Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

Articles

Studia Iuridica Lublinensia vol. 34, 2, 2025
DOI: 10.17951/sil.2025.34.2.277-294

Zoltán Petrovics
ELTE Eötvös Loránd University (Budapest), Hungary
University of Public Service (Budapest), Hungary
ORCID: 0000-0001-5683-3624
petrovics.zoltan@ajk.elte.hu

The Hungarian Civil Service in the Context of International Trends

Węgierska służba cywilna w kontekście trendów międzynarodowych

ABSTRACT

The article focuses on the Hungarian civil service. The aim of the research is to examine how Hungarian public service law, which has undergone continuous change over the last three decades, is adapted to international trends, especially those observed in Europe, including phenomena such as contracting, fragmentation and decentralisation. The hypothesis is that the Hungarian civil service adheres to international trends, while simultaneously exhibiting a distinctive approach to civil service employment. The study draws on a range of relevant primary and secondary sources, including legislation, explanatory memoranda, decisions of the Hungarian Constitutional Court, and Hungarian and international legal literature. The novelty of the analysis is that it attempts to identify the specific characteristics of contemporary Hungarian civil service law. Today, the Hungarian civil service has moved away from the traditional, closed civil service model. Its distinctive characteristics include the centralisation that has resulted from the concept of a "strong state", the existence of "competing" legislative visions of the civil servant, the erosion of career stability and the devaluation of the concept of career. The author argues that in the Hungarian civil service, there is a need for a stronger emphasis on career values, relative stability and predictability, as well as limiting employer discretion.

Keywords: civil service law; civil servants; decentralisation; fragmentation; Hungary; strong state

CORRESPONDENCE ADDRESS: Zoltán Petrovics, PhD, Assistant Professor, ELTE Eötvös Loránd University (Budapest), Faculty of Law, Department of Labour Law and Social Law, Egyetem tér 1-3. HU-1053 Budapest, Hungary; Associate Professor, University of Public Service (Budapest), Faculty of Public Governance and International Studies, Department of Human Resources, Ludovika tér 2. HU-1083 Budapest, Hungary.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

INTRODUCTION

Over the past three decades, the employment system within the Hungarian civil service has undergone a period of continuous change. The policy of the Hungarian governments in regard to personnel has been mainly dominated by legislation focused on solving momentary problems.[1] The ideological foundations of New Public Management were built upon during the first decade of the 21st century, which was characterised by a desire for a "cheap and small state".[2] During the second decade, the assertion of neo-Weberian civil service values and the requirement for flexibility became a prominent feature of the political landscape.[3] However, these aspirations have not been clearly translated into practice, as there has been a lack of a long-term, consistent staffing policy.[4] This is not an isolated phenomenon; from the 1990s onwards, the post-socialist countries of Central and Eastern Europe were characterised by a tendency to follow "Western" trends that promised success. However, if this did not produce the desired results in the short term, they were inclined to embark on further reforms.[5]

The objective of this study is to examine the manner in which Hungarian civil service regulation aligns with international trends, particularly those observed in Europe. The hypothesis is that international trends can be identified in Hungarian civil service law. Furthermore, it is assumed that, in addition to the presence of international trends, a specific "Hungarian way", a unique approach to the employment relations of the civil service, is becoming increasingly clear in the regulation. The question thus arises as to whether Hungarian civil service law can be said to possess any distinctive characteristics, or any features that might be regarded as somewhat "unorthodox". The novelty of the analysis is that it attempts to highlight the specific characteristics of contemporary Hungarian civil service law.

In this study, I have drawn upon a range of relevant primary and secondary sources, including legislation, explanatory memoranda, decisions of the Hungarian Constitutional Court, and Hungarian and international legal literature. I have employed a variety of analytical techniques, including the dogmatic method, the conceptual-logical method and the historical-genetic method, for the logical analysis and systematisation of the norms. Additionally, I have utilised the polemic-criti-

---

[1] See Z. Hazafi, *Paradigmaváltás a magyar közszolgálatban*, Budapest 2023, pp. 30–32; V. Linder, *A közszolgálat modernizációjának irányai Magyarországon a nemzetközi tendenciák összefüggésében – irányváltások és útkeresés az ezredforduló után*, "Pro Publico Bono – Magyar Közigazgatás" 2018, vol. 6(4), p. 76.

[2] V. Linder, *A közszolgálat modernizációjának irányai…*, p. 76.

[3] I. Balázs, *A közigazgatás változásairól Magyarországon és Európában a rendszerváltástól napjainkig*, Debrecen 2016, p. 21.

[4] V. Linder, *A közszolgálat modernizációjának irányai…*, p. 76.

[5] *Ibidem*, p. 77.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

cal method for the development of my position. I have also employed a range of methods for legal interpretation, including grammatical, logical, systematic and historical methods, to interpret legislation.

RESEARCH AND RESULTS

1. The regulation of public sector employment in the context of international trends

By the end of the 20th century, a critical examination of the traditional closed civil service had become dominant in the global discourse on civil servants. Those who advocated for flexibility and efficiency posited that the classical civil service, which was based on a predictable career path, could not be an adequate response to the challenges of the new millennium.[6] These criticisms gave rise to the reforms of the civil service, collectively known as the New Public Management.[7] The reforms began to dismantle career civil service systems, replacing comparative advantages with solutions borrowed from the competitive sector.[8] As a result, guarantees of stability were marginalised.[9] Deregulation, decentralisation of employer rights,[10] and flexibility have led to an increase in the outsourcing of work.[11] Consequently, the civil service has become increasingly aligned with the private sector labour market, and the distinction between the status of employees and that of civil servants has become less clear-cut.[12] The phenomenon of

[6] D. Bossaert, *The Flexibilisation of the Employment Status of Civil Servants: From Life Tenure to More Flexible Employment Relations?*, Survey for the 44th meeting of the Directors General Responsible for Public Administration of the EU Member States, European Institute of Public Administration, Ministère de la Fonction publique et de la Réforme administrative, Luxembourg 2005, p. 4.

[7] See B.B. Budai, *A közigazgatás újragondolása. Alkalmazkodás, megújulás, hatékonyság*, Budapest 2017.

