Transforming for Europe : the reshaping of national bureaucracies in a system of multi-level governance

Berg, C.F. van den

Transforming for **Europe**

The reshaping of national bureaucracies in a system of multi-level governance

Leiden University Press

PROEFSCHRIFT
ter verkrijging van

de graad van Doctor aan de Universiteit Leiden,

op gezag van Rector Magnificus prof.mr. P.F. van der Heijden,

volgens besluit van het College voor Promoties

te verdedigen op donderdag 20 januari 2011

klokke 16:15 uur

door

Caspar Floris van den Berg

geboren te Angerlo

in 1980

Table of Contents

Preface

The day I picked to sit down and write this preface, is the day Max Kohnstamm passed away. Max Kohnstamm (1914 – 2010) was a civil servant for the Dutch government and in that capacity a member of the Dutch delegation taking part in the negotiations which led to the creation of the European Coal and Steel Community (ECSC). Today Kohnstamm is remembered for his role as vice-president of the *Comité d'Action pour les États-Unis d'Europe* and for having served as the first president of the European University Institute in Florence, but most of all as one of The Netherlands' most ardent advocates of European unity and European political integration. Kohnstamm saw the construction of the European Union as a spectacular undertaking. His message was that even if the EU is slow, imperfect, popularly unpopular, democratically contested or operationally divided, its contribution to the security and prosperity of Europeans has been unprecedented, and priceless.

While Kohnstamm's message is likely to be true, and while its value is probably understressed in many current debates, from an analytical point of view it raises far more questions than it answers. "How did it happen?" "Who made it happen?" "How have other developments interfered and interacted with the construction of the EU?" "What has it meant for the way political and societal challenges are addressed in Europe?" "And what has it meant for the institutions, actors and processes put in place to meet those challenges?" It is to the understanding of this family of questions that the present study wants to make a contribution.

If Max Kohnstamm's message concerning the value of European integration may sound outlandish in today's political climate, the following statement will seem to come from a distant solar system: that we as citizens owe a significant share of our health, wealth, security and freedom to the work civil servants do to that end. Just as likely to be true as Kohnstamm's message, and probably just as understressed in many current debates, too. Yet in much the same way, this statement does not lead us very far in analytical terms either. Rather, the following questions have traditionally puzzled students in the field of Public Administration: "What is the civil service and what are civil servants?"; "What is their potential, what are their means, their limits, what are their duties, their contract with the world of politics, and with society?" It is the purpose of this compara-

tive exploration to align these two tribes of questions and thus to find answers that help to better understand sometimes hidden developments in our increasingly multi-level system of governance.

It is demonstrated that a traditional bureaucratic governmental apparatus, populated by a bureaucratic administrative staff, is in some respects undermined by increasing multi-level governance, while in other respects the reverse seems true: civil service systems are becoming more bureaucratic (in the Weberian, value-free sense of the word) as governance becomes more multi-level. The civil service has become more fragmented and specialised, organisations have become subject to regulatory regimes or contractual supervision rather than hierarchical command. In terms of personnel systems, permanence of appointmen, career arrangements and substantive expertise have lost part of their importance while ideas of cross-sectoral mobility, political-strategic action and negotiation skills have moved to the fore.

While some individual civil servants may have moved out of neutral anonymity into the limelight, at the aggregate level, the scope for dominance by civil servants has decreased as influence is increasingly shared with other state and non-state actors at various territorial levels. In relation to their ministers, the roles of civil servants have also increasingly specialised: while some top civil servants (politically appointed or not) clearly function as personal confidants to ministers, others have specialized in advanced bureau management or have developed into policy leaders.

It is argued that while the EU is not a single direct source to any of these developments, its presence and reinforcing character is felt in most of them, be it through national civil servants' participation in shaping the EU and its policies, decisions of the European Court of Justice, new methods of governing implicit in EU legislation, or the spread of ideas about public sector reform through transnational civil service interaction. While formerly sharp cross-national differences do have lessened, the ingrained national state structures and administrative cultures so far seem to prevent the convergence of national civil service systems into a single European administrative model.

1 SHIFTS IN GOVERNANCE IN WESTERN EUROPE

1.1 Multi-level governance, national civil service systems and EU integration

The acceleration of change in societal, economic and political life over the past three decades has by no means left the governance of Western European societies untouched. Of course, public governance[1], regardless of period or place, is never a static given; rather, it is a process in motion. Nonetheless, during the most recent history of Western Europe, an interesting set of drivers for changes have had fairly deep impacts in a fairly short time span. One key aspect of these profound changes is the perceived shift from government toward *multi-level governance* (MLG) (Rhodes 1994, 2000; Peters and Pierre, 2004; Hooghe and Marks, 2004).

MLG is both a label for a specific manifestation of public administration and state-society interaction and an academic approach to understanding present-day politics and government. It is characterised by an emphasis on four crucial features: (1) power is increasingly shared across multiple levels of governance rather than centred just at the national level; (2) power is increasingly shared between state actors, semi-state actors and non-state actors, rather than being predominately concentrated with state actors; (3) institutional relations are increasingly determined through negotiations and networks *as a complement* to constitutional provisions; and (4) the strictly hierarchical and top-down ordering of levels of governance is decreasing in importance, in favour of a relatively more equal power distribution between tiers of governance (Peters and Pierre, 2004; Hooghe and Marks, 2004).

Since all of these four features have arguably become more apparent in Western Europe over the past three decades, the question arises as to what have been their repercussions for national governmental institutions. These institutions are often deeply rooted in the traditional constellation of politics and administration in which concepts of the national state, national

people and national territory have been much less contested. In this study, such implications are explored, described and interpreted for national civil service systems[2]. Specifically, this study asks, to what extent and in what way have national civil service systems changed in terms of their design and personnel policies? To what extent has the potential for dominance by civil servants widened or narrowed as a result of the increased multi-level, multi-actor nature of governance?

The recent intensification of MLG is generally assumed to be the combined result of three main drivers: the internationalisation or European integration driver, the managerial or new public management (NPM) driver, and the good governance driver.

Trying to establish a starting date for internationalisation[3] would be a self-defeating endeavour. The European project that evolved into the European Union (EU), as we know it now, finds its roots in the late 1940s. Yet, the impact of European integration on its member states, societies, and institutions has become especially notable since roughly 1980[4]. The voluminous body of literature on European integration shows that the domestic impact of such integration follows, on the one hand, from the increasing width and depth of EU competencies in policy areas that were formerly thought of as domestic terrains, and on the other hand from the potential of the European forum for member states to learn from each other's practices (for an overview, see Bulmer and Burch, 2002). Even if speculations about the end of the national state generally still seem implausible[5], the EU is unprecedented in its creation of a supranational political system that includes a parliament, judicial courts, and organised interest representation. Yet, despite the assumption by some that the EU would wholly or largely replace governmental processes or institutions at the national level, it is far more likely that EU practices will instead become embedded in the structures and customs that exist at the national level (Anderson, 2003: 20).

Moreover, in spite of the uniqueness and intensity of the European integration project, internationalisation goes far beyond the borders of the European Union, which themselves have shifted regularly since its first enlargement in 1973. The growing flows of people, goods, and capital across the entire world, as well as the activities of global organisations such as the OECD, the World Bank and the IMF have increasingly exposed domestic societies to the opportunities and challenges of the international sphere. An important theoretical question is whether such forms of globalisation and European integration lead to a greater or lesser congruence among the administrative systems of national states, to which this study pays specific attention.

Besides internationalisation, with European integration being one of its particular (and extreme) manifestations in Europe, the second driving force for the shift from government to MLG has been the popularity – particularly

in North-Western Europe – of a business-like approach to the public service that emerged by the end of the 1970s. This approach, usually referred to as the doctrine of *new public management* (NPM), originated in the Anglo-Saxon world but has been adopted in one form or another in nearly all of the continental European countries (Lane, 2000; Pollitt and Bouckaert, 2004). In most of the national variations of NPM that have emerged, the disaggregation of the administrative apparatus was a key component. This disaggregation usually entailed the transferral of (parts of) public organisations to the private sector and the separation of policy formulation and policy implementation between smaller core departments and executive agencies, respectively (Hood, 1991).

The third and last key driving force, *good governance*, is a normative notion that was first coined by the IMF and the World Bank in the early 1980s. While in the beginning the concept was predominantly used in the development discourse, it was also applied to the transition process of post-communist states after 1989 and subsequently to the broader range of OECD countries. In the latter category, this attention to good governance generated renewed interest in governmental transparency, anti-corruption, participation, accountability, and openness (Hood, 1998). In practice, the criteria that determine when governance deserves the attributive 'good' vary greatly depending on *whom* one talks to, as well as *where* and *when*. Nonetheless, the instruments to attain or ensure good governance generally include the decentralisation of power; more inclusive and transparent decision making; and a multitude of actors that become interdependent on each other to safeguard their inclination to work together responsibly. The effectuation of these good governance instruments has reinforced network governance, a mode of governance that was first described by scholars of public policy and intergovernmental relations (Van Braam, 1988; Olsen, 2005; Kohler-Koch and Eising, 1999; Jönsson and Strömvik, 2005; Suvarierol and van den Berg, 2008). Next to its empirical dimension, the notion of network governance has a clear normative aspect: its enthusiasts prefer horizontal links and power sharing between government and society and see the move to network governance as a reflection of ongoing social change, including democratisation and individualisation (Kettle, 1996). As a result, the state's monopoly on authority is increasingly contested, not least by citizens, corporations, and interest groups demanding higher degrees of participation in public-policy making and more customer-oriented service delivery. However, a countertrend has recently been observed. In numerous areas, horizontalised governance arrangements have led neither to the expected better service delivery nor to the anticipated cost reduction, while at the same time examples of affected accountability relations and levels of integrity have come to the fore (Peters and Pierre, 2006).

Although all three of these driving forces have each contributed fundamentally to the shift from government towards MLG, in this study the pri-

mary focus is on the role of European integration in intensifying MLG and, consequently, directly or indirectly affecting national civil service systems. What are the implications for the organisational architecture of a national civil service, its personnel systems, and the scope to contain the potential for *Beamtenherrschaft* (dominance by officials), both externally (parliament, judiciary, organised interests, etc.) and internally (political leadership by ministers)? This study hypothesises that these implications are manifested through two key mechanisms:

- Firstly, by *extending the playing field* of MLG through the emergence of a supra-national layer of governance; and
- Secondly, through *changes in the way the game is played*, given the impact of EU-level decisions on member states, by offering new opportunities and challenges to the key players at the national level both to score and defend.

These two mechanisms reinforce one another, so one can say that the EU reiteratively intensifies the MLG character of governance at the national level.

Rather than to isolate European integration as an exclusive causal factor for national civil service change, the aim of this study is to explore, describe and interpret the impact of European integration in connection with the abovementioned other interconnected factors.

There are two reasons for this approach. Firstly, to date there has been limited cross-national comparative scholarly attention to the implications of MLG for the civil service, with a specific focus on European integration. Secondly, the aggregate effects of European integration and other drivers for change, including managerialism, good governance, and many other national and international socio-economic and political factors, are theoretically and empirically inseparable to such an extent that an exploratory-descriptive-interpretative approach is both more valuable and more sensible.

This study comparatively investigates changes in the national civil service systems of France, Britain and The Netherlands[6] over the period from 1980 to the present, guided by the following research question:

> *What are the implications of EU integration - given its intensifying effect on the MLG character of public decision making and service delivery in the member states - for national civil service systems in terms of (1) their organisational design; (2) their personnel systems; and (3) the scope to contain the potential for official dominance in relation to (a) political leaders and (b) external institutions?*

1.2   Relevance and objectives

In the light of fast, broad and interconnected developments in the world's economies and societies, the study of civil service systems has become particularly relevant (see Du Gay, 2000; 2005; Goodsell, 2003; 2005; Olsen, 2005). A number of comparative research initiatives has gradually increased our empirical insight into civil service systems since the early 1990s (Bekke *et al.*, 1996; Bekke and Van der Meer, 2000; Toonen *et al.*, 2008; Knill, 2001; Peters and Pierre, 2001; 2004; Page and Wright, 2007; Derlien and Peters, 2008). Nevertheless, there are still lacunas in the available theoretical and empirical knowledge to answer the questions formulated above. This holds particularly true for the effect of EU integration on national civil service systems. It is now widely accepted that EU integration is not only a bottom-up process in which member state actors determine the institutional design of the EU, but is equally a top-down process in which EU-level developments have an impact on national structures (Olsen, 2002; Harmsen, 1999; Hix and Goetz, 2000; Risse *et al.*, 2001; Schmidt, 2006; Graziano and Vink, 2007). Many studies have considered the national and sub-national transposition and implementation of EU law (Mastenbroek, 2007; Kaeding 2007, 2005; Romeijn, 2008; Berglund, 2009), and the different coordination methods for policy in member states (Kassim et al. 2000; 2001). Also, studies of the dynamics of bureaucracy within the European Commission are numerous (Page and Wouters, 1995; Page, 1997; Hooghe, 2001; Spence and Edwards, 2006).

However, there still is a deficiency in the empirical understanding as to how and to what degree national civil service systems are changing in the context of ongoing European integration. The relevance of this study lies in its ambition to cast light on what the EU means for national systems by adding up-to-date insights on the perennial complexities of a civil service system (Bekke *et al.*, 1996; Pierre 1995). Its key empirical objective is thus to collate a data-set that incorporates up-to-date essential knowledge regarding the implications of the increasing MLG character of public decision making and service delivery due to EU integration for civil service systems in terms of their organisational design, personnel systems, and their scope to contain the potential for *Beamtenherrschaft* in relation to political leadership and external institutions.

Moreover, this study takes a special interest in providing in-depth empirical insights into the particularities of change in each of the three civil service systems and in the constraints involved when adapting to changed circumstances. This study assumes that historical constraints are imposed by the events that established these countries' distinct national administrative traditions. Therefore, its aim is not just to say something about the

general complexities of civil service systems, but also about the particularities of the administrative constellations in the national states under study.

1.3   The organisation of this study

This study is about the developments in national civil service systems with the expansion of the EU governance system as its key contextual factor. The remainder of this book is structured as follows. The next three chapters discuss the relevant bodies of literature and build a framework for analysis. Chapter 2 takes stock of the Europeanisation and MLG literature, distilling expectations concerning the implications for national civil service systems. In chapter 3, the results of existing research on civil service systems are identified and discussed. We then turn to different strategies which may help to understand variation (or the lack thereof) in national civil service change (chapter 4). This is followed in chapter 5 by an explanation of the choices made in designing this project and an elucidation of the methodological procedure. This part of the study concludes by integrating the relevant elements of the various perspectives and the research fields into a concise analytical framework (chapter 6).

Chapter 7, 8 and 9 employ this analytical framework in three case studies of the civil service systems of France (chapter 7), the Britain (chapter 8), and The Netherlands (chapter 9) respectively, followed by a comparative analysis of the empirical findings (chapter 10). Chapter 11 concludes this study by collating and summarising the theoretical and empirical insights it yielded.

2 EUROPEANISATION AND MULTI-LEVEL GOVERNANCE

First coined as an analytical concept in the 1990s, the multi-level governance (MLG) perspective has now been widely adopted as a tool to understand the complexity and multiplicity of present-day governance. This perspective is focused on the basic premise that in the game of governance, the players are not unitary or monolithic. Although Public Administration as a discipline has traditionally been quite sensitive to this premise, and to the idea that processes are never fully top-down, processes such as internationalisation, EU integration, privatisation and individualisation have made the MLG premise all the more credible. Politics and administration at all levels, from local to supranational, must be regarded as a complex and differentiated ensemble of actors and institutions.

The governance of Western Europe has been more or less multi-level in nature at least since Roman times. Examples of layered government can be found even in the oldest systems of government, and non-state actors have been involved in matters of administration for many centuries (Toonen and Van der Meer, 2005). Examples include the role of the church and the guilds as mediators and regulators of social life in the middle ages, and the interconnection of the colonial navy and armies with private trading networks in the age of empire. Indeed, the *practice* of multi-level governance long predated the emergence of the analytical perspective (Benz, 2003; Mayntz, 2004). Criticism of the alleged novelty of MLG is further discussed in section 2.1.3.

The MLG approach is not the only analytical attempt to capture the increasingly fragmented and polycentric forms of public decision making and service delivery (Ansell, 2000; Kohler-Koch and Eising, 1999; Peterson, 2001; Rosenau, 1997; Schmitter 1996). Nonetheless, the MLG approach appears to be best suited for understanding the changed context of and the impetus for change among national civil service systems, because it highlights the transnational, national and subnational activities of actors and institutions, and because it focuses on both networks and constitutional frameworks as the defining features of institutional relationships. Moreover, MLG is the most widely used and the furthest developed of the new

generation of conceptualisations of public decision making and service delivery. The first part of this chapter examines where MLG comes from, what it entails, and what profits the MLG approach yields in the context of the present research questions.

One specific aspect of MLG, the domestic impact of the European integration process, has been given a name of its own: Europeanisation. As the importance of the EU grew within the political and administrative systems of the member states, scholars became increasingly uneasy with the theories of European integration as such to explain its domestic implications. At first, the implementation problems of EU law and policies within the member states particularly caught researchers' attention. This later expanded to broader questions, such as the effect of the misfit between EU requirements and national practices and the significance of cross-national variation in responses to European adaptation pressure. Scholars also began to consider the importance of domestic mediating factors and the two-way nature of European integration and Europeanisation, which produced a new strand in the field of European Union Politics. In the second part of this chapter, Europeanisation as a body of literature is discussed and assessed for its use in this study.

In this chapter, first the premises of the MLG literature will be assessed (2.1), including the assumed erosion of the hierarchy of territorial levels (2.1.1); the assumed shift from government to governance (2.1.2); and the alleged novelty of MLG as a form of governance (2.1.3). Next, the Europeanisation approach will be discussed (2.2), focusing on degrees of Europeanisation (2.2.1); the various dimensions of domestic political-administrative systems, along which effects of European integration may be expected (2.2.2); the difference and the relationship between direct and indirect effects of European integration in domestic political-administrative systems (2.2.3); the mutual influence of the European and domestic political-administrative systems (2.2.4); the relative outcome of Europeanisation across member states, i.e. cross-national convergence or divergence (2.2.5); and lastly, current problems and issues detected in the Europeanisation literature (2.2.6).

2.1   Multi-level governance

The notion of multi-level governance finds its origin in efforts to explain European structural policies from the mid 1980s (Marks, 1993; Hooghe, 1996)[7]. Since those days, a considerable number of scholars have adopted the term and used it to analyze other aspects of governance in Western Europe, at various territorial levels. Moreover, the term has entered the discourse of practitioners as a label for present-day developments in politics

and public administration (Bache and Flinders, 2004: 195). So, both in academic circles and in practice, the term multi-level governance has gradually come to be applicable to European governance more generally.

Peters and Pierre (2004) identified four crucial respects in which the multi-level governance approach differs from traditional intergovernmental relationships. First of all, instead of focusing exclusively on either supranational bodies or states as actors in the European political arena, multi-level governance involves transnational, national and subnational institutions and actors. Secondly, Peters and Pierre argue that whereas traditional approaches see institutional relationships as defined by constitutions and other legal frameworks, multi-level governance suggests that negotiations and networks are the main determinants of institutional interaction (2004: 79). Thirdly, multi-level governance includes the role of private actors (e.g. business or private interest groups) and satellite organisations (e.g. NGOs and agencies) in its analysis of governance. Since these types of bodies are not formally part of the governmental framework, they have received less attention in state-centred approaches to intergovernmental relationships. Lastly, in multi-level governance the idea of a strict hierarchy of levels of governments seems to have been - at least partly - diluted. According to Peters and Pierre, multi-level governance "makes no normative pre-judgments about the logical order between different institutional tiers" (2004: 77). Thus, multi-level governance denounces the separation between domestic and international politics and the exclusive importance that both rival theories attach to either transnational or national actors and institutions, respectively.

The crucial innovative point in the MLG perspective is the realisation that "[s]tates are not the exclusive link between domestic politicians and intergovernmental bargaining in the EU. Instead of the two-level game assumptions adopted by state-centrists, multi-level governance theorists posit a set of overarching, multi-level polity networks" (Marks et al., 1996: 341). Within these networks, local, subnational and national actors engage in direct exchanges with actors at other levels, including the supranational. As a result, national executives can no longer monopolise decision-making procedures. In addition, the MLG perspective is sensitive to the notion that in present-day governance, informal bargaining between a wide variety of actors (individuals and institutions, public and private; local, regional, national, and transnational) is at least as decisive as are formal power relations. As the MLG approach views governance in terms of disaggregated levels that permanently and mutually influence each other, and also accommodates various types of actors (state and non-state), it opens new ways of comprehending European integration and its implications. Figures 2.1 and 2.2 depict the contrasts between the state-centric and the MLG perceptions of international relations and comparative government.
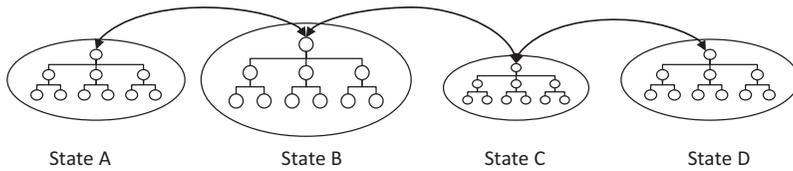
Figure 2.1 *The state-centric perception of international relations and comparative government.*

Global level

Regional level

National level
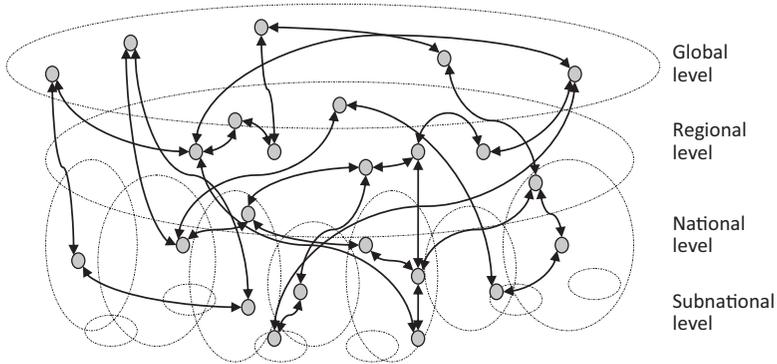
Subnational level

Figure 2.2 *The MLG perception of international relations and comparative government.*

2.1.1   Hierarchy of levels

One of the premises of the MLG approach is that a hierarchy of territorial levels, which is assumed in state-centric studies, is decreasingly found in empirical reality. The term MLG implies that governance is made up of several horizontal layers and several vertical columns. However, there is little agreement on how exactly these layers or levels are related to one another. While some perceive the concept as representing a set of vertically layered tiers of authority, bound together in a hierarchical fashion (Peters and Pierre, 2000), others see MLG as an *alternative* to hierarchical government, in which the order of importance between levels is fluid and perhaps even random (Frey and Eichenberger, 1999). Should MLG be read as a system of governance in which hierarchy of levels has largely eroded, or are the policy networks MLG presents nested in formal and hierarchically ordered government institutions? Or, can jurisdictions of both types exist alongside each other? These questions are important if we want to understand the changed position of national-level governance institutions in general and the position and role of national civil service systems in EU-level decision making in particular.

The realisation that MLG can be conceived as a system with hierarchically ordered political-administrative units, more or less similar to a federalist structure *and/or* as a system where different levels exist on a relatively equal footing next to one another, signifies that there is no single manifestation of MLG. Hooghe and Marks simplify these multiple manifestations of MLG by identifying two main types (2001; 2003; 2004). Their distinction helps to articulate the qualities of different forms of MLG. Hooghe and Marks constructed their types in reliance on four variables: (1) whether political-administrative units are designed around particular communities, or around particular policy problems; (2) whether competencies are bundled within one jurisdiction, or if jurisdictions are functionally specific; (3) if jurisdictions are limited in number, or proliferate; and (4) whether jurisdictions are stable over time, or fluid. The main features of both types are set out here.

Type I MLG can best be envisaged as a Russian Doll, hosting a fixed number of non-intersecting jurisdictions, where each lower tier is nested into a higher one. Interestingly, scholars in Public Administration recognised and described this kind of MLG as early as the 1970s as *layered* or *territorial governance* (see Van Braam, 1988; Toonen, 1987). In this type, there are only a limited number of governance levels – the international, national, regional, meso and local. Each level fulfils general-purpose tasks and bundles together multiple functions. Although the division of policy competencies across the levels may change over time, the levels themselves persist for longer periods. In Hooghe and Marks' typology, jurisdictions of type I are typically characterised by the *trias politica* structure (i.e. an elected legislature, an executive – plus a professional civil service – and a court system).

If a territorial system of MLG is to be envisaged as a Russian Doll, type II can be best compared to a marble cake (Hooghe and Marks, 2003: 14). Analogous with the similarity between type I MLG and territorial governance, type II MLG closely resembles what has been known within Public Administration and Legal Studies as *functional administration* (Van Braam, 1988; Dijkstra and Van der Meer, 1997). This type consists of a potentially infinite number of specialised jurisdictions, each fulfilling their individual function. These jurisdictions emerge and disappear according to the demands for governance. In this sense, type II is the functional equivalent to market competition, since governmental structures are ad-hoc, problem-driven, and therefore more economically efficient than general-purpose jurisdictions. As a result, their number is never constant and some jurisdictions may be very short-lived. Type II MLG implies a fragmented public sector, where there is not one government but a variety of different public service sectors (compare Ostrom and Ostrom, 1999). Frey and Eichenberger's (1999) idea of a governance system in which jurisdictions are functional, overlapping and competing (FOCJ) fits neatly into this type of MLG.

Territitorial governance (Type I MLG)	Functional governance (Type II MLG)
General-purpose jurisdictions	*Task-specific* jurisdictions
Non-intersecting memberships	*Intersecting* memberships
Jurisdictions organised on a *limited number of levels*	*No limit* to the number of jurisdictional levels
System-wide architecture	*Flexible design*

Table 2.1   *Types of MLG (Hooghe and Marks, 2004: 4; Van Braam, 1988).*

Table 2.1 summarises the two types of MLG and demonstrates that there are two broad ways in which the different jurisdictions in MLG can be related to one another. Marks and Hooghe stress that both types are by no means mutually exclusive. Rather, they co-exist, because some policy requirements are better or more efficiently met by type I jurisdictions and others by type II jurisdictions. Consequently, most governance systems consist of both a set of relatively hierarchical general-purpose jurisdictions and a set of functionally differentiated and overlapping jurisdictions. Albeit an empirical matter, two important questions that arise from this realisation are: how is the division of labour organised across both types of MLG, and is either type of MLG dominant over the other?

In any case, what both types have in common is that they deviate strongly from the traditional perspective of a centralised state, in which authority is assumed to be diffused from one pivotal level of government (Hooghe and Marks 2003: 23). This is not to say that state-level authorities fulfil a marginal role, but the classical notion of uncontested state power now needs to be adjusted to states' more complex, *primus inter pares* position within the governance system (Wessels and Rometsch, 1996; Peters and Pierre, 2000).

2.1.2   Governance

The second main premise of the MLG approach, as stated above, is that not only should the various levels of governance be disaggregated into a variety of different actors and institutions, but also that the role played by actors and institutions who are not formally part of governmental structures should be recognised. In other words, *government* has gradually but increasingly turned into *governance* and should be regarded as such. Governance has been defined as "a more encompassing phenomenon than government. It embraces government, but it also subsumes informal, non-governmental mechanisms whereby those persons and organisations within its purview move ahead, satisfy their needs and fulfil their wants" (Rosenau, 1992: 4). Similarly, Kooiman (1993) points out that governance is more than just action by state authorities. Instead, it involves "all those activities

of social, political an administrative actors that … guide, steer and control or manage society" (Kooiman, 1993: 2). Moreover, the concept of *government* focuses on formal constitutional structures of politics and administration, whereas the concept of *governance* stresses processes and problem-solving activities.

The MLG approach is also sensitive to the inclusion of quasi-state and non-state actors. It assumes that the *modus operandi* of public decision making and service delivery in Western Europe is now adequately characterised by policy networks in which both public and private actors can take part on a more or less equal footing. Also, the notion of governance makes it possible to appreciate the role of individual specialised experts – such as civil servants within national ministries and interest group representatives – in the decision-making process (see Radaelli, 1999). In supranational or state-centric approaches, the significance of these actors and institutions would remain elusive.

However, governance studies have made it clear that relationships of accountability between actors and institutions and the democratic quality of decision making within the European Union may be problematic and may have to be reconsidered (Van den Berg and Toonen, 2007). That said, the real importance of non-state actors for public decision making and service delivery remains an empirical question and may vary from system to system. Although it may be clear that the mobilisation, participation and interest articulation of a wide range of interest groups has increased over the past decades, this does not necessarily mean that these new actors enjoy a generally high degree of effective influence (see also Bache and Flinders, 2004: 204).

Another problem related to the MLG approach is the assumption by some scholars that MLG in practice is normatively superior to other types of political organisation, which are less inclusive in their decision-making procedures and more formal in their power structures. Arguably, the 'scale flexibility' of MLG jurisdictions creates many advantages, primarily in terms of costs and efficiency (although the increased costs and inefficiencies resulting from decreased coordination opportunities should not be overlooked). For instance, jurisdictions can be custom-designed and decision makers can address the difficulty of heterogeneous policy problems by adjusting the scale of governance (Marks and Hooghe, 2004: 8). Casella and Weingast add an ideological dimension to their advocacy of the normative superiority of non-hierarchical and informal political organisation by arguing that "the nested, hierarchical structure of the nation-state has no obvious economic rationale and is opposed by economic forces" (1995: 13).

However, these authors tend to overlook the negative implications of MLG in other respects. The increasingly diffuse nature of governance at all territorial levels in Western Europe raises questions regarding the quality of democratic governance and accountability at the various levels (Börzel

and Sprungk, 2007; Peters and Pierre, 2000; Wessels and Rometsch, 1996). The legitimacy of public policy may, on the one hand, be increased through greater efficiency and the inclusion of a larger number of actions and institutions; but, on the other hand, the legitimacy that flows from representative democratic input and scrutinising accountability may be at risk. In this context, Börzel and Sprungk signal how the complex multi-level structure of governance in Western Europe undermines the mechanisms that ensure the democratic legitimacy of domestic politics, in respect of both horizontal and vertical divisions of power. Börzel and Sprungk call this phenomenon the "dark side of Europeanisation that has not been sufficiently paid attention to" (2007: 23). Similarly, Wessels and Rometsch conclude that, in all member states, European integration has led to a deparliamentarisation and bureaucratisation at the national level (1996: 364).

The central question here is whether problem-solving capacity and outcomes have taken precedence over democratic input and accountability. While informal patterns of political coordination are often praised for their efficiency and inclusiveness, they create opportunities for the more powerful political and economic actors (such as the executive and large business) to escape and by-pass those regulations that may have been explicitly intended to formally guarantee the rights and input of 'weaker' actors and institutions (Peters and Pierre, 2004: 85). While many authors are alert to this predicament, the literature on MLG has not yet found a satisfactory way to address it. However, there are some exceptions. One way to overcome the loss of democratic legitimacy could be to create new mechanisms of control and accountability in the form of self-governing communities (Bache and Flinders, 2004: 202) Another way, suggested by Peters and Pierre (2004), is to extend the existing structures of representative democracy at each territorial level.

Interestingly, Peters and Pierre (2004) reserve the leading role in this process for *national* governments since, they argue, when it comes to electoral legitimacy, national governments are the best equipped players to strengthen the democratic quality of decision making and service delivery. This is also empirically supported by the central role that national governments have played in response to global terrorism since 2001 and the economic crisis that started in 2008. However, Bache and Flinders (2004) acknowledge that, given the *multi-level* and *governance* nature of the current system, "additional mechanisms of accountability beyond those provided by representative institutions [are needed]. This does not only mean democratising supranational and global processes, but also rethinking and revising the mechanisms of democracy within the state, at both national and subnational levels" (Bache and Flinders, 2004: 205).

A final troubling element in the MLG approach is the idea that, since the emergence of this type of governance, power is *shared* between actors and institutions at the various levels, rather than *competed* for (Kohler-Koch

1996; Hooghe and Marks, 2003). This claim implies that where informal patterns of decision making and negotiation arise, conflicts of interests evaporate too. This seems rather unrealistic. Moreover, empirical studies point to the opposite: the multitude of actors and avenues to pursue one's interests tend to encourage competition, hard negotiations and multi-strategy campaigns, rather than promote peaceful power-sharing (e.g. Kassim et al., 2000).

2.1.3   The novelty of multi level governance?

The MLG approach has also been criticised for having limited explanatory value. Some critics see the MLG approach rather as an "amalgam of existing theoretical statements than a new theory" (Jordan, 2001: 201). Although there is considerable truth in this claim, it ought not to affect the analytical value of the approach to a substantial extent. The point is not whether MLG is an approach that is theoretically built from scratch – multi-level governance scholars make no claims to absolute originality – but rather whether the approach yields new levers for analyzing political processes.

The second point of criticism related to novelty may have more serious implications. Many scholars who have contributed to the development of the MLG approach regard the practice of MLG as a relatively recent phenomenon. For instance, Marks and Hooghe trace the emergence of MLG back no further than the mid-1980s, when the Single European Act was introduced (specifically, 1987) (Hooghe, 1995: 191; Marks et al., 1996). Depending on how the practice of MLG is defined, this claim can be rather doubtful. First of all, Peters and Pierre point out that if the broad and general meaning of MLG as a "process through which public and private actions and resources are coordinated and given common directing and meaning" (2004: 78) is used, the practice of MLG existed much earlier. Many of the EU member states have a long tradition of institutionalised consensual cooperation between the state and societal actors.

Secondly, it would be an awkward proposition to maintain that, before the "emergence" of MLG, different levels of government were strictly bound by hierarchical and legal provisions, such that there was no room for informal exchange and negotiated policy outcomes between and among the various tiers of government (Peters and Pierre, 2004). Most current EU member states have known interdependent relationships across levels of government dating back to the medieval times (see also Verba et al. 1978). Therefore, in addition to the abovementioned risk of blurring empirics with normativity, when employing the MLG *approach* it is highly important to be cautious about treating the two pillars of MLG *practice* (the involvement of non-state actors in decision making processes and the decrease in formality in intergovernmental relationships) as fundamentally new phenomena.

Thirdly, caution is required regarding direct exchanges between different levels of government. The extent to which (sub-)national actors can truly influence European-level policies is an empirical matter rather than a theoretical given; moreover, differences in political organisations of individual member states can pose a greater constraint to direct intergovernmental exchange than the MLG approach seems to concede. Although studies that have employed the MLG perspective acknowledge considerable room for cross-national differences, the extent to which the formal powers of (sub-) national actors and institutions vary will have a determinative effect on the access of those actors to decision makers at the European level (see De Rooij, 2003).

Having placed the novelty of multi-level governance somewhat in perspective, this perspective remains useful since it signals the *increasing degree* to which various tiers of government (local, regional, national, European) and various types of actors and institutions (state, business, organised interest, media) are sharing governance responsibilities and depend on each other. The MLG approach makes us aware of the *complementary* presence of non-hierarchical and non-legislated arrangements and of the room for informal exchange and negotiated policy outcomes between and among the various tiers of government (Peters and Pierre, 2004).

2.2   Europeanisation

We have seen above that the MLG literature stresses that, on the one hand, the practice of politics and administration has become more multi-level and is increasingly the result of shared efforts by and the responsibility of a large variety of actors. On the other hand, the literature makes an appeal to students of politics and administration to adopt a perspective in which politics and administration are increasingly thought of as multi-level and as the co-production of that same variety of actors. The development of this body of literature finds its roots in research of the distribution and implications of the EU's structural funds, and is therefore closely related to research on European integration. There is probably no other empirical system of governance in the world that would lend itself better to the theoretical claims of the MLG literature.

However, it is important to note that the terms 'MLG' and 'Europeanisation' (or indeed 'European integration') cannot be used interchangeably. Rather than a synonym for MLG, Europeanisation is generally used as a term to frame and analyze the domestic implications of European integration. Europeanisation is recognised as a complex phenomenon which does not allow for an easy separation – let alone isolation – from other potential forces for national civil service change, such as globalisation, new public

management ideas, or domestic politics. For the sake of demarcation, and following Bache and Jordan (2006), this study looks at the implications of EU membership, realising that much of the underlying dynamics and processes lie beyond its scope. This leads to the following working definition of Europeanisation that will be used throughout the remainder of this book:

> *Europeanisation is the reorientation or reshaping of politics and administration in the domestic arena in ways that reflect structures, policies, and practices advanced through the EU system of governance.*

This definition, adapted from Bache and Jordan (2006: 30), contains four elements that represent the key considerations of the Europeanisation literature. Firstly, *reorientation or reshaping* signals that there may be variation in the intensity of adjustment to the supranational arena (2.2.1). Secondly, *politics and administration* signals that adjustment may take place with regard to various aspects of governance (2.2.2). Thirdly, "structures, policies, and practices" signals that adjustment may result from a variety of sources, ranging from legal requirements to soft incentives to copy or coordinate (2.2.3). Fourthly, *advanced through the EU system of governance* signals that the sources that induce adjustment may come from the EU level, but the structures policies and practices that are considered European may well be shaped by domestic actors, too. Indeed, Europeanisation is a form of two-way traffic (2.2.4). Each of these elements of the definition of Europeanisation will now be discussed in detail.

2.2.1   Degrees of Europeanisation

The overall implications of EU membership are deeper in some member states than in others, and some aspects of member states' structures and activities have been more intensely affected than others. We will turn to the variance across member states and certain aspects of member states below, but first it is helpful to observe Börzel and Risse's (2000, 2003; Börzel, 2005) categorisation of the different degrees of domestic change resulting from EU membership:

Negative adjustment	No adjustment	Positive adjustment		
		Small degree	← →	High degree
Retrenchment	Inertia	Absorption	Accommodation	Transformation
States actively resist adaptive pressure by stressing their unique features ('nation-alisation')	States resist change (but this often increase adaptive pressure and leads to change in the longer term)	States incorporate / domesticate EU requirements without substantially modifying national structures, policies, practices	States accommodate / mediate EU requirements adapting existing policy while leaving core features intact.	Domestication fails; states forced to substantially alter or replace existing policy.

Table 2.2   *Degrees of domestic change: adapted from Börzel and Risse (2000;*
2003), Börzel (2005) and Bache and Jordan (2006).

Retrenchment refers to the situation in which member states consciously develop new national structures, policies and practices that diverge from EU structures, policies and practices. The gap between the national and the European level consequently grows. *Inertia* is a somewhat milder form of resistance to EU adaptation pressure in which member states simply hold on to their pre-existing structures, policies and practices. This strategy may in the longer run boomerang and lead to an even greater adaptation pressure, at least where binding European legal rules are concerned. The commonality of the other three categories is their positive adjustment, i.e. change of national structure, policies and/or practices in a way that is either required by the EU or seen as strengthening a state's position within the EU. The degree to which this positive adjustment takes place varies from *absorption* (small), through *accommodation* (medium) to *transformation* (high).

Whether absorption, accommodation or transformation may be expected is generally considered to depend on the degree of compatibility (or misfit) between the European and the domestic political-administrative levels. This greater or lesser degree of misfit can be observed in three key domains: institutional arrangements, opportunity structures (i.e. the distribution of power and resources between domestic actors), and systems of ideas (beliefs and expectations of domestic actors) (Knill, 1999). The closer the fit, the smaller the adaptation pressure on pre-existing policies and institutions would be expected. By including the concept of adaptation pressure regarding the misfit between the EU and the national levels to the model in figure 2.3, the framework expands to the model shown in figure 2.3. Here, the nature of the reception process is specified by the degree of adaptation pressure, which is in turn determined by the degree of misfit.
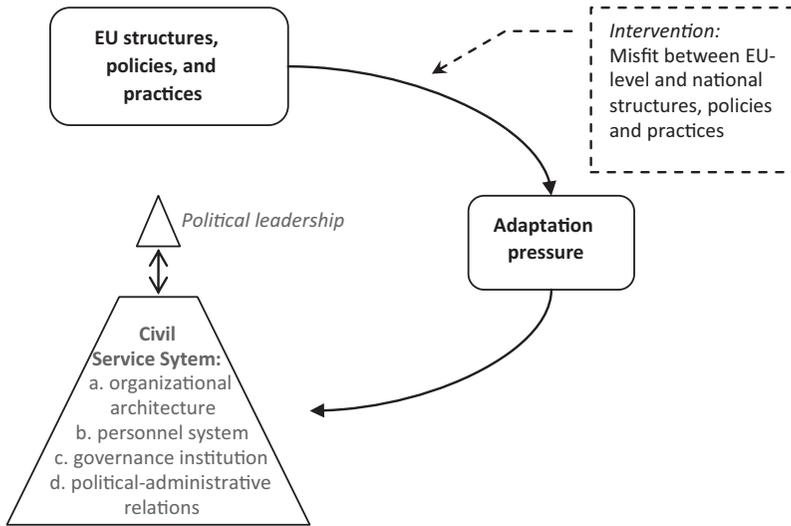
Figure 2.3   *Degree of misfit as the explanation for varying degrees of adaptation pressure.*

2.2.2   The Europeanisation of what?

The working definition of Europeanisation used in this study signifies that EU membership may have implications for different aspects of the domestic political-administrative level. The three main dimensions that are generally distinguished to trace and analyze domestic change are policies, politics, and polity.

Policies	Politics	Polity
– Standards	– Interest formation	– Political institutions
– Instrument	– Interest aggregation	– Intergovernmental relation
– Problem-solving approaches	– Interest representation	– Judicial structures
– Policy narratives and discourses	– Public discourses	– Public administration
		– State traditions
		– Economic institutions
		– State-society relations
		– Identities

Table 2.3   *Three dimensions of Europeanisation, taken from Börzel and Risse (2000).*

While this threefold distinction may seem neat and analytically helpful, a few reservations need to be mentioned. The demarcation lines between the three dimensions are thin and often blurry. The policies dimension refers to policies and policy-making processes, but the politics dimension also refers to the 'how' of policy formulation. Moreover, while the opportunity structures appear to fall within the politics dimension (that is, state-society relations), executive-legislature relations are claimed to be the domain of the polity dimension.

Secondly, administrative policy is one policy field over which the domestic level retains exclusive competency, since the EU does not pursue an administrative policy for the member states. If we simply accept the threefold distinction above, then the policies dimension would fall outside the scope of this study. However, policy changes may have broader consequences for legal and administrative institutions, the domestic opportunity structures, and political-administrative relations. Therefore, this distinction seems less helpful in terms of answering the central question of this study, which is related to the civil service system (see chapter 3).

2.2.3   Direct and indirect domestic effects of European integration

Domestic level adaptations in the context of EU membership may theoretically involve (1) institutional change in response to demands and prescriptions for a concrete institutional model for domestic compliance; (2) changes in the domestic opportunity structure, and (3) changes in the ideas of the decision-making elite (cf. Schmidt, 2006). Moreover, changes may also be indirect: an EU-induced change to the domestic opportunity structure may lead to non-mandated institutional change, if it is assumed that the national executive needs to be changed institutionally in order to perform better in the new opportunity structure. In addition, EU-induced changes in the ideas of elite decision-makers may lead to both voluntary adjustments in the domestic opportunity structure (e.g. greater inclusion of societal actors in decision making, devolution) and to voluntary institutional changes (e.g. agencification, downsizing). Figure 2.4 shows the various types of potential effects and indicates their levels of voluntariness, directness and observability.

2.2.4   One-way or cycle?

So far, we have treated Europeanisation as a one-way process. However, our definition deliberately formulates the concept of Europeanisation as "structures, policies and practices *advanced through the EU system of gov-*

ernance" as opposed to at the *EU level* or *by EU institutions*. This is because the independent variable here, *EU structures, policies, and practices*, cannot in reality be considered independent of the member state environments. The EU structures, policies and practices that member states are confronted with do not simply originate from the EU level, but are also at least partly the result of the projection of national preferences by member state governments. Through participation in the Council of Ministers and the European Council, and through interactions between all types of EU-level actors and the national political executive, the regular domestic civil service and the Permanent Representation in Brussels, member state governments are highly involved in the creation of EU level structures, policies and practices. Thus, Europeanisation should be seen as a two-way or cyclical process, rather than simply a downward stream of adaptation pressure from the EU level to the national level (reception). This is shown in figure 2.5, which further develops the framework in figure 2.4.
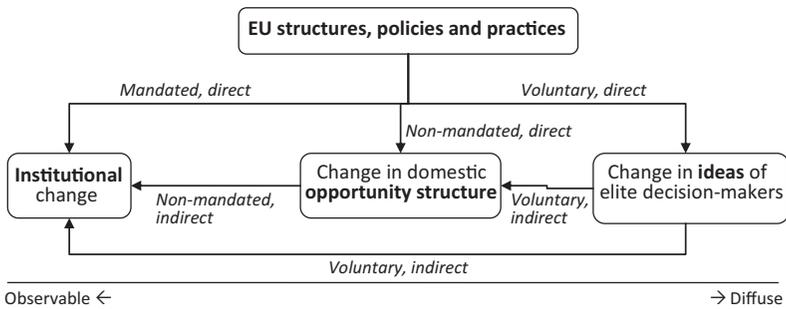
Figure 2.4   *The direct and indirect effects of EU-induced changes at the domestic level*
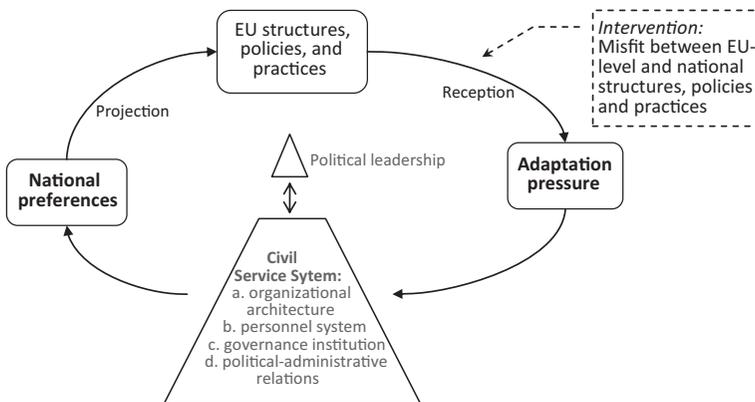
Figure 2.5   *The cyclical nature of European integration and domestic Europeanisation*

2.2.5   Relative effects: Convergence or divergence?

Since Europeanisation by its very nature does not apply to a single national context but affects a plurality of national contexts, it is relevant to ask what this change means for the existing differences between the national civil service systems of the EU member states. Are there commonalities in the change patterns? Are the various civil service systems converging around a single model in terms of their organisational architecture, their personnel systems and their relations with ministers and external institutions?

Civil service system in...	Range of potential outcomes of adaptation pressure							
	Potential outcome I: Persistence due to inertia		Potential outcome II: Persistence due to common change		Potential outcome III: Convergence		Potential outcome IV: Divergence due to retrenchment	
	t_0	t_1	t_0	t_1	t_0	t_1	t_0	t_1
Country A	○	→ ○	○	→ ⬯	○	→ ○	○	→ ●
Country B	▢	→ ▢	▢	→ ▭	▢	→ ⯃	▢	→ ⬠
Country C	◇	→ ◇	◇	→ ◇	◇	→ ⯃	◇	→ ◈

Table 2.4   *Range of possible effects of Europeanisation on differences across national civil service systems.*

Table 2.4 shows the range of potential outcomes of the adaptation pressure exerted by European integration on the differences across national civil service systems among the member states. "Potential outcome I" applies if change is resisted in each of the countries, and, as a result, their mutual differences remain unchanged as well. A second potential scenario is that there is change in each country (be it absorption, accommodation or transformation), *and* this change is in a common direction. In these circumstances, their mutual differences persist, given that the commonality of the change leaves the mutual original degree of difference intact (potential outcome II). If each civil service system changes and each system adopts some of the characteristics of the other systems, or they all conform to a similar external model, mutual differences (partly) disappear and we can speak of (partial) convergence (potential outcome III). Lastly, if change occurs in each case, but the direction of change is opposite to that of the others or to some external model (i.e. retrenchment), there is negative convergence, or divergence. In table 2.3 divergence is indicated through the

shift from a circle to a sphere, a square to a cube, and a two-dimensional diamond to a three-dimensional one, signalling that the distinctive features of the figure are reinforced rather than toned down.

In their well-known study about this hypothesised process of convergence (or the emergence of isomorphism), DiMaggio and Powell distinguish between three principal mechanisms:

- 'coercive' mechanisms – when legal or other power is used by one organisation to shape others;
- 'mimetic' mechanisms – when organisations imitate what they see as 'best practice' as a way of dealing with uncertainty; and
- 'normative' mechanisms – when the growth of a common professional culture produces similarities across organisational boundaries. (DiMaggio and Powell: 1983).

Of these three mechanisms, the coercive type is least likely to occur in the case of civil service adaptation, given that "there is no European administrative policy *per se* which is explicitly concerned with the structure and practice of domestic administration" (Knill 1999: 1). Moreover, Olsen has noted, "the internal market, common legislation, and intense interaction among administrators in the European Union [have not] produced structural convergence" (Olsen, 2003: 506-31).

As to the second type, mimetic isomorphism, a degree of convergence may be expected, given that actors in the member states have the ability to learn from each others' successes and failures regarding civil service change. As such, studious countries can combine the positive features of adjustments that have been going on in other countries, gradually shaping a model that has the best of all worlds and can subsequently be copied by actors in other countries[8]. Moreover, the interference of international organisations such as the OECD make a certain degree of mimetic isomorphism a likely scenario (Hood, 1998; Pollitt and Bouckaert, 2004), as does the stimulating effect of the formation of expert networks by the EU (Kohler-Koch and Eising, 1999).

However, the opponents of the convergence idea (see Olsen, 2005) remain sceptical, arguing that the convergence theory is vulnerable when confronted with the powerful forces of path-dependency[9] and self-disequilibration[10]. Also, Silberman (1993) studied adaptations of civil service systems in France, Japan, the United States, and Britain, and found no convergence on a shared model across modern industrial societies. He concluded that convergence theories were misleading; finding in particular that variance between states tends to persist, especially in the way that politics, law, and administration are connected to each other (Silberman, 1993).

In the specific field of civil service convergence, Page and Wouters (1995) made a similar point, adding that the non-existence of a common European model to aspire to would make future convergence unlikely. Other

empirical accounts also point to the persistence of distinctness. Kassim et al. (2000; 2001) have concluded that EU member states continue to deploy widely varying strategies for the coordination of EU-designed policies. Welch and Wong (2001) studied the convergence question not just within the EU but globally, and they similarly refuted the convergence theory.

Persistent variance is generally understood by the fact that, although challenges and responses to them may resemble one another, differences in the original position of a nation state will induce differences also to persist, and this is perhaps particularly the case after intended reforms or unexpected change. The distinctness of the national political-administrative system in each member state is therefore seen as the main inhibition to convergence, since it is thought to determine the range of optional strategies a system has in order to adjust to specific challenges (Pollitt and Bouckaert, 2004; Knill, 1999; Toonen, 2004). However, the passing of another decade of increasingly intense European cooperation merits a new investigation into the potential convergence of civil service systems for each of the specific dimensions: organisational design, personnel systems, relations with external institutions, and political-administrative relations.

2.2.6   Problems in the Europeanisation approach

While the Europeanisation approach is commonly used in studies of European integration and in comparative European politics, there is one widely recognised problem in this approach; namely, the difficulty of isolating the EU from other drivers of domestic change (Haverland, 2007). How can we know if an observed change can truthfully be attributed to the EU? Would the same change have occurred if it had not been for the EU? If the EU is one of more drivers for change, how can we assess the relative importance of each of these factors? Haverland (2007) articulated four ways in which the causes of domestic change can best be disentangled.

Firstly, a careful historical analysis should be carried out, so that it can be established what changes took place after EU membership and what changes pre-date membership.

Secondly, a bottom-up, inductive approach should be employed, implying that researchers should focus on domestic changes and then trace back causal chains to identify the underlying triggers.

Thirdly, the counterfactual should be actively explored, so that hypothetical scenarios in the event that there had *not* been an EU system of governance can be evaluated.

Lastly, EU member states should be compared to non-EU member states, so that the impact of the existence of the EU system of governance can

better be made observable. The way in which these issues are addressed for this study will be discussed in chapter 5 on methodology.

2.3   Conclusion

After the discussion of the fundamental features, strengths and limitations of the MLG approach and the Europeanisation literature, it is now time to distil a number of considerations and propositions that are the building blocks for the analytical framework used in this study, to aid in answering our main question:

> *What are the implications of EU integration - given its intensifying effect on the MLG character of public decision making and service delivery in the member states - for national civil service systems in terms of (1) their organisational design; (2) their personnel systems; and (3) their scope to contain the potential for official dominance by (a) political leaders and (b) relevant external institutions?*

The MLG approach enables us to postulate as follows. In the most general terms, present-day national civil service systems are institutions that take part in a process of governance in which a large variety of other state and non-state actors and institutions at various territorial levels are involved. Secondly, national civil service systems co-operate with this plurality of actors at multiple levels, partly according to constitutional and fixed rules and partly based on informal and varying rules and understandings for interaction. Thirdly, the national layer of governance – like the other layers – has to be viewed as analytically disaggregated into different (types of) actors and institutions. This means that, within the national executive, the administrative part and the political part have to be seen as separate (groups of) actors, so that the particularities of political-administrative relations can be drawn into the analysis of governance. Fourthly, the national state is argued to have lost part of its monopolist position as the gatekeeper in policy-making and public service delivery vis-à-vis organised interests and subnational authorities. However, it is important to stress that MLG in this sense should not be contrasted to an imaginary previous era in which national state actors held absolute and exclusive power over policy, for this is only a theoretical situation which finds no support in the empirical world. Interest groups, companies and even neo-corporatist structures (which have in some cases existed for centuries) were able to influence and shape policy making long before the concept of MLG was introduced. Rather, the gate-keeping capacities of national states are argued to have been eroded to a certain degree, both with respect to higher

and lower levels of governance and to semi- and non-state actors at the national level.

This development is the result of the increased ability of domestic actors to circumvent state-level actors in EU decision making by directly entering the arenas at other levels, for instance the European level (Marks, 1993; Sandholtz, 1996; Schmidt, 1999a; 2003). So, both sub-national and supra-national actors are no longer inevitably constrained by the behaviour or conventions of state-level actors and institutions (Peters and Pierre, 2004). It would be highly unlikely that this erosion would have left national civil service systems unaffected, and it is therefore hypothesised that external actors (parliament, judiciary, interest groups) have at least some potential to limit the exercise of authority by the civil service in the countries under study (Van der Meer and Raadschelders, 2007).

However, this does not necessarily mean that the power of national civil servants is, on balance, in decline. For instance, since the national executive is a primary shaper of the ground rules for governance, it has the capacity to realise institutional reforms which are aimed at increasing its own vertical and horizontal strategic abilities. In other words, although the pressure on state-level actors and institutions (including the national civil service) is evident, their resilience and adaptability should not be underestimated. Moreover, no other territorial level enjoys the same degree of democratic legitimacy as the national level. These two considerations together suggest that the relative loss of gate-keeping capacity at the national level could partly be compensated by the enhanced opportunities to shape EU legislation through participation in the European Council and by influencing the European Commission (Bache and Flinders, 2004; Börzel and Sprungk, 2007; Peters and Pierre, 2004; Van Kersbergen et al., 1999b).

Fifth, the room for negotiated arrangements has widened over the past decades. Theoretically such arrangements could replace law-based, hierarchical institutional relationships, but empirically it is much more likely that both types will complement each other (Peters and Pierre, 2000: 132). This means that, instead of resigning to their fate, actors repeatedly have the opportunity to (re)gain influence to the detriment of their fellow negotiating partners. For national civil service systems, as for other governance institutions, this means both an opportunity and a challenge, but in any case an increased dynamic and a lower degree of predictability concerning decision-making processes (Börzel and Sprungk, 2007).

Sixth, the increased inclusiveness and complexity of decision making and policy implementation in an MLG system may potentially have negative implications. Informal and diffuse patterns of political coordination, and the inclusion of new non-governmental actors and institutions that are not connected to the traditional framework of public accountability, threaten the quality of democratic government at several different levels in several different ways. For national civil service systems, in which democratic

legitimacy and responsiveness are issues of permanent concern, the additional strain on legitimacy and accountability raise even more pressing questions about political-administrative relations and the degree of neutrality or partisanship of civil servants.

The common denominator of each of these considerations seems to be that the increasing MLG nature of governance in the EU member states – animated and reinforced, but by no means solely driven, by European integration – has involved change to many of the relations between actors and institutions (at various tiers and from various sectors), and our traditional understanding of these relationships is therefore challenged (Peters and Pierre, 2001: 131). Research into changes in the formal and informal relations between (1) state and non-state actors; (2) legislatures, judiciaries, and executive branches of government; and (3) national and sub-national levels of governance may generate new insights in terms of their mutual dependencies, interaction intensity, and interaction style. Such new insights may in turn lead to a partial or complete rethinking of these relationships. Interestingly, in the discourse on such changing relations, national political executives and civil service systems are usually treated as a single undifferentiated actor, thereby overlooking the relevance of the institutional bargain and the actual interaction between political leaders and their civil servants. If we want to analyze the roles of various types of governmental actors and their mutual relations, it is a precondition to disentangle them instead of analytically fusing them into a single type of actor.

European integration is identified as both a driver for and a symptom of, firstly, the expanding range of actors in decision making and implementation and, secondly, the partial erosion of a hierarchy in intergovernmental relations in Europe. Since this study attempts to better understand the implication of European integration for national civil service systems, the Europeanisation literature, which focuses on the domestic impact of the EU in the member states, is of obvious importance. The above discussion of this literature suggests five specific propositions.

Firstly, domestic responses to EU-level structures, policies and practices can range from negative adjustment to no adjustment to positive adjustment, the latter of which can further be divided into three degrees of intensity, being absorption, accommodation, and transformation. Secondly, the intensity of the response can be understood by looking at the misfit between what the structures, policies and practices developed in the EU system of governance oblige, ask, or stimulate, and what the pre-existing national structures, policies and practices were.

Thirdly, this misfit may result in adaptations along three dimensions of the domestic setting: its institutional arrangements, its opportunity structures, and the ideas held by its elite decision makers. Changes to the institutional arrangements may be most readily observable (since they will be

announced and documented), followed by those to the opportunity struc-
ture, and finally by the ideas of the elite (since this would involve looking
into elite member's minds). Such changes or adaptations may be a direct
response to European integration, but once one of these dimensions has
been affected by the EU structures, policies and practices, it is possible that
there will be a corresponding reaction across the other dimensions, poten-
tially leading to more indirect integration effects (see table 2.4). For in-
stance, it is possible that EU membership or interaction at the EU level will
lead to changes in ideas among elite decision makers, which in turn may
lead to institutional change (i.e. public sector reform), or that EU member-
ship will lead to changes in the domestic opportunity structure, which may
then drive institutional change. Thus, while European integration may lead
to both direct and indirect effects, direct effects on one dimension may also
drive further, albeit indirect, effects in other dimensions.

Fourthly, it should be added that the EU structures, policies and practices
do not emerge at the EU level without involvement by the member states
themselves. Indeed, a strategic member state government would try to
shape the EU structures, policies and practices in the 'uploading' stage to
maximise its own preferences or existing situation, since this would reduce
future costs and efforts in the 'downloading' stage. The greater the similar-
ity between the EU output and the national arrangements, the lower the
adaptation pressure will be and the least costly future operations at home
and in the EU will be.

Finally, regarding whether responses to EU pressure would lead to the
convergence, persistence or divergence of national civil service systems,
we have seen that theoretical arguments in favour of all three scenarios can
be presented. It seems most likely that, while superficially the differences
between the civil service systems of the member states may decrease, the
core of national values and principles underlying the civil services will
persist.

In the next chapter, the concept of civil service systems and its various
components will be set out.

3   CIVIL SERVICE SYSTEMS

As is set out in the first chapter, the dependent variable of this study is the national 'civil service system', formally defined as the mediating institutions that mobilise human resources in the service of the affairs of the state in a given territory (Bekke et al., 1996). The civil service is one of the core themes in the discipline of Public Administration, as is politics to the discipline of Political Science. To an important extent, the civil service system is its only analytic unit that is not at the same time a defining notion in other social sciences. Therefore, civil service systems can be argued to be the stitch that holds the discipline of Public Administration together (Morgan and Perry, 1988).

This chapter firstly reviews various analytical approaches to civil service systems, some narrow in scope, some taking the wider context into account. Based on this discussion, a new operationalisation of civil service systems will be presented (3.1). Finally, the four constitutive elements of civil service systems – organisational design (3.2), personnel system (3.3), an institution in the wider governance context (3.4) and political-administrative relations (3.5) – will be accounted for and expanded upon.

3.1   Analytical approaches to civil service systems

In their influential 1996 volume, *Civil Service Systems in Comparative Perspective*, Bekke, Perry and Toonen adapted the institutional analysis originally developed by Kiser and Ostrom (1982): the framework of three interconnected but distinct "worlds of action", i.e. the operational level, the collective choice level and the constitutional choice level. Although this framework is sufficiently general to be applied to various institutional settings, for the study of civil service systems, the operational level can be seen as referring to the civil service as a *personnel system*, the collective choice level referring to the civil service as a *governance institution*, and the constitutional choice level referring to the civil service as a *symbol system.*

The rationale behind the three worlds of action is that each world represents a distinct level of theoretical analysis and gives rise to specific ques-

tions. The operational level, related to the civil service as a personnel system, raises questions about recruitment, selection basis, job evaluation, training and development, and performance appraisal (McGregor 1990: 4).

The collective choice level refers to the civil service as a governance institution. At this level, collective decisions are the primary focus. For the study of civil service systems, collective decisions are those which impact the institutional arrangements of the civil service, such as how and by whom personnel rules are decided and how the lines of accountability within the executive are organised. In short, at the collective choice level, we are interested in the rules of the game and how they come about.

Lastly, civil service systems can analytically be approached in terms of symbol systems. This entails that civil service systems in various ways may reflect and express certain values that (should) characterise the broader society. Civil service systems are institutions in which a variety of values and rules are embedded; for instance merit, responsibility, equality before the law, democratic control, integrity, and commitment to the collective interest (to a greater or lesser degree). The embeddedness of such values and principles, combined with the pervasive influence of the civil service in everyday societal exchange, implies that civil service systems function as leaseholders and propagators of a given normative order. In part, this is through what is done and how it is done, but it is also regardless of the system's actual performance. (Bekke et al., 1996). While the idea of civil service systems as symbol systems is often better recognised in newly democratic systems (Kochanowitz, 1994), the role of civil service systems in storing and communicating the norms and principles listed above should not be underestimated (Suleiman, 2003).

Another prominent contribution to the comparative study of bureaucracy is *Bureaucracy in the Modern State* (Pierre, 1995). In this volume, a comparative framework is employed that distinguishes the role civil servants fulfil in a governance system into three main elements: (1) the relationship between policy makers and the bureaucracy, i.e. political-administrative relations; (2) the inner-working forms and organisational dynamics of public administration, i.e. the organisational design of the civil service and its constituent parts; and (3) the relationship between public administration and civil society, i.e. the external dynamics of the civil service in the ensemble of societal actors who together have come to be responsible for the input, output and outcome of the policy process.

A third notable work in comparative national administrative systems is Christoph Knill's *The Europeanisation of National Administrations* (2001). As the title suggests, Knill provides a comparative study of the Europeanisation of national administrations, concluding that it is possible to distinguish between two main analytical dimensions which characterise administrative arrangements. The first dimension is administrative style, including patterns of regulatory intervention and administrative interest intermedia-

tion. The second dimension is administrative structures and organisation, including competence allocation and coordination and control (see table 3.1 below).

Administrative style		Administrative structures and organisation
A. Regulatory intervention		Competence allocation
Intervening ideal type: – Deductive – Substantive – Hierarchical – Detailed	Mediating ideal type: – Inductive, – procedural, – non-hierarchical – flexible	– centralisation vs. decentralisation – fragmentation vs. concentration
B. Administrative interest intermediation		Coordination and control
Intervening ideal type: – Legalistic – Adversarial – Formal – Closed – Privileged access	Mediating ideal type: – Pragmatic – Consensual – Informal – Open – Equal access	– patterns of vertical control – patterns of horizontal co-ordination

Table 3.1 *The analytical dimensions of civil service administrative arrangements (Knill, 2001: 41).*

Regulatory intervention as a component of the administrative style relates to the following questions: (a) How specific is the approach to regulation? It may be deductive (general and abstract) or inductive (specific, case-by-case); (b) How hierarchical is intervention? Or are self-regulation and voluntary arrangements the norm? (c) Is intervention intended to regulate substantive outcomes (i.e. concrete standards to be achieved) or procedural requirements (i.e. due process)? and (d) How detailed is the level of intervention (specified requirements vs. framework legislation)?

Administrative interest intermediation includes the following variables: (a) How legalistic or pragmatic is the approach to mediating between societal interests? (b) Is the mode of interaction between administrative and societal actors consensual rather than adversarial, or the other way around? (c) How formal or informal is the interaction? (d) To what extent can third-party actors enter the interaction between administrative and societal actors? and (e) Are all societal actors equal in their opportunity to gain access to decision making, or does the government work with privileged actors?

As shown in table 3.1 above, based on these dimensions, Knill identifies two ideal-typical administrative styles: on the one hand, the *intervening* type (deductive, hierarchical, substantive and detailed in its regulation; and legalistic, adversarial, formal and closed in terms of interest intermediation) and, on the other hand, the *mediating* type (inductive, procedural, non-hier-

archical and flexible in its regulation; and pragmatic, consensual, informal and open in terms of interest intermediation).

The second key dimension in Knill's conceptualisation of administrative systems is administrative structure and administration. The first variable included in this dimension is competence allocation, consisting of a vertical perspective (i.e. centralisation or decentralisation) and a horizontal perspective (administrative concentration or fragmentation). The second is coordination and control, including both vertical control and horizontal coordination. Interestingly, Knill does not succeed in formulating meaningful ideal types on the dimension administrative structure and organisation. He observes that:

> *Structural and organisational arrangements in general reveal so many peculiarities in various countries, that it might be difficult to avoid the problem of 'conceptual stretching' (Sartori 1984). Thus, the concepts that could most easily be applied to a broad range of cases would be so general that they would no longer bring into focus the similarities and contrasts among cases that are essential building-blocks for comparative analysis. (Knill, 2001, p. 41)*

The last approach to the study of civil service systems discussed here is the conceptualisation that Ed Page (1992) derived from Weber's writings on political authority and bureaucratic power. Using Weber's ideal-typical bureaucracy in the sense of a system of legal-rational rule, he distinguishes three key dimensions for analysing civil service systems comparatively. The first dimension concerns the closeness of the present-day civil service systems to the Weberian ideal type, including their historical development, the nature of the job of the official, and organisational structures. The second dimension relates to the extent to which external powers can contain the potential for dominance by officials, i.e. the position of the civil service relative to that of other political, judicial and societal institutions. The third dimension focuses on the particular form of political leadership that Weber identified as limiting the power of officials, i.e. the relations between the executive and the civil service (Weber, 1972).

Proximity to the ideal-typical bureaucracy	Position of bureaucracy relative to external institutions	Political containment of bureaucratic power
– Development from patrimonialism to bureaucracy – the job of the official structure of organisations	– Parliament – Interest groups – Collegiality – Ministers' advisers – Judiciary	– Executive-civil service relations

Table 3.2 *Three dimensions for analysing civil service systems, with reference to the Weberian ideal typical bureaucracy (Page, 1992).*

In assessing the approaches to the study of civil service systems and civil services, it is above all important to distinguish between the *civil service system* and the *civil service*. The civil service system is an institutional and therefore rather abstract term, understood as a mediating institution that mobilises human resources in the service of the affairs of the state. This involves the values, norms, beliefs, and principles which guide the way in which human resources are deployed and employed to serve a particular state's purposes. The civil service itself is then the expression (or reflection) of those values, norms, beliefs, and principles into concrete organisations and relations. Therefore, depending on the values, norms, beliefs, and principles that form the *civil service system*, *civil services* in various states can greatly differ from one another. Civil services can be large or small, hierarchically or horizontally organised, unified or fragmented, merit based or not, centralised or decentralised, autonomous or circumscribed, in high or low societal esteem, legalistic or flexible. This is depicted in figure 3.1 below.
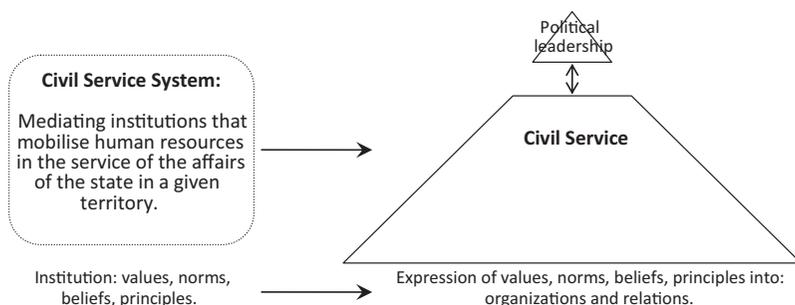
Figure 3.1   *Civil service systems*

These variables can be clustered into four main dimensions. They are the organisational design of the civil service, the civil service as a personnel system, the civil service in relation to external actors and institutions, and executive-civil service relations. The organisational design dimension can be subdivided into questions concerning the allocation of competences and structures for coordination. The civil service-society dimension can be subdivided into questions concerning the mediation of societal interests, the type of regulatory intervention by the civil service, and external actors as countervailing powers to bureaucratic dominance. These dimensions are set out in table 3.3 below and are employed to assess each author's approach to analysing civil service systems, as discussed above.

It is not the purpose of this table to criticise those authors' approaches, for their studies are not primarily intended to understand the specificities of the civil service *per se*. It is noted that both Knill's and Schmidt's approaches lack specific attention to the personnel dimension of the civil ser-

	Organisational design		Personnel system	CS relative to external actors/institutions			Executive-CS relations
	Competence allocation	*Coordination structure*		*Interest mediation*	*Regulatory intervention*	*Counter-vailing power*	
Kiser and Ostrom	•	•	•	•	•	•	•
Pierre	•	•	•	•	•	•	•
Knill	•	•		•	•		
Schmidt	•	•		•	•		
Page	•	•	•	•	•	•	•
Van den Berg	•	•	•	•	•	•	•

Table 3.3 *A comparison of different approaches to civil service systems.*

vice, the countervailing powers of external actors, and executive-civil service relations. That said, their studies differed from the current research: Knill focused on the EU-induced change in specific policy sectors, and Schmidt examined the political-administrative system in its entirety.

The approach to civil service systems employed in this study (the final row of the table) is best regarded as an integration of the Page and Pierre approaches, to which specific accents have been added from Knill and Schmidt's Europeanisation-oriented approaches. In this way, an approach emerges which continues to build on the tradition of bureaucratic analysis as developed by Weber, is sensitive to the political and societal context in which civil service systems find themselves, has proven its use in cross-national comparative research, and enables analysis of the expected changes derived from the MLG and Europeanisation literature. In the following section, each of the identified dimensions will be discussed in further detail.

3.2   Organisational design

The organisational design of the civil service unites a number of characteristics of the civil service system, including some of the characteristics of the bureaucratic organisation that originally described (Weber, 1972; Van Braam, 1977; Raadschelders and Rutgers, 1996), such as the extent to which there are clear and specialised offices, and the extent to which offices are hierarchically organised.

However, organisational design comprises more than the extent to which a civil service system conforms to the Weberian ideal type of legal-rational rule. Firstly, a civil service is characterised by the way in which it is demarcated, both in organisational and in staff terms (who is a civil servant? who is a public servant? who is a private sector employee?). As shown in figure 3.2, the borders of the civil service are determined by answers to the following fundamental questions. Firstly, is the state (public sector) responsible for the specific task, or society (private sector)? Secondly, regarding those tasks which fall under public responsibility, who carries them out: the public sector itself, semi-public or semi-private actors, or private actors? Thirdly, for those tasks for which the public sector carries both political and executive responsibility: to what territorial level is the task assigned?

| What realm is responsible? | All societal tasks and activities |
| | Public realm / Private realm |
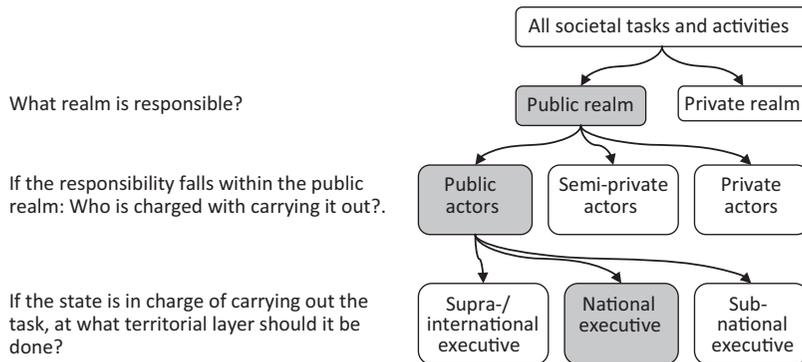
Figure 3.2 *Choices shaping the demarcation and size of the national civil service*

After the demarcation and size of the civil service have been established, more organisation questions come to light, such as whether a small number of large, monolithic departments are preferred, or a more fragmented system of many smaller and specialised organisations. Closely related to this question is the choice between organisational integration or the separation of policy making and policy implementation. Lastly, questions of direction, coordination and accountability are of importance, where options range from strictly hierarchical to strictly horizontal/collegial arrangements.

In short, the key issues concerning the organisational design of the civil service are size, degree of fragmentation, and degree of hierarchy. In his description of the ideal-typical bureaucratic organisation, Weber does not address the issue of size. Therefore, whether a civil service is small or large, or whether it has elaborate or very limited responsibilities, is certainly relevant for our understanding of the civil service system, but does not relate to its 'Weberianness'. As to the level of organisational fragmentation, Weber holds that an ideal-typical bureaucracy has clear and specialised offices, but he does not comment on whether these offices are separate organisations or form large monolithic departments. By contrast, Weber is unequivocal as to the principle of direction, coordination, and accountability: in the ideal-typical bureaucracy, all offices are hierarchically organised and each official is subordinate to another official.

Based on these considerations, we can formulate some conceivable implications of European integration for national civil services, as part of the wider, expanding process of MLG. Arguably, we can see the following: first, a decrease in overall civil service volume, in terms of numbers of staff; secondly, a narrowing of its demarcation, with the responsibilities for various tasks being transferred to the private realm; thirdly, a transfer of executive tasks to either semi-private or private actors; and finally; a transfer of tasks to the supranational and subnational layers of government.

The degree of civil service fragmentation may also have increased, given that the dominant ideas for modernising and reforming the civil service since the late 1970s have stressed that the various stages of the policy cycle (policy making, policy implementation, and inspection/regulation/enforcement) should be organisationally separated. This implies a further overall specialisation of tasks, in line with Weber's ideas of ideal-typical bureaucratic organisations.

Conversely, the degree of internal hierarchical control may have decreased, given that both the MLG literature and the good governance perspectives stress more inclusive, horizontal, and consensual decision making and advocate more flexible and informal relationships within governance. In such policy-making processes, the prospect of arbitrary intervention by senior civil servants, ministers and – if applicable – political civil servants (which a Weberian ideal-typical hierarchical structure is intended to guarantee) is removed. Therefore, on this dimension, there is a potential decrease in Weberianness.

3.3   Personnel system

In chapter 1, civil service systems were defined as mediating institutions that mobilise human resources in the services of the affairs of the state in a given territory (Morgan and Perry, 1988). Bekke et al. have commented that this definition testifies that a "dominant concern of civil service systems involve human, rather than financial or physical, resources" (1996: 2). Therefore, the nature of the personnel system cannot be overlooked as one of the key dimensions of civil service systems.

Looking at personnel systems can provide insights into what human resources are mobilised, how they are mobilised, the criteria for mobilisation, and what future perspectives apply to such choices. In an ideal-typical Weberian bureaucratic organisation, officials are (a) hierarchically subordinate to their superior; (b) appointed not elected; (c) possess expertise; (d) are assigned by contractual agreement; (e) enjoy a tenured position; (f) can expect to make a career; (g) receive a salary and a pension in money; (h) the level of their salary and pension corresponds to their rank; and (i) are promoted based on their seniority. Certain questions arise: To what extent do national civil service systems traditionally conform to this ideal type? What would be the expected effects of European integration on the personnel systems of the national civil service? Therefore, it is important to look at the following personnel-related characteristics of civil service systems: firstly, merit as the primary criterion for recruitment and promotion; secondly, the difference between a generalist and a specialist civil service; and thirdly, the difference between a unified and a departmentalised civil service.

In an ideal-typical system of legal-rational rule, the civil service is pre-
ferably staffed with individuals who are selected based on criteria of
achievement and merit, rather than on ascriptive criteria such as caste, race,
class or language[11]. Selection based on merit is thought to increase effi-
ciency within the civil service, given that it maximises opportunities to se-
lect the best qualified candidate for a job and to remove the inefficiencies
resulting from a patronage system (associated with nepotism, corruption,
and the pursuit of private rather than public interests). In this sense, Weber
perceives *neutral competence* as the optimal type of competence. However,
this claim should be nuanced, realising that *partisan competence*, as long
as it corresponds with the political and/or policy preferences of political
leadership, can also have evident advantages in accomplishing the tasks of
government, from the viewpoint of both efficiency (albeit short term) and
democracy. This is the essence of the trade-off between *neutral competence*
and *responsive competence* (Aberbach and Rockman, 1994).

Across Western national civil service systems, considerable variation ex-
ists in terms of the balance struck on this trade-off. Peters (2000) signals
two potential explanations for this considerable degree of cross-national
variation. Firstly, a degree of path-dependent conditioning seems to be at
work. Peters hypothesises that the importance of political appointments in
the civil service is a matter of historical evolution, and there has been little
incentive or drive to change these arrangements.

Secondly, the variation is seen as a function of the degree of fragmenta-
tion in the decision-making process. Peters holds that the more fragmented
the decision-making structures of a government, the more likely it is that
ministers will surround themselves with a number of political appointees,
"to provide some integration of political intentions and actual administra-
tion" (2000, p. 88). If this thesis is true, then it is fair to expect that Eur-
opean integration has an encouraging effect on the use of political appoint-
ments within the national civil service. After all, the EU contributes to the
fragmentation of decision-making structures through (1) the transfer of de-
cision-making competence to the EU level; and (2) encouraging and includ-
ing a wider range of actors in national decision-making (such as quasi-gov-
ernmental organisations and agencies). European integration may therefore
be seen to have a decreasing effect on the Weberianness of national civil
service systems on the aspect of merit-based recruitment and appointment.

A purely bureaucratic organisation, according to Weber (1972), employs
officials with knowledge and expertise. In present-day civil service sys-
tems, two main variants are distinguished on this dimension: generalist ci-
vil service systems and specialist civil service systems. In a generalist civil
service system, technical expertise is not seen as a prerequisite for success-
fully performing the duties of a civil servant. Rather, a high level of intelli-
gence and general analytical skills are seen as the key to a high quality ci-
vil service. The advantages of generalism are clear: it makes the civil ser-

vice more flexible, since it allows for easier mobility across various policy divisions, and it may help civil servants not to lose sight of the bigger picture of the general interest by getting too closely connected with certain specific sectoral interests.

