colonies in Central Asia. Dedicated the 145th anniversary of the founding of the Turkestan General Governorate”, available on <https://www.fergananews.com/articles/7347> (Retrieved: 11.02.2020).

KAPLAN, R and NORTON, D. (2006). Alignment: Using the Balanced Scorecard to Create Corporate Synergies. MA: Harvard Business School Press. Boston.

KAPLAN, R. S., & NORTON, D. P. (1996). *The Balanced Scorecard: Translating Strategy into Action*. MA: Harvard Business School Press. Boston.

KARAKEÇİLİ, Enver (2017). Hurûfât Defterlerine Göre 1690-1837 Tarihlerinde Ruha Kazası. ŞURKAV Yayınları, Şanlıurfa.

KARPAT, Kemal (2019), Osmanlı Modernleşmesi Toplum, Kuramsal Değişim ve Nüfus, 4 baskı, İstanbul.

KĚJŮ, (2009). Civil Service Examinations, Berkshire Encyclopedia of China, Berkshire Publishing Group LLC. Available on

www.princeton.edu/~elman/documents/Civil%20Service%20Examinations.pdf
(Retrieved: 18.04.2019).

KESKİN, Z. (2015). Kamu Hizmetlerinde Eşitlik İlkesi, On İki Levha Yayınları. İstanbul.

KG Government report, (2019). Bishkek.

KHATRI, Naresh - Tsang, Eric W. K. (2003), “Antecedents and Consequences of Cronyism in Organizations”, *Journal of Business Ethics*. Vol. 43, No: 4, Springer. p. 290-291. Available on <https://link.springer.com/journal/10551/43/4> (Retrieved: 28.04.2019).

KIECHEL, W. (1984). “How to Relate to Nepotism”, *Fortune*, February, New York, p.143-144.

KIM D.J. (1994). “Is Culture Destiny? The Myth of Asia’s Anti-Democratic Values”, *Foreign Affairs*, November–December, New York. Available on <https://www.foreignaffairs.com/articles/southeast-asia/1994-11-01/culture-destiny-myth-asias-anti-democratic-values> (Retrieved: 07.05.2019).

KIM Pan Suk, (2011). “Performance Management and Performance Appraisal in the Public Sector”, CEPA meeting in New York, April 4-8.

KITHINJI Kiragu- Pricewaterhouse Coopers & Rwekaza Mukandala, University of Dar es Salaam, (2003), Draft Report: Tactics sequencing and politics in developing countries: lessons from Sub-Saharan Africa, January, Dar es Salaam.

KNAPP Andrew and WRIGHT Vincent, (2006). The Government and Politics of France, Routledge. Philadelphia.

KOCHETKOV A.V., (2014). State and municipal service, Studme, Moscow, see on https://studme.org/65054/pravo/gosudarstvennaya_i_munitsipalnaya_sluzhba (Retrieved: 18.02.2020).

KOICHUEV Turar, (2000). “KOR - Kyrgyzstan Development Strategy for 2000-2010 (copyright conceptual provisions)”, *Kyrgyz-Turk Manas University, Scientific Journal “Reforma”*, No 3 (7), p.5-25. Available on http://journals.manas.edu.kg/reforma/oldarchives/2000-3-7/3_1200-4014-1-PB.pdf (Retrieved: 28.02.2020).

KORNILOV M., Oleinikov D. (2015). State Governance in the Kyrgyz Republic: Ways and Opportunities for Improvement, Peoples' Friendship University of Russia, Moscow.

KUKUSHKINA Yu.S., (1985). The history of the USSR: the era of socialism: textbook for universities, Higher School. Moscow.

KUPCHAN C. (2012). “The Democratic Malaise”, *Scientific Journal: Foreign Affairs*, January-February, New York, p. 62-67. Available on

<https://www.foreignaffairs.com/articles/united-states/2011-01-01/democratic-malaise> (Retrieved: 05.04.2019).

LAW OF THE KYRGYZ REPUBLIC on public and municipal service (No.75), 30.05.2016 and available on <http://cbd.minjust.gov.kg/act/view/ru-ru/111354> (Retrieved: 28.03.2019).

LEBLANC, Peter V. and Paul W. MULVEY. (1998). How American Workers see the Rewards of Work?. Compensation and Benefits Review, Leiden University, The Netherlands.

LEWIS BERNARD. (1996). Ortadoğu, (çev. Mehmet Harmaner), İstanbul.