[8] See K. Schedler, I. Proeller, *The New Public Management: A Perspective from Mainland Europe*, [in:] *New Public Management: Current Trends and Future Prospects*, eds. K. McLaughlin, S.P. Osborne, E. Ferlie, London–New York 2002, p. 163; J.L. Campbell, O.K. Pedersen, *Introduction*, [in:] *The Rise of Neoliberalism and Institutional Analysis*, eds. J.L. Campbell, O.K. Pedersen, Princeton 2001, p. 5.

[9] V. Linder, *„Új" HR-megoldások és szerepük az állami foglalkoztatottak alkalmazásában*, "Pro Publico Bono – Magyar Közigazgatás" 2020, vol. 8(2), p. 77.

[10] Z. Hazafi, *A közszolgálati személyzeti politika: nyílt és zárt rendszerek*, [in:] *Közszolgálati életpályák a közigazgatásban és a rendvédelemben*, eds. I. György, Z. Hazafi, Budapest 2018, pp. 61–62.

[11] D. Bossaert, *op. cit.*, p. 4, 11.

[12] Cf. C. Demmke, T. Moilanen, *The Future of Public Employment in Central Public Administration: Restructuring in Times of Government Transformation and the Impact on Status Development*,

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

contractualisation[13] has also led to a decrease in the proportion of civil servants across Europe, while the role of contract employment has increased.[14]

Nevertheless, over the past two decades, the influence of New Public Management has diminished. It has become evident that it is not feasible to discard the conventional structures of the classical civil service for all categories of civil servants. Doing so would have detrimental effects, potentially compromising the efficacy of public functions. The regulation of civil service has entered a new phase of consolidation.[15] The reforms inspired by the New Public Management have been temporarily suspended, and a new trend, the concept of a neo-Weberian civil service, has emerged.[16] The model of the civil service proposed by Max Weber in the first half of the 20th century is based on the primacy of public law and normativity. This presupposes the existence of a specific civil service ethos and, at the same time, requires that those employed in the civil service enjoy a specific legal status that is distinctly different from that of the private sector.[17] Furthermore, in addition to a return to the classical values of the civil service, with a more closed regulation based on public law, the neo-Weberian approach also places great emphasis on increasing flexibility in the public sector employment and on focusing on performance.[18] The phenomena of fragmentation, contractualisation and decentralisation, with varying degrees of emphasis, continue to be prevalent in civil service systems.

2. International trends and the Hungarian civil service

In Hungary, the change of the labour law system occurred in 1992, subsequent to the political transformations. The uniform socialist regulation of the "world of work" was superseded by a new Labour Code[19] tailored to the requirements of the

Maastricht–Berlin–Helsinki 2012, https://www.eupan.eu/wp-content/uploads/2019/02/2012_2_CY_The_Future_of_Public_Employment_in_Central_Public_Administration.pdf (access: 25.8.2025), p. 1.

[13] M. Pittard, P. Weeks, *Public Sector Employment in the Twenty-First Century: Themes and Introduction*, [in:] *Public Sector Employment in the Twenty-First Century*, eds. M. Pittard, P. Weeks, Canberra 2007, p. 2, 9.

[14] D. Bossaert, *op. cit.*, p. 9; C. Demmke, T. Moilanen, *op. cit.*, p. 30.

[15] C. Demmke, T. Moilanen, *op. cit.*, p. 7. For a comprehensive overview of the ongoing reforms in some EU Member States, see A. Stimpson, C. Moretti, J. Lemmik, *Public Administrations in the EU Member States: 2021 Overview*, Luxembourg 2023, pp. 25–27, 55.

[16] S. Van de Walle, G. Hammerschmid, R. Andrews, P. Bezes, *Introduction: Public Administration Reforms in Europe*, [in:] *Public Administration Reforms in Europe: The View from the Top*, eds. G. Hammerschmid, S. Van de Walle, R. Andrews, P. Bezes, Cheltenham–Northampton 2016, p. 3.

[17] M. Weber, *A tudomány és a politika mint hivatás*, Budapest 2005; I. Stumpf, *Az állam újrafelfedezése és a Neoweberiánus állam*, [in:] *OKRI Szemle 1.*, ed. Gy. Virág, Budapest 2009, p. 115.

[18] Cf., e.g., E. Ongaro, F. Ferré, D. Galli, F. Longo, *Italy: Set along a Neo-Weberian Trajectory of Administrative Reform?*, [in:] *Public Administration Reforms in Europe…*, p. 185.

[19] Act XXII of 1992 on the Labour Code.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

market economy. In the public sector, the objective was to establish a closed civil service. Two distinct legislative instruments were enacted: one for civil servants[20] and one for so-called public servants engaged in human public services.[21] The resulting closed civil service structure, which was not "pure" from the outset, was eroded by the reforms inspired by the New Public Management and, in several waves, underwent a profound transformation.

In the Hungarian civil service, there has been a discrepancy between international and domestic regulatory trends over the past three decades. Following the fall of communism, the Hungarian civil service was subjected to a regulatory framework that sought to reinforce the concept of a closed system. This was a period when states on the international scene were actively seeking to dismantle such structures and were already embracing the principles of New Public Management. By the time this approach was introduced in Hungary in the mid-2000s, there was already a growing chorus of voices abroad expressing disillusionment and criticism. Consequently, the stated objectives of the Hungarian civil service diverged significantly from the prevailing trends observed in other countries.[22]

Following the year 2010, the situation has undergone a transformation, with the Hungarian civil service beginning to align with global trends on the surface level. This is largely due to the fact that the civil service is not without contradictions globally, and the civil services of the states themselves exhibit hybrid characteristics.[23] The Hungarian civil service is currently embracing openly fragmentation, with a tendency to disregard predictability and shows the signs of the "strong state" concept. The stability of the civil service is diminishing, and employer discretion is on the rise. Therefore, the Hungarian civil service is not following any foreign model; rather, it is developing a distinctive quality through its unique features. In the following section, I present the trends that can be observed in international comparisons and which are also present in the Hungarian civil service.

[20] Act XXIII of 1992 on the Status of Civil Servants.

[21] Act XXXIII of 1992 on the Status of Public Servants, hereinafter: PS.

[22] Gy. Gajduschek, *A magyar közszolgálatról – a szabályok és a tények tükrében*, [in:] *Új generáció a közigazgatástudományok művelésében. Posztdoktori konferencia. 2013. június 6–7.*, ed. M. Fazekas, Budapest 2013, p. 131.