The second main variant is a specialist civil service, in which expertise is valued over general analytical skills. There are two obvious advantages to this system: high efficiency through an advanced level of specialisation and division of labour, and a high degree of continuity and corporate memory. Within this main variant, two sub-variants are generally distinguished. The first is a system where the sought specialisation is primarily law, but which has expanded to include other disciplines such as economics and social sciences in the second half of the 20th century. The second is a system in which specialisations of all required kinds are developed within the civil service itself, for instance through an elaborate system of government schools providing post-entry training. These variations are depicted in figure 3.3.
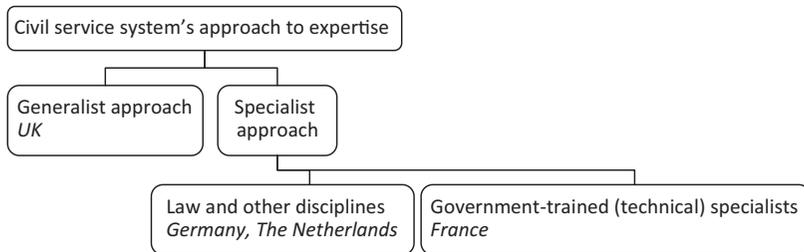
Figure 3.3 *Various traditional approaches to expertise*

Britain typifies a system in which generalists, having general intelligence rather than specialised education or training, are assumed to be most capable of performing the duties of advising their minister and managing their subordinate staff. Accordingly, in the recruitment of civil servants, the emphasis is on placed on Oxbridge graduates in the arts and humanities. By contrast, the majority of continental European countries prefer candidates who are specialised in one discipline or another. In Germany and The Netherlands, at least until just after the Second World War, the overwhelming majority of civil servants held a degree in law, reflecting the juridical perspective on administration in these countries, especially when compared to the United Kingdom. However, it is noteworthy that, in both countries, much of the actual training for civil servants happens 'on-the-job', through experience and by learning from more senior colleagues. Additionally, German civil servants can periodically acquire technical expertise at the national civil service academy, and the French have technical and administra-

tive schools in which new recruits are fully trained for their future professional tasks.

As European integration and MLG contribute to a system of governance that is (a) more complex; (b) more interconnected with other layers of government and with non-state actors; and (c) less predictable in its process and its outcome, it may be expected that a greater flexibility in terms of civil service personnel is required. This in turn may lead to changing ideas about the optimal approach to expertise, plausibly in favour of a more generalist rather than a more specialist approach. So, in terms of its approach to expertise, a civil service impacted by European integration may be expected to correspond less with the Weberian ideal type.

In addition to the grounds on which civil servants are recruited and promoted (merit or non-merit) and the interpretation of what merit consists of (general skills or specialist expertise), we see variations in approaches to integration or fragmentation of the civil service. The main distinction here can be made between unified and departmental civil service systems.

In a unified civil service, there is one central body within the civil service that is in charge of a system-wide integrated recruitment and selection procedure. By contrast, in a departmental civil service, each organisation takes care of its own influx of new employees (Hague and Harrop, 2004: 292). This distinction is considerably important to the relations between politicians and civil servants, especially those at the apex of the organisation, since the more decentralised the job-candidate allocation procedure is (i.e. the more autonomous an organisation is to hire its own people), the greater the degree of autonomy in appointing civil servants to the higher ranks of the organisation(s) that the minister is politically responsible for. This creates more opportunities for ministers to appoint partisan or like-minded candidates at the upper-middle and higher levels, which in turn affects the understanding and interaction between the top civil servants and the minister, and also the role and position of the top civil servants within the system of governance. Nonetheless, Peters (2000) and Raadschelders and Van der Meer (2004) point out that, in practice, this potential for patronage is largely restrained by the norms, procedures, and pride embedded in the behaviour of both political officials and civil servants.

Within the category of unified civil service systems in Western Europe, two further types can be distinguished: firstly, one in which the civil service is an integrated and interdepartmentally mobile pool of human resources; and secondly, one in which there is a fair degree of centralisation in the recruitment and selection of civil servants, but where civil servants are distributed across corps according to their specialisation and educational level (see figure 3.4).
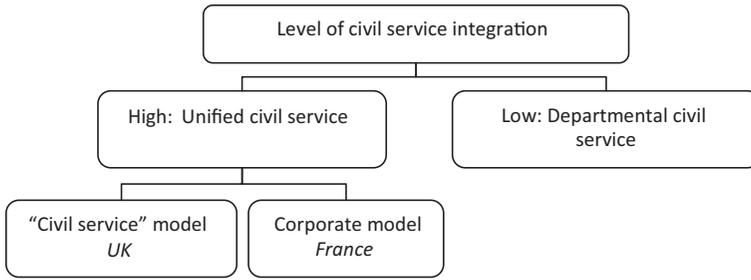
Figure 3.4 *Various levels of civil service integration.*

A simple NPM approach would expect that, over the past three decades, civil service systems have moved increasingly to the departmental model, given that decentralisation of human resource competencies ought to give a manager the necessary room to manage. However, the implications of *European integration* on the level of civil service integration cannot be hypothesised so easily or unambiguously. On the one hand, the EU may create the need for a higher degree of integration so that coordination can be enhanced; on the other hand, fragmentation and variation in the civil service environment may call for a decentralisation of personnel policy, so that departments and agencies can better respond the specificities and demands of their environment.

The above discussion of the personnel system as one of the main dimensions of civil service systems has revealed a number of expectations as to the implications of European integration for the national civil service. Firstly, with respect to merit as a primary criterion for civil service recruitment and promotion, we expect that European integration would imply an incentive for political leadership to increase the number of political appointees to the detriment of their permanent regular civil service staff. Secondly, with respect to the approach to expertise within the civil service, we expect that European integration would imply an incentive to take on a more generalist model rather than a specialist model. Lastly, with respect to the level of civil service unification or departmentalisation, we can envisage moves in either direction, towards a more unified civil service or towards a more departmental civil service.

3.4   The civil service as an institution in the wider governance system

What is the nature of the relations between the civil service and the other institutions that can together been seen as the ensemble of governance ac-

tors in advanced democracies? This was an important question for Weber (1972), and it has remained important to most subsequent students of Public Administration. Weber identified various powers that he perceived as capable of containing the scope for official dominance. These included parliament, collegial forms of decision making, ministerial use of advisers and personal staff, and the judiciary. In his comparative study of political authority and bureaucratic power, Page (1992) added interest groups to this set of powers. In the present study, it is appropriate to add yet more to the Weberian-Page list: regulators, the mass media, supranational and intergovernmental institutions, and subnational governments. In this section, the position and role of each of these powers will be explored for the purpose of answering our key questions.

3.4.1   Parliament

In Weber's theory of the bureaucratic system of rule, parliament plays a role in containing the scope for official dominance in three key ways: as a negative force, as a positive force, and as a training ground for future political leadership. Parliament is a negative force on the executive in the sense that it must validate or ratify the proposals drafted within the executive. Given this role as either granter or withholder of laws and budgetary proposals which the executive considers necessary to realise its political agenda, the executive will likely come to see parliament as an impediment to pursuing its goals and therefore as an 'enemy power'. This could lead to a minimum of trust and a release of information that does not exceed what is absolutely necessary.

However, next to this relatively reactive role, parliaments also actively scrutinise the executive. This positive role consists, on the one hand, of parliament's *Enqueterecht*, and on the other hand, parliament's cooperation. *Enqueterecht* implies that parliament can generate all information it considers necessary about the decisions and actions of the executive. Since exclusive knowledge is one of the key sources of bureaucratic power, the executive's obligation to supply all requested information is an important instrument to contain civil servants' power. In contrast, parliamentary cooperation involves actively forging working relationships with both the political and administrative branches of the executive. The higher the level of frequency and intensity of these working relationships, the stronger parliament's power is to limit that of the civil service.

Thirdly, Weber notes that parliament may serve as a training ground and a selection mechanism for political leadership. Not only can junior politicians learn basic political skills such as effective and strategic communication, coalition building, and popularity enhancement; but membership in

parliament can also help junior politicians gain insights into the workings of the executive.

It must be noted that country-specific arrangements determine to a large extent how routine the working relationship between members of parliament and civil servants is, and also how strong the link between parliament and civil service is in terms of selection and training. For example, in countries in which it is possible for a person to simultaneously perform both a parliamentary office and an executive office (such as France, Britain and Germany), the training and selection role of parliament is more direct and more obvious than in countries in which this is not the case (such as The Netherlands).

What can be expected to be general implications of European integration for the role played by parliament to limit the power of civil servants? National parliaments are generally identified as the most significant institutional losers in the process of EU integration (Wessels and Rometsch, 1996). Compared to the national executive, the role of national legislatures in EU-level lawmaking is very modest. Information supply is often incomplete and / or late, and executives in most member states have successfully claimed that in EU matters, parliamentary scrutiny should not be as thorough or explicit as in national matters, given the detrimental effect it might have on the executive's negotiation position in Brussels (Mair, 2008; Börzel, 2002).

Therefore, we may expect that European integration offers the executive the possibility and the legitimacy to exercise more restraint in the supply of information to parliament. Moreover, since parliamentarians are generally less involved in European matters than in national matters, they may overlook the increasingly important Europeanised domains of the executive's operations, which would decrease the value of parliament as a training ground for executive political leadership.

3.4.2   Interest groups

Interest groups are senior civil servants' primary interlocutors and sources of expertise outside of their fellow senior civil servants (Aberbach et al., 1981: 215; Page, 1992: 105; see also Poppelaars, 2009). Interestingly, Weber was concerned about the risk that business interests might hijack the state apparatus if given the chance to help shape government policies too much, to the detriment of both democratically mandated politicians and neutral expert officials. Particularly since the Second World War, the range of interest groups has come to include many more types of interest advocates than just business. With respect to the role which such interest groups may play in containing the potential for official dominance, two dimensions can be distinguished in Weber's argument.

On the one hand, interest groups' attempts to influence government policies serve to limit the exercise of ministers' leadership over the civil service. After all, the more technical input civil servants receive from interest groups, the stronger these civil servants become in relation to their political superiors, who are considered *dilettantes*. As a result of their close ties with interest groups, civil servants' primary interests and shared values may shift from their political leadership towards their 'partners' in their sector or field of expertise, including interest groups.

On the other hand, an important question regarding the role of interest groups concerns the degree of non-negotiability of policy. Page describes this variable as the extent to which civil servants succeed in using the authority of the state to pursue their own goals, even though interest groups are trying hard to influence government policies (Page, 1992: 108). It goes without saying that the greater the capability of civil servants to make policy non-negotiable, the less significant interest groups are in limiting the potential of official dominance.

Thus, both the level of interaction between interest groups and civil servants and the negotiability of government policies determine the scope of interest groups to limit the potential for official dominance. Higher interaction may imply greater difficulties for ministers to direct their civil servants, and higher negotiability implies less power for civil servants to pursue their own goals (see figure 3.5).

High interaction

| Scope of minister to direct CS: **smaller**; scope of CS to use state authority to pursue own goals: **larger** *Pluralism* | Scope of minister to direct CS: **smaller**; scope of CS to use state authority to pursue own goals: **smaller** *Neo-corporatism* |

Low negotiability   High negotiability

| Scope of minister to direct CS: **larger**; scope of CS to use state authority to pursue own goals: **larger** *Statism* | Scope of minister to direct CS: **larger**; scope of CS to use state authority to pursue own goals: **smaller**. *Isolationism, adhocracy, incidentalism* |

Low interaction

Figure 3.5 *Interaction level and negotiability as determinants of the scope for interest groups to limit bureaucratic power.*

As a category, interest groups can be viewed as an institutional winner in the shift from government to MLG, given that MLG implies a decision-making process in which more non-state actors are involved through consultation, and in many cases implies a practice of service delivery which also draws in private actors. Moreover, the emergence of a European layer of policy making has expanded the range of potential access points for inter-

est groups to decision making and has stimulated individual, local, or national advocates and advocacy groupings to become more organised (and thus enhance their potential effectiveness) in transnational and European-wide associations.

In the context of intensified MLG, many scholars argue that interest groups have benefited from their inclusion in so-called issue networks, composed of individuals originating from the standard policy-making organisations: the civil service, interest groups, members of parliamentary committees, and external experts from the academic or professional spheres (Heclo, 1978). These issue networks form a system of functional representation alongside conventional representation, which makes them conceptually akin to the long-standing notion of functional governance (Van Braam, 1988; Van der Meer and Dijkstra, 1997).

Specifically important for this research is the fact that the increase in the involvement of interest groups in governance is further reinforced by the process of EU integration, given the inducement built into EU policies to adopt network-style governance. National and subnational governments benefit more from EU-funded programs if they adopt an open method of policy making that includes all actors considered relevant by the European Commission (Kohler-Koch and Eising, 1999). In this sense, EU integration promotes greater negotiability of policies at the national level. But, at the same time, it appears that policy negotiability at the national level is decreasing. Rules, regulations, and lines of command and control have been sharpened in many countries over the last decade, to the detriment of interest groups that seek to intervene after EU directives have been transposed and integrated into national law.

Another effect of the emergence of a European layer of governance is that national governments and national interest groups discover each other (for instance, through issue networks) and work in tandem to develop joint positions to submit to EU-level decision-making procedures.

3.4.3   Collegiality

Whereas bureaucratic rule in its purest form connotes monocratic decision making at each hierarchical level, collegial forms of decision making deviate from this principle in the sense that collegiality implies the sharing of authority within the framework of a particular system of rule (Page, 1992: 120; Albrow, 1970). Collegial decision making in European Cabinet governments is a key example of this. As a general rule, Weber assumes that the higher the degree of collegiality within a bureaucratic system (whether in its political or administrative sphere), the weaker will be the overall hierarchical direction and coordination, and therefore the weaker the position will be of the monocratic leader who is ultimately re-

sponsible for the civil service, be it a *primus inter pares* prime minister or a president.

Interestingly, Page draws attention to the reverse effect that collegial decision making may have on the limitation of bureaucratic power (1992, 123). In a system in which political direction is provided by a collegial body, political leadership can gather co-decision makers who possess similar expertise as senior civil servants, and thus offset the expertise advantage civil servants would otherwise have vis-à-vis the political leader. Moreover, collegial decision making in the political executive may avert bureau-political conflicts, in the sense that in a Cabinet system, interdepartmental conflicts can be settled at the political level, which should minimise the ruining of the relations between the departments involved.

In the absence of any type of monocratic leadership, either in the political or in the administrative sphere, decision making at the EU level is by definition collegial in nature. In addition, the EU-level legislation that is poured out over the member states has a stronger leaning toward rules and arrangements oriented on consensus building than on majoritarian decision making (Bulmer and Lequesne, 2005, Bache and Jordan, 2006). As a consequence, it can be expected that the adoption or transposition of such legislation will, at the very least, lead to an increase of collegial forms of decision making at the member state level, too. However, the Weberian-Page model is ambiguous about the anticipated effects of this: we may witness either a tightening of the containment of bureaucratic power, or a loosening thereof.

3.4.4   Advice

As pointed out above, in an ideal-typical bureaucracy, the political leader is a *dilettante* while civil servants are technical experts[12]. The bureaucrats' advantage in terms of expertise is one of the main threats to the primacy of politics over the civil service. Therefore, employing the advice of specialist counsellors may be used as a strategy by ministers to counter their personal disadvantage in terms of technical knowledge vis-à-vis their civil servants.

As the multi-level nature of governance has increased and European integration has advanced over the past three decades, pressure upon ministers to maintain a strong position has also steadily increased – that is, within their department, externally within the Cabinet, towards parliament, towards their European counterparts, and towards society (Page and Wright, 2007). It can therefore be expected that ministers have increasingly sought to select personal advisors to help them reinforce their influence and their image. The increased challenges that ministers face may also have extended the role of personal advisers to more substantial policy affairs, to the detriment of the policy-advisory role of the permanent civil service.

All in all, it can be expected that the use of personal staff has increased in both quantitative (number of advisers per minister) and qualitative (realm of involvement) terms, and that this has served to weaken the authority of the regular senior civil service.

3.4.5   The courts

Systems of legal-rational authority are defined by the principle that the scope of government action is determined by legal rules. Judicial courts are central actors in any system of legal-rational rule, because they can limit the potential for official dominance to the extent that they are the ultimate judges over the legality and integrity of the decisions and actions civil servants take on behalf of the state.

In the Weberian-Page model, the power of the judiciary to contain official dominance consists of: (a) judicial redress; and (b) constitutional or statutory evaluation. Judicial redress implies the possibility for citizens or organisations to seek judicial review of a particular administrative decision and, if found to be outside the authority granted by law to the civil servant(s) involved, to determine whether the disadvantaged party should be compensated. In most Western countries, citizens have become more empowered vis-à-vis the state during the past three decades. This increase can partly be traced to a general trend of social individualisation, which appears to have lowered the threshold for litigation by rights-conscious citizens and interest groups. This is reinforced by the apparent growing confidence of judges in dealing with broader political issues, and with the consistently high level of trust in the judiciary, at least in comparison with politicians (Hague and Harrop, 2004: 218).

Moreover, public decision making and service delivery in Western countries are argued to have been subject to various forms of juridification, starting with the individualisation trend that began in the 1960s, which was accompanied by a decreasing sense of belonging to a wider group or community. This has given rise to more conflicts over the boundaries between individual freedoms (Dijkstra, 1996). As a result, it has been necessary to articulate the general rights and obligations of and between individuals more specifically in various forms of contracts and agreements. This has also increased the importance of laws, legal norms, and judicial actors and institutions in governance. As a result, the inclusion of law and the courts into research on government and governance has become a matter of increasing necessity (Shapiro and Stone Sweet, 2002: 1).

At the European level, the judiciary consists of the European Court of Justice (ECJ, one of the EU institutions) and the European Court of Human Rights (ECHR, separated from the EU institutional structure). At the national level, each member state has its own judicial system, reflecting their concep-

tions of the state and the relationship between citizen and state (see chapter 5). Some have a common law tradition (Britain, Ireland); some have a civil law tradition (France, The Netherlands, Germany); some have a clear distinction between public and private law (e.g. France), which results in separate courts judging in administrative disputes; and some have an integrationist approach to law in the public and private realms (e.g. Britain).

In addition, legal norms have become a more important factor in national decision making and service delivery as a result of the development of supra-national organisations that are highly legal in character (Hague and Harrop, 2007). The prime example is the European Union, but this also goes for the OECD, the WTO, and the World Bank. All of these institutions aim at actively removing the obstacles to free trade, and the EU and the WTO have particularly adopted a highly judicial style in doing so, for instance by issuing judgments on the basis of reviewing cases (Hague and Harrop, 2004). As such, these institutions have in the process stimulated the development of tighter evidence-based legal control mechanisms in countries that used to employ more consensus-based regulatory processes (Christensen and Laegreid, 2005; see also Majone, 1999 and Laffan, 2001).

As the body of European and international legislation has grown, the national sphere of politics (legislative and executive) has gradually lost its position as the supreme source of legal rules, which has increased the confidence and assertiveness of national judges in many member states. In some cases, this has resulted in rulings by national courts which went against national legislation at the time, based on documents such as the European Convention on Human Rights (1950), and the International Covenant on Civil and Political Rights (ICCPR, 1976). An example of this is the case in which a Dutch widower was granted a widower's pension based on the direct effect of the ICCPR, although according to Dutch national law at the time, such pension could only be granted to either widows or orphans (Centrale Raad van Beroep, 1988).

In and of itself, a more legalistic type of governance does not necessarily imply a limitation of the power of civil servants, because legal rules can also encourage or legitimise additional governmental action. However, in the case of the EU, areas in which national governments were traditionally active and powerful are now highly regulated by the EU, and some have become exclusive EU competencies, such as state intervention for specific economic sectors, public procurement, monetary policy (for those member states who joined the European Monetary Union), and foreign trade. At the same, there are other areas in which new legal rules are made, or new legal interpretations are given, that would encourage a governmental response within a given state. However, this might not automatically fall to the national executive of that state, but may rather be assigned to the EU or sub-national level authorities.

All in all, judicial institutions and actors are often identified as institutional winners in the shift from government to governance. At the European level, the ECJ has become increasingly pro-active and powerful. Since the 1970s, the ECJ has made more and more decisions with a noteworthy political and material impact, constraining national government and administrative bodies in unanticipated ways and in unforeseen policy areas (Alter, 1996).

As noted above, while the Weberian-Page model includes parliaments, interest groups, collegiality, advice and the courts in the set of powers within a bureaucratic system that contain the potential for official dominance, to answer the present research question, an extension of this set is necessary. Four powers should be added to the model: regulators, mass media, intergovernmental and supranational institutions, and subnational government. Two of these four, the media and subnational government, Weber discusses in his writings (1972), but only as part of the extra-parliamentary stage where political activity and training occurs, and not as limitations to *Beamtenherrschaft*. The two other powers, regulators and intergovernmental and supranational institutions, were either non-existent or too underdeveloped to be considered as countervailing powers to the national civil service at the beginning of the 20th century. We will now discuss how each of these powers nowadays functions to limit official dominance, and how European integration has potentially affected each.

3.5.6   Regulators

The shift from government to governance has involved waves of regulatory reforms in most, if not all, western countries (Button and Swann, 1989; Pollitt and Bouckaert, 2004). Because of these regulatory reforms, the more governance takes place by and within regulatory agencies and not within core departments directly headed by a minister, the greater the reliance on legal norms and regulations in governance (Majone, 1996). However, as discussed in chapter 2, one of the key features of an MLG system of governance is the rise of network-style decision making, which ought to be characterised by less regulation and more voluntary cooperation (Marks et al., 1996; Kohler-Koch and Eising, 1999). Nonetheless, these authors also sense that, whenever informality seems to gain ground, formal legal restrictions to guarantee political and financial control usually follow shortly after. Network-style decision making may create gaps in existing accountability relations and the division of competencies, invoking either tighter legal demarcations or encouraging judicial intervention (Peters and Pierre, 2004). In this way, giving a greater role to legal norms and judicial or regulatory bodies can be instrumental in regaining legitimacy when it is

perceived that the adequacy of democratic control mechanisms has been eroded in a system of MLG (see Majone, 1996: 290).

3.4.7   Mass media

The social and political role of the mass media today, in terms of speed and reach, is hardly comparable to that of the time in which Weber wrote. Still, for Weber (1972), journalism, along with interest-group activity, party organisation and local politics, provides another stage adjacent to the parliamentary one for political action and the development of political leadership (Page, 1992: 105-106).

Hague and Harrop (2007) describe how the nature of the relationship between the state and media has significantly changed over the past three decades. Firstly, much of the state-owned media have been commercialised, meaning that governments no longer have a financial stake in those media. Secondly, media have ceased to be agents of national integration, as used to be the case in the 1950s, 1960s and 1970s. Rather, media can be seen as fragmenting agents, since the virtually endless diversification of information sources has, to a certain degree, splintered national audiences. Thirdly, the information revolution created by developments in ICT (and notably the internet) has turned citizens into global producers, diffusers and consumers of information on a global scale. This phenomenon – and the realisation of it – was illustrated by *Time Magazine*, which gave awards to ordinary citizens participating in the creation, diffusion and consumption of information and knowledge through the internet:

> *It's a story about community and collaboration on a scale never seen before. It's about the cosmic compendium of knowledge Wikipedia and the million-channel people's network YouTube and the online metropolis MySpace. It's about the many wresting power from the few and helping one another for nothing and how that will not only change the world, but also change the way the world changes. (Time Magazine, December 13, 2006)*

Within the political and administrative sphere, these developments are argued to undermine the power base of national governments as the main providers, let alone controllers, of information (Hague and Harrop, 2007).

To a certain extent, the intensification of media attention on governance has happened at the initiative of governments themselves. In almost all Western democracies, governments have embraced or have been forced to embrace the idea of greater transparency to acquire greater democratic legitimacy for their policies, which has entailed more communication with the public and less secrecy surrounding policy practices.

Specifically for the national civil service, this has meant that many Western democracies now witness an increasing practice of top civil servants contacting the press and speaking out on policy issues, for which – according to the doctrine of ministerial responsibility – ministers are answerable to parliament. Thus, a tension arises between, on the one hand, a desire for openness and transparency with respect to civil service action and, on the other hand, the possibility for ministers to be exclusively accountable to parliament in accordance with the doctrine of ministerial responsibility. The doctrine of ministerial responsibility is difficult to maintain if civil servants seek publicity or vent their own opinions to the media. While interactive governance and increased transparency are perceived as positive from a legitimacy and accountability perspective, this interaction and transparency may also reduce political control over civil servants. In various countries, codes of conduct have been adopted to provide guidelines for civil servants in their contacts with the wider public in order to prevent (more) 'accidents' (see Geurink, forthcoming).

For the political realm of governance, one of the often-perceived effects of the media's increased autonomy and its increased role in scrutinising governance is the phenomenon of 'structural incidentalism', i.e. a pattern of political action which is characterised by short-term responses to perceived acute problems, rather than by long-term strategies (Kuypers, 2001). Often these acute problems are signalled in the media, and they encourage politicians to take an immediate position. In such cases, politicians are exposed to the temptation of blaming their civil servants for negligence, wrong action, or incorrect information. In one sense, the mass media can provide an important external check on civil service action. However, the scrutinising potential of the media will never be more than selective and fragmentary which, combined with their lack of democratic legitimacy, puts their self-professed value for the democratic process somewhat in perspective.

Moreover, given its focus on short-term responses, structural incidentalism is at odds with the classical idea of bureaucratic organisation and functioning, which emphasises permanence of office and long-term horizons. Structural incidentalism may in the short term seem to offer popularity-enhancing opportunities, since ministers depend on electoral support over short-term horizons. However, at the same time, structural incidentalism makes ministers all the more vulnerable: at any time, an incident or scandal may surface and escalate, potentially resulting in a forced or pre-emptive ministerial abdication. For the civil service, the implications of structural incidentalism may be twofold. On the one hand, when incidents determine the ministerial and therefore the departmental agenda, a tension may arise between civil servants' responsibility to consistently support and follow their minister's fast-changing priorities and the ideals of caution, non-discrimination and long-term planning. On the other hand, ministers' declin-

ing involvement in long-term planning and their more frequent premature abdication can have a positive effect on the autonomy of civil servants in formulating and effectuating longer-term strategies and policies.

In addition to the media's increased potential to try to influence policies, the greater role of the media also provides an additional resource for all other types of actors: politicians, public organisations; citizens, interest groups, and corporations each have expanded possibilities to find a stage within the mass media to make their positions known and to pursue their interests.

Another implication of the more autonomous role of the media and the higher demands of political leaders for public communication is the increased use of press officers and public relations officers, usually recruited from outside the career civil service (Steen et al., 2005). The more important the mass media become in terms of shaping citizens' political positions and setting the political agenda, the more essential it becomes for political leaders to deliver political communication that is clear, repetitive and positive. To ensure effective and successful communication, many have come to redirect their focus from the regular career civil service to strategic spin doctors and external communication advisers: "The humble government press office, now populated by highly paid spin doctors, has never been more important" (Hague and Harrop, 2004: 112).

3.5.8   Intergovernmental and supranational institutions

Since the period when Weber wrote about bureaucracy, the interconnectedness between most nations in the world has become even closer. Especially since the end of the Second World War, many intergovernmental organisations have emerged: some are issue-specific, such as the International Labour Organisation (ILO) and the International Maritime Organisation (IMO); others are very broad, such as the UN; and yet others have a specific regional scope, such as the Council of Europe and the African Union (AU). But for European national governments, the most important cluster of international organisations has been the European Union and its predecessors. The EU not only constitutes a framework for *intergovernmental* decision making, but its members have also pooled their sovereignty and created a *supranational* framework for decision making. Perhaps the importance of the EU for its member states is best illustrated by the estimate that 50 to 80 percent of total legislation which is enacted or implemented in the member states originates from the EU level[13]. However, it should be noted that such figures are contested for various reasons; in particular, given the compound decision-making nature of the EU system of governance, more often than not both national ministers and ci-

vil servants have been involved in the formulation of EU legislation from its inception.

As is described in chapter 2, the EU has two types of implications for governance in the member states: direct and indirect or knock-on implications. Direct implications are understood as the immediate consequences of EU membership: participation in the integration process and meeting the requirements of membership. Indirect or knock-on implications are understood as the changes in the nature of national governance and its opportunity structures that also emanate from EU membership.

While most of this study is devoted to the latter type of Europeanisation, the direct consequences of European integration for the national civil service and the expected implications of this for the potential for official dominance will be discussed in this section. The direct effects of EU membership for the civil service primarily concern the involvement of national civil servants in the EU process. For analytical purposes, this involvement can be roughly divided into (1) *participation in the forming of EU policies*, i.e. in the run-up to formal decision making; (2) *participation in the processing of EU policies*, i.e. once formal decision making at the EU level has taken place; and (3) national coordination of this involvement in both policy forming and policy processing. In most of the Europeanisation literature, the distinction between the first two categories is referred to as the 'uploading' of national policy preferences vs. the 'downloading' of EU policies, while the third category is usually not considered a separate type of involvement.

Uploading may include activities such as participating in Commission expert meetings or Council working groups, serving as a seconded national expert, or the preparation of negotiations, while downloading may include participation in the transposition, implementation or enforcement processes (Geuijen et al., 2008). Coordination entails those activities necessary to make this participation happen, both at the national level and at the European level (Kassim et al., 2000; Kassim et al., 2001).

Turning to the expected implications of all of this for the potential for official dominance, four issues can be identified. Firstly and foremost, the powerful position of the civil service in national governance is expected to be circumscribed, due the erosion of sovereignty and the capacity of national parliaments and executives to provide ultimate resolutions to domestic conflicts of interests.

Secondly, it is expected that civil servants' involvement in EU policy making may impact the degree to which ministers can control and direct their civil servants, and more generally affect the nature of the job performed by officials who are involved at the EU level. The EU-level activity of an increasing number of civil servants raises the question whether their actions can still be steered and monitored by their political superiors as effectively as the actions of civil servants who solely operate in the domestic

realm. The larger geographical distance to their political superiors, together with the complexity of deliberation and decision making in EU forums, is expected to increase the bureaucratic autonomy of civil servants – at least those involved in European and transnational activities – vis-à-vis their political superiors.

In addition, civil service involvement in the EU policy-making process can conceivably increase the political nature of civil service activity. Involvement in EU legislative processes differs from that at the national level because, 'in Brussels', national civil servants face potential competition from fellow civil servants from the 26 other member states, creating a dynamic of information exchange, winning support and forging coalitions. Traditionally, these activities are seen as political rather than bureaucratic (Peters and Pierre, 2004). It can therefore be argued that EU integration implies an increase in the political dimension of civil service action.

Thirdly, the loss of power civil servants suffer from the loss of national sovereignty may be partially offset by their role as first executor in the downloading-processing stage of EU legislation. Since it may be expected that European legislation will leave considerable room for interpretation in the transposition (in the case of directives) and implementation phases, national officials' leeway can still be quite considerable. It is to be expected that the potential for such leeway will be determined by the degree to which the content of the legislation is technical in nature.

Fourthly, ministers' participation in Council meetings is argued to have an undermining effect on the cohesion of national executives and to fragment national policy making. Ministers from a specific policy area potentially feel more affinity with their counterparts from other member states than with fellow ministers within their national governments, based on the commonality of their outlook on policy problems and of the challenges in pursuing their sector's interests (Andeweg and Irwin, 2005). More independent behaviour of Cabinet ministers vis-à-vis their monocratic leader or their fellow Cabinet members may in turn add to the power of national bureaucrats, who have a chance to capitalise on the potential for bureau-political conflicts.

This point is especially ironic, given that adequate interdepartmental coordination is increasingly necessary for success as a member state in the European arena. The complexity and multi-laterality of EU negotiations require negotiators to have oversight and to be flexible in adjusting their bargaining strategies. The mandate from the national government has to be coherent and consistent, though not excessively rigid, which implies that coordination across departments and agencies, as well as across policy sectors, becomes all the more essential.

Finally, besides these complicating effects of EU integration for national executives, it is also expected that the existence of the EU helps national executives to endorse unpopular policies. EU integration opens possibilities

for ministers to gratefully refer to EU-level agreements when confronted with opposition to specific policies in their home arena, from which civil servants can also profit (Hague and Harrop, 2004).

3.5.9   Subnational authorities

The disaggregation of governance is also expected to impact national civil service systems through the greater involvement of semi-and non-state actors, together with reforms aimed at functional and territorial decentralisation. Such developments may not be a direct result of EU integration, but they cannot be decoupled from the intensification of MLG that is encouraged and catalyzed by EU integration. In any case, these changes imply, firstly, that the degree to which departments provide services directly to citizens will decrease, and secondly, that policy formulation and service provision will become the business of a more complex network of actors and institutions, some would say based more on persuasion than on order-giving (Bache and Flinders, 2004). The questions of importance to this study that arise here are whether this means that civil service systems will adapt their institutional design; whether they will take on a different role in public governance and what that different role would look like; and to what extent these changes will affect the relations between civil servants and their political superiors.

3.4.10   In sum: Containing civil servants' power

This section has discussed the conceivable implications of European integration for the relations between national civil servants and a wide variety of other actors and institutions in governance. Has European integration generated a change in the domestic opportunity structure in which civil servants have either lost or gained power and autonomy? In this context, Polidano (1999) argues that national civil servants, especially those at the highest echelons, have become increasingly accountable to multiple parties. According to the classic Weberian model, civil servants are solely answerable to their direct superior, who is accountable to his superior, up to the minister, who is answerable to parliament. In contrast, Polidano describes how high-level civil servants have become accountable to their own minister, the prime minister, and the finance minister, as well as to the commitments made in international forums and with domestic semi- and non-state organisations. It is increasingly plausible that the skills and competencies required of civil servants must be adjusted to their changed circumstances, so that civil servants are better equipped to play this game of 'multiple accountabilities' and view their role in governance within a wider political

context (Polidano, 1999). As discussed above, this wider political context both restricts the scope for official dominance and offers opportunities to civil servants for exerting influence in new ways. This is diagrammatically depicted in figure 3.5 below.
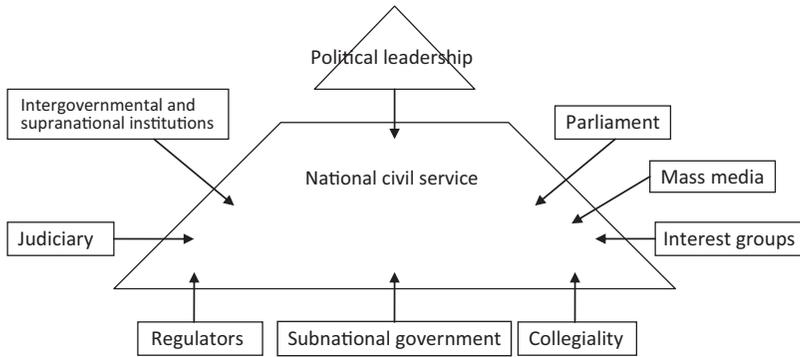
Figure 3.6   *Powers that contain the scope for official dominance.*

3.5   Political-administrative relations

In this study, civil service systems are operationalised in terms of their organisational architecture, their personnel systems, their relations to the powers and institutions that can contain the potential for *Beamtenherrschaft,* and the control that executive politicians can exert over their senior civil servants. For all four aspects, but most directly for the last one, the literature on political-administrative relations is of great importance. Political-administrative relations refer to the relations between executive politicians and senior civil servants. Together, these two groups are important because they are the primary decision makers in terms of policy and its execution. Separately, they are important because their positions differ substantially on a number of dimensions, at least in theory. How the two groups relate to one another has become a subfield in Public Administration and Political Science (Overeem and Rutgers, 2003). In this section, the most influential or applicable contributions to this subfield will be surveyed and its relevance to our research goals will be distilled.

At the outset it should be noted that the term 'political-administrative system' itself signifies a number of things: firstly, it involves *politics*; secondly, it involves *administration*; and thirdly, it involves some form of *connection* or *interaction*. Logically, when a connection or interaction occurs, it is thereby recognised that the two entities that connect or interact with each other are separately discernible and definable. Hence, any discussion of political-administrative systems, and in particular of political-ad-

ministrative relations, presupposes the dichotomy of 'politics' and 'administration', at least in analytical terms (Dijkstra and Van der Meer, 2005). Whether this dichotomous conception can be maintained in practice, and whether the dichotomy is sharpening or weakening, is a matter of empirical debate. Nevertheless, by logical necessity, the analytical starting point must be that politics and administration are separable and separate.

The complexity of this question of separation is crucially important. Indeed, in a legal sense, politicians and bureaucrats each occupy a clearly demarcated role. In a democracy, political officeholders can either be elected by the people (parliament) or appointed by the leader of the party that won the election (prime minister), and the civil servants serve as the executives of the government departments and agencies. However, in a more sociological sense, many authors have argued that lines of separation are *now* increasingly blurred, in the sense that civil servants are supposed to be increasingly involved in the policy-making process (see Van den Berg et al., 2007).

During recent decades, the emphasis in studies of political-administrative relations has been strongly empirical (e.g. Aberbach et al., 1981; Page 1992; Dunn 1997; Mouritzen and Svara 2002; Nieuwenkamp 2001; 't Hart et al., 2002; 't Hart and Wille 2006). At the same time, the theoretical questions have not been neglected. To what extent is the analytical distinction between political actors / institutions and administrative actors / institutions to be maintained? What mechanisms are at work to determine the degree of integration or separation between the two (see also Self, 1977)? Efforts to answer these questions have resulted in a number of models of political-administrative interaction, the most relevant of which will be discussed and examined below. These are: the model of Aberbach et al. (1981) concerning different types of roles of politicians and civil servants (3.5.1); the models of Peters (1987) and Peters and Pierre (2001) on structural relations between the two types of actors (3.5.2); Svara's (1999; 2001; 2003) idea of complementarity between political and administrative office holders (3.5.3); Toonen's (2004) notion of the creation of open villages in the context of administrative reform (3.5.4); Van der Meer's conceptualisation (2002) of the tools of political and bureaucratic control within the enabling state (3.5.5); followed by an integration of the multiple typologies, and a cross-time, cross-national comparative analytical model (3.5.6).

3.5.1   Aberbach, Putnam and Rockman's model

Aberbach, Putnam and Rockman (1981) conceptualised four images that are intended to capture the range of potential patterns of relations between politicians and civil servants. Image 1 presents a world in which politics and administration are separated in their purest legal form. This ideal type

of political-administrative relations has no strong empirical manifestation, but is often used as an analytical and normative (constitutional-legal) construct. Politicians deal with policy formulation; civil servants deal with the execution and implementation of these policies. This strict separation is in line with what was advocated in Europe by early and mid-19th century legal scholars (e.g., Bonnin, 1812; Vivien, 1845; see also Rutgers, 2004: 66-67) and by Weber in his ideal type of legal-rational bureaucratic government[14]. On the other side of the Atlantic, with an eye on the elaborate spoils system of the US, Wilson and Goodnow argued that politicians and administrators should be clearly demarcated so that the bureaucracy could function as an expert, objective, continuous, and stable body removed from political patronage (Wilson, 1887; Goodnow, 1893).

The second image projects the political-administrative relationship as one in which politicians deal with interests and civil servants deal with facts. This notion is considered by the authors as a more adequate description of reality. Here, the sensitivity of politicians towards the will of the population is matched by the expertise and impartiality of the bureaucracy.

Image 3 moves further towards a shared responsibility of politicians and administrators for policy making. The main difference between the two types of actors is that politicians are inspired by passion and idealism, whereas civil servants act with caution and pragmatism. Although possessing a different style and motivations, both politicians and bureaucrats are concerned with politics and policy making. This leads us to image 4, which represents a perfect fusion between politicians and civil servants. In analytical terms, this perspective is least useful, because where politicians and bureaucrats merge into one group of officials, one can hardly speak of political-administrative interaction. Nonetheless, in systems where there is a high degree of overlap in terms of career patterns between politicians and civil servants, and where top civil servants are political rather than career appointees, the roles of both types of actors look considerably more hybrid.

	Perfect separation		←→	Perfect fusion
	Image 1	Image 2	Image 3	Image 4
Politicians	Policy articulation	Interests (political sensitivity)	Energy (passion, idealism)	No distinction between politicians & civil servants
Civil servants	Administration (execution)	Facts (neutrality, expertise)	Equilibrium (pragmatism, caution)	

Table 3.4   *Model of the interaction between politicians and civil servants (Aberbach et al., 1981)*

The strength of the Aberbach et al. (1981) conceptualisation is mainly its success in specifying the otherwise crude dichotomous categorisation of 'politics' and 'administration' into four considerably more concrete categories: policy implementation, policy formulation, brokering of interests, and articulation of ideas. Despite this crucial step forward, however, the model clearly suffers from some limitations as well.

When applying these four images to empirical reality, Aberbach et al. argue that images 1 and 2 appear more relevant for the lower levels of government, whereas images 3 and perhaps to some extent 4 are a more appropriate representation of the higher levels of government. Thus the Aberbach et al. conceptualisation might be useful for understanding political-administrative relations, but more in terms of parts of a bureaucratic apparatus than in analyzing or comparing entire national systems.

Moreover, Aberbach et al. (1981) maintain that there is a larger contrast between political officeholders and civil servants in Europe than in the United States while, overall, the roles of both at the time appeared to be converging. As Raadschelders and Van der Meer (1998) pointed out, this generalisation is rather doubtful. Empirical evidence does not seem to support the convergence hypothesis. Indeed, in a more recent study, Aberbach and Rockman (1994) noted that the gap between political officeholders and top career civil servants had been growing, at least in the United States (see also Lee and Raadschelders, 2005). The same observations hold true for Western Europe (Bekke and Van der Meer, 2000).

The Aberbach et al. (1981) images suggest that, at the top levels of government, there has been an historical development from a relatively separated interaction towards a more fused relationship. However, this is another conclusion that has been seriously criticised (e.g. Page, 1995). The Aberbach et al. (1981) images are theoretical and were informed by literature and surveys that were limited to a brief period of time. Valid cross-time conclusions cannot really be drawn, and a longitudinal study would be necessary to substantiate this point. Nevertheless, tools for comparison could be obtained if we were to cut the model into four configurations, concentrating on differences in tasks, decision orientation and attitude, and thereby excluding any pre-conceived evolutionary meaning.

However, one of the shortcomings of the Aberbach et al. model is its lack of theoretical clarity. In their four images, multiple dimensions seem to play a significant role (for instance, the division of labour, power relations, the distinctiveness of each type of actor). However, only one dimension is made explicit, namely the division of roles. The other parameters mentioned above, which are unequivocally at stake, seem to be forced into this one dimension, resulting in a somewhat uncomfortable theoretical constellation. In addition, this blending of distinct dimensions jeopardises the model's empirical adequacy, given that certain empirical scenarios cannot satisfactorily be positioned within one of the images (for

instance, we can image a situation in which hybrid task performance co-
incides with a very unequal power distribution between politicians and
bureaucrats).

Secondly, the Aberbach et al. model is theoretically limited in the sense
that it seems to ignore a number of logically perceivable images, posi-
tioned beyond the fourth image. The range of identified images starts with
a division of responsibilities in which bureaucrats are in charge of policy
implementation and politicians are in charge of everything else (policy for-
mulation, interest brokering, and idea articulation). The range of images
terminates with the pure hybrid, where bureaucrats and politicians are
jointly responsible for all aspects except for policy implementation, which
remains the exclusive domain of the bureaucrats[15]. By stopping at the idea
of the 'pure' hybrid, Aberbach et al. exclude the possibility that the bal-
ance will shift in favour of bureaucrats, i.e. bureaucrats may become exclu-
sively responsible for formulating policies, brokering interests and articu-
lating ideas (situations we could call images 5, 6, and 7). This failure to re-
cognise at least the theoretical possibility of the other half of the
continuum is a shortcoming in the model. By comparison, Peters' (1987)
and Svara's (1998; 1999; 2001) models (which will now be discussed) do
cater for the possibility of bureaucratic dominance over the political realm,
in their formulations of the model of the Administrative state and Bureau-
cratic Autonomy respectively.

3.5.2   Political-administrative relations as village life? Peters' model

In order to understand the patterns of behaviour between political office
holders and civil servants, Peters (1987) constructed a set of models that
bring together five aspects of behaviour: (1) the tone of interaction, (2)
the winners (i.e. dominant group of actors), (3) the way in which conflicts
are resolved, (4) the style in which this happens, and (5) the implications
for governance. The first model, *formal-legal interaction*, shows many si-
milarities with the first image in the model of Aberbach et al. The politi-
cal superior steers his or her bureaucratic apparatus, and the civil servants
obey the commands of their political executive. The *village life* model
presents a picture of politicians and bureaucrats who form a single elite
which manages the public sphere through bargaining and mutuality.

In the *functional village life* variant, there is a similar governing elite,
but this elite also includes a wider group of interest representatives. Corpo-
rate and other civil society actors join the game, in which expertise and the
pursuit of interest are the crucial components of policy formation. The *ad-
versarial* model assumes a continuous power struggle between politicians
and bureaucrats. Instead of shared responsibility, the two parties are en-

gaged in a zero-sum game for policy dominance. This is the only model that leads away from integration, and it is a model relevant only to a short-term perspective. The final model, the *administrative state*, is the clear opposite of the *formal-legal* model. Civil servants are not subject to the will of a political superior, but rule themselves. In the case of conflict, it is the politician who must leave. Expertise comes before politics, and stability is the outcome in terms of policies.

Model	Tone	Winners	Conflict resolution	Style	Impacts
Formal-legal	Integrative	Politicians	Command	Authority	Variability
Village life	Integrative	Both	Bargaining	Mutuality	Management
Functional Village life	Integrative	Both	Bargaining	Expertise	Interest dominance
Adversarial	Adversarial	Variable	Power	Conflict	Variability
Administrative State	Integrative	Civil service	Abdication	Expertise	Stability

Table 3.5   *Typology of interaction between politicians and top civil servants (Peters, 1987)*

Using the same model, Peters and Pierre (2001) investigated the political consequences of the widespread public sector reforms in various countries in the 1980s and 1990s. They concluded that these 'managerial' reforms influenced the nature of politics in the public sector in a serious manner, and especially the relationship between civil servants and their political superiors. Moreover, they found that the recent reforms moved relations in several national systems more towards the adversarial model, since in some cases the emphasis on measurable performance led civil servants to become anti-political and less willing to wait for their political leaders' policy initiatives than in the past. Also, the influx of private sector managers into the civil service led to cultural clashes, resulting in a more conflictual relationship between political and administrative officials. In addition, their study demonstrates that in many cases it is no longer appropriate to think simply in terms of tensions between politicians and civil servants and of undifferentiated categories (see section 3.5.4).

Peters' (1987) typology appears to be unsystematic in a number of ways. Firstly, across his five models, the emphasis shifts constantly from one aspect of political-administrative relations to another. Thus, similar to the Aberbach et al. (1981) model, Peters' typology suffers from the implicit but simultaneous importance of various dimensions. In table 3.5 above, we see that the variables 'Tone', 'Conflict Resolution' and 'Style' each signal a *mode of interaction* and, therefore, are hardly mutually exclusive. The 'Winner' variable signals differences in power positions.

Peters' (1987) sidestep to the Functional Village life model is also un-systematic. As a mere variant of the Village Life model, but then applied to particular policy sectors, the Functional Village life is an easily recog-nised metaphor. The inclusion of this model blurs the theoretical clarity of the typology, since it only differs from the Village life in one aspect (sys-tem-wideness or sector-specificity), which is not deemed relevant for the other models in Peters' typology. Thus, several dimensions and approaches are latently present in Peters' analysis.

It is unfortunate, finally, that Peters does not pay attention to the division of roles as a characteristic of political-administrative relations, as Aberbach et al. do.

3.5.3   Politicians and civil servants as complementary actors: Svara's model

Svara's (2001) conceptualisation of political-administrative interaction con-trasts a classical dichotomous model with a model that he labels 'comple-mentarity'. Svara points out that the notion of politicians and civil servants as being complementary to one another is not only more historically legiti-mate, but also more viable in theoretical terms, and better empirically grounded than the dichotomy model (1998; 1999; 2001).

Svara formulated a typology that is based on two dimensions: (1) politi-cal control over civil servants, and (2) professional independence of admin-istrators. Each dimension has two values ('high' and 'low'). The result is a two-by-two table:

	High degree of political control	**Low degree of political control**
Low level of administrative independence	Political dominance	Stalemate or laissez-faire
High level of administrative independence	Complementarity: Politicians respect administrative competence and commitment* Administrators are committed to accountability and responsiveness*	Bureaucratic autonomy

* These are reciprocating values that reinforce the position of other set of officials (Svara 2001: 179).

Table 3.6   *Svara's understanding of the interaction between politicians and ad-ministrators (Svara 2001).*

This typology shows four possible constellations: political dominance, bu-reaucratic autonomy, stalemate or *laissez-faire*, and complementarity. 'Poli-tical dominance,' firstly, is the situation in which administrators are fully

dependent upon politicians exerting strong control over them. This situation was "attacked by reformers from the Progressive Era to the present", fearing a "loss of administrative competence" and "political corruption" (Svara, 2001: 179). 'Bureaucratic autonomy' is the reverse: politicians exert little control over highly independent administrators. This situation "is feared by critics of the administrative state, who argue that administrators are self-controlling and advance agency interests rather than the public interest" (Svara, 2001: 179). The third possibility, stalemate or *laissez-faire*, is "the combination of low control and low independence" (Svara, 2001: 179). Depending on the circumstances (which Svara does not specify), this situation can result in either "a 'live and let live' attitude among officials" or "in stalemate".

Complementarity, finally, is a situation in which politicians are in control and administrators are independent – simultaneously and to high degrees. The large size of the complementarity box is meant to illustrate the empirical generalisation that "most interactions among officials reflect complementarity" (Svara, 2001: 180). In fact, the box covers so much that Svara feels the need to concede the possibility of some variation within it: "A condition that presumably was common earlier in the century, high accountability and moderate independence, would fit in the upper-left corner of the complementarity quadrant, whereas recent experience with moderate control and extensive administrative initiative would be in the lower-right corner" (2001: 180).

Svara's (2001) key contribution from this conceptualisation of political administrative relations is in his recognition that political-administrative relations can only be understood, at minimum, by a two-dimensional model. Moreover, he accommodates the possibility of bureaucratic dominance over politics, which Aberbach et al. fail to do. In addition, he employs a specification of four functions similar to the one introduced by Aberbach et al.: management, administration, policy, and mission, which Peters' (1987) typology fails to address.

Nonetheless, several critical questions about the adequacy of Svara's typology arise. For instance, what circumstances determine whether a situation of low control by politicians and low independence by administrators (in short: low/low) will result in either 'laissez-faire' or 'stalemate'? Svara leaves these circumstances unspecified. Secondly, why can only "low/low" result in stalemate, and not "high/high" as well? In the event that a high degree of control by politicians coincides with a high degree of bureaucratic independence, complementarity will result. But we cannot find arguments that exclude the possibility that stalemate will occur in such situations as well.

Thirdly, and even more fundamentally, are not 'control' and 'independence' contradictory, so that the high/high situation is logically impossible? Can high political control and high bureaucratic independence coexist at

all? In other words: to what extent are the two axes really independent from each other, and does an increase on one axis not automatically imply a decrease on the other axis? Svara tries to circumvent this problem by giving specific definitions of both concepts of control and independence. Control, according to Svara involves the "capacity to set direction and maintain oversight", while independence is about "asserting professional perspectives in policy formation and adhering to professional standards in implementation" (Svara, 2001: 179).

A practical example of this situation would be the administrative manager of an executive agency who is responsible for service delivery of a specified task. This manager is both contractually bound to his or her political superior, but is also independent to select strategies and deploy resources within the boundaries set by the contract. Thus explicated, the concurrence of high political control and high bureaucratic independence is empirically perceivable, but a strict separation of both parameters remains uncomfortable and elusive. These are legitimate questions that touch on the quality of Svara's typology.

One final problem, which has to do with the value-laden character of Svara's typology, is that Svara (2001) is unclear as to whether his model is purely descriptive or whether it also carries a prescriptive message. Since two of his four labels seem normatively rather neutral (political dominance and bureaucratic autonomy), and the other two have a strong positive and negative connotation (complementarity and stalemate, respectively), confusion may arise as to the purpose of the model as an analytical or normative instrument.

Together with Brunet, Svara has made the complementarity model more explicit (2003), in a way that resembles images 3 and 4 of Aberbach et al. (1981). With respect to the interaction between elected officials and civil servants, the first pillar of the revised model holds that both groups maintain distinct roles based on their unique perspectives and values, and the differences in their formal positions. This pillar acknowledges an overlap in the functions of politicians and civil servants, with politicians being involved in overseeing administration and civil servants involved in policy making. Additionally, politicians and civil servants operate in a relation of interdependency and reciprocal influence.

The other pillar of the revised complementarity model is more normative and focuses on the value commitments of civil servants. It consists of four elements: first, civil servants support the law and constitution, respect political supremacy, and acknowledge the need for accountability. Second, civil servants are responsible for serving the public and supporting the democratic process. Third, civil servants hold a position of independence, are committed to professional values and competence, and loyal to the mission of their agency. Lastly, they are honest in their dealings with politicians,

promote the public interest, and act according to ethical considerations. This revised model is depicted in table 3.7.

Value commitments of administrators	Political-administrative interactions
a) Support law and constitution, respect political supremacy, acknowledge need for accountability b) Serve the public and support the democratic process c) Independent with a commitment to professional values and competence, loyal to the mission of their agency d) Honest in dealings with elected officials, promote broadest conception of public interest, act in an ethically grounded way	a) Distinct roles based on unique perspectives and values and differences in formal position b) Overlap in functions c) Interdependency and reciprocal influence

Table 3.7 *The complementarity model (Svara and Brunet, 2003).*

The important advantage of this model is that it reconciles the tension between complying with the direction of elected officials and maintaining professional integrity, on the one hand, with the tension between responsiveness to incumbent politicians and at the same time seeking to serve the public, on the other hand. That said, this model fails to address the historical development of political-administrative systems, which makes the model difficult to use for cross-time analyses of political-administrative relations. In addition, its real shortcoming for empirical comparative research is its strong normative leanings. It starts from the given assumption of a democratic and responsive government and bureaucracy. Therefore, the historical realism of this assumption is questionable.

3.5.4 Creating Open Villages

In contrast to the previous scholars, Toonen argues that the notion of the politics-administration dichotomy should be abandoned. He believes that the relationships, problems and conflicts involving politics and administration should instead be approached in terms of either 'democratic bureau politics' or 'bureau political democracy' (2004: 201). He arrives at this conclusion by refining the 'village life' conceptualisation of the symbiotic life of politicians and civil servants, especially in the context of administrative reform (Peters and Pierre, 2001). Toonen (2004) distinguishes between the functional, the administrative, and the political family villages, and he observes that for each type of village there has been a distinct emphasis in their reform approach (respectively "let managers manage"; "make managers manage"; and "make managers"). The common denominator in each of the reform approaches is the aim to break closed shops open, i.e. to cre-

ate open villages. The creation of these villages is deemed necessary for national political-administrative systems to confront the inter- and cross-nationalising context in which they must operate. The break-down of 'closed-shop bureaucracies' implies the partial erosion of the shadow of hierarchy, which traditionally underlies the relationships between politicians and civil servants in the modern national state, and also sets in motion a further differentiation of the roles and responsibilities of political and civil servants. Toonen (2004) therefore appeals for the abandonment of thinking in terms of tensions between politicians and public servants as undifferentiated categories, and instead foresees the development of different sorts of civil servants, some more managerial and some more strategically oriented, some more regulative and others more evaluative. The result will entail tensions not only between politicians and civil servants, but also among civil servants of the differentiated types.

3.5.5   A repertoire of control mechanisms

Van der Meer's approach to change in political-administrative relations (2002) takes its empirical point of departure as the shift from the traditional welfare state towards the enabling state for civil service systems. Within the concept of the enabling state, civil servants are assumed to have a more autonomous leadership role and to be more pro-active than before. Thus, in directing and upholding the modern multi-layered system of governance, civil servants at various levels see opportunities to strengthen their power position vis-à-vis the political officeholders based on information asymmetries, rich experience, skills, and their pivotal position in policy networks.

As a tool for analysis, this conceptualisation results in the identification of a *repertoire* of control mechanisms in the hands of political officeholders (Van der Meer, 2002). The crucial assumption is that from this repertoire, political officials are only free to deploy the identified instrument to the extent that the institutional setting in which they operate allows them to do so. Thus, all of the following tools can be empirically observed in the European civil service systems, but their actual use in countries varies according to their acceptability in each particular political-administrative-institutional context.

The first instrument is the political appointment of public officials, which may happen in five distinct ways: a spoils system; formalised political discretion to appoint top civil servants; the informal political appointment of civil servants; the appointment of political advisors; and the use of ministerial cabinets. The second mechanism for control is to invoke alternative external sources of advice and expertise. This may happen by means of consulting external personal advisors, by the hiring of consultants, or through using advisory bodies and institutions of public expertise.

Thirdly, to increase political control over the bureaucracy, politicians may endeavour to dismantle the monolithic bureaucratic apparatus through three different channels: first, by downsizing the bureaucracy; second, by creating competing advisory or implementation offices; or third, by creating a supervisory bureaucracy. Lastly, political officeholders can try to strengthen their power base by changing administrative values, through manipulating or creating a service ethos, or by adapting legal provisions (Van der Meer, 2002).

3.5.6   Towards an integration of typologies

This multiplicity of analytical instruments and highly particularistic models entails a number of problems. The limitations of the particularistic models in drawing sensible comparisons between political-administrative relations across different periods and places, together with the theoretical shortcomings of each of the conceptualisations, are discussed above. These theoretical shortcomings call for an attempt to integrate several typologies into one widely applicable typology, to enhance oversight and orderliness in the field.

The different conceptualisations discussed above host different dimensions, but the one that each holds in common, albeit with varying degrees of explicitness, is 'dominance'; that is, the power distribution between politicians and bureaucrats[16]. Along this dimension, all situations can be classified. It ranges from a situation in which politics dominates administration to a situation in which administration dominates politics, with power balance in between. The result of this one-dimensional classification is presented in table 3.8 below.

	Aberbach et al.	Peters	Svara
P > A	Image I (politics/administration) Image II (facts/interests) Image III (energy/equilibrium)	Formal-legal model	Political dominance
P=A	Image IV (hybrid)	(Functional) Village Life Adversarial model	Complementarity Stalemate
A > P		Administrative state model	Bureaucratic autonomy

A means 'administration'; P means 'politics'; > means 'dominates'; = means 'equals in power'

Table 3.8   *Integration of various models into one dimension*

The table shows an easy correspondence between Aberbach et al.'s (1981) Image 1, Peters' (1987) Formal-legal model and Svara's (2001) Political

dominance model. In all three, 'politics' dominates 'administration'. Images 2 and 3 also suggest a domination of politics over administration, but in a decreasingly strong measure. Next, image 4 corresponds with the Village Life models, the Adversarial model, the Complementarity model, and Stalemate, since all imply a power balance between politics and administration. Finally, the Administrative State model corresponds with Bureaucratic autonomy, as administration dominates politics.

This scaling also has its problems, however. The shortcomings are particularly observable in the middle row. The one-dimensional approach is inadequate insofar as it does not distinguish between the very clear opposites of Peters' model; namely, (Functional) Village Life and the Adversarial model, nor between the very clear opposites of Svara's model; namely, Complementarity and Stalemate. This is problematic, because it means that the single dimension of 'dominance' is not sufficient to satisfactorily integrate the typologies.

The difference between the Village Life and Complementarity models on the one hand, and the Adversarial and Stalemate models on the other hand, is that in the latter politics and administration are clearly distinct, while in the former they are not. Apparently, this is a second dimension that needs to be taken into account. But what is the exact meaning of the term 'distinct'? One rarely finds 'distinctness' defined precisely and unambiguously. Here it must be noted that 'distinct' can have two meanings: *different* and *distanced*.

Distinct understood as *different* is a non-workable meaning, because it implies that 'not distinct' means the absence of differentiating characteristics between politicians and administrators. This precludes any meaningful discussion about the power distribution between them in the first place. One cannot think of one of two things dominating the other (indeed, one cannot think of their being *two* things at all), when these two things are one and the same. Therefore, if distinct means different, empirical observations in the two right-hand side quadrants figure 3.8 are logically impossible.

Another meaning of the term distinct is *distanced*. This meaning is more workable and therefore appropriate in our model, since one of two things can dominate the other regardless of whether the distance between them is large or small.

It is important not to confuse closer interaction between politicians and bureaucrats with convergence between the two types of actors. Granted, it is not unthinkable that a top bureaucrat who cooperates closely with a minister will gradually adopt a more political mindset, and a politician who serves a long period as a minister may take on some bureaucratic traits. But the point is that this need not be the case. This argument is perhaps best illustrated by a metaphor. If government can be pictured as a chessboard with white boxes for politics and black boxes for administration,

then the board may acquire more and smaller cells, but the black and white cells do not have to grow grey. Likewise, politics and administration may become more blended, without fusing.

Consequently, two dimensions should be considered simultaneously: the power distribution between politics and administration (dominance), and the degree to which they interact (distance). Importantly for us, this two-dimensional framework seems to have the capacity to integrate all situations present in the three main typologies developed by Aberbach et al. (1981), Peters (1987), and Svara (2001). This is shown in figure 3.7 below.
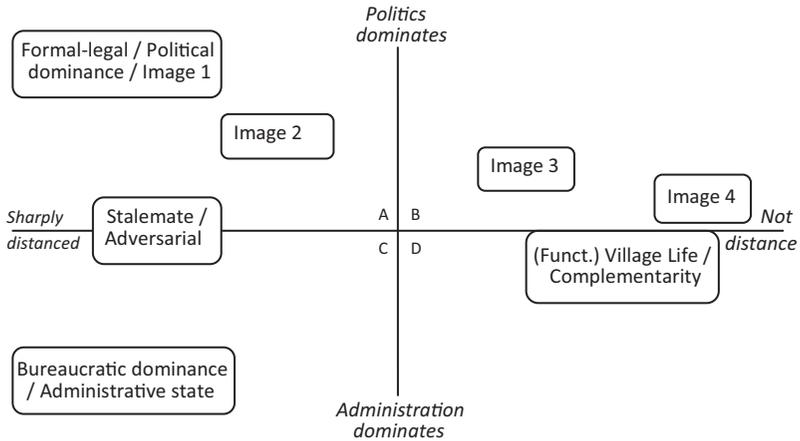
Figure 3.7   *Integration of three models: Aberbach et al., Peters and Svara.*

To illustrate the workings of this integrated typology, we can describe the situations represented by its four quadrants and identify empirical examples for each. The first option (quadrant A) depicts situations in which politics dominates administration and in which politics and administration are considerably distanced from each other. An example of such a case might be Belgium, where political executives, with the help of their Cabinets, notoriously by-pass their bureaucracies. A second option (quadrant B) is one in which politics dominates administration, but in which the two are not sharply distanced. A strong example of this possibility would be the Nazi regime in Germany, in which the entire bureaucracy was dominated by and suffused into politics.

A third option (quadrant C) is the situation in which administration dominates politics and there is a reasonably sharp distinction between the two. The classic example here is of course Weber's dystopia of *Beamtenherrschaft,* where politicians are not absent but possess very little power and play only a ceremonial role. The fourth and final option (quadrant D) involves situations in which administration dominates over politics, but

where the two are hardly distant. The empirical manifestation of this option is what has become known as technocracy, of which the former Soviet Union is perhaps an example.

Apart from its benefits in terms of combining most of the strengths of the existing typologies and avoiding their most blatant weaknesses, this integrated typology provides a step forward in terms of value-neutrality. Whereas the existing typologies were often highly normative in the way they depicted particular constellations (e.g. 'stalemate'), the integrated typology largely manages to avoid that.

3.6.7   A cross-time, cross-national approach

Van den Berg et al. (2007) indicate that, while the discourse on political-administrative relations has taken place in the domains of both administrative history and social science, neither approach alone offers satisfactory tools for analysis based on a cross-time and cross-national perspective. The administrative-historical tradition is useful from a descriptive viewpoint, but most studies lack the analytical conceptualisations necessary for a cross-national comparison. By contrast, as discussed above, the social science tradition, which does offer conceptual aids, is plagued by two limitations: (1) many of the models combine normative and empirical dimensions, thus creating an entangled presentation of what is and what ought to be in political-administrative interaction; and (2) many of the models host assumptions about an empirical shift from one extreme of the spectrum of analytical constructs to the other, without being founded in empirical reality.

Van den Berg et al. (2007) tackle this problem by discarding the normative elements and time-sequential assumptions of the social science models, while at the same time grounding their approach in a historical context; that is, long-term nation building and middle-range reforms in the realms of government and administration. The resultant approach is a combination of: (1) a so-called developmental perspective, which describes the sequence of events as they take place over time in rather abstract terms; and (2) an administrative-historical perspective, which pays attention to real people in real time. In doing so, political-administrative relations at different points in time and in different places can be characterised by employing existent social science conceptualisations.

This discussion of the most important theoretical perspectives on political-administrative relations reveals a number of insights that are of particular relevance to this study. The first is that, although in a legal sense there is separation and for analytical purposes it is important to maintain the dichotomy, in practice there is considerable overlap and ambiguity between political and administrative actors.

Secondly, the discussion has pointed out that implicit in many of the perspectives is the assumption that a broad empirical change has been taking place from a functionally separate to a functionally blurred relationship between political and administrative actors. The problem with this assumption is that, although it is quite plausible that in contemporary political-administrative relations the functions and activities of both politicians and civil servants are relatively blurred, it is much less believable that in bygone days (whichever historical period is meant), there was a neat separation; for instance, Aberbach et al.'s image 1 reflects this. For this research, it is important to keep in mind the pitfall of imputing ideal-typical characteristics to historical realities and thus observing changes based on assumed starting positions. Change can only be established by comparing empirical observations from two or more points or periods in time.

Thirdly, empirical studies have shown that the one-dimensional and historically linear perception of political-administrative relations is somewhat dated. Instead, it is more interesting and rewarding to raise questions about: (a) the degree to which the creation of open villages has become reality in a variety of national political-administrative systems; (b) the extent to which political actors indeed make use of control mechanisms; (c) in what way the possibilities of control mechanisms are available for use by politicians; and (d) to what degree political-administrative interaction should not rather be perceived as a dynamic process in which the pendulum constantly swings from an extension of political control, on the one hand, to an expansion of administrative influence and autonomy, on other hand.

Lastly, the integrated theoretical perspective invites an exploration as to whether the traditional perception of political-administrative relations is able to be operationalised. There are multiple reasons to doubt whether this is the case. One reason is the assertions that political-administrative relations have potentially moved from image 1, via 2 and 3, to image 4, the pure hybrid. Another, perhaps more important, reason is the assertion that villages have become more open and that the role of top civil servants has evolved into its diverse constituent parts, in which the distinct contribution of the civil servant becomes less discernible (Page, 2007: 235). For this last reason, the interaction that may deserve our primary attention is not so much political-administrative interaction, but rather the interactions between politicians and civil servants of various kinds and among civil servants of various kinds (Toonen, 2004).

3.6   Civil service systems: A conclusion

In this chapter, the approach to civil service systems adopted in this study is formulated and explained. In our analysis, we look at four key dimen-

sions of civil service systems: organisational architecture, personnel sys-
tems, relations with external actors and institutions, and the nature of the
relations between the political executive and the civil service (see figure
3.8 below).

Figure 3.8   *The dimensions of national civil service systems.*

isational architecture includes questions of the demarcation and size of the
civil service, the allocation of competencies (centralisation versus decentra-
lisation; concentration versus fragmentation) and issues of coordination
(horizontal and vertical).

With respect to the civil service as a personnel system, the two main issues
are related to whether civil service systems are career bureaucracies (job or
career system; unified or departmental; personnel mobility within the ser-
vice) and the civil service's approach to specialisation and training (exper-
tise and education).

With respect to other governance institutions, a range of relevant institu-
tions have been identified. The first four were Weber's own, i.e. parlia-
ment, collegiality, advice, and the judiciary; a further one was added by
Page in his 1992 study, i.e. interest groups; and some have been added for
the specific purposes of this study, i.e. regulators, mass media, suprana-
tional and intergovernmental organisations, and subnational government.

The final dimensions refer to the relations between the political execu-
tive (ministers) and the administrative executive (senior civil servants). On
these dimensions, three variables are important: firstly, the degree to which
ministers and civil servants form one integrated political-administrative
elite or two separate social groups; secondly, the style of interaction be-
tween both groups; and thirdly, the question of dominance: to what extent
are ministers capable of containing the power of senior civil servants?

So far we have formulated the research question (chapter 1), explored
and assessed the notions of multi-level governance and Europeanisation

(chapter 2), and discussed the dependent variable, civil service systems (present chapter). Now it is time to move on to what is considered the key variable to help understand cross-national variation in the implications of European integration for the civil service, namely the existing terrain: the political-administrative system.

4 THE EU'S DIFFERENTIAL IMPACT ON NATIONAL POLITICAL-ADMINISTRATIVE SYSTEMS

In chapter 1, three main driving forces behind the increase in multilevel governance were identified: Europeanisation/internationalisation, the popularity of the new public management doctrines and notions of good governance. While these drivers may together affect national civil services in Western Europe in broadly similar ways, in chapter 2 we saw that national responses to European integration vary from member state to member state.

We now have to take one more important preparatory step to gain the necessary levers to understand both the implications of European integration for national civil service systems and, perhaps more importantly still, the expected variation between member states in their responses to the adaptation pressure exerted by the structures, policies and practices advanced through the EU system of governance.

   The various bodies of literature discussed in previous chapters (Europeanisation, civil service systems, and even public management reform) all acknowledge to a greater or lesser degree that the *existing principles and practices of any given political-administrative entity* influence to a certain extent: (a) the degree of pressure to adapt to EU structures, policies, and practices; (b) the bandwidth within which the civil service can realistically be adapted; and (c) the direction of that change (Graziano and Vink, 2007 Bache and Jordan, 2006; Schmidt, 2006; Bekke et al., 1996; Raadschelders et al., 2008; Pollitt and Bouckaert, 2004; Knill, 2001; Steen et al., 2005). Similarly, Kickert and Hakvoort argue that the "institutional context of a particular state and administration is relevant for the form and content of reforms assumed there, and their success and failure" (2000: 223). In the words of Pollitt and Bouckaert, political-administrative systems "provide, as it were, the existing terrain […]. To continue the analogy, it is obvious that different countries have deeply different topographical features and therefore different challenges" (2004: 39).

The present study follows this historical-institutional approach to the extent that it assumes that the values and understandings embedded within state structures will be among the principal influences shaping national specificities in EU-induced responses and adaptations. It is believed that initial conditions can largely account for final outcomes (Krasner, 1988). Van der Meer et al. capture the essence of the argument of historical institutionalism as follows:

> *Decisions are made over time. Events take place that have a bearing on the institutional design of a given administrative system. However we might desire it, we can never (completely) escape the choices made in the past given the fact we cannot reinvent society and the organisational structures we live in all the time. […] Paths of past institutional choices have developed over time, constraining present-day options. (2008: 8)*

Therefore, the degree to which initial conditions across member states differ may also influence the degree to which their responses to EU-induced adaptations will differ (Page and Wouters, 1995; Olsen, 2002; Van den Berg and Toonen, 2007; Lynn, 2006).

But what are the initial conditions in a national political-administrative system? How can we formulate them so that they become useful analytical instruments? This chapter will examine the four major political-administrative traditions by answering the following questions. What do they entail? How useful are they? And finally, what alternative approaches have been conceived to address the influence of initial conditions?

4.1   Understanding differential change based on "families of systems"

The traditions approach

In order to know and understand the characteristics of political-administrative systems, one strategy is to identify a number of political-administrative models which can be used to draw comparisons with reality. In such usage, a model is referred to as an *ideal type*, which was a methodological instrument originally developed by Weber to enable his exploration of social and economic history. Although there are many important points to be made about the correct usage of ideal types (see chapter 5 on methods), the main idea to be stressed here is that any given ideal type does not and cannot have an empirically pure manifestation in reality. Instead, the ideal type is

a combination of typical characteristics against which real-life manifestations can be analyzed (Raadschelders, 1995; Mayntz, 1965).

The four key Western European traditions that are generally distinguished are the Anglo-Saxon or Westminster/Whitehall tradition, the Germanic or German *Rechtsstaat* tradition, the French or Napoleonic tradition, and the Nordic or Scandinavian tradition (Wunder, 1995; Loughlin and Peters, 1997; Loughlin, 1994).

Before rushing into emphasising the differences between political-administrative traditions, it is helpful to take stock of the *shared* features of these traditions in Western European states. These are: (1) a clear (legal) definition of political and administrative spheres; (2) an effective subordination of the bureaucracy to political institutions; (3) a large-scale public service, with a mission to implement the policies of the political executives; (4) a highly specialised civil service, including a high degree of organisational differentiation between departments and agencies; and (5) a strong sense of professionalism, both in terms of belonging to a particular professional or technical field and in believing the public service to be a profession (Loughin & Peters, 1997).

First of all, it is helpful to make explicit what is meant by *tradition*. Generally, the term *administrative tradition* refers to clusters of institutions and cultural practices that constitute a set of expectations about behaviour (Perez-Diaz, 1993: 7). However, so far there is no consensus as to what dimensions a political-administrative tradition should consist of.

Loughlin (1994) attempted to fill this gap by identifying six key features of any given political-administrative tradition: (1) the prominence of the conception of the "state" in a given society; (2) the nature of state-society relations; (3) the form of political organisation; (4) the basis of policy style; (5) the form of decentralisation; and (6) the dominant approach to the discipline of public administration (see table 4.1 below). Based on this attempt, Loughlin and Peters (1997) formulated an approach to explain cross-national variation in administrative reform projects using four main administrative traditions in Western Europe. The rest of this section will summarise and assess this approach.

Loughlin and Peters (1997) recognise that a particular tradition is neither a necessary nor a sufficient condition for the successful implementation of a specific reform. Still, he argues that some traditions are friendlier towards specific reforms than others (Loughlin and Peters, 1997; see also Pollitt and Bouckaert, 2004).

The largest difference between the traditions is between the *Anglo-Saxon tradition*, in which the state does not exist as a legal entity, and the other three (Continental) traditions, in which the state serves as an overarching and integrating force in society. In the Anglo-Saxon tradition, the state arises from a social contract among the members of its society. As a result, Loughlin and Peters (1997) argue, distinct boundaries between the state

and society have emerged. Nonetheless, Loughlin and Peters see these boundaries as perhaps more flexible and negotiable than in the Continental traditions. Also, the absence of a clear conception of the state influences the position of the civil service vis-à-vis society: there is no constitutional role given to the civil service. Thus, civil services in the Anglo-Saxon tradition are more clearly subject to structural change produced by the government of the day than in the Continental traditions. Given these underlying cultural principles, Loughlin and Peters (1997) assume that Anglo-Saxon political-administrative systems are easily compatible with most NPM-style reforms, such as privatisation, NPM-style personnel management, financial management reforms, and a consumer-orientation towards the public rather than a citizen-orientation. Conversely, it is believed that the empowerment of lower-level civil servants and the deregulation of the public sector are not compatible with the principles underlying the Anglo-Saxon tradition, given its relative suspicion of government and the civil service.

In the *Germanic tradition*, the state is a transcendent entity, which means that regardless of the government of the day, there is something quite permanent but intangible that organically binds the members of society together. Lehmbruch and Schmitter (1982) argue that the neo-corporatist patterns of representation also follow logically from this organic conception of the state and society. Moreover, in this tradition, civil servants have a constitutional status and are held in high esteem, because they are seen as the personifications of the power and centrality of the state. Their educational background is predominantly legal. Thus, Peters (2000) argues, most NPM-style reforms do not seem to fit well with this tradition.

For example, performance-based pay for civil servants does not sit comfortably with the idea that, given the importance of the state, the basis for rewards is being part of the state service and their status within that service, rather than how they perform individually (Derlien, 1994). Moreover, Loughlin and Peters (1997) hold that privatisation has barely occurred in the German case and the public is still seen to be citizens, not consumers. However, financial reforms and managerialism are compatible with the Germanic tradition, as is decentralisation as a reform process.

In the *French or Napoleonic tradition*, the state is unitary and indivisible, resulting in a highly centralised state structure in which the office of the Prefect ensures the uniformity of policy throughout the political system. While this may be applicable to the French political-administrative *system*, Loughlin and Peters (1997) hastens to acknowledge that there is great variation among the countries that fall within the French *tradition*.

While Loughlin and Peters (1997) attribute to its strong conception of the state the incompatibility of the Germanic tradition to NPM-style reforms, he reports that countries with a French administrative tradition (where the state conception is arguably even stronger than in the Germanic tradition) have not experienced the same resistance. Instead, France is por-

trayed as a keen reformer, and there have been significant and successful decentralisation efforts in many so-called Napoleonic countries (Putnam, 1993; Pedrieri and García de Enterría 1984; Costa and Jeguozo, 1988). Moreover, Loughlin and Peters (1997) argue that, unlike the Germanic tradition, the Napoleonic tradition appears to be compatible with performance-based pay, based on experiences in France (Rouban, 1994) and Belgium (Brans, 1994) and the use of private-sector management techniques in France (Meron, 1988).

While Loughlin and Peters (1997) present the *Scandinavian tradition* as a self-standing tradition which unites a number of countries, he observes at the same time that this tradition is (a) a mixture of the Anglo-Saxon and Germanic traditions, and (b) the most homogeneous of the four. Sweden and Denmark are akin to the Germanic tradition, while Norway resembles the Anglo-Saxon tradition. Loughlin and Peters consider the welfare state tradition as the one defining characteristic of the Scandinavian tradition. However, the Scandinavian countries also share highly collegial forms of Cabinet decision making, a civil service system in which civil servants can individually be held liable under tort and criminal laws, and a fully authorised Ombudsman.

The Scandinavian tradition also has a strong basis for state action, which makes it incompatible with privatisation and deregulation policies (Lane, 1994). Also, performance-based pay is unlikely to fit well with this tradition, given the solidarity in the labour movement. Surprisingly, though, individualised pay systems have been adopted widely by Scandinavian governments (Sjolund, 1994; Christensen, 1994). Decentralisation and agencification are processes that fit easily with the Scandinavian tradition, given the long history of local autonomy (Baldersheim, 1989) and of utilising boards and agencies as quasi-autonomous implementing organisations. Also, the Scandinavian democratic and participatory ethos makes empowerment of the lower levels of the civil service compatible with this tradition.

Table 4.1 below uses Loughlin's (1994) six features of any given political-administrative tradition to summarise the four traditions discussed above.

Limitations to the traditions approach

The traditions are useful as analytical instruments in the sense that they provide a rough guide to how certain cultural and historical principles which determine governance have developed and found their reflection in the various political-administrative systems we know today. Nonetheless, there are two main problems with using the traditions approach to establish the 'initial conditions' that we have assumed influence the nature and ex-

	Anglo-Saxon / Westminster-Whitehall tradition	Germanic / German *Rechtsstaat* tradition	French/ Napoleonic tradition	Scandinavian / Nordic tradition
Is there a legal basis for the "State"?	No	Yes	Yes	Yes
State-society relations	Pluralistic	Organicist	Antagonistic	Organicist
Form of political organisation	Limited federalist	Integral/organic federalist	Jacobin, "one and indivisible"	Decentralised unitary
Basis of policy style	Incrementalist	"muddling through", legal	Corporatist legal	Technocratic consensual
Form of decentralisation	Local government	Cooperative federalism	Regionalised unitary state	Strong local autonomy
Dominant approach to the academic discipline of public administration	Political Science/ Sociology	Public law	Public law	Public law (Sweden); Organisation theory (Norway)
Empirical examples (among the EU member states)	Britain; Ireland	Germany; Austria; Netherlands; Spain (after 1978); Belgium (after 1988)	France; Italy; Spain (until 1978); Portugal; Belgium (until 1988)	Sweden; Norway; Denmark

Table 4.1   *A traditions approach to political-administrative systems (after Louglin, 1994 and Loughlin and Peters, 1997).*

tent of the implications of European integration for national civil service systems. Firstly, if the traditions are to be used as some sort of benchmark or ideal type, there has to be a high degree of consensus/authority and specificity as to the main characteristics of each tradition. However, both are lacking in relation to the model above.