LIENERT, Ian. (1998). "Civil Service Reform in Africa: Mixed Results after 10 years". *Finance and Development*. June. Vol 35, No 2, International Monetary Fund, NW, Washington, D.C., U.S.A., available on <https://www.imf.org/external/pubs/ft/fandd/1998/06/lienert.htm> (Retrieved: 22.05.2019).

LOEWE, Markus-Blume, Jonas-Schönleber, Verena-Seibert, Stella-Speer, Johanna-Christian, Voss (2007). The Impact of Favouritism on the Business Climate: A Study on Wasta in Jordan, Bonn.

MAKAROV M.K. (1968). The Constitution of the RSFSR of 1925 as a historical source (1925-1936), East. Sciences. Moscow.

MANDRAUD Isabelle, (2019), Vladimir Poutine, parrain de l'extrême droite européenne, Le Monde (France), April 3, p. 6, see on www.lemonde.fr/international/article/2019/04/03/vladimir-poutine-parrain-de-l-extreme-droite-europeenne_5444940_3210.html (Retrieved: 8.04.2019).

MDNY, Yves, (1990), Government and Politics in Western Europe, trans. Janet LLOYD Oxford: Oxford University Press, UK.

MELNIKOV V. I., under the general. ed. E.V. Okhotsky, V.G. Ignatov. (1998). The public service of Russia: domestic historical experience and modernity, Public service: theory and organization: course of lectures. Phoenix. Rostov

MINISTRY OF DEVELOPMENT, Kalkınma Bakanlığı (2013). Onuncu Kalkınma Planı 2014-2018, Ankara.

MOKHOV V.P. (2005). "Nomenclature as a political institution in the history of Soviet society in the second half of the 20th century", *Scientific and Practical Journal, Management Consulting*, Moscow, p. 94 -111, available on <https://cyberleninka.ru/article/n/nomenklatura-kak-politicheskiy-institut-v-istorii-sovetskogo-obschestva-vtoroy-poloviny-hh-veka> (Retrieved: 23.02.2020).

MOMUNALIEV N., (2015). Evaluation of the efficiency of activities of state authorities in the Kyrgyz Republic: methodology and practice. Bishkek.

MUKHAEV R.T. (2012). History of public administration in Russia, Unity-Dana. Moscow.

[MULREANY](#) Michael, [T.P. Hardiman](#), (1991). Efficiency & effectiveness in the public domain, Institute of Public Administration. London, UK.

NATIONAL ENCYCLOPEDIA OF KYRGYZSTAN, (2001), Bishkek.

NICHOLSON I.F. (1997), Gelişmekte olan ülkelerde bürokrasi, İstanbul.

NISI KG-National Institute of the Kyrgyz Republic on strategic researches. (2016). Analysis of the effectiveness of public administration, Bishkek, available on <http://nisi.kg/component/attachments/download/130.html> (Retrieved: 28.08.2019).

NISI, (2016), 2015/16 Knowledge Sharing Program with Kyrgyz Republic: Effective Utilization of Financial and Human Capital for Sustainable Development of the Kyrgyz Republic, see on http://www.nisi.kg/images/publikacii/%5Bfinal%20report%5D%202015_16%20knowledge%20sharing%20program%20with%20kr_kds.pdf (Retrieved: 8.03.2020).

NSSD of KR 2013-2017, National Council for Sustainable Development of the Kyrgyz Republic, National Strategy: sustainable development of the Kyrgyz Republic for the period 2013-2017, available on <http://cbd.minjust.gov.kg/act/view/ru-ru/61542> (Retrieved: 09.07.2019).

OECD (Organization for Economic Cooperation and Development). (1990). Flexible Personnel Management in the Public Service. OECD, Paris.

OECD Policy Brief. (2005). Paying for Performance: Policies for Government Employees. May, Paris.

OECD, (2005). Modernising Government, The Way Forward, OECD, Paris.

OECD, (2015). The Future of productivity. Paris.

OECD/PUMA, Murlis, Helen. (1993). Reward Management Strategies. Pay Flexibility in the Public Sector. OECD, Paris.

OKTAY, C. (1983). Yükselen İstemler Karşısında Türk Siyasal Sistemi ve Kamu Bürokrasisi, İstanbul Üniversitesi SBF Yayını, İstanbul.