[23] H. Kuperus, A. Rode, *Top Public Managers in Europe: Management and Employment in Central Public Administrations*, The Hague 2016, p. 13.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

3. Contractualisation

Nowadays, in the civil service of all states, the presence of contract employees alongside the traditional cohort of civil servants is becoming increasingly prevalent.[24] Consequently, the privileges traditionally associated with a career in the civil service are gradually receding.[25]

In Hungary, there are numerous instances of this phenomenon. For instance, in 2001, the civil servant status of administrators and physical employees was transformed into an employment relationship. The explanatory memorandum to the bill justified this "outsourcing" on the grounds that it would facilitate a more flexible and rational approach to employment in terms of work organisation and financing.[26] Furthermore, the possibility of an employment contract is becoming increasingly prevalent under certain civil service acts.[27] For example, according to the CS, in 2012, 10% of the staff could be employed on the basis of an employment contract.[28] However, this has become feasible by the year 2022 without limiting the number of employees, although no employment relationship can be established for tasks directly related to the civil service tasks of the public administration.[29] In contrast, the GA allows for the establishment of an employment relationship for any position, provided that the number of such positions does not exceed 10% of the total number of staff.[30] In the absence of an objective criterion for the application of an employment contract, it is at the discretion of the employer to choose the legal relationship for the performance of activities related to the civil service.

Over the past decade, the number of public servants employed in human public services has undergone a significant decline. A considerable number of public servants have been transferred to Act I of 2012 on the Labour Code. In 2020, public servants of vocational secondary schools[31] and cultural

[24] C. Demmke, T. Moilanen, *op. cit.*, p. 85, 87, 90; H.U. Derlien, *Conclusion*, [in:] *The State at Work*, vol. 1: *Public Sector Employment in Ten Western Countries*, eds. H.U. Derlien, G.B. Peters, Cheltenham 2008, p. 288.

[25] Cf. C. Demmke, T. Moilanen, *op. cit.*, p. 5.

[26] Bill T/3690. on the amendment of Act 23 of 1992 on the status of civil servants and other Acts. General Explanation.

[27] See also Article 8 (4) and Article 258 of the Act CXCIX of 2011 on Civil Servants (hereinafter: CS), Articles 278–279/A of the Act CXXV of 2018 on Government Administration (hereinafter: GA), Articles 101–102 of the Act CVII of 2019 on Special Status Bodies and the Status of their Civil Servants (hereinafter: SCS), Article 15 (1a) and Article 35/C of the Act LXVI of 2011 on the State Audit Office of Hungary (hereinafter: SAO), Article 287/C of the Act XLII of 2015 on the Service Relationship of the Professional Staff of Bodies Performing Law Enforcement Functions (hereinafter: SRLA).

[28] Article 8 (4) CS.

[29] Article 8 (1) CS.

[30] Article 279 (4) GA.

[31] Article 127 (5) of the Act LXXX of 2019 on Vocational Education and Training.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

institutions,[32] and in 2021, of academic research institutes,[33] were converted into employees. Between 2019 and 2021, a considerable number of public servants were also replaced by employees when a significant number of universities operating as state-maintained budgetary bodies were transferred to so-called public interest foundations.[34]

4. Fragmentation

The fragmentation of the civil service is evident in international comparisons. In the contemporary civil service, the government does not function as a unified employer, and the personnel are not subject to a uniform set of working conditions and legislation.[35] The legislation pertaining to civil servants varies considerably from one state to another,[36] with an increasing number of special statuses being introduced that are characterised by specific attributes.[37]

This trend is also evident in Hungary, where the number of distinct civil servant statuses has increased significantly, resulting in a highly fragmented civil service.[38] The differentiation between and within statuses has accelerated over the last decade. In Hungary today, there are 15 status laws in force, which often regulate more than one status.[39] The choice between statuses seems to be made without any firm

[32] See Act XXXII of 2020 on the transformation of the status of public servants in cultural institutions and amending certain cultural acts (cultural institutions include archives, museums, libraries, public cultural and integrated cultural institutions and performing arts organisations).

[33] Article 47/A of the Act LXXVI of 2014 on Scientific Research, Development and Innovation.

[34] In the case of the Corvinus University of Budapest, the "model change" was already completed in 2019, and in 2020 for seven more universities. As detailed in the Hungarian Gazette of 30 April 2021, a further 12 universities were subject to this kind of change.

[35] C. Demmke, T. Moilanen, *op. cit.*, pp. 2–3. Cf. A. Kun, *A közszolgálati jogviszony alanyai, különös tekintettel a tisztviselő jogállására*, "Pro Publico Bono – Magyar Közigazgatás" 2017, vol. 5(4), p. 92.

[36] C. Demmke, T. Moilanen, *op. cit.*, p. 2.

[37] *Ibidem*, pp. 89–90.

[38] A. Kun, *op. cit.*, p. 92; D. Ludányi, *A közszolgálati jogviszony differenciálódása*, "Munkajog" 2020, vol. 4(1), pp. 42–51; I. Horváth, *A közszolgálati szabályozás három évtizede – fragmentáció vagy visszatérés*, [in:] *Exemplis discimus. Emlékkötet Radnay József születésének 95. évfordulójára*, eds. M. Ábrahám, Gy. Berke, E. Tálné Molnár, Budapest 2022, pp. 155–180; Z. Hegyesi, D. Ludányi, *Az államigazgatási szervekre és a személyi állományra vonatkozó szabályozás differenciálódása a Kit. Hatálybalépésével*, "Új Magyar Közigazgatás" 2021, vol. 14(4), pp. 15–29; G. Mélypataki, T. Prugberger, *A közszolgálat fogalmának és dogmatikájának átalakulása*, "Közjogi Szemle" 2021, vol. 24(1), p. 13; N. Jakab, G. Mélypataki, *The Separation and Reflexivity of Civil Service Law*, "Curentul Juridic" 2019, vol. 22(2), pp. 54–55.