Instead of a considerable level of consensus, there is a substantial degree of contestation surrounding the concept of traditions (Wunder, 1995). Besides the fact that invoking traditions as historical truths is risky, given that traditions may be (re)inventions or point to an fabricated glorious past (Van der Meer et al., 2008; Hobsbawm and Ranger, 1983), multiple other objections are important.

For instance, the main argument against the existence of a Napoleonic model is the absence of a written doctrine that reveals its essential principles. This is necessary to underpin the coherence of any such model

(Thuillier, 1995; Wright, 1995, see also Raadschelders 1995). When scholars refer to the Napoleonic political-administrative tradition, what they mean is a combination of the most characteristic elements of France's political-administrative system as it was established at the beginning of the nineteenth century (Ziller, 2001). Looking at these characteristics from a historical perspective, it soon becomes clear that the political-administrative system actually borrows from the *ancien regime*, from the era of the Revolution, and from the subsequent periods of the Consulate and Empire (Wright, 1995).

Moreover, although the Westminster/Whitehall model may represent a minimal set of features which are to some extent shared among a larger group of nations, the British political-administrative system in the 1970s had already moved significantly away from some of its ideal-typical features.

From these two examples it follows that by their very nature, traditions are phenomena that have developed over time and are likely to continue developing, both now and in the future. This makes the notion of traditions unfit for use as a benchmark or an ideal-typical model, because an ideal type implies a frozen image and a tradition is, by definition, not frozen but flexible.

Secondly, a major problem with the traditions approach is that they suffer from overstretch. In an attempt to group many countries into a small number of traditions, the essential characteristics of individual countries are downplayed or overlooked. This overstretch greatly undermines the value of the approach, because it is impossible to make analytical generalisations concerning observations in one country across all countries that belong to the same tradition. This is perhaps best illustrated by looking at the Anglo-Saxon or Westminster/Whitehall tradition. The countries usually considered to fall within this tradition include Britain, Ireland, Canada, the US, South Africa, and New Zealand. However, looking at the dimensions formulated by Loughlin (1994) and adopted by Loughlin and Peters (1997), there is substantial variation in all of the aspects across the listed countries, except perhaps in the absence of a legal basis for the 'state'. Within this group, there have been strictly unitary and purely federal states, pluralist and statist states, highly individualist and relatively egalitarian states. Thus, one would run into analytical problems if one would try to generalise findings concerning the influence of the political-administrative tradition in one of the Anglo-Saxon countries across the whole group of countries. A comparably low degree of homogeneity also applies to the other three traditions.

A third major problem of the traditions model is the inconsistency that arises from the idea that, while traditions are assumed to involve values and understandings that are historically and culturally embedded within a nation or group of nations, it is also possible for a state to switch from one

tradition to the other as it were overnight, such as is suggested happened to Spain in 1978 and to Belgium in 1988 (Loughlin and Peters, 1997).

All of these arguments point to the conclusion that modelling nations in families of systems is only useful for very superficial analytical endeavours, and that each of the formulated traditions entails a high degree of ambiguity (see also Van der Meer et al., 2008). For these reasons, the traditions approach is not seen as a helpful means for understanding the variation in the responses of national civil service systems to the adaptation pressure stemming from their membership to the EU.

4.2   Understanding differential change based on unique characteristics

The alternative approach introduced here involves a so-called 'initial measurement' of the political-administrative system in any given nation at the starting date of this study (late 1970s). This approach is not based on ideal-typical models. Instead, it aims to classify the countries that fall within the scope of this study and derive expectations as to what specific features of pre-existing political-administrative systems will lead to what kinds of changes in the civil service system.

Pollitt and Bouckaert (2004) use the analogy of the existing topographical terrain, with its various topographical features, for what they call *political-administrative regimes*. In terms of the political-administrative system present in each of the member states considered in this study, four key dimensions have been identified as capable of influencing the outcome of the pressure to adapt exerted by the EU. As figure 4.1 shows, these are: (1)
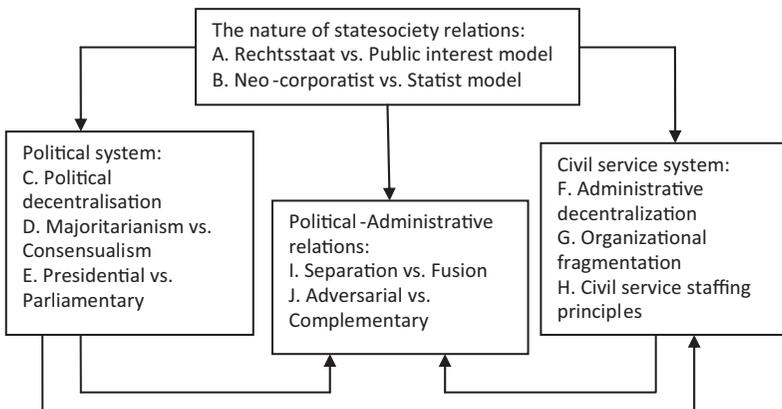
Figure 4.1   *Conceptualising political-administrative systems*

the nature of state-society relations, (2) the political system, (3) the civil service system, and (4) the nature of political-administrative relations. These four key dimensions are not independent of one another: the nature of state-society relations may influence the political system, the civil service system, and the nature of political-administrative relations; the political system may influence the administrative system and the nature of political-administrative relations; and the administrative system may also influence the nature of political-administrative relations. Each of these key dimensions will be discussed below.

The nature of state-society relations

Rechtsstaat vs. Public Interest model (A)

The distinction between the *Rechtsstaat* and public interest models is based on Jon Pierre's idea that "[m]ost public administrative systems seem to be guided either by the *Rechtsstaat* model or by the Anglo-Saxon notion of the 'public interest'; very few systems fall between these two models, which appear to be inherently inconsistent and irreconcilable" (Pierre, 1995: 8).

The EU's system of governance is based on the *Rechtsstaat* model rather than on the public interest model. This means that in member states with Rechtsstaat models, we would not expect much change, given the substantial goodness of fit. Conversely, in public interest systems, greater change is expected. Since public interest member states will have to comply with policies and rules that result from a *Rechtsstaat* conception of the role of the state in society, governance in public interest member states is expected to become more akin to the *Rechtsstaat* member states. Some scholars, including Pollitt and Bouckaert (2004) and Knill (1999), argue that public interest systems are relatively less sticky and faster to reform than *Rechtsstaat* systems. Civil service adaptation in public interest member states seems therefore all the more likely to occur. According to this reading, the government in a public interest member state is expected to become a more central integrating force within society, and governance to become more legalist than it initially was.

Other scholars, such as Ziller (2007) and Van der Meer et al. (2008) take a different perspective. Ziller points out that the legalistic nature of *Rechtsstaat* countries should be seen as an obstacle to administrative change, since law "is a set of tools which can be used well or badly according to the legal education of those who have to set up and implement new modes of management" (2007: 174). Similarly, Van der Meer et al. argue that the role of law in *Rechtsstaat* countries "is not one of being a straightjacket, but rather one of service or facilitator in the pursuit to meet societal demands" (2008: 16). In their view, the large degree of public sector reform

in Anglo-Saxon countries from the late 1970s should be understood as a break from a hitherto rigid political-administrative mould which previously hampered public sector reform. Reform was made possible by strong political leadership and a societal sense of urgency, rather than the perceived inherent flexibility of public interest systems. Still, Van der Meer et al. agree with the idea that, in Britain, flexibility to reform has decreased over the past decades, since major decisions (e.g. concerning devolution or European treaty proposals) require that a popular referendum take place (Van der Meer et al., 2008: 14).

However, although the pressure for institutional change may be expected to be larger in public interest systems than in *Rechtsstaat* systems, the efficiency and effectiveness with which national preferences can be uploaded to the EU level and with which EU rules can be downloaded into the national system is conceivably greater in public interest systems than in *Rechtsstaat* systems, given that public interest systems generally have leaner and sharper coordination mechanisms than *Rechtsstaat* systems (Politt and Bouckaert, 2004).

Neo-corporatist vs. statist model (B)

This variable relates to the inclusion of societal actors in policy formulation as well as policy implementation. Firstly, a distinction can be made between statist and non-statist systems. In statist systems, the access and influence of interests is limited in the policy-making stage. Rather, societal actors are accommodated in the implementation stage, either by granting civil servants the discretion to make exceptions to the rules, or by restricting the number and scope of the rules so that societal actors can be largely self-governing. A prime example of the former variant is Britain; a clear illustration of the latter is France.

Secondly, non-statist systems can further be divided into pluralist and neo-corporatist systems. Pluralism refers to a system in which numerous competing interest groups attempt and succeed to influence policy making. The government is responsive to these interest groups in the sense that it is willing to receive arguments and input from societal groups. The state is more an arbitrator than an actor with interests of its own. Pluralism sees the competition between freely organised interest groups as an important aspect of the democratic process.

Neo-corporatism, by contrast, denotes a relationship between the state and interest groups in which major policy decisions result from discussions between the government and peak associations representing the major social partners: capital and labour. In most neo-corporatist systems, interest groups are involved in both policy formulation and implementation.
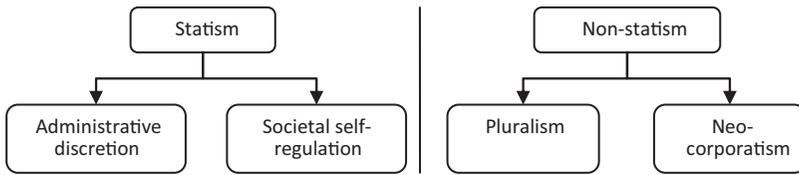
Figure 4.2 *Various ways to include societal actors in the policy process.*

EU membership can be expected to affect the non-negotiability of policies in three main ways. Firstly, interest groups may be empowered because they can participate in "a policymaking process which involves a much vaster array of actors in a much more complex set of interactions with many more points of entry than that of any member state" (Schmidt, 2006: 108). This would lead to an increase in the degree of negotiability of policies.

Secondly, interest groups may have been empowered at the national level due to EU policies which mandate greater interest consultation, and by the creation of EU institutions that provide new routes for airing their grievances. This, too, would lead to an increase in the degree of negotiability of policies.

Thirdly, EU legislation presses state actors to take on more regulatory and legalistic modes of enforcement, thereby potentially encouraging member states to move away from approaches that were based on either administrative discretion (e.g. France), self-regulation (e.g. Britain), or joint regulation (e.g. The Netherlands). This develo"pment is expected to have a differential effect on the relation between civil servants and interest groups.

The political system

Political systems are characterised by an elaborate range of features, such as the territorial distribution of power, the form of legislature, the executive, the electoral system, and the party system. Each of these features has to a greater or lesser extent a bearing on both the *position* and *role* of civil service systems in public governance and on the *relations* between civil servants and political office holders. Given the large degree of variation across national political constellations, and given the importance of this variation for the nature and functioning of the civil service, we here break down the aggregate political constellation and briefly consider each of its characteristics, being the state structure, the electoral system, the nature of the political executive, the legislature, and finally the relations between the political executive and the legislature.

The degree of political centralisation (C)

The way in which political power is distributed and organised over a given area informs us about (1) the degree of power that resides at each level; (2) the nature of the relations between the various layers of governance; and

(3) the division of labour between these levels. Whether power is concentrated at the central state level or largely resides with sub-national units, and whether policies are implemented at the national level or delegated to lower levels, and how the relations between each level are characterised, matters considerably for the institutional design of national civil service systems, for their position and role in public governance, and for their relations vis-à-vis political office holders. Political and administrative theory and practice have yielded two broad ways in which a solution can be found to the question of power distribution over a given territory: federalism and unitarism (see figure 4.3).
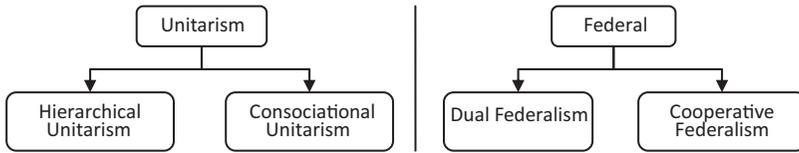
Figure 4.3 *Degree of political decentralisation.*

Federalism is based on the principle that sovereignty is shared among the central and state governments within a national polity. The stability and integrity of the multiple layers of government are guaranteed by the constitution, in which the division of powers and competencies of each level are laid down. In most cases, modifying the constitution is an extremely complicated and painstaking process, which implies that the stability of such a political-administrative system goes hand-in-hand with a relatively high degree of institutional rigidity.

Within the group of federal states, a distinction can be made between *dual federalism*, of which the United States is an example, and *cooperative federalism*, of which Germany is an example (Gunlick, 1986). This distinction is also referred to as the difference between horizontal and vertical federalism. In cooperative federalism, the national and state governments are expected to operate as partners in pursuing the goals of the federation as a whole. Different levels of government are jointly responsible for realising specific functions. Policy makers at the central level are therefore pressed to cooperate with the policy implementers at the state level. This, however, does not mean that cooperative federalism knows by definition a lower degree of power conflict between political units. The German case, for example, illustrates a considerable degree of rivalry between the *Länder* and the federal government (Jeffery, 1997).

By contrast, federalism in the US does not share functions between levels of government; instead, it distributes them. When policy in a given policy field is both formulated and executed by the same level of government, the need to cooperate is less pressing. Thus, although both horizontal and vertical federalism imply the existence of a system of multi-level gov-

ernance (Chapter 3), vertical federalism forges a higher degree of interdependence between political (and administrative) actors and institutions at various levels than horizontal federalism. For a further discussion of these types of federalism and their implications for intergovernmental relations, see Toonen and Steen (2008).

Whereas federalism is based on sharing sovereignty at multiple levels, unitary government starts from the idea that sovereignty resides at the central level, and subnational levels of government are subordinate to the power of the centre. The classic examples of unitary government are those that emerged in societies that have a history of sovereign monarchy or empire, such as the Britain and France. Both states have, to a considerable degree, acquired archetypical status due to the dispersion of their political ideology and practices through their imperial endeavours in past centuries. The British-Westminster type of unitarism is often contrasted with the French-Jacobin type, chiefly on the basis of the centralised nature of the French system and the decentralised nature of the British system.[17]

Next to these classic examples and their distinguishable variants, unitary government occurs commonly in smaller democratic states. In Western Europe, most of these countries fall into the category that Lijphart first formulated as 'consociational democracies', such as The Netherlands, Denmark, Norway, and Sweden (Lijphart, 1984). These unitary states are decentralised in the sense that subnational governmental units are considerably involved in policy making and implementation. At least for the Dutch manifestation of this type of 'decentralised unitary state', Toonen argues that the primary historical factor that distinguishes hierarchical from consociational unitarism is that – whereas the Westminster and Jacobin types of unitarism sprang from the idea that centralised state authority was a precondition for national unity – the Dutch consensual state took shape out of the realisation that unity (i.e. a degree of consensus) is a precondition for central authority provided by the state (Toonen, 1987; 1990; Hendriks and Toonen, 2001). Toonen and Van der Meer expand on this idea:

> *The Netherlands is often characterised as a decentralised unitary state as far as the formal distribution of authority is concerned. In reality pillarised society includes different, rather informal, organisational logics, in which the often-stressed functional and personal dimensional are completed with a territorial perspective (2006: 72).*

Therefore, the group of unitary states can be subdivided into a class of hierarchically organised unitary states and a class of consociational unitary states, and the hierarchical group can be further differentiated into Westminster and Jacobin categories (as depicted in figure 4.3 above).

The large variation between national systems is relevant to the dependent variable of this study in the sense that it determines (1) the division of

labour, i.e. for which tasks or which policy fields the national level is competent; and (2) intergovernmental relations, i.e. the nature of the relations between the national level and the subnational units, including the relationships between national civil service systems and political and administrative actors at lower levels. These two variables in turn co-determine the most appropriate institutional design for a national civil service system, the position and role of the civil service in public governance, and as a continued effect, how civil servants relate to political office holders.

We have also seen that the division between federal systems and unitary systems in mainly based on formal-legal and therefore political criteria, and that a formally federal state does not necessarily have a federal system of governance and administration. A federal state structure can therefore be combined with a more unitary system of administration (e.g. Germany) and a formally unitary state can have a considerably decentralised system of governance, in the shape of either sociological federalism (such as The Netherlands and – formerly – Belgium) or implementation federalism (the Nordic countries) (Toonen and Van der Meer, 2006).

In the EU's system of multi-level governance, power is diffused through multiple authorities. The misfit between the EU and federalist member states is smaller than the misfit between the EU and unitary member states. Moreover, the EU's structures, policies and practices contribute to a diffusion of power through multiple authorities within the member state's realm. In this sense, the EU undermines the initial concentration of power in simple, unitary structures and in fact clashes with their assumption that democracy is best served by a concentration of power at the national level. By contrast, in compound member states (whether federal – Germany; regionalised – Italy; or decentralised – The Netherlands), it is assumed that democracy is best served by the dispersion of power and authority. Therefore, the EU's quasi-federal diffusion of power fits well with the pre-existing diffusion of power and responsibilities found in compound member states, which will thus experience a smaller misfit.

Majoritarianism vs. Consensualism (D)

Electoral systems represent the collection of rules regarding who may be elected for political office, and how and when. These conventions are important to the dependent variable of this study in the sense that they determine the nature of the political executive and the composition of the legislature, which are the two main political institutions with which national civil service systems interact. Moreover, the style of decision making typically differs between majoritarian and proportional systems: majoritarian systems appear to result in more highly polarised and 'politically charged' forms of decision making, whereas proportional systems tend to display a more consensus-oriented form of decision making (Schmidt, 2006: 35). Roughly, electoral systems can be divided into (1) plurality and

majority systems, (2) proportional systems, and (3) mixed systems (see figure 4.4).

Figure 4.4   *Electoral systems.*

Plurality and majority electoral systems

In majoritarian systems, a country is subdivided into electoral districts and each district knows one winner at each election. Within this rationale, there are two forms: plurality and majority systems. *Plurality* signifies that the winning candidate is the candidate who receives more votes than any other individual candidate. In a *majority* system, the winning candidate is the candidate who receives the majority of all votes cast in a district.

Plurality systems are most frequently used in states that are or have been under British influence. Of the majority systems, France is one clear example. Unlike the plurality system, the majority system dictates that a majority of votes needs to have been cast for a given candidate before that candidate can be proclaimed winner.

Proportional systems

In proportional systems, elections assign a number of seats to each participating political party in direct proportion to the share of the votes they win across the total electoral area. Under this procedure, it is rare for a single party to win an absolute majority of the number of seats in the legislature. For this reason, to form a government that can count on the approval of the majority of the members of the legislature, *coalitions* become standard. Thus, for national elections that operate within a system of proportional representation, it is the parliament that gets elected, rather than the government.

Mixed systems

Lastly, a mixed majoritarian and proportional electoral system can be institutionalised. Germany is an example, where the geographical presentation of the plurality method is combined with the party representation of the proportional representation method (Shugart and Wattenberg, 2001). Those eligible to vote elect one district candidate and one candidate for the regional party list. Half of the seats of the *Bundestag* are thus filled with the plurality winners of the districts, and the other seats are filled with candidates from the regional party list.

In sum, a majoritarian electoral system generally results in a majority government (US, Britain), and a proportional or mixed system results in multi-party coalition governments (Germany, The Netherlands). As a rule, given that the style of government is less adversarial and more consensus-oriented in systems of multi-party coalitions than in systems of majority governments (Lijphart, 1984; Pollitt and Bouckaert, 2004), the electoral system is of significance to the style of government found in the whole of the political-administrative system.

Turning now to the EU, its electoral system is highly proportional and its decision-making style is highly consensual, in the sense that it is interest-based and consensus-oriented, rather than polarised and politically charged. This implies that the misfit between the EU and majoritarian systems in terms of decision-making style is greater than the misfit between the EU and consensual/proportional systems. In majoritarian systems, governments are generally stronger and have more power to impose than in proportional systems. Therefore, politicians and their civil servants are less likely to negotiate or find consensus with opposing parties. In proportional systems, by contrast, compromise in negotiated settings has always been the norm. It can therefore be expected that, for civil servants from proportional/consensual systems, participating at the EU level and implementing EU rules and policies may be more 'business as usual' than for civil servants from majoritarian systems.

In order to be successful, officials from majoritarian systems who participate in EU policy making will have to adapt to the EU's consensual style. Moreover, since consensual forms of decision making are often incorporated into EU rules and policies with which majoritarian member states have to comply, it is expected that majoritarian systems will be more strongly impacted than consensual systems, whose decision-making style is more compatible with EU-level decision making and the structure of EU rules and policies.

Interestingly, the implications of EU membership for public perceptions of the loss of control suffered by the national governments are also likely to differ between majoritarian systems and proportional/consensual systems. In majoritarian systems, the public expects "their governments to be fully responsible for, in control of and politically committed to whatever policies they propose", while in proportional systems the public is used to the fact that "their politicians are never fully responsible for or fully in control of any decisions, even when they are fully politically committed to them" (Schmidt, 2006: 36).

Presidential vs. Parliamentary (E)

Of the various political institutions, the political executive is the institution that is most closely connected with the administrative apparatus. It is the top tier of government, and therefore also the ultimate chief of the bureau-

cracy. Accountability for all government activity resides with the political executive. Nonetheless, the political executive is more easily distinguished from the administrative executive in analytical terms than the two can be divided in functional terms (this notion will be extensively discussed in section as discussed in chapter 3). In analytical terms, those officials elected by political means are part of the political executive, and those who are appointed are part of the administrative executive. There are three broad categories or forms of political executive: (1) systems of presidential government; (2) systems of parliamentary government (including majority governments and coalition governments); and (3) systems of semi-presidential government. These are depicted in figure 4.5 below.
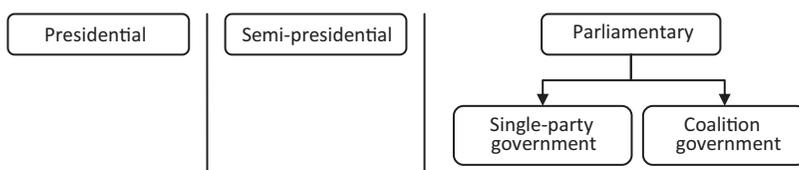
Figure 4.5   *The nature of the executive.*

Presidential government
The fundamental features of presidential government are rule based on and bound to constitutional law, combining a chief executive (the presidency) that governs with the authority derived from direct election, and an independent legislature (Hague and Harrop, 2004: 269). In a presidential system, the head of state and the head of government are combined in one person, whereas in non-presidential systems the two offices are normally separated. Since none of the Western European states is a true example of a presidential system, the US can be brought forward as a primary example in the Western world.

Parliamentary government
In contrast to presidential systems, in parliamentary systems the executive is organically linked to the legislature. This implies, among other things, that the government can be brought down by the assembly, but also that the government can, in extreme cases, dissolve parliament. In a parliamentary system, the party or parties that govern(s) emerge from the assembly, typically entailing that ministers can be drawn from the assembly and in some systems also remain a member of the legislature[18]. Moreover, the head of the government, be he or she the prime minister (Britain), the premier (The Netherlands) or the chancellor (Germany), is separate from the ceremonial head of state (the monarch or the federal president). Within the group of parliamentary systems, a distinction can be made between cabinet governments and prime ministerial governments. The dividing feature is

the position of the head of state. In countries with a cabinet government, such as The Netherlands, the executive is a collegial body with a cabinet that is chaired by the head of government, but in which this head is by tradition merely the first among equals. Page (1992) notes that collegiality in European cabinet systems is a means for political leaders to limit the power of civil servants, in the sense that collegial decision making within a cabinet counters the trend towards interdepartmental conflict, which would otherwise increase the power of civil servants (Page, 1992: 121). However, in both variants of parliamentary government, the striking contrast with a presidential system is the dispersion of government responsibility over multiple offices, while in a presidential system the focus is on a single chief executive.

Also, a general trend is visible in systems of parliamentary government signifying an increase in the power position of the prime minister vis-à-vis the rest of the government. This can be attributed in part to the more frequent and consistent visibility of the prime minister relative to that of other ministers in the media and to the growing importance of international cooperation and summitry in which the heads of government represent their entire government (King, 1994). At the civil service level, this may imply greater coordination and communication tasks allocated to the ministry supporting the prime minister, and a decrease of such activities at other ministries.

Semi-presidential government

In addition to the presidential and the parliamentary forms of government, there is also a middle course, the semi-presidential government. This type combines an elected president with a prime minister heading a cabinet that is accountable to parliament. The president is elected by universal suffrage and enjoys high levels of executive powers, such as the domain of foreign affairs and the right to appoint ministers and the prime minister. Unlike in a presidential system, however, the president finds him- or herself opposed by a prime minister and ministers who also hold a considerable degree of executive power. The key example of such a semi-presidential system is France under the Fifth Republic (1958 to the current time).

This type of government leaves space for considerable struggles between the president and the prime minister (and therefore between the administrative organisation supporting each side). The prime minister is usually appointed by the president and is responsible for day-to-day government, whereas the president is formally in charge of the executive overview, foreign affairs, and has ultimate power in emergency situations (Shugart and Carey, 1992). If the president and the prime-minister both belong to the same political party, coordination and cooperation is usually the rule. However, when the president and prime minister are drawn from different political camps (this phenomenon is called *cohabitation*), stronger tensions usually rise. Since 1986, this situation has occurred three times.

Internationalisation contributes to this awkwardness (see section 3.4), in the sense that the relationships between France and the EU encompass both the domain of foreign affairs (presidential power) and the domain of domestic affairs (prime ministerial power). This raises questions about the distribution of power and competencies within the French executive branch in the context of European integration (section 3.4).

The fundamental difference between a presidential and a parliamentary system is that, in a presidential system, power is concentrated at the apex of the national executive. In a parliamentary system, power lies with a collective of representatives of the people. In terms of the division between concentrated and dispersed power and authority, parliamentary systems are more compatible with the EU's multi-level governance system than presidential systems. In presidential systems, governments typically have greater power to impose than parliamentary systems. The decision making and conflict resolution style of the parliamentary system is therefore more akin to the negotiated and consensus-seeking style of governance in the EU. Conversely, the concentration of power with a president and his/her power to impose arguably facilitates the formulation of clear national preferences for uploading EU structures, policies and practices, and arguably provides unambiguous vertical coordination lines which make downloading easier.

The administrative service system

The administrative or civil service system is best understood along three dimensions: the extent to which it is centralised; the extent to which it is fragmented; and the staffing principles that govern the selection of personnel.

Degree of administrative centralisation (F)

With respect to the territorial organisation of administrative competencies, it is expected that a member state in which administrative competencies are initially spread across various territorial levels will experience less adaptation pressure than a member state in which governing activity has traditionally been channelled through a single authority. The underlying logic for this expectation is similar to that with respect to unitary and federal/regionalised states: the structure and content of EU legal instruments are such that the EU diffuses power through multiple actors. In administrative systems where competencies are already diffused, the pressure to adapt to the structures, policies and practices coming from the EU will therefore be small.

By contrast, in countries where administrative competencies are traditionally concentrated at the central level, the EU is thought to have a more disruptive impact on the national civil service. However, parallel to what is

expected to be the mediating role of the territorial organisation of *political power*, administrative centralisation offers the advantage of quicker and more efficient policy interaction between the EU level and the administrative level.

Degree of organisational fragmentation (G)

Optimally operating in a Europeanised policy context requires member state governments to prioritise and to offload responsibilities where possible. Agencies, non-departmental public bodies, regulating bodies, inspectorates at arm's length from the core department are therefore more preferable for member state governments than a monolithic bureaucracy.

Thus, EU membership entails an incentive for member state governments to (further) fragment their civil service, rather than to (re-)create monolithic ministerial departments, because fragmentation means lower direct responsibility for ministers and a potentially more vigorous core department.

Moreover, the EU's policies, practices and preferences in many instances include incentives for member state governments to apply more regulatory forms of governance which often entails the separation in organisational terms of policy implementation and inspection and/or enforcement. The incentive to reform will thus be greater for states with a traditionally monolithic civil service than for states with a traditionally fragmented civil service with a high degree of organisational separation along functional lines.

Civil service staffing principles (H)

Optimally operating in a Europeanised policy context requires civil servants to have the skills that are important in the European policy context and a good understanding of the EU governance system. EU-related activities have in most states been confined to specific pockets of the civil service, and this is generally seen as disadvantageous.

Governments have realised that EU skills and expertise have to be disseminated across different sectors, organisations and divisions. It can therefore be assumed that in order to operate optimally in a Europeanised policy context, cross-departmental mobility is as an asset, because it facilitates the dissemination of EU skills and expertise.

EU membership therefore arguably strengthens member state governments in their motivation to move to a job-based civil service rather than to a career system, given the greater cross-departmental mobility in a job-based civil service. Member states with a career system arguably will takes steps to create a job-based civil service, while member states with a job-based civil service will arguably leave their system intact. At the top-level of the civil service this means a more integrated, rather than a departmentalised senior civil service.

Political-administrative relations

The last set of dimensions relate to political-administrative relations. Of importance here are the degree of separation or fusion between ministers and top civil servants in terms of careers and division of tasks, and the style of interaction between ministers and their top civil servants. For these dimensions, the goodness of fit between the EU and national systems is expected to play a less important role, mainly because at the European level, there is no real political executive that is supported by an administrative apparatus comparable to national structures. At the EU, Commissioners are not elected or democratically-accountable political figures, and members of the Council do not have a European-level bureaucracy to support them on policy issues.

Distance: Separation vs. fusion (I)

As to the degree of separation or fusion between ministers and top civil servants in terms of careers and division of tasks, it is expected that the more separate the ministers and top civil servants are in their tasks and networks, the more problematic it will be for them to operate successfully in the Europeanised policy context. This is because the more their tasks and networks overlap, the better they can work towards shared goals, which is necessary in the EU context. More so than in the national policy arena, Europeanisation is expected to imply that ministers and civil servants depend on each other: it a matter of cooperation or failure.

Uploading national preferences and downloading EU rules is thus expected to be more difficult if civil servants and ministers are distanced, and easier if they are not distanced. Successful bureaucratic action requires solid political backing, and ministers cannot get ahead politically without committed and meticulous civil service guidance and preparation. EU membership may therefore imply an increasing fusion of tasks and networks between ministers and top civil servants, because an increasingly complex environment stimulates a (further) blurring of tasks across both groups of officials.

In chapter 3 political-administrative relations were conceptualised as containing a dimension of distance, dominance, and, as a product of these two, interaction style. In this conceptualisation, distance is divided in to task separation and group separation. Task separation refers to the division of tasks as theorised in the four images of Aberbach et al. (1981), group separation refers to the cohesiveness of the politicians and civil servants as one cohesive political-administrative elite. Dominance refers to the question who has the capacity to tell the other what to do or what not to do. Interaction style refers to the way politicians and civil servants interact. This can be in a complementary way or in a more adversarial way. In general, the least separation there is between both groups (both in terms of tasks and socially), the greater the likelihood for complementary interaction. Si-

milarly, complementarity is more likely the more equal the power balance between ministers and civil servants is, while adversariality is more likely, the larger the difference in power position between each actor type is[19]. Figure 4.6 below sets out the distinguished dimensions of political-administrative relations.
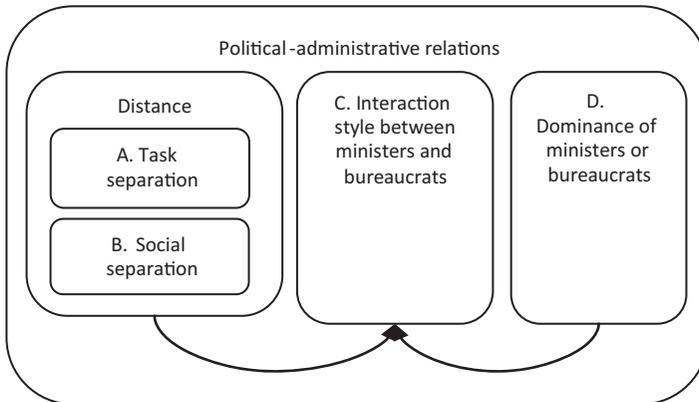
Figure 4.6   *Dimensions of political-administrative relations*

Style of interaction: Adversarial or complementary (J)

As to the *style of interaction*, the two extremes may be formulated as adversarial and complementary. Parallel to the arguments regarding the distance dimension discussed above, the expectation is that whereas adversarial interaction by no means helps governmental efficiency in a strictly national context, adversariality is all the more undesirable in a multi-level governance or Europeanised polity. This is the case given that the more the executive depends on external actors and institutions, the less capable either ministers or civil servants are to successfully realise their goals without the commitment and involvement of the other. EU membership may therefore be thought to inspire civil servants and ministers to develop a more complementary interaction style among each other between ministers and civil servants.

Dominance (K)

Now it is time to take some more distance and draw together the yields of this research in terms of what constitutes the power of civil servants, or the capacity civil servants have to influence the way policies are formulated and implemented.

   To answer this question, we once more return to Weber. In *Wirtschaft und Gesellschaft* (1922) he approaches the degree of bureaucratic as the combination of three categories of sources of power, all three of which are knowledge-based[20]: (A) *Fachwissen*, meaning expert knowledge in a spe-

cific field or discipline; (B) *Dienstwissen*, meaning knowledge of the internal structures, procedures and relations of the civil service, and thirdly (C) *Geheimwissen*, meaning the possession of qualified information that is withheld from others. Bureaucratic influencing and its constituent elements are depicted in figure 4.7 below.
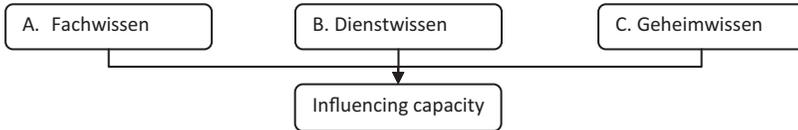
Figure 4.7   *Weberian perspective on sources of bureaucratic power*

In his writings, Weber (1972) makes no distinction between civil servants working in different contexts or in various territorial layers of government. Neither does Weber make reference to powerful external actors and institutions which may affect the bureaucratic power. We therefore can assume that Weber had the national civil service in mind and one with limited external stakeholders.

4.3   The singularity of national α's

In order to understand the implications of European integration in the context of expanding multi-level governance for national civil service systems, we have established above that it is first important to have a clear image of the political administrative system in each of the countries. It is now time to establish the nature of the political system in various countries at the start of the period studied. This starting position will be called an α, after Pollitt and Bouckaert's conceptualisation of reform trajectories, where α's denote the starting position and ω's denote the endpoint (Pollitt and Bouckaert, 2004, p. 66).
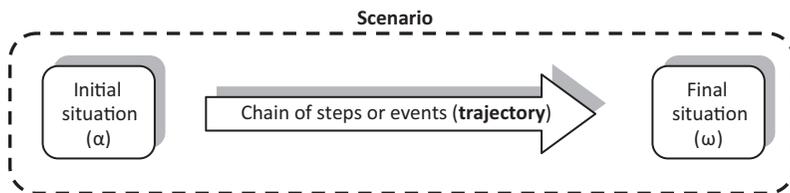
Figure 4.8   *The concept of a trajectory (after Pollitt and Bouckaert, 2004: 65-66)*

Establishing the α's is important for two reasons: firstly, the civil service system and political-administrative relations are both constituent parts of

the political-administrative system (see figure 4.8 above) and therefore this presents an initial measurement of the dependent variable in this study. Secondly, because the historical-institutional context in each member state is understood as a determining factor for the degree and direction of change in each country. So, the characteristics of the political-administrative system at the beginning of the period studied (1980) are an intervening variable in the relationship between "European integration in the context of expanding MLG" and "national civil service system change".

The nature of state-society relations

As state-society relations are determined by the degree to which a given state adhere to (a) either the public interest model or the Rechtsstaat model; and (b) either a statist system or a neo-corporate system, we can place the α's (t = 1980) of a number of EU member states and the EU's system of governance itself on these continuums as follows:

Figure 4.9   *The α's for state-society relations*

The political system

As the nature of the political system can be discerned on the basis of (c) state structure; (d) majoritariaism vs. consensualism and (e) presidential vs. parliamentary government, we can position the α's of a number of EU member states and the EU's system of governance itself on these continuums as follows:

Figure 4.10   *The α's for the political system*

The administrative system

As the nature of the administrative system can be described on the basis of (f) the degree of administrative centralisation; (g) the degree of organisational fragmentation and (h) the choice between a career or job system, we can position the α's of a number of EU member states and the EU's governance system itself on these continuums as follows:

								EU
F		UK FR				NL	DE	
	Centralized							Decentralized
					EC			
G						NL		
	Monolithic CS							Fragmented CS
								EC
H	NL					FR	UK	
	Job CS and departmental TCS					Career CS and ingegrated TCS		

(left axis label: Adminsitrative system)

Figure 4.11   *The α's for the administrative system*

Political-administrative relations

As the nature of political relations in a given country can be described on the basis of (i) the degree of separation between political and administrative office holders and (j) the degree of either adversariality of complementarity in their mutual interaction, we can position the α's of a number of EU member states and the EU's governance system itself on these continuums as follows:

	EU						
I		UK		FR	DE	NL	
	Separated						Hybrid
J		UK	FR	DE		NL	
	Adversarial						Complementary

(left axis label: Pol-adm relations)

Figure 4.12   *The α's for political-administrative relations*

Simple and compound political-administrative systems

Above, the various dimensions that together constitute the political-administrative system have been presented as continua along which specific countries in at specific points in time can be positioned. Across the various continua of the key dimensions *nature of state-society relations*, *political*

system and *civil service system*, there is a pattern in terms of the nature of the left-hand side extremes and the right-hand side extremes. The left-hand side extremes correspond with a political-administrative system in which the activity of governing is channelled through a single or centralised authority, whereas the extremes on the right hand side correspond with a political- administrative system in which the activity of governing is chan-nelled through multiple or decentralised authorities. Schmidt (2006) has formulated a dual distinction between simple polities (polities who gener-ally find themselves to the left-hand side in the tables above) and com-pound polities (polities who generally find themselves to the right-hand side in the tables above. "Simple polities" are therefore polities that com-bine *majoritarian* representation systems with *statist* policymaking pro-cesses and *unitary* states to channel governing activity through a single authority; and "compound polities" are therefore polities who combine *pro-portional* representation systems with *neo-corporatist* policy making pro-cesses and *federal or regionalised* states to disperse power through multi-ple authorities (see figure 4.13 below).
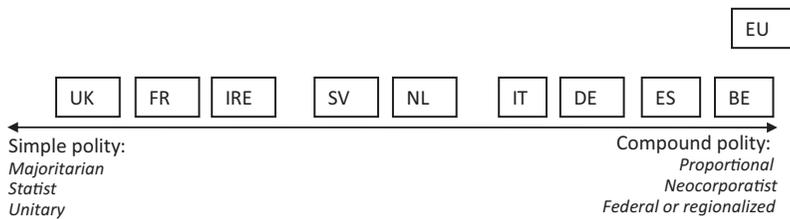
Figure 4.13   *EU and member-states on a continuum between simple and compound polities (no period or moment in time specified). (Source: Schmidt, 2006: p.229)*

4.4   Conclusion

This chapter has addressed the question of how to understand the differen-tial impact of the EU's system of multi-level governance on national politi-cal-administrative systems. Following historical institutionalism, it is as-sumed that the features of the political-administrative system, as they initi-ally were, will influence the degree and nature of EU-induced changes or adaptations that take place in and around the national civil service. While in this context the notion of political-administrative or state traditions is of-ten called upon, two fundamental problems of the traditions approach arise for this study. Firstly, it is impossible to turn a tradition, which develops over time and is continuously developing, into a frozen image fit for cross-time comparison. Secondly, the high degree of national particularities in

conditions and features makes the notion of traditions superficial and ambiguous, so that it is difficult to truly speak of consistent categories. Thus, the traditions approach does not lead to the creation of a useful benchmark that could serve to:

(a) observe the degree of change;

(b) identify the scope for potential change, given path-dependent constraints; or

(c) make generalisations pertaining to a wider group of EU member states.

Therefore, in this chapter, a different approach is introduced, consisting of a new conceptualisation of political-administrative systems and an initial measurement of each of its four constituent dimensions: state-society relations, the political system, the administrative system, and political-administrative relations.

Now let us recapitulate the identified likely directions of change in civil service systems as formulated in the previous chapter:

In response to the adaptation pressure of the EU's system of multi-level governance, national civil services can be expected to change in terms of:

> *(a) organisational architecture, becoming smaller, more decentralised, and /or more fragmented;*
>
> *(b) personnel systems, becoming more job-based and with an integrated senior civil service;*
>
> *(c) control by external institutions will, on balance, increase; and*
>
> *(d) political-administrative relations will become more hybrid; and / or more complementary.*

To these expectations we can now add expectations regarding the degree of change in each of the countries under study. In this study, we expect that the initial conditions of the political-administrative system will influence the implications of the EU's multilevel governance system for national civil service systems. The concept of 'initially' is here understood to comprise the empirical characteristics of the political-administrative system just before the beginning of the period under examination, i.e. by the end of the 1970s.

Having anatomised the nature of political-administrative systems and explored the potential variation among them, we can, by using the aggregated continuum between simple and compound polities, formulate the following four expectations as to the degree and nature of the Europeanisation of national civil service systems:

> *(a) The degree of civil service change in response to the adaptation pressure of the EU's system of multi-level governance will be influenced by the degree to which a member state's political-administrative system was initially 'simple' or 'compound'. The more 'simple' the initial political-administrative system, the higher the degree of civil service change will be.*

(b) *A civil service's success in uploading national preferences and down-loading EU rules will be influenced by the degree to which a member state's political-administrative system was initially 'simple' or 'compound'. The more 'simple' the initial political-administrative system, the higher the success in uploading and downloading will be.*

	Expected degree of civil service change	Expected success in uploading and downloading
Simple polities	High	High
Compound polities	Low	Low

Table 4.2   *Simple/Compound continuum of expected results*

If these expectations appear to be true, it also follows that:

(a) *The EU's system of multi-level governance will make initially simple polities increasingly compound, including their civil service systems; and as a result,*

(b) *The relative advantage of an initially simple polity's civil service system in uploading national preferences and downloading EU rules will decrease over time.*

In the following chapter, issues of methodology and procedure will be addressed (chapter 5).

5   METHODS

The purpose of this study is to understand broad trends in the development of civil service systems and the role of European integration in those trends. To this end, this study focuses on the implications of EU integration – given its intensifying effect on the MLG character of public decision making and service delivery in the member states – for national civil service systems in terms of their organisational design; their personnel systems; and the potential for official dominance by political leaders and external institutions.

In this chapter, we turn to the question of how to design a research project and select strategies of data collection and analysis which optimally fit the theoretical framework and which can optimally contribute to providing valid and reliable answers to the central question stated above. Firstly, the method of *rational verstehen* will be discussed and its applicability to this study will be explained (5.1). Next, the advantages and implications of the comparative method will be addressed including an account of the case selection for this study (5.2), and an account of the sources of data and the collection process (5.3).

5.1   The method of rational verstehen

In trying to provide meaningful answers to the research question, this study relies on the method of *verstehen* (understanding), in line with the methodological tradition of which Weber (1949) and Durkheim (1964) are seen as important founders, rather than a method that seeks causal explanations. The *verstehende* method aims at understanding the complex correlative relation between (a) potential motives for social-cultural conduct, and (b) observed social phenomena (Zijderveld, 1990: 58). It is a method that is especially useful for creating insights into social and cultural phenomena and is, given its sensitivity to the complex and multi-causal nature of social reality, more successful in doing so than attempts to mono-causally explain such phenomena. This is not to say that social-cultural reality is *not* a reflection and product of causes and consequences; rather, the problem inher-

ent in discovering mono-causal connections in social reality is that such causality does not readily lend itself to be known in an objective sense (Zijderveld, 1983).

In an ideal world, social and cultural phenomena would be explained through fixed laws, as is done in the natural sciences. However, since *mono*-causality cannot be observed in the field of complex social and cultural phenomena, in such instances we must satisfy ourselves with what we *can* observe; this is the essence of *verstehen*, in contrast to *kausal erklären*. Despite the fact that the *verstehende* method can result in an *evidente Deutung*; that is, a correlation that has been made plausible by means of the *verstehende* method, it is never as adequate in terms of objective validity as a correlation that has been demonstrated through *gewohnlichen Methoden kausaler Zurechnung*; that is, normal methods of causal explanation[21]. So, in order to elevate findings that result from the method of *verstehende Erklärung* to an empirically demonstrated causal explanation, a closer scrutiny that aims to satisfy empirical-statistical laws remains necessary.

Attributing causality within the *verstehende* method

How this *verstehende* method operates will be outlined here. The beginning is a piece of historical reality that one wishes to know and understand. In the context of this study, the piece of reality we wish to know and understand is *changes in the nature and functioning of national civil service systems*. Due to the impossibility of knowing and understanding social reality through a mono-causal explanation, the *verstehende* method observes that some form of methodological intervention is necessary to make sense of the connection between possible motives and actual social phenomena. This intervention entails that the researcher makes a selection from the countless causes that may have given rise to this specific piece of reality. Thus, out of the entire list of potential causal factors, the researcher picks one or more factors and attributes causal power to that factor(s). In the present study, the potentially causal factor that has been selected is the process of European integration. Thus, one ascribes causality to one historical factor that, in combination with countless other factors, potentially is the cause of the specific piece of historical reality[22].

This form of attribution unfortunately precludes the possibility of establishing solid explanatory laws, and the results thus remain limited to pointing to a certain degree of probability. This methodological intervention by attribution inevitably entails questions regarding the validity of results, given that the potential explanatory factors have been treated selectively. So, how can we know whether the chosen attribution is valid or not? The answer that the *verstehende* method provides is this: we understand the validity of the chosen causal attribution by examining its heuristic usefulness, through assessing the extent to which the attribution yields insights in reality. This can be demonstrated by conducting a counterfactual thought ex-

periment[23]. The obvious example here is to counterfactually pose the following question: Without the process of European integration, would the same changes in national civil service systems in the period from 1980 have occurred?

Another implication of the fact that complex social reality cannot be known through legalistic patterns is that the much-used formula from the natural sciences, "if A, then B", is of little help; instead, one is bound to restrict oneself to the formula "when X, then Y". The type of correlation between variables that can thus be established is what Weber calls *Wahlverwandtschaft* (historical correlation). Thus, in the present study, the key hypothesis is not "*if* European integration continues and expands, then the implications for national civil service systems are A and B" but rather, "*in a time when* European integration continued and expanded, national civil service systems demonstrate changes A and B, which can validly be attributed to European integration".

The use of ideal types

In addition to the methodological intervention of select causal factors, another key feature of the *verstehende* method that needs to be addressed here is the use of *ideal types*[24]. As previously discussed, Weber (1949) developed the ideal type as a vehicle through which to gain cultural historical knowledge; it is an instrument to rational understanding. An ideal type is in fact an alienation of the empirical reality. It serves as a yardstick against which one can comparatively assess the nature of various manifestations of a specific phenomenon. In constructing an ideal type of a particular phenomenon, one alienates the empirical reality by overstating or accentuating certain aspects, while other aspects are deliberately downplayed.

The criterion for accentuating one aspect and trivialising another is the degree of functional and substantive rationality of a specific situation. In other words, those elements of a phenomenon that are in line with a perceived rational course of events are amplified, while those that do not fit this rationality principle are, to a greater or lesser extent, disregarded. Although Weber was fully aware of the fact that a large part of our behaviour is determined by irrational sentiments or by traditions and habits, he nevertheless suggested that we take rational behaviour as the ideal-typical point of departure to explain and make understandable non-rational behaviour (Weber, 1949).

The result is thus not an image of reality, but an analytical construct that can be used to understand real-life manifestations of the phenomenon under study. The way to understand those manifestations is to confront the ideal type with real experiences.

The difference between a mono-causal explanation and an ideal-typical explanation is that in the former, any individual exception to the rule would falsify the hypothesised general connection between phenomena. In

the latter, by contrast, the general connection can still hold, even if some individual real life observations do not conform to the ideal type. The important benefits of the ideal-typical approach that follow from this difference are, firstly, that ideal-typical analysis enables us to focus on 'the exception that confirms the rule', rather than just the rule in its inherent rigidity, and secondly, that the underlying reasons for both the rule and the exception to it can subsequently be researched.

A few examples are in order. In his book *Die protestantische Ethik un der Geist des Kapitalismus* (1904), Weber finds ethical and ideological bases in the protestant world view that have stimulated the development of modern capitalism. He does not argue that *if* you are a protestant, *then* you will economically behave in a capitalist way, but he does observe a connection between religious ideas and economic behaviour. Weber's methodological intervention was to abstract the notions of a 'protestant ethic' and 'capitalism' towards analytical ideal types, characterised by certain abstracted, typical features. This meant that the distinctive elements of normally empirically observable notions were cast into a fixed yardstick. In much the same way, Weber tried to make the connection between the 'rationalisation of the world' and the emergence of 'bureaucracy as an organisational form'. The ideal type of the bureaucratic organisation became the fixed and unchangeable yardstick against which any organisation could be evaluated. The deviance between each real life organisation and the ideal-typical construction of the bureaucratic organisation serves as knowledge that we can use to understand variations both across time and across entities.

Weber (1972) also used the ideal-typical approach to explain different forms of authority. He distinguished the ideal types of traditional, charismatic, and legal-rational authority. In the traditional type of rule, authority is based on the "holiness of ancient order and powers, seemingly originating with time itself" (Weber, 1972: 130), as is customary in tribal societies or, for instance, in absolute monarchies. In the charismatic type of rule, authority is based on a ruler who "acquires his legitimacy through the personal possession of a set of characteristics judged to be exceptional within his society" (Page, 1992: 7). Examples are Julius Caesar and Napoleon Bonaparte. In the legal-rational type of rule, authority is based on "the acceptance of formal legal definitions of the powers of those placed in ruling positions, where the rights and obligations of both rulers and ruled are specified primarily through legal provisions" (Page, 1992: 8). Since these ideal types are analytical constructions abstracted from real-life historical observations, it is highly unlikely that one would find authority in the real world that is *exclusively* based on tradition, a leader's charisma, or legal-rational underpinnings. Instead, authority will always be based to a greater or lesser degree on each of these sources. The analytical strength of this approach becomes evident when we compare different manifestations of authority

with one another. For instance, this typology reveals that as societies be-
come more modern, authority tends to become more legal-rational and less
traditional or charismatic. This is not to say that the traditional or charis-
matic dimensions aspects disappear, but they become relatively less impor-
tant as bases for authority. In this example, rationally constructed types
help to make the complex and chaotic reality of how and why authority in
society is exercised more rationally understandable.

Rational verstehen in this study

In short, the method of *rational verstehen* is adopted for this study for
three reasons. Firstly, since this study joins and builds on a Weberian theo-
retical tradition of bureaucratisation and bureaucratic dominance, it is ap-
propriate to adopt a method that conforms to the method employed by pre-
vious researchers to develop their insights. Secondly, the method of *ra-
tional verstehen* lends itself better to addressing the present research
question than do methods of hypothesis testing, since our central question
serves as a springboard to understanding a broad trend (or trends), rather
than to identifying causal relationships between variables in specific occur-
rences. In particular, it is evident that the tools to convincingly isolate the
EU factor as a stand-alone driver for system-level adaptations are not avail-
able, and it is an unrealistic task to find the empirical data that would pro-
vide the necessary answers. As a consequence, our aim is not primarily to
demonstrate the 'net impact' of European integration on national civil ser-
vice systems, but rather to understand the way in which European integra-
tion may combine with other driving factors to cause civil service change
(see also Jordana and Levi-Faur, 2004; Goetz, 2000: 277-8; Haverland,
2003).

Lastly, understanding broad trends at the system level is more likely to
succeed by looking at a small number of cases and by taking account of
each case's details and particularities than by setting up a large-N study,
which is necessary for valid hypothesis testing (Haverland, 2007: 61). The
method of *rational verstehen* enables the researcher to get immersed in the
structures, practices and developments in the particular country, which is
much more difficult to achieve in a large-N study that primarily focuses on
hypothesis testing (this point will be further discussed in section 5.3).

In a way similar to Weber, in his authoritative work on the benefits and
drawbacks of comparative Public Administration, Heady concedes that the
verstehende method cannot sidestep the problem of "too many variables
and too few countries" (Heady, 2001: 8). Instead, we should somehow re-
concile ourselves to the fact that there are multiple possible or concurrent
explanatory factors for an observed difference, and it is usually impossible
to decisively eliminate one factor in favour of another. Having said that,
the remaining challenge is to understand the mixture of constraints and
variability across the selected administrative systems, bearing in mind the

global, regional and national contexts within which they operate (Heady, 2001).

As set out above, the *verstehende* method is about understanding complex social phenomena, based on a comparison with either an ideal-typical construct or comparable empirical cases. The importance and the use of comparison will be further discussed in the next section.

5.2   The comparative method in Public Administration research

Making comparisons is "the very essence of the scientific method" (Almond and Powell, 1966: 878), because only through a comparison is it possible to observe the theoretical and empirical specifics of any individual case. In other words, a comparative context is always necessary to assess an individual case's theoretical significance and value (Pierre, 1995: 4).

For the discipline of Public Administration, the comparativist tradition among European scholars finds its roots in the work of Prussian cameralists during the eighteenth century and was subsequently practiced by French students in the nineteenth century. In the course of the twentieth century, scholars in other countries began to recognise the limitations and hazards of the absence of comparison in the study of Public Administration, and comparative analysis has become a common emphasis in contemporary administrative studies. Moreover, as the nations and regions of the world become increasingly interdependent, comprehending different systems of administration through the perspective of a comparison becomes increasingly important (Heady, 2001: 5-6). It is to this tradition that the present study intends to connect. Only by means of comparison can the central research question be meaningfully addressed.

Comparative public administration and politics has benefited greatly from *focused* comparisons (Collier and Collier, 1991). This is because focused comparisons can largely preserve the advantages of single case studies (i.e. sensitivity to the details of particular cases), but at the same time they demand the intellectual discipline inherent in the comparative enterprise (Heady, 2001). Those demands involve the need to address the dimensions of comparison, to identify the similarities and differences, and to make the observed contrasts understandable.

Case selection strategies for public administration research

The object of this study is the nature of the national civil service system and its organisational manifestation: the national civil service. Therefore, when reference is made to a 'case', what is meant is *a national civil service system and civil service*. The countries that are included are France,

Britain, and The Netherlands. In the remainder of this section, the selection of empirical cases will be explained step by step.

Ideally, case selection takes place following a most-similar design: the selected cases should have as many similar features as possible so that the number of intervening variables and varying parameters can be kept to a minimum. Conversely, with regard to the variables that are expected to explain the mutual variation, the mutual differences should be as strong as possible (Przeworski and Teune, 1970; Frendreis, 1983; Landman, 2003). In the study of Europeanisation, this would ideally mean that one should adopt cases that are identical in all respects, except for the variable that accounts for Europeanisation, i.e. EU membership. The underlying reasoning is that if a particular change in the civil service system or its civil service occurs in all (or most) of the analyzed EU member states and not in all (or most) of the analyzed non-EU member states, that particular change can plausibly be ascribed to EU integration. Conversely, if a particular change occurs similarly in both EU-member states and non-EU member states, then attribution to EU integration would seem unfounded (Haverland, 2007; Anderson, 2003; Eising 2003a). Thus, non-EU cases are included as a control group, in which the stimulus, the EU, is believed to be absent (see Lijphart, 1971).

Moreover, since historical institutionalism assumes that path dependency is the explanatory factor for mutual variations in civil service change, variation in historical paths should also be included in the selection of cases. A selection of countries that are representative of a group of countries that all followed the same historical path would make it possible to form theoretical generalisations that apply to each of the countries that belong to that group. A selection of cases which seemingly meets these criteria would look like this:

	EU membership	
	Yes	No
Historical path A	Case 1	Case 2
Historical path B	Case 3	Case 4

Table 5.1 *Case selection based variation and similarity in terms of EU-membership and historical path.*

However, as has been discussed above, empirical practice rarely matches the ideal situation. In order to compose the ideal selection of cases, the following conditions would have to be met:

- two cases are EU member states and two cases are non-EU member states; *and*

- one of the two EU member states shares an identical historical path with one of the non-EU member states; *and*
- the other of the two EU-member states shares an identical historical path with the other non-EU member state; *and*
- all four countries are most similar on all other variables.

Creating a selection of cases that meets all of these criteria proved impossible. First, it was the impossible to find two pairs of cases which could be said to share the same historical path, let alone that in each pair one country would be member of the EU and the other not. As was discussed in chapter 4, the assumed commonality between countries in terms of their historical path (i.e. belonging to a 'family of nations' based on a 'shared political-administrative tradition') only lends itself to rather superficial analysis. More thorough investigation reveals that the differences in historical path (observable through the outcome, namely the political-administrative system at the initial measurement) are too substantial to conceive of multiple countries as having had the same historical path (Heady, 2001: 214). This realisation also precludes the possibility of making theoretical generalisations based on the findings of this study[25]. Thus, a more realistic case selection is depicted in table 5.2.

	EU membership	
	Yes	No
Historical path A	Case 1	
Historical path B		Case 2
Historical path C	Case 3	
Historical path D		Case 4

Table 5.2   *A realistic case selection based on variation in terms of EU membership and acknowledging each country's uniqueness in terms of historical path*

Secondly, the impossibility of selecting sets of countries that share the same historical path but vary on EU membership, negatively affects the value of including non-EU member states in the case selection. This is because, when cases vary in their historical paths, then variation in civil service change between case 1 and case 2 and between case 3 and case 4 may just as well stem from their different historical paths as from their difference in EU membership.

However, there is a more important objection to comparing EU members to non-EU members in an attempt to isolate the EU factor in civil service change. It is simply incorrect to assume that countries which are most similar to EU member states – except that they are not EU members – would

not be impacted by the EU. In reality, the non-EU members that would qualify for selection in a most-similar design are still, due to their geographical position and / or economic dependency, to a lesser or greater extent affected by the European project. The rationale here is that the effects of European integration are assumed to reach beyond the external borders of the member states, since the reality of the EU may very well inform choices and / or steer domestic developments in non-member states. As Haverland explains,

> [T]heories about (...) diffusion suggest that these mechanisms are
> more likely to operate when the recipient of the idea shares borders,
> core beliefs and political and economic conditions with the entity
> from which the ideas emerge (Berry and Berry, 1999; Sabatier,
> 1999). For theoretical reasons therefore, countries which fulfil these
> properties should not be selected for a comparative (...) research
> design that seeks to isolate the EU effect (2005: 7).

This problem applies to varying degrees to various groups of non-EU members (see table 5.3 below). Countries that are expected to be the most Europeanised of the non-EU members belong to the European Free Trade Area / the European Economic Area. Then, we find the countries that are recognised candidates for accession to the EU and are, as such, already adapting to EU norms and legislation. These are followed by those countries that may become candidate countries in the future, and lastly, there are the countries that work together with the EU within the framework of the EU's European Neighbourhood Policy (ENP).

EFTA / EEA members	Recognised candidate countries	Recognised potential candidate countries	European Neighbourhood Policy partners	
Switzerland	Croatia	Albania	Algeria	Lebanon
Norway	F.Y.R. of Macedonia	Bosnia and	Armenia	Libya
Iceland	Turkey	Herzegovina	Azerbaijan	Moldova
Liechtenstein	Iceland	Montenegro	Belarus	Morocco
		Serbia	Egypt	Palestinian
			Georgia	Authority
			Israel	Syria
			Jordan	Tunisia
				Ukraine

Table 5.3   *The degrees of Europeanisation of non-member states.*

An EU impact is thus expected for these non-eu member states, which implies that non-EU countries further afield should be selected in order to be sufficiently certain of the absence of Europeanisation. However, this in turn

would defeat the purpose of following a most-similar design, given the much wider diversity among the countries on a large number of potentially relevant factors. The advantage of including such countries to create variation in terms of EU membership is cancelled out by the disadvantages of increasing both the number of variables and the degree of variation among those variables, such as democracy, stability, ideological orientation, and economic development (Heady, 2001: 8).

Case selection based on the singularity of α's

Taking all of this into account, the most sensible strategy is to select a number of cases that are all EU members and that have each had a sufficiently different historical path so that, according to historical institutionalism, variation in the implications of European integration for their civil service systems and civil service may be expected (see Maxwell, 1998: 87)[26]. The case selection thus looks like this:

	EU membership
	Yes
Historical path A	Case 1
Historical path B	Case 2
Historical path C	Case 3

Table 5.4 *Chosen case selection strategy*

Still, we must go one step further. In chapter 4, we saw that while the historical path is idiosyncratic for each country, it is still possible to formulate theoretical categories for the *outcome* of the historical path; i.e., a country's score along the continuum between simple and compound polities at the point in time of the initial measurement. Selecting on the basis of each country's score on this parameter offers the opportunity to choose cases that are not only dissimilar in terms of their historical path, but also in the outcome of that path; namely, their degree of simplicity or compoundness. This creates a case selection that looks like this:

	EU membership	
	Yes	
	Simple polity at initial stage (t_0)	Compound polity at initial stage (t_0)
Historical path A	Case 1 France	
Historical path B	Case 2 Britain	
Historical path C		Case 3 The Netherlands

Table 5.5 *Refined case selection strategy taking account of degree of simplicity/ compoundness.*

The selected cases are France and Britain, as essentially simple polities, and The Netherlands, as an essentially compound polity. As explained in chapter 4, in simple polities, the inputs for and outputs of governance have traditionally been channelled through a single authority, while in compound polities there is a wider dispersion of inputs and outputs through multiple authorities (Schmidt, 2006). On the continuum between simple and compound polities, France and Britain therefore differ from The Netherlands.

However, although France and Britain would have a similar score on the spectrum between a simple and a compound polity, given the expectation that Europeanisation will take on a degree of national colour (see chapter 2), this does not mean that the same findings are expected for France and Britain. Although France and Britain may both be simple polities, the specificities of their state-society relations, political system, administrative system, and political-administrative relations are still expected to lead to differences in terms of the implications of European integration per country. In short, a differential impact is expected between simple and compound polities, but even within the groups of either simple or compound polities, differences are expected to result from the contrasting historical-institutional contexts of each individual case (Schmidt, 2006; Skocpol and Somers, 1980).

The selection of France, Britain and The Netherlands meets the requirements of a most-similar design, given that the three countries are each old Western-European nation-states with a high degree of administrative capacity and economic development, population density, standards of living and social services, and liberal-democratic politics with party and interest group participation (see Meny, 1993; Allum 1995). They are arguably even comparable in terms of length of EU membership, given that France and The Netherlands were original members and Britain joined in the first wave of enlargement (Knill, 1999).

However, this does not mean that the countries are completely similar to one another. Given that this research focuses on a macro-level unit of analysis, complete similarity across the cases seems an unattainable task. The point is rather to create a selection of cases that are sufficiently similar, a goal that is met by the present selection (see Knill, 1999; Jann, 1983).

The number of cases

A few remarks can be made about the number of selected cases. The focus of this study is on national civil service systems and their organisational manifestations, which are units on the macro- or system level. A focus on macro-level units logically implies a limited number of potential cases (Haverland, 2007). However, even taking this consideration into account, there is a choice between an extensive study, including a large part or even the entire population, or an intensive in-depth analysis of a small number of

countries (Ragin, 1989). In this study, the choice has been made for inten-
sive in-depth analysis of a few cases, because it better allows for the inves-
tigation of broad trends against rich empirical materials (Knill, 1999: 56;
Rose 1991: 455).

A number of three cases strikes an appropriate balance between the re-
strictions in terms of time and resources of this study, and the concern for
drawing reliable conclusions and creating possibilities for tentatively trans-
ferring these conclusions to the larger group of Western-European national
states, where case variations can be regarded as typical representations of
theoretical variables. A smaller number of cases might impair the reliability
and validity of the conclusions, whereas a larger number would make it
problematic to develop case studies sufficiently thoroughly to derive solid
conclusions within the given limitations of this project. However, as the
next section points out, this consideration does not apply to the conduct of
the online survey, since this method permits an expansion in the number of
cases at relatively low cost. Therefore, with respect to the online survey,
the aim has been to include additional cases to the three countries of whose
civil service systems in-depth case studies are developed.

5.3   Data collection

Since the primary aim of this study is to understand developments in na-
tional civil service systems over time, a cross-time comparison is neces-
sary. The most straightforward way to make such a comparison is to assess
the 'state of the object of study at t_1' (in our case, the nature and function-
ing of national civil service systems in 2007) relative to the 'state of the
object of study at t_0'(the nature and functioning of national civil service
systems in 1980).

Understanding the complexity of reality requires as many perspectives
as possible. The methodological approach to our research question has
been deliberately heterogeneous, employing various methods from the
range of techniques in the social scientist's toolkit. Therefore, the state of
the object of study at t_1 is assessed through the data generated and aggre-
gated via four data collection methods: available quantitative data, docu-
ment analysis, survey data, and extensive exploratory interviews (see table
5.6). There are two particular strengths to this combined methodology.
First, it creates room for cross-validation of information found earlier and
reduces the risks of systematic bias within a single data collection method.
Second, the combination of qualitative analysis using both primary and
secondary sources with quantitative data which are also in part originally
collected and in part readily available, is much in line with the ideas of
Max Weber and his *verstehende* method (see section 5.2).

	Available quantitative data		Document analysis		Survey data		Intensive exploratory interviews	
	α	ω	α	ω	α	ω	α	ω
Organisational design	•	•	•	•		•		
Personnel system	•	•	•	•		•		•
Relations with external actors			•	•		•		•
Relations with political leadership			•	•		•		•

Table 5.6 *Data collection methods employed in this study.*

However straightforward this strategy may seem, its application is complicated because across-the-board α-values are unavailable. Therefore, a reconstruction of the α-values needs to be made. This reconstruction entails various steps: first, the quantitative framework is sketched through the study of available statistical data; then, the picture at α is further reconstructed through extensive document analysis; and finally, it is verified and validated through in-depth interviews with key informants. Each stage of the data collection process for α and ω is explicated below.

Available quantitative data

In order to reconstruct the development of national civil service systems in terms of size, structure and composition, available quantitative data will be analysed. One is dependent upon time series of statistical data, available from the respective national statistical agencies or other responsible unit within the national government (see Van der Meer and Roborgh, 1993). The goal is to create a reliable picture of the development of civil service systems in terms of size, organisation and composition.

Document analysis

Secondary qualitative data is gathered and analyzed from in existing academic studies, government reports, publications by international organisations such as the OECD, and the European Union. The goal of this secondary analysis is to aggregate qualitative analyses of changes pertaining to the nature and functioning of civil service systems that are announced, effected, observed and / or evaluated by others.

Online survey

An online survey has been conducted in order to collect up-to-date cross-national comparative data pertaining to the job of the top official, competencies and hierarchy within the civil service system.[27] The parameters that are relevant for taking stock on these dimensions of the civil service systems lend themselves for being quantitatively investigated. Therefore, the opportunity is taken to generate a rich comparative quantitative data set. Moreover, the online survey has been used to compose a sample of key informants that will be interviewed in stage four of the data collection process.

The population of respondents for the online survey consists of top civil servants in each country. In The Netherlands, this means the members of the ABD (approximately 1000 individuals). In the United Kingdom, this includes the members of the Senior Civil Service (approximately 3800 individuals). In France this would mean the two top ranks in the civil service. However, for the French case is proved impossible to acquire access to the large-scale contact information of the relevant population, so that conducting the online survey has remained limited to The Netherlands and Britain.

Initially, the strategy was to select a random sample from both the Dutch and British populations. When the initial response rate appeared low, I chose to invite the total population of Dutch senior civil servants, including the members of the ABD-candidate programme (total N = 996) and the total population of British senior civil servants (based on *Dod's Civil Service Companion*, 2007).[28]

For the Dutch senior civil service, 416 out of 996 sent questionnaires were received back, implying a response rate of 41.4 percent. This response rate allows generalisation of the result to the entire population of senior civil servants in The Netherlands. Moreover, as the differences between the dataset and the population in terms of age, gender, and rank are sufficiently similar, the possibility to generalise the results to the entire population of senior civil servants in The Netherlands is confirmed. Table 5.1 shows the results of the analysis.

By contrast, the percentage of returned questionnaires for the British senior civil servants was a mere 9.1 (406 out of 3,306). Therefore, generalisations for the entire senior civil service can scarcely be made. In addition, at closer inspection it appeared that the targeted population in Britain (those listed in *Dod's Civil Service Companion* 2007) was less systematic that I assumed, in the sense that it contained not only SCS members, but also a large proportion of civil servants in grade 6/7. As a consequence, out of the 406 British respondents, 124 actually belong to the SCS, and the remaining 282 hold positions in grades 6/7. Therefore, the response rate for the SCS in the strict sense is only 2.8 percent[29], and therefore the data

		Population, %	Survey respondents, %
Age	45 or younger	19,2	22,8
	46 – 50	21,3	22,0
	51 – 55	30,0	30,9
	56 – 60	22,8	19,9
	61 or older	6,6	4,5
Gender	Male	83,3	82,9
	Female	16,7	17,1
Rank	< 15	3,5	0,8
	15	13,3	18,3
	16	39,5	42,9
	17	29,8	26,7
	18	6,3	5,0
	19	7,6	6,3

Table 5.7   *Representativeness of the Senior Civil Service survey for The Netherlands*

base is unsuited for generalisations for the SCS as a whole. Still, the other 282 questionnaires are of interest to this study for they inform us about the characteristics, perceptions and opinions of the higher echelons of the British civil service. When we look at the representativeness of the Senior Civil Service (in the strict sense), it nonetheless appears that in demographic term, our respondents group is quite representative. Table 5.2 shows the results for the British population.

		Population (SCS), %	Survey respondents which belong to SCS, %
Age	29 or younger	0,3	4,8
	30 – 39	11,4	16,1
	40 – 49	38,4	37,1
	50 and older	49,9	41,9
Gender	Male	70,1	69,2
	Female	29,9	30,8
Minority	Yes	4,1	9,1
	No	95,9	90,9

Table 5.8   *Representativeness of the Senior Civil Service survey for Britain*

Despite the reasonable representativeness of the respondents groups for both The Netherlands and Britain, the modest response rates force us to be cautious in treating the survey data. Therefore, in this study the survey data are used as indicative descriptive data, supporting and illustrative the qualitative analysis.

Intensive exploratory interviews

Lastly, in depth interviews were held with key informants, selected from the online survey respondents (i.e. senior civil servants in The Netherlands and Britain), complemented with practitioner and academic experts (The Netherlands, Britain and France). During the interviews, open-ended questions on the full range of aspects included in this study were asked. The interviews took place after the collection of the survey data, which enabled me (at least for Britain and The Netherlands) to verify and qualitatively delve deeper into the findings generated by the online survey. Respondents were mainly asked about their own experiences and perspectives, but also to reflect on the functioning and position of the civil service at large. Especially on the subjects of relations and interactions (e.g. with external actors and with political leadership), the in depth interviews were the crucial way to get to know the specifics about the dynamics of everyday senior civil service work. Thus, qualitative data could be gathered which serve to deepen, and verify the data generated through the previous sources (secondary quantitative analysis, document study and survey). The interviews were conducted over a period of 4 months (from March 2008 to June 2008). The interviews were MP3 recorded. A total of 45 interviews were conducted in The Netherlands (The Hague and Leiden), Britain (London and Manchester) and France (Paris and Strasbourg) together.

5.3   Concluding remarks

In this chapter, the methodological aspects of this study have been addressed. In order to formulate answers to the present research question, the method of *rational verstehen* is adopted, rather than a method of formal hypothesis testing. *Rational verstehen* best suits the Weberian theoretical starting points of the research and better serves the purpose of understanding broad trends in a complex societal setting, rather than isolating the causality underlying specific delineated events.

Moreover, a comparative case study research design is chosen to add meaning to the findings for individual cases, as well as to enable us to draw conclusions based on specific findings for one case that may be ab-

sent in another. Based on a most-similar design, France, Britain and The Netherlands have been selected, based on their variation in terms of historical paths (each country differs from the other two) and their degree of simplicity or compoundness (France and Britain as simple polities, The Netherlands as a compound polity).

Data have been gathered and analyzed by means of multiple techniques: secondary analysis of available statistical data, document analysis, survey data, and in-depth interviews. Chapter 6 concludes the theoretical preparatory steps taken for this study by drawing together a framework for analysis based on the insights and considerations presented in the first five chapters.

6 BUREAUCRACY AND MULTI-LEVEL GOVERNANCE: A MULTI-TIERED APPROACH

In the previous chapters a range of preparatory steps have been taken in order to better understand the implications of European integration for national civil service systems. Chapter 1 served to formulate the research question, while in chapter 2 a clear perspective was developed on the context in which national civil service systems have been changing over recent decades by surveying the Europeanisation and MLG literature. Then, in chapter 3 the concept of civil service systems was defined and explained, and it was operationalised in terms of four features: organisational design, personnel system, external control mechanisms and political-administrative relations. Chapter 4 explored the importance of the political-administrative system as a key explanatory factor for the degree and direction of civil service change in each country under study, and the variation in change across countries. Chapter 5 outlined and defended the methodological plan necessary to answer the research question.

This chapter draws together the various theoretical considerations from the previous chapters to form a coherent analytical framework. In doing so, an attempt is made to model the impact of the EU's MLG system on national civil service systems in a way that:

- allows for cross-national comparison;
- is sensitive to the political and societal context of which the civil service is part;
- helps understand the EU's differential impact on national civil service systems; and
- incorporates domestic preferences as a prime factor in shaping EU-level structures, policies and practices.

Chapter 1 explained that this study relates to the implications of EU integration for national civil service systems, in terms of (a) their organisational design, (b) their personnel system, (c) their position in the system of governance, and (d) the relations between ministers and their top civil ser-

vants. The latter two aspects of civil service systems are indicative of the scope that public officials have for exercising power within the bureaucratic system. Hence, a range of institutions that may have a containing or extending effect on the power of officials are included in the analysis, and in chapter 2 the Europeanisation of these national civil service systems is defined as:

> *the implications of the structures, policies and practices advanced through the EU system of governance for the national civil service and its position in the system of governance.*

Moreover, chapter 2 highlighted the essential assumptions and findings of Europeanisation scholarship thus far. Firstly, European integration impacts not only national policies, but simultaneously (and in its wake) domestic institutions.

Secondly, the EU structures, policies and practices with which national actors and institutions are confronted cannot be seen as independent from those self-same domestic actors and institutions. The domestic political-administrative environment is an important shaper of EU structures, policies and practices, which at a later stage may themselves create adaptation pressure on the domestic political-administrative environment. In this sense, there is a circular or cyclical process between institution building, policy- and law-making at the EU level, and policy and structural adaptation and preference formation at the national level. It is important to note here that the capacities and strategies of the various member states are by no means equal or uniform, in much the same way as the degree of misfit between the EU's MLG system and national political-administrative systems is not equal or uniform. Some EU member states are more capable of or more active in influencing the nature of EU structures, policies and practices than others.

Thirdly, as touched upon above, EU structures, policies and practices exert a certain degree of adaptation pressure to the member states, but the level of such pressure depends on the degree of compatibility or misfit between EU structures, policies and practices and those of the member state in question. Lastly, an important finding by Europeanisation scholars is that European integration does not lead to political-administrative convergence among the member states, but that it brings a process that can best be described as 'Europeanisation with national colours'.

The above assumptions and observations can be organised schematically, as is done in figure 6.1
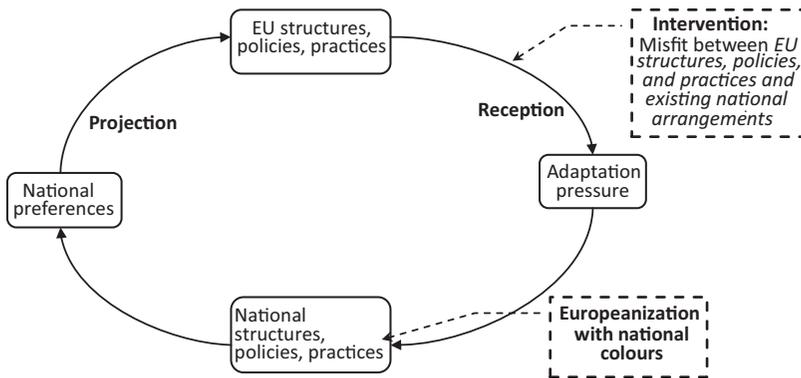
Figure 6.1   *The cyclical nature of European integration and Europeanisation*

In chapter 3, the concept of civil service systems was addressed, anato-mised and made fit for comparative analysis. Civil service systems were defined as "mediating institutions that mobilise human resources in the service of the affairs of the state in a given territory" (Bekke et al., 2006: 2). Civil service systems are thus seen as a combination of rules and authority relationships that connect the polity or state with specific administrative or-ganisations.

In analytical terms, civil service systems can be broken up into four di-mensions. The first dimensions is organisational design, connoting features such as the size of the civil service, demarcating the civil service in terms of its non-civil service component(s) and in relation to the private sector, and the overall organisation of the national public sector. The second di-mension is the personnel system, connoting the degree to which a civil ser-vice system employs the ideal-typical bureaucratic administrative staff as articulated by Weber.

The third dimension is the role and position of the civil service in the wider political-administrative context, implying the scope for official domi-nance in the political-administrative system, a concern that was central to Weber's writings on bureaucracy and was taken up by Page (1992) in his analysis of political authority and bureaucratic power. The assumption is that the role and position of the civil service in general and the scope for official dominance in particular depend on: (a) the role of parliament, both in exercising control over the administrative apparatus and as a potential training ground for political leadership, (b) the role of interest groups, (c) the mass media, (d) the judiciary, (e) regulators, (f) subnational govern-ment, and (g) supranational and intergovernmental organisations, which limit the exercise of authority by the national executive and thereby of the civil service.

Lastly, the relation between senior civil servants and their political lea-dership is identified as a crucial dimension of the civil service. Although

these relations are to a considerable extent personal and therefore complex to analyze at the system level, we look at the scope for political leadership in limiting the power of officials.

The discussion of civil service systems produces a conceptualisation that can be schematically depicted as follows (figure 6.2).
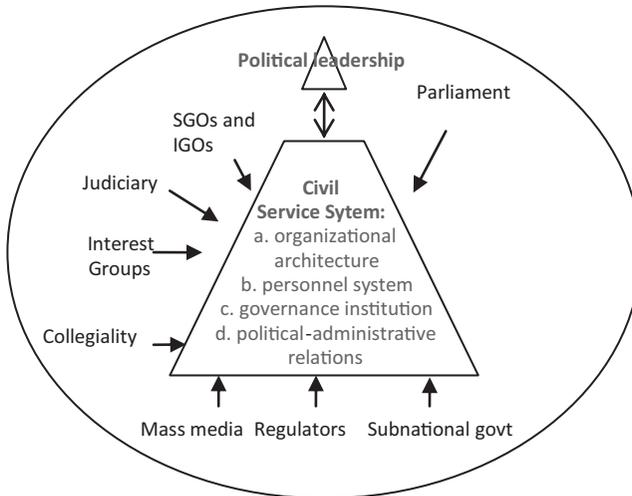
Figure 6.2 *An operationalisation of civil service systems, including the powers within a bureaucratic system to contain the potential for official dominance.*

Based on the discussion of MLG and Europeanisation, a number of potential general (i.e. member state non-specific) implications of European integration can be expected for national civil service systems. Table 6.1 sums up these hypothesised potential general implications (see also Van der Meer and Raadschelders, 2007).