ÖKTEM, Kemal M. (1992). “Türk Kamu Personel Yönetiminin Gelişimi”, *Amme İdaresi Dergisi*, vol.25, Ankara. S. 86-105.

ONURAL, Hatun. (2005). “Üst Düzey Eğitim Yöneticilerinin Eğitim Yönetimi Alanındaki Yeterlik Sorunu ve Nedenleri”, *Kuram ve Uygulamada Eğitim Yönetimi Dergisi*, Sayı: 41, Ankara, s.69-85.

ORTAYLI, İlber (2008). Osmanlı Sarayında Hayat, İstanbul.

OSBORNE, S. P. (2006). “The New Public Governance?” *Public Management Review*, vol. 8, No. 3, p. 377-388. Available from spp.xmu.edu.cn/wp-content/uploads/.../the-New-Public-Governance.pdf. (Retrieved: 05.06.2019).

OSMAN NURI, (1977). Türk Maarif Tarihi, c. I-II. İstanbul.

OSMONOV Oskon, (2012), History of Kyrgyzstan: from ancient times to the present day, Printhouse Mezgil. Bishkek.

ÖMÜRGÖNÜLŞEN Uğur, (1989), The Evolution of security of tenure in Turkish civil service, Middle East Technical University, Institute of Social Sciences, unpublished Master thesis, Available on <https://tez.yok.gov.tr/UlusalTezMerkezi/tezSorguSonucYeni.jsp> (Retrieved:13.05.2020)

ÖZTÜRK, Ali (2001). “Kamu Kesiminde Personel ve Ücret Rejimi Arayışları”, *Sayıştay Dergisi*, Temmuz-Eylül, Sayı: 42, Ankara. S. 3-19. Mevcut: <https://jurix.com.tr/article/9327> (Erişim: 12.05.2019).

ÖZTÜRK, N. K. (2002). Liyakat Sistemini Korumanın Farklı Bir Yolu: Liyakat İlkesi Koruma Kurulu, TİD. Ankara.

ÖZYÜKSEL, Murat (1993). Feodalite ve Osmanlı Toplumu, Bursa.

PETERS B.Guy, (2001). The Politics of Bureaucracy: An Introduction to Comparative Public Administration, 6th Edition, Routledge. UK.

POISTER, T. H. (2003). *Measuring Performance in Public and Nonprofit Organizations*. Jossey-Bass. San Francisco.

POLYAKOVA Yu.A., (1981), From Capitalism to Socialism: The Main Problems of the History of the Transitional Period in the USSR 1917-1937, Science. Vol. 1. Moscow.

POOCHAROEN, O. and BRILLANTES, A. (2013). Meritocracy in Asia- Pacific: Status Issues and Challenges. <http://rop.sagepub.com/content/33/2/140.abstract> (Retrieved: 09.03.2019).

QUAH, J. S. T. (2013). “Ensuring Good Governance in Singapore: Is This Experience Transferable to Other Asian Countries?”. *International Journal of Public Sector Management*, vol. 26, No. 5, p. 401-405.

RADIO AZATTYK, Ulan Alymkul uulu Eshmatov, Aydanbek Akmat Uulu, April 04, 2016, “Political elite of Kyrgyzstan is degrading?”, see on <https://rus.azattyk.org/a/27652758.html> (Retrieved: 06.01.2020).

RADNOR, Zoe and MCGUIRE, Mary. (2004). “Performance Management in the Public Sector: Fact or Fiction?”, *International Journal of Productivity and Performance Management*. 53 (3), p. 245-260.

REPORT for the UK Department for International Development (DFID), Jan-Hinrik Meyer-Sahling (University of Nottingham), Christian Schuster (University College London), Kim Sass Mikkelsen (University of Southern Denmark), (Feb. 2018). Civil service management in developing countries: what works? Evidence from a survey with 23,000 civil servants in Africa, Asia, Eastern Europe and Latin America. UK.

REPORT of the UN Interagency Group as part of the MAPS mission for submission to the Government of the Kyrgyz Republic, (2019). Goal Progress Report on Sustainable Development in Kyrgyz Republic: Overview of integration strategies, acceleration and policy support to make progress on the Sustainable Development Goals. (Unofficial translation), Bishkek.

RIDLEY, F. F., (1983). "Career Service: A Comparative Perspective on Civil Service Promotion", *Public Administration*, Vol.61, UK. p. 179 - 196. Available on https://www.researchgate.net/publication/229566274_Career_Service_A_Comparative_Perspective_on_Civil_Service_Promotion (Retrieved: 07.03.2019).