[39] PS, SAO, CS, SRLA, GA, SCS, Act LXVIII of 1997 on the Service Status of Judicial Employees, Act CLXII of 2011 on the Status and Remuneration of Judges, Act CLXIV of 2011 on the Status of the Attorney General, Prosecutors and other Prosecution Employees and the Career of Prosecutors, Act XXXVI of 2012 on Parliament, Act CXIV of 2018 on the Status of Defence Employees, Act

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

principles of regulation by the legislator, fragmentation and differentiation are primarily driven by practical considerations, particularly the need to reform the salary system or to regulate a particular organisation or type of organisation separately.[40]

The legislator continued to empty the PS with increasing intensity, not only by replacing public servants with employees, but often by creating new civil service employment statuses. In 2019, the introduction of the status of national defence employee and subsequently that of law enforcement administrative employee served to further restrict the category of public servants. One of the largest groups of public servants, namely health workers employed in the public health service, were also deprived of their status in 2021, when it was converted into health service employment. In 2024, the status of teachers employed in the field of public education was replaced by that of public education employment.

5. Decentralisation

Regarding the creation of norms governing the civil service and the exercise of employer's rights, decentralisation had become a general trend in the 2000s. Decentralisation has been accompanied by increased organisational autonomy, with some of the human resources powers being devolved to local employers. Traditionally in Europe, this has been achieved not only through the creation of internal rules and the introduction of performance-related pay systems, but also through the recognition of the possibility of concluding collective agreements.[41]

In the context of decentralisation phenomena, it is necessary to note that in Hungary, the head of the office organisation of a government administrative body is obliged to issue the so-called "civil service regulations" on matters falling within the general competence of the employer, as defined by law and government decree.[42] The civil service regulations must address a comprehensive range of issues, including e.g. the regulations governing the establishment of a government service relationship, specific rules on conflicts of interest, provisions on working hours, rest periods and leave, teleworking and "home office", rules on salary and allowances.[43]

C of 2020 on the Health Service Legal Relationship, Act CXXX of 2020 on the Legal Status of the Personnel of the National Tax and Customs Administration (hereinafter: NTCA), Act LII of 2023 on the New Careers of Teachers (hereinafter: NCT), Government Decree 137/2024 (VI.28.) on the Status of the Defence Forces. The frequency of changes is evidenced by the fact that civil servants employed by the government have been subject to new status laws on three occasions within the past decade.

[40] Cf. D. Ludányi, *A közszolgálati pragmatika egysége és különbsége. Javaslat a közigazgatás személyzeti rendszerének egységes keretszabályozására*, Doktori értekezés, Pécsi Tudományegyetem Állam- és Jogtudomány Kar, Pécs 2023, pp. 120–121.

[41] Z. Hazafi, *Paradigmaváltás…*, p. 45.

[42] Article 91 (5) GA.

[43] Article 19 (1) of the Government Decree 88/2019 (IV.23.) on the management of government administrative staff and certain personnel issues affecting government administrative bodies and their

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

The heads of special status bodies have been given a similarly broad mandate to draw up regulations.[44]

Nevertheless, the normative powers of certain administrative bodies extend even further. In particular, the National Media and Infocommunications Authority is afforded a high degree of autonomy in the formulation of its staff policy and employment rules system. The president may lay down the principles of remuneration policy and fringe benefits in regulations, which may override the law.[45] The employment regulations adopted by the president can have a similarly wide scope in the case of the National Tax and Customs Administration.[46] In such instances, the head of the authority is vested with quasi-legislative powers with regard to matters that are otherwise governed by law or other legislation.[47]

In addition to the decentralisation process, the GA has also achieved deregulation by abolishing the compulsory promotion system and vesting the regulation of personnel activities in the hands of employers. This enables employers to establish regulations with varying content at the local level.[48] Consequently, the specific issues pertaining to the legal status may be regulated in markedly different ways within each employer subject to the GA. The very nature of internal rules is such that they are inherently unstable, in that they can be modified by the employer at any time.[49] It is therefore evident that the fragmentation cannot be interpreted merely in terms of the existence of different legal statuses, since the employer, as a quasi-legislator, is able to develop specific rules within the confines of a single legal status.[50]

SPECIFIC FEATURES OF THE HUNGARIAN CIVIL SERVICE

As previously stated, the objective of this study is to explore how Hungarian civil service regulation fits in the international, mainly European, trends. The aforementioned evidence substantiates the assertion that these trends are prevalent within the Hungarian civil service law. However, in addition to these tendencies, it is

civil servants.

[44] For example, see Article 6 (2), Article 45 (5), Article 46 (5) and (6), Article 52 (4), Article 60 (4), Article 61 (6), Article 76 (3) SCS.

[45] Article 110/A of the Act CLXXXV of 2010 on Media Services and Mass Communications. The President of the State Audit Office also has broad powers to regulate personnel policy. See Article 15 (1c) SAO.

[46] Article 78 (5) NTCA.

[47] Z. Hazafi, *Paradigmaváltás…*, pp. 41–42.

[48] Z. Hazafi, D. Ludányi, *Egy befejezetlen törvény margójára: A közszolgálati HRM fejlesztési keretrendszere*, "Pro Publico Bono – Magyar közigazgatás" 2022, vol. 10(1), pp. 80–81.

[49] *Ibidem*, p. 84.

[50] D. Ludányi, *Regulation of Advancement and Salary Systems in the Hungarian Public Administration*, "Belügyi Szemle" 2022, vol. 70(1), p. 36.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

presumed that there are also specific solutions and phenomena within Hungarian civil service regulation that contribute to its distinctive character. In the following, I give a brief overview of these characteristics based on my research.

In recent years, the concept of the "strong state" has been clearly and emphatically reflected in Hungarian civil service regulation, which is "characterised by (among other traits) an unquestioned authority and moral supremacy of the state, and enhanced political and regulatory control over not only the public sector".[51] This has a direct impact on the legal relations of civil servants, which in turn entails a set of highly detailed rules that emphasise the authority of the state. This can be observed, i.a., in the centralisation of human resource management. Under the GA, the employer is not a government administration body, but rather the government itself.[52] It follows that the government, as the supreme authority within the administrative structure, directs and supervises the so-called post-based personnel management system. This includes an indirect (and sometimes direct) control over the establishment and termination of the legal relationships of government officials, as well as the exercise of direct personnel powers.[53]

A further distinctive feature of Hungarian civil service regulation is that it is characterised by two "competing" legislative attitudes and visions of the civil servant, which are in opposition to each other.[54] The instrumental vision of the human being, based on the concept of the "strong state", places the common good at the forefront and emphasises the subordination of civil servants to the state and their status under public law. In accordance with this perspective, civil servants are regarded as embodying the state for citizens, functioning as the conduit through which the state's actions are carried out.[55] Civil servants are therefore subordinate to their public service employer and can be expected to serve unconditionally and with absolute loyalty. The instrumental approach is manifested, i.a., in the unilateral modification of appointments, in certain instances of cessation[56] and termination[57] of the legal relationship, and in the imposition of restrictions on employment following termination.[58]

---

[51] Gy. Hajnal, *New Wine in New Bottles? Assessing Hungary's Post-2010 Public Administration Reforms*, [in:] *Public Administration Reforms in Europe…*, p. 98.