In chapter 4, the issue of cross-national variation was addressed. As indicated above by the phrase 'Europeanisation with national colours', member states show different responses to European integration. In order to understand this differentiated impact, historical institutionalist theory is called in drawn on. Historical institutionalism holds that historically developed structures and traditions determine the nature of civil service change in the sense that the pre-existing institutional context will preclude some types of changes, reforms or adaptations, and will permit or makes more natural certain other types of changes, reforms or adaptations. In figure 6.3 the intervening role of the traditional political-administrative system is added to the model.
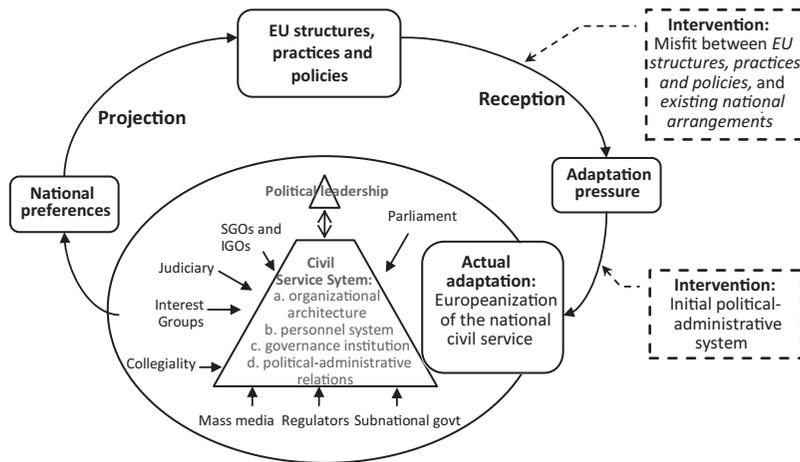
Figure 6.3 *Analytical model for comparatively understanding the implications of European integration for national civil service systems.*

In the model above, the initial political-administrative system is identified as the intervening variable that determines how and to what extent the adaptation pressure from the EU level may lead to actual adaptation within the civil service and its underlying set of values and principles. However, in order to understand how the initial political-administrative system impacts the adaptation process, a good operationalisation of pre-existing political-administrative systems is necessary. One often-used method for making categorisations is to group nations within a small number of main 'administrative traditions'. The key traditions usually relied on are the Westminster/Whitehall model, the Napoleonic model, the German *Rechtsstaat* model, and the Nordic model. However, these traditions are not adopted as analytical instruments in this study because they cannot be used as a benchmark, and because national political-administrative systems are too idiosyncratic to create opportunities for generalisations to a wider group of member states.

Instead, chapter 4 introduced an approach to the political-administrative system which can be used to make an initial measurement against which a comparative inventory of change can be made. In this approach political-administrative systems are understood as to clusters of institutions and cultural practices regarding the political and administrative organisation of the state. These clusters of institutions and practices involve the following four main and interrelated dimensions: (a) State-society relations (b) Political system (c) Administrative system (d) Political-administrative relations.

Dimension	Aspect	Expected implication
Organisational architecture	*Size and demarcation*	Decrease in size
	Fragmentation	Greater fragmentation
	Decentralisation	More decentralisation
Personnel system	*Career civil service?*	More career civil service, more mobility
	Education and training	Higher level of pre-entry education, more post-entry training
	Role of specialist expertise	No change on balance
Powers to contain potential for bureaucratic dominance	*Parliament*	Power decreases, to the benefit of the national executive
	Interest groups	Power increases, to the detriment of (among others) the national civil service
	Advice	Power increases, to the detriment of the civil service
	Courts	Power increase, to the detriment of the executive and the civil service
	Collegiality	Increases, to the detriment of the national civil service
	Mass media	Power increases, to the detriment of the executive and the civil service
	Regulators	Power increases, but this generally does not affect the power of the national civil service
	Supranational, intergovernmental organisations	Power increases, to the detriment of the national civil service
	Subnational government	Power decreases, to the detriment of the national civil service
Political-administrative relations	*Separation/integration*	Tendency to fusion
	Adversarial/ complementary	Tendency to complementarity
	Political control over CS	No change on balance

Table 6.1   *General expectations concerning the impact of European integration on a national civil service system*
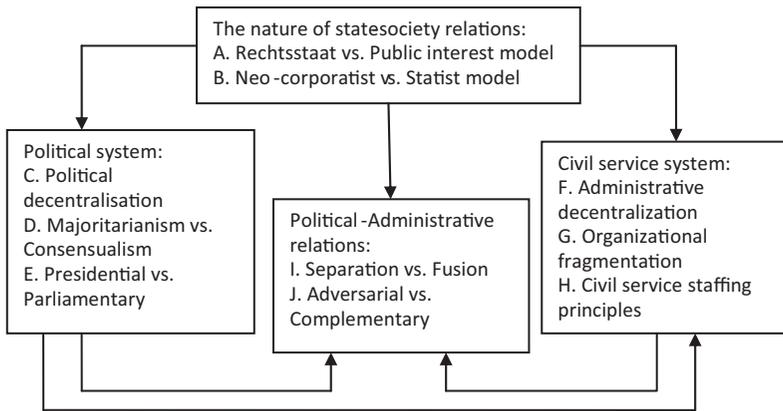
Figure 6.4   *Conceptualisation of political-administrative systems*

This conceptualisation of political-administrative systems offers the opportunity to take three further steps in analyzing the implications of European integration for national civil service systems. Firstly, by assessing each member state on the various dimensions of the above conceptualisation, the misfit between the initial national political-administrative system and the EU's multilevel governance system can be established. Secondly, the expected adaptation pressure as a result of the confrontation between the EU and the national layer of government can be defined, which is expected to result in a specific degree of change on a particular dimension (see section 4.3).

By way of summary, an extremely simplified version of this set of expectations is presented in table 6.2. Following Schmidt (2006), here the continuum between simple and compound polities is used to aggregate the multiplicity of dimensions and aspects constituting the political-administrative system. What is indicated in the abstract in figure 6.3 is made more concrete in table 6.2, in the sense that the 'overall initial simplicity/compoundness' corresponds with the 'initial political-administrative system' in figure 6.3; the 'overall EU-Member State misfit' corresponds with the intervention of the misfit; the 'expected degree of change in the civil service system' corresponds with 'actual adaptation'; and the 'expected success in uploading and downloading process' corresponds with 'projection'.

In the following chapters, the empirical case studies of France (chapter 7), Britain (chapter 8) and The Netherlands (chapter 9) will be presented.

	France	Britain	The Netherlands	EU
Overall initial simplicity/compoundness	Simple	Simple	Compound	Highly compound
Overall EU-MS misfit	High/ medium	High	Medium/Low	n.a.
Expected degree of change in the civil service system	High	High	Low	n.a.
Expected success in uploading and downloading processes	Low	Low	High	n.a.

Table 6.2   *Simplified set of expectations concerning the differential impact of European integration on the civil service systems of three EU member states and the EU*

7 FRANCE

As a founding member and one of the largest political and economic powers in the EU, France is a leading member state. As a nation-state, France is traditionally a simple polity with a strong state tradition and traditionally a relatively large public sector apparatus. In this chapter, we examine the impact of European integration on the French civil service, embedded within other relevant internal and external developments that have taken place in and around the French civil service since 1980. Following the model set out in chapter 6, we will first look at France's political-administrative system (7.1), then ,the size and organisation of the civil service (7.2), followed by the staffing system (7.3), scrutinising institutions (7.4), and political-administrative relations (7.5).

7.1   The political-administrative system

7.1.1   The nature of state-society relations

Rechtsstaat vs. Public interest model
Public administration in France is traditionally based on the belief that the state – rather than societal groups – is the central integrating force within society. France has a tradition of state direction of the economy and society that can be traced back as far as the seventeenth century. French *dirigisme* is an approach to politics and administration that is aimed both at economic development and societal integration. In order to make it possible for the state to fulfil this role, a certain degree of reverence for the law is crucial. Moreover, a large and separate body of administrative law such as the *Statut General de la Fonction Publique* ensures that the state administration resides in an autonomous domain separate from civil society (Clark, 1998: 98-100).

Neo-corporatist vs. statist model
Although the French Revolution (1789) overthrew the *Ancien Régime*, the *dirigist* role of the state was adopted by the revolutionaries and consolidated into French thinking about government via notions of Jacobin Republicanism. According to the Jacobin understanding of the role of the

state, a democratically elected government should translate the will of the people into effective policy. Following from the Jacobin logic of generality, mediation by organised interests runs counter to the principles of democratic equality and electoral accountability. This view is reflected in the traditional French policy-making model: policy is decided on and made by state actors without significant input from societal actors, although there has traditionally been ample room to accommodate societal actors in the implementation process. Rules can be adapted to the interests of most affected societal groups in the implementation phase thanks to the administrative discretion of senior civil servants (Schmidt, 1996a; 1999b). In reality, the practice corresponded with Tocqueville's famous phrase: "the rule is rigid, the application flexible". Thus, in statist France, the alternative to accommodation in the implementation phase has been confrontation, strikes and social protest movements.

7.1.2   The political system

Degree of political centralisation

France's history as a unitary state dates back to the late seventeenth and early eighteenth centuries. The political and administrative unity originally established by the French monarchs was consolidated by the post-Revolution regime and above all under Napoleon. The Jacobin conception of the Republican state implies that the state directly represents the people and is therefore superior to the authority of the judiciary, the legislature, or subnational government. Therefore, political power in France has traditionally been centralised at the national level. The strong determination by the central government to preserve national political unity has resulted in efforts to consolidate a sense of republican nationalism against regional diversity, including the suppression of all regional languages (Schmidt, 1990).

Majoritarianism vs. consensualism

By the late 1970s, the French political system began to take on majoritarian features, in the sense that elections began to involve a plurality of parties and the cabinets usually consisted of one party or a minimal coalition. However, these characteristics do not have the same long-standing lineage as the features discussed above. In response to the governmental instability which was seen to result from the highly proportional system of electoral representation in France's Fourth Republic, the Fifth Republic (from 1958) created a first-past-the-post majoritarian system. As a consequence, the various smaller parties of both left and right have had to form coalitions to be able to win elections. It has also entailed a polarisation of politics, and governments have become able to impose policies without much interfer-

ence from the opposition. Periods of *cohabitation* form an important ex-
ception to this rule, as will be discussed below.

While this system is technically majoritarian given the electoral system
of plurality, France has a fragmented, multi-party system and a strong, di-
rectly elected president. In this sense, majoritarianism in France differs dis-
tinctly from majoritarianism in Britain and most other Anglo-Saxon nations
(Pollitt and Bouckaert, 2004: 247).

Just as French politics is not purely majoritarian in the Anglo-Saxon
sense, neither is it consensual in the continental-Nordic sense. Decision
making in the French executive cannot be called consensual, since under
the Fifth Republic, the Council of Ministers does not function as a general
collegial body which together formulates and decides upon government
policy (Page, 1992: 126). Council of Ministers' meetings can rather be
seen as "routine encounters legitimising decisions already taken outside the
Council of Ministers" (Page, 1992: 126). On the spectrum of majoritarian-
ism/consensualism, France therefore takes a distinctive position: it is *ma-
joritarian* in terms of its electoral system; *non-majoritarian* in terms of its
fragmented party system and coalition governments; and it is *non-consen-
sual* given the absence of deliberative decision making within the core ex-
ecutive and the statist-*dirigist* nature of policy formulation within the indi-
vidual government departments.

Presidential vs. Parliamentary

Executive power in France is shared between the President on the one hand
and the Prime Minister and his Cabinet ministers on the other hand. Given
the limited powers of the President compared to most other presidential
systems, the French system is usually called semi-presidential. As the head
of state, the President's powers include appointing the Prime Minister,
commanding the armed forces and signing international treaties. The de-
mocratic legitimacy and therefore also the effective power of the President
are ensured through his direct election by citizens, in a run-off electoral
model which implies that each chosen president has a nationwide majority
of non-blank votes. Within the executive, the President's power is only
checked by the provision that the relevant Cabinet minister must counter-
sign legislation.

The group of cabinet ministers is headed by the Prime Minister and is
assisted by the state civil service, executive agencies and the armed forces.
French cabinets know three ranks of members: *ministres*, *ministres délé-
guées* and *secrétaires de'État*, usually consisting of between 35 and 55
members in total. Ministers have a clearly demarcated range of responsibil-
ities and enjoy a high degree of autonomy within their own spheres.

The bicameral legislative branch consists of a lower house (*Assemblée
nationale)* and an upper house (*Sénat*). The 577 deputies in the National
Assembly are directly elected for five-year terms in local majority elec-

tions, and all seats are voted on in each election. Members of the Senate are chosen by an electoral college of about 145,000 local elected officials for six-year terms, and one-half of the Senate is renewed every three years.

The lack of synchronisation between presidential and parliamentary elections in the Fifth Republic allowed for the possibility that the two parts of the dual executive, President and Government, could be from different political parties. This became a crucial feature of the French political system and is called *cohabitation* (i.e. power-sharing). This potentially paralyzing situation occurred twice under the presidency of Francois Mitterrand (from 1986 to 1988 with Prime Minister Chirac and from 1993 to 1995 with Prime Minister Balladur) and once under the presidency of Jacques Chirac (from 1997 to 2002 with Prime Minister Jospin).

The problem of cohabitation is that the President's effectiveness can be seriously curtailed if Parliament is controlled by the opposition and not by the coalition supporting the President. Also, periods of *cohabitation* are considered periods in which the politicisation of the civil service has generally increased (see below). To overcome the risk of deadlock within the executive, the possibility of *cohabitation* was virtually ruled out in 2002, when the President's mandate was limited to that of Parliament, i.e. five years.

7.1.3   The administrative system

Degree of administrative centralisation

The already-centralised pre-Revolutionary administrative system was further consolidated under Napoleon's regime (1799-1815). Like the political structure and the policy process, France's administrative structure reflects the Jacobin ideal of a nation and republic that is one and indivisible. France is administratively divided into a hierarchy of twenty-two *regions*, which are subdivided into ninety-six *départements*, which are in turn divided into *arrondissements* and municipalities. The strong subnational presence of the central state is one of the main features of the administrative system. National unity and state *dirigisme* in the regions are ensured by the figure of the *préfet*, who also coordinates the many local units of central ministries (*services déconcentrées*). Prefects are appointed by the Prime Minister and represent the central government at the *département* level. In the *arrondissements*, sub-prefects operate under the prefect's control.

Despite the traditionally strong attachment to centralisation and unity in the French political-administrative system, the administrative apparatus is divisible into effectively three civil services: (a) the state civil service (including teaching personnel), (b) the health care civil service, and (c) the local government civil service. Despite the fact that local civil servants also fall under the general civil service law, the *Statut Général de la Fonction*

Publique (*Statut*), albeit with specific provisions, they are separated from the state civil service. Therefore, the local civil service falls outside of the scope of this study except for that part which concerns its relations with the state civil service (see 6.5.8).

Organisational fragmentation

Corps and grades

The two main organising principles of the French national civil service are the notions of the *corps* and the *grade*. A *corps* is a collective of civil servants who perform duties in a particular policy field or who perform a specific type of tasks. Each *corps* has its own educational entry requirements and its own set of hierarchically arranged posts. Civil servants can expect to make a career within the boundaries of their *corps*. As such, the French *corps* can be seen as associations of professionals in a particular field, with two specific features: (a) they are embedded in the organisation of the executive branch of power, and (b) they enjoy legal competencies with respect to selection, training and promotion.

The French invention of the *corps* structure has been wholesale adopted in Spain. Other countries, especially those that were under French rule in the early nineteenth century, have adopted parts of the *corps* system into their own systems. Obvious examples are the idea of a corps *diplomatique*, a *corps* of judicial civil servants, and the police *corps*. One of the distinguishing aspects of the French *corps* system is, however, that membership to a *corps* is for a lifetime, implying that civil servants who accept a position in another part of the state administration, or even in the semi-public or private sector, remain attached to their original *corps*. This is of great importance, because it accounts for the unique connectedness and personal ties that exist between elites within French politics, administration and the private sector.

Each *corps* has its position in the hierarchical ordering of *corps*. The main hierarchical distinction between *corps* is between the *grands corps* and the less prestigious *corps*. In a formal-legal sense, the *Grands Corps de l'État* are not identified or privileged as a separate group or corps vis-à-vis the other corps, but each of the *grands corps* is small, unified and influential (Rouban, 1994). Traditionally, the distinction is made between technical *grands corps*, whose recruits are normally graduates from the *Ecole Polytechnique*, and the administrative *grands corps*, whose recruits are normally graduates from the *Ecole National d'Administration*. The two technical *corps* are the *Corps des Mines* and the *Corps des Ponts et Chaussees*, both of which were founded during the *Ancien Régime* (1744 and 1747, respectively). The administrative *grands corps* are the *Corps du Conseil d'État*, consisting of the legal advisers to the government and the judges of the higher administrative court; the *Corps de la Cour des Comp-*

tes, the audit authority for public expenditure; and the *Inspection Générale des Finances*, whose members are in charge of controlling all financial procedures in which public funds are involved. The power and prestige of the *grands corps* is to a considerable part due to the lifelong attachment of their members. *Grands corps* members who embark on a political or business career preserve the privileges related to their *corps* membership and therefore uphold their personal networks within the *corps*.

The overwhelming majority of French state civil servants do not work in one of the *grands corps*, but in the less prestigious *corps*. They are also ordered hierarchically. The three categories of *corps* correspond with the three grade levels for civil servants (grade A, B, and C), which are based on the educational entry requirement. Grade A *corps* are open to university graduates and usually consist of policy advisers. Grade B *corps* are open to people who have finished their secondary education (*baccalauréat*) but not more. Grade B civil servants are often involved in the implementation of policies. Grade C *corps* are open to people who hold a mid-secondary education diploma. Grade C civil servants are mostly involved in operational jobs. In the state civil service, 46% of all civil servants are part of Grade A *corps*, whereas they represent no more than 30% of the total three branches of the civil service taken together (DGAFP, 2008). Within each grade, multiple hierarchical classes may exist, for instance second class, first class and exceptional class.

The *corps* structure is a reflection of the historical principles of hierarchy and collectiveness that run through all parts of the French civil service (Rouban, 1999; Stevens, 2003; Eymeri, 2006). By all means, it is an effective organisational instrument to encourage coordination and cooperation among members of a given *corps*. The drawback is, naturally, that compartmentalisation has occurred across *corps* and civil servants may develop a defensive attitude towards the outside world. Some *corps* have, in various instances, become bulwarks defending their own standing and privileges rather than serving the general interest.

Ministries and non-ministerial bodies

Next to *corps* and *grades*, the French civil service is traditionally organised according to ministries, which are divided into directorates, which are divided into sub-directorates, which are divided into bureaus. Besides this regular ministerial structure, a number of features are of importance: firstly, the ministerial *cabinets*; secondly, the prefectures and field services; and thirdly, the non-departmental bodies such as the administrative public establishments (EPAs), the industrial and commercial public establishments (EPICs), and the independent administrative authorities (AAIs).

Ministerial *cabinets* are small bodies consisting of personal employees chosen by the minister, in charge of advising the minister and assisting him or her in realising personal political goals. As the ministerial *cabinets*

are crucial in the relations between the minister and the civil service, they will be further discussed in section 7.4.1 below.

Field services are divisions of the central administration in the *regions* and *départements* of France. They serve to make sure that the decisions taken at the national level are carried out at the local level. Most ministries have field services at several territorial levels. The field services operate under the authority of a prefect: at the departmental level under the *préfet de département* and at the regional level under the *préfet de region*. The *préfet de region* is the prefect of the *département* in which the region's capital is situated.

Independent administrative authorities (AAIs) are state institutions charged with the regulation of sectors which the government considers important, but in which the government itself does not wish to intervene. First introduced in 1978 and contrary to the French administrative tradition, the AAIs do not fall under the hierarchical authority of a minister. These structural aspects of the French executive are depicted in figure 7.1 below.
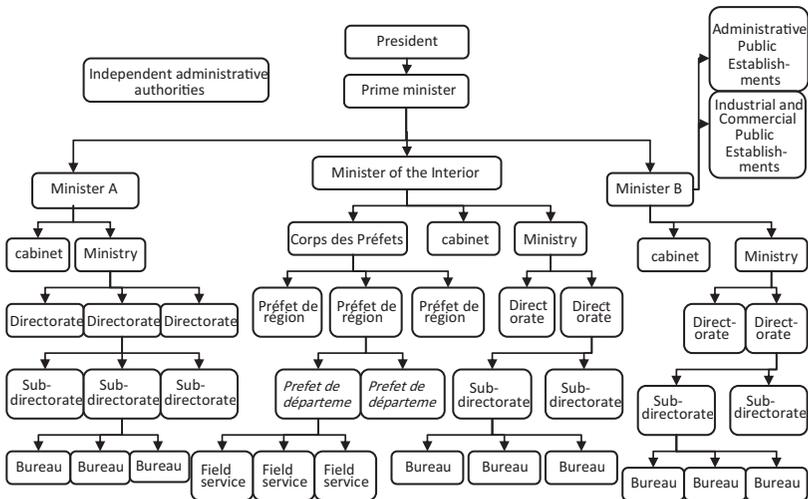
Figure 7.1   *The structure of the French public sector*

Civil service staffing principles

The rules concerning French civil service employment are laid down in the *Statut General de la Fonction Publique* (*Statut*). First and foremost, the *Statut* establishes the career principle, implying that state civil servants enjoy lifetime employment and can expect a career within the civil service. Secondly, it stresses the distinction between a civil servant's grade and the job that is performed, meaning that a civil servant's position is primarily determined by the grade in which he or she operates and only secondarily by the actual job he or she is performing. The separation between grade

and job can be traced back for centuries within the French administrative tradition (Eymeri, 2006). Unlike what Eymeri argues, however, the separation between grade and job is historically quite common in most other European civil service systems, although currently in most countries this construction is only employed in the foreign service, the police force and the military.

Thirdly, the *Statut* establishes the principle of open competitive examination (*concours*) as the main recruitment instrument. Recruitment trough the *concours* is seen as the practical effect of the provision of article 6 of the Declaration of the Rights of Man and of the Citizen (1789), stating that "All citizens, being equal in the eyes of the law, are equally eligible to all dignities and to all public positions and occupations, according to their abilities, and without distinction except that of their virtues and talents."

If civil service systems could be ordered along a continuum between a departmental and a unified civil service, France would be placed not far from the middle (Hague and Harrop, 2007). The French civil service is unified in terms of policy coordination and in terms of the general provisions laid down in the *Statut*, but departmental in the sense that ministers are relatively autonomous in their own sphere and in recruitment and training. Specifically, ministries are responsible for their own recruitment, and training is mostly done within the *corps* or by one of the 37 specialised schools for public administration. This decentralisation of personnel management hinders large-scale horizontal mobility in the French civil service. The senior civil service can be considered *unified*, since they are a homogenous social group, but *fragmented* in terms of their organisation into various *grands corps*.

7.1.4   Political-administrative relations

One of the defining, traditional characteristics of the French state government is a strong interconnectedness between the political and administrative elites. During the July Monarchy (1830-1848), civil servants were allowed to be members of parliament while retaining their jobs in the administration. In the Fifth Republic, however, the political neutrality of civil servants is seen as one of the core duties of each civil servant. Nonetheless, political and civil service careers can be closely interwoven, and multiple transfers from the civil service to politics and vice-versa within one career are no exception.

Bridging the political and the administrative spheres, each minister is served by a *cabinet ministériel* and a personal staff of political advisors, most of who are recruited from the standing departmental organisation, some from outside of the civil service. These *cabinets* developed during the nineteenth century. The underlying rationale for their existence is the

notion that ministers have to be able to rely on a team of loyal and politically like-minded advisors, given that a minister cannot choose his or her own regular civil servants. Ministers can hire and fire their *cabinet* members on the basis of their political preferences, without directly affecting the meritocratic nature of the civil service itself. The *cabinet* is a distinctly non-permanent body, which comes and goes with the minister. As such, the *cabinets* function as an institutionalised buffer-zone between the government and the civil service (Steen et al., 2005).

Over the years, ministerial *cabinets* have become increasingly important actors in the political and administrative functioning of the Government. *Cabinet* members are especially important in interdepartmental communication, and even in government-level decision making. Moreover, *cabinet* members have in many cases become the main advisors to ministers, at the expense of the policy advisory role of the permanent *directeurs* (Delamarre, 2008).

The size of the *cabinets* has been an issue of political debate for quite some time. Officially, the number of *cabinet* members usually falls within the legally prescribed number, but this excludes other non-official advisors who do not appear on the *cabinet*'s organisational chart but are nonetheless effectively members. In 1997, ministers were asked to restrict the size of their *cabinets* to seven (Delamarre, 2008). The power of the *cabinets* is sometimes seen as excessive, especially in politically sensitive matters (Bezès and Le Lidec, 2007; Rouban, 2004; Stevens, 2003).

Due to the village life model that traditionally characterises political-administrative relations in France, the style of interaction between ministers and senior civil servants has generally been complementary rather than adversarial. With respect to bureaucratic power and political authority, the French tradition is interesting. One the one hand, decision making is ultimately political, meaning that any decision, however technically sound, can be reversed relatively easily for purely political reasons. This indicates the primacy of the political views of the minister in the typical French policy-making model. On the other hand, senior civil servants have traditionally enjoyed a substantial level of discretion in derogating from the rules, such that societal interests are accommodated not in the policy-formulation phase but in the implementation phase.

It therefore seems that, in the French tradition, the primacy of politics is ensured by the highly politicised nature of policy making, and bureaucratic power can still be exercised significantly in the implementation phase. This points to a situation in which the formal-legal division of tasks between politics and administration is present (politicians make policies; the administration carries them out) but in which senior civil servants nonetheless enjoy a great deal of delegated power in the interpretation of policy and the adaptation of rules to either local or sectoral circumstances. In this model, bureaucratic power should therefore be understood more as power that can

be exercised over those who are affected by a specific policy, rather than as power that can be exercised over those who are politically responsible for the content of policy.

7.2   The size and organisation of the civil service

7.2.1   Demarcation of the civil service

Structure and branches of the civil service

All staff employed in the public service at all territorial levels are called *agents*, but only a small segment of agents are considered civil servants in the formal-legal sense of the term. The first distinction that needs to be made is between the *agents titulaires* and the *agents non-titulaires*. *Titulaires* are those civil servants who entered through a *concours* and belong to one of the *corps* (grade A, grade B, or grade C *corps*, or *grands corps*). They have a permanent appointment, and their employment is subject to the *Statut*. *Agents non-titulaires* are those servants who are recruited on more flexible terms in order to respond quickly to the changing needs of the government. For instance, these include supporting staff (*agents auxiliaries*), staff on permanent contracts (CDI) or temporary contracts (CDD), or other temporary staff (*agents vacataires*). These arrangements are depicted in figure 7.2 below.
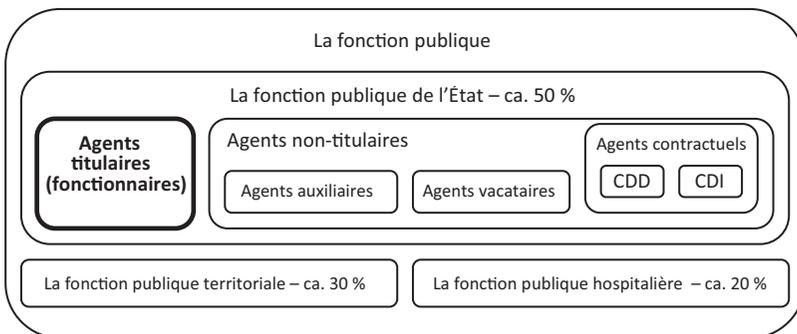
Figure 7.2   *The permanent civil service (agents titulaires) as part of the wider public service*

Apart from these distinctions in terms of legal position and employment conditions, the public service is also broken down into three separate public services. The first branch is the state civil service, *la fonction publique de l'État*, which includes officials in the ministries and agencies in Paris

and those working for the central government in the regions; for instance, the *services déconcentrées* of each ministry, the *prefectures* and the universities. The state civil service employs about 50% of all French civil servants. The second branch is the territorial civil service, *la fonction publique territoriale*, which includes the civil servants working for regional, provincial and municipal governments and which employs roughly 30% of all civil servants. The third branch is the civil service of hospitals and health care institutions, *la fonction publique hospitalière*, which employs about 20% of all civil servants. For the purposes of this study, we will henceforth focus on the *agents titulaires* (i.e. *fonctionnaires*) of the state civil service.

This description of the civil service in France has already revealed that, in practice, it is far less unitary and indivisible than the traditional notion of Jacobin Republicanism and centralisation would suggest. Rather, the civil service is fragmented along a variety of dimensions: territorial, functional, legal position, and terms of appointment. Nonetheless, the various branches are strictly hierarchically organised, both internally and *vis-à-vis* each other.

The Europeanisation of the structure of the civil service

In what respect and to what extent has membership of the EU affected this structure since the late 1970s? Membership of the EU has created some tensions in terms of the design of the administrative system in France and the legal conception of the civil service. The crux of this tension is in the misfit between the demarcation of the civil service in France and most other member states. In France, 'civil servant' status applies to a wider group of officials than in most other member states.

In France, the *Statut* includes all public school teachers and all public healthcare staff. According to Eymeri (2006) this particular statutory construction can be understood within the framework of the Revolutionary principle of equality before the law, in the sense that all public servants, irrespective of their hierarchical level or professional field, participate in their own way in the exercise of public authority and, consequently, should all be subject to the same legal conditions and privileges (Eymeri, 2006). Any gradual shift from a uniform to a dual civil service should therefore be interpreted more as a departure from the *principle* of universality than from the *practice* of it.

This theoretical uniformity and indivisibility should not, however, obscure the growing volume of non-titular civil servants in the French administration to whom the *Statut* does not apply. Moreover, although the state civil service and the health care civil service both fall under the *Statut*, a separate body of specific secondary provisions applies to each.

In any case, this wider conception of the civil service as compared to most other EU member states becomes problematic because French civil servants are excluded from EU regulations concerning the free movement

of labour. When the civil service is demarcated differently in each member state, such a provision requires that more uniform boundaries of the civil service be formulated. Common rules are pointless if the terms to which they refer, in this case the civil service, are unequal in each member state.

Confronted with the question of which type of civil service positions could be excluded from the free movement of labour rules, the European Court of Justice specified that only positions which imply a direct or indirect part in the exercise of public authority or functions which have the safeguarding of general interests of the state as their purpose could be excluded from the free movement of labour[30]. Based on these rulings, the Commission established a list of civil service positions which had to be opened to all citizens of the EU. This list does not include those civil servants who work in public education or health systems. Evidently, the ECJ has adopted a conception of the civil service that is substantially narrower than the traditional French conception of the *fonction publique* (Delamarre, 2008).

Firstly, the French government has addressed this misfit by gradually opening up civil service positions to non-French EU citizens through revisions to the *Statut*[31]. The *Conseil d'État* decreed in 2003 that several corps and positions would be opened to Europeans, with reference to the free movement of labour within the EU32. By 2007, 80% of the French civil service had been opened to EU citizens, with only the remaining 20% still reserved for French nationals (Delamarre, 2008: 182).

It has to be noted that the implications of opening up of parts of the civil service to non-French EU citizens are not merely limited to the composition of the civil service in terms of nationalities. As will be discussed in section 7.5, it also has repercussions for other traditional features of the French civil service, such as the trinity of *concours-école-statut*.

Secondly, opening up parts of the civil service to non-French nationals gave rise to a renewed debate on the status of titular and non-titular public servants who are not, according to the European definition of the civil service, civil servants in a legal sense. Should their employment be governed by a special labour statute that is markedly different from employees in the private sector, or should they be considered and treated no differently from regular private sector employees? This question has re-emerged on the political agenda in France but has not yet been concluded (Mangenot, 2004; IR42, IR45, IR48).

As a potential outcome of this debate, Eymeri (2006) foresees a gradual dualisation of public employment in France and thereby a relative convergence between labour arrangements in the public and private sectors. However, aligning the technical aspects of public employment conditions with those of the private sector is one issue, while removing the specific aspects of civil service employment that emanate from the political context in

which civil servants have to operate is a very different issue, and one that is much less likely to occur.

Still, it seems as if French political leaders have adopted an incremental and low-profile strategy so as to generate a minimum of societal resistance. Eymeri (2006) contrasts this to the approaches taken by Prime Minister Berlusconi in Italy, who announced the "privatisation of public employment", and in The Netherlands, where changes were presented as the "normalisation" of public employment with private employment. Interestingly, both left-wing and right-wing governments seem to support the idea of bringing a substantive part of public employment more into line with the rules and conditions of private employment, thereby contributing to a convergence with the structures found in the Nordic countries and indicating that this issue is in fact rather depoliticised (Eymeri, 2006; Mangenot, 2004).

Lastly, EU law is also the origin of changes in the rules concerning the contracts of non-titular agents. In order to comply with the EC directive of 28 June 1999, concerning temporary labour agreements, a law was adopted in 2005 to the effect that, if a temporary contract gets renewed beyond six years, it is automatically turned into a permanent contract (Delamarre, 2008: 92).

7.2.2 Degree of centralisation

Central departments

The French central administration consists of all ministries and their services. The division of policy issues across ministries is not fixed: each government divides policy areas across departments based on its political priorities and the fit between ministers and groupings of policy issues. However, some ministries can be considered as relatively constant from government to government. These are the *Ministère de l'Économie et des Finances*, the *Ministère de l'Intérieur*, the *Ministère de la Justice*, the *Ministère de l'Education nationale*, the *Ministère de la Défense*, and the *Ministère des Affaires Etrangères et Européennes*

Political direction is provided by the minister and junior ministers assisted by the *cabinet* (see section 7.1.4 above), the members of which function as the channel between political leadership and the permanent civil service. Central departments are organised by multiple hierarchical levels. Each ministry consists of several *directions* or *directions genérales*, which may be responsible either for a specific policy issue or for a specific function. Stevens (2003) notes that, in the absence of a single senior civil servant who oversees or coordinates all the work of the ministry, the central departments can de facto be seen as confederations of functional units. Coordination between these units is then the responsibility of the *cabinet*. Nonetheless, a trend is observable towards the (re)creation of the position

of secretary-general in ministries, so as to improve intra-ministerial coordination and moderate the power of the *cabinets* (IR42; Mangenot, 2004).

Each direction is headed by a *directeur*, who is politically appointed by the President on the recommendation of the government. The President does not have to follow the government's advice, which – particularly in periods of *cohabitation* – could cause tensions within the executive. The *directions* are further divided into subdivisions whose heads are appointed according to the rules of the *Statut*. The lowest organisational level within the ministries is the *bureau*, headed by a *chef de bureau*.

State-owned enterprises

France has a long tradition of a relatively strong steering by the central state, with respect to both societal and economic life. State ownership of various industrial companies and utility enterprises has traditionally been seen as a way to help the economy develop and to ensure high-quality services to citizens. However, employees of state-owned companies traditionally do not fall under the *Statut*, so they fall outside the civil service in a formal-legal sense. While privatisation has been a common and steady theme in many Western democracies since the early 1980s, changes in French governments and their political orientation between 1980 and 1995 have continuously been accompanied by changing perspectives on state ownership of enterprises.

Privatisation in France can best be compared to a roller coaster ride. There has been great divergence in ideas and policies on this issue between the parties which have held power. Under the socialist government of 1981-1986, extensive nationalisations were effectuated, followed by a drastic reversal of this policy and the sell-off of a large number of public companies under Chirac's neo-liberal government (1986-1988). Wright reports that, during the relatively short Chirac government, nearly 300,000 industrial workers and 100,000 bank employees were transferred to the private sector (Wright, 1989: 105).

A left-wing coalition returned to power in 1988 and put an end to privatisation, only for it to be picked up again by the right when it regained power in 1993. In 1997, the left-wing Jospin government was installed, but this time privatisation processes were maintained despite the government's socialist tendencies.

Therefore, it can be concluded that economic considerations were not the only determinants of the governments' approach to state ownership; political developments within France mattered at least as much. The result has been an evident discontinuity in policy, but an overall significant fall in the public sector's share of the French labour force since the late 1970s (Steen et al., 2005; Pollitt and Bouckaert, 2004: 250). Still, with 712,000 employees in 2006, state-owned enterprises such as Electricité de France, SNCF, and AREVA are important employers in France.

What did these subsequent waves of nationalisation and privatisation mean for the position and role of the senior civil service? At first, nationalisation under Mitterand opened up career opportunities for the members of the *grands corps*. Later, when these companies were again privatised, the *grands corps* members were permitted to either stay in their top management jobs or continue to be on 'temporarily leave' from the civil service, given the permanence of their *grands corps* membership and the accepted practice of *pantouflage* between the civil service and the private sector (discussed below). In this sense, the nationalisation/privatisation rollercoaster ride expanded the *grands corps*' domain and further strengthened the personal ties between the political/administrative systems and private business, which reinforced the historically solid grounding of the senior civil service in French state and society.

The financial crisis that began in 2008 and the ensuing criticism of government policies that allowed markets to regulate themselves are likely to add another chapter to France's vacillation between privatisation and nationalisation. A new period of increased government interference with the market and even the (re-)nationalisation of private enterprises seems to have begun (The Economist, October 23, 2008).

Service delivery agencies

Etablissements Publics (EPs) are agencies under public law with administrative and budgetary autonomy but at arm's length from a ministry or subnational governmental body. EPs are in charge of delivering one or more precisely defined and specialist public service(s). Two categories of EPs can be distinguished: *Etablissements publics administratifs* and *Etablissements publics industriel et commerciel*, depending on whether their tasks is primarily public and administrative, or rather public and industrial or commercial. Examples of EPAs are the social security agencies, ANPE (national employment agency) and national museums; examples of EPICs are public transportation providers such as RATP and SNCF.

Regulatory bodies

In line with developments at the EU level and in various other member states, France has embarked on a course of regulatory governance since the late 1970s. The EU has promoted both regulatory policies (especially in moderately and highly integrated policy areas: Majone, 1996) and the concomitant regulatory bodies necessary to implement this type of governance.

Regulatory bodies in France are divided into those that regulate economic activities and those that protect citizens' rights. In both cases, regulation ensures that the government does not intervene directly in the given policy

field and that regulators enjoy a degree of independence from the political executive. Therefore, none of the regulatory bodies (*autorités administrative independents*, AAIs) reports politically under the hierarchical authority of one of the ministers. These regulators are intended to provide more impartiality to state market interventions, to allow a greater participation by a wider variety of actors (notably professionals from the concerned sector), and to ensure quick and flexible state intervention, tailored to the development and needs of the market (Delamarre, 2008: 41). Interestingly, the AAIs are designed to be institutions in which there is collegial decision making rather than hierarchical coordination. In this sense, the AAI model is a clear divergence from the traditional political-administrative model in France.

In 2007, there were 39 AAIS.[33] Citizens' rights-oriented AAIs include the French Ombudsman, the regulator for equal treatment by public institutions, child protection, and the privacy of personal data. Examples of regulators for specific economic sectors include the regulators of the financial markets, the audiovisual sector, civil aviation, the labour market and the electricity sector.

Regardless of whether the rise of the regulatory agencies can be attributed to European integration, one of its important outcomes is a more arm's length relationship between business and government in France. Schmidt concludes that regulatory governance has brought about greater openness and transparency in the application of the rules than was traditionally the case (2006: 124). For a further discussion, see section 7.4.3.

The field services

Besides the central ministry, a large part of France's administrative capacity lies with the departments' field services (*services exterieurs*; in 1992, *services déconcentrées*). These are the regional offices of the central administration. The field services of the various ministries are united in the prefecture which is headed by *préfet*. Until 1982, the prefect held direct supervisory authority (*tutelle*) over the budget of the local authorities. Field services and strong prefectures are a clear testimony to the strong presence of the central state in the regions and departments, in line with the Jacobin idea of the unitary and centralised state. They also illustrate the traditional suspicion of central powers regarding the potential for regional diversity, let alone autonomy.

The size and range of duties of the field services has increased substantially over the past decades. This process is called *déconcentration*, and it is important to stress the difference between *déconcentration* and decentralisation. *Déconcentration* implies the transfer of power and resources from the ministerial department to the field services. As Meininger put it: "the state still acts through its civil servants but the decisions are made closer to the citizens" (Meininger, 2000: 210). In contrast, decentralisation involves

the transfer of power and resources from the state administration to autonomous local authorities, which have their own elected political leadership and are subject to only limited judicial review and control by national government. Whereas *déconcentration* is merely an administrative shift away from the centre, decentralisation is also a political transfer of power and authority.

In order to increase policy coordination at the deconcentrated level, competencies which have been devolved to the prefects and field services include autonomy in personnel management, in budget management, and in making administrative decisions (Albertini, 1998).

7.3   A Weberian bureaucratic staff?

7.3.1   Hierarchy

Hierarchy and the senior civil service

As the previous sections have shown, hierarchy is in many ways the primary organising principle within the French civil service system. Hierarchy denotes an organisational ordering in which each unit or individual within the system has its place in the vertical structure of the whole, i.e. every role reports to a superior and is reported to by a subordinate, and all individuals are aware of where they find themselves within the hierarchical order. Hierarchy implies the obligation to obey orders from one's superior; it also means predictability and above all protection for the subordinate against the abuse of power by his superior. This idea of protection and regulation is guaranteed by the fact that each superior is in turn linked to another superior in the chain of hierarchical positions. Hierarchy thus plays a dual role for the power of senior civil servants. On the one hand, the stronger the hierarchy, the more their power is limited, since they have to report to and obey their own superiors (Page, 1992). This aspect refers to the power position of the senior civil service in relation to the lower ranks of the administrative apparatus. On the other hand, political leadership may prefer a relaxation of hierarchy right at the top of the administrative apparatus, for instance by means of a *cabinet ministeriel*.

The *cabinets* form a crucial structural feature of the system which clearly detracts from the formal hierarchy at the top of the bureaucracy. Placing a group of personal and political confidants of the minister at the top of the ministerial organisation reduces the degree of control which regular senior civil servants can exert on the bureaucratic organisation as a whole. In absence of such *cabinets*, the senior civil servants would be much more powerful and the minister would be less capable of steering the administrative apparatus. The elaboration of the *cabinets ministeriels* – both in terms of size and role – that has taken place in France over the past

decades is one means by which the political leadership has attempted to break the power of regular senior civil servants based on their position at the top of the hierarchical chain (Van der Meer, 2002). Nonetheless, the effectiveness of this approach should be viewed with a considerable degree of nuance, given that the people who populate the *cabinets* are to a large extent the same people who populate the senior civil service (Rouban, 1999; Bezès and Le Lidec, 2007). In this sense, using *cabinets* as a way to break the power of the senior civil servants has also created a new group of politically involved strategic mandarins, who switch repeatedly from a *cabinet* position to the permanent top civil service and vice versa (Rouban, 2004).

Having said that, in the French civil service system, formal internal control is to a large extent exerted by means of hierarchy. That is, every hierarchical superior can change or annul a decision or action taken by their subordinates, as long as that decision or action is either unlawful or inappropriate in the eyes of the superior.

The relations within and across *corps* are also based on hierarchy. However, this hierarchy between *corps* is not legally established but is derived from the relative prestige each *corps* enjoys within the administrative system and within society as a whole. The group of *grands corps* is therefore not a legally formulated group, but more a social construct. Similarly, the group of civil servants who can be considered as the senior civil service (*hautes fonctionnaires*) is not demarcated in any precise sense. The notion of the senior civil service as apart from the rest of the civil service is a social rather than a legal notion. Rouban (1999) defines the category of senior civil servants as those civil servants who are the privileged partners of political leaders *and* who participate in government decision making. These civil servants are the senior managers of the national administration, which excludes the top civil servants at subnational levels and *grands corps* members working at the European level or in the private sector.

Among *hautes fonctionnaires*, variation is particularly large in terms of career paths, prestige and professional culture. Three main subcategories are the *grands corps* members spread over different positions within central government[34], the directors of the central departments, and the managers of the deconcentrated services. This group consists of about 5,000 senior civil servants (DGAFP, 1999).

Dimensions of hierarchy

Within the group of senior civil servants, differences in hierarchy and prestige exist along three dimensions: *corps*, ministry and functional polyvalence. A senior civil servant's prestige is firstly determined by the hierarchical position of their *corps*. The *corps* that enjoy most prestige are the administrative *grands corps*, followed by the technical *grands corps* and lastly, the *corps des administrateurs civils*. Secondly, senior civil servants

may derive prestige from their organisation's position in the hierarchy of ministries. The Treasury Department is at the top of this hierarchy, whereas the Welfare and Human Services Ministry and the Labour Ministry are at the bottom. Lastly, individual prestige is determined by the degree of functional polyvalence, i.e. versatility or broadness of employability. Senior civil servants with a high polyvalence are those who are in demand for their generalist skills rather than their specialised skills. Generalist skills are held in higher esteem than professional specialisation, since French senior civil servants traditionally like to think of themselves as intellectuals rather than managers who practice specialised knowledge. Moreover, generalist senior civil servants can expect to be promoted more quickly than specialists, given their wider employability (Rouban, 1999)

Despite the pervasive presence of hierarchy and the idea of a distinct group of *haute fonctionnaires*, no government has ever formulated policy pertaining to such a group, largely because of the historical self-regulatory nature of the *corps*. The autonomy of the *grands corps* and the *corps des adminsitrateurs civils* is seen as the prerogative of the *hautes fonctionnaires*, and it is not easy for any politician to introduce a policy that would affect the privileges and power they exclusively enjoy. The privileges of the senior civil servant have been left relatively untouched partly because of the substantial representation of *hautes fonctionnaires* within the *cabinets* and the fact that 40% of members of parliament are themselves former *hautes fonctionnaires* (Rouban, 1999; Bezès and Le Lidec, 2007).

Still, attempts have been made to abolish the system by which new *École National d'Administration* (ENA) graduates are allocated to specific *corps*. Traditionally, all ENA students are ranked based on the results of their final exams, and the most prestigious *corps* can pick the best students. This system is the main pillar of the recruitment of the *grands corps*, and its abolition would imply a serious undermining of the *grands corps*' privileges. Former ENA graduates protested against the initiative, which failed (Eymeri, 2001). This can be explained in part by the powerful position of the *grands corps* and in part by the perceived incompatibility between modern ideas about human resource management (e.g. competency management) and the French *corps* system. Nonetheless, the fact that the reform was proposed implies that a rethinking of the prerogatives of the *grands corps* has its supporters, as does incrementally changing the generalist nature of the French senior civil service into a more specialist service.

One example of a reform that did succeed was the abolition of the large salary gap between *grands corps* members and *adminsitrateurs civils*. Although both groups share the same education (ENA), *grands corps* members used to receive a top-up of 20% on their salary just for being members of these *corps*. The financial top-up of *grands corps* members was abolished in the early 2000s. Nonetheless, part of this de-privileging may be

cancelled out by the recently introduced possibility of performance bonuses for senior civil servants (in 2003).[35]

All in all, hierarchy is still the primary organising principle within the French civil service system. A high position in the hierarchy remains a necessary and sufficient condition for bureaucratic power, albeit to a decreasing extent. Increasingly important conditions for exerting bureaucratic power in addition to hierarchy now include serving in a prestigious ministry, having political friendships which lead to participation in a ministerial *cabinet*, and having a strong professional network. It is therefore not surprising that senior civil servants spend a significant amount of their working time on networking and actively and carefully planning their careers. In this context, Rouban notes that "[c]areer management is an individual skill that distinguishes the good professional from the real senior civil servant" (1999: 71).

At the same time, Guyomarch argues that EU membership has impacted the traditional hierarchical culture within the French civil service. Common EU policy making and the scope to compare the organisation and functioning of the French civil service system against other EU member states have impacted the culture among French politicians and senior civil servants. The Single European Act and the European Monetary Union have made improving the effectiveness and efficiency of the public sector a strategic necessity. Interestingly in this context, the Juppé circular of 1995, which aimed at substantial administrative "modernisation", was almost a carbon copy of the Santer Commission's policy of that time (Guyomarch, 2001).

7.3.2   Recruitment and career

Three terms can summarise the traditional recruitment and career system of the French civil service: competitive entry, permanent career, and collective fragmentation. Competitive entry refers to the main recruitment method for French civil servants: passing the *concours* is the ticket to entering a *corps* and thus the civil service.

Permanent career signifies the dual idea of lifetime employment and the broad expectation that civil servants will develop a career within the service. Based on acquired experience and expertise, one moves up in the hierarchy of their *corps* and potentially to a *corps* higher up in the overall hierarchy, but only after passing that corps' *concours*. Lifetime employment implies that each civil servant is assured of his or her ability to work within the civil service until retirement. However, lifetime employment is fundamentally different from a job guarantee in which the individual is assured of being able to perform the same job in the same organisation at the same location until retirement. One enters the French civil service for a lifetime, but one changes jobs regularly as one's career advances.

Collective fragmentation connotes, firstly, the traditionally decentralised nature of personnel policy in the French civil service. Each *corps* is responsible for managing the careers of its own members (Bezès and Le Lidec, 2007). At the same time, personnel policies are extremely collectivist, largely because of the corporate structure of the civil service, which implies that more value is attached to internal equality and common identity than to individualist incentives to maximise performance.

While the above can be regarded as the traditional or theoretical features of the French civil service, the present-day reality is rather more nuanced. Firstly, European integration has challenged the rationale behind the competitive *concours* as the exclusive avenue for entering the civil service. Secondly, while permanence is still the norm in the French civil service, important qualifications need to be made. For example, the most important servants of any ministry, the *cabinet* members, do not enjoy permanence of appointment. This is unsurprising, given that they are not expected to be politically neutral with regard to either society or their minister. Moreover, while all non-titular civil servants fall outside of the *Statut* and are therefore not *fonctionnaires* in the formal-legal sense, a large number of non-statutory agents are employed on the basis of a fixed-term contract.

The permanent status of French public servants has been impacted by European integration in two quite contrary ways: firstly, the European Framework Agreement from the 1990s states that permanent contracts should cease to be the norm in labour relations across the board. Although a Framework Agreement is not legally binding, it has proved a strong document of reference for both employers' associations and trade unions. According to Rouban, this is how the EU has encouraged contract employment, including fixed-term employment, in the French civil service. Attempts by the Rocard government (1988-1991) to introduce new contractual arrangements for civil servants did not succeed because they were not supported by the senior civil service. From their perspective, non-titular and therefore non-statutory officials were seen as less trustworthy because the standard rights and obligations of the *Statut* do not apply to them. Senior civil servants felt it was inappropriate for non-statutory officials to be too involved in the daily conduct of official business, let alone in activities which require more responsibility, such as policy formulation or drafting longer-term strategies (Rouban, 2007).

Secondly, and conversely, EU directive 1999/70/EC has obliged the French government to limit temporary contracts for non-titular civil servant to a period of six years. Since the transposition of this Directive in 2005, a temporary official's contract will automatically be changed into a permanent contract once the official has been employed for more than six years. While this provision is seen as quite contrary to the French administrative tradition, this EU legal obligation in a real sense limits the scope for the French government to repeatedly renew officials' contracts and provides

agents contractuels with the prospect of secure employment (Delamarre, 2008).

Next to the role of EU legislation has played in the changes with respect to recruitment and career arrangements in the French national civil service, another factor has been the strong influence of the territorial civil service and its rules as a model for the civil service at the national level. While the territorial civil service in theory employs a career-based personnel system, at the management level, it is operated as a job-based civil service. The rules and methods of the territorial civil service have been a source of inspiration for the decision makers at the national level (see Jeannot, 2008). This indicates that pressure to change the traditional ways or organising the personnel system in the national civil service comes in different forms from different sides: binding requirements from the supranational level, voluntary inspiration from the territorial civil service.

All in all, the public labour market in France has become more flexible over the past decades and therefore more secure for its employees. To a large extent, these changes can be attributed to NPM-type ideas which were gradually accepted by the French decision-making elite. It appears that changes in the personnel system of the French civil service can only to a small part be attributed to European policy per se. Instead, many of the changes have to a certain extent been the result of international comparisons and exchanges facilitated by EU-level institutions and transnational cooperation between either the member states or national-level private organisations, such as employers' associations and trade unions.

Lastly, with respect to collective fragmentation, it can be observed that some parts of the traditional administrative structure are presently challenged by European integration. In terms of personnel policy, individualist principles have emerged next to collectivist principles, and the *Direction générale de l'administration et de la fonction publique* (DGAFP) at the central level has adopted a more proactive approach to a service-wide personnel policy.

Eymeri (2004) highlights that the main incompatibility between the French model and the neo-managerialist model is the difference in approach between collectivism and individualism. NPM seeks to maximise performance by means of individualist principles (in terms of recruitment, working conditions, placement, career paths, rewards and sanctions), while the traditional French system follows a corporate and therefore collective logic. The French model traditionally stresses security of employment and the impersonality of collective personnel management (predictability is inseparable from Weberian ideal-typical bureaucracy), whereas NPM emphasises flexibility/insecurity and the non-permanence of office in order to put pressure on individuals, which is supposed to increase motivation and performance. Interestingly, both logics have now begun to co-exist in the French public service.

Moreover, whereas the responsibility for personnel policy has traditionally rested to a large extent with the *corps*, several developments can be noted in this area. In one sense, personnel policy has become more unified, given the widening and deepening of DGAFP's approach at the central level. DGAFP's role used to be limited to advising *corps* and organisations on budgetary and law-based management, a more typical human resources management approach has now been adopted. DGAFP now endeavours to spread a more human resources perspective in the various organisations, including the use of a clear horizontal component: identifying good practices and disseminating them throughout the civil service. Moreover, DGAFP has been important given its role in the European Public Administration Network (EUPAN), administered by the European Institute for Public Administration in Maastricht. In this network, DGAFP has participated on behalf of the French state in order to exchange views, challenges, and best practices in the field of civil service personnel management policies (Bezès, 2009; Mangenot, 2005).

However, the real effect of these endeavours seem to remain modest, especially given that since the absorption of the DGAFP within the new extensive *ministère du Budget, des Comptes publics et de la Réforme de l'État*, its autonomous role has somewhat weakened again.

On the other hand, the effectuation of the *Loi Organique Relative aux Lois de Finances* (*Lolf*, 2006) has led to a further departmentalisation of personnel policy, in the sense that ministries and agencies now enjoy greater budgetary autonomy. Administrative bodies have more freedom to decide what proportion of their budget is spent on policy programmes and what proportion is spent on personnel costs. This de facto entails a further decentralisation of recruitment and training competencies, although it is not to the *corps*-level but to the organisational level.

It is interesting to note that the slightly increased role of DGAFP can be interpreted as unifying, whereas the *Lolf* has a departmentalising effect. Both developments point to the fact that organisations, rather than *corps*, may become the primary focus for personnel policy.

Recruitment mode

Recruitment and training for French titular civil servants is based on the tripartite principle of *concours-école-statut*. That is, access is obtained by passing the competitive examination; training is provided at one of the administrative or technical *écoles*; and one's hierarchical and legal position is guaranteed by the *statut*. This section discusses the traditional structure and recent tensions around it and changes to it.

Recruitment through competitive examinations serves a twofold purpose: firstly, it guarantees the equal opportunity of each French citizen to be part of the highly esteemed service of the state. Secondly, it serves to select the highest qualified people to run the administration. The main type of *con-*

cours is a truly open competition (*concours externe*) in which anyone can participate, provided they have the right level of educational qualification required by the type of job (university level for grade A, secondary school level for grade B and mid-secondary school level for grade C). This type of *concours* is intended for people at the very beginning of their career. A second type of *concours* is the so-called *concours interne* and is open to people who have been civil servants for some time and have reached a certain level of seniority within their *corps*. In order to progress in their career, they take an internal *concours* to enter a *corps* of a higher grade or higher prestige. Thirdly, there is the *troisième voie*, which is open to candidates with professional experience outside the public administration. Third-track candidates may be working in the private sector, in elected bodies, with NGOs or social groups. However, there is no third track for getting into the technical administrative *corps*. Candidates must go through the *École Politechnique*, which only offers a *concours externe* and a *concours interne*.

In principle, *concours* are organised by the specialised *corps* except in the case of generalist administrative schools, such as ENA and the *Instituts Régionaux d'Administration*, which do not train their students for one particular *corps* and are under the direct control of the *Direction générale de l'administration et de la fonction publique* (see below). In those cases, the school itself organises the *concours*. The number of people passing the *concours* is determined by the demand of the ministries. The ministries are relatively independent in terms of their staffing practices, so they annually inform the organisers of the *concours* about the number of new recruits they will accept. After the *concours* is taken, all candidates are ranked according to their score. Naturally, only the top performers are admitted to the *corps* or to the school.

Successful candidates of the *concours* are directly admitted to the corresponding *corps*. From that moment on, they are legally civil servants and accordingly receive a salary. After entering the *corps*, the new recruit usually receives specialised training at the specific state school that is connected to the *corps*. This system of *écoles administratives* is one of the particular features of the French civil service. There are 37 of these administrative schools, of considerably varying prestige. Next to the generalist schools (ENA and IRA), there is a multitude of specialist schools, such as the School for Magistrates in Bordeaux, the National School for Public Health for hospital directors in Rennes, the National School for Prison Staff, the National School for Customs, and the National School for Veterinary Services (Meininger, 2000).

As has been discussed above, the *concours-école-statut* trinity is under pressure due to the opening up of civil service jobs to non-French EU citizens. While this pressure is the result of EU-level policy formulation, this type of Europeanisation cannot easily be squared with the misfit/adaptation

pressure approach discussed above. After all, the recruitment method of the European Commission was itself inspired by the French competitive examination system. Interestingly, the Commission adopted the French method of recruiting and selecting its civil service staff, whereas EU-level policy is now arguably making the *concours*-method of entry selection into parts of the French civil service increasingly unsustainable.

Intergovernmental mobility

It is difficult to approach the issue of mobility in the French civil service in general terms, for the degree and mechanisms of civil service mobility differ substantially between the senior civil service and the mainstream civil service. Other things being equal, mobility for senior civil servants is much more common and extensive than for mainstream *fonctionnaires* (Eymeri and Pavillard, 1997: 87).

Intergovernmental mobility, i.e. the mobility of civil servants between different layers of government, is quite rare in the mainstream French civil service. This is largely because the state and the subnational civil services are separate from each other and, with the exception of the senior civil service, mobility can in principle only take place within a *corps*. *Corps* do not extend beyond the boundaries of one of the civil services (i.e. the state, health care or territorial civil service), so the *corps* structure inhibits any real form of intergovernmental mobility for the mainstream civil service. Working for the deconcentrated services would be one way in which mainstream civil servants could move into jobs in the regions, but as the deconcentrated services are formally an integral part of the central administration, it would be problematic to label this as intergovernmental mobility.

The picture for the senior civil service is quite different, since *hautes fonctionnaires* can take on positions in any part of the public service – or beyond it – without having to leave the security and privileges of their *corps* membership behind. Thus, at the senior level the *corps* system plays much less of an inhibiting role. Still, the decentralisation processes of the 1990s reduced the number of senior civil service positions at the central level of government. Also, deconcentration in the 1990s helped to diversify career options for senior civil servants: it opened additional possibilities to take on high-level positions in the regions while formally remaining within the civil service of the central state.

The development of the European level of government has also further diversified the career options of senior civil servants. A temporary position with the French permanent representation, or as a seconded national expert within one of the Commission's directorates-general or services, is seen as way to gain experience and to increase one's polyvalence and therefore future career opportunities. In a way, the EU can be seen as an add-on to the existing practice of *pantouflage* among senior civil servants. Instead of taking a detour to the private sector, *hautes fonctionnaires* may take a detour

to Brussels (IR48). This traditional flexibility and mobility of the French civil service is arguably an advantage in terms of the Europeanisation of the senior civil service, since going to Brussels and learning the EU-level style of politics and administration fits neatly with the existing practice of *pantouflage* and interdepartmental secondments.

Interdepartmental mobility

With respect to interdepartmental mobility, the same difference holds between the senior civil service and the mainstream civil service. The degree to which cross-ministerial mobility is feasible for an individual civil servant depends on the degree of specialisation of his or her *corps*. The more specialist the *corps*, the fewer options a civil servant has to move to another ministry or policy field. The reverse is also true: the more generalist the *corps*, such as the administrative *grands corps*, the wider scope a civil servant has to change jobs (together with a wider range of potential other ministries to access) (Rouban, 1999). The latter applies in particular to the *corps des administrateurs civils*, one of the most generalist *corps* and administered by the *ministère de la Fonction Public*, whose members can be deployed in a wide range of ministries. Cross-ministerial mobility is now identified as an explicit government priority. A draft law, which was expected to be enacted by the end of 2008, is aimed to facilitate secondments, being temporary mobility between departments and also between the national administration and the European institutions. In a secondment, civil servants are 'on loan' to another organisation while still being paid by their home organisation. The reform will introduce financial compensation for the seconding home organisation, so that the financial barrier on the part of individual organisations for temporal mobility is removed (DGAFP, 2008).

Since the early 2000s, DGAFP itself has also worked towards facilitating interdepartmental mobility for all of the state civil service. One important development is the creation of the *Répertoire interministériel des métiers de l'État*, which is a listing of 230 *metiers* (jobs or positions) collectively drafted by representatives of the ministries and trade unions. The *repertoire* aims to identify the necessary competencies for the civil service in a language that is shared by all ministries (DGAFP, 2008), not least in order to promote interdepartmental mobility. Although the DGAFP stresses that this identification of jobs and the required competencies does not aim to take anything away from the principle of separation between grade and job that characterises the French career civil service, it may well be interpreted as the onset to a slow shift from a grade system to a job system.

Mobility in the nature of the job

To what extent can French civil servants move into a position that holds very different types of activities than the one for which they were origin-

ally admitted? The answer here is twofold. On the one hand, the *corps* structure allows civil servants to easily move between organisations at the state level which deal with the issues related to their *corps*. For example, moving between the central department to an *établissement public* or vice versa, or from the central department to one of the *services deconcentrees,* is rather easy and therefore common.

For this type of horizontal mobility, the *corps* structure appears to be a facilitating rather than a constraining factor, given that *corps* members possess expertise in a specific field and can, due to the focus on *corps* rather than grade, easily move to another organisation that requires their expertise and effort. The processes of decentralisation and deconcentration have thus helped to expand the possibilities for state civil servants (especially senior civil servants) to continue their careers in other parts of the state civil service or the subnational civil service, respectively, since the early 1980s (Bezès and Le Lidec, 2007; Contet, 2000).

While the *corps* structure facilitates this kind of mobility, at the same time it has clear limitations, notably in the sense that a member of a *corps* is restricted to performing one type of job. While secondment procedures are one instrument to promote mobility despite the constraints of the *corps*, a (partial) shift from a *corps* system to a job system would open even greater possibilities for horizontal mobility within one organisation. Currently ideas are being developed within the DGAFP to tentatively move in this direction.

Mobility with the private sector

One of the key features of the French political-administrative system is the integrated nature of the political, administrative and business elites. This integration is sustained, in part, by a large degree of mobility among the top echelons of the public and private sectors. At the core of this type of mobility is the practice of *pantouflage*: the possibility for senior civil servants to temporarily leave the civil service for the private sector, while membership of their corps continues and their privileges are preserved, including the guaranteed possibility to return to the civil service. In this sense, the *grands corps* functions as a safety net for those who try their luck in the private sector. The rationale behind this system is that membership of a *grands corps* is connected to the person, not the job the person is fulfilling. At any given moment, around 40% of the members of the administrative *grands corps* fulfil positions outside of their own *corps* (Rouban, 2007; Stevens, 2003).

The practice can be understood historically by the strongly interventionist nature of the French central administration, which created close linkages between the top echelons of the civil service and large commercial and industrial businesses. Since the early 1980s, the practice of *pantouflage* has developed in several ways. It has become more extensive; the traditionally

circular nature of *pantouflage* has become a one-way path from the public to the private sector; and finally, it has become more regulated.

Firstly, growth in the practice of *pantouflage* is illustrated by the rise of ENA graduates employed in either public or private enterprise as opposed to the civil service. In 1975, a little more than 10% of *Énarques* were employed in enterprise; in 1997, this figure had risen to 20% (Sadran, 1997: 131). Moreover, whereas in the 1960s 14% of the members of the *Inspection générale des finances* chose a career in the private sector, this figure rose to almost 50% in the 1990s (Rouban, 2002); and whereas in 1965 26% of *administrateurs civils* had worked in private business within 15 years of leaving the ENA, this had increased to 64% by 1988. The wide presence of *Énarques* is further demonstrated by the fact that in 2002, 30% of the top 400 private French companies were headed by members of the *Inspection générale des finances* (Rouban, 2007). The extension of *pantouflage* since 1980 is partly explained by the nationalisation and subsequent privatisation of a number of industries. The nationalisations carried out by the first Mitterand government offered many *grands corps* members and *administrateurs* the chance to move into leading positions in the new state-owned enterprises, notably in banking, insurance and industry. When many of these companies were privatised after 1986, the practice of *pantouflage* made it possible for the *grands corps* members and the *administrateurs civils* in particular to stay in office, and for even more to temporarily transfer to the private sector (Bauer and Danic, 1990). This is not to say that the *grands corps* members and the *administrateurs civils* will preserve this advantage for an indefinite time. In the long run, there will be fewer positions open to senior civil servants, since they may not be able to compete successfully with business people for top positions in the private sector.

Secondly, the circular character of *pantouflage*, whereby senior civil servants leave for the private sector and then return to the civil service, and perhaps repeat this at a later stage of their career, has eroded over the past decades. Substantially higher numbers of young senior civil servants leave the civil service now than in the 1960s and 1970s. This can partly explained by the notion held by young ambitious civil servants that, with a less interventionist government, a better career can be made in the private sector; it may also partly be because the education at ENA has become somewhat more managerial, preparing *Énarques* more for a career in business (Schmidt, 1997: 236). Moreover, the increased speed of promotions within the civil service as described above has caused some senior civil servants' careers to stagnate. The private sector is thus often used as an outlet for senior civil servants who have no room for growth with the civil service itself. Bezès and Le Lidec (2007) signal that, in fact, the government is using *pantouflage* as a valve on an overpopulated senior civil service. In one sense, this may suggest the public use of private jobs which, interestingly, is the reverse of the Weberian concern over bureaucratic be-

haviour; but in another sense, it suggests that the public sector may become dependent on the private sector to give superfluous *grands corps* members a soft landing. Rouban (2007) presents an alternative trend, finding that managers from the private sector are seeking to join the civil service, presumably because of job security and a more favourable work-life balance.

Finally, the increase in the practice of *pantouflage* since the early 1980s has raised questions about the integrity of *grands corps* members and *administrateurs civils* who, in their capacity as civil servants, operated as administrative leaders of state-owned enterprises or were responsible for policy and budgets in certain economic sector, and then subsequently became CEO of one of the companies they had previously been supervising. As a result, in 1995, measures were taken to regulate this behaviour. Before *grands corps* members or *administrateurs civils* can leave the civil service for a private company, the authorisation of an independent ethics committee *(Commission de déontologie)* is required. The committee verifies that the applicant has not been involved as a civil servant in the same sector for the previous five years. By legislation to be enacted at the end of 2008, the original *déontologie* system will be altered with the explicit aim of encouraging mobility. This law will reduce the period in which the applicant is not allowed to have worked in the same sector from five to three years, and the scope of the *déontologie* commissions will extended from titular civil servants to include contract agents and members of ministerial *cabinets*. The logic of including the last category is that the non-permanence of their appointment as *cabinet* members means they will need to take on a position of some standing following the termination of their *cabinet* membership. Thus, the new law relaxes the rules regarding outward mobility and at the same time widens the group to which the rules apply. Finally, the draft law provides for a new type of *pantouflage*, namely part-time *pantouflage*: civil servants wanting to start their own business or take over an existing private business can continue to work part time for the civil service (DGAFP, 2008). This implies a fundamental shift from the principle in the *Statut*, which says that each titular civil servant should have no other professional commitments besides their commitment to the *fonction publique*.

Vertical mobility

Making a career can involve vertical and horizontal mobility. Vertical mobility is determined by the organisation of civil servants into *corps*. As each *corps* is composed of multiple ranks, civil servants can move upward in their *corps* based on merit and seniority. However, when the ceiling of a *corps'* internal hierarchy is reached, the *corps* does not offer further options for upward mobility. In this sense, the *corps* structure forms a boundary in the vertical mobility arrangement, such that spectacular bottom-to-

top careers are very rare in France. The barrier of the *corps* can only be overcome by entering a higher *corps* through passing its internal competitive examination, the *concours interne*.

As laid down in the *Statut*, the vast majority of French state civil servants are promoted to a higher rank within their *corps* based on a combination of merit and seniority. Promotions beyond one's initial *corps* are also based on merit, since this involves another competitive examination. Nonetheless, a number of key posts in the French state administration are not necessarily filled on the exclusive basis of merit.

The first and largest group of officials for whom merit is not necessarily the main promotion criteria is the group of highest permanent civil servants, such as directors and secretary-generals in ministries and the ambassadors and *préfets* in the *services deconcentrées*. Their nominations are, according to article 25 part II of the *Statut*, at the discretion of the executive. There are about 540 positions in the French civil service that can be filled in this way (*Statut Général des Fonctionnaires*, 2007). Typically, these political appointees enjoy few guarantees in the job they perform, since a subsequent government can replace them with their own preferred appointees without giving a reason. It should be noted, however, that many top civil servants appointed in this way have survived in office through multiple changes in government, given their good performance or their friendly ties with the incoming governments.

The second category of non-merit appointment involves the *cabinet* members, who are appointed by the incumbent minister on the basis of either party-political or policy like-mindedness, or personal trust, but usually a combination of all of these factors.

Since the early 1980s, the number of horizontal and vertical movements for *grands corps* members has increased (Rouban, 1999, 2007; Bezès and Le Lidec, 2007). A number of factors explain this increase. Firstly, the many changes in government since 1981 (Rouban, 1999; 2007) have encouraged personnel changes at the top since, as just discussed, governments are entitled to make political appointments in the higher echelons of the civil service. The more frequently governments change, the more rotation there is in the top ranks of the senior civil service, where ministers are able to make discretionary appointments.

Secondly, movement has been stimulated by various changes in the organisation of the French public sector since the early 1980s. As previously discussed, France has experienced a wave of nationalisation, followed by privatisation, decentralisation and deconcentration and parallel to this, ongoing European integration. As a result of these developments, the number of available positions first increased (nationalisation) and then decreased (privatisation and decentralisation), and career paths have diversified (deconcentration, European integration) (Bezès and Le Lidec, 2007). One of the effects of the increase in horizontal and vertical mobility within the se-

nior civil service, combined with the decrease in available positions result-
ing from the transition to a market-led economy, has been a mobility bot-
tle-neck at the very top of the civil service (Prada, 1994; Schmidt, 1996b).
This has in turn led to greater movement of senior civil servants out of the
public sector (e.g. to newly privatised state-owned companies) and at the
same time to a relative stagnation in career development for senior civil
servants over the age of 45 (Rouban, 2007; Tenzer, 2004: 189).

7.3.3   Training and expertise

One important pillar of the French civil service structure is the idea that
new entrants, after they pass their *concours*, are trained and socialised into
their *corps* before they start performing their actual professional activities.
This system of post-entry education in one of the administrative and tech-
nical schools is the instrument by which not only technical and specific ex-
pertise and skills are acquired, but also provides for a degree of socialisa-
tion and identification with the *corps* on which the lifelong internal solidar-
ity and external representation rests.

The elite group who are educated in the prestigious ENA form to a cer-
tain degree an exception to this rule. Although they have to pass a highly
selective *concours* in order to enter the ENA, admittance to a *corps* only
takes place after the two-year curriculum has been completed. In this sense,
ENA is better seen as a pre-entry rather than a post-entry type of education.

ENA was established in 1945 explicitly in order to train and homogenise
an elite top civil service. In 1955 it became official government policy to
reserve the highest positions within the civil service for ENA graduates.
Since then, the large majority of administrative *grands corps* civil servants
have entered through the ENA.

The number of admissions per year has varied over the decades.
Whereas in the 1960s, 60 to 70 students were admitted per year, the intake
in the mid 1980s grew to 250 per year and then dropped back to about 100
per year in the early 2000s. The explanation for the decrease in admissions
in the late 1980s is two-fold: on the one hand, the government feared that
the ENA would lose some of its status and exclusivity; on the other hand, it
was a way of demonstrating that the government took its promise to reduce
the scope and role of the state seriously (Stevens, 2003; Bezès and Le Li-
dec, 2007).

The study programme at ena takes 27 months. It consists of a training
period at the school's headquarters (initially in Paris, now in Strasbourg;
see below), followed by traineeships in various parts of the French and
European administrations. In addition to the obligatory courses, for in-
stance in European Studies, regional and territorial administration and pub-
lic management, ENA students take specialisation courses in, for instance,

Economics, Finance, Law, International Relations or Social Science. Over recent years, the ENA curriculum has increasingly included teaching on accountancy, decision-making and leadership skills.

Entry to ENA is possible through the three different *concours* discussed above: the *concours externe*, the *concours interne* and the *troisième voie*. The number of civil servants participating in the *concours externe* has noticeably fluctuated since the 1990s. In the period 1995-1999, the annual number of candidates decreased by 30%. After 1999, it increased somewhat but did not reach the level of the early 1990s. Bezès and Le Lidec (2007) interpret this negative trend as a sign of the ENA's diminishing attractiveness to upper-class children, given that training at other *grands écoles* presently offers better opportunities for successful careers in the private sector.

Nonetheless, the establishment of the third track (*troisième voie*) in 1981 by the newly inaugurated Socialist government did extend the scope of potential ENA students. It gave access to the ENA to non-civil servants with working experience in politics and civil society. While the new entry mechanism was announced as a way to diversify the ENA's intake, it also had the effect of opening up the top civil service to Communist trade-union representatives, raising the question whether the reform was in intent and effect a measure to redemocratise or to politicise the entry into ENA. After a temporary abolishment of the *troisième voie* under Prime Minister Chirac, it was reinstalled during the 1990s due to continuous complaints about the elitism and lack of diversity among *Énarques* (Rouban, 1999). The ENA has been criticised almost since its inception for favouring upper and upper-middle class Parisian males and for providing a highly intellectually demanding education that nonetheless seems detached from social reality and essentially impractical (Stevens, 2003).

At the end of the training period at ENA, students take an exit *concours*. This *concours* serves to rank all students, based on which the most prestigious administrative *corps* (i.e. the *Conseil d'État, Cour des Comptes,* and *Inspecteurs des Finances*) will select their new intake group. Most ENA graduates who do not belong to the absolute top become *administrateurs civils*, which means that they become managers that can be assigned to a variety of ministries and organisations, or they become judges in the administrative courts (Eymeri, 2001).

France's membership to the EU has had a number of implications for ENA. Firstly, after the publication of the De Clausade report (1991) highlighting the problems in EU training for senior civil servants, a start was made during the Cresson government (1991-1992) to move part of ENA from its headquarters in Paris to Strasbourg (Guyomarch, 2001). This was done specifically to give the European aspects of public administration a greater emphasis in the ENA curriculum. Since then, gradually all of ENA has been transferred to its Strasbourg campus. Over the years, the attention in the ENA curriculum devoted to EU affairs has grown to 30%.

Secondly, in 1992, the French voted in a referendum to ratify the Maastricht Treaty. The result, known as the *petit oui*, was a 51% majority approval. This sparked debate within the French government, which resulted among other things in the creation of the Strasbourg Centre of European Studies (CEES), linked to the ENA (IR48). Its purpose is to improve European knowledge and skills throughout the French civil service. Moreover, its courses were from the beginning also open to private-sector actors and politicians of both national and subnational levels of government (Delamarre, 2008). Since 2007, the CEES has been an integral part of the ENA.

Thirdly, students of ENA are encouraged to spend one of their traineeships either with a European institution or with the central administration of one of the other EU member states. Guyomarch notes that this practice is not exclusive to the ENA but is also occurring in the *Instituts Régionaux Administratives* (Guyomarch, 2001).

Lastly, ENA can be considered to have Europeanised in terms of its student population. Although ENA had been training about 40 foreign students per year since the 1990s, a decree of March 2004 states that citizens of other EU member states can participate in the *concours externe* on an equal footing with French citizens, following EU law. Given that ENA students can justifiably be considered the future senior members of the national administration, by this decree the French top civil service has been de facto opened to foreigners (Bezès and Le Lidec, 2007).

Post-entry training

As pointed out above, the overwhelming majority of French civil servants receive elaborate training provided by their *corps* in one of the administrative or technical schools. This training system is distinctive in a number of ways. Firstly, the schools are not part of the mainstream system of universities, and the training is not awarded with a diploma or a degree. Secondly, the teaching staff consists of practitioners from the corresponding *corps*, who equip the students with a toolkit including much of the necessary knowledge and skills they may need for their future civil service career.

Above, the tension between the particular French way of organising access to the civil service and the requirements of EU law concerning the free movement of labour were discussed in terms of the legal position of civil servants. The consequential opening up of about 80% of the civil service to foreigners is expected to have a domino effect (Mangenot, 2004) and will not leave the tripartite principle of *concours-école-statut* untouched.

Following from EU law on the free movement of labour, any EU citizen can apply to those jobs in the civil service that do not involve the exercise of sovereignty or public authority. A first difficulty is of course to establish which jobs do and do not involve the exercise of sovereignty or public authority. As EU law is not precise on this matter, French law dictates that

each job must be evaluated on its own merits. Eymeri (2006) calls this development a "small revolution", because it implies a departure from the French traditional model and established routines: from now on, the civil service law provides that the individualized management of careers, from case to case, is possible and sometimes even necessary.

A second difficulty for a foreign applicant to the French civil service is the matter of qualification. French civil servants' qualifications are ensured by their *concours-école-statut* trajectory, but foreign applicants' qualifications do not fit into this structure, even though their diplomas and experience may make them equally or better qualified than a French applicant. Hence, there is an incompatibility between EU legislation concerning the equality of qualifications and diplomas and certain traditional recruitment methods employed by, and characteristic of, the French civil service system. For the time being, special committees are in charge of the evaluation of foreign diplomas and experience to judge whether an applicant can be admitted (Mangenot, 2004), so that foreigners can enter a civil service *corps* without having passed the regular *concours* or the specialized training. In other words, a special, individualised *concours* is created for direct access into a *corps* by foreigners. The domino effect is likely to manifest itself further in the sense that, in practice, this entails 'reverse discrimination', i.e. an inequality before the law which handicaps French citizens, since they cannot access civil service jobs other than through the *concours-école-statut* trajectory. This may lead to an amendment of the law granting qualified French citizens the same access as qualified foreigners. This could have a profound implication for civil service organisations. Whereas in the *concours-école-statut* system, recruits are normally in their twenties when they start and subsequently develop and finish their careers within the civil service, in the future situation people of various ages, experience and background could enter the organisation. This would imply a serious erosion of the structure of the *corps* in general and of its homogenising effect within the various parts of the civil service in particular.

One of the suggestions made by the solicitor-general of the ECJ to structurally remove the misfit between the French system of recruitment and training and that which the EU law envisages for its member states, is to transform the system of public training schools so that students could get a final degree which would allow them to enter a *concours* organised by the civil service. This would reorder the *concours-école-statut* trajectory to one of *école-concours-statut* and would remove the role of selector from the *corps*. Also, it raises the question of funding, given that students of the public training schools would no longer be paid civil servants, nor would there be a guarantee on the part of the schools that their students would serve in the public service after graduation.

Given the far-reaching consequences of such reforms and the corrosion of the underlying principles of the French civil service system, Eymeri

(2006) considers the disappearance of the French model of administrative schools within the near future to be entirely implausible. He foresees that the (otherwise much-criticised) horse-trading nature of EU decision making will rescue the French *concours-école-statut* principle: "Since most negotiations end in package deals between the Commission and the national authorities, the French authorities will probably find ways to leave the current system untouched" (Eymeri, 2006).

7.4   Containing the potential for official dominance

In this paragraph, the powers within the French political-administrative system to contain the potential for official dominance, will be examined, starting with collegial decision making and advisors to ministers (7.4.1), parliament (7.4.2), and regulators (7.4.3), followed by the judiciary (7.4.4.), interest groups (7.4.5), mass media (7.4.6), intergovernmental and supranational institutions (7.4.7), and subnational authorities (7.4.8).