RUGGE, F. J. Pierre and B. G. Peters (2003). *Administrative Traditions in Western Europe*. Handbook of Public Administration., Sage Publications. Thousand Oaks, California, USA.

RUTGERS Mark R., (May 1, 2001), Traditional Flavors?: The Different Sentiments in European and American Administrative Thought, Vol.33, issue: 2. UK.

SABUNCUOĞLU, Z. (2005). İnsan kaynakları yönetimi, Alfa Aktüel Basım Yayınları, Bursa.

ŞAHİN, Ali (2007). Türk Kamu Yönetiminde Siyaset-Bürokrasi İlişkisi. (Editörler: M. Akif Çukurçayır ve Gülise Gökçe). Kamu Yönetiminin Yapısal ve İşlevsel Sorunları, Çizgi.Konya.

ŞAHİN, Ali (2008). "Türk Kamu Yönetiminde Reform Çabaları ve Uluslar arası Çevrenin Etkisi", *S.Ü. Sosyal ve Ekonomik Araştırmalar Dergisi*, Sayı: 14. Konya, s. 33-37.

SAYDAM Mehmet, (2018). Türk Kamu Yönetimi İçin Önerilen Yeni Değerlendirme Sistemi:Personel Başarı Değerlendirme Sistemi (PBDS), T.C Devlet Personel Başkanlığı yayını, Ankara.

SAYDAM, Mehmet, (2005). Performansa Dayalı Ücret Sistemleri ve Türk Kamu Yönetiminde Personel Başarı Değerlendirme Sistemi (PBDS), Ankara.

SELİMOĞLU, E. & YILMAZ, H. B. (2009). "Hizmet içi eğitimin kurum ve çalışanlar üzerine etkileri". *Paradoks, Ekonomi, Sosyoloji ve Politika Dergisi*, 5 (1). S. 1-12.

SENCER, Muzaffer (1984). Tanzimat'a kadar Osmanlı Yönetim Sistemi, *Amme İdaresi Dergisi*, Cilt: 17, Sayı: 2, Haziran. S. 21-44.

SETA Perspective, (2018). Mehmet Zahid Sobacı, Nebi Miş, Özer Köseoğlu, Turkey's New Government Model and the Presidential Organization, No 45: July, SETA publications. Ankara.

SHAFRITZ, Jay M., Norma M. Riccucci, David H. Rosenbloom and Albert C. Hyde. (1992). Personnel Management in Government (4th edn.) Marcel Dekker. New York.

SHERIPOV Nurlan, (2011). State civil service of the Kyrgyz Republic (Administrative - legal study), Bishkek.

SIENKEWICZ, T. (2003). Encyclopedia of the Ancient World. Salem Press. New Jersey.

SIGMA UPDATE. (2005). May, Performance Related Pay. Brussels.

SIGMA, OECD, EU, (2015). Turkey Monitoring report, Brussels.

SIGMA-EU-OECD, (2016). The monitoring report, The Principles of Public Administration, Turkey, May. Brussels.

SIGMA-EU-OECD, (2019). The Principles of Public Administration, Turkey, available on <http://www.sigmaweb.org/publications/Monitoring-Report-2019-Turkey.pdf> (Retrieved: 07.06.2019).

SIMOPISHVILI L. R. (2011). Forms of government: history and modernity, Flint MPSI. Moscow

SLOMA, Richard S. (1980). How to Measure Managerial Performance, Macmillan Publishing, New York.

SPO, (Devlet Personel Başkanlığı). (1963). Hükümete Sunulan Yabancı Uzman Raporları (1949-1959 Yılları Arasında), Yayın No: 7, Ankara.

SPO, (2000). TC Devlet Personel Başkanlığı yayını, Ankara.

SPO, (2007). TC Devlet Personel Başkanlığı yayını, Ankara.

SPS of KR report, State Personnel Service of the Kyrgyz Republic, Annual report on activities in 2016.

SPS of KR report, State Personnel Service of the Kyrgyz Republic, Annual report on activities in 2013, Bishkek.

SPS of KR report, State Personnel Service of the Kyrgyz Republic, Annual report on activities in 2017, Bishkek.

SPS of KR report, State Personnel Service of the Kyrgyz Republic, Annual report on activities in 2018, Bishkek.