[52] Article 80 (1) GA.

[53] Article 51 (1) and (2) GA.

[54] A. Kun, *op. cit.*, pp. 101–102.

[55] Z. Hazafi, *Közszolgálati emberkép*, [in:] *Kormányzati személyzetpolitika*, ed. Z. Hazafi, Budapest 2019, p. 59.

[56] For example, see Article 104 (1) (k), (l) and (m) GA.

[57] For example, see Article 63 (2) (e) CS (loss of confidence), Article 76 (2) CS (requirement of professional loyalty), Article 108 GA (dismissal based on the need to ensure the efficient performance of duties).

[58] Article 117 GA. Pursuant to the restriction on employment, the government may determine the sectors or posts for which a government official may not, for a maximum of two years after the

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

The other concept is grounded in a humanistic, person-centred approach, which regards the civil servant as a vulnerable human being in need of protection.[59] In this perspective, the civil servant is regarded as a resource who contributes their personality, knowledge, and work to the legal relationship with the aim of achieving the common good. This humanistic approach is reflected in the GA through the special provisions for government officials who have children or start a family,[60] as well as the GA's objective of promoting reconciliation between civil service and family life.[61]

In relation to the instrumental approach, it is notable that the Hungarian legislator introduced the possibility of dismissal without justification for government officials in 2010 and for civil servants in 2011. However, the Hungarian Constitutional Court subsequently declared this unconstitutional in 2011.[62] In its ruling, the Constitutional Court stated that the obligation to provide reasons for dismissal in the civil service is a guarantee requirement inherent to the nature of the legal relationship. Furthermore, the Constitutional Court asserted that dismissal without reasons disproportionately restricts the right to judicial protection and the right to human dignity. If the legislature permits the employer to terminate the legal relationship without constraints in order to facilitate the implementation of government objectives, it also jeopardises the livelihood of the civil servants and their families in an unpredictable manner. This, in turn, gives rise to a situation of absolute subordination and vulnerability. The designation of the civil servant as an instrument of the civil service is therefore antithetical to the principles of human dignity.[63]

Although the possibility of the dismissal without justification was annulled by the Constitutional Court, the protection afforded to civil servants against arbitrary dismissal has diminished considerably over recent decades. One of the traditional comparative advantages of the closed civil service career system is the higher level of job stability compared to that of the private sector.[64] However, this comparative advantage has diminished considerably in Hungarian civil service law. The grow-

termination of civil service relationship, establish employment with the company carrying out the sectoral activity as its main activity. So far, the government has not defined the sectors concerned, and the restriction on employment is therefore "inactive".

[59] A. Kun, *op. cit.*, p. 101.

[60] See e.g. Article 101 (2) GA, Chapter XX GA.

[61] See D. Ludányi, *Családpolitika a közszolgálati jogi szabályozás tükrében*, "Munkajog" 2023, vol. 7(4), pp. 23–32.

[62] Decision 8/2011 (II.18.) and decision 29/2011 (IV.7.) of the Hungarian Constitutional Court.

[63] *Ibidem*. Cf. G. Mélypataki, *Az indokolásnélküliség elméleti és gyakorlati problémái a munka- és közszolgálati jogban az európai jog tükrében*, "Miskolci Jogi Szemle" 2013, vol. 8(2), pp. 62–77; J. Ferencz, *Jogszerű jogbizonytalanság? A felmentés indokolásának változása a közszférában*, "Miskolci Jogi Szemle" 2012, vol. 7(1), pp. 90–103; idem, *Védelemből elégtelen, indokolásból felmentve*, [in:] *Tanulmányok a 70 éves Bihari Mihály Tiszteletére*, eds. K. Szoboszlai-Kiss, G. Deli, Győr 2013, pp. 162–173.

[64] D. Bossaert, *op. cit.*, p. 7.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

ing flexibility of the termination system is demonstrated, i.a., by the expansion of grounds for cessation and termination.[65]

In the context of European practice, the process of decentralisation is typically accompanied by an enhanced role for social partners.[66] In the Hungarian civil service, the process of decentralisation has not been aligned with an opening up of the space for collective agreements.[67] In general, it is not possible to conclude collective agreements for civil service status, with the exception of those pertaining to the ever-shrinking number of public servants under PS and public education staff. Conversely, the scope for discretionary action and the exercise of unilateral decision-making powers by employers has been expanded. This is particularly evident in the case of status laws that apply the so-called salary band system. For instance, while the GA empowers the employer to determine the government official's actual salary within the salary bands on the basis of professional skills, qualifications, experience and performance,[68] it does not prescribe the manner in which or the extent to which these factors should be taken into account.[69]

The possibility of unilateral modification of the appointment by the employer should also be mentioned here. This legal instrument is most fully articulated in the GA.[70] In 2019, the employer was granted the legal authority to unilaterally modify the appointment of a government official without restriction. In only seven cases listed in the GA, the government official may, within four working days of the notification of the change, request that the employer instead terminate the legal relationship by dismissal. In such a case, the modification can be avoided, but the legal relationship between the government official and the employer is also terminated. Such circumstances include a reduction in salary to below 80% of the previous amount, alterations to working hours (for instance, from full-time to part-time or vice versa), a relocation of the place of work to a location outside the municipality, or the transfer of a government official employed in a professional managerial post to an administrative post. The possibility of unilaterally modifying an appointment does not preclude the arbitrary application of the legal instrument. It is, in fact, possible that the employer may unilaterally modify the appointment

---

[65] See Z. Petrovics, *A közszolgálati foglalkoztatási jogviszonyok megszűnése és megszüntetése*, [in:] *A közszolgálati életpályák jogi szabályozása*, ed. Gy. Kiss, Budapest 2019, pp. 177–200.