7.4.1   Collegiality and advice

In France, governmental policy is usually not the product of lengthy deliberation within the Council of Ministers. Ministers are relatively autonomous in their areas of responsibility and use the meetings of the Council of Ministers as a forum for communicating with their counterparts about current issues and the decisions they have taken themselves, rather than as a platform to arrive at common decisions or to resolve disagreements (Machin, 1990; Stevens, 2006).

However, the degree of collegiality in governmental decision-making under the Fifth Republic has been subject to shifts (Page, 1992). The semi-presidential system implies that the Prime Minister needs both parliamentary support and presidential support. In the beginning of the Fifth Republic, there were two bodies that potentially exercised collegial executive authority: the Cabinet Council (the Prime Minister and Cabinet ministers but not the President) and the Council of Ministers (the Cabinet Council plus the President). Over the years, as the power of the President increased, the meetings of the Cabinet Council lost much of their importance and co-ordinating capacity (Andrews, 1981). It was not until the first period of *co-habitation* (1986-88) that the duality between the president and the cabinet returned, which was repeated in 1993-1995 and 1997-2002. The synchronisation of the parliamentary and presidential elections in 2005 makes instances of *cohabitation* in the future less likely, implying that the duality

within the French executive will be mitigated and governance will become more presidential. Presidential governance means a larger concentration of power within a single authority and makes collegial decision making in France even less likely.

Europeanisation and presidentialisation

European integration has contributed to the presidentialisation of governance in France in the sense that the President is the key actor at the European level rather than the Prime Minister. Until the 1980s, the French Prime Minister had no official function in European affairs, given that the EU was considered foreign policy and foreign policy is the domain of the President. Therefore, the President as head of state represented France in the European Council and not the Prime Minister as the head of government. Obviously, in periods of *cohabitation*, the division of competencies between the President and the Prime Minister becomes an issue of contestation. So, during the first *cohabitation* period under President Mitterrand, the Prime Minister and the President both attended European Council meetings. From that time onwards, Prime Ministers tried more actively, and often succeeded in influencing (if not determining) France's input in Council meetings and the outcome of those meetings (Balme and Woll, 2005). This development shows two things. Firstly, it illustrates how the French perception of EU policy as foreign policy has shifted to EU policy as national policy. Secondly, it shows how the semi-presidential political system in France created a distinctive dynamic in terms of the competency of European affairs, both within the political sphere and consequently in terms of the civil service divisions involved in European dossiers.

Still, the President, as the head of state, is the primary actor representing France in the meetings of the European Council. The increased importance of the European Council has therefore worked to the advantage of the President and not the Prime Minister. In this sense, European integration can be considered as a factor contributing to the centralisation of power within the executive, thereby decreasing the level of collegial decision making. In the absence of collegial decision making, the executive lacks one means of offsetting the inclination towards bureau-political conflicts between different parts of the civil service, which increases the power of civil servants. Therefore, in the case of France, European integration can be considered to have contributed to a decrease in collegial decision making and thereby to have increased the power of civil servants.

Ministerial cabinets and personal advisors

With respect to policy and strategic advice, in the case of France, the ministerial *cabinets* form a crucial institution. Moreover, ministers can appoint special personal advisors (*chargé de mission auprès du ministre*). Such advisors are seen as very influential, since they sit outside the departmental

hierarchy and are independent from the team of *cabinet* members (Stevens, 2003).

Cabinets can be viewed as political-administrative powerhouses in each of the ministries, as they form a bridge between the political and administrative spheres. Stevens describes the *cabinets* as flexible gangplanks between the solid and unmoving quay (the civil service) and the minister "who rises and falls upon the more shifting yet dynamic water of political life" (2003: 120). Much of the power of the *cabinets* and their members stems from their responsibility to communicate the political wishes of the minister to the policy specialists in the department. Moreover, *cabinets* form the central points of connection across the various ministries, which gives them a central role in interdepartmental coordination. The weekly meetings between the various *directeurs de cabinet* form a primary instrument for interdepartmental coordination (Rouban, 1999; Stevens, 2003).

While the size of *cabinets* can be regarded as one indicator of their importance, it is not easy to determine how large *cabinets* have been. *Cabinet* members are appointed based on their party-political denomination, their commitment to a specific policy programme, on personal connections to a minister, or a combination of the three. *Cabinets* therefore prioritise political and electoral considerations, as opposed to the technical administrative considerations on which the main divisions of the ministry focus. The purpose of the *cabinets* is therefore to support the minister in realising his or her political goals, and not to be neutral or impartial. Therefore, the use of *cabinets* can only be reconciled with the principle of a neutral and impartial civil service to the extent that their size is limited. Since governments seem to have a natural tendency to gradually extend the size of their *cabinets*, parliamentary groups (obviously predominantly those in opposition) have repeatedly made attempts to reduce them. Under the Raffarin government, official accounts pointed to a size varying from 12 to 18, but secretarial staff was not always included (Stevens, 2003). Also, it is possible to expand the size of a *cabinet* beyond its official size by adding unofficial members (i.e. legally permanent civil servants who are de facto members of a *cabinet*). In 1997, Bigaut therefore reckoned that, in reality, *cabinets* typically consisted of between 20 and 30 staff (Bigaut, 1997). Table 7.1 illustrates the overall growth in *cabinet* size over the period 1976-2007.

As was briefly stated in section 7.3.2, *cabinet* members can be attracted either from the permanent civil service or from outside of the civil service, including the private sector. The proportion of external *cabinet* members has fluctuated since the end of the 1970s. In the 1970s, about 80 to 90% of *cabinet* members were serving civil servants. When the Socialists came to power in 1981, this figure dropped to about 70%, because more *cabinet* members in this government came from trade unions or, for instance, journalism. After 1986, the proportion of external *cabinet* members returned to about 20%. The position of *directeur de cabinet* is virtually always fulfilled

by a serving civil servant (Fournier 1987; Bigaut, 1997). A considerable proportion of *cabinet* members are drawn from academia, but these fall within the group of *cabinet* members recruited from the permanent civil service, as academic staff are also *fonctionnaires* in France. *Cabinet* members can also be drawn from public enterprise or non-profit associations. Before the Jospin government, such organisations could second their staff to a minister's *cabinet*, and the seconding organisation would still pay the *cabinet* member's salary. Under the Jospin government this changed, because the construction was severely criticised. Currently, anyone who is externally attracted to a *cabinet* is therefore also paid by the government (Schrameck, 2001: 84-86).

Who qualifies for becoming a *cabinet* member? As inter-ministerial coordination is one of the important responsibilities of *cabinets*, a wide network within multiple ministries is an important asset for any *cabinet* member. As a result, *cabinet* members have traditionally been members of one of the *grands corps* (Stevens, 2001). *Grands corps* members are often close to ministers in both political and personal terms; they possess a wealth of procedural knowledge and have usually developed a good deal of strategic skills. For instance, the arts *cabinet* members should master include knowing when and when not to tell the minister that he or she is wrong; when and when not to negotiate with the unions; and who and who not to contact in order to take a decision (Rouban, 1999). Moreover, *grands corps* members have an advantage over outsiders who want to enter a *cabinet*, given that they enjoy a high level of status in the eyes of the permanent civil service, which is seen to facilitate their work as *cabinet* member.

However, since the end of the 1970s, the proportion of *grands corps* members in *cabinets* has decreased significantly, while the proportion of *administrateurs civils* in *cabinets* has increased. Rouban (1997) explains this development by pointing to the fact that *grands corps* members have become less keen on fulfilling politicised functions. Bezès and Le Lidec (2007) point to different explanations. Firstly, they argue, the relative decrease in the proportion of *grands corps* members is a direct result of the overall increase in the size of the *cabinets*, not a decrease in the number of *grands corps* members in those cabinets. Secondly, they point to the fact that *grands corps* members have lost part of their exclusive suitability to be *cabinet* members, because new constraints in the policy-making process have led ministers to seek advisors with different competences than their long-hailed generalism (Bezès and Le Lidec, 2007). So, instead of focussing on *grands corps* members, ministers have started to increasingly and deliberately appoint experts to their *cabinets* from outside of the *grands corps*: communication experts, army officials, magistrates, tax officials and police officials (see Sawicki and Mathiot, 1999). Experience in politics or para-politics is also a preference for entering a *cabinet*: in the period 1980

Government	Number of cabinet members (excluding unofficial members)	Indexed change (260=100)
Barre (1976-1981)	260	100
Mauroy (1981-1984)	514	198
Fabius (1984-1986)	539	207
Chirac (1986-1988)	450	173
Rocard (1988-1991)	600	231
Juppé (1995-1997)	372	143
Jospin (1997-2002)	575	221
De Villepin (2005-2007)	630	242

Table 7.1 *Total number of official Cabinet members (1976-2007). Source: Bottin Administratif (1980-2007).*

- 1996, roughly one-third of *cabinet* members had political experience through functions in a political party, a trade union or with a political think-tank (Rouban, 1998b: 178).

Fulfilling a position as a personal advisor or a *cabinet* member can have a highly positive impact on a senior civil servant's career. While normally someone who becomes a minister should at least previously have fulfilled some other elected political office, there have been examples of *cabinet* members who, without having had any executive political experience, have become a minister. Moreover, non-*grands corps* members can capitalise on their participation in a *cabinet*, since it can serve as a stepping-stone for a top position in a public agency or other high-profile organisation which is normally only open to *grands corps* members. Serving in a *cabinet* can also have a negative impact on a civil servant's career: if a minister has been weak or has had to make controversial choices during their period in office, it may be difficult for *cabinet* members to profit from their time in the *cabinet* in terms of career development (Rouban, 1999).

What is more, while fulfilling a position within a ministerial *cabinet* is often regarded as a temporary phase in a civil servant's career, the many government changes since 1980 have generated a group of civil servants for whom serving on a ministerial *cabinet* has become their primary professional activity, in the sense that they have spent a large part of their careers as members of *cabinets*, or in periods in which their party was in opposition as advisors to political or expert bodies, only to return into a *cabinet* once their party again returned to power. Rouban (2007) concludes that being a member of a *cabinet* can thus almost be seen as a genuine professional occupation.

Criticism of the cabinets

Parliamentary and societal criticism of the size, power and functioning of ministerial cabinets has been growing since the middle of the 1990s. As a result, proposals have been made to give the *cabinets* a more political role, and to remove their implicit policy and coordination roles, to ensure a clearer demarcation of responsibilities

Specifically, critics argue that the role of *cabinets* has allegedly become too large, their responsibilities too extensive, and that they have come to form a "parallel administration" (Lambert and Migaud, 2005). Instead of merely advising their ministers, as was their initial purpose, *cabinet* members have gradually taken on more tasks. For instance, *cabinet* members have increasingly become the favoured interlocutors for ministers, to the detriment of the permanent directors of the ministry, who traditionally fulfilled that function (Bezès and Le Lidec, 2007). In addition, members of a *cabinet* increasingly frequently attend inter-ministerial meetings as substitutes for their minister, leading to a situation in which political advisors become acting ministers and de facto take decisions on behalf of the government. Moreover, whereas *cabinet* members' interaction with the permanent civil service used to be limited to the division heads, they increasingly directly address heads of units within the permanent civil service, which can be interpreted as a pseudo-political invasion of the regular civil service. Reports on administrative reform therefore suggest that *cabinets* should again be confined to their political role (instead of also having implicit policy and coordination responsibilities) and that their functions and responsibilities should be more clearly demarcated (Stevens, 2003).

7.4.2   Parliament

The scrutinising powers of the French legislative over the executive have historically been weaker than in most other Western European countries. Particularly during the Fifth Republic, the power of the executive *vis-à-vis* the legislature seems to have increased (Stevens, 2003). Stevens reports that the degree of parliamentary enquiry regarding administrative behaviour is relatively limited, except in cases where an important public scandal is involved.

With respect to the interaction between parliament and the civil service, two things have to be noted. Firstly, and this is specific for the French case, the bulk of the interaction that takes place between parliamentarians and the departments is taken care of by the members of the ministerial *cabinets* rather than by permanent civil servants. *Cabinet* members prepare their minister's debates in parliament and prepare answers to parliamentary questions directed at the minister. Nonetheless, the importance of the role of the cabinets as a buffer between parliament and the civil service should

be viewed as institutional rather than real, given that most *cabinet* members are drawn from the permanent civil service and return to it after their minister's term ends. So, in terms of personal relations, the interaction between parliamentarians and senior civil servants close to the politicised sphere surrounding the minister is still quite well-developed.

Secondly, in terms of social homogeneity, French senior civil servants and parliamentarians have grown closer since the WWII. This can partly be understood by the elite education offered at ENA (created in 1946), since the high-level and generalist curriculum has attracted both aspiring politicians and aspiring senior civil servants. Another part can be understood from the facilitating effect of the *Statut*. Civil servants who wish to embark on a political career may run for a political office while serving as a civil servant, and if the civil servant manages to get elected, their administrative career will simply be put on hold, keeping the option open to return to the civil service after the expiration of their political term. Lastly, aspiring politicians may well decide to start their career in the civil service, because it allows them to learn the essence of governance and provides them with social prestige, which is helpful in getting their political career started (Gaxie, 1986: 78).

These advantageous conditions for civil servants wanting to enter political life are reflected in the number of political leaders who were senior civil servants before entering politics (Jacques Chirac, Lionel Jospin, Edouard Balladur and Laurent Fabius) and the proportion of civil servants among elected deputies in the *Assemblée*, which was 40% in 1997. However, this figure has to be nuanced somewhat. It is easy to overstate the proportion of civil servants in parliament given that, in France, teachers are included in these statistics, while in most other countries they are not regarded as civil servants in a strict sense and therefore fall outside such figures. In addition, Best and Gaxie (2000) as well as Bezès and Le Lidec (2007) report that the percentage of French civil-servant MPs has decreased since 1997.

The weakness of the French parliament *vis-à-vis* the executive was initially exacerbated by European integration, in the sense that French parliament was less involved than most of its European counterparts in the uploading of national preferences and the downloading of EU rules to the national context. During the 1980s, however, the parliament strengthened its position in the domain of EU affairs. It has become more involved and experienced in the transposition of EU directives and has successfully demanded faster and more elaborate information from the executive regarding their input and strategies in European Council decision-making processes (Balme and Woll, 2005).

At the same time, the position of the French parliament can be considered to have been strengthened by the enactment of the *Lolf* (see section 7.3 above). First of all, *Lolf* has made parliament's scrutinising power over

administrative organisations more transparent, since *Lolf* not only gives civil service organisations more direct responsibility and managerial and budgetary autonomy, but it also subjects those organisations to concrete evaluations instruments by Parliament.

In short, it is observed that the French parliament has traditionally been a rather weak force in terms of containing the potential for official dominance. In terms of its role in validating or ratifying legislation, French parliament initially lost considerable power to the executive as a result of European integration. Given the traditional dominance of the executive over the legislature, it was difficult to regain some of that power, but this was achieved in the early 1990s when the legislative became more involved in the domain of EU affairs. Also, in terms of budgetary control, the French parliament has somewhat amended its traditionally weak position via introducing the *Lolf*. Lastly, we can conclude that although Weber regards parliament as the primary training ground for political leadership, in France, the civil service itself functions as an important breeding space for political leaders. In this sense, parliament can only to a limited extent check the potential for official dominance through generating future political leaders, while at the same time the civil service may increasingly capitalise on being directed by political leaders who have been professionally and personally shaped by the civil service in the early years of their careers.

7.4.3   Regulators

In the absence of strong parliamentary scrutiny, internal control within the administrative system is well-developed, especially in those ministries that have their own *corps* of inspectors (the Ministry of Social Affairs; the Ministry of the Interior, Ministry of Defence, Ministry of Education and above all the Ministry of Finance, which is the home of the prestigious *Inspectorat des Finances*). The activity of inspecting is held in high esteem in France in general, and within the civil service in particular.

As internal controllers, the role of these inspectorates in containing the potential for official dominance is by its nature quite limited: after all, the members of inspectorates are officials themselves and work within the central ministries. For this reason, the inspectorates have also been criticised: their effectiveness is seen as being compromised because they advise rather than inspect. In this context, Delamarre (2008) observes that it is difficult to achieve strict control by an internal administrative body, since if the inspection is done by civil servants at the end of their career who know the field well, there is the risk of them being indulgent, while if the inspection is done by young civil servants, they may lack the experience and authority to be effective.

External control is largely the responsibility of the many *Autoritées Administratives Indépendantes* (AAIs). Most AAIs focus on one social or economic sector. The majority of the AAIs that exist today were established or re-established by parliament during the 1970s and 1980s. What makes these bodies external is the fact that they are outside of the ministerial hierarchy, which allows them to act independently and therefore more effectively in scrutinising administrative behaviour. A small number of AAIs are specifically aimed at checking the power of the civil service in the sense that they are responsible for protecting citizens against misuse of administrative power. Important examples are the *Commission nationale de l'informatique et des libertés* (CNIL), the *Médiateur de la République*, and the *Commission d'accès aux documents administratifs* (CADA).

The CNIL was created in 1978 and is in charge of the protection of citizens' personal data and their private lives. The *Médiateur* was created in 1973 and functions as an ombudsman. The *Médiateur* is not subordinate to any public authority and is appointed by the Council of Ministers for a non-renewable period of six years, so that his or her independence is guaranteed. The CADA was created in 1978, to increase the transparency of administrative action. Its independence is assured through its composition of eleven members: three judges (one member of the *Conseil d'État*, who is at the same time president of the *Commission*, one of the *Cour de Cassation*, and one of the *Cour des Comptes*), three elected politicians (one member of the *Assemblée*, one Senator and one member of a subnational government), one university professor, and four field experts.

Although each of these AAIs are politically independent in the sense that they do not fall under the political responsibility of the government, their true separation from the civil service is relative: they are part of the national civil service and are staffed with civil servants. Therefore, it is less appropriate to think of French regulators as institutions that can contain the potential for official dominance, since although they may scrutinise parts of the civil service, they are part and parcel of the civil service themselves.

Ministerial inspectorates as well as AAIs are also relevant for our purposes in terms of personnel management of the senior civil service. Inspectorates and AAIs function as outlets for senior civil servants who want to or have to move on from their organisations, either for younger or more competent colleagues or for new political appointees by an incoming government.

7.4.4   Judiciary

The French legal system is based on civil law, but jurisprudence plays an important and increasingly large role. There are two orders of courts: the judicial and the administrative orders. The judicial branch deals with crim-

inal law and resolves disputes between private actors. The administrative courts deal with cases between citizens and administrative bodies and among administrative bodies, as well as interpreting, managing and applying the *Statut*. Administrative courts are hierarchically ordered, starting with administrative tribunals, rising to administrative courts of appeal, and finishing with the *Conseil d'État*. The position of the *Conseil d'État* is complex, given the duality of its tasks: as the supreme administrative court it can quash any administrative decision, while it is also the highest legal advisory body to the government and to the President. In this capacity, it reviews drafts of laws and regulations before they are submitted to Parliament. The *Conseil d'État* is composed of senior jurists and its president is regarded as the foremost civil servant in France (Pollitt and Bouckaert, 2004; Lynn, 2006).

The other two important legal bodies are the *Cour de Cassation* (a college of judges who are presidential appointees) and the *Conseil Constitutionnel* (a college of nine judges: three presidential appointees, three appointees made by the president of the *Assemblée Nationale* and three appointees made by the president of the *Sénat*). The *Conseil Constitutionnel* is the guardian of constitutional principles and rules.

The degree to which these legal bodies can act as a restraint upon government officials appears to have increased over the past three decades. First of all, there has been a general increase in judicial activism and independence *vis-à-vis* the executive in both the judicial and administrative orders (Stevens, 2003). In this context, Wright has observed that since the early 1980s, prosecutors have dared to tackle politically sensitive cases, whereas in the past, the courts were generally less willing to run this risk (Wright, 2000: 95; 100).

Secondly, the positions of both the *Conseil d'État* and the *Conseil Constitutionnel* have strengthened since the 1970s. The *Conseil d'État* saw its role and prestige deteriorate in the 1960s and 1970s. This was in part the result of the *Conseil's* rigid regard of EU law as international law rather than law that has a profound impact in the domestic arena. In fact, it was not until the *Conseil* finally admitted the supremacy of EU law over French law in the *Nicolo* case in 1989 (Kessler, 1996) that its role in public policy was given a new impulse. According to Mangenot (2005), the reinvigoration of the *Conseil d'État* can be understood by the entrance of many civil servant lawyers to the *Conseil* in the late 1980s who had acquired wide experience within the European institutions, notably the ECJ. The *Conseil* adopted a much more EU-embracing attitude, which among other things resulted in a more jurisprudential working style, comparable to that of the ECJ (Bezès and Le Lidec, 2007). The *Conseil's* proactive approach to EU law and the incorporation of EU law into the domestic legal order has contributed to it regaining its central position within the French political and administrative sphere. Arguably, the EU has rescued the ancient *Conseil d'État*.

In a similar fashion, the role of the *Conseil Constitutionnel* has also increased since the 1970s. As the *Conseil Constitutionnel* is responsible for the interpretation of the fundamental meaning of the French constitution and the European Treaties, both the legislature and the executive are relatively dependent on it for successfully transforming their political agendas into laws and policies.

Lastly, the creation and subsequent empowerment of the ECJ itself is also a form of increased judicial power that acts as a check on the civil service. Since French citizens can use the ECJ to try to change or reverse national legislation, the binding rules of the ECJ and the anticipatory power that flows from it have become important factors in national policy-making and civil servants' administrative behaviour (IR45, IR54).

7.4.5   Interest groups

To what extent has public policy been negotiable in France? Has the negotiability changed over the past three decades? If so, how? And in what sense has the EU played a role in that?

In order to formulate an answer to these questions, we should first consider the Jacobin roots of France's state-society relations, in which democracy, equality and national unity are seen as preventing interest groups from influencing policy formulation and intermediaries from serving sectoral interests. As such, the beliefs upon which French state-society relations are built seem incompatible with the principle of organised interests, let alone with organised input from societal actors as is the norm in neo-corporatist countries such as The Netherlands and Germany.

Rather than finding consensus with societal actors in the policy-formulating stage, in France a pattern has emerged in which the interests of societal actors are accommodated in the implementation stage, which was possible thanks to the relatively large degree of administrative discretion granted to senior civil servants. In this way, the gap between centralised, statist policy making and various circumstances and interests across society could be bridged. In cases where attempts to bridge this gap have failed, confrontation has generally followed, creating a continuous possibility of strikes and other forms of social protest (Balme and Woll, 2005).

Nonetheless, the strong interconnections between the senior civil service and the leaders of the private sector have generated a distinct form of lobbying, which is called *lobbying a la française* and is best described as lobbying while trying hard to avoid the appearance of lobbying. The French elite school system enables captains of industry to get in touch with their former classmates in the relevant ministries or agencies relatively easily. Social interaction and exchanging current issues in each other's professional lives should then be enough to send the message across (Schmidt, 1996b; 2006).

While the traditional image of state-society relations in France has been that of Jacobin statism, at present the differences in the relations between French interest groups and the civil service and those in other Western European countries are not that large.[36] Still, the rhetoric regarding a centralised state that deals with each individual directly and equally, rather than with groupings or intermediaries, has largely remained intact (Schmidt, 2006: 130). While Schmidt partly attributes the difference between the traditional image of the state and the present-day reality to the inaccuracy of that traditional image, he also acknowledges the pragmatism among policy makers, who have realised that some degree of collective bargaining and consensual decision making enhances the efficiency and effectiveness of policy (Schmidt, 2006; Balme and Woll, 2006).

Another important factor in the shift in the relationship between the civil service and interest groups is related to European integration. Without some degree of consensus between state and societal actors, serving the national interest through uploading preferences into the EU's system of governance is a daunting task. In other words, national consensus is in many cases a pre-condition for access and influence at the EU level. Since the formulation of such national consensus is the responsibility of national senior civil servants, European integration strengthens their role as mediators within the domestic arena and thereby offsets the possible decrease in their own importance *vis-à-vis* societal actors (Rouban, 1999).

Another result of European integration for the relations between civil servants and interest groups has been a relative convergence between the policy positions of the major domestic actors, including the executive and the major interest groups. Arguably, the main cleavage has shifted from state vs. interest groups to "well-established interest groups" vs. "more radical organisations contesting the system" (Balme and Woll, 2006: 115).

Besides the need for civil servants and interest groups to work together more closely to ensure their mutual interests are served at the EU level, EU membership has also removed an historically important link between the French civil service and societal actors: the flexibility in the policy-implementation phase mentioned above. EU law and policies have expanded the level of regulatory governance and nourished a more legalistic approach to implementation, which does not allow the same level of administrative discretion as traditionally enjoyed by French civil servants. The end of this discretion regarding sectoral or individual interests has had a differential impact. While businesses and their representative associations seem to have adapted well and now target the EU-level institutions, other actors such as citizens' and small minority groups cannot so easily compensate for their lack of accommodation in the implementation phase. This will potentially lead to the disenfranchisement of certain social groups and may increase the confrontational encounters between these groups and the state (Schmidt, 2006).

One specific group Weber (1972) mentions in relation to the independence of the state in general and civil servants in particular, is that of business corporations. In France, the relationship between the civil service and large business has changed in particular over the past three decades. Firstly, as mentioned above, business and civil servants now try to reach common positions in order to influence EU policy making. Secondly, the EU's Single European Act and the internal market legislation that followed it in the late 1980s forced the French state to end its various forms of state aid to industry, which had been a part of mainstream government activity since the age of Minister Colbert (1619-1683). Examples of practices that were common in France but are now prohibited by the EU are preferential public procurement, soft loans, state subsides, and tax concessions (Guyomarch, 2001). The creation of the internal market ended France's freedom to have its own industrial policy, and also to control prices. In 1987, the Ministry of Finance estimated that the internal market made an entire division of tenured civil servants in the Ministry of Finance redundant, as well as up to 4,000 customs officials across the country (Guyomarch, 2001).

Thirdly, in spite of the general decrease in *dirigisme* on the part of the French state in its industries, the various waves of nationalisation and privatisation that occurred in France since the late 1970s increased the already relatively high presence of senior civil servants in French industrial and other corporations (see section 7.3.2). All in all, the picture that emerges is nuanced: European integration seems to have increased the negotiability of policy in the policy-making stage, while it has decreased in the policy implementation state where accommodation traditionally took place. Also, since the government can no longer pursue its own industrial policies, senior civil servants have gratefully assumed the role of mediators in formulating the national position for the EU arenas. Moreover, Europeanisation has not eroded the traditional French interconnectedness between civil service and business elites.

7.4.6   Mass media

While the mass media can potentially provide tough scrutiny to contain the power of a civil service, this does not seem to be the case in France. The French press is not particularly investigative in relation to the government and civil servants, with the exceptions of the daily newspaper *Le Monde* and the weekly *Le Canard Echainée*. While things appear to be changing in recent years (IR45, IR49, IR54), compared to most Anglo-Saxon countries, television and newspaper interviews with ministers or other political figures are friendly and deferential in France (Stevens, 2003). Although there is a separation between the public broadcasting corporation and the government itself, it is noteworthy that the media regulator remains on

good terms with government. Harrison observed this in 1993, but there are few signs that much has changed since the respective assumptions of power by Chirac and Sarkozy (1993).

In addition, a unique feature of the French system is the role the ministerial *cabinets* play as buffer zones between the media on the one hand, and the minister and the permanent civil service on the other. The *cabinet* is responsible for creating and maintaining a favourable image of its minister in the media, and of shielding the permanent civil service from inappropriate media attention. Since contacts with the press are concentrated within the *cabinet*, it is easier to coordinate consistent flows of information, and at the same time an erosion of anonymity (as can be observed in Britain and The Netherlands) can be avoided. In this sense, the *cabinet* system unexpectedly serves the Weberian bureaucratic model: while *cabinets* may blur the division between political and administrative activities that Weber defended, at the same time they may protect the civil service from risks involved in the exposure to media attention as has happened in countries that do not have ministerial *cabinets*.

7.4.7   Intergovernmental and supranational institutions

The development of intergovernmental and supranational institutions after the Second World War in general, and the consolidation of the European Union from the early 1980s onwards in particular, have impacted the French civil service in a number of ways. Firstly, in terms of power position and influence in the policy process, the development of intergovernmental and supranational organisations has presented both challenges and opportunities. Secondly, under the influence of European integration, the traditional French policy-making style appears to have shifted somewhat from political-hierarchical to technical-legal. Thirdly, additional structures have emerged in order to coordinate (a) the national and departmental preference formulation and the uploading thereof; and (b) the downloading and implementation of European rules. Fourthly, the development of intergovernmental and supranational institutions has been accompanied by more intense and formal interactions with colleagues from other countries, including at the level of those in charge of managing the public sector. New ideas about organising the public sector are being exchanged and (partially) adopted by participating decision-makers. Lastly, the development of intergovernmental and supranational institutions has had implications for the career paths of civil servants, in the sense that it has opened up additional avenues to pursue a bureaucratic career. Each of these implications will be discussed in what follows.

Dual effects on the power of civil servants

In a most direct sense, the emergence and extension of global and European institutions have led to a decrease in the power of national civil servants, given the sometimes whole, but usually partial, transfer of competencies to the European or global level. This applies to the EU in particular, where European integration challenges not only the state's central role in domestic policy, but also the central role of the state's civil servants in domestic policy. The binding and steering nature of the EU's legislation and policies curtail the autonomy of national-level civil servants in shaping their society, and thus reduce the potential for national civil servants to come to dominate political life in the sense Weber described (Albert-Rouhad, 1998; Siné, 2006). In this context, Bezès and Le Lidec (2007) observe that European integration has to a considerable extent contributed to the fact that national senior civil servants no longer make the rules, but have rather become central mediators between the different actors in the system of multi-level governance. As a consequence, they argue, the European dimension of the policy process has strongly reduced the substantive role of the senior civil service.

However, this is only part of the story. The loss of power is at least partially compensated by the ability of French civil servants to co-build the new Europe, not only in terms of its institutions and its policies, but also because they perform a pivotal role in the aggregation and articulation of national preferences in the uploading stage, and in processing EU rules in the downloading stage.

Moreover, France is especially interesting because its senior civil service has quietly been able to fit the developing EU institutions into its elitist corporate structure and modes of operating. Since temporary detachments to other ministries, other sectors or other types of organisations have been common practice among the members of the higher *corps* in the French civil service, the shift to EU-related activities in Paris and temporary postings with the Commission, the Council secretariat, the ECJ or other institutions has been a matter of course. Indeed, it has created a sort of European club within the top layers of the French civil service, just as there is an education club, a financial club, and an agricultural club. This European club can be understood as an informal network of about 1,000 members of the upper *corps*, consisting of senior civil servants who presently hold or in the past held positions (a) within the Commission or other EU institutions, (b) at the French permanent representation to the EU in Brussels, (c) at European and international divisions within ministries and agencies, (d) with private sector organisations with a clear European interest, or (e) at ENA, where EU-related research and education is provided to the senior civil service (IR48). In short, the specific, traditional structure of the French senior civil service facilitated the incorporation of the EU and EU-related activities as business as usual within the

French civil service. This point is further illustrated by Rouban, stating that:

> *"[e]ven European integration, which may seem opposed to statist-minded people, was an opportunity to renew [senior civil servants'] power and to play on their favourite ground of institutional engineering. Europe is not a matter of concern for the members of the grands corps who can easily exploit their legal or financial expertise, as it is a real new professional resource for the managers of central ministries who at last negotiate successfully with pressure groups and industry representatives." (1999: 88)*

Secondly, as was already discussed in section 7.1, a misfit can be detected between the tone and style of public decision making in France and that of EU decision making. In France, important decisions are traditionally politically arbitrated, for instance by the Prime Minister. In such a system, political considerations are ultimately decisive, whereas in the Brussels decision-making structures, a consensus is normally negotiated based on a collegial weighing of interests, power and the ability to convince based on technical evidence rather than political arguments. Pascal Lamy signalled in 1992 that this misfit caused great difficulty to adapt to on the part of French officials (cited in Muller, 1992: 23). Similarly, Rouban (2007) notes that, by 2007, the work of senior civil servants had become more technical and juridical in nature, due to adapting to the style of decision making at the EU level and the application of EU directives at the national level.

Additional coordination mechanisms

European integration has further advanced the need to coordinate the activities of various actors and organisations within the French civil service. This involves both the *inter*-departmental and the *intra*-departmental coordination of EU affairs.

Interdepartmental coordination in France has been the responsibility of an administrative organ that was in fact created to coordinate another form of international cooperation, namely the Marshall Aid programme, the *Sécretariat général du comité interministériel*. A separate organ was needed to deal with the distribution of the Marshall Aid within the French government because of a high degree of conflict between the Minister of Foreign Affairs and the Minister of Finance over who was competent in what areas.

The SGCI was recently renamed the SGAE (*Secretariat General des Affaires Européennes*). Its purpose is to ensure a common French position in EU-related affairs so that French action in Europe can be maximally effective (Circular of the Prime Minister, March 21, 1994), and to coordinate the transposition of EU directives into national legislation. The SGCI/SGAE

is a directorate which falls directly under the Prime Minister and currently employs about 160 civil servants. In its internal organisation, the SGCI/SGAE mirrors the major ministries and policy sectors. Its secretary-general is also a member of the Prime Minister's *cabinet,* which guarantees direct access to the political centre and thus adds to the importance of the organ. Commission proposals are sent to the SGCI/SGAE, which informs the relevant ministries. The individual ministries formulate their positions concerning the proposal, and these positions form the input of a series of interdepartmental meetings at which a joint French position is attempted to be reached. If this is not achieved, the issue is concluded at the interministerial level, if necessary with intervention by the Prime Minister. Formally, the SGCI/SGAE is exclusively competent to instruct the Permanent Representation about the outcome of the national position (Balme and Woll, 2005). Thus, unity and coordination is formally guaranteed by means of a funnel-shaped model, of which the SGCI/SGAE forms the narrow middle part. Menon argues that the consistent position of Paris as one of the prime shapers of the integration process is explained by its effectiveness with respect to national coordination (2000: 98), since it is centralised and responsibilities are clearly divided.

A few qualifying comments are appropriate. Firstly, while the SGCI/SGAE may formally be the exclusive instructor of the Permanent Representation, there exists a fully-fledged informal circuit between the Permanent Representation and the respective ministries, which is facilitated by the high density of network relations characteristic of the *corps* system (IR48). Moreover, while it is true that France has, in numerous respects, been a crucial actor in the process of European integration, it is questionable to what extent this can be attributed to its centralised hierarchical national coordination structure. As this type of coordination may also lead to delays and rigidity, it could also be argued that France has been a key player in the integration process *despite* its centralised system of interdepartmental coordination. Menon's (2000) evaluation of the French coordination system as consistently effective must also be nuanced by the comparative studies from the late 1980s, which showed that France was one of the weakest performers in the implementation of EU legislation (Siedentopf and Ziller 1988; Guyomarch, 2001).

At the *intradepartmental* level, each of the ministries has had to adapt their structure to a greater or lesser extent to accommodate interaction with the EU (with the only exception of the Department for War Veterans). This has been done either by creating a *Direction des Affaires Internationales* within the ministry or by widening its competencies, if such a directorate already existed; alternatively, some ministries have set up small specialist EU units within each of their policy directorates (see Menon, 2000; Lequesne, 1993; Potocki, 1992). Moreover, as the *cabinets ministeriels* are at the heart of policy coordination in general, they are also the key actors

when it comes to the coordination of EU affairs within a ministry. Lesquesne further observes that *cabinet* members consult with external stakeholders concerning proposed EC legislation and maintain the contacts between their ministry and the European Commission and, in particular, with the members of the Commissioners' cabinets (Lequesne, 1993: 33). The latter can be seen as another reason to question the actual centrality and hierarchy of the contacts between the French administration and the EU level, which Menon sees as the distinguishing feature of the French EU coordination.

Formalised interaction between civil servants at the EU level

Obviously, the growth of the number of Europeanised policy areas has also implied a growing involvement by the civil service in the formation of EU policies. French civil servants have encountered various problems in this interaction, such as their relative lack of knowledge concerning EU-level procedures and an unfamiliarity with the administrative systems which formed the mental framework of their colleagues from other member states. One senior civil servant illustrates this by saying: "Certainly we had not clearly understood how the working group of the Council operated, but the real problem was that we had to spend a long time to explain to each other how our national systems worked" (cited in Guyomarch, 1999: pp. 79).

   In an attempt to overcome this problem, the heads of the civil services of the member states began to meet informally in the 1970s. After the effectuation of the Single European Act (1986), these meetings started to take place twice a year and became more formalised. After the effectuation of the Treaty of the European Union (1993), the ministers responsible for the civil services of the respective member states also started to regularise their meetings. During those meetings, problems and experiences were addressed, for example with conforming to the convergence criteria for the European Monetary Union. So, while in a formal-legal sense the policy concerning domestic public administration is not part of the EU's competencies, there is a regularised network of ministries in charge of the civil services in the member states that has been in operation since the 1980s called the European Public Administration Network, which is encouraged by the European Institute for Public Administration established at Maastricht, The Netherlands (Eymeri, 2006).

   There appears to be a real difference between the dissemination of public management (reform) ideas which takes place within the EU framework of cooperation and within other frameworks, such as the OECD. One senior official explained: "For years there have been meetings of the heads of all the civil service of the OECD every six months. There is a lot of discussion, often abstract, sometimes dominated by Anglo-Saxon ideas and mostly of

little use. In contrast, the meetings in the EU are concerned with practical problems which concern us all. We appreciate the complexities of each other's systems, and that we have lessons to learn from each other" (cited in Guyomarch, 1999, pp. 117).

In a similar vein, it has been observed by various scholars that French policy makers have not been as easily charmed by the principles of NPM as most of their colleagues in other countries. Arguably, many of the principles and practices of NPM are not compatible with the French administrative model (Rouban, 2004). Eymeri and Pierre (2010) explain that French policy makers eventually acknowledged neo-managerialist approaches not through the influence of Anglo-Saxon success stories or management consultants, but through their interactions in the network of ministries in charge of the civil service from the various EU member states. Such networks help to shape a shared, EU-wide perspective on administrative reform which is generally neo-managerialist in nature. It therefore appears, at least for France, that the dissemination of public management (reform) ideas since the late 1970s owes relatively more to EU-related cooperation than to other forms of transnational exchange.

Career development

The development of a European layer of administration has created new administrative positions for French senior civil servants at the national and at the EU level. At the national level, jobs have been created to ensure both the inter- and the intra-departmental coordination of EU policies, and at the European level, positions within the European Commission and other institutions have become available. After 1985 in particular, the number of French national civil servants joining the European institutions increased. This can partly be explained by the accelerating European integration process after the enactment of the Single European Act in 1986, but Mangenot (1998) also presents a specific reason for *French* civil servants to enter the Commission apparatus: the commencement of the first Delors Commission in 1985. Delors' presidency of the European Commission presented an incentive for ambitious French civil servants to make the temporary or permanent transfer to the directorates general and the services of the Commission.

Administrateurs civils in particular were drawn to a European career, given that it was difficult for them as non-*grands corps* members to reach the very top of the French administration. Mangenot (1998) describes these civil servants as European *Énarques* and reports the steady growth in their number during the 1990s. In this sense, EU membership provided the French civil service with a safety valve in terms of career development. One important difference between the *pantouflage* to and from the French semi-public and private sector on the one hand and the permanent transfer to the European Commission on the other is that the officials lose member-

ship of their original *corps*. The formal ties between French Commission officials and the French civil service are therefore less close than the ties between officials on *pantouflage* in the semi-public and private sector.

Besides *administrateurs civil* joining the Commission bureaucracy, Bezès and Le Lidec (2007) observe that the system of national expert secondments to the Commission provides young civil servants from various *corps* with opportunities for accelerated career development.

7.4.8   Subnational authorities

Subnational government in France consists of 22 *regions*, 96 *départements*, 36,783 *communes* and overseas territories and special entities, such as the island of Corsica (status in 2007). While France has traditionally been regarded as closely approaching the ideal-typical centralised unitary state, over the past three decades, the power of the centre *vis-à-vis* decentralised and deconcentrated authorities has been in relative decline.

From the mid-1980s, reforms have taken place to both decentralise and deconcentrate governance in France. While decentralisation is understood as the transfer of power and authority from the central state to regional and local governments, deconcentration signifies the devolution of competences and managerial authority to the regional administrative divisions of central government, as well as to national-level agencies (OECD, 1997: 17).

Under the Mitterand government in the early 1980s, important steps were taken towards decentralisation: the traditional *tutelle* of the regional prefects over the local communities was removed and local collectivities were upgraded to so-called autonomous authorities. These authorities were granted significant new taxing and budgetary powers at the expense of the powers of the central government. De Montricher (1996) reports how this deep change continues to have an impact on the overall governance system in France. Moreover, in 2003 the French Constitution was amended, making it possible to offload additional competencies from the state level to local authorities.

So, over the past three decades, France has succeeded in granting local authorities more freedom and independence from the centre, while not giving up the formal structure or the idea of national unity that is associated with the unitary state. At present, the principle of *libre administration* ensures that territorial authorities enjoy a certain degree of budgetary and decision-making autonomy, while they are still supervised by the prefect. The relation between the local authorities is no longer a hierarchical one in the strict sense, but the prefect is charged with ensuring that local policies are compatible with state-level legislation.

The main implication of the decentralisation reforms in France for the power relation between the national civil service and local governments is

that, whereas until the late 1970s, the prefects, and therefore the national executive, could exercise both *ex ante* and *ex post* budgetary and administrative supervision over the subnational administrative units, this supervision has now been relaxed and is limited to *ex post* supervision. Decentralisation has therefore had a limiting impact on the power that the state civil service can exercise on the governance at the subnational level.

Secondly, in 1992 the deconcentration charter was launched, marking a further step in shifting authority from the centre to the periphery. Deconcentration has allowed the national government to devolve the activities of governance to a level closer to citizens throughout the country, without relinquishing, in any real sense, the powers or instruments of control. The deconcentrated field services are divisions of the central ministries that are located in the regions, but fall under the direct political, budgetary and managerial responsibility of the minister. As a consequence, the field services are staffed with members of the *service publique de l'État*. So, deconcentration cannot be seen as a development that alters the relationship between the central and the subnational authorities in any fundamental way. Still, deconcentration has impacted the national civil service in the sense that it has implied an increase in the internal differentiation of the civil service, which will be further discussed in section 6.6 (see also Rouban, 2004; Bezès and Le Lidec, 2007).

Decentralisation and deconcentration in France coincided with a greater regional approach to governance at the EU level, a policy framework to strengthen the economic position of European regions, and the enshrining of the principle of subsidiarity in the Treaty of Maastricht, making it explicit that each governance competency should reside at the lowest feasible territorial level. While exposing clear links of causality is not the main purpose of this study (did the French government decide to decentralise and deconcentrate because of EU-level developments, or did the EU take a regional approach because national governments such as that of France were embracing territorial reform ideas?), there is little doubt that initiatives at both the national and European level have amplified one another (Montricher, 1996). Similarly, Balme and Jouve (1996) found that the altered intergovernmental relations within the French state could be equally attributed to decentralisation reforms and to EU regional policies.

Apart from the attribution debate, regions in France have gained a degree of autonomy *vis-à-vis* the central state and have acquired a degree of access to the EU-level public sphere. This access is provided by French regions' representation in the Committee of the Regions, and through the *Maison Européenne des pouvoirs locaux francais*. The latter aims at structuring, strengthening and coordinating the European activities of the French local authorities. It unites the Assembly of French *départements* and the various associations of mayors of large, medium-sized and small cities.

Guyomarch notes how the "project-based" policies of structural funding and research have impacted the role of subnational authorities in relation to central government. In order to succeed in application rounds for funds, various types of subnational actors (such as local councils, businesses and NGOs) have to cooperate. Since these applications are highly complex and competitive, local authorities have pressed for additional deconcentration to the field service so as to support the application for EU funds. Guyomarch's respondents commented that deconcentration can almost be seen as a necessary condition for successfully managing the application process and forging the necessary local public-private partnerships involved in this process (Guyomarch, 1999).

Still, although the French regions and cities may have been able to strengthen their position *vis-à-vis* the central state, it would be an overstatement to view them as fully fledged political actors within the European policy network. On the one hand, the autonomy given to the subnational authorities by the central state should not be exaggerated. In France, decentralisation has taken place concurrently with the introduction of a more contractual relationship between central and local authorities. Moreover, the network of *prefectures* and *sous-prefectures* remains a powerful instrument on the part of central government to keep a hand on local developments. In addition, subnational authorities often do not have the human or financial resources to compete with the central level in terms of expertise or lobbying at the European level. An interesting example of how the French state has been able to secure its control over the regions is the EU's Community Support Framework and Operation Programmes (CSFOP). In order to participate fully in these funding programmes, France implemented the *Contrats de Plan Etat-Région* in the 1980s. However, while the idea behind the CSFOP was that the European Commission would deal directly with the regions, the French central government prevented this by keeping control over information circuits and budgetary procedures (Balme and Woll, 2005).

7.5   Political-administrative relations

7.5.1   Politicisation

Involvement in strategic political activity in the French civil service can be divided into (a) membership to a *cabinet ministeriel*; (b) membership of a political study group for a particular policy issue; and (c) private membership of and activity within a political party.

The political component of civil service work in French ministries is for the most part the responsibility of the members of the *cabinets ministeriels*. This is not to say that members of the *cabinet* form a distinct group from

the rest of the civil service, since many *cabinet* members are drawn from the permanent civil service and also return to it after their minister leaves office.

According to the *Statut*, French state civil servants have to be discrete about their personal political opinions during work or in the line of duty. Therefore, French civil servants are disinclined to communicate about their political involvement, whether to journalists or to researchers in an interview or survey study, and it is not easy to assess the degree of political party membership from civil servants, let alone what party they might be affiliated to (Rouban, 1999). Nonetheless, the available material does give something of an impression.

In the period 1984-1995, 36% of the directors in the central ministries reported to be a member of a political party (Rouban 1998b: 180). The dominant ideological leaning within the French senior civil service is a combination of left-wing on economic issues and relatively liberal on social-moral issues such as homosexuality, so-called soft drugs and immigration. Table 7.2 below reveals the sympathies of senior civil servants to the political parties active during Rouban's study. There is little doubt that such political preferences to a greater or lesser extent colour the ideas senior civil servants have with respect to state-society relations and the specific policies they prefer (Rouban 2007).

Political party	SCS that feels close to them (%)
Parti Socialiste (PS, left-wing)	33
Small parties of the far left	14
Rassemblement pour la République (RPR, right-wing)	14
Union pour la démocratie française (UDF, centre)	14
No party	23
TOTAL	98

Table 7.2   *Party political inclinations of civil service managers in 1995 (after Rouban, 2007).*

Besides the general rule that French state civil servants must be impartial in party-political terms, various groups of senior civil servants are appointed based on political considerations. Most obviously, the members of the *cabinets ministeriels* are appointed on political grounds (see section 7.4.1). In addition to these political aides to ministers, political appointees in the regular civil service include prefects, ambassadors, and directors in central ministries. The political considerations based on which they are appointed may include sympathy for or membership of a particular political party, but also adherence to a specific policy agenda that an incoming minister intends to enact. In this way, ministers are offered a legal instrument

to ensure that their top bureaucrats are both qualified and loyal to their policy programme.

7.5.2   Explaining politicisation

Various authors have observed the increase in politicisation among the higher ranks of the state civil service in France (Rouban, 2007; Page and Wright 2007; Suleiman, 2003). Rouban (1999; 2004) even considers the party-political politicisation of the senior civil servants as one of the most important developments in the French civil service since the late 1970s, while Page concludes that politicisation in France has created a "politically involved public service" (Page and Wright, 2007).

The increased politicisation of the French senior civil service entails an extension of the practice of taking political considerations into account in selection procedures. Besides the abovementioned senior management positions, positions such as administrative heads and deputy-department heads can now be considered as informally politicised: formally these officials are career civil servants, but their political orientation has often played a role of some significance in their appointment.

This increase in politicisation can partially be explained by the consecutive periods of *cohabitation* in French central government (1986-1988; 1993-1995; 1997-2002). In a period of *cohabitation*, appointments of civil servants become all the more delicate, since both the president and the government claim a certain share in the division of political appointments. Moreover, given that each political appointment by either the President or the government will be interpreted as a loss for the other, the number of positions affected by political considerations easily increases. Moreover, the periods of *cohabitation* naturally created situations in which a political appointee of the President was serving under a government minister and vice-versa, generating an atmosphere of mistrust among ministers towards their most senior civil servants. Instead of relying on permanent civil servants who may have ties to the opposing political party, ministers have therefore naturally turned increasingly to their political friends in their own *cabinets*, as external advisors and as informal political appointees lower down in the civil service ranks (Rouban, 2007).

Another explanation for the increase in politicisation is the introduction of the *troisième voie* as an avenue to enter ENA and therefore the highest echelons of the French civil service. Formally, the *troisième voie* was designed to diversify the population of the ENA, in response to criticism that the ENA was too elitist in social-economic terms. The practical result was that the additional entry mechanism to ENA also changed the political-ideological composition of ENA students, since the *troisième voie* was, for instance, used by leaders of the trade unions with more or less direct ties to

the leftist political parties. Therefore, left-wing governments have been criticised for using the *troisième voie* as a means to get more senior civil servants with political values close to their own into the administration (Bezès and Le Lidec, 2007).

The question whether France's membership of the EU has also contributed to the increase in politicisation cannot be easily resolved. The policy process within the French central government has always been more politically driven than the policy process that has developed at the European level. In France, policy decisions are ultimately political, whereas for instance within the European Commission decisions are more expertise- and consensus-driven. Schmidt (2006: 123) remarks that any French policy decision, however technically sound, can be reversed relatively easily for purely political reasons. Conversely, at the EU level, decisions are taken at a relatively early stage in the administrative sphere by relatively low-ranking officials, and it is then difficult to reverse such a decision later on, on other than technical grounds. It is therefore unlikely that participation in the European policy process would have encouraged the politicisation of the French civil service, at least in party-political terms.

However, if politicisation is understood more as an "increase in the type of activities that are traditionally associated with the politician rather than with the bureaucrat", such as forging strategic alliances and aggregating and representing the interests of societal groups in larger bodies, then European integration can certainly be regarded as one of the factors that have contributed to this political operating style on the part of senior civil servants in France. More generally, the intensified multi-level governance environment in which ministers find themselves involves a working context in which ministers are, to varying degrees, interdependent with multiple levels of governance and multiple types of actors. Moreover, the speed of information transfer and the means of the general public to scrutinise ministers' actions have increased. Taking all of these matters together, ministers may be generally attracted to the idea of being served by a group of strategic, loyal, versatile, personally trusted individuals with similar policy views, and place the technical experts and executive managers more at arms' length.

7.5.3   A longitudinal perspective

The politicisation of parts of the senior civil service described above, in terms of both party politics and working style, has resulted in an increased differentiation within the senior civil service. In order to capture this longitudinal differentiation, it helps to go back to the nineteenth century situation in which there were ministers, a *cabinet ministerial*, and the senior civil service. By the late 1970s, this structure had become somewhat more complex, given that a practice had developed of appointing the top man-

agement officials within the civil service based on political grounds. By
the late 2000s, the picture had become even more differentiated, because
the political basis for appointments had extended to more types of posi-
tions. This differentiation raises the question whether a binary division be-
tween politics (ministers) and administration (civil servants) does justice to
the empirical situation. Rather, it can be argued that there is politics (minis-
ters), followed by a category of functionally politicised senior civil servants
(including the members of the ministerial *cabinets*, the formal political ap-
pointees, and the informal political appointees) and functionally bureaucra-
tised civil servants (including technical experts and managers of executive
organisations).

In figure 7.3 these various empirical situations and their conceptual
boundaries are shown. The classic politics-administration dichotomy is the
theoretical conceptualisation. The other three lines represent the simplified
empirical situation in France at three points in time: the nineteenth century,
around 1980, and in 2008. This figure shows how the members of the *ca-
binets ministeriel* and the formal and informal political appointees should
now be thought of as belonging to the same sphere of political interest as
the ministers, and that the contrast between the functionally politicised se-
nior civil servants and the functionally bureaucratised civil servants may in
fact be larger than the contrast between ministers and the functionally poli-
ticised senior civil service. The new essential dividing line can therefore be
argued to fall between the functionally politicised senior civil servants and
the functionally bureaucratised civil service, since between those two
groups the differences in activities and career paths have become increas-
ingly marked over the past three decades (see Rouban, 2004; Bezès and Le
Lidec, 2007; Eymeri, 1999: 611-616).

Moreover, whereas the essential tension in political-administrative rela-
tions traditionally is analytically located between ministers and civil ser-
vants, in the French empirical reality this tension may have shifted towards
the dividing line between the functionally politicised and the functionally
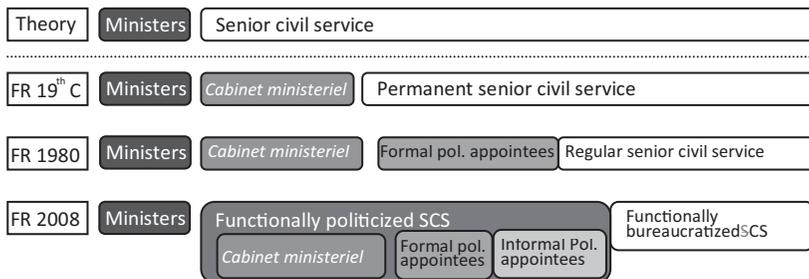
Figure 7.3   *New borders between politics and administration and increased
differentiation within the senior civil service.*

bureaucratised civil servants. This tension has been noted in the French ci-vil service, for instance between the central political-administrative elite (*Inspection des Finances*, *Cour des Comptes*, *Conseil d'État*) and the man-agers of the empowered deconcentrated field services (Prada, 1994; Bezès and Le Lidec, 2007).

It can be argued that the nature of political-administrative relations in France is moving away from the formal-legal model in which there is (a) political leadership and (b) a bureaucratic administrative staff. However, the Aberbach et at. (1981) model with its implicit tendency of hybridisa-tion does not seem to apply either. Rather, having started with a relatively formal-legal separation of the classical minister and the classical civil ser-vant, the situation has mutated; the classical positions have not disap-peared, but rather there has been an elaboration of the types and numbers of people whose tasks and responsibilities are on or around the conceptual dividing line between the classical minister and the classical civil servant. The administrative top has diversified, and some new categories include administrative actors who have taken on more political activities and iden-tities than would be expected from the classical civil servant. This is not hybridisation, because hybridisation would imply that the office of the po-litician in the classical sense and the office of the civil servant in the classi-cal sense have eroded, and this is not the case.

7.6   Conclusion

This chapter has demonstrated the environmental and internal develop-ments concerning the civil service in France which have taken place from the late 1970s onwards. These developments have been ordered into four broad categories: (a) the size and organisation of the civil service, (b) the degree to which the civil service resembles the ideal type of bureaucratic administrative staff as described by Weber (1972), (c) the degree to which the power of bureaucrats is contained by other institutions, and (d) the rela-tions between top civil servants and their ministers. This chapter concludes with table 6.3, which summarises the results of the empirical research dis-cussed above, over the time span 1980 to 2007.

France has traditionally had a broad conception of the civil service which not only includes civil servants, but also educational staff in schools and universities, healthcare staff and the civil servants of the subnational authorities. While this broad conception has not formally changed over time, European integration has highlighted an important tension regarding the inclusive character of the French civil service. As an integral part of the European internal market, the free movement of people implies that any EU citizen should be able to apply for any job in any EU member state,

except for jobs that touch on the exertion of authority on behalf of the state. As the French civil service includes a broader range of positions than only those in which the authority of the state is exerted, EU legislation requires that France narrow its conception of the civil service to those positions in which the state's authority is exerted, and open up other jobs, for instance in the public education and healthcare sectors, to citizens of other EU member states.

At the same time, measures have been taken since the late 1970s to decentralise and deconcentrate parts of the national administrative apparatus. Moreover, reforms have taken place by means of the creation of additional *Etablissements Publics Administratifs* (EPAs) and *Etablissements Publics Industriels et Commerciels* (EPICs). Both types of reform have increased the level of fragmentation within the French administrative system. While these reforms have been primarily inspired by national considerations and national political forces, membership of the EU has – more than other international frameworks – contributed to the dispersion of NPM-type ideas within the French decision-making elite, such as bringing policy making closer to the citizens and. Secondly, with respect to the French decentralisation efforts, it should be noted that EU membership and the tendency of national governments (including the French) to stress the importance of the principle of subsidiarity, have strengthened the position of subnational authorities and the arguments to increase their autonomy *vis-à-vis* the centre.

Hierarchy has traditionally been a defining feature of the French civil service, although in practice it has always been softened by the existence of informal social networks. The growth of the size and responsibilities of the ministerial *cabinets* since the late 1970s has mitigated the degree of hierarchy at the top echelons of ministerial departments. This growth can be explained by the desire of ministers to be surrounded by a larger group of politically and personally loyal advisers. The role of European integration in this process seems to be of very little importance.

With respect to recruitment and career paths in the French civil service, the traditional arrangement has been firstly entry by *concours*, then specialist training in one of the *écoles*, followed by statutory status as a civil servant. This trinity is currently under pressure as a result of France's membership of the EU. An increased number of public sector functions are now open to citizens of other EU member states, who have not followed the same trajectory of *concours-école-statut* as their French counterparts. As a result, the ongoing sustainability of this trinity is in serious doubt. Also, since the late 1970s, an additional avenue for entry to ENA has been created: the *troisième voie*. Lastly, a more private-sector oriented rationale for personnel policies has found its place within the French civil service. As stated above, the dispersion of such ideas in Continental Western Europe is to a considerable extent accounted for by cooperation and exchange of ideas in EU-related frameworks.

		1980	2007	Role of the EU in the change
Size and org. of the CS	*Demarcation*	Broad CS, including teachers, healthcare staff and subnational civil servants	Still the same, but there is a tension. Moving to converged conception of the CS, which excludes public sector employees	Free movement of people calls for limited conception of civil service.
	Degree of centralisation	Centralised	Somewhat decentralised, considerably decon centrated. Fragmentation due to creation of EPAs; EPICs	Dispersion of NPM ideas through EU membership; Empowerment of subnational authorities due to EU membership
	Hierarchy	Strong, with informal circuits	Still strong, with informal circuits. Growth of cabinets mitigates hierarchy at the administrative top.	None
Weberian Bureaucratic Staff	Recruitment and Career	Concours-école-statut	Trinity under pressure. Troisième voie for entering ENA. More private sector HRM rationale in public sector	Dispersion of NPM ideas through EU membership; Free movement of people makes trinity difficult to sustain
	Training and expertise	Administrative and technical schools after entry	Administrative and technical schools after entry	
Scrutinising institutions	Collegiality, advice	Low collegiality. System of cabinets ministeriel	Stronger coordination role of the Cabinet Council during cohabitation, otherwise greater power for Presentiment and low degree of collegiality. Gradual elaboration of the cabinets ministeriel in size, responsibilities (coordination, policy advice, strategic advice), and power.	EU-membership has contributed to presiden tialisation. This may partly reverse in the future, given the domestication of EU policy in the member states.
	Parliament	Relative weak position towards executive	Increased social homogeneity. Initial further weakening of power position parliament, later partial recovery	Traditional weak position led to even lower means of control as executive became more active at EU level

Regulators	Elaborate tradition of inspectorates	Further elaboration of internal and external regulators and inspectorates	EU membership brought along obligation to liberalise and privatise. Need for regulation of privatised sectors. Stimulation by EU of regulatory governance.
Judiciary	Relatively neutral and apolitical	More judicial activism, revival of the Conseil d'État and Conseil Constitutionnel	Cd'E acknowledged primacy of EU law; Cd'E members gained experience at EU level. CC has important role in interpreting EU treaties.
Interest groups	Relatively low impact on policy formulation, accommodation in implementation stage	Increased number of interest groups. Rhetoric concerning unity and indivisibility still intact. Somewhat more inclusive and consensual decision making	Necessity for CS and interest groups to work together to influence EU policy. Stricter rules concerning implementation of EU-wide policies curtail discretion of CS in implementation stage.
Mass Media	Not very investigative, deferential toward political and administrative officials	Somewhat more investigative and critical	None
Intergv't and supranat'l org's	Relatively limited in policy terms, French SCS as EU institution builders	Curtailing SCS in terms of national policy formulation. Erosion of "monopoly" as a channel for domestic interests.	Necessity for stronger domestic policy coordination, opening career paths at EU level, erosion of autonomy due to uploading competencies.
Subnational authorities	Relatively dependent	Somewhat less dependent, budgetary autonomy	Dispersion of NPM ideas through EU membership; Empowerment of subnational authorities due to European integration
Political-administrative relations	Neutral SCS with a limited number of political appointees	Politically involved SCS	None

Table 7.3   Summary of empirical results regarding the French civil service

8   BRITAIN

With its traditionally high degree of political centralisation, its statist approach to policy making and its majoritarian electoral system, Britain as a nation-state is regarded as a traditionally simple polity. Within the EU, which Britain joined in 1973, Britain has consistently had an ambiguous position: a non-founding member with a highly Euro-sceptical political class and public, but nevertheless a leading member state in political and economic terms. In this chapter, we examine the impact of European integration on the British civil service, embedded within other relevant internal and external developments that have taken place in and around the British civil service since 1980. Following the model set out in chapter 6, we will first look at Britain's political-administrative system (8.1), then ,the size and organisation of the civil service (8.2), followed by the staffing system (8.3), scrutinising institutions (8.4), and political-administrative relations (8.5).

8.1   The political-administrative system

8.1.1   The nature of state-society relations

Rechtsstaat or public interest model

The British administrative system is guided by the notion of the 'public interest' rather than from a *Rechtsstaat* perspective (Pierre, 1995; Pollitt and Bouckaert, 2004). In fact, the term 'the state' is rarely used in Britain as an expression for the legal personality of the executive or as a collective term for the governmental apparatus. Rather, reference is made to 'kingdom', 'country', 'people' or 'government'. The virtual absence of the use of the term 'state' has been interpreted to signify that in general, the state is seen as a necessary and paternalistic evil, whose powers should be limited (Dyson, 1980: 36-37). The government's job is essentially to be a reasonable and trusted referee among diverging societal interests. Hence, fairness and independence *vis-à-vis* social interest groups are prime values within the civil service system. This also implies that the people who work for and in government, those who can exert power on behalf of the state, should be strictly controlled and held accountable by the elected parliament and by others, for

instance the media. For civil servants this means, among other things, that they are seen as ordinary citizens who are employed by the government and not as special people with a higher mission to represent the state.

Characteristic of the principles underlying the British civil service system is also the relatively subsidiary role that law plays in governance, at least when compared to the European-Continental *Rechtsstaat* countries. Law is in the background rather than the foreground, and law is considerably less common as an educational background among senior civil servants. Instead, what qualifies a civil servant for higher office is human intelligence, general analytical skills, pragmatism and flexibility (Fry, 2000).

Although most countries that use the Westminster system have a written constitution, Britain does not. The British constitution largely consists of the conventions, practices and precedents developed in and around its parliament. While Britain is often said to be governed by means of an unwritten constitution, it would be more accurate to say that it is a non-codified constitution with substantial written elements (Rohr, 2002). In contrast to most other EU member states and to the EU's own system of government, the British legal system is based on the common law tradition, not the civil law tradition (Hague and Harrop, 2007; Dunleavy et al., 2006; Butler and Kavanagh, 2005)[37].

Neo-corporatist vs. statist model

To classify Britain on the one-dimensional spectrum between pure statism and pure neo-corporatism is not easy. While in the 1960s Britain was generally seen as a pluralist system based on its high degree of self-regulation and lobbying in parliament, a decade later it was considered neo-corporatist based on the concertation between government, employers and unions. Overall, Britain can hardly be called pluralist, given the high degree of non-negotiability the government has traditionally enjoyed. However, neither can it be called corporatist, because this model did not work in Britain and was quickly abandoned and renounced. Therefore Britain can best be considered a statist system, with the qualification that society has traditionally been highly self-regulating (Schmidt, 2005: 132).

As the British culture of governance is generally characterised as a public-interest culture, it would be expected that the British state would act only in a restricted sphere and society would largely function independently (Peters, 2001; Pollitt and Bouckaert, 2004). However, this expectation is not supported by empirical evidence. A closer look at public spending and employment in public health, education and social security since the Second World War reveals that British state action in these fields in fact differs very little from state action in the *Rechtsstaat* countries of Continental Europe (Van der Meer et al., 2008).

Still, the nature of the policy process in Britain has differed from that on the Continent (Schmidt, 2006). In Britain, policymakers have traditionally

been able to formulate policies without the extensive societal input charac-
teristic of neo-corporatist systems. Instead, they can influence policy
through more open policy networks and because they have "more freedom
in a wide range of domains to regulate themselves through voluntary rules
and self-governing arrangements" (Schmidt, 2006: 131). In Britain, societal
actors find flexibility due to the relatively few legal boundaries that might
curtail their activities and the higher level of societal self-regulation.

8.1.2   The political system

Degree of political decentralisation

Britain has traditionally been a unitary and highly centralised state. While
the local level is of considerable significance in Britain (Page, 1992: 68;
Schmidt, 2006: 82), the national government is the only level of govern-
ment with permanent legal status, so that subnational levels of government
can be reformed whenever the national government wishes to do so (Lynn,
2006: 35). Reforms since 1997 have changed the traditional unitary charac-
ter of the British state by granting Scotland, Wales and Northern Ireland
their own elected assemblies and executives. This process of devolution
will be further discussed in section 8.4.8.

Majoritarianism vs. consensualism

The British political system is traditionally majoritarian and adversarial,
with a first-past-the-post electoral system. The political arena is dominated
by two major parties (the Conservative Party and the Labour Party) and a
small number of minor parties, of which the Liberal Democrats is the lar-
gest. The two parliamentary chambers are the House of Commons and the
House of Lords. While the House of Commons is the dominant chamber,
the House of Lords has the power to revise and restrain the business of the
Commons. As the electoral system is based on geographical voter districts,
a considerable degree of territorial representation is guaranteed at the level
of national politics. It can be argued that political and administrative cen-
tralisation at the national level is enabled by this territorial representation
in parliament, while at the same time subnational constituencies can still
make their voices heard in national parliamentary politics.

   The two-party system that seemed to become entrenched in British poli-
tics in the second half of the twentieth century may now have to be
nuanced somewhat, given the rise of the Liberal-Democrats as a third sig-
nificant political party next to the Conservatives and Labour.[38] Moreover,
as the devolved assemblies work with proportional representation rather
than majoritarianism, it is less obvious that majoritarianism is the natural
principle of representation in the British polity.

Presidential vs. Parliamentary

Parliamentary sovereignty is historically a crucial principle in the British political system. Ever since the Magna Carta (1215), the evolving legislative power of Parliament has tempered first the centralising ambitions of the monarchs and later the prime ministerial governments. As a result, the British idea of sovereignty is vested in the duality of the Crown and the Parliament, a construct in which sovereignty is shared between the executive and the legislature.

As in most constitutional monarchies, the sovereign is the focal point for the nation, but the Prime Minister and the Cabinet take the actual executive decisions (Bagehot, 1876). The British monarch enjoys the Royal Prerogative, which is the power to appoint ministers and diplomats, to declare war and sign treaties. Except in times of crisis, the monarch exercises the Royal Prerogative only on the advice of the Prime Minister. Furthermore, the head of state officially appoints the Prime Minister (PM), who is the head of government. He or she is usually the leader of the majority party in Parliament. The PM heads the Cabinet, which is the de facto executive branch. The PM selects and dismisses the Cabinet ministers. Although this is a more recent tradition, the key members of the Cabinet conventionally come from the House of Commons (Lynn, 2006: 35).

This convention reflects the absence of a formal separation of powers in Britain: the independence of members of Parliament (MPs) who are also members of the government is naturally compromised if voting against the government may imply the loss of their ministerial office (Lynn, 2006: 35). The Cabinet is collegial in the sense that all Cabinet decisions are made by consensus and its members are collectively responsible for government policy. In practice, the power position of the PM *vis-à-vis* the other ministers depends on the political strength of the PM in question. In the Westminster system, Parliament is sovereign and ministers are responsible to Parliament for administering the country.

8.1.3   The administrative system

While 'Westminster' denotes the British political system, in a similar way the British central administrative system is referred to as 'Whitehall', after the road in central London along which many of the ministerial departments were historically accommodated. The task of the permanent civil service is to advise, support and protect the ministers. In this sense, the civil service does not have a constitutional responsibility of its own.

The roots of the British central civil service can be traced to the households of the English kings and queens (Elton, 1953; Page, 1992). The advent of modernity in the case of Britain was not only accompanied by unprecedented economic growth but also by the acquisition of a vast overseas

empire, which necessitated a substantial expansion of many offices of state (e.g. the Office of Works and the Navy Board). British officials visiting China in the first half of the 19th Century were impressed by the Chinese examination system for their bureaucrats, and they recommended the establishment of a national training college for administrators of the British East India Company. This institution was created in 1806. Bodde (2004) describes how the Chinese system of selection through examination gained popularity among British officials and politicians in the first half of the nineteenth century.

Degree of administrative centralisation

Local government in Britain has a highly complex structure, given that arrangements and developments in England, Northern Ireland, Scotland and Wales have not been uniform and are likely to diverge further as a result of the devolution of powers and competencies established by the Blair government in 1997. One unique feature of British local authorities however, is that they are less protected from central government interventions than in most other European states. Irrespective of Conservative or Labour governments, close central regulation and supervision of local authorities seems to be a constant (Pollitt and Bouckaert, 2004: 294).

Organisational fragmentation

Britain's central government consists of the government's administrative departments, executive agencies, and non-departmental public bodies (NDPBs). Ministries are those administrative departments that fall under the direct political responsibility of a Cabinet minister or a Secretary of State and are in charge of the execution of Cabinet policies. Ministers and Secretaries of State are supported by a team of junior ministers and special advisors. The daily business of each ministry is managed by its most senior permanent civil servant, the Secretary-General.

Executive agencies are constitutionally part of their parent department but function at arm's-length from the minister's political direction. Each agency is led by a chief executive officer (CEO) and staffed with civil servants. NDPBs are somewhat further removed from political direction, but are also accountable to their minister. Employees in NDPBs are not regarded as civil servants (see further sections 8.2).

Civil service staffing principles

By 1850, because of the growth of the civil service and of its assigned tasks, the Northcote-Trevelyan Committee was created to formulate suggestions for a better organised and more modern civil service. In 1854, this Committee made recommendations for reforming the administrative apparatus into a permanent, unified and politically neutral civil service. These recommendations and their implementation in the following decades

shaped the current British civil service system. In direct response to the Northcote-Trevelyan report, a Civil Service Commission was set up in 1855. Its main task was to oversee the introduction of a permanent, unified and politically neutral civil service. A clear division between mechanical work and policy formulation and implementation was established, creating the mechanical and administrative classes. The Civil Service Commission was broken up in 1991 into the Office of the Civil Service Commissioners and the Recruitment and Assessment Service Agency. The latter body was privatised in 1996.

Since Northcote-Trevelyan, the main strategy has been to ensure a trustworthy and reliable civil service. This has been maintained through a combination of the following ideas: (a) civility, meaning that civil servants are separate both from the military service and from the political institutions of Parliament and Cabinet; (b) permanence, meaning that civil servants retain their jobs when there is a change of government; (c) unity, meaning that the civil service as an institution is centrally organised and that service-wide rules apply; (d) non-political appointments, meaning that selection and promotion are based on merit rather than party-political patronage or seniority; and (e) anonymity, meaning that civil servants have no public profile, but that their ministers are answerable to Parliament and the public at large (Parris, 1969; Fry, 2000; Dargie and Locke, 1999).

The civil service system in Britain, based on these principles and shaped by most of the recommendations by Northcote-Trevelyan Committee, proved successful for nearly a century.[39] During this period, the British civil service emerged as a "unified service with a sense of cohesion and set of common values" (Dargie and Locke, 1999; see also Fry, 2000).

As noted above, the Whitehall system traditionally favours generalism over specialism. This corresponds with the abovementioned notion that given the role of state in British society, pragmatism and flexibility are generally prized above technical or legal expertise. Certainly until the 1960s, the great majority of administrative servants were all-rounders with a classics other arts degree. In this sense, the ability to acquire the skills of government and *Dienstwissen* (i.e. the knowledge of the service, or procedural expertise) were valued over *Fachwissen* (i.e. the knowledge of a specific discipline of profession, or substantive expertise). As graduates from either Oxford or Cambridge, entrants' ability to learn was assumed to be guaranteed. *Dienstwissen* was developed through the training civil servants received from their superiors once on board. Learning about the processes and the procedures of government was facilitated by the servants' common background, culture and identity.

In the 1960s, however, the composition and the functioning of the senior civil service was increasingly criticised for being insufficiently professional, too socially homogeneous, and inadequate in terms of management capacity. In response to this critique, the Fulton Committee was estab-

lished, which released its report in 1968. This Committee made recommen-
dations regarding professionalism, openness to lower social classes in
terms of recruitment and management skills, the introduction of a service-
wide unified grading system, and a more extensive Civil Service College
(comparable to ENA in France). With regard to the centralised role of the
Treasury, the Fulton report recommended to remove the responsibility for
the civil service from the Treasury and to establish a new department to
take care of the civil service (Committee on the Civil Service, 1968).

Fulton and his Committee also realised that the predominantly generalist
nature of the top of the civil service was becoming inadequate in the face
of the increased complexity and specificity of policy problems that post-
WW II governments had to address. This critique was not only expressed
in Britain. To the contrary, it can be regarded as a typical denunciation of
technocratic administration that was articulated in many other Western
democracies at that time (Bekke and Van der Meer, 2000). In line with this
broader trend, therefore, Fulton concluded that the civil service should be-
come less technocratic and that more specialists, such as scientists, lawyers
and economists, were needed (Fry, 2000).

Most of Fulton's ideas were not successfully realised, however. This
partly had to do with resistance among the civil servants themselves, who
perceived an undertone in Fulton's recommendations that civil servants
were amateurs instead of professionals. It was also the case that the politi-
cal support to effectuate all of Fulton's recommendations was missing. In
the end, the Civil Service College did not become as successful and influ-
ential as ENA in France, and the overwhelming share of entrants through
its fast-stream programme remained Oxbridge graduates. Moreover, rela-
tively few people within the top of the civil service warmed to the idea of
greatly enhancing their management capacities, given that management
functions were seen as less prestigious than policy postings. Therefore, the
cultural change Fulton may have hoped for did not become reality (Fry,
2000; Sausman and Locke, 2004).

Margaret Thatcher's assumption of power (1979) almost coincides with
the starting point of this study (1980). At the start of her period of office,
Thatcher encountered a civil service system where civil servants were gen-
eralists, and in which the values of political neutrality, permanence, unity
and anonymity had become solidly entrenched.

8.1.4 Political-administrative relations

The Westminster/Whitehall model is based on a strict separation between
politics and administration, where ministers take executive decisions and
civil servants implement them. This division of tasks is closely related to
the doctrine of ministerial responsibility. On the political side of this de-

marcation, this means that Parliament is sovereign, and the party which holds most seats in Parliament rules by means of a Cabinet with collegial responsibility. On the administrative side of the demarcation, the civil service is characterised by permanence, anonymity, neutrality, expertise and informal networks. This is depicted in table 8.1.

Westminster	Whitehall
Parliamentary sovereignty	Permanence
Party with most seats in House of Commons rules	Anonymity
Collegial responsibility in the Cabinet	Neutrality
Strict party discipline	Expertise
Voters chose between disciplined parties	Informal networks
Accountable to electorate through free and fair elections	– Ministries: Accountable to executive. – Agencies: Autonomous in terms of operations, accountable to executive through performance contracts
The executive enjoys strong dominance over CS	Strong subordination to executive

Table 8.1   *The characteristics of the political and administrative sphere in the British political-administrative system*

The doctrine of ministerial responsibility is strongly entrenched in the Westminster/Whitehall model. It means that each minister is accountable to the House of Commons for everything that happens within his or her department.

Despite this separation between the political sphere and the administrative sphere, when it comes to personal networks and social backgrounds, both domains are traditionally much more interconnected. The two elite governmental groups, British politicians and senior civil servants, resemble Peters' construct of the village life (1987): they traditionally share the same Oxbridge university education and the same social, cultural and ethnic background (Peters, 1987). Between 1948 and 1963, only 3% of the recruits to the administrative class came from the working classes, and in 1966 more than half of the administrators at under-secretary level and above had been privately educated. This created the exclusive, clubby and elitist character of the senior civil service (Sausman and Locke, 2007: 190). Politicians of left and right were distrustful of this senior civil service. The Labour governments of the 1970s saw the senior civil service as the domain of the traditional upper class with political leanings towards the Conservatives, whereas Thatcher considered them over-privileged, self-serving, and therefore inefficient.

8.2   The size and organisation of the civil service

8.2.1   Demarcation of the civil service

Whereas the civil service *system* consists of a coherent set of rules, ideas, norms, purposes and functions, the civil service is the structural embodiment of the civil service system (see chapter 3). In Britain, the civil service consists of the individuals who are part of the Whitehall machinery and those who work in Next Steps agencies. Bradley and Ewing described the demarcation of the British civil service as follows:

> *A servant of the Crown working in a civil capacity who is not the holder of a political (or judicial) office; the holder of certain other offices in respect of whose tenure of office special provision has been made [or] a servant of the Crown in a personal capacity paid from the Civil List (1997: 279-280).*

Formulated differently, the British civil service includes all servants of the Crown, minus the holders of political or judicial offices, and minus military personnel. Employees in community services such as health, education, local government, personal social services, defence and policing fall outside this group, but industrial staff employed by either a ministerial department or a Next Steps agency are included. Figure 8.1 shows the demarcation of the civil service schematically.
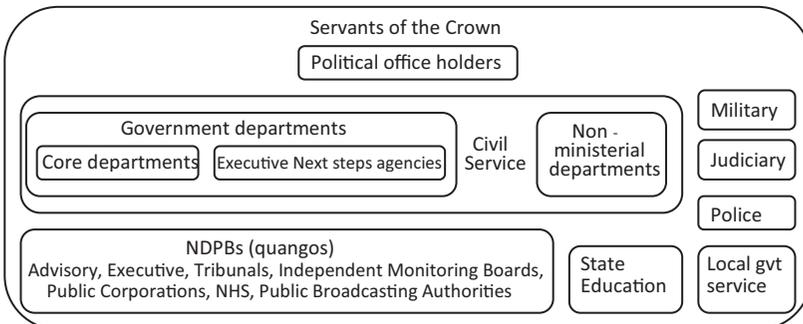
Figure 8.1   *The UK civil service as part of the larger body of servants of the Crown.*

The British civil service comprises employees (permanent and casual) at all government departments and executive agencies in Britain and includes the Diplomatic Service, while the Northern Ireland civil service and the

military are excluded (National Office of Statistics, 2010). Civil servants are therefore narrowly defined: employees at subnational layers of government and staff in public services such as public healthcare and public education are excluded. Looking at the size of the civil service as defined in these terms, a steady decrease can be observed from 1980, the beginning of the period analysed here, up to 1999 (losing 1.8% on average per year), and a noticeable increase from 1999 to 2004 (gaining 2.4% on average per year).

8.2.2   Degree of organisational centralisation

The British civil service consists of core departments, executive agencies and non-ministerial departments (NMDs). NDPBs, also referred to as quangos, provide a large share of public services. They, however, fall outside of the civil service.

   The structure of the British civil service has changed considerably since the 1970s. The most important shifts have been, firstly, the transfer of various functions – notably those of previously state-owned companies – to the private sector, and secondly, the division of those functions that remained within the public sector between slimmed-down central departments and executive agencies. As the personnel of central departments and the personnel in executive agencies all belong to the civil service, the main difference between the two types of organisation is functional: central departments are responsible for policy formulation and coordination, whereas executive agencies are responsible for policy implementation.