SPS of KR report, State Personnel Service of the Kyrgyz Republic, Annual report on activities in 2014, Bishkek.

SPS of KR report, State Personnel Service of the Kyrgyz Republic, Annual report on activities in 2019, Bishkek.

STARODUBTSEV, I.I. (2012). "Some aspects of the current state of public service in Turkey", *Institute of the Middle East*, July 6, Moscow, available on <http://www.iimes.ru/?p=15096> (Retrieved: 29.02.2020).

STRONSKI Paul, (February 1, 2016), Tajikistan At Twenty-Five, Carnegie Endowment for International Peace, see on https://carnegieendowment.org/files/Stronsky_Tajikistan.pdf (Retrieved: 29.04.2019).

TRANSPARENCY INTERNATIONAL, Marie Chêne, (2015, 2 March), Corruption and anti-corruption practices in human resource management in the public sector, Berlin, Germany.

T.C. KAMU Denetçiliği Ombudsman Kurumu Bülteni, (2018). Sayı: 11, Temmuz 27. Ankara

TABAKOĞLU, Ahmet, (2005). İktisat Tarihi, İstanbul.

TALBOT C, (2007). Performance Management. The Oxford Handbook of Public Management, Ed.: E. Ferlie, Jr. L.E. Lynn, C. Pollitt, Oxford University Press. UK.

TANAO, (2002). "Performance Information for Management and Accountability Purposes", New York.

TARBINSKIY, (2019). Public service in Kyrgyzstan: digitalization efforts. Bishkek. Available on <http://kg.kabar.kg/tags/e-kyzmat/> (Retrieved: 06.07.2019)

TARBINSKIY. O.S., (2018). Public service in Kyrgyzstan: yesterday, today, tomorrow, Bishkek. Available on <http://www.mkk.gov.kg/contents/view/id/105/pid/95> (Retrieved: 15.08.2019).

TERZI, Mehmet Akif (2012). Türk Devlet Geleneğinde Bürokrasi ve Memur, Ankara, Sistem Ofset.

TEVFIK, Güran (2006). Ekonomik ve Mali Yönleriyle Vakıflar: Süleymaniye ve Şehzade Süleyman Paşa Vakıfları. Kitapevi Yayın. İstanbul.

The Code of Labour of the Kyrgyz Republic, (N 106), 4.08.2004.

The Decree of the President of TR (No703), 09.07.2018, available on <https://www.resmigazete.gov.tr/eskiler/2018/07/20180709M3.pdf> (Retrieved: 20.10.2019)

The Law of the Kyrgyz Republic on trade unions, (No.105), 04.08.2004.

THOMPSON, B.L. (2002). Yeni Yöneticinin El Kitabı, Yönetim Fonksiyonları. Çeviren: G.V. Diker, Hayat Yayınevi. İstanbul.

TODAİE. (1965). İdari Reform ve Reorganizasyon hakkında ön rapor, TODAİE Yayını, Ankara.

TOPRAK Eren (2009). “Türkiye’de Kamu Personel Politikası; Kamu Yönetimi Reformu Sürecindeki Değişimler Üzerine Değerlendirme”, Ankara Üniversitesi Siyasal Bilgiler Fakültesi Yönetim Bilimleri Anabilim Dalı Seminer Çalışmaları, Kasım. <http://yonetimbilimi.politics.ankara.edu.tr/eski/etoprak.pdf>, (Erişim: 30.11.2018).

TORTOP, Nuri (1986). “Devlet Memurlarının Sicili ve Yeni Sicil Yönetmeliğinin Getirdiği Yenilikler”, *Amme İdaresi Dergisi*, Cilt: 19, Sayı: 4 Aralık. S. 3-12.

TORTOP, Nuri (1994), Personel Yönetimi, Yargı Yayınları, Ankara.

TURAN Menaf, (2018). “Turkey’s New Government System: Presidency Government System”, *Social Sciences Research Journal*, Volume 7, Issue 3, p.43-45.

TUTOV A.V. (2015). Public service in the Russian Empire XVI - beg. XX centuries, see on http://cossacawards.narod.ru/Zametki/Zametka52_Tutov_Gossluzhba_imperii.html (accessed August 29, 2015). (Retrieved: 16.02.2020).