[66] A.C. Neal, *Public Sector Industrial Relations – Some Developing Trends*, "International Journal of Comparative Labour Law and Industrial Relations" 2001, vol. 17(2), pp. 248–249.

[67] See G. Mélypataki, Z. Rácz, H. Tóth, *A közszolgálati szabályzat helye és szerepe a magyar közszolgálatban*, [in:] *Ünnepi tanulmányok Kiss György 70. születésnapjára. Clara pacta, boni amici*, eds. Á. Auer, Z. Bankó, G. Békési, Gy. Berke, Z. Hazafi, D. Ludányi, Budapest 2023, pp. 440–441.

[68] Article 65 (3) GA.

[69] Z. Hazafi, *Paradigmaváltás…*, p. 123.

[70] Article 89 GA. For its other occurrences, see Article 48 (2) CS, Article 39 (2) SCS, Article 43 (1) NCT.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

in the hope that the government official will not accept the modification and will therefore request dismissal.[71]

It is noteworthy that Hungarian civil service law exhibits a peculiar tendency to retain concepts that are otherwise associated with the closed civil service. An illustrative example is the concept of career, which is frequently ("slogan-like")[72] invoked in conjunction with the introduction of nearly all new legal statuses. Historically, those in positions of authority at any given time had an interest in ensuring that civil servants performed their duties in a loyal and public-spirited manner.[73] In return, they were granted a number of benefits, including privileged status, decent salary and predictable career.[74] In the strictest sense, a career is a term used to describe the fact that civil servants continue their work as a profession, therefore, their employment presupposes relative stability, predictability,[75] transparency and a legal status based on uniform principles. The issue arises when the regulation of status does not align with the true meaning of a career. In such cases, it is challenging to perceive the status as a "career", which has the effect of devaluing the concept of a career. As illustrated above, this is precisely the issue in the Hungarian civil service, where the values of predictability and stability have been significantly eroded. It is evident that these values are associated with traditional closed civil service systems. However, this does not imply that a career can only be conceived within the confines of a closed civil service. In my opinion, no public service system can function effectively without an optimal level of the values of predictability and stability. The mere existence of civil service legislation does not, in itself, fulfil the requirements of a career.

[71] Cf. G. Kártyás, *Sine systema chaos. A Kttv. módosításának rendszertani kritikája*, "HR & Munkajog" 2015, vol. 6(7–8), p. 27; I. Horváth, *LookiLooking for the Disappeared Comparative Advantages in Public Service*, "ELTE Law Journal" 2021, vol. 9(1), p. 43.

[72] This is in accordance with the symbolism that originated in the Hungarian civil service three decades ago. Just as the closed civil service was only realised at the level of "symbols" (Gy. Gajduschek, *A magyar közszolgálati szabályozás egyes sajátosságai*, "Állam- és Jogtudomány" 2004, vol. 38(3–4), p. 293, 318), the concept of a career is only symbolic and rhetorical.

[73] Gy. Kiss, *Az életpálya fogalmáról*, [in:] *A"közszolgálati életpályák jogi szabályozása*, ed. Gy. Kiss, Budapest 2019, p. 21.

[74] Z. Magyary, *A hivatásos közszolgálat megoldatlan kérdései*, Kolozsvár 1944, p. 6.

[75] Gy. Kiss, *op. cit.*, p. 19.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

CONCLUSIONS

The evolution of Hungarian civil service legislation over the last decade demonstrates that it has clearly broken free from the – not too strong – grip of the classical ideas of implementing a career system. Despite the rhetoric, career-related values such as stability and predictability are becoming less and less prominent in the Hungarian civil service. Rather than reverting to the pure neo-Weberian civil service model, the Hungarian approach has opted for a distinctive "unorthodox" solution. In recent years, particularly in the GA, it has followed a new and specifically Hungarian path since 2019. Its regulation is unique because it is a special mix of contradictory tendencies.

In response to the question of whether Hungarian legislation is aligned with international trends, it can be stated that there is both a positive and a negative answer. The aforementioned evidence demonstrates that international trends, namely contractualisation, fragmentation and decentralisation, are indeed present within Hungarian civil service law. However, there is also a tendency towards centralisation stemming from the concept of the "strong state", instrumental view of man, which leads to the erosion of employment stability and the devaluation of the concept of career. The Hungarian civil service system, which has undergone significant transformations over the past three decades, has struggled to define its character amidst the prevailing trends, resulting in an inability to establish a clear identity. The extension of the influence of the government is clearly aligned with the principles of a "strong state", given that the civil service also serves as the agent and implementer of the government's will. The new paradigm of the Hungarian civil service can be considered innovative primarily due to its sincerity, as evidenced by its open embrace of these aspirations.

The scope for employer discretion has been expanded. For some civil servants, the employer may unilaterally change the content of the appointment. The imbalance of power between the parties is an inherent feature of the civil service, however, the possibility of unilateral modification places the civil servant in a vulnerable position, which may have a detrimental impact on the expected stability and predictability of the legal relationship. The vulnerability of the individual and the treatment of the civil servant as a mere instrument for the fulfilment of a public function are contrary to the fundamental principles of human dignity. The primary aim of regulation should be to develop guarantees to ensure that subordination between the parties does not lead to vulnerability of the civil servant. In order to achieve this, it would be necessary to impose more stringent limitations on the discretion of the employer, thereby increasing the relative stability and predictability of legal relations.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

REFERENCES

Literature

Balázs I., *A közigazgatás változásairól Magyarországon és Európában a rendszerváltástól napjainkig*, Debrecen 2016.

Bossaert D., *The Flexibilisation of the Employment Status of Civil Servants: From Life Tenure to More Flexible Employment Relations?*, Survey for the 44th meeting of the Directors General Responsible for Public Administration of the EU Member States, European Institute of Public Administration, Ministère de la Fonction publique et de la Réforme administrative, Luxembourg 2005.

Budai B.B., *A közigazgatás újragondolása. Alkalmazkodás, megújulás, hatékonyság*, Budapest 2017, **DOI: https://doi.org/10.1556/9789634540656**.

Campbell J.L., Pedersen O.K., *Introduction*, [in:] *The Rise of Neoliberalism and Institutional Analysis*, eds. J.L. Campbell, O.K. Pedersen, Princeton 2001, **DOI: https://doi.org/10.1515/9780691188225**.