Central departments
As indicated in figure 8.1, the core of the civil service is formed by the ministerial departments, of which there are 23 in 2009[40]. In each department, the political direction is provided by a government minister, who usually is a member of the Cabinet. Ministers are supported by a team of junior ministers. The most senior civil servant in each department is the Permanent Secretary, who is in charge of the administrative management of the department.

State owned enterprises
When we break down the aggregate developments in the size of the permanent civil service into industrial (blue-collar) and non-industrial (white-collar) staff, it becomes clear that virtually all of the shrinkage in civil service staff in the period 1980-1993 took place within the industrial component of the civil service. In other words, the decrease in the size of the civil service until 1993 was predominantly the effect of the privatisation of state-owned organisations. During the 1980s, many state-owned companies were

privatised, which meant that in the period between 1979 and 1990, 800,000 employees were transferred from the public sector to the private sector (Steen et al. 2005).

Since 1993, the number of industrial civil servants has been relatively stable, and the growth in the civil service after 1999 was primarily among non-industrial civil servants. At present, the overwhelming majority of the industrial civil service staff is employed by the Ministry of Defence (MoD) (Fry, 2000). The figures in table 8.2 also demonstrate that, if fluctuations in the volume of industrial staff are not taken into account, on balance the decrease in permanent staff over the period 1980-2004 was no more than 45,860 fulltime jobs, or an average decrease of 0.33% per year.

Service delivery agencies

One of the explanations of the Thatcher government for the inefficient and ineffective public sector in the 1980s was the heavy burden on ministers and their policy divisions. Their solution came with the publication of the 1988 report entitled *Improving Management in Government: the Next Steps*, written by Robin Ibbs, who was appointed by Thatcher to run the Efficiency Unit. The Next Steps Report marked the start of a drastic reform in the structure of the British civil service: it recommended the offloading of managerial functions from the ministries to executive agencies. Agencies were introduced to take over the ministries' responsibility for day-to-day policy delivery, so that the ministries could henceforth focus on issues such as formulating long-term policy strategies. In public communications, the popular phrase was "placing the service at arm's length" from the central department, because the agencies were granted budgetary and managerial autonomy, while the parent department still set the funding and policy strategies.

All Next Steps staff has remained civil servants. Next Steps are headed by a CEO, appointed by the minister of the parent department. It is interesting that the CEOs, although permanent civil servants, seem to bear a certain degree of political responsibility, too. They can be called to appear before parliamentary select committees and must deal directly with written questions from MPs, without the intervention of their minister. When things go wrong, it is now the CEO who takes responsibility, rather than the elected minister, as the case of prison outbreaks during John Major's government showed. Also, some CEOs have a visible public profile and appear in the media when the performance of their agency is addressed.

So, the rise of agency government in Britain puts pressure on two traditional principles of the Westminster/Whitehall model: firstly, the doctrine of ministerial responsibility, since in the case of agencies is seems that civil servants can be held ultimately responsible. Secondly, and related to ministerial responsibility, agency government seems to erode the notion of civil service anonymity, since the CEOs of agencies are increasingly exposed to public attention.

Year	Central government		Next steps agencies		Total	
	# civil servants	% of total	# civil servants	% of total	# civil servants	Indexed total (1980 = 100) %
1980	707600	100	0	0	707600	100
1981	695100	100	0	0	695100	98
1982	675424	100	0	0	675424	95
1983	652534	100	0	0	652534	92
1984	632591	100	0	0	632591	89
1985	619570	100	0	0	619570	88
1986	595506	100	0	0	595506	84
1987	599440	100	0	0	599440	84
1988	679627	100	0	0	579627	82
1989	563371	99	5844	1	569215	80
1990	501552	89	60836	11	562388	79
1991	349418	63	204445	37	553863	78
1992	277866	49	287453	51	565319	80
1993	218845	39	335367	61	554212	78
1994	198938	37	334412	63	533350	75
1995	171551	33	345342	67	516893	73
1996	146166	29	350126	71	496292	70
1997	111176	23	364163	77	475339	67
1998	107364	23	355902	77	463266	65
1999	103519	23	353620	77	460039	65
2000	106500	22	368920	78	475420	67
2001	115600	24	367090	76	482690	68
2002	134760	27	355660	73	490420	69
2003	133660	26	378750	74	512410	72
2004	142320	27	381260	73	523880	74

Sources: For data on 1980: Civil Service Department; For data on 1981-1994: Her Majesty's Treasury; For data on 1995-1999: Government Statistical Service; For data on 2000-2002: Office of National Statistics; For data on 2003 and 2004: Cabinet Office.

Table 8.2   *The distribution of permanent civil service staff across central depart-*
ments and Next Steps agencies, 1980-2005.

The magnitude of the agencification operation is evident from table 8.2, which reveals a number of things. Firstly, by 2004, almost three-quarters of the total permanent civil service had been transferred from ministries to Next Steps agencies. Interestingly also, the relative growth of the civil service be-

tween 1999 and 2004, as noted in table 8.2, is much steeper among the central departments (an increase of 7.5% per year on average) than among the agencies (an increase of 1.4% per year on average). In other words, the growth of the civil service in this period largely took place within the central departments and to a far lesser extent within the agencies.

Regulatory bodies

Next to the core departments and executive agencies, the British civil service consists of 24 non-ministerial departments (NMDs).[41] Whereas executive agencies are part of the ministerial departments, NMDs, like NDPBs (see below), enjoy a real legal and constitutional separation from ministerial control. In Britain, NMDs are staffed with civil servants, but these bodies and their personnel do not fall under the political responsibility of a government minister; instead, they are directly answerable to Parliament. Since many NMDs have a regulatory or inspection function, it is judged undesirable that there should be political interference with their activities. Still, these organisations are part of government, and the heads of most NMDs are appointed by government ministers.

A final important category of public organisations are the NDPBs, commonly referred to as quangos. An NDPB can have an advisory, executive or tribunal function, or be an independent monitoring board, a public corporation, a National Health Service (NHS) body, or a public broadcasting authority. Advisory NDPBs provide policy advice to ministers in a specific area. Executive NDPBs are in charge of a particular public service and are directed by a board. The members of such boards are appointed by ministers. Tribunal NDPBs have the authority to administer justice in a specific field. Independent monitoring NDPBs are active in the prison sector, in charge of the condition of prisons and the administration and treatment of prisoners. Given that personnel employed in NDPBs are not accountable to a minister, they do not belong to the civil service and are therefore excluded from this study (Gay, 1997; Civil Service Code, 2006).

8.2.3 Discussion

Most of the changes and reforms in the state civil service since the late 1970s have been driven by the political-administrative elites themselves, often in combination with pressure from the private sector. Decisions to privatise and reform were based on a combination of political, economical, ideological and organisational arguments, which together form what has become known as New Public Management. However, we should be careful not to conclude that British government looked at NPM and transformed their public sector accordingly, since there was no NPM blueprint for reform at that time (and there still is not). NPM should be seen as a rhetorical

justification of the political preferences, rather than an explanation of the reforms.

Interview respondents indicated that, while EU membership was never used as a rhetorical justification for reforms (and in fact may never have been a primary driving force for change), it was commonly observed that reorganisations functioned as a window of opportunity for the political and administrative elite to align their organisations and structures with the preferences of the Commission or the best practices that they learned of through contacts with counterparts in other EU member states (IR22).

In some cases, structural reorganisations within ministries remedied problems that had occurred due to EU membership. For instance, in the Treasury, the distance between the policy-making division and the policy-implementing division had grown because policy makers were increasingly interacting with colleagues at the EU level and in other member states, rather than with the implementers in their own organisation. Thus, after previous attempts to separate policy making and policy implementation, it was decided in the early 2000s to reintegrate the policy and implementation divisions to reduce the gap between the two that widened as a result of European integration (IR25).

Moreover, the transformation of the Department of Trade and Industry into the Department of Business Enterprise and Regulatory Reform can be partially understood in the context of European integration. Once trade became an exclusive supranational competency, there was less need for a national Department of Trade and Industry. As a result, the status of the minister for DTI decreased, and it was decided to reshuffle portfolios, thereby also highlighting the political priority of regulatory reform (IR25). This is an example of indirect EU-induced organisational change at the national level, where national arguments and preferences played, at the very least, a mediating role. In official communications, the EU origins of such reforms have not been highlighted, given the negative sentiments in public opinion towards adaptations Britain should effectuate, but the EU has clearly played a role here.

8.3   A Weberian Bureaucratic Staff?

8.3.1   Hierarchy

The British civil service used to be divided into three hierarchically ordered classes: the administrative class, the executive class, and the clerical class. Each class was further subdivided into various grades. A form of salary standardisation emerged only as late as the middle of the twentieth century within this grading system. Then, under the Thatcher government, the unified grading system was extended. By 1986, the following unified

grades, and their corresponding professional and scientific grades, were established:

Senior Civil Service | **Mainstream Civil Service**
grade 1 (permanent secretary) | grade 4 (executive directing bands)
grade 1A (second permanent secretary) | grade 5 (assistant secretary)
grade 2 (deputy secretary) | grade 6 (senior principal)
grade 3 (under secretary) | grade 7 (principal)

Within the British civil service, the upper echelons have traditionally had a separate position from the rest of the civil service. Historically, the first division or administrative class can be seen as elite or generalist administrators. In 1996, the Senior Civil Service was founded, consisting of senior managers, specialist and policy advisers in the highest grades of the civil service. Presently, the divide between the senior civil service and the rest of the civil service falls between grades 3 and 4.

The differences between the senior civil service and the rest of the civil service are on the one hand quite obvious: social prestige and higher salaries. However, at the same time, the senior civil service distinguishes itself from the rest by its clubby atmosphere, a higher degree of mobility throughout the civil service as a whole, and the requirement of even more generalist skills (comparable to the *grands corps* in France).

The British senior civil service unites about 3,300 high-level civil servants working in approximately 55 core departments, agencies and NMDs. As an instrument to ensure high-quality entry into the senior civil service, the so-called 'fast stream' was set up. This entails the direct entry of a small number of generalist administrators straight from university by means of centrally conducted tests and interviews, and can therefore be considered the present-day successor to the examination system designed on the basis of the Northcote-Trevelyan Report in 1870. Fast-stream participants can feel confident that they will enter senior posts within the civil service within a relatively short time span.

Gradually, the fast-stream initiative has diversified into fast streams for the central departments, the diplomatic service, the Houses of Parliament, European matters, and in the field of science and engineering for the Ministry of Defence and other government organisations. The European fast stream was designed specifically in order to deliver highly qualified and talented British officials to work either with the European institutions or within the Europeanised sections of the British civil service. However, in 2008, the European fast stream was no longer available to recent graduates.[42]

Many interview respondents reported that hierarchy has lost some of its value as a basis for bureaucratic power. Primarily, this is because ministers and junior ministers have extended their usage of personal advisers and

spin doctors. In much the same way as the *cabinet* members in France, these temporary officials have evolved from mere external communicators to actors who can heavily influence a minister's political agenda and thus the content of policies and even the ways in which policies are executed.

8.3.2   Recruitment and career

Based on the Northcote-Trevelyan recommendations, the British civil service became a so-called unified civil service, as opposed to a departmentalised civil service (Hague and Harrop, 2007). In general terms, this means that the personnel system has traditionally been centrally structured. Procedures for training, recruitment and rewards were designed and applied across-the-board instead of fragmented per department or organisation (Fry, 2000). Until 1981, the Civil Service Department was responsible for these civil service policies. Soon after taking power, Thatcher abolished this department and transferred its tasks to the PM's Office and the Cabinet Office (Sampson, 1982: 171).

To enable British civil servants to be truly neutral in their administrative actions and policy advice, permanence of appointment is a traditional feature of the civil service. Thus, civil servants are, at least in a formal-legal sense, protected if their minister dislikes their advice. The great majority of civil servants acquire a permanent appointment after a brief probationary period. In the survey sample, 89% of the respondents indicated they have a permanent appointment. It should be noted however, that especially during the last decade, the number of external consultants and special advisors to Cabinet ministers and the PM has sharply increased (Commons Hansard, 2007; Red Star Research, 2002; Gay, 2009). Although external consultants are not considered civil servants, they do fall within the scope of the civil service system, given their contribution to the service of the state. The role of special advisors will be discussed more elaborately in section 8.6.1.

Recruitment model

From 1870 onwards, entry to the civil service was preceded by an open competitive selection process consisting of written examinations and interviews. This system was criticised in the 1950s because it appeared to favour the socially privileged; that is, although the process was successful in selecting the most talented from those who entered the competition, it was seen that a socio-economic pre-selection took place because only well-to-do Oxbridge graduates made it.

Therefore, the Fulton Commission recommended abandoning the centralised unified selection procedure in favour of decentralised entry recruitment, which also addressed the criticism that specific ministries had too little say in their personnel policies. In a real sense this reform eroded the

unified character of the civil service, since individual departments became responsible for their own intake of new staff, except for the very top positions (see 8.1.3). The introduction of the centralised fast-stream recruitment in 1970 for the senior civil service ran counter to this decentralisation, resulting in a clearer separation between the personnel policies for the senior civil service and the mainstream civil service, and again practically reserved entry to the senior civil service for the socially privileged. In 1996, all departments and agencies were given additional autonomy to make their own decisions about the salaries and grading of all civil servants below the senior civil service.

There are various ways through which civil servants can enter the service or a new position within it. In the online survey, when asked how civil servants were recruited for their current position, 43% responded that it had been through open competition, meaning that anyone, either from inside or outside the civil service, could apply; 22% of respondents indicated that the vacancy was advertised service-wide; 13% indicated that the vacancy was advertised within a limited number of departments, and 22% reported that they were nominated without open competition (see table 8.4 below).

Interestingly, the openness of recruitment to the senior civil service differs for the different types of organisations, as depicted in table 8.4. Whereas in ministerial departments, the share of senior civil servants recruited by means of open competition is smaller than average, the opposite is true for the senior civil servants in executive agencies. This contrast is even starker for senior civil servants in regulatory bodies, where the share of senior civil servants recruited by means of open competition is far above average (77%). There are two potential explanations for this pattern. The first has to with proximity to political leadership. It may be that, in positions close to the political leadership, the system of civil service selection and recruitment is more closed, given the value that is attached to seniority and socialisation within the civil service. Conversely, the further an organisation is removed from the political leadership, there is more room for a wider range of (external) applicants, since in executive agencies (and even more so in regulatory bodies), *Dienstwissen* is seen as less important than in ministerial departments.

The second potential explanation has to do with the nature of the job. In the British civil service, technical expertise is not seen as an essential requirement for a permanent senior civil servant, at least not in ministerial departments. The further one moves away from the centre, i.e. in the direction of executive agencies and even further towards regulatory bodies, technical expertise can be expected to become more relevant, even in an overall generalist civil service. The greater necessity of technical expertise in executive agencies and regulatory bodies may thus explain why recruitment is more open, since it is less easily found within the civil service itself.

	Nomination[43]	Limited Trawl[44]	Service-wide Trawl[45]	Open competition[46]	TOTAL
Min. department	23%	15%	23%	39%	100%
Executive agency	25%	8%	17%	50%	100%
Regulatory body	8%	8%	8%	77%	101%
Other	20%	0%	20%	40%	100%
TOTAL (N=181)	22%	13%	22%	43%	100%

Survey question: Through what recruitment method were you recruited to your current position?

Table 8.3   *Recruitment method of senior civil servants by organisation type*

Employment history

British civil servants change jobs more frequently than their colleagues in most other member states (Bekke and Van der Meer, 2000): 89% of the respondents indicated that they had working experience of more than one year within a different organisation than the one they were currently working for (N=224, see table 8.4).

UK	Ministerial department	Executive agency	Regulatory body	Other	TOTAL (N=212)
Yes	89%	82%	93%	100%	89%
No	11%	18%	7%	0%	11%
TOTAL (N=224)	100%	100%	100%	100%	100%

Survey question: Do you have working experience of more than a year with another organisation than the one with which you are currently working?

Table 8.4   *Career mobility for British senior civil servants – general (2007)*

The variation in terms of external work experience across the different grades is rather limited. Across the different types of organisations, however, the share of senior civil servants with work experience in another organisation is the lowest in executive agencies, followed by ministerial departments and then regulatory bodies. This can be explained by the fact that civil service work in departmental ministries is more generalist than civil service work in executive agencies. As a result, interdepartmental mobility is greater than mobility between ministries and agencies, and far greater than between agencies. However, it is important to note that in Britain, just as in France, interdepartmental mobility is significantly higher among the senior civil servants than in the mainstream civil service. In the words of one respondent: "Interdepartmental mobility is not really happening below DG level" (IR25).

Table 8.4 below demonstrates the types of organisations in which senior civil servants with external work experience previously worked. Of the re-

spondents with work experience outside their current organisation, 44% worked for another ministry, 18% for an executive agency, and 9% for a regulatory body. 30% percent of senior civil servants who worked elsewhere did so in the corporate sector, while 8% indicated they had working experience with not-for-profit organisations.

Previous international work experience was relatively marginal: only 3% of senior civil servants indicated that they had worked for more than a year with one of the EU institutions, while 4% had previously worked for a non-EU international organisation. Still, it seems that of all organisation types, the share of senior civil servants with work experience at the EU is largest within regulatory bodies. This can be explained by the regulatory nature of governance at the EU level and illustrates the relation between European integration and regulatory governance at the national level.

| | YES | | | | | | | |
| | National government | | | | Private sector | | International | |
	Ministerial department	Executive agency	Regulatory body	Project organi-sation	Profit	Not for profit	EU institution	Other inter-national organisation
Ministerial department	46%	16%	7%	1%	29%	8%	3%	4%
Executive agency	27%	27%	15%	3%	33%	9%	3%	3%
Regulatory body	47%	20%	27%	7%	33%	0%	7%	0%
Other	83%	17%	17%	0%	17%	17%	0%	0%
Total (N=224)	44%	18%	9%	2%	30%	8%	3%	4%

Survey question: If you have working experience of more than a year with another organisation than the one with which you are currently working, which one(s)? Multiple answers may apply.

Table 8.5   *Career mobility for British senior civil servants – specific (2007)*

While from a short-term efficiency perspective this flexibility may seem advantageous (Pollitt and Bouckaert, 2004), many respondents had a different opinion on this issue. For example, one said:

> *We move around a lot: we move on and we move up. As a result, there is less of a corporate memory, and I can compare this to how this works in other member states where they have more continuity in their staffing. It is sometimes difficult for us to sort out conflicts to our advantage when we are faced with technical experts who*

have been in the same place forever. Their wealth of expertise and
experience in one area is something we in the UK can't beat (IR28).

Mobility in the nature of the job

An important recent development is that several departments have created
divisions in which civil servants no longer have fixed job descriptions or
permanent tasks assigned to them. In order to be able to respond more
quickly and more flexibly to political or societal developments, the Depart-
ments for Environment, Food and Rural Affairs (DEFRA) and for Business,
Enterprise and Regulatory Reform (BERR) have somewhat drastically chan-
ged their organisational design. DEFRA, which carried out a cost-efficiency
restructuring, realised a headcount reduction of 20% and organised its re-
maining civil servants more flexibly:

> *Now everyone is a flexible resource. At the moment climate change*
> *is hot, so many people are directed towards that subject matter. In*
> *the future some other issue within our responsibility may demand*
> *urgent or increased attention and then we can quickly respond to*
> *that. Because our environment has become decreasingly predict-*
> *able, this approach makes it easier to run the department (IR 27).*

At BERR something similar has taken effect. A pool has been created of
about 180 civil servants who function as internal consultants and take on
projects within a relatively wide range. The pool is subdivided into five
so-called "communities of practice". One is the "EU community of prac-
tice" whose staff assist any regular division dealing with an EU-related
issue, pro-actively work towards increasing EU awareness throughout the
department, and work on specific EU-related projects for the department as
a whole (IR25, IR28).

Mobility with the private sector

Traditionally, interchange between the civil service and the private sector
in Britain has been quite limited, particularly when compared to France.
However, like in France, mobility between the civil service and the private
sector is significantly more common among senior civil servants than
among the mainstream civil service (IR25). Out of the survey respondents,
30% reported to have work experience of more than one year in the private
sector. The data point to the fact that the share of senior civil servants with
experience in the corporate sector increases with an increase in hierarchical
grade. In other words, relatively more top managers in the senior civil ser-
vice have a background in the corporate sector than lower-ranking senior
civil servants.

Moreover, it is interesting to note that, over the past decades, mobility
from the private sector to the civil service has mainly taken place at the

top levels of the civil service, while mobility from the civil service towards the private sector occurs mostly at the level just below the senior civil service. The Thatcher governments initiated the inward stream with the goal of appointing a higher number of external candidates to the senior civil service. In part this was done in order to break with the old traditions and privileges of the senior civil service as it was up to the late 1970s. It was also partly to place people in key positions within the civil service hierarchy who had proved themselves in the 'real world' of business and who had the 'can-do' mentality that was thought necessary for the realisation of Thatcher's reform agenda. Overall, Thatcher was driven by a deeper political desire to change the elitist culture (and its perceived lack of efficiency and productivity) in Whitehall (Hennesy, 1988).

The outward stream (of lower-ranking senior civil servants to the private sector) can be explained by the abandonment of the connection between civil service and private sector salaries, which has made it increasingly difficult for civil service organisations to hold on to highly qualified and motivated staff. This is particularly the case for mid-level managers in the civil service, who view the (prospective) advancement of their career as unsatisfactory compared to the type of career they anticipate in the private sector. The premium for a civil servant who enters the senior civil service is a 10% salary increase, whereas moving to a private sector job, for instance as a public sector consultant, offers much higher material benefits. Over the last few years, an increasing number of civil servants have therefore left for the private sector, many of whom were soon after contracted by public-sector organisations as consultants. In this way, accumulated knowledge and experience leaks away to the private sector, and while the civil service may shrink in headcount, divisions run the risk of overspending on external contractors (IR31).

On the other hand, it is observed that younger civil servants who leave for the private sector return after some time, because of the interesting and fulfilling content of civil service work, and perhaps more importantly, because the civil service offers a work-life balance that is more favourable to many people than that of the private sector (IR33). All in all, British civil servants observe a gradual blurring between public sector and private sector careers at the senior levels, which is primarily explained by the de-privileging of the senior civil service and the greater influx of accomplished business managers into ministries and government agencies following Thatcher's adoption of power (IR25).

Vertical mobility

From 1953 to 1955, a large-scale review of the functioning of the civil service was conducted by the Priestley Commission. Much in line with the Weberian ideal-type, the Priestley Commission found that vertical mobility (that is, promotion) was the norm within the British civil service, both

within each of the civil service classes (clerical, executive and administrative) and between them, and that promotion generally took place primarily on the basis of seniority and secondarily on the basis of merit.

Presently, promotions both at the lower and at the higher levels of the civil service are generally decided upon by civil servants, not politicians. At the lower levels, decisions over promotions are taken by the permanent head of the department concerned. Where relatively senior appointments are concerned, the minister may be consulted (Page, 1992: 38). The Permanent Secretary and the Deputy Secretary of any given department, however, are promoted after consultation between the permanent head of the civil service within the Cabinet Office, top civil servants in other ministries, and the PM. So, the very top of the British civil service is appointed by political leadership, but this is not to say that the appointments are political, let alone party-political.

8.3.3   Training and expertise

Educational level

With respect to the educational level of British senior civil servants, while 51% of our sample held only a first degree, 41% went on to complete a graduate degree, and 7% held a doctorate (see table 8.6). The data collected by Aberbach et al. in the 1970s reported that 16% of British senior civil servants held no university degree, which would suggest that the share of university graduates has only slightly increased over the past 30 years (Aberbach et al., 1981).

	Grade 7	Grade 6	Grade 5	Grade 4	Grade 3	Grade 2	Grade 1A	Grade 1	TOTAL (N=184)
Bachelor	58%	46%	47%	83%	56%	30%	100%	100%	51%
Master	36%	38%	46%	17%	44%	50%	0%	0%	41%
PhD	7%	17%	8%	0%	0%	20%	0%	0%	8%
TOTAL	101%	101%	101%	100%	100%	100%	100%	100%	100%

Survey question: What is your highest completed level of education?

Table 8.6   *Educational level of British senior civil servants (2007)*

Pre-entry training

As stated above, the British civil service system has traditionally been more generalist than specialist in outlook. One of the primary areas in which this perspective is reflected is the educational background of civil servants. Traditionally, the main suppliers of civil servants were the arts and humanities departments at Cambridge and Oxford. Although the predominance of Oxbridge arts graduates has decreased since the 1960s, at

present a large proportion of civil servants hold a degree in arts and/or humanities (30%). As is to be expected in a relatively non-legalistic civil service, regardless of organisation type, relatively few civil servants in our sample have law as their educational background.

	Education field							Total
	Arts / Humanities	Law	Economics	Political Science / Public Adm.	Other social sciences	Science	Other	
Ministerial department	32%	9%	9%	10%	12%	12%	17%	101%
Executive Agency	10%	14%	7%	3%	7%	17%	41%	99%
Regulatory Body	43%	0%	0%	21%	0%	21%	14%	99%
Other	33%	17%	17%	0%	17%	0%	17%	101%
Total (N=212)	32%	10%	10%	10%	13%	15%	19%	99%

Survey question: In what field is your education?

Table 8.7   *Educational background of British senior civil servants and organisation type (2007)*

A comparison between the educational backgrounds of British senior civil servants who are involved in EU-related activities and who are not (who will henceforth be referred to as "Europeanised" and "non-Europeanised") reveals that the share of senior civil servants with a background in arts, humanities, political science and public administration among Europeanised senior civil servants is lower than average. Conversely, relatively more Europeanised civil servants have an educational background in other social sciences and science (see table 8.8 below). This points to the fact that European integration affects technically educated senior civil servants more than generalist senior civil servants.

UK	Education field							Total
	Arts / Humanities	Law	Economics	Political Science / Public Administration	Other social sciences	Science	Other	
Non-Europeanised	48%	7%	7%	15%	4%	7%	11%	99%
Europeanised	28%	8%	9%	9%	12%	14%	21%	101%
Total (N=207)	30%	8%	9%	10%	11%	13%	19%	100%

Table 8.8   *The relationship between education background and Europeanisation of senior civil servants.*

In order to appreciate cross-time developments in the educational background of senior civil servants, it is necessary to compare the survey data collected for this study with previously gathered data on educational background. The only available dataset which shows the educational background of British senior civil servants in the second half of the 1970s is that collected by Aberbach et al. (1981). However, it is only with the greatest precaution that our data can be compared to those gathered by Aberbach et al. (1981), since neither the respondent groups nor the answer categories are identical. However, what can be tentatively deduced from the two datasets is an increase over time in the share of social scientists and lawyers, to the detriment of the share of natural scientists in the senior civil service (see table 8.9).

Late 1970s	%	2007	%	N
No University	16	-	-	-
Law	3	Law	9	19
Humanities (including history and social sciences)	40	Arts/Humanities	30	64
		Economics	8	18
		Pol. Science, Public Adm.	10	22
		Other social sciences	10	22
		Total humanities and social sciences	*58*	*126*
Technology, natural sciences	26	Natural sciences	13	27
Unknown	2	Another field	19	43
TOTAL	99 (N = 91)	TOTAL	99	215

Table 8.9   *A comparison of author's survey results with Aberbach et al.'s results regarding educational backgrounds of senior civil servants (Sources: For Late 1970s: Aberbach et al. (1981), for 2007: Author's survey data).*

Post-entry training

The more unified a civil service traditionally is, the higher the likelihood of an elaborate post-entry training scheme by which new civil servants can acquire the necessary knowledge and become socialised into the civil service. However, service-wide post-entry training for the British civil service has always remained limited. Until the late 1960s, there was only a modest central training centre. One of the recommendations of the Fulton report was to establish a true civil service college modelled on the French ENA. While Fulton's recommendations were not fully adopted, the old training centre was renamed The National Civil Service College and expanded.[47] At present, about 90% of post-entry training is provided at the organisa-

tional level, which means that the training of civil servants is largely de-
centralised and takes place 'on the job'.

The role of expertise

The British civil service has a long tradition of emphasising general analy-
tical skills over technical expertise. Still, 95% of the respondents indicated
that substantial expertise is relevant to the job they perform. This percen-
tage is higher than the percentage of respondents who indicate that proce-
dural knowledge is relevant to job they perform (90%) but slightly lower
than the percentage of senior civil servants who report that political-strate-
gic insight is relevant to their position.

There seems to be a slight variation in the relevance of substantive ex-
pertise across organisation types. In ministerial departments 6% of the re-
spondents indicated that substantive expertise is of little importance to
their job, whereas in executive agencies, this figure is 3% and in regula-
tory bodies it is 0%. So, although there is only a small group of senior
civil servants who do not feel that substantive expertise is of great impor-
tance to their position, they are primarily within the ministerial depart-
ments and to a lesser extent in executive agencies. Also, there seems to
be a relation between the importance of substantive expertise to one's job
and whether one is or is not Europeanised: of the Europeanised group of
senior civil servants, 10% indicated that substantive expertise is not of
great importance to their job, whereas this figure was 5% for Europea-
nised senior civil servants. From this we may deduce that EU-related ac-
tivities require a higher degree of substantive expertise than domestically-
oriented activities.

When asked whether substantive expertise is becoming more or less re-
levant to their job, 45% of the senior civil servants in ministerial depart-
ments responded that it was becoming more relevant, whereas 9% indi-
cated that it was becoming less relevant. Of the senior civil servants in ex-
ecutive agencies, 53% responded that substantive expertise was becoming
more relevant, against 12% who believed it was becoming less relevant. In
regulatory bodies, the figures were respectively 47% and 13%. Interest-
ingly, of Europeanised senior civil servants, 46% felt substantive expertise
was becoming more relevant, while 10% believed the opposite. For non-
Europeanised senior civil servants, the figures are remarkably different,
namely 57% against 7%.

A number of interview respondents expressed concerns about the levels
of policy and process expertise in the British civil service. Over the past
decades, they have observed an increasing reliance on external experts,
both in terms of policy advice and in terms of process activities (IT consul-
tants, interim managers, controllers, accountants). Respondents reported
seeing many negative implications of this phenomenon, particularly in
terms of eroding corporate memory and identity and an insufficient ac-

countability for decisions taken and actions performed. One respondent illustrated this:

> *The disaster with the Millennium Dome is a case in point: the standing civil service did not have the expertise to draft the plans or political leadership did not trust them with this job, so interim people were hired. The external advisors did not have the legal or administrative experience to make a solid plan. One of their big mistakes was their complete disregard of all the European legislation the project should have been sensitive too. However, by the time these problems arose, none of the 'fresh and creative' interims were around anymore to be held accountable. (IR31)*

Several interview respondents noted that, in their interactions with officials within the Directorates General, the services and agencies of the European Commission, and with their counterparts in some other member states, their level of substantive expertise was not on a par with those civil servants from systems where the possession of technical expertise is more valued among senior civil servants (IR30, IR27).

With respect to procedural knowledge, the survey data seem to suggest that its relevance is inversely related to grade. In other words, the higher the grade, the lower the percentage of senior civil servants who responded that procedural knowledge was of great relevance to their job. Comparing organisation types, it seems that procedural knowledge is more relevant to the work of senior civil servants in ministerial departments than in executive agencies or regulatory bodies. Still, it seems that the relevance of procedural knowledge in agencies and within regulatory bodies is at least partially catching up with that in ministerial departments: More senior civil servants in executive agencies and regulatory bodies indicate that the relevance of procedural knowledge is increasing, when compared to senior civil servants in ministerial departments. Interestingly, relatively more Europeanised than non-Europeanised senior civil servants indicated that procedural knowledge is becoming more relevant. This can be interpreted as indicating the greater procedural nature of EU-related activities than of domestic activities.

In relation to the role of expertise, it is also important to look at the relevance of political-strategic insight to senior civil servants' positions. 96% of senior civil servants felt that political strategic insight is somewhat relevant or highly relevant to their job. Of senior civil servants in ministerial departments, only 1% felt that political-strategic insight is not relevant to the job they perform. For executive agencies, this figure is 3%; for regulatory bodies, it is 6%. This is not surprising: senior civil servants in ministerial departments are closest to the political leadership, followed by executive agencies and then regulatory bodies. No significant variation was

found on this question across Europeanised and non-Europeanised senior civil servants, or across the various grades.

On average, 61% of British senior civil servants felt that political-strategic insight is becoming more relevant to the position they perform. Similar to procedural knowledge, the relevance of political-strategic insight for the work of senior civil servants with executive agencies seems to be catching up with that of senior civil servants within ministerial departments. 60% of senior civil servants in ministerial departments felt that political-strategic insight is becoming more relevant to their job, compared to 71% of senior civil servants in executive agencies.

There is also remarkable variation between Europeanised and non-Europeanised senior civil servants when it comes to the developing relevance of political-strategic insight. Of the Europeanised civil servants, 63% felt political-strategic insight is becoming more important, compared to 45% among non-Europeanised civil servants. This may indicate a stronger politicisation of EU-related activities than of domestically-oriented activities.

Table 8.10 sums up the expertise-related findings for the total group of British respondents. Of the three assets a senior civil servant may have, it seems that procedural knowledge is the least essential. Although about one-third of the respondents felt that its importance is increasing, it is less so compared to substantive expertise and political-strategic insight. Substantive expertise is seen as more relevant than procedural knowledge, and almost half of the respondents felt its relevance is on the increase. Lastly, political-strategic insight is seen as the most relevant of the three, and as many as 61% of all British senior civil servants felt that this asset is currently becoming more relevant to their position.

	The United Kingdom			
	Current relevance		Relevance is currently…	
	< average	> average	decreasing	increasing
Substantive expertise	2 %	95 %	10 %	47
Procedural knowledge	2 %	90 %	9 %	36
Political-strategic insight	1 %	96 %	1 %	61

Table 8.10 *Summary of responses regarding substantive expertise, procedural knowledge, and political-strategic insight.*

8.4 Containing the potential for official dominance

8.4.1 Parliament

Of our respondents within the British senior civil service, 61 percent indicated that the national parliament in currently becoming a more important actor in their work, whereas 9 percent indication that national parliament is becoming less important to their work. The findings were relatively equal across organisation types and across grades.

Concerning the nature or style of this interaction, 43 percent reported that it is constructive or very constructive, while 21 percent qualify the interaction with national parliament as conflictuous or very conflictuous. The percentage of senior civil servants who see the relationship with parliament as conflictuous is highest within ministerial departments (28%), followed by regulatory bodies (27%) and considerably lower among executive agencies (12%). Furthermore, there is ample variation in the share of senior civil servants who find the interaction with the national parliament conflictuous between Europeanised and non -Europeanised senior civil servants: 24 percent and 7 percent respectively. Even more striking is the difference in percentages of the respondents who indicated that they had *no* interaction with national parliament. Whereas 3% of the Europeanised senior civil servants indicated they had no interaction with national parliament, this figure is 11% for non-Europeanised civil servants. Relatively more Europeanised civil servants interact with Members of Parliament than non-European senior civil servants. This suggests that there is a positive relation between involvement in EU–related activities and activities which involve interaction with the legislative branch of power. Based on this finding it can also be hypothesised that the interaction between senior civil servants and Members of Parliament is greater if it concerns EU-related affairs than if it concerns a non-EU or domestic affair. In this sense, there appears to be a positive relation between European integration and the interaction between bureaucrats and Members of Parliament in Britain. This may be explained by the comparatively large role of the House of Commons in the formulation of national positions at the EU-level (Kassim, 2000). It may be anticipated that if and when the Lisbon Treaty will take effect, the role of the House of Commons in the work of Europeanised senior civil servants will even further increase.

UK		Conflictuous	Neutral	Constructive	No interaction	Total
	Ministerial department	28%	30%	44%	4%	100%
	Executive agency	12%	41%	41%	6%	100%
	Regulatory body	27%	33%	33%	7%	100%
	Other	20%	35%	40%	5%	100%
EU	Europeanised	24%	31%	42%	3%	100%
	Non-Europeanised	7%	33%	48%	11%	99%
Total (N=234)		21%	32%	43%	4%	100%

Survey question: How would you qualify the interaction between senior civil servants and the national parliament?

Table 8.11   *Interaction between British senior civil servants and the national parliament (2007)*

Several interview respondents who are actively involved in EU matters indicated that the interaction between senior civil servants and Members of Parliament is different for Europeanised policy areas than in areas of domestic competence. Within the range of Europeanised policy areas, a further distinction can be made between issues that have to be decided on by the Council by unanimity and issues to which qualified majority voting in the Council applies. In the latter case, British Cabinet ministers require the approval for their voting behaviour in the Council. This means that in the preparatory stage of such decision making rounds, it is up to the civil servants to play a complex bouncing game with Members of Parliament and other national-level actors. The interaction with the Members of Parliament and the clerk of the concerned parliamentary committee is then much more intense than it would be if it concerned a national issue. Here it becomes clear that the diplomatic character of EU decision making implies participation in an increasingly complex and increasingly political game for higher civil servants. As one respondent commented:

> *The idea is to let the negotiations in the Council working groups advance as far as possible, while constantly keeping the UK Parliament up to date, and then have a last-minute meeting with our parliamentary committee in the Commons before the informal ministerial meeting takes place. During this meeting with the parliamentary committee the minister's negotiation position is determined. Because of this parliamentary scrutiny we also have to have closer contact with the Council Presidency and with the European Parliament. Because of the tight scrutiny we face by our national Parliament, the unpredictability of Council meetings outcomes is more problematic to us than it is to our college agues in most other member states. If the Council decision fall outside of the scope of the instructions we*

*received from our Parliament, our minister is in trouble so we are
in trouble. All in all this increases the burden on the civil servants,
but it also forces closer interactions before the Council meetings
with the various political and administrative parties involved. The
mandate that the UK takes to the Council meetings may therefore
be less flexible, but it is also more coherent, thought-through and
has more support nationally. Moreover, it is my conviction that our
strict parliamentary scrutiny and the inflexibility in European nego-
tiations that follows from it, is in fact an asset in terms of our nego-
tiation position. Our ministers cannot be pushed beyond their par-
liamentary brief, so the pressure on ministers from other member
states to shift can be raised (IR23).*

8.4.2   Interest groups

74 percent of our respondents in the British senior civil servants indicated
that national interest groups are increasingly important to their work. Only
3 percent indicated that national interest groups are currently becoming less
important to their work. There is an interesting variation across organisa-
tion types on this variable. Relatively more senior civil servants in minis-
terial departments than in executive agencies feel that national interest
groups are becoming more important, whereas the reverse is also found:
more senior civil servants in executive agencies than in ministerial depart-
ment feel that interest groups are becoming less important (see table 8.12
below). This can be seen as an indication that the role over interest groups
in policy formulation is growing, but in the implementation phase is de-
creasing. This finding supports the assertion that in Britain, internal dy-
namics as well as European integration have led to increased access of in-
terest groups to policy formulation combined with an increase of control
on the part of state and other public actors in policy implementation as the
self-regulation of the past has given way to more regulatory and legalistic
enforcement (Schmidt, 2006: 154).

UK	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=265)
More Important	75%	65%	88%	67%	74%
Less important	2%	11%	0%	0%	3%

Table 8.12   *Percentages of respondents who indicated national interest groups
are currently become more important or less important to the work
of senior civil servants.*

During the interviews with British senior civil servants, multiple respondents indicated that the European regulations concerning government-interest group interaction are over-restrictive. For instance, at the Ministry of Health, civil servants would prefer medicine regulation to remain a national responsibility, since they feel national relations between policy-makers, the pharmaceutical companies and patient associations cannot benefit from an EU-wide arrangement. The civil servants feel that their relations with societal actors are more mature and solid than those of their colleagues in other EU member states. Therefore, in Britain the relations between civil servants and societal actors could do with some more flexibility, and further regulation – however necessary elsewhere in the EU, would be likely to harm the quality of interest-group relations (IR30).

What is more, several senior civil servants reported that their Europeanisation was in fact stimulated by their interaction with national interest groups. One respondent commented:

> *"I never had much to do with the EU, but since one of our big industrial partners are very active at the EU level and are part of a European umbrella, I thought it was useful to get involved in EU affairs too. Our partner's know how and network helped us get on the way" (IR34).*

Most respondents indicated that the interest groups they interact with have been involved at an earlier stage and to a larger extent in the EU arena than they themselves. This phenomenon can be explained by the fact that interest groups may have a clearer incentive to engage with the EU because they see it as a vehicle to promote their cause or their commercial interests, whereas civil servants see the EU more as an intrusion of their work or impediment for efficient governance (IR32; IR25). Interest groups are seen as smarter and more knowledgeable of their way around in the EU's system of governance then civil servants.

In general, the interests of civil servants and national interests groups are seen as showing more overlap when it comes to attempts to influence EU policies than when domestic policies are concerned. When European policies are at stake civil servants and societal stakeholders consider each other allies rather than competitors, become both parties "want what's best for Britain".

Still, numerous respondents testified of their awareness that EU membership also implies that the national administration may not necessarily be the primary or most relevant access point for interest groups to make their voices heard, as one respondent put it:

> *"Pressure groups have become smarter: they target the level at which they know they can be effective. It used to be a matter of*

course that this would be the national level, but many have wised up to the fact that they may be better off to also focus on the EU level, or solely focus on the EU level. Many of the larger pressure groups are also organised at the EU level in one way or another, so going straight to Brussels is often does not involve additional difficulties or expenses." (IR 25)

As the EU has become more important for national civil servants to pursue their goals, national interest groups have become increasingly valuable strategic allies, since interest group input and support is highly appreciated by European partners. Multiple respondents reported that their position in EU-level negotiations is strengthened if they can speak on behalf of important stakeholders in their country. Respondents feel they therefore have an advantage vis-à-vis their counterparts from other member states where the relations between the civil service and interest groups are not as mature (IR 23; IR 25; IR 35).

As a result of the increased strategic importance of interest groups for civil servants active at the EU level, the dependency gap between interest groups and civil servants to realise their respective goals has become smaller over the past decades. This is illustrated by one senior civil servant closely involved in EU-related activities:

"Over the past years, the engagement with external stakeholders has increased. The engagement is more open, more deliberate, and what happens is a two-way traffic, i.e. we try to persuade them and they try to persuade us." (IR 33)

Conversely, involvement by interest groups may also present tensions, especially in the phase where EU rules are downloaded into the national arena. Interest groups, especially business, get annoyed with the administration when EU directives which aim at removing relative advantages of the UK Plc. in order to create a level playing field are transposed and implemented sooner than is strictly necessary (IR34).

Although interdependence and convergence of policy positions between the executive and interest groups may be encouraged by the EU, both types of actors remain two worlds apart. Especially since for interest groups, it is much more acceptable and has much less long term consequences to be ultimately pragmatic and strategic about what position to taken and when to change positions. The civil servants are the ones who are accountable to their ministers and who have to cultivate good relations with their partners at the European level for a next round of negotiations or a next issue to reach the table.

European integration has also brought national civil servants into contact with interest groups from other member states than their own. Although

this does not seem to be happening on a broad scale, fulfilling the EU's presidency is seen as a period in which British civil servants have made connections with foreign interest groups as well:

> *"While we held the EU presidency, we used our existing working groups structure, consisting of citizens, industry and implementation agencies, to organise a conference bringing together government officials and interest group representatives from all EU member states. (IR23)*

60 % of the respondents feel that the interaction between senior civil servants and national interest groups is constructive, whereas 18 % feel it is conflictuous. On average, senior civil servants in regulatory bodies experience their interaction with national interest groups as more conflictuous than their colleagues in either executive agencies or ministerial departments. Similarly, Europeanised civil servants qualify their relationship with interest groups as generally more constructive than non-Europeanised senior civil servants.

Interestingly, the same difference is found between Europeanised and non-Europeanised senior civil servants in terms of the percentage who indicated that they do not interact with interest groups as was the case with the national parliament. Whereas 3% of the Europeanised respondents indicate that they do not interact with interest groups, for the non-Europeanised respondents, this figure is 11%.

For European interest groups, as opposed to national interest groups, the picture is markedly different. Whereas 74 % percent of the senior civil servants feel *national* interest groups are becoming more important to their work, one 17 % feel this is the case for *European* interest groups. Similarly, whereas 3 % of the senior civil servants feel national interest groups are becoming less important to their work, for European interest groups, this figure is as high as 13%.

There is a clear difference in the share of senior civil servants that interact with national interest groups and the share of senior civil servants who interact with European interest groups: of all respondents, 4 percent indicated that they had no interaction with *national* interest groups, whereas this figure is 28 percent for *European* interest groups. This large different is found for both Europeanised and non-Europeanised senior civil servants.

Another finding that strikes as remarkable is that whereas Europeanised respondents view the interaction with European interest groups on average as more constructive than non-Europeanised respondents, Europeanised respondents view their interaction with national interest groups as less constructive than non-Europeanised respondents. The latter finding does not correspond with the interview findings.

		Conflictuous		Neutral		Constructive		No interaction		Total	
		National int.gr.	European int.gr.	National int.gr.	European int.gr.	National int.gr.	European int.gr.	National int.gr.	European int.gr.	National int.gr.	European int.gr.
Org. type	Ministerial department	17%	8%	16%	41%	62%	21%	5%	31%	100%	101%
	Executive agency	20%	6%	20%	61%	57%	18%	3%	15%	100%	100%
	Regulatory body	27%	0%	33%	62%	49%	15%	0%	23%	100%	100%
	Other	0%	0%	0%	40%	80%	0%	20%	60%	100%	100%
EU	Europeanised	20%	8%	18%	46%	59%	21%	3%	25%	100%	100%
	Non-Europeanised	15%	4%	7%	30%	67%	9%	11%	57%	100%	100%
	Total	18%	7%	18%	45%	60%	20%	4%	28%	100%	100%

Survey questions: How would you qualify the interaction between senior civil servants and (a) national interest groups and (b) European interest groups?

Table 8.13 *Interaction between British senior civil servants and interest groups (2007)*

8.4.3   Collegiality and Advice

The political neutrality of civil servants is one of the fundamental pillars of the British civil service. Nonetheless, since the 1970s ministers have increasingly felt the need not only to consult with their permanent officials, but also to seek advice from advisers with a political-strategic outlook on the role of ministers. In part, this has to be viewed in the context of increased media attention and pressure on ministers to bring short term results in order to build up or maintain popularity in the eyes of the public. Whereas John Major's government employed eight special advisors, Tony Blair appointed 20 of them.

The most famous incident with special advisers occurred when special adviser Jo Moore instructed a civil servant that September 11, 2001 would be "a good day to bury bad news". Other much criticised special advisers under Tony Blair were Jonathan Powell and Alastair Campbell, who both also exercised formal power over permanent civil servants. The widespread use of special advisor, also referred to as spin doctors, has reduced the political neutrality of public administration, because their advise by necessity has a specific political or strategic agenda, as opposed to the theoretically more neutral and experience-based advised permanent civil servant could offer.

In their 1981 publication, Young and Sloman found that personal advisers to British ministers were primarily used to present policies to the public rather than devise policies. In the same vein, Page (1992) reports that evidence suggests that ministerial advisers occupy a relatively marginal place within ministries.

Interestingly, Pyper notes in 1995 that special advisers and members of think tanks have in many instances replaced the traditional senior civil service as the primary source of policy advice to ministers. During the Thatcher governments, advisors from right-wing think tanks were drawn in as advisors for the governments new neo-liberal and monetarist policies. Not long after, these advisers were also appointed to positions within the government as either ministers or their personal advisers.

In 2001, Foster notes that whereas permanent civil servants initially merely lost their monopoly on ministerial policy advice, over the years they also lost their gate-keeping role in terms of information flows and final policy formulation. Foster (2001) goes as far as describing the present-day importance of senior civil servants in policy advice as comparable to outside interests and lobbies. This suggests that the role of senior civil servants has to some extent become limited to making sure policies work rather than advising on their feasibility.

78 % of the respondents believe personal advisers to ministers are becoming more important to the work of senior civil servants against 5 % who

believe they are becoming less important to the work of senior civil servants. Logically, the percentage of respondents who feel advisers are becoming more important is greatest in ministerial departments, followed by executive agencies, and then regulatory bodies.

The interview respondent were unanimous in their opinion that the increased and increasing importance of special advisers to the work of senior civil servants is an illustration of the significant increase in the importance of 'spinning' in recent years. 'Spinning' is largely described as the activity in which political and administrative actors actively attempt to positively shape public opinion concerning public organisations or their political leaders. The considered necessity to spin is the result of the realisations that a minister's public image is made every day and that frequent statements to score are conditional for public support and ultimate re-election. At the same time, the tendency to respond quickly to complex developments and in catchy terms often happens at the expense of consultations with permanent civil servants and other substantive experts. In this context, senior civil servants observe that ministers have to increasingly seek advice from (a) other politicians, (b) hired consultants and (c) members of think tanks and other special advisers, but not of permanent civil servants or apolitical substantive experts. So-called 'wait-a-minute'-mandarins are seen as difficult by ministers and their special advisers therefore not seldom bypassed:

> *Ministers want bite-size advice which they can quickly transform into short, bold statements. (...) Ministers nowadays consider permanent civil servants as wishy-washy, and that is exactly what they do not need. They choose to forget that in reality complex problems require a more wishy-washy – i.e. nuanced – response. This goes for national policies, but even more so in policy areas in which there is a European legal framework to comply with. (IR31)*

This has contributed to the shift in role of senior civil servants between the late 1970s and the present from main source of policy advice to policy executives (see Page and Wright, 2007). Interview respondents reported similarly:

> *The SCS is much less involved in policy advice than before. Policy now is usually legitimised by so called advisory groups, close to the ministers. The advisory groups consist of external stakeholders who have an interest in maximising the budget for a specific policy. Other than serving this purpose, they do not give much input. This may work as legitimising in so far as there is budget to spend, but since there is ever less budget, the involvement of these advisory groups is less sustainable, as they become less interested. (IR34)*

Pyper (1995) argues that since the late 1970s in the area of strategic policy advice the civil service has lost ground to the array of think tanks and special advisers operating inside and close to government. Under Thatcher it was right-wing think tanks which led thinking on issues such as the use of markets in government and the application of monetarist thinking to government policy. Key figures from think tanks also moved to positions inside government.

Reflecting on these changes, Foster (2001) goes further than his earlier analysis to suggest that not only has the civil service lost its monopoly of advising ministers, but it has since lost its co-ordinating role, its role in giving final advice to ministers. Special advisers or the chairperson of a task force might take on that role: "In the initiation and detailing of policies, officials would frequently become not much more important than outside interest and lobbies and with no special gatekeeper function" (Foster, 2001: 736).

Numerous respondents indicated their disapproval of the present importance of spinning, and some predict a counter reaction in the near future:

> *Spinning is not and should not be a core civil service value. The tradition of neutrality and objectivity and expertise is being compromised. However, there is a growing awareness that we're on the wrong track. I suspect that there will be a reorientation towards the old civil service values. (IR30)*

In the interviews, a relation between conscious spinning and the relatively low degree of involvement of ministers in EU affairs repeatedly resurfaced, in the sense that spinning often also contains an element of scapegoating, and the European Union or fellow EU member states regularly serve as such. One responded reported that "ministers and their special advisor try to blame the EU for what they failed to accomplish themselves" (IR34) and another commented that media appearances (whether newspaper, television, radio or internet) have to be used for "clear, positive and consistent" coverage of ministers and their achievements, and that this mission is almost impossible to accomplish by means of European issues (IR 23).

The interaction between permanent senior civil servants and personal advisers to ministers can be a complex one, given the potential competition for access to the minister and given the typical differences in professional perspectives. However, two-thirds (67%) of the respondents qualify the interaction between personal advisers and senior civil servants as constructive, whereas 12 % qualify it as conflictuous. Interestingly, the percentage of respondents who indicated that they have no interaction with personal advisers was much higher among non-Europeanised respondents than among Europeanised respondents. This suggests that there is a positive relation between Europeanisation and interaction with personal advisers and

that senior civil servants who are involved in EU-related activities are generally positioned more closely to ministers and their direct circle of advisers than senior civil servants who are mostly involved in purely domestic activities.

UK		Conflictuous	Neutral	Constructive	I don't know	Total
	Ministerial department	5%	23%	66%	7%	101%
	Executive agency	6%	31%	38%	25%	100%
	Regulatory body	14%	41%	38%	7%	100%
	Other	25%	33%	25%	17%	100%
	Europeanised	12%	18%	67%	4%	101%
	Non-Europeanised	11%	14%	64%	11%	100%
TOTAL (N=233)		12%	16%	67%	6%	101%

Survey question: How would you qualify the interaction between senior civil servants and personal advisers to ministers?

Table 8.14   *Perceptions about the interaction between senior civil servants and personal advisers to ministers*

8.4.4   Judiciary

The British legal system differs from most Continental legal system in the sense that it is a common law system, in which the law is developed through decisions of courts and similar tribunals, rather than through legislative statutes or executive decisions as is more often the case in civil law legal systems. This is not to say that Britain knows no statutory law. Statutory law can either be in the form of Acts of Parliament, or EU legislation. Case law is applied in some areas, statutory law is applied in other areas. Where case law is applied, judges can be considered de facto lawmakers given that they have the task to abstract general principles on the basis of specific cases.

The British distinct legal tradition can be traced back to the early middle ages (see Page, 1992) and has therefore had its enduring effect on both legal culture and legal practice in Britain. From this follows, that the misfit between the British legal system and (a) that of the European institutional framework and (b) that of the other EU member states is relatively large, and according to the Europeanisation literature, the pressure to adapt to the EU's legal system is higher in Britain than in the other member states. The question at stake here is: is this true? And: what are then the implications for the senior civil service in general and for the relations between the senior civil service and judicial bodies at the national and European level in particular? These questions are answered below.

In terms of legal culture, most interview respondents noted that in Britain, the norm is to comply with legislation in a very literal sense, more so than is the case in most other EU member states. The British senior civil servants perceive a real difference between their national attitude to the law and that of the majority of Continental member states. This is illustrated by the following quote:

> *Our culture dictates how we go about EU legislation. If it is an Act, we will do it. Other member states are perhaps a bit more loose in this respect. This can work to our own disadvantage. (IR30)*

Several other respondents commented similarly. In their eyes, the difference in attitude towards the law between Britain and Continental member states make it necessary that Britain demands more guarantees for the same level of compliance by other member states:

> *The UK generally takes a rather literal interpretation of the EU legislation, whereas others take a looser interpretation. Therefore the UK needs more safeguards so that other member states also comply correctly with arrangements. (IR32)*

Moreover, EU policy making is regarded by most respondents as a process that is more specialist, more legalistic and less flexible than domestic policy making, because they feel that case law is more flexible to changing circumstance than statutory law (IR23). None of the respondents felt particularly positive about this specialist and legalist turn in policy-making due to EU membership.

Besides the perceived difference in legal culture between Britain and the Continent, in *practice* there seems to be tensions that result from this misfit, too. Respondents commented that they encounter tensions in the implementation phase of EU directives, because the directive is often relatively legalistic, whereas the existing legal frameworks are often based on very general statutory law, in which there is little more than some sort of fundamental thought, e.g. that something should be "fair", or "within reason".

> *"In the absence of legalistically formulated principles, one can arguably discern two rules of thumb: the first is that when it concerns public actors, most things are not allowed until there is precedent in case law that it is allowed, and the second is that when it concerns private actors most things are allowed, until there is a precedent in case law that forbids it. This is in contrast with the continental legal system, which is based on predefined principles, when something is allowed and something is not allowed." (IR23)*

One of the respondents gave a policy example concerning the mutual use of clips of sports events by various broadcasting corporations. In this field, there are no predefined principles, only the statement that there should be a fair dealing system, and the courts will decide on a case by case basis what is fair and what is not fair. Since the broadcasting corporations have an interest in knowing beforehand how far they can go in using other channels' clips, they collectively drafted a voluntary document stating what is allowed and what is not. In this sense, case law encouraged a sector's self-regulation without the necessity of strict legal rules or intervention by the judiciary. This example is to show that British modes of governance do not necessarily correspond with the legalistic and principle-based nature of EU legislation, and that senior civil servants experience a tension when implementing these rules and regulations that are in structure and underlying philosophy alien to what British government and societal actors are accustomed to.

Respondents pointed to a number of developments which can be seen as EU-induced adaptations relative to Britain's legal system. These developments have already eased the supposedly large misfit between Britain and the EU's system. One is the partial codification of the traditionally largely uncodified constitutional framework. For instance, the protection of individual rights has traditionally not been clearly defined or codified, but the incorporation of the European Convention of Human Rights into British law means a decrease of this historical distinctiveness of the British constitutional framework vis-à-vis that of other EU member states (IR28; see also Hague and Harrop, 2007). A second development which brings the British legal system somewhat closer to the Continental member states is the Competition Appeals Tribunal, which takes a principle based approach to cases laid before it, rather than a jurisprudence approach. In this sense, the Tribunal has a very "European flavour" to it, at least in the eyes of the British senior civil servants who work with it (IR33).

The introduction of a principle-based approach to legal matters rather than a jurisprudence approach is also noted in other areas, for instance in environmental policy. As one respondent commented: "The concept of deciding to agree on higher standards and setting them is not a British thing. Due to the EU this different mode of governance has sunk into the British way of making, implementing and enforcing policies. There is a new approach to issues that is clearly European. While many colleagues were initially very sceptic about the Principle-based approach given that it was seen as un-British and imposed on us by Continental powers, the last few years awareness has increased that we can actually have effective policies by setting government standards (IR29).

Moreover, many respondents commented that the misfit in legal systems between Britain and the rest of Europe should not be exaggerated. For one part, this is because Britain's common law system does not apply

to all areas, and that many areas with which senior civil servants deal regularly, fall under statutory law, in a way comparable to most Continental systems. So for a large part of the senior civil servants, the misfit between Britain and the EU in terms of legal systems is hardly noticeable (IR34). For another part, this is because in the EU's legal system as well as in many national legal systems on the European Continent, jurisprudence has become an increasingly important factor in the application of the law, too. Especially the judgments of the European Court of Justice are regarded as not much different from case law as it has been practiced in Britain (IR28).

Rulings of the European Court of Justice can have a direct impact on the work of senior civil servants. As one respondent commented: "In the Alcatel-case, the ECJ ruled that in each procurement round, any competitor who lost the bid is entitled to receive quite elaborate feedback on why they lost. This type of correspondence takes an incredible amount of time and manpower off my division. It results in delays in actual operations and less cost-effectiveness for the tax-payer" (IR31). This is an example of how legal rules emanating from the European level aiming to promote transparency and fairness in government operations are seen to have a negative bearing on the efficiency of civil service organisations.

British civil servants consider their own rules and their own legal system as more flexible than that of most Continental European system. This perceived flexibility is in turn believed to stimulate more efficient operations. Also, since most types of organisational public sector reform does not require an Act of parliament but can be decided on by secondary legislation, reform is often seen as easier in Britain than in other EU member states (see also Pollitt, 1984; and Pollitt and Bouckaert, 2004: 29). This point has recently been criticised by Van der Meer et al. (2008), who feel that such statements, however logical they may seem at first sight, are not supported by historical empirical facts. Rather, these authors point to the British "tradition of slow and incomplete reforms" (Van der Meer et al., 2008: 98), illustrated by the many decades it took for the much applauded 19th century Northcote-Trevelyan proposals to be implemented, and still their implementation was far from complete (Van der Meer et al., 2008; see also Fry 2000; and Greenaway 2004). Similarly, Ziller objects to the idea that the British legal system allows for easier reform than do most Continental legal systems, since "… law as such is not an obstacle to administrative reform, nor to the introduction of management" (Ziller, 2007: 174). According to Ziller, law is not the problem, the suboptimal application by those involved in designing and implementating management reforms, is the problem.

In any case, British senior civil servants from a variety of policy sectors experience European rules and regulations as overly strict. Several respondents noted that given the generally self-regulating nature of British legal

arrangements, EU-directives that aimed at liberalising a specific industry or issue area for the overall EU territory, in fact meant quite the opposite for Britain, i.e. more regulatory intervention than there had previously been (IR23, IR31).

In the survey, respondents were asked whether they felt the judiciary (differentiated between the national courts and the European Court of Justice) is becoming more important, or less important to the work of senior civil servants. The percentage of respondents who feel the national courts are increasing in importance is 31, exactly as high as the percentage of respondents who feel the ECJ is becoming more important. Conversely, 16 percent of the respondents felt national courts are becoming less important to their work, while 11 percent of the respondents indicated the ECJ is becoming less important. Not surprisingly, the increase in the importance of the role of the national courts and the ECJ is felt particularly strongly among senior civil servants within regulatory agencies. Between ministerial departments and executive agencies, there is much less variation.

Concerning the nature of the interaction between senior civil servants and the judiciary at the national and the European level, the findings were as follows. 20% of the respondents qualify the interaction with national courts as constructive, 7 percent qualify this interaction as conflictuous. For the interaction with the ECJ these figures are 8 percent and 17 percent respectively.

Relatively more Europeanised civil servants qualify the interaction with the national judiciary as constructive (14%) than do non Europeanised civil servants (4%). The same difference is found for the interaction with the ECJ: 9 percent of the Europeanised senior civil servants find constructive against 4 % of the non-Europeanised. It is striking that many more non-Europeanised senior civil servants indicated that they have no interaction with national courts (40 %) than Europeanised senior civil servants (21%). Logically, the percentage of Europeanised respondents who indicate to have no interaction with the ECJ is much lower (28%) than the percentage of non-Europeanised senior civil servants who indicated to have no interaction with the ECJ (58%).

Lastly this comparison indicates that while 40 percent of the non-Europeanised respondent has no interaction with the national judiciary, a much lower percentage (28) of Europeanised respondents has no interaction with the ECJ. This findings supports the hypothesis that if you are involved in EU-related work, you are more likely to have to interact with the judiciary in general than if you are only involved in national-oriented work. Assuming that "interaction with the judiciary" is a valid indicator of juridification of specific activities, these findings can be seen as an illustration of the thesis that EU-related work has a stronger legal character than domestically oriented civil service work.

		Organisation type				Europeanisation		Total
		Ministerial department	Executive agency	Regulatory body	Other	Europeanised SCS	Non-Europeanised SCS	(N=205)
National courts	Conflictuous	8%	6%	0%	0%	15%	16%	7%
	Neutral	41%	61%	62%	40%	50%	40%	45%
	Constructive	21%	18%	15%	0%	14%	4%	20%
	No Interaction	31%	15%	23%	60%	21%	40%	28%
	Total	101%	100%	100%	100%	100%	100%	100%
ECJ	Conflictuous	17%	19%	15%	0%	17%	17%	17%
	Neutral	47%	39%	39%	40%	47%	21%	45%
	Constructive	6%	19%	15%	0%	9%	4%	8%
	No Interaction	31%	23%	31%	60%	28%	58%	30%
	Total	100%	100%	100%	100%	101%	100%	100%

How would you qualify the interaction between senior civil servants and national courts?
How would you qualify the interaction between senior civil servants and the ECJ?

Table 8.15   *The interaction between senior civil servants and judicial courts*

8.4.5   Regulators

The range of areas covered by regulatory governance and the number of regulating bodies has expanded greatly in Britain since 1980. Regulation implies a different form of control, based less on trust placed in public institution and more on explicit quantified and expertise-based forms of control (Power, 1994; 1997). Policy areas which are now under regulatory governance rather than traditional governance include housing, education, financial service, broadcasting, the national lottery communications and the utilities that were privatised in order to create the European single market and level playing field for increased EU-wide competition (Hood et al., 1998).

There is a European dimension to regulatory governance in the sense that for most regulatory bodies, interpreting and enforcing EU legislation is their core business (IR26). Secondly, the temporal coincidence of closer EU cooperation and the expansion of regulatory governance examples of other countries have served as lessons for regulatory reform in Britain (IR30). Thirdly, the fact that the majority of rules which have formed the basis for the creation of regulatory bodies have been are the product of the EU's system of governance, is reflected in the nature and form of the regulators as they have emerged, as one senior civil servant working closely with OF-COM, the telecommunications regulator, commented: "The way OFCOM was created and the legal bases of it are more in line with the Continental legal system than with the British legal system" (IR23).

8.4.6   Mass media

To say that the role of the media in social life has increased significantly over the past decades as a result of developments and innovations in information and communication technologies, is to state the obvious. For our purposes, the changed role of the mass media is relevant in the sense that media can be regarded as one of the institutions that may have a greater or less capacity to contain the potential for bureaucratic dominance. Also, in this section, we will explore the potential impact of European integration on changes in the relationship between the senior civil service and the media.

In a very general but direct sense, the relationship between the media and governance actors has changed as a result of technological progress (the development of the internet and mobile recording and communication devices) and more assertive news gathering approaches on the part of journalists and others. As a result, the media have become more influential in scrutinising the government and also the administrative behaviour of civil servants.

This is supported by the survey data, which reveal that of all British respondents, 65 percent feel the media is currently a more important actor to the work of senior civil servants. This picture is relatively equal for all organisation types (i.e. ministerial department, executive agencies, regulatory bodies and "other").

59 percent of the respondents indicated that they feel the interaction between senior civil servants is somewhat conflictuous or very conflictuous, while only 14 percent classified this interaction as somewhat constructive or very constructive. The percentage of respondents who see the interaction with the media as conflictuous is greater among Europeanised than among non-Europeanised senior civil servants. It appears that many more Europeanised senior civil servants than non Europeanised civil servants interact with the media, given that of the former category only 3 percent indicated that they have no interaction with the media, while this figure is 14 percent for non-Europeanised senior civil servants.

UK		Conflictuous	Neutral	Constructive	I don't know	Total
	Ministerial department	61%	21%	12%	6%	100%
	Executive agency	66%	20%	14%	0%	100%
	Regulatory body	33%	33%	33%	0%	100%
	Other	0%	40%	40%	20%	100%
	Europeanised	60%	22%	15%	3%	100%
	Non-Europeanised	43%	21%	21%	14%	99%
TOTAL (N=229)		59%	22%	14%	5%	100%

Survey question: How would you qualify the relationship between senior civil servants and the media?

Table 8.16   *Perceptions about the interaction between senior civil servants and the media*

Somewhat less directly, but arguably even more pervasively, is the increased importance of the media which has come to affect politicians' agendas even more strongly. For politicians (ministers as well as parliamentarians), in order to be successful or even to survive positive visibility in the mass media has become the top priority. As a result, the degree of expected positive media exposure at least partially determines the range of issues ministers will focus on during their term and consequently this co-determines the range of issues and the activities senior civil servants work on. As two respondents put it:

> *"Public debate in the media on the EU has an important impact on how the EU is perceived by both ministers and civil servants. Whether or not it is worth prioritising on a specific EU matter depends primarily on the degree to which the issue offers the minister possibilities to shine, and only secondarily on the content or overall importance of the issue." (IR 28)*
> *"Every proposal of something that the minister is potentially going to be involved in, be it legislation of just a working visit, now needs a PR paragraph. If the activity promises little opportunity for positive media exposure, chances the minister will make time for it are slim." (IR 34)*

In recent years, two developments are further illustrative of the change in the position of the civil service vis-à-vis the public in general and the media in particular. The first is the adoption of the Freedom for Information Act, which deals with the access to information held by public authorities. This Act aims at making government information more easily accessible to the public, and thereby at increasing the public the accountability of political and administrative office holders. The Act has enabled anyone, but obviously the more investigative media in particular to request information on all government decisions and action (except for instance information in which state security is involved). Senior civil servants reported that they understand the rationale behind this Act, but that it has also made them more cautious and in a sense less entrepreneurial, given that anyone at anytime can file a request for information on their activities. In the words of one respondent: "The Freedom for Information-Act has made out job doubly difficult" (IR31). Several respondents indicated that the Freedom for Information-Act may be detrimental for the quality of senior civil servants' work, since they feel their vulnerability and that of their political superiors has increased substantially, leading to overly risk-avoiding behaviour within the senior civil service.

The second development is the removal of 'anonymity' from official documents that function as guidelines for officials' conduct and attitudes, including the Civil Service Code (Civil Service Code, 2006). Whereas

anonymity used to be seen as a crucial value for each civil servant, in the 2006 version of this code, which, according to its authors, "fuses dynamics with traditional values" (Cabinet Office, 2006), anonymity is longer seen as a core civil service value. This removal illustrates the shift in thinking about the civil servant in Britain from a generalist adviser in the background to a dynamic, publicly involved responsibility-taker who should not have to shun a personal role in public societal debates. It is interesting to note that in this rationale, public visibility is seen as helpful or perhaps even conditional for being able to take responsibility, whereas it may be argued just as well that a high public profile may be harmful for bureaucrats to deliver their duties, i.e. supporting their minister in terms of policy formulation and implementation.

8.4.7   Supranational and intergovernmental institutions

To what extent have supranational and intergovernmental institutions with the EU framework developed as additional institutions that may contain the potential for bureaucratic dominance? In order to answer this question, it is first of importance to establish the percentage of senior civil servants who are involved in EU-related activities.

   In our survey, we distinguished 7 types of EU-related activities:
- Preparation of national input for EU-level meetings
- Participation in working groups for the Council of Ministers
- Participation in meetings organised by the European Commission (e.g. expert meetings)
- Informal consultations by/with colleagues from other member states
- Transposition of European policies into national legislation
- Involving subnational authorities in EU-decision making and policy making
- Involving national interest organisations in EU-level decision making and policy making

For this research, a senior civil servant is considered as Europeanised if they are involved in one or more of these activities. According to this definition, 87 % of the senior civil servants are Europeanised, and 13 % is not Europeanised. The density of Europeanized senior civil servants is highest within Executive Agencies (97%), followed by Regulatory Bodies (88%) and Ministerial Departments (86 %). The variation in the density of Europeanised senior civil servants across ranks seems to be marginal.

Interaction between SCS and the European Parliament
20% of the respondents indicated that the European Parliament in currently becoming a more important factor in the work of British senior civil ser-

vant. At the same time, 13 percent feel the European Parliament is becoming less important to their work. Respondents who work in regulatory bodies see the strongest increase in the European Parliament's role in their work (24 percent), followed by those in departmental ministries (20 percent) and then executive agencies (17 percent). As one respondent within a departmental ministry commented:

> *"In terms of a lack of coordination between British members of the European Parliament and our ministry, we learned our lessons in the past. One example was the fact that members of the European Parliament of our governing party signed a petition against animal testing which was in no sense aligned with the position of the British government in this matter. Of course, MEPs have a separate mandate and a separate political responsibility, but in order to make progress in specific policy areas, politicians of one and the same political party should have coordinated positions. Since [the civil service] has a stake in this, we now try our best so that their positions are aligned. So, in recent years we have become much more aware of the benefits of engagement with the members of the European Parliament and we have enhanced our skills in influencing them accordingly"* (IR26).

	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=265)
More important	20%	17%	24%	17%	20%
Less important	14%	13%	12%	0%	13%

Table 8.17   *Percentages of respondents who indicated the European Parliament is currently becoming more important or less important to the work of senior civil servants.*

Respondents were also asked to qualify their interaction with the European Parliament. 9 percent qualified the interaction as somewhat constructive or very constructive, 13 percent as somewhat conflictuous or very conflictuous and 34 percent indicated that they have no interaction with the European Parliament. On this issue there is hardly any variation between the various organisation types.

Interaction between SCS and the European Commission

44 percent of the respondents feel that the European Commission is becoming an increasingly important factor in the work of senior civil servants, while 6 per cent indicates that the importance of the European Commission for the work of senior civil servants is decreasing. These percentages are largely the same for the various organisation types.

Of these respondents 28 per cent view the interaction with the European Commission as somewhat constructive of very constructive, and 21 percent indicated that they did not interact with the European Commission. The percentage of respondents who indicated to have no interaction with the European Commission is 16 among Europeanised respondents, and 58 among non-European respondents. On this variable, variation across organisation types was also considerable: 12 percent of senior civil servants in executive agencies reported to have no interaction with the European Commission, 13 percent in Regulatory bodies and 22% in Ministerial departments. This suggests that the there is relatively more interaction between executive agencies and regulatory bodies and the European Commission than between ministerial departments and the European Commission. This suggests that more senior civil servants interact with the Commission in the phase of downloading European policies (i.e. the primary EU related tasks of agencies and regulators) than in the phase of uploading national preferences (i.e. the primary task of ministerial departments).

8.4.8   Subnational government

Can the subnational layer of government be seen as an institution with the capacity to contain the potential for official dominance? If yes, in what sense? How has the position of subnational authorities changed over the recent decades and what have been the implications for the senior civil service at the national level? What is the European dimension to this change? These questions will be addressed below.

In quite general terms, it can be hypothesised that the greater the degree of territorial centralisation of power within a state is, the greater the autonomy of the national government to impose policies on subnational layers of government will be. Obviously, the autonomy of senior civil servants vis-à-vis subnational actors will also be greater as the degree of territorial centralisation increases. The reverse can also be hypothesised: the greater the degree of political and administrative decentralisation, the smaller the degree of autonomy of senior civil servants to pursue their own interests if they do not correspond with the interests of the subnational authorities (Page, 1992; Schmidt, 2006).

The developments in the relations between national and subnational layers of government in Britain differ substantially between the period of Conservative rule (1979-1997) and the period of Labour rule (1997- present). During the first period of Conservative there was considerable tension between the central and local government, resulting from the disqualifying rhetoric of regional and local government by central government and by the latter's effort to limit the autonomy of local authorities. However, in this same period, central government transferred many executive tasks to

local agencies and other non-elected bodies at below the national level. Under Labour, regional authorities have gained a significant degree of power since 1997. Regional and subregional parliaments have been set up and also the executive branches in Scotland, Wales and Northern Ireland have gained additional areas of competence.[48] In this sense, devolution has detracted from the traditionally centralised nature of the state and thus from the autonomy of national senior civil servants to pursue their own goals.

Since the devolution process started in 1998, a political dynamic different from that at the national level has emerged in the devolved nations. Their Assemblies are elected by based on a proportional rather than majoritarian electoral system, and this has also resulted in coalition government which can be seen as an aberration from British custom in the second half of the 20th century (IR27).

Devolution has also increased the need for stronger coordination between Whitehall, Cardiff, Edinburgh and Belfast. In a number of policy areas, including mine, Whitehall can no longer dictate the devolved authorities what to do, and they are now also claiming a seat at the EU negotiation table for the areas in which they are competent. Only England does not have its own government, they still fall under the central government. Therefore the current construction is somewhat awkward. As a result of devolution, the civil servants of the devolved authorities have also developed much greater expertise than before. On a number of issues, their expertise and experience is now quite close to our level of expertise and experience (IR27).

As an additional consequence of devolution, national courts have also become a more important actor to the work of senior civil servants, given that they are in charge of adjudicating conflicts that may arise between devolved regions and central government.

These changes are also illustrated by our survey data. 51 percent of the respondents experience an increase in the importance of subnational authorities to their work, while 13 per cent indicated the importance of subnational authorities to their work is on the decrease. It is striking that while there is little variation between senior civil servants within ministerial department and within regulatory bodies (54 percent and 53 percent respectively), far fewer respondents within executive agencies indicated that subnational authorities are currently becoming more important to their work (see table 8.18). It appears that the impact of devolution is felt less severely within executive agencies, or that this impact has taken place at an earlier stage within the devolution process.

With respect to the nature of the interaction between senior civil servants and subnational authorities, it was found that 46 percent of the respondents view the interaction as somewhat constructive or highly constructive, while 14 percent views it as somewhat conflictuous or highly conflictuous, and 13 percent reports that they do not interact with subnational authorities. The figures do not differ significantly across the various organisation types.

UK	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=265)
More Important	54	26	53	67	51
Less important	10	24	12	0	13

Table 8.18 *Percentages of respondents who indicated the European Parliament is currently becoming more important or less important to the work of senior civil servants.*

Also across Europeanised and non-Europeanised senior civil service, there is not much difference in the way the interaction with subnational authorities is qualified. Yet, it is striking that significantly fewer Europeanised respondents indicated not to interact with subnational authorities (11 percent) than non-Europeanised respondents (19 percent, see table 8.19).

This points to the fact that there is a positive relation between involvement in EU related activities and interaction with subnational authorities, and conversely, that there is a positive relation between non-involvement with European activities and non-interaction with subnational authorities. This finding justifies the hypothesis that it would make more sense to distinguish between (a) senior civil servants who are active on EU-issues and (b) senior civil servants who are active on domestic issues, but rather to distinguish between (a) senior civil servants involved with other layers of government (supranational and subnational) and (b) senior civil servants who deal primarily or exclusively with the national layer of government.

UK		Conflictuous	Neutral	Constructive	I don't know	Total
	Ministerial department	15%	25%	47%	13%	100%
	Executive agency	9%	39%	36%	15%	100%
	Regulatory body	14%	36%	50%	0%	100%
	Other	0%	0%	80%	20%	100%
	Europeanised	15%	28%	46%	11%	100%
	Non-Europeanised	4%	31%	46%	19%	100%
TOTAL (N=222)		14%	28%	46%	13%	101%

Survey question: How would you qualify the interaction between senior civil servants and subnational authorities?

Table 8.19 *Perceptions about the interaction between senior civil servants and subnational authorities*

In what sense has European integration stimulated or hindered the process of devolution and the abovementioned implications it has had on the position and functioning of the British senior civil service? The EU's focus on the regions has been influential in terms of ideas and self-awareness of Scotland,

Wales and Northern Ireland. These regions have used the principle of subsidiarity to empower themselves against the national government. This has been the case for Scotland and Wales, but to some extent we can see the same thing starting to happen at the county-level. (IR29) Several respondents indicated that in their view, Britain's membership to the EU has given strength to the arguments for devolution. In terms of the relations with Northern Ireland specifically, respondents noted that the existence of the EU and Britain's membership to it has been very helpful to the British government in terms of handling the peace process in Northern Ireland. With the Republic of Ireland and Northern Ireland both being part of the same political structure, the need for a United Ireland has become less pressing. Also, more responsibilities and budget has been devolved to Northern Ireland, which has improved relation between Northern Ireland and the Republic of Ireland.

8.4.9   Conclusion

In conclusion it can be stated that the number of external institutions with which British senior civil servants have to deal and whose interests and positions they have to take into account has grown and that the degree to which these institutions have come to affect the autonomy of senior civil servants to pursue their own objectives has grown.

To summarise, it appears that senior civil servants see ministers as the actors whose importance to senior civil service work is increasing starkest (see also section 8.5) following by personal advisers to ministers, national interest groups, the media, and national parliament and subnational authorities. The bottom half of the list is, in order of increase in importance, populated by the European Commission, the European Court of Justice, the national judiciary, the European Parliament and European interest groups.

From this it can be concluded that in the eyes of national senior civil servants, national-level actors are currently increasing in importance more starkly than European-level actors. In the top half of the list no European actor occurs, and the bottom half features only European actors, besides the national judiciary.

The ranking as presented in table 8.20 indicates that national developments, in particular those with a strong political-strategic dimension are seen as more important than European developments.

In terms of interaction style, media score highest on the ladder of conflict-constructiveness, followed by national parliament, national interest groups, the European Court of Justice, subnational authorities, the European Commission, the European Parliament, personal advisers to minister, European interest groups and minister. The top three is composed of only national actor types. Furthermore, it is striking that the interaction with personal advisers is seen as relatively constructive.