TUTUM Cahit, (1972). Türkiye’de Memur Güvenliği, Ankara

UNDP REPORT, (2016). Graziella Piga, Tomislav Novovic, Roman Mogilevskii, Common Country Assessment for the Kyrgyz Republic, Bishkek.

UNITED NATIONS DEVELOPMENT PROGRAMME, UNDP youth strategy 2014-2017, (2014). New York, USA, see on www.undp.org/content/undp/en/home/librarypage/democratic-governance/youthstrategy.html (Retrieved: 26.02.2020).

US Department of Commerce, Charles Sawyer Secretary, (1950). BUSINESS INFORMATION SERVICE, Washington 25, D.C.

USA CIA Factbook, 2015, see on <https://www.cia.gov/library/publications/the-world-factbook/geos/tu.html>, (Retrieved: 09.02.2019).

UZ, Abdullah (2011). Anayasal Bir Hak Olarak Kamu Hizmetine Girme Hakkı ve Liyakat İlkesi. *İnönü Üniversitesi Hukuk Fakültesi Dergisi*, C.2, S.1. Malatya, s.59-94.

UZUNÇARŞILI, İsmail Hakkı (1988). Osmanlı Devleti’nin Merkez ve Bahriye Teşkilatı. Türk Tarih Kurumu Yayınları, Ankara.

V. I. LENIN, (1981). INSTITUTE OF MARXISM-LENINISM under the Central Committee of the CPSU, Vol. 41, May-November 1920, Publishing House Political Literature, Moscow, available on <http://uaio.ru/vil/41.htm> (Retrieved: 08.01.2020).

VOSLENSKY Mikhail, (1991), Nomenclature. The ruling class of the Soviet Union. October Publishing House. Moscow.

WEBER Max, (2015). Rationalism and Modern Society: New Translations on Politics, Bureaucracy, and Social Stratification. Edited and Translated by Tony Waters and Dagmar Waters. Palgrave MacMillan. London.

WOOLDRIDGE, Adrian, (1995). Meritocracy and the Classless Society. Social Market Foundation. London.

WORLD BANK annual reports, 2005, 2009, 2017, Washington D.C..

WORLD BANK GROUP, Governance Global Practice Group (2015). Policy Research Working Paper, ANNE BROCKMEYER, MAHA KHATROUCH, GAËL RABALLAND, Public Sector Size and Performance Management A Case-Study of Post-Revolution Tunisia. Available on openknowledge.worldbank.org/bitstream/handle/10986/21145/WPS7159.pdf?sequence=1&isAllowed=y (Retrieved: 07.02.2020).

WORLD BANK, (1999). Rethinking Civil Service Reform. Washington, D.C: The World Bank, available on http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/2001/01/20/000094946_01010905322183/Rendered/PDF/multi_page.pdf. (Retrieved: 07.02.2020).

WORLD BANK, Shah, A. (2005). Public sector governance and accountability series: Public Services Delivery, Washington D.C.

WOUTER van Dooren, Geert Bouckaert and John Halligan, (2015). Performance Management in the Public Sector, Second Edition by Routledge, New York.

YATSKOV V. A. (1982). Organization of work with the nomenclature of party committees, Problems of the party and state-building, Vol. 2. Moscow.

YAZICI, Gülgün, (2009). Mevlânâ'nın Mesnevi'sinde Ehliyet ve Liyakat Kavramları, Turkish Studies, Vol. 4, Issue 7.

YENICE, (2007), Performans Ölçümünde Karşılaşılan Sorunlar ve Kurumsal Karne (Balanced Scorecard) Yaklaşımı, Bütçe Dünyası, Ankara.

YILDIZ, G. (2016). "Türk Kamu Yönetiminde Liyakat İlkesi", *Gazi Üniversitesi Sosyal Bilimler Dergisi*, Aralık. Ankara, s. 140-180. Mevcut: <https://dergipark.org.tr/tr/download/article-file/287731> (Erişim: 24.05.2019).

YÜCEL Yaşar, (1988). "Atatürk İlkeleri", *Türk Tarih Kurumu: Belleten Dergisi*, Kasım, Cilt 3, S. 807-824. Mevcut: <https://drive.google.com/file/d/0B7liBn5XLsAfVV9zVXV6b1habjQ/view> (Erişim: 08.04.2019).

ZHAMGERCHINOV, Begimaly. (1966). Essays on the Political History of Kyrgyzstan of the 19th Century, Frunze.