Derlien H.U., *Conclusion*, [in:] *The State at Work*, vol. 1: *Public Sector Employment in Ten Western Countries*, eds. H.U. Derlien, G.B. Peters, Cheltenham 2008, **DOI: https://doi.org/10.4337/9781848444942.00017**.

Ferencz J., *Jogszerű jogbizonytalanság? A felmentés indokolásának változása a közszférában*, "Miskolci Jogi Szemle" 2012, vol. 7(1).

Ferencz J., *Védelemből elégtelen, indokolásból felmentve*, [in:] *Tanulmányok a 70 éves Bihari Mihály Tiszteletére*, eds. K. Szoboszlai-Kiss, G. Deli, Győr 2013.

Gajduschek Gy., *A magyar közszolgálatról – a szabályok és a tények tükrében*, [in:] *Új generáció a közigazgatástudományok művelésében. Posztdoktori konferencia. 2013. június 6–7.*, ed. M. Fazekas, Budapest 2013.

Gajduschek Gy., *A magyar közszolgálati szabályozás egyes sajátosságai*, "Állam- és Jogtudomány" 2004, vol. 38(3–4).

Hajnal Gy., *New Wine in New Bottles? Assessing Hungary's Post-2010 Public Administration Reforms*, [in:] *Public Administration Reforms in Europe: The View from the Top*, eds. G. Hammerschmid, S. Van de Walle, R. Andrews, P. Bezes, Cheltenham–Northampton 2016, **DOI: https://doi.org/10.4337/97817834754O7.00016**.

Hazafi Z., *A közszolgálati személyzeti politika: nyílt és zárt rendszerek*, [in:] *Közszolgálati életpályák a közigazgatásban és a rendvédelemben*, eds. I. György, Z. Hazafi, Budapest 2018.

Hazafi Z., *Közszolgálati emberkép*, [in:] *Kormányzati személyzetpolitika*, ed. Z. Hazafi, Budapest 2019.

Hazafi Z., *Paradigmaváltás a magyar közszolgálatban*, Budapest 2023.

Hazafi Z., Ludányi D., *Egy befejezetlen törvény margójára: A közszolgálati HRM fejlesztési keretrendszere*, "Pro Publico Bono – Magyar közigazgatás" 2022, vol. 10(1), **DOI: https://doi.org/10.32575/ppb.2022.1.5**.

Hegyesi Z., Ludányi D., *Az államigazgatási szervekre és a személyi állományra vonatkozó szabályozás differenciálódása a Kit. Hatálybalépésével*, "Új Magyar Közigazgatás" 2021, vol. 14(4).

Horváth I., *A közszolgálati szabályozás három évtizede – fragmentáció vagy visszatérés*, [in:] *Exemplis discimus. Emlékkötet Radnay József születésének 95. évfordulójára*, eds. M. Ábrahám, Gy. Berke, E. Tálné Molnár, Budapest 2022.

Horváth I., *Looking for the Disappeared Comparative Advantages in Public Service*, "ELTE Law Journal" 2021, vol. 9(1), **DOI: https://doi.org/10.54148/ELTELJ.2021.1.35**.

Jakab N., Mélypataki G., *The Separation and Reflexivity of Civil Service Law*, "Curentul Juridic" 2019, vol. 22(2).

Kártyás G., *Sine systema chaos. A Kttv. módosításának rendszertani kritikája*, "HR & Munkajog" 2015, vol. 6(7–8).

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

Kiss Gy., *Az életpálya fogalmáról*, [in:] *A "közszolgálati életpályák jogi szabályozása*, ed. Gy. Kiss, Budapest 2019.

Kun A., *A közszolgálati jogviszony alanyai, különös tekintettel a tisztviselő jogállására*, "Pro Publico Bono – Magyar Közigazgatás" 2017, vol. 5(4).

Kuperus H., Rode A., *Top Public Managers in Europe: Management and Employment in Central Public Administrations*, The Hague 2016.

Linder V., *A közszolgálat modernizációjának irányai Magyarországon a nemzetközi tendenciák összefüggésében – irányváltások és útkeresés az ezredforduló után*, "Pro Publico Bono – Magyar Közigazgatás" 2018, vol. 6(4).

Linder V., *„Új" HR-megoldások és szerepük az állami foglalkoztatottak alkalmazásában*, "Pro Publico Bono – Magyar Közigazgatás" 2020, vol. 8(2), **DOI: https://doi.org/10.32575/ppb.2020.2.3**.

Ludányi D., *A közszolgálati jogviszony differenciálódása*, "Munkajog" 2020, vol. 4(1).

Ludányi D., *A közszolgálati pragmatika egysége és különbsége. Javaslat a közigazgatás személyzeti rendszerének egységes keretszabályozására*, Doktori értekezés, Pécsi Tudományegyetem Állam- és Jogtudomány Kar, Pécs 2023.

Ludányi D., *Családpolitika a közszolgálati jogi szabályozás tükrében*, "Munkajog" 2023, vol. 7(4).

Ludányi D., *Regulation of Advancement and Salary Systems in the Hungarian Public Administration*, "Belügyi Szemle" 2022, vol. 70(1).

Magyary Z., *A hivatásos közszolgálat megoldatlan kérdései*, Kolozsvár 1944.

Mélypataki G., *Az indokolásnélküliség elméleti és gyakorlati problémái a munka- és közszolgálati jogban az európai jog tükrében*, "Miskolci Jogi Szemle" 2013, vol. 8(2).

Mélypataki G., Prugberger T., *A közszolgálat fogalmának és dogmatikájának átalakulása*, "Közjogi Szemle" 2021, vol. 24(1).

Mélypataki G., Rácz Z., Tóth H., *A közszolgálati szabályzat helye és szerepe a magyar közszolgálatban*, [in:] *Ünnepi tanulmányok Kiss György 70. születésnapjára. Clara pacta, boni amici*, eds. Á. Auer, Z. Bankó, G. Békési, Gy. Berke, Z. Hazafi, D. Ludányi, Budapest 2023.

Neal A.C., *Public Sector Industrial Relations – Some Developing Trends*, "International Journal of Comparative Labour Law and Industrial Relations" 2001, vol. 17(2), **DOI: https://doi.org/10.54648/354235**.