Rank	Actor	% who see relevance of actor to SCS-work as increasing	% who see relevance of actor to SCS-work as decreasing	Balance score
1	Ministers	82 %	2 %	+80
2	Personal advisers	78 %	5 %	+73
3	National interest groups	74 %	3 %	+71
4	Media	64 %	5 %	+59
5	National parliament	61 %	9 %	+52
6	Subnational authorities	51 %	13 %	+38
7	European Commission	44 %	6 %	+38
8	European Court of Justice	31 %	11 %	+20
9	National judiciary	31 %	16 %	+15
10	European Parliament	20 %	13 %	+7
11	European interest groups	17 %	13 %	+4

Table 8.20   *Ranking of institutions that may contain the potential for official dominance according to their perceived increase in importance or the work of senior civil servants*

Rank	Actor	% who see the interaction with actor as "somewhat conflictuous" or "highly conflictuous"
1	Media	59 %
2	National parliament	21 %
3	National interest groups	18 %
4	ECJ	17 %
5	Subnational authorities	14 %
6	European Commission	13 %
7	EP	13 %
8	Personal advisers	12 %
9	National courts	7 %
10	European interest groups	7 %
11	Ministers	4 %

Table 8.21   *Ranking of institutions that may contain the potential for official dominance according to their interaction with senior civil servants as perceived by senior civil servants*

8.5   Political-administrative relations

The relationships between the political sphere and the administrative sphere are generally complex since they involve the confrontation between two groups of actors that each function based on different logics, different values, different time horizons and different instruments of power. However, the extent to which both groups differ from each other may differ across time, across political-administrative systems, across policy sectors, across organisations and across persons involved. In this section, an attempt will be made to answer the following questions: what has been the general interaction style between ministers and their senior civil servants, what have been the changes over time in this style over the past decades and how can they best be understood (8.5.1)? How different are British senior civil servants from their minister as a social group, how has this difference changed and what have been the important factors that can account for possible change (8.5.2)? To what extent have tasks been separated or blurred between ministers and their civil servants (8.5.3)? Lastly, to what extent has the capacity of ministers to contain the potential for official dominance increased or decreased over the past decades (8.5.4)?

8.5.1   Interaction style

As was already briefly presented in table 8.20 in section 8.4.9, of all institutions and actors that may contain the potential for bureaucratic dominance, ministers are seen by senior civil servants as the figures whose importance for their work is currently increasing most strongly. As many as 82 per cent of all respondents indicated that the relevance of ministers for SCS work is currently somewhat increasing or strongly increasing, against only 2 percent of the respondents who indication ministers are in fact becoming less important to their jobs. Interestingly, on this point there is little variation across the various organisation types.

	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=265)
More Important	81%	84%	83%	100%	82%
Less important	2%	2%	0%	0%	2%

Table 8.22   *Percentages of respondents who indicated ministers are currently becoming more important or less important to the work of senior civil servants.*

The relevance of ministers to the work of senior civil servants is one thing, but the style of their mutual interaction is quite another. In this respect, the interaction between senior civil servants and ministers is qualified by senior civil servants as more constructive than the interaction with any other of the actor types they were asked about. While we should be aware of the potential degree of socially desirable reporting on the part of the senior civil servants, this finding strikes as relatively high: 88 percent of the respondents see the interaction between ministers and senior civil servants as somewhat constructive or very constructive, against 4 percent who view it as somewhat conflictuous or highly conflictuous. Only 2 percent of the respondents indicated that they do not interact with their ministers.

There appears to be a significant variation between the various types of organisations: while 90 percent of senior civil servants in ministerial departments view the interaction with their minister as somewhat or very constructive, within executive agencies and regulatory bodies this figure is lower (81 and 80 percent respectively). The closer a senior servant is to the political leadership, the more likely they are to view the interaction with the minister as constructive.

It is interesting to note that the percentage of respondents who responded that their do not interact with their minister is much higher among non-Europeanised civil servants (7 percent) than among Europeanised civil servants (0 percent). This suggests that senior civil servants who are involved in EU-related activities are more likely to interact with their ministers than those who are not involved in EU-related activities.

UK		Conflictuous	Neutral	Constructive	No interaction	Total
	Ministerial department	3%	5%	90%	2%	100%
	Executive agency	8%	8%	81%	3%	99%
	Regulatory body	7%	13%	80%	0%	100%
	Other	0%	0%	100%	0%	100%
	Europeanised	5%	6%	89%	0%	100%
	Non-Europeanised	4%	7%	82%	7%	100%
TOTAL (N=236)		4%	6%	88%	2%	100%

Table 8.23 *How would you qualify the interaction between senior civil servants and ministers?*

On a more qualitative note, the development of overall political-administrative relations in Britain from the late 1970s can be split up into three periods: that of the Thatcher-governments, the Major-government and the Blair-governments. During the Conservative governments under Prime Minister Thatcher the level of trust between Cabinet ministers and senior civil servants decreased due to the internal and public attacks of Mrs.

Thatcher on the senior civil service as a social group and as a professional group. Under Prime Minister Major such hostility by the government towards the senior civil service dampened. With the installation of Tony Blair's New Labour government new Labour such attacks did not occur as openly, but distrust between ministers and permanent senior civil servants continued if not increased due to the preference of many of Blair's ministers to turn to personal adviser and media-strategic advisers as their confidants rather than to the permanent senior civil service. The estrangement that emerged between ministers and civil servants under Thatcher was based on ideological considerations and was sustained under Blair based media-strategic considerations (Fry, 2000; Dargie and Locke, 1999; Sausmann and Locke, 2004; Page and Wright, 2007).

8.5.2   Politicisation of the senior civil service?

In a traditional sense, British senior civil servants are not involved in politics or political activities. Also, in a formal-legal, this still is the case. This is for instance illustrated by the content of the new Civil Service Code as it was launched on June 6, 2006. This Code outlines the core values and standards expected of civil servants. The core values are defined as integrity, honesty objectivity and impartiality. Impartiality is further divided into general impartiality meaning that no particular individuals or interests must be unjustifiably favoured or discriminated against, and (b) political impartiality, meaning that civil servants must serve the Government, whatever its political persuasions, regardless of civil servants' own political beliefs. It is also made explicit that civil servants must "act in a way which deserves and retain the confidence of Ministers, while at the same time ensuring that you will be able to establish the same relationship with those whom you may be required to serve in some future Government", i.e. the opposition in Parliament and in fact anyone else civil servants may interact.

Arguably, however, since the 1970s, the sphere of politics in various ways has made its way into the civil service which traditionally and constitutionally is to be impartial in political terms (Fry, 2000; Dargie and Locke 1999). More appointments are made at the discretion of political leaders, ministers appoint more special advisers on other grounds than merit or seniority, politics has become a more important dimension in the relationship between senior civil servants and ministers, and civil servants interact more and more closely with MPs. Various respondents that the top of the SCS has politicised dramatically over the past 25 years.

One indicator of politicisation may be an increase in political party activity and membership by senior civil servants. In Britain, no civil servant is allowed to stand for election as Member of Parliament or any other political

office. In particular senior civil servants cannot hold office in a political party, nor are they allowed to speak or write about controversial political issues. For the lower grades in the civil servants these rules are somewhat more lenient.

In our survey, asked about whether they were member of a political party, 8 % of respondents answered Yes, 87 % No and 6 % indicated they did not wish to answer this question (N=224). Those respondents who indicated they were unwilling to answer this question, where asked what their main reason was not to do so. The answers ranged from "It is an inappropriate question to ask a civil servant" to "neutrality", "integrity of my role" and "personal information". While unfortunately, no comparable data were available in order to make a cross time comparison, i.e. to assess whether political party membership has increased or decreased over the past decades, the prudence of the British senior civil servants in answering these survey questions give no reason to assume that politicisation of this kind is a significant issue in Britain.

Besides political party membership of senior civil servants, there are three key ways in which senior civil servants see there is a process of politicisation taking place are (a) the increase of the number of discretionary appointments by ministers in the top of ministerial departments and within their teams of personal advisers; (b) the increasing practice by ministers to generate policy advice from actors other than their permanent civil servants; and (c) a change in the importance of various skills for senior civil servants, where political strategic insight has become relative more important than substantive expertise (*Fachwissen*) and procedural knowledge (*Dienstwissen*).

According to several commentators and senior civil servants themselves, Prime Minister Thatcher contributed to the undermining of the non-political nature of the senior civil service by appointing various ideologically like-minded external individuals on the most senior positions within the bureaucracy, and that this subsequent Prime Ministers, Major and Blair, have not repaired this break with the past. However, Fry (2000) asserts that these allegations have no substance to them. Fry also rejects assertions that Thatcher abused her powers as prime minister by promoting the senior who were her favourites or ideological allies had no foundation, by pointing to the fact that all prime ministers since 1900 had the powers to make such senior appointments on the advice of the head of the civil service. In Fry's view, Thatcher merely intervened more than her predecessors because she tried to change the culture among the higher reaches of the civil service in the direction of a more purposive approach to public policy (Fry, 2000: 27).

The second indicator for the politicisation of the top ranks of the bureaucracy is the decrease in the degree to which ministers call on their permanent senior civil servants for substantive policy advice and rather rely on

the counsel of non-civil servants experts, for instance those who work in think tanks. While this phenomenon is observable during the governments of Thatcher, Major and Blair, the rationale for doing so differed from Prime Minister to Prime Minister. Thatcher's preference for external policy advice rather than internal senior civil servant advice stemmed from her personal dislike and distrust of senior civil servants, whom she believed took a primary interest in maximising their own power and budgets. She preferred to surround herself with advisers and executors who supported her policy programmes and whom she regarded as "one of us" and "can-do people". This preference was clearly illustrated by Sir John Hoskyns in his speech in October 1982, when he said:

> *'If a country's problems require radical remedies, you need a radical government. But how can you have a radical government without radically-minded officials? Difficult problems are only solved ... by people who desperately want to solve them: not by people who had been fully prepared until polling day to make those self-same problems worse, rather than better.' (Hoskyns, 1983: 140)*

During the Major-governments (1990-1997), the hostile *tone* against the senior civil service which characterised Thatcher's rule became considerably milder (just as the fierce Euroscepticism of the Thatcher years), but in practice the course of acquiring advices form outside the civil service persisted. Tony Blair was in a sense more similar to Margaret Thatcher in that he too felt an individual zealousness for his policy programmes and consequently preferred to consult like-minded and supportive personal advisers rather than experienced but perhaps overly cautious or critical permanent senior civil servants. Interview respondents as well as other commentators have noted that part of the increased practice of acquiring external advice has to do with change in the role of British ministers since the late 1970s. For instance, Foster notes that during the past decades, ministers have become more pro-active type of policy entrepreneurs and have come to take their position more personally than was the norm in the 1950, 1960s and 1970s (Foster, 2001). This also strengthens the necessity to be surrounded by trusted, personally loyal and supportive advisers, a requirement the incumbent senior civil servants represented to a lesser degree than external advisers.

The lesser reliance of ministers on their permanent civil servants for policy advisers has had a number of implications. Firstly, since ministers can now be seen as policy initiators more of less independently for their senior civil servants, the established system of policy coordination through the cabinet Committee system has weakened. Rather than policy coordination taking place among senior civil servants from various ministerial departments, policies have come to be decided on at informal meetings between

so-called spin-doctors (see section 8.5.2) and minister. At these meetings, senior civil servants are often not invited. These meetings are un-Weberian in the sense that they often do not involve the taking of proper records, and that awkward questions are rarely posed and alternative perspectives are rarely presented. In this sense, many respondents have commented, the long-standing relationship between ministers and their senior civil servants, has changed in the sense that the degree of trust and partnership has decreased. Many of the interview respondents note that this alteration is a serious problem because in their eyes the integrity and the efficiency of the public depend to a considerable degree on the trust and partnership between political leadership and the senior civil service.

The result has been described as an "introverted political process excessively interested in presentation rather than substance" (IR31). In this context, permanent senior civil servants report that the increased reliance on special advisers and spin doctors has come to blur the line between political actors and administrative actors within the top of ministerial departments, and between what can be called political wisdom and substantive expertise. One respondent commented:

> "The advice and opinion of senior civil servants is often not heard anymore, or we just keep our insights and consideration to ourselves, because ultimately your job is at risk if you approach minister's political plans in an overly critical way. I know of colleagues whose attitude nowadays is "Just keep quiet and hope little harm will come of it", because they want to keep their job. Their fear is justified, since there have been a number of incidents in which top civil servants stood up against their minister because they felt specific substantive considerations were overlooked, and then were removed from their position." (IR34)

In addition, permanent senior civil servants have adapted their working strategies to the presence and influence of special advisers.

> The important role of special advisers has made it necessary to get a mandate from the minister himself at an even earlier state in the policy process than used to be the case. The reason is that if you are too late, you'll find yourself at the mercy of the special advisers, who may suddenly decide to change their political strategy, leaving the department empty-handed. Therefore, as a permanent civil servants you have to arm yourself against the interference of spin-doctors. (IR23)

A last indicator of politicisation at the top of the bureaucracy is the increase of the importance of political-strategic insight as a relevant skill for

senior civil servants to perform the duties expected from them by ministers. The following is taken from a speech entitled 'the civil service in the new millennium' by the then head of the civil service, Sir Richard Wilson (1999):

> *Policy making – and I will come back to this issue – was and still is important. But we now require people in public service to be good managers and good leader of their organisations and to know how to achieve results through the people who are working for them and through the application of project management skills. They also need to have good presentational skills: to be prepared to appear in public, on television, before select committees – indeed, before yourselves – and to be prepared to give interviews to the media and to understand the needs of modern news management.*

However, it would be a mistake to conclude that these developments imply a decrease in the impartiality in party political terms of the senior civil service. Bringing a well-developed political-strategic sensitivity to a civil servants' job cannot directly be equated with a lack of political impartiality. So although it can be concluded that the British senior civil service is now considerably more drawn into the politics of government, it cannot be concluded that senior civil servants are now less impartial in party-political terms than they were before.

This in turn is not to say that the criticism by commentators, some civil servants and civil service unions has no substance to it. The increased concern for political considerations rather than civil servants who spend their time on short term ways for their minister to score or to write PR paragraphs to any proposed diary item of their minister, are less able to produce long term visionary and durable advice for ministers. In this sense, the added value of the bureaucracy as a more contemplative body of expertise subsidiary to the minister with their short time horizon can be said to have been partially lost. The problem of politicisation is therefore more the adoption of the short term opinion poll oriented perspective of politicians by the senior civil service than the alleged loss of neutrality in a party political sense.

8.5.3   Conclusion

In conclusion to this paragraph it is worth noting that according to senior civil servants themselves, their interaction with ministers takes place in a relatively constructive manner, more constructive than the interaction with any other party in the national or European sphere they were asked about. Yet we have to be careful not to take these findings too literally, given that

where the interaction with senior civil servants' political superiors is concerned respondents may have answered more positively than they really feel about this interaction, because they may feel that working constructively with their minister is the socially desirable thing to do.

Secondly, with respect to politicisation, we can conclude that although many respondents noted a certain degree of politicisation surrounding the senior civil service, there is little indication that this concerns an increasing activity in of membership of political parties. Rather, the politicisation is observed in terms of the relative invasion of political element in the traditionally neutral domain of the senior civil service, such as the alleged increase in political appointments by the executive – although where these appointments have occurred they seem to be political rather in a policy-political sense than a party-political sense – and the increased appointment of and reliance on political-strategic personal advisers combined with a lower degree of trust in and consultation with the permanent senior civil service.

Lastly, politicisation is observed in terms of the relative importance of specific sets of skills for senior civil servants. A comparison demonstrates that senior civil servants experience an overall greater increase in the importance of political-strategic insight than in either procedural knowledge or substantive expertise.

8.6   Conclusion

The aim of this chapter has been to understand the changes that have taken place in and around the British civil service system in the period 1980 to 2007, with particular attention for the increased multi-level governance character of public administration and European integration.

With respect to the size and organisation of the civil service, apparatus has diversified in the period under study. Whereas the civil service in 1980 encompassed the ministerial departments, agencies and the industrial staff working in government-owned enterprises, by 2007 the civil service consists of smaller core departments, a large number of elaborate Next Steps agencies, non-ministerial departments, and a considerably decreased number of industrial staff. What is more, many quangos have been created, falling outside of the actual civil service. These changes can largely be attributed to domestic factors, such as budgetary necessity, the dominance of neoliberal ideas concerning the role of the state during the period of Conservative rule (1979-1997) and the international spread of NPM-inspired reform initiatives.

With respect to the Weberianness of the British civil service staff, hierarchy is still the dominant organising principle. A clearer distinction in management terms has been applied to the senior civil service and the rest of

the civil service. Also, fast stream development programmes for high potential civil servants have been installed. These developments can be understood in the light of the new demands that the greater degree of multi-level governance places on the job of senior civil servants. Senior civil servants need to operate successfully in a more complex system of governance which includes more layers of government, more different types of organisations, and a greater interwovenness of policy areas. This modus operandi is more characterised by negotiation, persuasion and performing a political-strategic game, than top-down command and control. Clearly, membership to the EU and intensification of the European cooperation has contributed to these changing conditions.

In this context, the potential of dominance by officials (*Beamtenherrschaft*) seems to have increased in certain specific areas where bureaucrat-experts succeed in operating at relative distance from political leadership in the EU-arena, in transnational networks or with several domestic stakeholders. 87 percent of the British senior civil servants reported that their work is affected by the European Union. However, this is by no means an indication of an across-the-board greater potential for bureaucrats to pursue their own goals. Rather, on the whole, the relative room to manoeuvre for career bureaucrats seems to have decreased. On the one hand, their potential to influence political leaders has lessened, given that ministers have increasingly come to rely on their personal advisers who are closer to the minister in terms of their party-political outlook and/or policy programmes. In general, ministers have a lower degree of trust in the political-strategic competencies of their career civil servants than in their personal advisers. This diminishes the chances of the bureaucrats' neutral and expertise and experience-based policy advice to play a dominant role in the minister's decision making. Trust in political-administrative relations is therefore decreasingly based on positions or institutional relations, but rather on personal relations, political like-mindedness and the potential for future reciprocity in terms of career development and political-strategic assistance.

Table 8.24 below sums up the findings for the British case.

		1980	2007	Role of the EU in the change
Size and organisation of the civil service	Demarcation	Ministerial departments, agencies, incl. industrial staff.	Core departments, Next Steps agencies, NMDs, incl. industrial staff.	No clear role for the EU. Current arrangements in the UK are in line with requirements of the EUs internal market.
	Degree of centralisation	Monolithic ministerial departments.	Many responsibilities have been transferred to (a) Next Steps agencies (75 % of CS) and (b) quangos that fall outside of the civil service.	No clear role for the EU. Domestic factors.
Weberian Bureaucratic Staff	Hierarchy	Hierarchical ordering and separate position for top civil servants (first division / administrative class)	Senior Civil Service consisting of about 3300 top managers, specialists and policy advisers. Fast stream initiative to recruit future top civil servants, also European fast stream variant (now abolished)	European integration is one of the developments that has come to place new demands to top management in the civil service. European fast stream signals the recognition of EU knowledge and experience for future cs leaders
	Recruitment and Career	Moderate mobility, facilitated by generalism	Increased mobility: horizontal and vertical and with private sector	No clear role of the EU in this change. Domestic factors
	Training and expertise	Generalism, Humanities dominated	More SCS with background in social science, relatively more lawyers, less Humanities, less national sciences	EU-involved SCS require more substantive expertise and more political-strategic insight.
Scrutinising institutions	Collegiality and advice	Relative collegial decision making		Regarding collegiality: EU integration has contributed to strengthening of the position of

	and relatively large role SCS in policy advice	Decrease in collegiality and an increase in personal advice, at the expense of policy advice from SCS.	the PM vis-à-vis other ministers, regarding advice: no real EU factor
Parliament	Strong tradition of parliamentary sovereignty and scrutiny	Loss of sovereignty in Europeanised fields, partly offset by relatively strong parliamentary scrutiny of executive conduct in EU context.	EU-involved SCS interact more with national Parliament than non-EU involved
Regulators	Limited regulatory governance, more self-regulation	Considerable degree of regulatory governance	EU legislation necessitates regulation by regulatory bodies, EU has contributed to liberalisation and privatisation of industries, with then need to be regulated
Judiciary	Domestic supremacy, predominantly common law system	More clearly subordinate to ECJ, more influence of continental civil law systems	Increased power of the ECJ, civil law culture incorporated in EU legislation
Interest groups	Statist-pluralist system	Involvement of societal actors has increased. But societal actors also find their way to Brussels without national CS.	EU offers interest groups new arena. EU legislation implies greater inclusion of societal actors than was the case in the UK
Mass Media	Important as informers of the public. Anonymity of the CS as a core value	More important to both ministers and civil servants due to developments in ICT and relative loss is deference. Anonymity dropped as a CS value	While the interaction between the media and the SCS has grown, this is not the case for EU-issues. Degree of mediatisation of a topic has become conditional for ministerial and hence SCS interest. Low media attention prohibits ministerial interest in the EU

Intergovernmental and supranational organisations	n/a	87 % of SCS say their work is affected by the EU	n/a
Subnational authorities	Relatively strict hierarchy of levels: centralised unitary state	Sharing power and competencies between levels: devolved state	EU has given strength to subsidiarity arguments. European integration makes domestic MLG more acceptable
Political-administrative relations	Powerful SCS, relative complementarity	First deprivileged, later partly rehabilitated, relations flagged due to intervention special advisers	EU as a factor in the complication of present-day governance, which has stimulated ministers to decreasingly rely on their SCS for policy advice.

Table 8.24 *Overview of the main findings for Britain*

9 THE NETHERLANDS

The Netherlands is a decentralised unitary state, with a tradition of coalition cabinets and a generally highly consensus-oriented decision-making style, and can therefore be regarded as a quasi-compound polity. As a EU member state, the position of The Netherlands is interesting: as one of the six founding members, and as a country with a large stake in easy cross-national trade, The Netherlands has traditionally a loyal partner and advocate of deepening and widening European integration. This picture seems to have changed over the past decade, in which public opinion has become more critical towards the European project, and the loss of national sovereignty is has involved.

The negative outcome of the 2005 referendum on the Constitutional Treaty testifies of this (Toonen, Steunenberg en Voermans, 2005). These developments have also had a bearing on the outlook of the national executive (including the civil service) on cooperation within the EU framework. In this chapter, we examine the impact of European integration on the British civil service, embedded within other relevant internal and external developments that have taken place in and around the British civil service since 1980. Following the model set out in chapter 6, we will first look at Britain's political-administrative system (9.1), then ‚the size and organisation of the civil service (9.2), followed by the staffing system (9.3), scrutinising institutions (9.4), and political-administrative relations (9.5).

9.1 The political-administrative system

The nature of state-society relations

Rechtsstaat or public interest model

On the spectrum ranging from Rechtsstaat to public interest model, the Dutch state is positioned closer to the Rechtsstaat model. In line with the Continental Rechtsstaat conception, in the Dutch political-administrative tradition, law is seen at the primary source of authority. This can be accounted for by two foreign factors: firstly the influence of France's occupation in the early 19th century and secondly the impact of the legalist tradition of thinking about the state as was dominant in Germany in the first

half of the 19th century. The latter inspired Thorbecke in drafting the 1848 constitution and thereby effectively constructing the set of constitutional relations and principles that have become known as the House of Thorbecke (Toonen, 1993; Drentje, 2004). Moreover, at least until the period after the Second World War, public administration in The Netherlands was dominated by lawyers.

Still, the Dutch version of the Rechtsstaat diverges from the more closed Rechtsstaat regimes in for instance France and Germany, in the sense that government is relatively open to external ideas, expertise and interest-representation (Kickert and In 't Veld, 1995; Pollitt and Bouckaert, 2004, see also sections 9.2.1.and 9.2.4).

Neo-corporatism in The Netherlands

From the 1880s to the 1970s the divisions of Dutch society were pacified and governed by means of the system of pillarisation, meaning a social and political system in which on the one hand communities were relatively separated and on the other hand elites cooperated in governing the country. The main pillars were the protestant, the Roman Catholic, the socialist and the liberal pillars. Each pillar operated by means of their own separate institutions: churches, broadcasting associations, newspapers, trade unions, schools hospitals and housing associations. While at the community level segregation was the norm, at the elite level conflicts and tensions were relatively effectively settled by means of consultation and negotiation. Individualisation and deconfessionalisation in the 1960s heralded the collapse of the pillarised system. New political parties emerged and challenged the old established parties, leading to additional political fragmentation.

The structure and style of Dutch politics has changed in various respects since the early 1980s. It became generally accepted that a continuation of the elaborate social security, high wages and high state intervention that had characterises the post-war model, were not helping to address the fiscal problems of that time. In line with the Dutch tradition of consultation and negotiation, state actors, employers' organisations and trade unions devised the 1982 Wassenaar Agreement, implying a combination of restrained wage development, policies of new public management and the extension involvement of third sector organisation (Visser and Hemerijck, 1997). This pact proved economically successful and acquired international fame as the Dutch neo-corporatist polder model, in which government worked together with the social partners (employers and unions) and the often deconfessionalised successors of the formerly pillarised civil society organisations.

9.1.2   The political system

The degree of political centralisation

The somewhat paradoxical doctrine of the decentralised unitary state connotes a unitary state in the sense that only the state-level is constitutionally entrenched and political attention is focused on the national executive and legislature, but that subnational authorities (provinces, municipalities) enjoy a degree of autonomy in performing their tasks and responsibilities. In this way the differences between the diverse sections of the Dutch population have been accommodated by regionally and functionally decentralising authority. *Waterboards* and *urban regions* can be considered as additional governmental levels. The Waterboards are functionally and territorially decentralised administrative bodies in charge of water management which date back to mediaeval times and urban regions are regional public bodies with legal tasks, consisting of several urban municipalities.

Majoritarianism vs. consensualism

Politics in The Netherlands is based on a system of proportional representation, resulting in a multi-party landscape and generally minimal-winning coalitions. In The Netherlands, "deliberation, consultation, and pursuit of compromise and consensus form the deeply rooted basis traits of […] political culture" (Kickert and In 't Veld, 1995: 53). These principles and their accompanying practices have proved effective in administering a society characterised by the political, religious and regional cleavages as The Netherlands is. No party has ever possessed an absolute majority in parliament, which makes coalition cabinets a necessary condition for government stability. In addition, coalition majorities have often been narrow enough to for governments to choose to co-operate and negotiation with minority parties and interest groups as well.

   As the government's political agenda should reflect the manifestoes of all coalition parties, coalition governments are based on a so-called coalition agreement. This agreement is negotiated among the prospective coalition partners before taking office. Coalition agreements have become increasingly comprehensive and binding since the Second World War, which implies that parliament's capacity to determine the course of the executive has decreased. The emphasis of parliamentary activity has therefore shifted from setting the executive's agenda to scrutinising executive action (Van der Meer, 2004).

   The fragmentation of the party system has a continued effect in relations within the political executive. Multi-party coalitions have toned down trends towards the centralisation of power with the head of government, the prime minister. As such the prime minister is first among equals with the other cabinet ministers. Nonetheless, the actual power position of the prime ministers depends on their individual standing. The formal absence

of power by the prime minister over other cabinet ministers allows ministers to have a relatively high degree of autonomy within their sphere of competence. By consequence, ministerial civil servants close to their minister can exert a relatively high degree of influence on their ministers' policies (see section 9.2.2). Nonetheless, this theoretical ministerial autonomy is increasingly mitigated by the growing interdependencies between policy areas since the 1970s (Van der Meer, 2004).

Presidential vs. Parliamentary

Dutch governments are made based on the outcome of the parliamentary elections. The coalition is forged in principle by the leader of the largest party who tries to get other parties on board whose policy ideas are relatively similar and with whom he can make a parliamentary majority. Coalitions usually consist of two or three parties. The parliamentary nature of Dutch executive government corresponds to and reinforces the consensual and deliberative nature of Dutch governance in which there is no central figure or body that can easily push through drastic policy shifts (Pollitt and Bouckaert, 2004: 270).

9.1.3   The administrative system

The history of the Dutch civil service system can be traced back at least as far as the period of the Republic, when the first ministries as we know them today emerged. However, the Raad van State, an important body within the Dutch civil service was founded by Emperor Charles V, as early as in 1531. The civil service of the confederate republic in The Hague grew gradually until the French invasion in 1975. The period as a French dependency has left a lasting mark on Dutch administration. The departmental structure (ranks and titles) and a centralisation of authority in The Hague compared to the republican period. Moreover, the French period has been crucial in terms of the adoption of codified law books e.g. the civil code, the penal code and the Civil Registers. When The Netherlands became an independent Kingdom in 1814, much of the administrative structures and customs introduced by French remained intact.

The constitutional reform of 1848, designed by the liberal statesman Thorbecke at the request of King William II, created the so-called House of Thorbecke, the constitutional arrangements for government in The Netherlands as we know it today. The most important change of the 1848 reform was the institutionalisation of the doctrine of ministerial responsibility. It implied that the King would henceforth be immune and that the ministers are responsible for all government action and answerable to parliament for government policies and administrative behaviour. The doc-

trine hence serves to define parts of the relations between the King, parliaments, ministers and civil servants.

The expansion of government intervention in societal life naturally was accompanied by an expansion and elaboration of the civil service. This culminated in the construction of the welfare state, in which the state assumed primary responsibility for healthcare, education, employment and social security. The fiscal crisis of the 1970s rendered the welfare state in its elaborated from financially unsustainable. Government spending needed to decrease and as a result, not only the welfare state started to be restructured, also the organisation of the public sector as such. Thus, attempts to decrease the size of the civil service have been undertaken since the beginning of the 1980s.

For the administrative system, the social changes of the 1960s and 1970s implied the end of automatic acceptance of central government authority, an impetus for bringing administration closer to the citizens by means of decentralisation, and an expansion of the already advanced structure of interest group involvement in decision making. In this sense, late 20th century processes of social change have reinforced the Dutch style of governance which has traditionally had an emphasis on interaction and negotiation.

Thorbecke's 1848 constitution consolidated the administrative system of national, provincial and municipal government and the Waterboards. Central administration consists of the totality of the ministries and the executive organisations which fall under the responsibility of ministries (agencies). The constitutional task of the central administration is to prepare and implement the agenda of the government and parliament. While all ministries have their headquarters in The Hague, the executive agencies are located throughout the country.

Next to agencies, Independent administrative bodies have become an important category of national level administration since the 1970s (see section below). Moreover, Dutch administration holds various kinds of semi-governmental organisations and, "almost every sector of government policy consist of a myriad of consultative and advisory councils, which are deeply intertwined with government and form an 'iron ring' around the ministerial departments" (Kickert and In 't Veld, 1995: 53). While organisational fragmentation seems fitting for a consensual political-administrative system without an evident power centre, much of the present fragmentation has been created by the reforms of the 1980s, 1990s and 2000s.

Civil service staffing principles

The Dutch civil service system is traditionally a departmental civil service with very little characteristics of a unified civil service. The only part of the national civil service that can be seen as a unified, career structure is the Foreign Service, but as this section of the national civil service is lim-

ited to only one department, is does not alter the fact that the civil service is organised per department, rather than as a general service at the disposal of the government (Van der Meer and Dijkstra, 2000).

It has to be noted, that a truly unified civil service would be difficult to sustain in a system in which the minister have a large autonomy concerning the issues within their policy areas and their ministry. To a certain degree, the unlikelihood of a unified civil service in The Netherlands can be understood in terms of the political fragmentation of Dutch society: political fragmentation leads to coalition governments, coalition governments prevent a centralisation of power within the core executive, absence of strong central power in the cabinet allows for high ministerial autonomy and high ministerial autonomy implies that each minister is largely free to develop and implement their own personnel management policies and practices. This is where we see the political context at work in constraining the range of options for civil service systems design (Van der Meer and Dijkstra, 2000).

Besides attempts to unify policy processes, the unification of personnel policy has been on the agenda since 1945, too. The decentralisation of personnel policy has created considerable variation across departments, which is seen as undesirable. Therefore, interdepartmental personnel support unit have been created. Interestingly, in this respect, a differentiation is made to separate the senior civil service from the rest of the civil service. The senior civil service is now served by the *Algemene Bestuursdienst* (ABD), which will be discussed below. The rest of the civil service, which includes the vast majority of national civil servants are appointed to the national civil service in general, but their staffing arrangements are managed at the departmental level.

The departmentalised nature of the general civil service stands in contrast to the top of the civil service, for whom a service-wide career structure was set up within the Ministry of Home Affairs in 1995, the ABD.

9.1.4   Political-administrative relations

Separation vs. fusion

In a formal-legal sense there is a clear separation between the responsibilities of ministers and civil servants: the former are responsible for the formulation and content of policies, the latter for their execution. This division is also highlighted by the crucial importance of the doctrine of ministerial responsibility, similar to that in Britain (see Geurink, forthcoming)

However, the clarity in the separation between ministers and civil servants in The Netherlands has traditionally been limited to the formal-legal and theoretical domain. In practice, the bargain between Dutch political and administrative elites traditionally best resembles the functional village

life as described by Peters (1987), given the close interconnectedness of elites, not only in the political and administrative spheres, but extending to academics, consultants and business and community leaders.

As the consensual and consultative mode of governance has in the different periods always hinged on the cooperation if not integration of elite groups, it is not surprising that a system of multiple linkages has developed between politicians and various levels of government, top officials in the various ministries and other administrative bodies, and expert organisations, such as universities, research institutes, advisory bodies and business and leading consultancy firms. This is how the diversity of Dutch society has encouraged the creation of a functional village life.

9.2   The size and organisation of the civil service

For the entirety of the period studied here, there has been a political will to reduce civil service personnel and to organise it in a more managerial manner. Whereas in Britain the motivation for such reforms have been predominantly ideological, the Dutch rhetoric has been more pragmatic and, in line with Dutch traditions, a leaner and more efficient civil service have been supported by all governmental political parties since 1980 of various ideological colour: the Christian Democrats (CDA), the Liberals (VVD), the Social Democrats (PvdA) and the Social Liberals (D66). Moreover, the organisational structure of the civil service, in terms of central departments, agencies, independent originations and other bodies will be set out.

Government intervention in society has traditionally been relatively high in The Netherlands and citizens generally place high demands on their public institutions. Given that none of the attempts to reduce the size of the civil service since the early 1980s had been preceded by a rigorous reorientation of state and non-state responsibilities, none of them have been structurally successful. As part of the ongoing reduction process the First and Second Balkenende Cabinets of 2002-2007 made the reduction of the role of the state in society a high political priority (PAO, 2003). Changing political priorities after the Van Gogh assassination and parliamentary opposition against political reforms made it difficult to make headway with the reforms. The disappearance of the most enthusiastic reform party (D66) in the Third Balkenende Cabinet and the installation of the Fourth Balkenende Cabinet including the Christian Democrats (CDA), Social Democrats (PvdA) and Orthodox Christians (CU) was accompanied by a narrowing of the issue: from reassessing the role of the state in society to a one-dimensional downsizing of civil service personnel.

9.2.1   Demarcation of the civil service

In The Netherlands, who is and who is not a national civil servant is primarily laid down in the Ambtenarenwet (Civil Service Act) of 1929. According to this law, a civil servant is anyone appointed to be working in the services and companies administered by the state and public organisation. This excludes anyone with whom a labour contract under private law was made. Moreover, provisions are made that ministers and secretaries of state, the military servants and a number of other categories are not considered civil servants. Further legislation distinguishes separate categories to which specific rules apply, including the Foreign Service, the Military Service, the Staten-Generaal (members of Parliament) and National Civil Service. The Dutch national civil service excludes public employees in ZBOs (independent administrative bodies), in (higher) education and public healthcare, employees in the police force (police corps are ZBOs), public servants of the Waterboards, provincial and municipal authorities.
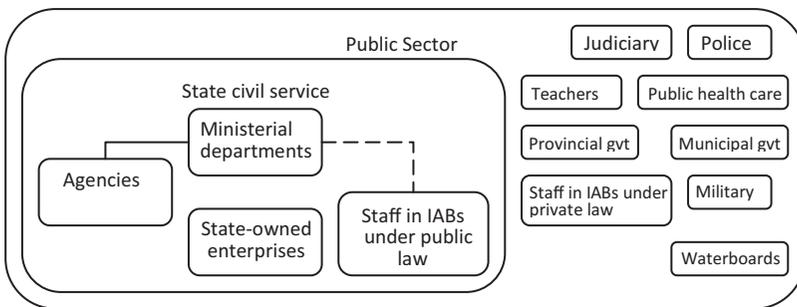
Figure 9.1   *The organisation of the Dutch public sector*

9.2.2   Degree of organisational centralisation

What have been the developments in the size and organisation of the civil service in the period 1980-2007? This question will be answered by looking at the civil service system and its constitutive parts. As a decentralised unitary state, governance in The Netherlands has never been of a highly centralised nature, neither in a territorial nor in a functional sense. Developments in the size of the different components of the civil service system informs us about the reality of reform processes of decentralisation, privatisation the separation between policy making and execution and staff reduction.

Central departments
Central departments are the core of the administrative system. Over the past century, the number of ministerial departments has risen to 13 under

the present Balkenende IV government. Next to that, most cabinets have known a limited number of so-called ministries without portfolio, who are responsible for a specific task but do not have their own department of civil servants. They can be seen to be living in with another minister. Examples of these are the minister for Development Cooperation and the recently created post of minister for Housing, Communities and Integration.

Central ministries traditionally have a hierarchical organisation, much like that of French ministries (this is not surprising, given that ministries in the modern sense of the word were set up under French rule in the early 19th century). The minister's most senior civil servant is the secretary general, aided by the deputy secretary general, who is generally in charge of the internal management directorates, such as human resources, external communication and legal affairs. The policy part of the ministry is organised in directorate-generals, which are in turn divided into directorates, division and finally units. During the 1990s, an alternative structure for departments was introduced in a number of ministries: the so-called board model. The main difference between the traditional model and the board model is that whereas in the traditional model the directors-general individually report to the secretary general, in the board model the directors-general form a collegial body in which decisions are taken collectively for all directorates-general. The main argument in favour of this board model has been easier intradepartmental coordination as a result of decompartmentalisation (Bekke, 1997). However, by the mid-2000s, most ministries had returned to the traditional model, for it was again argued that its hierarchical set up was ensured a clearer division of responsibilities and therefore more effective internal accountability.
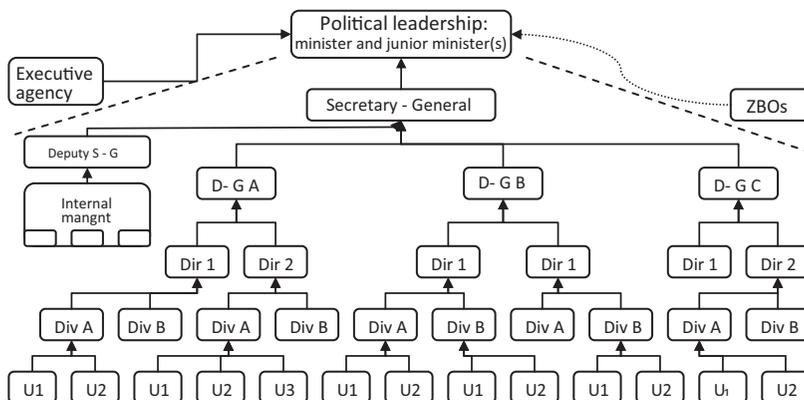
Figure 9.2   *Intraministerial lines of accountability*

State owned enterprises

State ownership of industrial enterprises has never been as extensive as it has been in many other European countries. Public utilities were for the most part organised at and owned by municipal or provincial authorities. At the same time, economic intervention by the state was much less done by means of ownership of industries, but rather by mean of regulation, subsidy and shareholding. Therefore, in The Netherlands the privatisation wave of the 1980s and 1990s has been modest relative to France and Britain (Wright, 1994: 306). The main Dutch privatisation operation involved the post and telecom company PTT in 1989, and its organisational offspring is KPN (telecom) and TNT Post.

Service delivery agencies

One of the main mechanisms through which governmental effectiveness and efficiency were thought could be increased since the late 1970s has been the separation between policy making and policy implementation. Small core ministries responsible for policy formulation combined with a wide range of executive agencies of various kinds were thought to help governments do more and cost less. In a concrete sense, the separation of policy making and implementation entails the unloading of executive and implementation responsibilities and the concomitant staff units from the central departments. In The Netherlands this was done in part through the creation of executive organisations and ZBOs.

By establishing executive organisations or agencies policy formulation and policy execution are separated at the organisational level. In managerial terms agencies possess a real degree of autonomy, but their performance falls directly under ministerial responsibility. For their performance, agencies are bound to the parent ministry by means of a contract. Agency staff is statutory civil servants. Agency funding depends on the organisation's ability to deliver their agreed task. In this form, agencies have been created in The Netherlands for the first time in 1994. 't Hart et al. (2002) have observed that since then 22 agencies were created counting 22.000 employees in total. Examples of agencies are the *Rijksgebouwendienst* (National Real Estate Agency), the *Dienst Landelijk Gebied* (Agency for Rural Areas) and the *Voedsel en Waren Autoriteit* (Food and Goods Authority).

By contrast, ZBOs are independent administrative bodies with budgetary and managerial autonomy and staffed by public employees not civil servants. While ZBOs are deliberately placed at arm's length from political leadership, each ZBO is linked to one of the central ministries whose political leadership can ultimately be held politically responsible for the ZBOs performance. While ZBOs are generally regarded as a single category of administrative organisations, ZBOs vary in legal status and size: while most ZBOs have public law status, some fall under private law and while some employ less than 20 employees, others employs thousands.

Besides the anticipated advantages of leaner ministries, other arguments for transferring units to ZBOs have been to promote a business-like approach to management through increased autonomy, and to better guarantee impartial operations given that government itself maybe an interested party in the specific issue area. Examples of the latter are the creation of the Land Registry (Kadaster), who also administers the vast real estate property of the state and bodies such as the *Kiesraad* (Electoral Council), the NMa (Competition Authority) and the *Commissie Gelijke Behandeling* (Committee for Equal Treatment). ZBOs are normally government by a Board, whose members can be either appointed by the concerned minister or by participating organisations. Van Thiel and Van Buuren (2001) have reported that there were 431 ZBOs in existence in the year 2002. In absolute numbers, this figure is smaller than it was in 1993 (545), but this is because many ZBOs that were created initially have merged with others in the late 1990s.

It has to be noted that agencification and the growth in use of independent administrative bodies is not an invention of the 1980s or 1990s but that functional decentralisation has a long-standing tradition in The Netherlands: ancient (semi-)independent administrative and executive bodies include *Rijkswaterstaat* (Executive national agency for water management and roads, 1798); *Koninklijke Bibliotheek* (Royal Library, 1806); *De Nederlandsche Bank* (National reserve bank, 1814) and *Kadaster* (Land registry, 1832). The extension of the use of executive agencies and ZBOs can therefore best be understood as a new chapter in the old practice of functionally decentralised governance.

In general, Dutch senior civil servants have been much in favour of ZBO creation. Those who became top managers in the new bodies welcomed the increased autonomy; those who stayed in the core departments saw clear benefits in the release of responsibility of supervising the old internal services (Van der Meer and Raadschelders, 1999).

The practice of agencification is one of the pillars of the doctrine of NPM and in terms of decentralisation and differentiation is also seen as one element of increasing multi-level governance in Europe. However, it may be doubtful whether the extent to which national agencies are in charge of service delivery will be sustained in the future. In recent years, many EU level agencies have been set up, working together with their colleagues in the member states, but increasingly also coordinating the work of the various national level agencies. In some areas, European integration has in turn relieved national agencies and ZBOs from part of their activities as these agencies and ZBOs have previously relieved central ministries For instance, in the field of customs and immigration, a reduction in activities has been observed. As one manager of the immigration service noted:

> *Due to enlargement of the EU we do not need as many investigators etc. to trace illegal residents, since all EU citizens can stay here legally. The larger the EU becomes, the smaller the number of aliens within our country. (IR 14)*

Another respondent from the field of customs mentioned:

> *Since the effectuation of European Customs Law in 1993, the number of executive customs officials has gone down. Europeanisation has meant for us that we've been able to close down some of our executive offices. (IR17)*

Moreover, it is doubtful whether a strong separation between policy making and policy implementation at the national level is really so advantageous in policy areas where much of the policy making is in fact done at the European level. Various respondents in highly Europeanised policy areas indicated that the strong separation between policy and implementation as it has been created in the 1980s and 1990s is in fact problematic. The advantages of scale that can be gained by European cooperation cannot prevent the disadvantages of the increased distance between the policy making arena (EU level) and the actual societal problem (citizen level) (IR11). For instance in tax policy, senior civil servants indicated that they

> *"have learned that a rigid separation between policy and execution is tricky in European policy making. Although formally DG Tax policy is responsible for policy making, when European policy is concerned, executive civil servants go along. Otherwise the Brussels arena would be too far removed from the executive world. The two concurrent process of separation between policy and execution nationally and a partial transfer of policy making to the EU level, has created a problematic distance between policy making and policy execution. If further Europeanisation is to succeed, the separation between policy and implementation will have to be at least partly reversed. In practice this is already happening: our policy and implementation units have started to hang out together much more often because of the Europeanisation of their policy area. In fact this is the opposite of what the national government intends, but that is the practice of governance" (IR229)*

This can be considered as an example of unintended effects due to the simultaneous processes of European integration and managerialist reforms in the member states. While European integration is aimed at increasing effectiveness and advantages of scale and agencification at separating different stages of the policy cycle, their combined effect is that policy chains

and chains and chains of delegation have become extraordinarily long. As such, layers of governments, contractors, subcontractors and even volunteers may be involved in administrating a single policy (Lynn, 2006: 178). Lynn points out that the vulnerability here is in the "sheer difficulty of ensuring the reciprocity, the fair exchange of values, essential to the integrity of any type of contractual relationship (Lynn, 2006: 178).

Regulatory bodies

Regulatory and inspection tasks are executed by a wide range of ZBOs and agencies. Most of them have either been established or re-established during the past decade. Whether and regulatory body is a ZBO or an agency is important to the extent that agencies with regulatory responsibilities are still and internal part of the civil service and can therefore not be seen as a force potentially containing bureaucratic power. ZBOs however, can be regarded as countervailing powers against the civil service.

Some regulatory bodies have a century-long history, such as DNB (Dutch Central Bank, founded in 1814), the *Inspecteur-Generaal der Krijgsmacht* (Inspectorate for the Armed Forces, founded in 1813) and the *Inspectie voor het Onderwijs* (Inspectorate for Education, founded in 1801), and some have been established only very recently (*Consumentenautoriteit* 2006, *Nederlandse Emissie Autoriteit,* 2006). The many creations, mergers, and recreations in the field of regulation in The Netherlands can be understood in the light of the liberalisation of the utility sectors (e.g. telecommunication and energy) European policy (e.g. data protection, consumer protection, competition policy) and other domestic drivers for more regulatory control (health care fees, food and veterinary safety, youth care).

Subnational layers of government

Provincial and municipal authorities have traditionally been responsible for an extensive range of policy issues. Still, during 1980s and 1990s, reforms have taken place to transfer a degree of powers and responsibilities to provincial and municipal levels. This decentralisation process has affected some policy areas much more than others, but it is certain that some central ministries have lost a considerable degree of influence in their area of competence (Van der Meer and Raadschelders, 1999). Territorial decentralisation in The Netherlands has, unlike for instance in Britain, not been the result of regional empowerment leading to claims for devolution. In The Netherlands, national government believed it to be both more efficient and from a democratic perspective more desirable to let administration take place "closer to the citizen".

9.3   A Weberian bureaucratic staff?

9.3.1   Hierarchy

Despite the generally high degree of egalitarianism in Dutch culture and society, the civil service has a clear formal hierarchical structure. The traditional rank structure dates back to the French period in Dutch history (1795-1814) and used most of the traditional names for the ranks, derived from French, and was not fundamentally revised until 1984. The 1984 *Bezoldigingsbesluit Rijksambtenaren* (Decree on the Remuneration of National Civil Servants, BBRA) abolished most of the rank structure, only to leave the military ranks intact. Moreover, the names of the secretary-general, director-generals and councillor (*raadsadviseur*) have remained current since 1984.

Since the introduction of the BBRA, each job in the national civil service is placed on the scale system that ranges from scale 1 to scale 18. Each scale represents a certain level of responsibility that is fairly even throughout the civil service and each scale corresponds to a certain salary range. The height of the salary an individual civil servant earns within that range is dependent on their seniority. Above scale 18 there is Annex A, also referred to as scale 19. Secretary-generals, Director-generals and officials in comparable positions fall into this scale, in which they are paid a fixed quite independent of the salary ranges on the basis of which mainstream civil servants are rewarded (Minister of Home Affairs, 2004).

Besides the exclusion of the top two ranks of the civil service from the standard rewards structure, the BBRA made no real distinction between the top hierarchical levels and the rest of the civil service. Neither was there any specific policy towards the development of civil service leadership. Top civil servants did not use to for a separate class of administrative personnel such as the Senior Civil Service in Britain the Grand Corps in France. In absence of such separate structure and due to the high degree departmental autonomy and the resulting compartmentalisation, Dutch senior civil servants identified with the ministerial department they worked in than with the top civil service as a distinct group. This also implied that interdepartmental mobility did not use to be very intense (see 9.4.2.4).

The departmentalised nature of the top of the civil service and the resulting compartmentalisation were recognised as a problem and in the mid 1990s a serious attempt was made to overcome it: a service-wide career structure top the upper levels was set up within the Ministry of Home Affairs in 1995, the ABD. At first, the ABD comprised civil servants in scale 17 and higher, pertaining to about 350 officials. In 2002 its scope was extended with the addition of civil servants in scale 16 and in 2002 further

with the addition of civil servants in scale 15. In 2007, the ABD comprised about 900 individuals. Within the ABD a distinction is made between managers and so-called top managers. Top managers are those civil servants on positions of secretary-general, director-general and inspector-general and comprise about 9 percent of the total ABD pool. In addition, the ABD runs its annual candidate programme for civil servants in scale 14 who are considered to possess specific management potential. The programme was introduced in 2002 and admits around 30 new candidates annually.

The mission of the ABD consists of five related goals. Firstly, and this was its main goal in the period 1995–2000, to enhance interdepartmental mobility of the civil servants within its scope; secondly to develop management capacities of current and future top civil servants (its focus in the period 2000–2005); thirdly to improve its members general skills and knowledge through seminars and study-trips. The two last goals are of practical nature: developing career instruments, such as management profiles and assessments; and developing procedures regulations for the ABD itself to function properly (Van der Meer, 2004).

While the ABD is formally in charge of training and pre-selecting candidates for top civil service positions, the monopoly of the Bureau ABD in allocating qualified candidates to top positions is a rather theoretical one. In reality, often ministers or SGs have a candidate of their own in mind (not seldom from outside of the ABD pool), and in those disputes Bureau ABD rarely wins from the political and administrative leadership in a particular ministry.

Nonetheless, the ABD has established itself as the leading body in terms of management development. Although its scope is limited to the top of the civil service, its ideas and practices are seen as trendsetting for the civil service as a whole (Van der Meer, 2004)

Whereas the ABD was created to over interdepartmental coordination, intradepartmental coordination has also been considered as hampered due to internal compartmentalisation. Attempts to overcome this type of compartmentalisation have in recent decades led to experiments with non-hierarchical lines of command in the ministry. The traditional model of intradepartmental command structure is called the Minister's Staff model. The Minister's Staff consists of the secretary general, the directors general and the directors. In this model, each of these civil servants is exclusively responsible for the units within their directorate or directorate-general. There is a clear line of command that cumulates with the office of the secretary-general. One variant is the Civil Servants' Staff model. In this model, it is attempted to decrease intradepartmental compartmentalisation by means of coordination and discussion of those issues that concern the department as a whole (Bekke et al., 1996: 41-43). This more collegial nature of decision making and management somewhat qualifies the hierarchical structure of command, but leaves it fundamentally intact.

One step further goes the Executive Board model. In this model, the secretary-general, the directors-general and other officials in comparable positions are members of the executive board. While each director-general has certain directorates in this portfolio, decisions are made in consultation with the rest of the board and there is some form of collegial responsibility between the directors-general and the secretary-general. This is a more serious alteration of the classical unity of command structure. In 1980, all ministries operated according to the classic minister-staff model. Since, various ministries introduced the Executive Board model. However, its popularity was short-lived: all of the ministries that introduced this model have now abandoned it, at least in its pure form (Linker, 2006: p. 71).

European integration and the Europeanisation of civil servants have arguably had an effect on the degree to which a civil servant's position within the hierarchical structure can be a source of bureaucratic power. Civil servants who engage in *European*-level negotiations and who commit their national government to certain negotiation outcomes are usually lower in rank than the civil servants who have the final say in decision taken on *national* dossiers. That suggests that in the Europeanised parts of the civil service middle-ranking civil servants (those responsible for a given EU-related policy dossier) enjoy a higher degree of power and discretion than their colleagues in the same ranks who are only involved in national dossiers (IR09, IR39).

Princen and Mastenbroek found that EU-involvement among Dutch civil servants varies considerably across job types. Out of the policy-advisers, 47 percent of their respondents were involved in EU-related work, whereas for civil servants whose primary task is oversight or management (43 percent and 37 percent respectively) (Geuijen at al., 2008: 35).

Given that EU-related activities are more difficult to control by civil service managers if they are not involved in EU-related work, than national activities can be controlled by civil service managers if they have not been involved in the actual work, combined with the finding than the extent of EU-involvement drops as one moves up on the hierarchy ladder of job types, this supports the notion that Europeanised civil servants have more discretion in their work than civil servants active on national dossiers. In other words, it appears that Europeanisation contributes to a looser connection between hierarchy and bureaucratic power within the civil service, resulting in a strengthening of the position of (mid-level) policy civil servants vis-à-vis their (high-level) administrative superiors.

The relatively low involvement of director-level civil servants can be partly attributed to their relatively limited knowledge about the content of many policies for which their minister is responsible. Since the 1980s, directors in the Dutch civil servants have developed to be primarily process managers, and often lack a substantive focus. In addition, they are generally not very knowledgeable about the EU or the importance of the EU for

the issue areas of their directorate. This is seen by many civil servants as the explanation why directors do not encourage their subordinate civil servants to engage with the EU more actively (IR07). Respondents generally commented that a dividing line in terms of EU involvement can roughly be drawn at middle-management, i.e. scale 14 (IR07; IR08; IR09; IR11; IR38).

Director-level involvement with the EU is seen as an important condition for EU awareness to be disseminated throughout the directorate, because the support of the top civil servants is necessary to give a dossier momentum and character so that lower ranking civil servants are also happy to engage in it (IR15). Besides the hampering role of the under-Europeanisation of top civil service in EU-dissemination within the civil service, there can also be more serious consequences related to the influencing capacity of Dutch ministers in Council meetings. One respondent recalls a Council meeting where the minister concerned was substantively insufficiently up to date, because he was not adequately briefed by his top civil servants. Not being up to date in the Council means a serious disadvantage in terms of getting a favourable outcome as well as risk of loss of reputation. In his view:

> "… the problem is that top civil servants are often not sufficiently up to date themselves to give minister adequate briefings. For complete and up to date information minister in practice have to turn to senior policy advisors. The reality is that directors and Director-Generals have substantively not much to contribute because they are now mere process managers." (IR07)

The under-Europeanisation of the senior civil servants raises the question whether their lack of EU knowledge is a generational matter that will solve itself as soon as current higher policy-officials reach the management level or whether it has something to do with the nature of the job. On the one hand, the seeping through of EU mindedness is an evolutionary process, which is driven by time and widening European integration. In this context, respondents made suggestions to focus on increasing the EU sensitivity of the current heads of unit, i.e. civil servants in scale 14, given that they

> "… are the people who distribute the work for the policy advisors and they are the ones who prioritise activities and allocate people to activities. I know examples where directors we in favour of a greater EU emphasise, but things then get held up at the level of the Head of Department. They primarily look at what is either urgent or important, and their perception often is that domestic mat-

> *ters are both more urgent and more important than European mat-*
> *ters." (IR38)*

However, according to many civil servants, this is not the complete picture. Other factors that in their views have thus far prevented director-level engagement with the EU are the low interest on the part of the *Tweede Kamer* and structural features of the Dutch civil service system. The unification of the senior civil service into one pool that is mobile across policy sectors has produced top civil servants who are commonly either generalists or typical managers, but in either case they are not experts in specific sectors as would be expected in a departmentalised senior civil service. The lack of concrete knowledge in general therefore is to a degree inherent to the current organisation of the senior civil service. In this sense, the role of the ABD in terms of Europeanising the civil service is an interesting one. As discussed above, the focus of ABD has been flexibility, mobility and management competencies. A number of respondents indicated that this approach has not been very beneficial for the spread of EU-mindedness or the development of EU experience in the civil service (IR07). On a more practical level, the role of the ABD in enhancing EU-involvement among top civil servants is also criticised. According to various senior civil servants the ABD has missed opportunities:

> *"Developing EU knowledge has not been an ABD priority. I believe*
> *that the fact that the ABD falls under the Ministry of Home Affairs,*
> *which is one of the least Europeanised departments, has not helped*
> *to repair the under-Europeanisation of directors. (IR07)*

Within the civil service hierarchy, operational civil servants can be considered a distinct group when it comes to Europeanisation. Their vast majority works in the implementation of policies that have a European dimension if not origin, but in the application of policy this makes little difference. This does not apply however, to the managers of executive agencies. They are commonly more focused on the EU than their subordinates, and often participate in informal cooperative structures with their counterparts from other member states. (IR14)

It is also important to note that as a result of the various attempts to slim the national civil service down, including privatisation and decentralisation, the pyramidal composition of the civil service in terms of hierarchy has gained additional steepness: proportionally more jobs disappeared at the lower levels than at the higher levels, thereby slightly changing the hierarchical composition of the civil service as a whole.

9.3.2   Recruitment and career

In The Netherlands as in most other Western countries, the fiscal problems of the late 1970s and the early 1980s made the need for lower government spending and higher government performance inescapable. Government had to be modernised in multiple ways, and this context it was seen as crucial to invest in and develop "its prime resource, its personnel" (Van der Meer and Toonen, 2005). Changed societal conditions and new economic realities meant that the civil service workforce had to become on the one hand more professional to deliver better, and more flexible to easily to changes in circumstances in the future (Van der Meer and Toonen).

As a result, the Ministry of Home Affairs, responsible for coordinating the civil service and the departmental personnel units have published a great number of policy documents in order to attains the two goals mentioned. Many of these documents stressed the importance of investing in civil servants, along the lines of modern human resource management.

However creating policy documents does not mean effectuating change. The attempts to introduce human resource management have so far not resulted in evidence that clear changes in management practices have occurred, nor that there the intended effects have been attained on the work floor. Still, one effect seems to be clear to everyone concerned: human resource management schemes bring a great deal of additional paperwork. It is generally assumed that this drawback of HRM has seriously undermined the support for its policies in the 1990s (Van der Meer and Toonen, 2005).

Van der Meer and Toonen (2005) have pointed at the internal inconsistency of human resource management in the Dutch civil service: it aims at combining a human relations approach (self-development and growth, empowerment and professionalism) with traditional management techniques of measuring output and performance and promotion linked to personnel competencies. There is a risk of self-defeat in this combination to the extent that the link between personnel development and promotion decision to undesirable strategic behaviour by civil servants, thereby compromising on their constitutional public responsibilities (De Bruijn, 2007).

Nonetheless, political priorities have changed since the early 2000s. The idea of civil service reform has been narrowed down to making financial and personnel cutbacks. Although human resource management has formally been widely introduced in throughout the civil service, the real working of it may be limited to the top levels united in the ABD.

Reforms in personnel management as well as most new public management-style operations have generally been willingly supported by Dutch senior civil servants. Given the fact that in Britain several public sector reforms were at least in part aimed at rethinking the privileges of the senior civil service and that in France, the grand corps members have actively resisted any managerial reform proposals, this may seem a surprise. How-

ever, in The Netherlands, most senior civil servants saw a new managerial approach to the civil service as a means to rescue part of their societal standing as it had decreased over the years, and as a means to enhance their managerial autonomy vis-à-vis their own administrative superiors (Van der Meer, 2002).

Recently, within the framework of personnel reduction and efficiency measures, ideas for a shared service centre for civil service personnel have been launched (Strikwerda, 2010) by the Ministry of Home Affairs, who has responsibility for national civil service personnel. However, the Ministry of Home Affairs is not endowed with the required powers to impose an interdepartmental personnel system on the other departments. Coordination is thus based on voluntariness, and since departments and their political leadership prefer to preserve their autonomy in this field, past initiatives have not lead to structural change. One exception to the departmentalised personnel structure is in the field of the promotion of Dutch civil servants entering EU institutions and other international organisations. *Bureau Internationale Ambtenaren* (BIA) was created in the 1980s and serves to inform aspiring civil servants from all departments about upcoming selection rounds and organises preparation course for the various EU *concours*. However, with 4 fte in employees in 2008, its capacity is not vast.

Recruitment mode

The vast majority of Dutch national civil servants are recruited for a specific position based on an open competitive procedure consisting of an application letter and one or more interviews, not a career structure as is typical of the French civil service. There is a small number of exceptions to this rule. These involve specific branches of the public service, for which corporate-style career recruitment has been considered preferential, such as the military, the police, the judiciary and Foreign Service (Van der Meer and Dijkstra, 2000). In each of these cases, the simi8larity which French corps is striking: a first selection takes place before entering the 'corps', than specific training takes place within a state school or academy which clearly also serves a socialising goal, and after passing the required examinations servants pursuer a pre-defined career path. But again, this structure does not apply to the vast majority of civil servants, in fact, all of these specific branches of the public service fall outside of the formal definition of the national service as defined above. This is not to say, however, that national civil service in a position system do not, or are not expected to make a career. They ascend in the ranks of the hierarchy, but they do so by fulfilling position after position, rather than following a predefined career path.

In recruitment and appointment terms, the doctrine of ministerial responsibility resonates in that all positions below scale 15 are filled on the authority of the minister concerned. By contrast, all positions in grade 15

to 18 are filled based on a Royal Decree, albeit on the recommendation of the relevant minister. The absolute top positions (those for Directors-General, Inspectors-General and Secretaries-General) were traditionally filled based on collegial decisions made by the Cabinet collectively. Under the ABD regime, this has changed somewhat: formally the ABD selects candidates based on standard criteria and a job-specific personal profile, usually in consultation with the department and minister concerned. The actual appointment is discussed in the Cabinet. While this is the formal route, common perception is that ministers have a greater say in the appointment of their top-bureaucrats than this theoretically objective procedure suggests. Moreover, of all the appointments made in scales 15 to 19, roughly one third does not take place according to the described ABD-opening procedure, but happens "in consultation with and with the approval of the ABD. In fulfilling these positions candidates were selected who qualified for the profile to such an extent that opening up the procedure [according to the ABD regime] was not deemed effective"[49]. This suggests that in at least one third of the top civil service appointments, ministers may circumvent the ABD's procedures and nominate their own preferred candidates.

Of the survey respondents, almost half (47%) were recruited for their current position by means on nomination, that is to say, they were appointment through a procedure in which there were no other applicants. 19 percent got their position through a so-called limited trawl, meaning that they were selected through a procedure which followed announcement of the vacancy in a limited number of civil service organisations or departments. Another 19 percent was appointed to their position in a procedure that involved the announcement of the vacancy throughout the civil service. Lastly 15 percent of the respondents were appointment after a selection procedure that was publicly advertised.

	Nomination	Limited Trawl	System wide Trawl	Open competition	TOTAL
Ministerial department	49%	19%	19%	13%	100%
Executive agency	53%	15%	11%	22%	101%
Regulatory body	18%	32%	36%	14%	100%
Other	57%	14%	14%	14%	99%
TOTAL (N=224)	47%	19%	19%	15%	100%

Survey question: Through what recruitment mode were you recruited to your current position?

Table 9.1 *Mode of recruitment for Dutch senior civil servants (2007)*

There is some variation across the different organisation types as to the recruitment modes. Relatively few senior civil servants in regulatory bodies were appointment without competition, and relatively more of them were recruited by means of either limited or system wide trawl. Executive agencies strike as the organisation type in which relatively most senior civil service had to compete with outsiders from other parts of the public sector and from the private sector.

Mobility

Part of the nature of a civil service system is determined by the extent and kind of mobility of its civil servants. Weber (1972) stated career making within an organisation as a defining feature of a bureaucratic administrative staff but did not place the same emphasis on mobility as a condition for building a career as is often done nowadays. Given Weber's stress on specialisation of labour and technical expertise in a bureaucratic system, we can assume that making a career for him would primarily take place within one and the same field of expertise, if not within one and the same organisation. Within the present-day Dutch civil service, horizontal mobility is often seen as conditional to achieving vertical mobility, at least in the higher ranks of the civil service. This contrast in itself can be seen as an illustration of the relatively low importance and appreciation of substantive or technical expertise in the present-day Dutch civil service as compared to the time and place in Weber developed bureaucracy as an analytical concept. Both horizontal and vertical mobility, as well as the relation between the two, will be discussed in the section below.

What luggage in terms of professional experience do senior civil servants bring with them when they take office? Nowadays, it is relatively uncommon for civil servants to remain with one and the same organisation for their entire career: only 15 percent of the survey respondents indicated that they had no working experience of more than a year with a different organisation than the one they are currently working for (N= 253, see table 9.2). Of the various organisation types, interorganisational mobility is lowest among the senior civil servants of executive agencies, followed by min-

	Ministerial department	Executive agency	Regulatory body	Other	TOTAL (N=253)
Yes	87%	75%	96%	90%	85%
No	13%	25%	4%	10%	15%
Total	100%	100%	100%	100%	100%

Survey question: Do you have working experience of more than a year with another organisation than the one with which you are currently working? ABD-members, 2007

Table 9.2   *Career mobility for Dutch senior civil servants – general (2007)*

isterial departments and then regulatory bodies. This can be explained by the fact that civil service work in departmental ministries is relatively more generalist than civil service work in executive agencies.

Table 9.3 below demonstrates the types of organisations in which civil servants with external working experience previously worked at some point in their career. Of the respondents with working experience outside their current organisation, 53 percent had worked in a(nother) ministry, 26 percent for an(other) executive agency, 10 % for an(other) regulatory body, and 13 in a project organisation. 16 percent of senior civil service who worked elsewhere before did so in the corporate sector, while 15 percent indicated they had working experience with not-for-profit organisations.

Previous international working experience was relatively marginal: only 3 percent of senior civil servants indicated that they had worked for more than a year with one of the EU institution, while another 3 percent worked for a non-EU international organisation prior to joining the civil service. Within the group of respondents in rank 15 (directors level) the percentage of senior civil servants with European working experience is highest. This may be seen as an indication that attempts to involve civil servants with top-management potential more with the European governmental layer, for instance by means of the secondment system between the national govern-ment and the European Commission (see Van den Berg and Suvarierol, 2008).

Rank	YES							
	National government				*Private sector*		*International*	
	Ministerial department	*Executive agency*	*Regulatory body*	*Project organisation*	*Profit*	*Not for profit*	*EU in-stitution*	*Other international organisation*
14	0%	50%	0%	50%	0%	0%	0%	0%
15	48%	34%	11%	11%	14%	9%	7%	0%
16	48%	25%	7%	11%	13%	17%	2%	0%
17	58%	20%	11%	14%	20%	14%	2%	5%
18	67%	33%	17%	17%	25%	8%	0%	8%
19	87%	27%	13%	20%	8%	40%	0%	7%
Total (N=270)	53%	26%	10%	13%	16%	15%	3%	3%

Survey question: If you have working experience of more than a year with another organisation than the one with which you are currently working, which one(s). Multiple answers may apply.

Table 9.3 *Career mobility for Dutch senior civil servants – specific (2007)*

The figures presented above indicate the previous working experience se-
nior civil servants have acquired at some point in their career, but do not
tell us from where they were recruited for their current position. On this
variable, cross-time comparative data have been gathered.[50]

Table 9.4 shows from where senior civil servants in the top three ranks
(secretary-general, and director-general) were recruited at several points
since 1961.

	Same government organisation	Central government org., excl. current org.	Government org, excl. central government	Semi-public sector organisation	Private sector organisation	Un-known	Total
	1st degree mobility	2nd degree mobility	3rd degree mobility	4th degree mobility	5th degree mobility		
1961	71 %	7 %	9 %	9 %		4 %	100%
1971	82 %	1 %	3 %	12 %		2 %	100%
1981	75 %	8 %	3 %	14 %		-	100%
1996	61 %	28 %	1 %	9 %		1 %	100%
2009	36 %	45 %	9 %	6 %	1 %	3 %	100%

Table 9.4   *provenance of Dutch top civil servants (1961-2009). Sources:*
Rosenthal (1983), Van der Meer and Raadschelders (1999), Van der
Meer (2009), author's own data.

As the Dutch civil service has a job orientation as opposed to a career or-
ientation, interdepartmental mobility in the civil service as a whole has
been relatively limited. By contrast, due to deliberate mobility schemes
and notably the efforts within the ABD framework, the interdepartmental
mobility of senior civil servants has increased substantially since 1980.
The percentage of senior civil servants who were appointed to their posi-
tion from a position within the same organisation has decreased from 75
per cent in 1981 to no more than 36 per cent in 2009.

Besides the provenance of senior civil servants, mobility can also be in-
dicated by the length of the time period in which senior civil servants re-
main in one position. In 1996 the average period of an SG in one position
was 3.3 years and of DGs 4.2. Due to the efforts of the ABD, the length of
senior civil servants terms has further decreased since the late 1990s
(IR21, IR16, IR36). This implies that the increased degree of mobility
among senior civil servants reached a point at which they serve in one po-
sition for a period that is on average shorter than the period their minister
or junior minister. In this sense the specificity of the senior civil service as
adding continuity to the department's leadership next to the temporality of
the political leader has largely disappeared

As for the mainstream Dutch civil service, from the late 1970s the low degree of interdepartmental mobility has been seen as a weakness (Van der Meer and Roborgh, 1993; Andeweg and Irwin, 2002). It is considered to hamper interdepartmental coordination and preclude a desired degree of dynamism in the civil service as a whole. At the same time, Europeanised senior civil servants indicated that long term continuity of civil servants in a specific policy field is one of the factors that facilitate decision making and influencing at the EU level.

> *"For the effectiveness of EU level meetings it is of great importance that people have been around for quite some time. It longer people know each other the better the team spirit, and the better people know each other also informally, the better business is done."* (R229)

In the absence of an integrated civil service for all governmental levels within the Dutch state, mobility between the municipal, provincial and national civil service has been rather limited (see Van der Meer and Roborgh, 1993).

Mobility between the national civil service and the European level administration is marginal. Given the highly selective and prestigious entry procedure and the significantly higher salaries of Commission officials compared to Dutch national officials, there is little incentive for Commission officials to take on a position in the national senior civil service. Mobility from the national level to the Commission is also relatively rare, especially among those civil servants who have already reached the top levels nationally. A transfer from the national civil service to the Commission is hampered by differences in competencies and expertise between the Dutch civil service and the Commission:

> *"Commission civil servants in ranks comparable to mine in the Dutch civil service possess much more substantive expertise on the issue area they are working in than I do. Therefore, for me at this point in my career it makes no sense to transfer to the Commission, because I'll have too little substantive expertise on anything to perform a job at the same hierarchical level as I do now. I'm more a manager than a content-oriented type and that works less well within the Commission."* (IR20)

Below the levels of the senior civil service, a new form of intergovernmental mobility has emerged since the 1980s: that of temporary secondment from the national level to the European level. The number of Dutch seconded national experts to the European institutions has grown to about 100 in 2007 and is seen as an important link between the national and su-

pranational administrations (Van den Berg and Suvarierol, 2008; Trondal et al., 2008; Suvarierol and van den Berg, 2008).

While the secondment system is theoretically a good example of a win-win-win situation, in practice there have been many problems associated with it. These problems include: reluctance by departments to second their people given the cost involvement for the sending ministry, the drop-out from the national civil service of SNEs after completing their secondment, a lack of strategic use of SNE positions, career disadvantage for ex SNEs.

In spite of these problems, the number of SNEs has risen gradually of the past years and departments are increasingly aware of the importance of the mobility scheme. One respondent commented:

> *13 of our high potential young civil servants are currently on secondment to the Commission. It used to be a problem that individual sections were reluctant to second a colleague because they had to pay for it themselves. That is solved by means of a secondment pool to which all sections contribute. Yet there are still problems with the return procedure of SNEs: some of them do not come back to our department. Some become permanent Commission officials and other leave to work for lobby firms. In this sense, the SNE programme presents a risk of losing talented young staff. (R325)*

Presently, expanding or even maintaining EU capacity is under pressure given the political necessity to reduce the size of the civil service. However, many departments have decided for the time being to spare the number of SNEs or other EU specialists. This is partly due to the fact that the Council of Secretaries-General have placed an EU-oriented personnel policy on their to-do list in response to the publication of the Rapport of the Committee Van Voorst tot Voorst (2005). At the Department of Education, there are even plans to double the number of SNEs, in spite of the imposed cutbacks (IR15).

Mobility between the civil service and the private sector connotes a two-way traffic into and out of the senior civil service. Mobility from the private sector into the senior civil service is rather limited: 27 percent of senior civil service has working experience in the private sector, of which only slightly more than half is business experience, and the remaining share is experience with not-for profit private sector organisations. While the ABD has the enhancement of interdepartmental mobility as a goal, its intervention has not led to the influx of private sector managers. This is not very surprising, given that the ABD's focus is on *internal* leadership development, i.e. training and selection schemes are exclusively aimed at people who are already working for the civil service.

Although no quantitative data are available respondents have indicated that Dutch civil servants are much in demand among international organisations and multinational corporations. This appears to apply both to policy experts and to senior managers. Senior civil servants recognise that this is something that should be given more consideration within the Dutch administration, to prevent highly qualified civil servants from draining off to international employers (IR13). As greater tension is to be expected on the upper regions of the labour market, the civil service should become more alert in order not to lose talented personnel.

Vertical mobility

What criteria are applied for Dutch civil servants to make a promotion? The principle of meritocracy is one of the strong pillars under the Dutch administrative system: a civil servant with high merits can go a long way in the direction of the top. As a rule the most qualified and/or senior candidate should always fulfil any vacant position. From this follows, that nominations on purely political grounds, are normatively rejected. However, in practice, political criteria are at least included in appointment procedures. For instance, a qualified candidate's political preference and affiliation may increase or decrease their chances of being nominated. Such assumptions are generally confirmed by politicians off the record, but are always denied in official statements (Van den Berg et al., 2006).

It is generally assumed that political affiliation plays a role at the top two grades in the civil service and within the Bureau SG, which advises the SG and the political leadership (Rosenthal and De Vries, 1995; Van den Berg et al., 2006). However, it should be noted here that the reason for selecting partly on political preference is not in order to give each minister senior civil servants who are members of the same political party, but rather to create a balanced distribution of political party preferences across the whole of the senior civil service. However, this attempt at balancing is preserved for the governmental parties; other smaller parties do not get the same chance.

However, in some ways far more important than party political preference, is compatibility in policy views with either political leadership or the incumbent top civil servants (Dijkstra and Van der Meer, 2000). Especially in times of reform and policy changes, too great differences in ideas between political and administrative leadership are likely to affect the department's general strength to achieve policy goals.

Here it becomes clear that merit-considerations and political considerations are sometimes difficult to separate. If merit is defined as 'the combination of expertise, experience and skills to adequately assist the minister in achieving his policy goals', then it is hard to argue that the above criteria are non-merit criteria. Yet, if personal policy convictions are an important selection criterion, how can senior civil service credibly serve multiple consecutive ministers?

While such semi-political grounds do enter the consideration for top ap-
pointments, fully fledged ministerial cabinets are not part of the Dutch po-
litical-administrative system. On the one hand political cabinets are seen to
diverge too much from the idea of the neutral and loyal civil servants to be
compatible with the Dutch administrative model. One the other hand, a
more practical explanation for the absence of ministerial cabinets is the
successful resistance by the permanent senior civil servants of institutiona-
lised party-political pockets next to the ministers (Van der Meer, 2002).

Does involvement in EU-related activities have a positive effect on the ver-
tical mobility of civil servants? One of the potential implications of Eur-
opean integration for national civil service systems is that criteria for verti-
cal mobility are altering. Theoretically, it may be expected that since the
EU has impacted on many, if not all policy areas, experience at the EU level
or experience with EU dossiers has developed into an important new criter-
ion for promotion. In reality, however, European integration does not seem
to have had a large impact on the grounds on which promotion is being
made, at least not to the extent that experience at the EU level or with EU
dossiers systematically increase a civil servant's change to be promoted. In-
terestingly, this often is not even the case for positions which have a clear
EU dimension. The two unsurprising exceptions to this rule seem to be the
ministry of Foreign Affairs and the Ministry of Agriculture. It seems that
an organisation's overall Europeanisation is a more important factor in de-
termining whether EU experience plays a role as a selection criterion than
the EU dimension on the job itself.

Sometimes, the reverse is even true. The limited role EU experience
plays as a criteria for promotion is one the one hand deplored by senior ci-
vil servants, pointing out that as long as gaining EU experience does not
help people to foster their career, a service wide increase in EU awareness
and expertise is not likely to occur. On the other hand, the limited weight
attributed to EU experience is seen as justified: whether one is a successful
senior civil servants, even on an Europeanised positions does not primarily
depend on one EU experience. In the words of a senior civil servant from
the Ministry of Economic Affairs:

> "EU experience is important and necessary for top civil servants,
> but we should refrain from marking people as EU tigers. We're be-
> yond that now. The EU should be part of the standard set of skills /
> experience but not necessarily more than that. Other features are
> equally or more important" (R325).

These findings are supported by the findings of Princen and Mastenbroek.
On average, 38 percent of their respondents (out of all ranks of the Dutch
national civil service) indicated that their agreed or totally agreed with the

statement that "gaining experience in EU-related activities offers and advantage for my career". They found a clear division between organisation in the Dutch central government between highly Europeanised organisations (46 percent) and medium or low-Europeanised organisations (38 percent). This implies that except for the organisations that can be labelled 'Eurocratic bulwarks', civil servants do not perceive their experience with EU-work as a career-asset in the eyes of their organisation.

9.3.3 Training and expertise

Pre-entry education

Education level

In the course of the 20th century, the mean educational level of entering civil servants has increased significantly. Before the democratisation of higher education in the 1960s and 1970s, it was not exceptional for civil servants without much pre-entry education to enter the service and ascend in the hierarchy on the basis of experience and additional post-entry training. As from the 1960s, due the much greater supply of higher education graduates such cases have become increasingly rare (see Van der Meer and Raadschelders, 1999). Among the ABD including its candidates in rank 14, no more than 6 percent does not hold a university degree.

	14	15	16	17	18	19	TOTAL (N=234)
HBO (non-university higher education)	0%	5%	5%	10%	0%	0%	6%
Kandidaats / Bachelor	0%	7%	1%	3%	17%	0%	3%
Doctoraal / Master	100%	80%	80%	73%	50%	80%	77%
PhD	0%	9%	14%	15%	33%	20%	15%
TOTAL	100%	101%	100%	101%	100%	100%	101%

Survey question: What is your highest completed form of education?

Table 9.5 *Educational level of Dutch senior civil servants (2007)*

Disciplines for pre-entry education

From the early 19th century until after the Second World War, the Dutch civil service in large majority populated law school graduates. As the tasks of central government have expanded and diversified, and thanks to the diversification of academic disciplines after the Second World War, the variety of disciplines in demand for civil service jobs, has widened. The disap-

pearance of the dominance of lawyers in the civil servants has resulted in a relative move away from the normative legal emphasis on SCS work and more on the specific knowledge and skills deemed necessary for each particular policy area. In this context there is a trade-off between one the one hand specialised expertise for a specific policy field and a homogenous, easily coordinated, interdepartmentally mobile civil service.

NL	Education field							Total
	Arts / Humanities	Law	Economics	Political Science / Public Administration	Other social sciences	Science	Other	
Non-Europeanised	0%	15%	22%	7%	22%	7%	26%	99%
Europeanised	3%	23%	18%	10%	12%	16%	19%	101%
Total (N=249)	2%	22%	18%	10%	13%	15%	19%	99%

Table 9.6   *Educational background of Dutch senior civil servants and Europeanisation (2007).*

Table 9.6 shows that within the group of Europeanised senior civil servants, lawyers, political scientists/public administration graduates and scientists are overrepresented whereas economists and graduates of a social science other than economics, political science or public administration are underrepresented. EU-involvement can therefore be said to be highest in spheres that require legal, scientific or political-administrative expertise and lowest in fields require a background in economics or other social sciences.