DZHUNUSHALIEV D., KAKEEV A, PLOSKIKH V.M, (2003). The Historical stages of Kyrgyz statehood, Bishkek.

INTERNET SITES AND FOOTNOTES

<http://dokuman.osvm.gov.tr/pdfdokuman/2015/Kavmakamlik/2015-KavmakamlikSINAVAILISKINGENELBILGILER30012015.pdf> (Erişim: 06.02.2020)

<http://kenesh.kg/ru/draftlaw/550385/show> (Retrieved: 19.01.2020)

http://mnenie.akipress.org/unews/un_post:15695 (Retrieved: 08.01.2020)

<http://ogp.el.kg/en/mission-and-strategy> (Retrieved: 25.01.2020)

<http://www.fpk.kg/index.php/profsouz-pomog> (Retrieved: 27.05.2019)

https://ru.sputnik.kg/tags/person_Dujjshenbek_Zilaliev/ (Retrieved: 26.05.2019)

<https://www.karar.com/turkiyeden-bir-fouch-hikayesi-1546230> (Retrieved: 07.02.2020)

<https://www.memurlar.net/haber/830932/kpss-istatistikleri-yayimlandi.html> (Retrieved: 07.04.2019).

<https://www.osym.gov.tr/TR,8789/hakkinda.html> (Retrieved: 17.01.2019).

<https://www.tunduk.gov.kg/> (Retrieved: 7.05.2019)

<https://www.resmigazete.gov.tr/eskiler/2018/07/20180709M3.pdf> (Retrieved: 27.05.2019).

<http://www.stat.kg/ru/news/cifry-i-fakty-23-iyunya-na-nachalo-2020-goda-chislennost-gosudarstvennyh-sluzhashih-kyrgyzskoj-respubliki-sostavila-19-tysyach-chelovek/> (Retrieved: 23.06.2020).

ÖZGEÇMİŞ

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Doğum yılı ve ayı, doğum yeri, vatandaşlığı; 6 Eylül, 1979 yıl, Bişkek, Kırgız Cumhuriyeti

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- Kırgız Cumhuriyeti Hükümetine bağlı Yerel yönetim ve etnisiteler arası ilişkilerden sorumlu devlet ajansı, Etnisiteler arası ilişkiler başkanlığı başkanı, 14 Temmuz 2014 - 15 Haziran 2017 arası.
- Yerel yönetim ve etnisiteler arası ilişkilerden sorumlu devlet ajansı, Etnisiteler arası ilişkiler başkanlığı memuru, 20 nisan 2013 – 14 temmuz 2014 arası.
- K.C. Cumhurbaşkanlığına bağlı Kamu İdaresi Akademisi, 1 eylül 2012 – 30 eylül 2015, yarı zamanlı öğretim görevlisi.
- Avrupa Güvenlik İşbirliği Teşkilatı Oş, Calal-Abad bölge ofisi, 5 ekim 2009 – 30 nisan 2011, Jalal-Abad bölgesi program asistanı.
- Çatışmaların Entegrasyonlu dönüşümü ve Barış tesisi Enstitüsü, Viyana, Avusturya, 2009 Mayıs, staj.
- AGİT, Narın bölgesi program koordinatörü, 1 temmuz 2005 – 23 eylül 2008.
- AGİT Bişkek, Mayıs 2004- eylül 2004, staj.
- Bişkek Sosyal Bilimler Üniversitesi, kamu yönetimi teori ve pratiği konusunda okutman, ağustos 2001-ağustos 2003.
- “Genç Orda” gençlik derneği gönüllüsü, Ekim 1999 – Kasım 2001

Eğitimi:

- TODAİE, Ankara, Türkiye, 1ekim 2015den – 9 Temmuz 2018 kadar, Siyaset Bilimi ve Kamu Yönetimi Doktora Programında 1530237 numaralı doktora öğrencisi. 9 Temmuz 2018 TODAİE kapatıldıktan sonra Ankara Hacı Bayram Veli Üniversitesine devir edildi ve doktora öğrenci makama ile devam ediyor, Şuan tez aşamasında.
- Avrupa üniversitesi, Barış ve Çatışma merkezi, Statdschleining, Avusturya, 28 eylül 2008 – 21 ağustos 2009, Barışçılık ve Çatışmacılık bilimi yüksek lisansı.
- Bişkek Sosyal bilimler üniversitesi, 1996-2001
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