Ongaro E., Ferré F., Galli D., Longo F., *Italy: Set along a Neo-Weberian Trajectory of Administrative Reform?*, [in:] *Public Administration Reforms in Europe: The View from the Top*, eds. G. Hammerschmid, S. Van de Walle, R. Andrews, P. Bezes, Cheltenham–Northampton 2016, **DOI: https://doi.org/10.4337/9781783475407.00026**.

Petrovics Z., *A közszolgálati foglalkoztatási jogviszonyok megszűnése és megszüntetése*, [in:] *A közszolgálati életpályák jogi szabályozása*, ed. Gy. Kiss, Budapest 2019.

Pittard M., Weeks P., *Public Sector Employment in the Twenty-First Century: Themes and Introduction*, [in:] *Public Sector Employment in the Twenty-First Century*, eds. M. Pittard, P. Weeks, Canberra 2007, **DOI: https://doi.org/10.22459/PSETFC.11.2007.01**.

Schedler K., Proeller I., *The New Public Management: A Perspective from Mainland Europe*, [in:] *New Public Management: Current Trends and Future Prospects*, eds. K. McLaughlin, S.P. Osborne, E. Ferlie, London–New York 2002.

Stimpson A., Moretti C., Lemmik J., *Public Administrations in the EU Member States: 2021 Overview*, Luxembourg 2023.

Stumpf I., *Az állam újrafelfedezése és a Neoweberiánus állam*, [in:] *OKRI Szemle 1.*, ed. Gy. Virág, Budapest 2009.

Van de Walle S., Hammerschmid G., Andrews R., Bezes P., *Introduction: Public Administration Reforms in Europe*, [in:] *Public Administration Reforms in Europe: The View from the Top*, eds. G. Hammerschmid, S. Van de Walle, R. Andrews, P. Bezes, Cheltenham–Northampton 2016, **DOI: https://doi.org/10.4337/9781783475407.00006**.

Weber M., *A tudomány és a politika mint hivatás*, Budapest 2005.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

Online sources

Demmke C., Moilanen T., *The Future of Public Employment in Central Public Administration: Restructuring in Times of Government Transformation and the Impact on Status Development*, Maastricht–Berlin–Helsinki 2012, https://www.eupan.eu/wp-content/uploads/2019/02/2012_2_CY_The_Future_of_Public_Employment_in_Central_Public_Administration.pdf (access: 25.8.2025).

Legal acts

Act XXII of 1992 on the Labour Code.
Act XXIII of 1992 on the Status of Civil Servants.
Act XXXIII of 1992 on the Status of Public Servants.
Act LXVIII of 1997 on the Service Status of Judicial Employees.
Act CLXXXV of 2010 on Media Services and Mass Communications.
Act LXVI of 2011 on the State Audit Office of Hungary.
Act CLXII of 2011 on the Status and Remuneration of Judges.
Act CLXIV of 2011 on the Status of the Attorney General, Prosecutors and other Prosecution Employees and the Career of Prosecutors.
Act CXCIX of 2011 on Civil Servants.
Act I of 2012 on the Labour Code.
Act XXXVI of 2012 on Parliament.
Act LXXVI of 2014 on Scientific Research, Development and Innovation.
Act XLII of 2015 on the Service Relationship of the Professional Staff of Bodies Performing Law Enforcement Functions.
Act CXIV of 2018 on the Status of Defence Employees.
Act CXXV of 2018 on Government Administration.
Act LXXX of 2019 on Vocational Education and Training.
Act CVII of 2019 on Special Status Bodies and the Status of their Civil Servants.
Act XXXII of 2020 on the transformation of the status of public servants in cultural institutions and amending certain cultural acts.
Act C of 2020 on the Health Service Legal Relationship.
Act CXXX of 2020 on the Legal Status of the Personnel of the National Tax and Customs Administration.
Act LII of 2023 on the New Careers of Teachers.
Bill T/3690. on the amendment of Act 23 of 1992 on the status of civil servants and other Acts. General Explanation.
Government Decree 88/2019 (IV.23.) on the management of government administrative staff and certain personnel issues affecting government administrative bodies and their civil servants.
Government Decree 137/2024 (VI.28.) on the Status of the Defence Forces.

Case law

Decision 8/2011 (II.18.) of the Hungarian Constitutional Court.
Decision 29/2011 (IV.7.) of the Hungarian Constitutional Court.

Pobrane z czasopisma Studia Iuridica Lublinensia **http://studiaiuridica.umcs.pl**
Data: 02/11/2026 08:30:15

ABSTRAKT

W artykule skoncentrowano się na problematyce węgierskiej służby cywilnej. Celem badań jest analiza, w jakim stopniu prawo dotyczące służby publicznej na Węgrzech, które podlega nieustannym zmianom w ciągu ostatnich trzech dekad, dostosowuje się do trendów międzynarodowych, zwłaszcza obserwowanych w Europie, takich jak zlecanie zadań publicznych podmiotom zewnętrznym, fragmentaryzacja i decentralizacja. Postawiono hipotezę, że węgierska służba cywilna wpisuje się w ogólnoświatowe tendencje, a jednocześnie cechuje ją swoiste podejście do zatrudnienia w służbie cywilnej. W opracowaniu wykorzystano szeroki zakres źródeł pierwotnych i wtórnych, w tym akty normatywne, uzasadnienia projektów ustaw, orzecznictwo węgierskiego Trybunału Konstytucyjnego oraz literaturę prawniczą krajową i międzynarodową. Nowatorski charakter analizy polega na próbie uchwycenia szczególnych cech współczesnego węgierskiego prawa o służbie cywilnej. Obecnie węgierska służba cywilna odeszła od tradycyjnego, zamkniętego modelu administracji. Do jej charakterystycznych cech należą: centralizacja wynikająca z koncepcji „silnego państwa", współistnienie konkurencyjnych wizji prawnych dotyczących statusu urzędnika, erozja stabilności kariery zawodowej oraz deprecjacja idei kariery urzędniczej. Autor argumentuje, że w węgierskiej służbie cywilnej konieczne jest silniejsze zaakcentowanie wartości kariery, względnej stabilności i przewidywalności zatrudnienia, jak również ograniczenie uznaniowości działań pracodawcy.

Słowa kluczowe: prawo o służbie cywilnej; urzędnicy służby cywilnej; decentralizacja; fragmentaryzacja; Węgry; silne państwo