NL	Education field							Total
	Arts / Humanities	Law	Economics	Political Science / Public Administration	Other social sciences	Science	Other	
Ministerial department	3%	22%	18%	10%	13%	15%	19%	100%
Executive Agency	2%	27%	15%	9%	12%	17%	19%	101%
Regulatory Body	0%	21%	13%	13%	17%	4%	33%	101%
Other	0%	0%	50%	10%	20%	20%	0%	100%
Total (N=249)	2%	22%	18%	10%	13%	15%	19%	99%

Table 9.7   *Educational background of Dutch senior civil servants and organisation type (2007)*

Post-entry training

Although post-entry training in The Netherlands does not so much serve in order to create an esprit de corps as it does in France it is seen as a very important source of skills and expertise within the Dutch civil service, since there is no academic or other type of education that fully prepares a student for the tasks of the civil service and because since society is permanently subject to change, the job and required knowledge and skills for civil servants change permanently as well. Almost every department has an introduction course for its new recruits at policy level (scale 10-11).

Van der Meer (2002) has distinguished 4 different types of post-entry training. The first is formal education e.g. through long-term courses. The second is training in and on the job, which does not require additional organisation, since this entails largely learning by doing, albeit under supervision and coaching by superiors or peers. Thirdly, post-entry training can take place in the form of secondments and traineeships. While overall, this method of training is relatively uncommon in the Dutch national civil service, EU membership seems to have encouraged the usage of this type, at least in order to familiarise civil servants with the institutions and decision making procedures of the EU. SNE secondments have become institutionalised (Van den Berg and Suvarierol, 2008) and the ABD candidates programme offers three-month internships within one of the EU institutions to its pupils. The final type of post-entry training is commissioning research and seminars. At the very top levels , this method is used to bring top civil servants more up to date with development in and around the EU institutions, for instance by means of master classes with high-profile speakers.

Senior civil servants believe that secondments and training on the job are the most effective ways to learn, especially when it comes to the EU. Formal coursework is generally least preferred, given the often absence of direct applicability of the gained knowledge or skills. In this context, many respondents applauded the intensive training programme that is offered to the participants of the National Trainee Programme, a 2 year work and train structure for young university graduates considering a career in the national civil service. Senior civil servants feel that such a programme should ideally be open for all starting higher civil servants. Such a centrally organised training programme should devote ample attention to knowledge and skills on the EU, but should be much broader, in fact it would entail all the basics of how to become a good policy official (IR38, IR09, SR253, SR220, SR325). The similarities between this idealised training scheme and the curriculum and organisation of the French ENA training is striking, apart from the ENA's highly selective and elitist nature.

The role of expertise

The possession of expertise is one of the key features of the Weberian ideal-typical administrative bureaucratic staff. Expertise, whether technical

(*Fachwissen*), procedural (*Dienstwissen*) or secret (*Geheimwissen*) is considered as one of the sources form which officials can derive their specific type of bureaucratic power (Weber, 1972; Page, 1992). How has the role of expertise developed within the civil service system of The Netherlands? Does expertise play a different role in strongly Europeanised issue areas compared to mainly domestic issue areas?

From the early 1980s the Dutch government has changed its handling of expertise to a certain extent. The shift entailed a move away from the approach that all civil servants should be experts in their own field, towards a system with more specialist expert units within the civil service combined with an increase in the hiring of temporary assistance from advisory bodies and consulting firms (Van der Meer and Raadschelders, 2007). In addition, from the 1990s, the emphasis in individual capacity development has been more on competencies and less on expertise. These choices have had a number of implications.

Firstly, with respect to externally bought-in expertise, it has to be noted that The Netherlands has come to have the reputation of having the highest density of management and policy consulting firms in the world – a position shared with the United States (Rosenthal et al., 1996: 111). Their great number and their intense usage by the central administration is indicative of the relatively high degree of the functional village life model in The Netherlands. Added to that is the sizable number of former (senior) civil servants who take up positions within these firms. In those cases it is not uncommon that they come to advice their former colleagues on dossiers that they used to work on themselves in their previous job. Why do departments buy in expert advice from commercial actors and not develop and maintain it themselves?

One part of the answer is that where expertise is lacking internally, it is easier, quicker and cheaper in the short run to buy it from external experts. Since hiring consultants are chargeable to the material budget and not to the personnel budget, getting external experts to do the job is a way of getting your political agenda forward in times of personnel constraints.

Another part is that external advice is not uncommonly sought by ministers or civil servants in order to provide a solid basis or legitimisation for (policy) ideas of their own, or to provide ammunition against (policy) ideas of others.

In recent years, the wide reliance on external consultants has been increasingly criticised by members of Parliament, in newspapers and by civil servants themselves. As part of the cost cutting measures by the subsequent Balkenende Cabinets, government has explicitly tried to decrease the amount of external advice. However, this has so far not led to a decrease in spending on external consulting, to the contrary.

It seems that each attempt to slim down the overall volume of the civil service results in an increase in government buying in of external advice.

As personnel costs are transferred to material costs, the illusion is created that government is doing more with fewer people. The only way out of the expenses of external advice is to (re-)develop internal expertise, but recent governments have not seemed willing to make that investment.

Secondly, the increased emphasis on competency management as the primary goal in individual capacity development since the mid-1990s seems to have made expertise development and maintenance secondary to skills. Political and administrative leadership were enticed by the idea to define competencies in terms of observable behaviour of civil servants rather than keeping formal knowledge up to date (Van der Meer and Toonen, 2005). Increased performance was thought to depend on behavioural characteristics, which was why job description contained less mention of required formal knowledge and more of competencies.

For members of the ABD, seven core competencies were formulated, ranging from decisiveness, integrity and initiative to self-appraisal, learning potential and environmental awareness, and to an understanding of the need for staff development (Van Vulpen and Moesker, 2002). The experiments with competency management did not become a great success, partly because of the stronger need for the cabinet to cut personnel costs and partly because the new regime was often not understood or supported or both by the line managers who were made in charge of applying competency management and sanctioning their subordinates accordingly (Van der Meer and Toonen, 2005).

The decreased focus on internal expertise is seen as a handicap in carrying out their EU related activities. This concern was primarily expressed with regard to Commission expert meetings, to a certain extent also to Council working groups. Respondents observed that substantive expertise is extremely important in EU level meetings, more so than "at home":

> *"Somebody who appears not to know what he is talking about, immediately loses credibility in the eyes of the negotiation partners from the other member states. And this reflects badly on your department and your member state, too. (IR9)*

Another respondent attributed the discrepancy between the level of expertise between Commission officials and Dutch officials to differences in culture:

> *"The Commission, just like the French administration is much more hierarchical than the Dutch civil service. In those systems, the superior is always right. So, in order to be a decent and credible boss, your hierarchical position needs to be backed up by substantive expertise. The Dutch system is much more egalitarian, and nobody would question a superior's authority if a junior has to ex-*

plain the content of a specific dossier to a senior civil servant"
(IR20).

A number of respondents even argued that in order to strengthen the posi-
tion of Dutch civil servants in EU level activities their level of expertise
should be prioritised over their knowledge on the European governance
system. Especially in the more technical policy areas, the person that gets
sent to Brussels should firstly be a strong expert on the issue on the agen-
da, and only secondly have knowledge about the EU (IR17).

They survey among senior civil servants revealed that out of three of the
main civil service competencies, i.e. substantive expertise, procedural
knowledge and political-strategic insight, there is relatively little variation
as to the perceived relevance of each skill to their work. 90 percent feel
substantive expertise is of more than average importance to their work, 89
percent feel this way about procedural knowledge, and 96 percent see poli-
tical-strategic insight as a competence of higher than average relevance.
The surprising part is their answer to the question to what extent they feel
that each of these competencies is currently increasing or decreasing in re-
levance to their work. Here we see that whereas substantive expertise is in-
creasing in relevance to the smallest percentage of respondents (27 per-
cent), followed by procedural knowledge (34 percent). However, what is
striking, is that no less than 63 percent of the respondents indicated that
political-strategic insight is currently increasing in relevance to their work
(see table 9.8 below). This can be seen as an indication of the fast growing
importance of political-administrative sensitivity and the possession of po-
litical-strategic mindset for senior civil servants. This supports the notion
presented by Van Twist that even policy advise to ministers has in recent
years increasingly become a matter of "framing, casting and scripting"
(Van Twist, 2010)

	The Netherlands			
	Current relevance		Relevance is currently…	
	< average	> average	decreasing	increasing
Substantive expertise	3	90	18	27
Procedural knowledge	3	89	5	34
Political-strategic insight	1	96	2	63

Table 9.8 *Relevance and changes in relevance of three types of skills for the
work of Dutch senior civil servants (2007)*

9.4 Containing the potential for official dominance

For Weber (1972), the likelihood for officials to become rulers rather than policy advisers and policy executors, depended on the degree of control exerted on the officials by a range of institutions. Page elaborated on a number of the powers within a bureaucratic as Weber identified them: parliament, collegiality, advice and courts, and added interest groups to this range. As discussed in chapter 3, this study expands the range by adding regulators, mass media, supranational and intergovernmental institutions, and subnational government. The questions to be answered here are: in what way has the role of each of these institutions in containing the potential for official dominance changed since the late 1970s? To what extent can such changes be attributed to the expansion of the EU's multi-level governance system?

9.4.1 Parliament

The longstanding application of the doctrine of ministerial responsibility has prevented the Dutch Parliament from playing an extremely great role in scrutinising the civil service per se: parliament scrutinises the executive, but as minister are responsible for administrative behaviour by their subordinate civil servants, civil servants can in no direct sense be held accountable to parliament. Civil servants cannot be called to parliament to defend their actions. At most, they can be called to witness by parliamentary inquiry committees. In this sense, Parliament can contain the power of the executive as a whole, but it is much more the minister whose powers are curbed than that civil servants are limited in their scope for action. Obviously, the scrutinising powers of parliament affect the discretion of civil servants indirectly, but since the role of the minister as middleman is crucial, this belongs chiefly to the sphere of minister-civil servants relations.

In fact, under the social-liberal governments of Prime Minister Kok (1994-2002) attempts were made to enlarge rather than reduce the distance between Parliament and the civil service. In response to a number of widely publicised conflicts between ministers and their senior civil servants during the 1990s, Kok felt the primacy of politics needed to be re-instated. This included the urgent marking of the ministerial responsibility in terms of legislative-administrative interaction: in 1998 a directive was issued which forbids national civil servants to initiate direct contact with members of Parliament. This directive was soon dubbed the Kok directive. In effect the content of the directive was nothing new; it was a compilation of pre-

existing instructions. Nonetheless, the explicit reminder to both civil servants and members of parliaments has been much criticised because of its alleged undesirability and impracticability (ABD, 2006).

A ban on civil servant-legislative interaction in The Netherlands seems impracticable given the traditional homogeneity of both groups. Higher national civil servants and members of parliaments often share the same social background, have often studied together, or know each through their political party membership, which creates natural informal linkages between the two groups. On top of that, many parliamentarians have even served in ministries before being elected. The recruitment of civil servants rather than business people or professionals to parliament is a traditional feature of Dutch politics (Secker, 1991). This has led the employers' association to complain about the colonisation of the parliament by civil servants (NCW: 1993; VNO-NCW: 1997). The last three elections (since 2002) seem to have brought in proportionally less civil servants than was the case in the 1990s. Few members of parliament come from the private sector.

A ban on civil servant-legislative interaction is considered undesirable in the part of the political executive in the sense that it is felt as inconsistent with the claim that civil servants should be increasingly outward oriented and be more responsive to societal concerns and interests. From a constitutional point of view it can be argued that electorally mandated members of parliament are theoretically more legitimate interpreters of societal actors than other interest representative.

Interestingly, civil servants experience a clear misfit between the Dutch ban civil service-legislative interaction and the EU-level approach to this matter.

> "At the EU level, they don't act like spastics on this issue like we do in The Netherlands. For instance at the European Parliament, the doors are widely open for anyone who has something to contribute or who has a special interest in a policy. We should be careful not to be as cautious in our interaction with Maps as we are with national MPs, because it will be at the expense of our influencing position." (IR11)

A second implication of the scarcity of contact between civil servants and MPs, knowledge of and involvement with European issues has not come up to the mark. Civil servants argue that if the interaction between civil servants and MPs would be more frequent and more relaxed, there would have been much more opportunity for civil servants to inform MPs about positions and implication surrounding EU issues (IR15).

To many respondents the level of national parliamentarians' involvement in EU policy is dramatically insufficient:

> *"Other than those who are on the Select Committee on Europe, Members of Parliament are vast asleep where the EU is concerned" (IR8); "MPs seem to think that the scope EU policy does not exceed the municipal borders of Brussels, and see EU policy as something quite separate from their legislative and scrutinising activities" (IR38); and "Parliament has the nerve to take ministers or deputy ministers measure if their proposals, who are large dictated by previously made EU-wide agreements are not to parliaments liking." (IR 325)*

Interestingly, many respondents recognised that about 10 to 20 years ago (depending on where you look in the civil service) the majority of civil servants used to think like that as well, but that this has largely changed since the mid-1990s. Evidence suggests that civil servants working in Europeanised policy fields have been quicker or at least more successful than Members of Parliament working in the same policy fields. Undoubtedly, the higher degree of continuity within the civil service compared to Parliament will have something to do with this, as well as the generally stronger institutional memory of civil service departments than of parliamentary fractions or committees. But there are other compelling explanations, too. One is in the eyes of numerous respondents the marginal administrative-legislative interaction which was reinforced by the Kok directive. Other potential explanations will be discussed in section 9.7.

Another part may be the limited role of the Dutch Parliament in determining the national position for Council meetings, compared to Britain and Denmark. Whereas many civil servants believe that MPs should become more interested and involved in EU issues, not many of them seem to support greater formal powers of the legislative. Arguments against are that while it may seem that democratic legitimacy of EU policy is enhanced, it is likely to lead to some sort of cosmetic democratic legitimacy, as it would increase the burden on the MPs, who are already ill-equipped to deal with EU issues (IR15, IR325, IR229).

Moreover, it is argued, the greater formal powers of the Danish and the British parliaments in formulating the national position do not lead to better negotiation results for those member states. It may actually jeopardise the negotiation position of minister in Council meetings. If all ministerial positions and arguments are publicly shared with Parliament before entering the negotiations with counterparts from the other member states, there will be not much left to negotiate, given that embassy staff of other member states closely follow Parliamentary debates prior to ministerial meetings in the Council (IR08). Here may lay a defining difference between EU policy and national policy and a lasting obstacle for EU policy to become mainstreamed into national politics and administration: to EU policy-making there is an element of inter-state diplomacy which is absent in national policy.

Whatever the explanation, the EU is by no means mainstreamed in the work of Parliament. This has been recognised as a shortcoming by both the Presidium of the Tweede Kamer and by the Government. As a result, civil servants from the Ministry of Foreign Affairs have been seconded to Parliament in order to assist Select Committees in their EU-related activities (R325).

Or our survey respondents within the Dutch senior civil service, 68 percent indicated that the significance of the national parliament to their work is currently increasing, whereas 6 percent indicated that national parliament is becoming less important to their work. There is some interesting variation across organisation types: the further an organisation type is removed from the central political leadership, the larger the share of its senior civil servants who feel parliament is becoming more important.

NL	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More Important	65%	72%	76%	50%	68%
Less important	7%	4%	0%	50%	6%

Survey questions: Is the relevance of the national parliament for the work of senior civil servants currently increasing? Is the relevance of the national parliament for the work of senior civil servants currently increasing?

Table 9.9   *Percentages of respondents (Dutch civil servants) who indicated the national parliament is currently becoming more important or less important to the work of senior civil servants (2007)*

By the same token, civil servants anticipate that, in spite of the official ban on administrative-legislative interaction, civil servants and MPs may have to rely more on each other in the near future. If provisions to increase the EU's democratic control such as the yellow and orange card procedures which were part of the Lisbon Treaty will be effectuated, national parliaments become a more significant partner for civil servants while navigation policy preferences through the EU decision making procedures. National civil servants will get a greater interest in good and effective relations with MPs, primarily within their own national parliament, but potentially also in the national parliaments of other EU member states (IR325).

> *"This is something that MPs are also confronted with: they forget that we've committed ourselves to European legal frameworks. If it's in the news that Canada breeds fur in an unethical manner, MPs are the first to shout that we as The Netherlands should impose an import ban. Thinking you as an EU member state can bar a specific product from you national market, shows a painful degree of ignorance among the MPs" (IR17).*

Concerning the nature and style of the interaction between senior civil servants and the national parliament, 34 per cent of the survey respondents reported that this is somewhat constructive or very constructive, while 16 percent qualify the interaction with national parliament as conflictuous or very conflictuous. The percentage of senior civil servants who see the relationship with parliament as conflictuous is highest within executive agencies (19%), followed by regulatory bodies (17%) and ministerial departments (15%). Furthermore, there is some variation in the share of senior civil servants who find the interaction with national parliament conflictuous between Europeanised and non-Europeanised senior civil servants: 18 percent and 11 percent respectively. Even more striking is the difference in percentage of the respondents who indicated that they had no interaction with national parliament. Whereas 8 percent of the Europeanised senior civil servants indicated they had no interaction with national parliament, this figure is 22 percent for non-Europeanised civil servants. Relatively more Europeanised civil servants interact with Members of Parliament than non-Europeanised senior civil servants. This suggests there is a positive relation between involvement in EU-related activities and activities which involve interaction with the legislative branch of power. Based on this finding it can also be hypothesised that the interaction between senior civil servants and Members of Parliament is great if it concerns EU-related affairs if it concerns a non-EU-related affair. In this sense, there appears to be a positive relation between European integration and the interaction between bureaucrats and Member of Parliament in The Netherlands.

NL		Somewhat conflictuous / very conflictuous	Neutral	Somewhat constructive / very Constructive	No interaction	TOTAL
	Ministerial department	15%	42%	32%	11%	100%
	Executive agency	19%	34%	37%	9%	99%
	Regulatory body	17%	48%	28%	7%	100%
	Other	17%	33%	33%	17%	100%
EU	Europeanised	18%	39%	35%	8%	100%
	Non-Europeanised	11%	41%	26%	22%	100%
Total (N=277)		16%	40%	34%	10%	100%

Survey question: How would you qualify the interaction between senior civil servants and the national parliament?

Table 9.10 *Perceptions by Dutch senior civil servants concerning their interaction with the national parliament (%, 2007)*

Respondents were also asked about the degree of political sensitivity in-
volved in their relationship with a range of external actors. Logically, the
overwhelming majority of respondents indicated that they felt the political
sensitivity of the interaction with national parliament is higher than average
or even very high. Some variation appears to exist between the organisa-
tion types: more senior civil servants in regulatory bodies see the interac-
tion as politically sensitive (95%) than senior civil servants in executive
agencies (92%) and ministerial departments (91%). Moreover, there is var-
iation between the groups of Europeanised and non-Europeanised senior
civil servants: More Europeanised senior civil servants see the interaction
with parliament as (highly) politically sensitive (93%) than non-Europea-
nised (86%). Again, it strikes that relatively many more non-Europeanised
senior civil servants indicated that they have no interaction with Members
of Parliament (10%) than Europeanised civil servants (2%).

NL		Lower than average / very low	Average	Higher than average / very high	No interaction	TOTAL
	Ministerial department	4%	3%	91%	2%	100%
	Executive agency	2%	0%	92%	6%	100%
	Regulatory body	0%	5%	95%	0%	100%
	Other	0%	0%	100%	0%	100%
EU	Europeanised	2%	3%	93%	2%	100%
	Non-Europeanised	5%	0%	86%	10%	101%
Total (N=195)		3%	3%	92%	3%	101%

Survey question: How high/low is the political sensitivity of the interaction between senior
civil servants and national parliament?

Table 9.11   *Political sensitivity of the interaction between senior civil servants*
and national parliament, as perceived by senior civil servants (2007)

9.4.2   Interest groups

Our quantitative data suggest that generally speaking, over the period from
1980 up to the present, the Dutch civil service has lost part of its ability to
make issues non-negotiable and therefore interest groups can be regarded
as having strengthened their position in containing the potential for official
dominance. In our survey, 49 percent of senior civil servants reported that
interest groups are an increasingly important factor in their work, against
14 percent who indicated that national interest groups are currently becom-
ing less important to their work. As table 9.12 below shows, there a re-
markable lack of variation across organisation types.

For European-level interest groups, these figures are quite different. 21 percent of the respondents observe that EU-level interest groups are becoming more important to their work, against 10 percent who see the importance of such groups decreasing (see table 9.12 below).

	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More Important	50%	49%	52%	0%	49%
Less important	12%	15%	17%	50%	14%

Survey questions: Is the relevance of the national interest groups for the work of senior civil servants currently increasing? Is the relevance of national interest groups for the work of senior civil servants currently increasing?

Table 9.12   *Percentages of respondents (Dutch civil servants) who indicated national interest groups are currently becoming more important or less important to the work of senior civil servants (2007)*

	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL N=299
More Important	21%	19%	24%	0%	21%
Less important	9%	7%	10%	100%	10%

Survey questions: Is the relevance of the European interest groups for the work of senior civil servants currently increasing? Is the relevance of national interest groups for the work of senior civil servants currently increasing?

Table 9.13   *Percentages of respondents (Dutch civil servants) who indicated European interest groups are currently becoming more important or less important to the work of senior civil servants (2007)*

The increase of non-negotiability is can be understood in terms of three factors that have been present over the past three decades. Firstly, interest groups have become better organised and have increased their resources and have become more effective in gaining societal support for their causes (Poppelaars, 2009). Secondly, consecutive governments have made it their deliberative policy to increase the involvement of interest groups into policy-making in an attempt to make their policies more responsive to societal interests in the eyes of citizens ('t Hart et al., 2002; Van der Meer and Raadschelders, 2007). Thirdly, the emergence of a EU style of decision making in which wide and deep inclusion by interest groups has become the norm (Geuijen, 't Hart et al., 2008).

The scope for governments to pursue their objectives has decreased, while interest groups have become more present, more active and more influential in governance. However, it has to be noted that the way in which Weber addressed the question of societal stakeholders (particularly business

actors) and the way in which Page (1992) addressed non-negotiability of policy, assumes that the state is inherently power-hungry and civil servants continuously work towards increasing their power to pursue their own goals. However, for the period studied here, in The Netherlands as in France and Britain, the state has also deliberately given up non-negotiability for policy issues. Extension of the number of and influence of interest groups has been regarded as in the interest of state actors themselves. One the one hand, involving societal actors in implementation may help to unburden the state apparatus, while on the other hand involving interest groups may enhance input legitimacy, societal support and hence effectiveness of policies. As stated above, for the Dutch case specifically, this increase in consultation and involvement fits in quite well with the age-old Dutch consensual style of policy-making.

Based on these considerations, it is difficult to establish to what extent the decrease in the non-negotiability of policy is the result of the failure of governments to prevent it, and to what extent it is the result of rational action on the part of state actors themselves, whose objective it has been to be more responsive to societal interests.

> *"The main advantage of systematic inclusion of external stake-holders in policy formulation is that the policy will more likely be supported in the implementation stage and that the policy does not overlook important interests in a given issue". (IR17)*

The implication is that civil servants have voluntarily limited their own ability to set policies, hoping to thereby increase the effectiveness and efficacy of their actions.

In The Netherlands, the inclusion of interest groups in policy making (and implementation) has traditionally been high, so the implication of European integration for the relationship with interest groups has not so much been their greater-felt involvement. Rather, it is felt that national civil servants are no longer the sole or natural point of reference for interest groups. In this sense, the importance of national civil servants for societal actors has been decreasing. Mature interest groups will focus their energy on the most relevant level of governance, be it the EU or the national level. Therefore, it can be expected that the more issues become Europeanised, the lower the level of interaction between organised interest and national civil servants will become. At the same time, interest groups continue to find their way to national civil servants for policy influencing, even in issue areas that are highly Europeanised. Their aim then is to get national civil servants to argue their cases in Council working groups or Commission expert meetings. However, such efforts are usually supplementary rather than primary strategies on the part of organised interests (IR38).

Apart from the relative decrease in direct dependency of interest groups on national civil servants, the interaction with interest groups has become more complex in the sense that the sheer number of interest groups and associations of interest groups has increased. Interest groups the national government used to deal with are now members to multiple umbrella organisations, which has complicated the playing field. One example is the VSNU, itself the umbrella organisation of Dutch universities. The VSNU is in turn member to both the umbrella over Dutch education and science umbrellas and of the umbrella over all the national umbrellas over the universities in the member states (IR15). Similarly, in the shipping sector, Dutch shipping companies have their umbrella which is in turn member to the EU-wide umbrella of shipping companies. This EU-wide umbrella lobbies the EU institutions but has also acquired a permanent seat at the discussion table of the International Maritime Organisation (IMO). Given their high degree of organisation, continuous and generous resources and outstanding disposal of information, such organisations can be seen as competing for influence on an equal basis with government bureaucracies.

In other words, the added level on which organised interest can exert influence encourages both wider and deeper organisation of stakeholders enabling them to make their interests known more frequent, more coordinated and in more different arenas. Whereas this may lead on the one hand to an erosion of the power position of national civil servants, it also creates opportunities for national civil servants to exert influence given that European umbrella organisations can be internally divided. Strategic civil servants manage to exploit the division between organised interests in much the same way as organised interest exploit discord among state actors. In short, the game is played on multiple chessboards and civil servants need to be capable of playing that game (IR19). This implies that civil servants need to develop the necessary skills and that according to some civil servants, "ministries need more manpower to manage the relation networks" (R220).

Many respondents noted that the dynamic between civil servants and business actors is quite different where European issues are concerned compared to national policies issues. Not because on EU-dossiers are necessarily more involved than in predominantly national dossiers, but because Dutch companies and Dutch civil servants are more aware of their common interests when cooperation with foreign partners is at stake than when only national parties are involved. The interaction is therefore smoother where EU-dossiers are involved:

> "It is almost as if on national issues we are positioned opposite one another at the table, and when European issues as concerned, we sit next to each other at the table. On EU files that is more awareness of the national interest, of The Netherlands Plc. The antithesis government vs. business, which is not uncommon in business-civil

> *service interaction, partly disappears. Clearly, having a common*
> *purpose or a common opponent facilitates the mutual cooperation"*
> *(IR16)*

Due to the increased negotiability of policies, it is not surprising that interest groups, especially those representing commercial interest have on the whole favourable attitudes towards harmonisation of policy and regulation. However, business actors also know how to exploit a lack of harmonisation to their own advantage. They are opportunistic and therefore often have a dual attitude towards policy harmonisation (IR21).

> *"One the one hand, business actors are advocates of a level playing*
> *fields, on the other hand they like to exploit existing differences in*
> *policies across member states. Their attitude towards European in-*
> *tegration therefore does not reflect a vision on Europe, but a vision*
> *on their own interests. Organised interest can afford to do that, civil*
> *servants cannot." (IR325)*

At the same time, some civil servants argue that the opportunistic behaviour by business actors is a side effect of the lack of harmonisation. Further harmonisation would decrease the possibility and necessity for business actors to respond to slightly more advantageous regulations in a neighbouring member state. So, more harmonisation would lead to a more truly level playing field and would create more equality and certainty among business actors. (IR16). It should also be noted that member states themselves may be reluctant to harmonise policies because they can profit from business actors who exploit inter-member state disharmony of policy. But these possibilities are becoming increasingly smaller as European integration advances (IR16).

In short, it seems that the overall interdependence between interest groups and civil servants has increased and that European integration has further encouraged this increase. Organised interests need civil service to get access to decision making and civil servants rely need interest groups for expertise, legitimisation and sometimes implementation. Nonetheless, the increased dependency cannot be said to be evenly distributed between civil servants on the one hand and interest groups on the other hand. While civil servants have deliberately expanded their reliance on interest groups due to anticipated gains in policy efficiency and legitimacy, interest groups still need civil servants for access, but national civil servants are by no means exclusive any longer: interest groups also find access at the European and even international level. So, the dependence of civil servants on interests groups has increased more than the dependence of interest groups on civil servants.

What is more, very few civil servants seem to perceive the greater negotiability as such as a decrease in their own position to pursue their objectives. For instance when business lobbyists are concerned, "many civil servants feel that the objectives of the national government *coincide* with that of the business representatives and are therefore happy to cooperate closely with them" (IR16). Many interview respondents indicated that there is an interesting difference in the way national civil servants perceive the interest of private interest groups when they are working in the European policy context compared to when they are working in the domestic policy context: in the context of the European Union, national civil servants tend to equate the interests of private interest groups with the national public interest to a much larger extent than they do in the domestic policy context. The attitude towards Dutch private interests is much less critical in the European context where various national interests may compete, than in the domestic context where various sectoral or societal interests may compete. In other words, at the European level, national civil servants operate as the champions of the national interest, but here the national interests is often framed as the interest of the primary or most familiar national stakeholder, which is often a private party. In this sense European integration implies an erosion of serving the public interest to the benefit of the private interest.

9.4.3   Collegiality and Advice

Collegiality

The Dutch Cabinet is collective in nature, and formally all cabinet decisions are governed by the doctrine of collective responsibility: all Cabinet members share responsibility for a Cabinet decision. But what is the effective meaning of collective responsibility? In reality, conflicts between ministers may be more the norm, especially given the coalition nature of Dutch executive politics: firstly, Cabinet ministers are drawn from multiple political parties and are therefore bound to have diverging political points of view and objectives, and secondly Cabinet decisions require support from the parliamentary fractions of each of the parties in government, who are usually somewhat freer in maintaining positions divergent from that of the other coalition parties.

The true collegiality of Cabinet decisions can be put into perspective given the increased usage of Cabinet sub-councils and their administrative antechambers as forums for decision-making.

In extension to the conflicts between ministers in Cabinet, who, as it is generally assumed, at least in part operate as the representatives of their department rather than collegially run the government, conflicts of interest and struggles for relative prestige are thrashed out at the administrative le-

vel: interdepartmental bureau politics is a classic feature and the Hague trenches are traditionally deep and harsh.

To what extent and how does European integration play into this? On the one hand European integration is seen to mitigate bureau politics in the Hague trenches: political options are pre-demarcated by EU frameworks so bickering is unlikely to significantly change a policy plan. Recent examples of this are the debate over free schoolbooks and genetically modified food. Unhappy ministers and their civil servants cannot change European arrangements after they have been concluded. Yet they still have all the traditional instruments to delay, hinder and or bend policy plans (IR35).

On the other hand, the European policy arena can in a real sense be considered as the continuation of national interdepartmental bureau politics. This extension is observed both at the European level and at the domestic level. Firstly, it works at the European level, in the sense that if a department cannot get its way within the national field of forces, there may be the EU as an additional avenue to take. One example is when the Ministry of the Housing, Planning and the Environment (VROM), who did not succeed in establishing national norms for energy consumption in non-residential buildings due to resistance by the Ministry of Economic Affairs, managed to get their plan adopted at the EU level (IR19). Secondly, it is observed at the domestic level in the sense that 'the EU argument' is often used in discussions and conflicts to talk hot air. In this sense the EU, as an authoritative source of binding agreements, serves to support advantageous policy plans and, perhaps even more often to discredit unfavourable plans (IR17).

Moreover, advancing European integration has implied that the European level political agenda has become one of the factors determining a department's position within the administrative pecking order. One civil servant illustrated this by saying:

> "The agreement of the Lisbon Strategy implied an opportunity for the Ministry of Education, Culture and Science to emerge more strongly in the national arena, because we felt the backing of the Prime Minister and of the EU as a whole. As a result of EU level prioritising, the general perception of our Department changed from being a 'spending department' to an 'investment department'. This also had an internal effect: as the Education and Science units within the Ministry received more attention and became a higher priority, the Culture section of the ministry was essentially sacrificed." (IR15)

Advice

Weber (1972) discussed the ability of monocratic leaders within a bureaucratic system to seek advice through some form of personal staff, as an alternative to seeking technical advise within their own bureaucratic apparatus. The type of advice Weber envisaged was seen as an opportunity for the minister, who is considered a dilettante compared with the specialised expert bureaucrat, to maintain superiority over the specialist bureaucrats.

While seeking alternative sources of substantive expertise is still a commonly used means for ministers to regain or increase control over the standing bureaucracy (Van der Meer, 2002), another type of advisers has emerged whose added value is not primarily seen in terms of substantive or technical expertise, but rather in terms of political strategic advices and network connection within the political party and among media actors.

Over the years, the number of personal advisers, political advisors and press officers inhabiting the square kilometre in The Hague where most ministries are located, with the Binnenhof, the seat of Parliament, as its epicentre, has gradually increased. The external status of such advisers depends on how close they are to actual political decision making within the national Council of Ministers, which is reflected in the degree of secret political knowledge or inside information they possess. To build up or perpetuate their status, ministers confidants therefore need to share bits of their inside information with journalists or others, in order to demonstrate that they still belong to the close circle surrounding the ministers and parliamentary leaders. Leaking inside information is therefore a necessity for advisers wishing to maintain or enhance their public profile and therefore future career opportunities.

27 percent of the respondents believe personal advisers to minister are becoming more important to the work of senior civil servants against 15 percent who believe they are becoming less important to the work of senior civil servants (see table 9.14 below). Logically, the percentage of respondents who feel advisers are becoming more important is greatest in ministerial department, followed by regulatory bodies, and then executive agencies.

NL	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More Important	34%	14%	17%	50%	27%
Less important	11%	21%	24%	0%	15%

Table 9.14 *Percentages of respondents (Dutch senior civil servants) who indicated personal advisers to ministers are currently becoming more important or less important to the work of senior civil servants (2007).*

The interaction between permanent senior civil servants and personal advisers can be a complex one, given the potential competition for access to the minister given the typical difference in professional perspectives. However, more than half (55%) of the respondents qualify the interaction between personal advisers and senior civil servants as constructive or very constructive, whereas 7 percent qualify it as conflictuous or very conflictuous (see table 9.15 below). Interestingly, the percentage of respondents who indicate that they have no interaction with personal advisers was much higher among non-Europeanised respondents than among Europeanised respondents. This suggests that there is a positive relation between Europeanisation and interaction with personal adviser and that senior civil servants who are involved in EU-related activities are generally positioned more closely to ministers and their direct circle of advisers than senior civil servants who are mostly involved in purely domestic activities.

NL		Conflictuous	Neutral	Constructive	I don't know	Total
	Ministerial department	5%	23%	66%	7%	100%
	Executive agency	6%	31%	38%	25%	100%
	Regulatory body	14%	41%	38%	7%	100%
	Other	25%	33%	25%	17%	100%
	Europeanised	7%	27%	55%	11%	100%
	Non-Europeanised	7%	30%	37%	26%	100%
TOTAL (N=277)		7%	27%	55%	12%	101%

Survey question: How would you qualify the interaction between senior civil servants and personal advisers to ministers?

Table 9.15   *Perceptions by Dutch senior civil servants concerning their interaction with personal advisers to ministers (%, 2007).*

9.4.4   Judiciary

In most political systems, courts can act as a restraint upon government officials in two ways, through the review of legislative actions (thereby scrutinising the executive and the legislature) and through the review of administrative actions (thereby scrutinising civil servants as the delegated exercisers of public authority).

Unlike most systems, in the Dutch political system, judicial review of legislative actions has formally been banned. Although all legal acts have to be in compliance with the provisions in the Constitution, no Dutch court can exercise constitutional review of legislative actions. According to article 120 of the Constitution: "The Judiciary is not entitled to assess the constitutionality of legal acts and treaties". The reason for this is that constitu-

tional review is seen as a violation of the separation of powers, in the sense that it allows the judiciary to place itself above the legislature.

Interestingly, Dutch courts are entitled to review national legal acts against international treaties, such as the European Convention on Human Rights, which grants broadly the same fundamental civil rights as does the national Constitution.

Given that EU membership has thus made de facto constitutional review by the judiciary possible, a bill was put forward in 2002 to lift the ban on judicial review. However, in order to change this traditional principle of the Dutch political-administrative system, the Constitution needs to be changed, which requires the approval of both parliamentary chambers in one parliamentary period and in the two-third majority support in both chambers in the following parliamentary period.

The second way in which the judiciary can constrain government officials is through the review of administrative action according to the criteria of existing statutes and precedent (when the court judges that an administrative decision or action is inconsistent with existing law). This type of constraining has become increasingly significant over the period studied.

Dijkstra (1996) shows that the number of cases of judicial review of administrative action has increased in the period 1950 to 1995. Two main factors account for this. Firstly, the threshold for citizens to go to court has lowered, due to the democratisation of the 1970s and the increased level of administrative legal protection.

Secondly, legal norms in legislation generally tend to leave more room for interpretation or significant exceptions as more complex policy issues are concerned. The same goes for framework legislation as opposed to detailed legislation. A legal text often only acquires concrete meaning when applied to real circumstances at the implementation stage by civil servants. In order to determine what is and what is not the correct application of the legal norm the judiciary is called upon. In this sense, the judiciary fills the vacuum created by the legislative and political executive. From a constitutional point of view, this process is problematic given that the judiciary increasingly intervenes in the business of government (see Dijkstra, 1996). From a more practical point of view, this type of juridification seems inevitable given that the complexity of policy problems increasingly exceeds the technical expertise of lawmakers.

In The Netherlands, notwithstanding the rise in judicial review cases, the degree to which citizens use their right for judicial redress is relatively low compared to other countries. A plausible explanation for this is the practice of pre-judicial conflict resolution and mediation, which is again consistent with the tradition of deliberation and consensus.

All in all, the above suggests that the judiciary is seen as an institution that increasingly needs to be taken into consideration by civil servants. However, for the Dutch case, the process of juridification is not supported

by the survey data. Respondents were asked whether they felt the judiciary (differentiated between the national courts and the European Court of Justice) is becoming more important, or less important to the work of senior civil servants. 21 percent of respondents indicated the national courts are becoming less important, against 14 percent who reported they felt the national judiciary is becoming more important. For the ECJ, these figures were 12 percent and 10 percent respectively, also yielding a negative balance.

Interestingly, of all organisation types, the importance of the *national* courts is decreasing most strongly for senior civil servants in ministerial departments, and the importance of the European Court of Justice is decreasing most strongly for senior civil servants in regulatory bodies.

National Courts	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More Important	11%	18%	24%	0%	14%
Less important	22%	15%	24%	50%	21%

Table 9.16   *Percentages of respondents (Dutch senior civil servants) who indicated national courts are currently becoming more important or less important to the work of senior civil servants (2007).*

ECJ	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More Important	10%	10%	7%	14%	10%
Less important	12%	8%	14%	21%	12%

Table 9.17   *Percentages of respondents (Dutch senior civil servants) who indicated the European Court of Justice is currently becoming more important or less important to the work of senior civil servants (2007).*

Still, many interview respondents reported the increased importance of the ECJ to their jobs:

> *Especially in those sectors where Europeanisation is advanced civil servants acknowledge that they are quite apprehensive of the rulings of the ECJ" (IR17). "Since we feel the ECJ breathing down our neck, everyone is on the alert and the whole policy chain has become EU-conscious. (IR 16)*

Firstly they fear the direct penalties the ECJ can issue in case of non-compliance with EU legislation, secondly they fear the judgments of the ECJ because they are immediately included in the *acquis communautaire*. This

means that rulings of the ECJ de facto come down to case law, which makes the ECJ a more important political actor than the national judiciary in The Netherlands. Many civil servants in The Netherlands interpret the role of the ECJ as a maker of EU law as a further form of juridification of European governance. "In many cases the ECJ has made EU law, much the same as case law is made in the British legal tradition. In this sense, governance in the EU has definitely been subject to juridification" (IR 16).

Concerning the nature of the interaction between senior civil servants and the judiciary at the national and the European level, the findings were as follows. 24 percent of the respondents qualify the interaction with the national courts are constructive, 7 percent qualify this interaction as conflictuous. For the interactions with the ECJ these figures are 7 and 8 percent respectively.

Senior civil servants in regulatory bodies are much more positive about the nature of the interaction with the national courts than are their colleagues in ministerial departments. Senior civil servants within executive agencies are least positive about the interaction with national courts. Furthermore, what is striking that whereas with respect to the national courts, far senior civil servants in regulatory bodies than in ministerial departments indicated that they have not interaction with the judiciary, for the ECJ this difference is non-existent.

In short: In The Netherlands, the role of the judiciary in constraining government officials to pursue their goals has been strengthened in two ways: firstly, the judiciary has acquired a way around the ban on constitutional review due to the possibility to review national legislation against the civic rights as laid down in the European Convention of Human Rights. Secondly, the judiciary has strengthened its position vis-à-vis the executive in terms of its greater role in the review of administrative actions. The first process implies a loss of autonomy any legislating body, be it the executive or the legislature, the second process implies a loss of autonomy for civil servants in their capacity as the delegated exercisers of political authority.

9.4.5   Regulators

In the 1990s as a result of privatisation and liberalisation of various sectors such as telecom, parts of healthcare and public utilities the regulatory form of governance has expanded in The Netherlands, much like it has in most other OECD countries. New public management's idea of 'steering, not rowing' gave rhetorical support for the clearer separation between politics and management, and thus between policy, implementation and regulation/inspection. It implied that regulation from the centre had to be restructured and in many cases sharpened.

This was done for the most part by creating either new regulatory bodies outside of the normal departmental structure, such as the NMa, the OPTA, the AFM and the NZa, or by reorganising and separating existing sectoral inspection services that remained part of the ministries, such as the VROM-inspection, Inspection VenW, the AID, the *Onderwijsinspectie* and the *Erf-goedinspectie*.

The implications of this shift in how regulation is organised and by whom it is carried out have two main dimensions for the national civil service: Firstly, many regulatory tasks have been hived off to (semi-) independent regulatory bodies, which means taking weight off the shoulders of the civil service, and secondly that civil servants and civil service organisations themselves are the subject of regulation and inspection.

Although the regulatory mode of governance is seen by many as the future of governance (Levi-Faur, 2007), the position of both national regulators and national inspectorates is far from secure.

With respect to the (semi-)independent national *regulators*, they cooperate intensely with their counterparts in the other member states and with the sectoral contact points with the Commission. One example is the European Competition Network, in which all national competition authorities and the Commission are united: "Since there is no political will to formally merge, the cooperation is primarily administrative in nature: we exchange methodical information and instruments." (IR13)

In spite of the absence of political will to merge, these watchdogs are increasingly integrating. For instance, the separation between the competency of the Commission and those of the national regulators in terms of competition is not one of principle, but one of scale: above a certain volume of a company or sector, cases are referred to the Commission, below that to national regulators. Also, national regulators are only competent in cases that have no cross-border dimensions, which is a category of cases that is bound to gradually further diminish in size.

Another example is the regulation of the market for medicines, i.e. the testing of newly developed medicines before they are admitted to the market. Considerations of administrative efficiency rather than political arguments have led to agreements stating that a medicine approved by the inspectorate of one member state, can enter the whole EU market. In order to establish credibility, all member states have had to harmonise their testing criteria, norms and methods. Moreover, this agreement has led national inspectorate to save significantly on their budget and time (IR35).

What stands out is the relatively depoliticised nature of the cross-national interaction between regulators:

> *The national interest plays a much more modest role than in real*
> *policy making fields. In our area it is knowledge and understanding*
> *of highly technical matters that counts, not so much politics. Our*

EU-wide group of people is quite small and we all know each other.
(IR35)

These examples of extensive cooperation and pooling of tasks and responsibilities justify the hypothesis that national (semi-)independent regulators in their current form as they were designed in the 1990s will not be long-lived: in time they could develop into bodies similar to national field offices of European regulatory networks. In this context, it is likely that the desirability for administrative cooperation between watchdogs in a single market may prevail over objections in terms of national sovereignty.

With respect to the civil service *inspectorates*, the differences between member states in terms of regulation are not to be overlooked: in The Netherlands, even inspection activities, which are the formal responsibility of departmental inspectorates, are often contracted out to so-called class-bureaus. These bureaus are mandated by the minister to execute inspections. In this sense, the Dutch government has a distinctly different view compared to that of most southern member states and also to that of the Commission (IR18). There is much difference in perspective with respect to how much can be left over to market parties and how much should remain exclusive state activity. In the words of a senior civil servant:

We've noticed that the idea of a retreating state is not supported
outside of Western Europe. In the southern and eastern member
states, including France, there is considerable mistrust when it
comes to involving private parties in governance (IR21).

This suggests that differences in conceptions of the relation between the state and the market have prevailed in the face of the harmonisation of legislation.

Moreover, the strong functional separation between policy, implementation and inspection in The Netherlands is exceptional within the EU:

In other countries there is usually either one organisation that is re-
sponsible for policy and implementation, and another for inspection
or one organisation that is responsible for policy formulation and
another for implementation and inspection. Dutch civil servants
sense a preoccupation with checks and balances rather than with
efficiency in policy making and implement and in exerting influence.
(IR18)

If the national civil service is threatened to be hollowed out, the position of national inspectorates is pre-eminently insecure. On the one hand, national inspections are bypassed by national and subnational stakeholders who are increasingly uniting and who lobby the Commission directly. One

example of this is Aquapol, established in 2002 by the Dutch and German water policy services, (uniting 11 countries in 2008) aiming to be "a qualified advisor for European legislative and regulatory bodies" in the area of water police. This initiative effectively side-lines national navigation inspectorates (IR18).

In addition, national inspectorates are also party shoved aside by the growing and flourishing European agencies and regulators themselves. National inspectors observe that such processes are taking place without much apparent political mandate.

> *There is no discussion as to what would be a fitting level for regulation to take place. Instead, as the Commission is getting more experienced, they try to draw more regulatory tasks towards themselves. This is not necessarily wrong, but there is not coherent vision. The lack of vision leads to a fragmented regulation regime and brings along risks doubling activities and of unrecognisability vis-à-vis societal actors. (IR18)*

In short: the move to regulatory governance in the 1990s has had a curtailing effect on the scope for action of the national service in the sense that firstly, a proportion of regulatory tasks have been externalised in part to (semi-)independent regulatory bodies, in part to private sector inspectors, en secondly, national regulatory bodies and inspectorates are under pressure due to the creation EU level regulators and due to bypassing by national and subnational actors.

9.4.6   Mass media

Here, two things are worth noting. The first is the changed attitude of the media to public officials in general, and the second is the rise in public profiling by senior civil servants.

The attitude of journalists towards public authority in general and to public officials has changed in two main ways. In the first place, the media have become more scrutinising towards political leaders and to the functioning of the organisations under their political responsibility. 66 percent of top civil servants report that the media is an increasingly important factor in their work. Whereas the figures for ministerial departments and executive agencies are relatively equal, the media seems to have a somewhat weaker impact on the work of senior civil servants in regulatory bodies.

Media	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More Important	66%	69%	59%	100%	66%
Less important	4%	3%	0%	0%	3%

Table 9.18 *Percentages of respondents (Dutch senior civil servants) who indicated the media are currently becoming more important or less important to the work of senior civil servants (2007).*

In the second place, society in general has become less deferential towards political leaders and civil servants, and this is also reflected in the way journalists and other publicists report on ministers and ministries. 85 percent of senior civil servant report that interaction with the media is highly politically sensitive.

At the same time, during the 1990s, an increasing number of senior civil servants have sought individual publicity to promote their policy programmes. This applied specifically to the managers of implementation agencies who felt that the status of the agency at arm's length of the ministry also meant a discharge of their duty to remain anonymous servants of the government of the day. They presumably adopted the role perception of the "policy entrepreneur". In a way this was also the reflection of the changed perception - initially also on the part of the government itself – of what is expected from senior civil servants: public leadership. Urging people to demonstrate public leadership is hardly compatible with a ban on seeking publicity.

This type of civil service leadership entails an officialdom that involves willingness to take risks and to take responsibility for mistakes. This can be seen as a more political officialdom than Weberian bureaucracy. Van der Meer notes in this context that senior civil servants have become more openly powerful political actors (2004).

As mentioned above, Prime Minister Kok attempted to restore the primacy of politics in 1998 by reminding civil servants, but especially externally oriented senior civil servants of the importance of the doctrine of ministerial responsibility. It is difficult to say whether this has had a restraining effect on senior civil servants seeking publicity, but in any case the sequence of widely-reported political-administrative conflicts came to an end.

49 percent of the respondents indicated that their feel the interaction between senior civil servants is somewhat conflictuous or very conflictuous, while only 14 percent classified this interaction as somewhat constructive or very constructive. The percentages of respondents who see the interaction with the media as conflictuous is greater among Europeanised than among non-Europeanised senior civil servants. It appears that a little more Europeanised senior civil servants than non-Europeanised civil servants in-

teract with the media, given that of the former category 4 per cent indicated that they have no interaction with the media, while this figure is 78 per cent for non Europeanised senior civil servants.

NL		Conflictuous	Neutral	Constructive	No interaction	Total
	Ministerial department	45%	37%	13%	5%	100%
	Executive agency	59%	28%	11%	2%	100%
	Regulatory body	55%	21%	24%	0%	100%
	Other	42%	42%	17%	0%	100%
	Europeanised	50%	32%	14%	4%	100%
	Non-Europeanised	41%	41%	11%	7%	100%
TOTAL (N=277)		49%	33%	14%	4%	100%

Survey question: How would you qualify the interaction between senior civil servants and the media?

Table 9.19   *Perceptions by Dutch senior civil servants concerning their interaction with the media (%, 2007).*

9.4.7   Intergovernmental and supranational institutions

Over the last decades, the variety of intergovernmental and supranational organisations to which The Netherlands is a member have come to constitute a separate power within the bureaucratic system to limit the exercise of authority by the national-level executive. However, as a constraining power these institutions are not entirely comparable to the one discussed above, given the fact that each of these organisations exist have been set up within the framework of national sovereignty, i.e. none of these organisations possess limiting capacities on the national executive that have not firstly been transferred to is by the national governments themselves.

The European Union is the most important examples of such institutions. In other words, the national executive grants the Commission, the European Parliament and the ECJ the powers to limit their own exercise of authority.

Most civil servants are well aware of their position within a civil of multi-level governance:

> *Governance nowadays is like a pond with several circles: the global, the European, the national and the subnational circle (IR16). In the context of the impact of the EU on national public administration it is important to note that much of the agenda setting for the*

> *European Commission happens at the supra-European level, i.e. within international organisations such as the OECD, IMO, and the World Customs Organisation. Often national states are members to such organisations, but the Commission also attends the meetings and collects ideas and expertise for European policy initiatives there. In some cases, such as in the WTO, the Commission wholly replaces the national states and negotiates on behalf of the EU as a whole (IR17).*

Nonetheless, the respondents are also aware that they have the capacity to influence the degree to which the Commission can limit the authority of the national executive. In this context, the docility of The Netherlands in the European arena is perceived quite critically by most respondents. They observe that the rejection of the referendum concerning the Dutch ratification of the Constitutional Treaty in 2005 has served as a shock incident within Dutch politics and administration where European integration is concerned. Civil servants report that the position of The Netherlands with respect to Europe has certainly changed after the referendum. Many observe that politicians and civil servants have become less accommodating to the Commission than they were before; realising that what's good for the Commission is not always good for The Netherlands, or for Europe at large. It has opened politicians and civil servants' eyes to the possibility that other member states can be better allies than the Commission (IR37). Before the referendum, a critical attitude towards ideas and opinions of the Commission was immediately interpreted as Euroscepsis or Europhobia. Since the referendum this has changed, and it is allowed to be critical of the Commission.

At the same time, some respondents stressed the importance of expressing and accommodating attitude towards the Commission. Especially for a relatively small member state, this is perceived to have been strategically important:

> *"The formerly strongly pro-European integration attitude of The Netherlands enabled it to play a mediating role in conflicts between the larger member states. This created more power and goodwill than we would logically be expected to have based on our size. If a Commission official seeks input for a policy proposal, he or she will make a short round of informal telephone calls to take the temperature in a couple of member states, usually five or six. These rounds function as informal consultations but are of great importance, especially for smaller member states. Who the official calls depends on what national civil servants he likes and trusts, and who is generally seen as a cooperative and reliable partner. For The Netherlands it is crucial to be part of this leading edge, but we have to*

> *make an effort to be trusted and to be seen as cooperative and reliable again" (IR15).*

With respect to the attitude of Dutch ministers in the Council and that of Dutch civil servants in the preparatory working groups for the Council, respondents are critical. Many believe that that Dutch politicians and civil servants have a tradition of being too soft in negotiations with other member states.

> *"We [the Dutch] have acted like a sheep in the middle of a pack of wolves. There are advantages to this position, because it creates a sense of neutrality that also creates opportunity for subtle influencing. But at the end of the day it is in fact suicidal to be as accommodating as we have been for a long time" (IR21).*
> *"We have learned that we have a legitimate interest to serve. Prior to the referendum we somehow felt we had to be more European-minded than Europe itself. (IR16)*

In the Council working groups, Dutch civil servants feel they are generally more limited in the exercise of their authority than their counterparts of larger member states. The position of The Netherlands as a small member state is of constant importance and determines the degree to which national civil servants in preparatory Council meetings can put their foot down. Many civil servants observe that and that member states which are politically and economically more powerful can afford to be anti-European integration without experiencing the negative consequences. If The Netherlands acts as a troublemaker, it will not take long before it will encounter negative consequences (IR21). The nature of the policy area also plays an important role. For instance, in Finance, negotiations are about money and national vested interests. So if civil servants and politicians are just accommodating, it is difficult to get anything done. This is in contrast to more diplomatic circles or less economically oriented policy areas, where it is more important to be seen as a constructive partner. In this sense, each policy area has its own culture and desired approach, which does not lend itself well for central coordination (IR19).

First, it is important to establish the percentage of senior civil servants who are involved in one or more of the following EU-related activities:
- Preparation of national input for EU-level meetings
- Participation in working groups for the Council of Ministers
- Participation in meetings organised by the European Commission (e.g. expert meetings)
- Informal consultations by/with colleagues from other member states
- Transposition of European policies into national legislation

- Involving Subnational authorities in EU-decision making and policy making
- Involving national interest organisations in EU-level decision making and policy making

A senior civil servant is considered as Europeanised if they are involved one or more of these activities. According to this definition, 90 percent of the senior civil servants are Europeanised, and 10 percent is not Europeanised. As tables 9.20 and 9.21 below show, there is, at these levels of the civil service, only very little variation across either ranks or organisation types.

	14	15	16	17	18	19/	TOTAL (N=240)
Europeanised	50%	89%	87%	94%	92%	93%	90%
Non-Europeanised	50%	11%	13%	6%	8%	7%	10%

Table 9.20   *Percentages of senior civil servants involved in EU related activities, per rank (2007).*

	Ministerial department	Executive agency	Regulatory body	Other	TOTAL (N=253)
Europeanised	90%	87%	92%	90%	89%
Non-Europeanised	10%	13%	8%	10%	11%

Table 9.21   *Percentages of senior civil servants involved in EU related activities, per organisation type (2007).*

Interactions between the SCS and the EP

19 percent of the respondents indicated that the European Parliament is currently becoming a more important factor in the work of Dutch senior civil servants. At the same time, 10 percent feel the European Parliament is becoming less important to their work. Respondents in regulatory bodies see the strongest increase in the European Parliament's role in their work (28%), followed by those in ministerial departments (20%), and then executive agencies (13%).

	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More important	20%	13%	28%	0%	19%
Less important	12%	7%	3%	100%	10%

Table 9.22   *Percentages of respondents (Dutch senior civil servants) who indicated the European Parliament is currently becoming more important or less important to the work of senior civil servants (2007).*

Respondents were also asked to qualify their interaction with the European Parliament. 13 percent qualified the interaction as somewhat constructive or very constructive, 5 per cent as somewhat or very conflictuous and one third (33%) indicated that they have no interaction with the EP.

NL		Conflictuous	Neutral	Constructive	No interaction	Total
	Ministerial department	6%	48%	15%	32%	101%
	Executive agency	3%	53%	11%	33%	100%
	Regulatory body	7%	41%	10%	41%	99%
	Other	8%	50%	8%	33%	100%
	Europeanised	6%	48%	14%	31%	99%
	Non-Europeanised	0%	33%	7%	59%	99%
TOTAL (N=277)		5%	48%	13%	33%	99%

Survey question: How would you qualify the interaction between senior civil servants and the European Parliament?

Table 9.23   *Perceptions by Dutch senior civil servants concerning their interaction with the European Parliament (%, 2007).*

Interactions between the SCS and the European Commission

55 percent of the respondents feel that the European Commission is becoming an increasingly important factor in the work of senior civil servants, while 3 per cent indicated that the importance of the Europe Commission for the work or senior civil servants is decreasing. These percentages are largely the same for the various organisation types.

NL	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More Important	55%	51%	62%	50%	55%
Less important	3%	0%	3%	50%	3%

Table 9.24   *Percentages of respondents (Dutch senior civil servants) who indicated the European Commission is currently becoming more important or less important to the work of senior civil servants (2007).*

Of the respondents 40 percent view the interaction with the European Commission as somewhat constructive or highly constructive, and 15 per cent indicated that they did not interact with the European Commission. The percentage of respondents who indicate to have no interaction with the European Commission is 12 among Europeanised respondents, and 44 among non-Europeanised respondents. On this variable, variation across

organisation types is considerable: 12 percent of the respondents in minis-
terial departments reported to have no interaction with the Commission,
against 19 percent and 21 percent within executive agencies and regulatory
bodies respectively. This suggests that there is relatively more interaction
between ministerial departmental and the Commission than between either
executive agencies or regulatory bodies and the Commission. This in turn
suggests that more senior civil servants interact with Commission in the
phase of uploading European policies (i.e. the primary EU-related task of
ministerial departments) than in the phase of downloading European poli-
cies (the primary EU-related tasks of agencies and regulators).

NL		Conflictuous	Neutral	Constructive	No interaction	Total
	Ministerial department	8%	38%	41%	12%	99%
	Executive agency	13%	31%	37%	19%	100%
	Regulatory body	10%	31%	38%	21%	100%
	Other	0%	42%	33%	25%	100%
	Europeanised	10%	35%	42%	12%	99%
	Non-Europeanised	11%	22%	22%	44%	99%
TOTAL (N=277)		9%	36%	40%	15%	100%

Survey question: How would you qualify the interaction between senior civil servants and
the European Commission?

Table 9.25   *Perceptions by Dutch senior civil servants concerning their interaction
with the European Commission (%, 2007).*

9.4.8   Subnational authorities

In The Netherlands, European integration has led to a loosening of the pre-
viously hierarchical relationship between the various levels of government.
Whereas previously problems and preferences were channelled up from the
lowest level via the intermediate level to the central level and (framework)
policies were channelled down the other way around, this vertical structure
is now less obvious. Provincial administrations have become collectively
organised in the Brussels-based *Huis der Provincien* aiming at serving pro-
vincial interests at the European institutions directly instead of through na-
tional politicians and civil servants.

   Asked about the implications of European integration for the relations
between national and subnational layers of government, the responses can
generally be grouped into two quite divergent categories.

   On the one hand, various respondents remarked that whereas much
could be improved in terms of the degree to which the EU is on the radar
of national civil servants, attention for the *subnational* layer of governance
is even more seriously neglected. In their eyes, much attention should be

devoted to the subnational actors, especially in the field of policy imple-
mentation. In fact, some suggested, the increase in attention for EU-level
policy making has occurred at the cost of interest for what is done at the
decentral level. In the words of one respondent:

> *The importance of the combined action of the national and provin-*
> *cial layers of government is often underestimated, also when it*
> *comes to the transposition and implementation of EU policy. At the*
> *national level there is presently a clear concern for the lack of rea-*
> *lisation of policies that is actually achieved. In this sense, it would*
> *help if enforcement officials and implementers would be more in-*
> *volved in policy formulation at large, but also in EU policy making.*
> *It is striking how the ABD is keen to develop knowledge and exper-*
> *tise on the EU among senior civil servants, but does not really invest*
> *in the relations with those actors who have to turn policy into prac-*
> *tice, i.e. provinces, municipalities, inspectorates, enforcers). Subna-*
> *tional layers of governance merit at least the same attention as*
> *Brussels! (IR 25).*

A second and in some ways reverse observation by a number of respon-
dents is that government actors within the Dutch state seem aware that they
should operate consistently and unitarily towards citizens. Convinced that
recognisability of the state is important in a time of increased fragmenta-
tion of government, initiatives have been taken in that direction, but that
the idea of 'one government' seems almost naturally only include national
and subnational authorities, and leave out the European level of authority.
One respondent observed:

> *Within the government, both civil servants and politicians are enthu-*
> *siastic about the effort to counterbalance the fragmentation that is*
> *the reality of public administration by an image of unity. However,*
> *this image of unity is preserved to domestic government actors and*
> *does not include EU-level government actors or institutions (IR21).*

One third of the respondents' experience an increase in the importance of
subnational authorities to their work, while 23 percent indicated the impor-
tance of subnational authorities to their work is on the decrease. It is strik-
ing that of the various organisation types, to senior civil servants within ex-
ecutive agencies the importance of subnational authorities is increasing
strongest, followed by ministerial departments and lastly regulatory bodies.
This can be explained by the fact that in The Netherlands, executive agen-
cies interact more with provinces and municipalities given the nature of
their tasks, executive policies and delivering services to the citizens in the
various regions and localities.

NL	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More Important	32	39	24	50	33
Less important	21	20	19	0	23

Table 9.26 *Percentages of respondents (Dutch senior civil servants) who indicated subnational authorities are currently becoming more important or less important to the work of senior civil servants (2007).*

With respect to the nature of the interaction between senior civil servants and subnational authorities, it was found that 38 percent of the respondents view the interact as somewhat constructive or highly constructive, while 19 percent views it as somewhat conflictuous or highly conflictuous, and 9 per cent reports that they do not interact with subnational authorities. The figures differ significantly across the various organisation types. Many more senior civil servants within executive agencies see the interaction as constructive (50%) in comparison to either ministerial departments (35%) or regulatory bodies (24%). This is another possible indication of more intensive and more positive cooperation between executive agencies and provinces and municipalities than between other national civil service organisations. Moreover, the difference between Europeanised and non-Europeanised civil servants in terms of how many respondents indicate not to interact with subnational civil servants is striking: 8 percent versus 26 percent. This suggests that Europeanised civil servants are not only more involved in governance at the EU-level, but also at the subnational level. It underlines the theses that in fact what defines this group of civil servants is not their Europeanisedness (as opposed to domestic orientation), but rather their involvement in multi-level governance rather than an exclusive focus on national-level issues.

NL		Conflictuous	Neutral	Constructive	No interaction	Total
	Ministerial department	19	36	35	10	100
	Executive agency	13	28	50	9	100
	Regulatory body	31	38	24	7	100
	Other	25	33	42	0	100
	Europeanised	21	34	38	8	101
	Non-Europeanised	15	26	33	26	100
TOTAL (N=277)		19	34	38	9	100

Survey question: How would you qualify the interaction between senior civil servants and subnational authorities?

Table 9.27 *Perceptions by Dutch senior civil servants concerning their interaction with subnational authorities (%, 2007).*

A discussion of territorially decentralised government cannot leave the Dutch overseas territories unmentioned. Besides The Netherlands, the Kingdom of the Netherlands consists of two Caribbean territories: Aruba and the Dutch Antilles. While both countries are part of the Kingdom, they are autonomous and have their own constitution. Presently, these territories have the status of overseas territories within the EU, implying that the islands are not part of the communitarian territories, but that its citizens are by the virtue of their Dutch citizenship, also EU citizens.

In terms of international cooperation programmes, the construction within the Kingdom can pose addition complexities. Most international organisations prefer to negotiate with the Kingdom as a single actor, rather than with three different countries. Although this may be also in the interest of the Dutch government, things become complicated where EU competencies are involved, since one part of the Kingdom is part of the EU, and another part is not.

Currently negotiations are taking place about a statutory reform of the relations between The Netherlands and the Dutch Antilles. One potential outcome is the separation of the island of Curacao from the Dutch Antilles into a separate country just like Aruba and the inclusion of the remaining 4 islands within The Netherlands as municipalities. Following this scenario, the 4 smaller islands would effectively become EU territory in which large parts of the acquis communautaire would be applicable.

9.4.9   Conclusion

Dutch senior civil servants (have to) interact increasingly with a wide and widening variety of external actors, In this sense, the autonomy of senior civil servants to pursue their own interests has decreased and is decreasing further.

To summarise, it appears that senior civil servants see the media as the actors whose importance to senior civil service work is increasing starkest, followed by ministers (see also section 8.6), the national parliament, the European Commission, national interest groups and personal advisers to ministers. The bottom half of the list is, in order of increase in importance, populated by European interest groups, subnational authorities, the European Parliament , the ECJ and lastly, national courts.

This points to the fact that, in the eyes of national senior civil servants, national-level actors are currently increasing in importance more starkly than European-level actors, In the top half of the list the European Commission is the only EU-level actor, and in the bottom half the majority of the institutions are European level.

The ranking as presented in table 9.28 indicates that national developments, in particular those with a political-publicity dimensions are seen as more important than European developments.

The Netherlands				
Rank	Actor	% who see relevance of actor to SCS-work as **increasing**	% who see relevance of actor to SCS-work as **decreasing**	Balance score
1	Media	66	3	63
2	Ministers	63	1	62
3	National parliament	68	6	60
4	European Commission	55	3	52
5	National interest groups	49	14	35
6	Personal advisers	27	15	12
7	European interest groups	21	10	11
8	Subnational authorities	33	23	10
9	European parliament	10	10	9
10	ECJ	10	12	-2
11	National courts	14	21	-7

Table 9.28 *Ranking of institutions that may contain the potential for official dominance according to their relevance to the work of senior civil servants as perceived by Dutch senior civil servants (2007)*

The Netherlands		
Rank	Actor	% who see the interaction with actor as "somewhat conflictuous" or "highly conflictuous"
1	Media	49
2	National interest groups	19
3	Subnational authorities	19
4	European interest groups	18
5	National parliament	16
6	European Commission	9
7	ECJ	8
8	Personal advisers	7
9	National Courts	7
10	EP	5
11	Ministers	1

Table 9.29 *Ranking of institutions that may contain the potential for official dominance according to their interaction with senior civil servants as perceived by Dutch senior civil servants (2007).*

In terms of interaction style, media score highest on the ladder of con-
flict-constructiveness, followed by national interest groups, subnational
authorities, European interest groups, national parliament, the European
Commission, the ECJ, personal advisers, national courts, the EP and minis-
ters. The top three is composed of only national actor types. What is strik-
ing is that the interaction with personal advisers to minister seen as rela-
tively constructive.

Table 9.30 below conveys a ranking order of the various institutions that
may limit the potential for official dominance in order of political sensitiv-
ity as perceived by senior civil servants. Interestingly, the top 5 ranking in-
stitutions are all national institutions, and the bottom six are all European
level institutions, with the exception of the national courts. This finding
can be seen as an illustration of the depoliticised nature of European gov-
ernance institutions in relation to national governance institutions and how
this has its effect on senior civil servants.

The Netherlands		
Rank	Actor / institution	% who see the interaction with actor as "somewhat politically sensitive" or "highly politically sensitive"
1	National parliament	92
2	Media	85
3	Ministers	82
4	Personal advisers	60
5	National interest groups	49
6	European Commission	42
7	Subnational authorities	33
8	European Parliament	32
9	European interest groups	17
10	National courts	10
11	ECJ	7

Table 9.30   *Ranking of institutions that may contain the potential for official
dominance according to the level of political sensitivity of their
interaction with senior civil servants, as perceived by Dutch senior
civil servants (2007).*

9.5   Political-administrative relations

What are the implications of the intensification of multi-level governance
and in particular European integration for the relations between Dutch top
civil servants and the political sphere? In their 2002 book on political-ad-

ministrative relations, 't Hart et al. conclude that European integration has no impact on the relationship between ministers and civil servants ('t Hart et al, 2002: 335-336). In this section, we investigate if this claim can still be upheld for the period until 2007.

This section asks four main questions: how has the interaction style between ministers and civil servants changed?, has the mutual cohesiveness as a social group between ministers and senior civil servants increased or decreased?, has the separation between ministers and their top civil servants in terms of tasks increased or decreased?, has the scope for ministers to exert political leadership over the top civil service increased or decreased?

9.5.1   Interaction style

Of all Dutch respondents, 63 percent feel that ministers are currently becoming a more important factor to their work. Interestingly, however, it seems that the further an organisation is removed from direct political leaders, the more its senior civil servants feel that ministers are becoming more important. This finding may be interpreted as an indication that the importance of minister in relation to agencies and regulatory bodies is currently catching up with the importance of ministers in ministerial departments.

	Ministerial department	Executive Agency	Regulatory body	Other	TOTAL (N=299)
More Important	61%	65%	76%	50%	63%
Less important	2%	0%	0%	0%	1%

Questions: Are *ministers* becoming more important to the work of senior civil servants? Are *ministers* becoming less important to the work of senior civil servants?

Table 9.31   *Political-administrative relations: perceptions of Dutch senior civil servants concerning the changing importance of ministers for successfully performing their professional activities (2007)*

Concerning the way senior civil servants experience the interaction with their ministers, 89 percent of all Dutch respondents indicated that this interaction is somewhat constructive or very constructive. If we compare senior civil servants who are involved in EU related activities with those who are not, it strikes that a larger share of Europeanised senior civil servants see the interaction with ministers as more constructive than their non-Europeanised colleagues, and that relatively more non-Europeanised senior civil servants indicated that they do not interact with their minister than Eur-

	Interaction style					Political sensitivity				
	Conflictuous	Neutral	Constructive	No interaction	Total	Insensitive	Average	Sensitive	No interaction	Total
Europeanised SCS	1%	9%	89%	0%	100%	6%	11%	83%	1%	100%
Non-Europeanised SCS	4%	11%	81%	4%	100%	0%	12%	71%	6%	100%
Total	1%	9%	89%	1%	100%	5%	12%	82%	1%	100%

Survey questions: How would you qualify the interaction between senior civil servants and ministers?
How high/low is the political sensitivity of the interaction between senior civil servants and ministers?

Table 9.32 *Political-administrative relations as perceived by Dutch senior civil servants (2007)*

opeanised. This suggests that senior civil servants who are involved in EU-related activities are more likely to interact with their minister than those who are not involved in EU-related activities.

Asked how politically sensitive senior civil servants view their interaction with ministers, 82% responded this interaction either somewhat politically sensitive or very politically sensitive. More Europeanised senior civil servants feel their interaction with ministers is sensitive than non-Europeanised senior civil servants.

Secondary sources document that in the 1990s there was an increase in the number of serious clashes between ministers and their top civil servants, generating a public debate on the topic of political-administrative relations. Whether it was really the case that ministers and top civil servants conflicted more with one another remains questionable; in any case, when such clashes occurred, they were fought out more publicly, raising questions about the primacy of politics within ministerial departments (De Vries and Van Dam, 1998; Rosenthal 1999). Since the 1990s, the number of political-administrative scandals seems to have decreased somewhat again. Whether this decrease is real or whether more conflicts are again resolved behind closed doors, is a question that cannot be answered here. All in all, apart from a period of apparently increased adversary positions in political-administrative relations during the 1990s, on the whole the interaction between senior civil servants and ministers seems to be rather constructive and complementary.

9.5.2   Cohesiveness as a social group

Politicians and senior civil servants in The Netherlands have traditionally formed a fairly cohesive elite. This was the case during the period of pillarisation (see section 8.1) and has remained the case since. As a small country, many people in top administrative and political positions know each other from their university education, political party, or as board members of the large variety of academic, economic, political, administrative, cultural or social associations of which The Netherlands has a mass. It is therefore justified to call The Netherlands a system of a functional village life (see Peters, 1988).

Background of ministers

The general image of the Dutch political-administrative elite is that of cohesive group of individuals. For a large part, this image is based on the relative high share of ministers who have a professional background in the civil service (Van der Meer and Raadschelders, 1999). From 1977 until 2002, the percentage of ministers who had previously served as civil servants varied between 35 and 45 percent.

The cosiness of this alleged clique has been criticised throughout the decades. Especially Pim Fortuyn, who entered the party-political stage in 2001, attacked what he saw as the imperious class of non-responsive and non-democratic governors which had come to control government and society in The Netherlands. His arguments gained considerable support within society, and much of his rhetoric has later been adopted by the politicians of both the established political parties and those of newly founded political movements. Still, the share of former civil servants in minister positions has not decreased. To the contrary, of all ministers who were part of the Balkenende II-cabinet, 58% were former civil servants, the highest figure throughout the period 1977 up to the present (see table 9.33 below).

Cabinet	Period	Ministers who were former civil servants	
		#	%
Van Agt I	1977-1981	11 out of 26	42%
Van Agt II	1981-1982	6 out of 16	38%
Van Agt III	1982-1982	6 out of 16	38%
Lubbers I	1982-1986	6 out of 17	35%
Lubbers II	1986-1989	10 out of 22	45%
Lubbers III	1989-1994	9 out of 22	41%
Kok I	1994-1998	7 out of 15	47%
Kok II	1998-2002	8 out of 19	42%
Balkenende I	2002-2002	5 out of 13	38%
Balkenende II	2003-2006	11 out of 19	58%
Balkenende III	2006-2007	8 out of 19	42%
Balkenende IV	2007 - 2009	4 out of 17	24%
MEAN	1977-2009		41%

Table 9.33   *Former civil servants serving as ministers in Dutch government 1977-2009*

That is not to say that Fortuyn's call for "new politics" had no effect on the influx of newcomers into Dutch political life. Since 2002, the established political parties have tried to attract more external candidates to their lists, especially resulting in a higher number of new and politically inexperienced members of parliament. But this does not seem to have resulted in a long term-decrease in former civil servants within the cabinet. While it is true that the proportion of former civil servants in the cabinet is lower than ever since 1977, there are no indications that this has been deliberate policy or that this low figure will be sustained in a following period. From table 9.33 we can further conclude that whereas the proportion of former

civil servants within the cabinet used to be rather stable until 2002 is has been much more changeable if we look at the latest three cabinets.

Party membership of bureaucrats

If the civil service background of ministers is an indicator of the cohesiveness of politicians and civil servants as a social group, than political involvement by civil servants is its mirror image and equally important. In this paragraph we will look at the way in which private political activity by senior civil servants is looked upon in The Netherlands, the share of senior civil servants who are members of a political party, and the specific affiliation of the most senior civil servants.

Up until the late 1970s, there used to be a relatively high degree of secrecy surrounding the political preference of senior civil servants in general and their political party membership in particular. When Rosenthal conducted a survey of SGs in 1979 he received many indignant reactions (Van der Meer, 2009). Our 2007 Senior civil service survey, also asked for senior civil servants' political party membership but yielded not a single indignant response.

The survey by de Vries and Rosenthal in 1995 showed that almost 50 percent of the civil servants of the uppermost three ranks (SGs, DGs, and Directors) were members of a political party (see table 9.1 below). The significance of these figures becomes clear if it is compared to the 3 percent of political party membership across the whole of the Dutch population. The chance that any SG, DG or director is member of a political party is 17 times higher than the chance that any person in The Netherlands is a member of a political party. Besides that fact that it is natural for people working in the field of public policy and administration to be more interested in politics and therefore more likely to become a party member, active membership to one of the governmental parties is certainly seen to be beneficial for a career in the senior civil service (Van der Meer, 2009; Daalder, 1993). This claim was also supported by our survey data (see section 8.4).

Asked whether they were member of a political party, 35 percent of our survey respondents answered yes, 64 percent answered no and 1 percent indicated they did not wish to answer this question, see table 8.34 below. The latter group of respondents were asked what was their primary reason they did not wish to answer this question. Most responses here were related to either the privacy of the respondents or the perceived irrelevance of such information for carrying out their official duties.

To start with, specification per rank reveals that the share of political party members is largest within rank 17. Secondly, we see that the age-cohort 36-45 harbours highest degree of political party members. Lastly, political party membership is lower among senior civil servants who are not involved in EU related activities than among Europeanised senior civil ser-

vants. This suggests there is a positive relation between political involve-
ment and Europeanisation.

		Yes	No	No answer	TOTAL
Rank	15	24%	74%	2%	100%
	16	32%	67%	1%	100%
	17	47%	53%	0%	100%
	18	50%	50%	0%	100%
	19	40%	60%	0%	100%
Age	31-35	38%	63%	0%	100%
	36-40	50%	50%	0%	100%
	41-45	42%	55%	3%	100%
	46-50	29%	71%	0%	100%
	51-55	36%	63%	1%	100%
	56-60	35%	65%	0%	100%
	61-65	18%	82%	0%	100%
EU	Europeanised	37%	62%	1%	100%
	Non-Europeanised	19%	78%	4%	101%
TOTAL (N=249)		35%	64%	1%	100%

Table 9.34   *Political party membership among Dutch senior civil servants
specified by rank, age-group, and involvement in EU-related
activities (2007)*

The fact that only few senior civil servants indicated the preferred to not
answer the question pertaining to their political party membership can be
understood in the light of the fact that Dutch national civil servants are tra-
ditionally not only allowed to be a member of a political party, they can
also hold an elected political office in local or provincial politics. Fulfilling
the position of alderman or member of a municipal council is thus not seen
to stand in the way of serving in the national civil service. In fact, this ar-
rangement can be interpreted as the Dutch slimmed-down variant of the
French *cumul de mandates*. Given that political party membership among
civil servants is much higher than among the population at large, and given
that national civil servants have experience in public administration that
can be seen as a qualification for fulfilling a local political office, national
civil servants are overrepresented is local and regional political bodies.
VNO-NCW, the largest employers' association in The Netherlands, has ex-
pressed its concerns about the relative overrepresentation of civil servants
as political officeholders. In their eyes, this could negatively affect the

quality of political life in The Netherlands as it might create a bias against private entrepreneurship in policies (VNO-NCW, 1997).

The question remains, *what* political parties are senior civil servants members of? Data are available concerning the party-political affiliation of secretaries-general in the years 1988 and 1996, see table 9.35 below. From these data we can deduct a number of facts. Firstly, the exceptionally high level of political membership among the nation's most senior bureaucrats: in 100 percent of the secretaries-general were members of a political party and in 1996 93 percent. Secondly, the data suggest there is a relation between the political who is leading in the government of the day and the distribution of members of the various political parties over the positions of secretary-general. In 1988, when the Christian democrats had been in power for decades and the prime minister was a Christian democrat, 9 out of 13 secretaries-generals were member of the same party. By 1996, two years after the Christian democrats had lost the election and had moved into the opposition, the percentage of CDA-members in secretary-generals positions dropped from 69 percent to 23 percent. In the same period, the share of members of the PvdA, which was not in power in 1988 but became the largest party in 1994 and delivered the Prime Minister from 1994 to 2002, grew from 8 percent in 1998 to 39 percent in 1996. In short, there is a positive relation between being the largest party in the country and the leading party within the coalition and the percentage of secretaries-general which are member of that same party.

	1988		1996	
	N	%	N	%
PvdA (social democrats)	1	7.7	5	38.5
CDA (christian democrats)	9	69.2	3	23.1
VVD (orthodox liberals)	2	15.4	1	7.7
D'66 (social liberals)	1	7.7	2	15.4
Green Party	-	-	1	7.7
None	-	-	1	7.7
TOTAL	13	100.0	13	100.1

Table 9.35   *Party political affiliation of Dutch secretaries-general, 1988 and 1996. Source: Van der Meer and Raadschelders, 1999.*

9.5.3   Separation of tasks

Political component of CS work

A decrease or increase in the separation of tasks between senior civil servants and ministers is operationalised in terms of the change in the impor-

tance of (a) skills which are typical for politicians and (b) skills which are typical for civil servants.

Here, political-strategic insight is taken a typical skill for the politician and substantive expertise (*Fachwissen*) and procedural knowledge (*Dienst-wissen*) are taken as typical for the civil servant. If political-strategic insight is a skill of increasing importance to the work of senior civil servants, then it is plausible that the separation of tasks between ministers and civil servants is decreasing. Conversely, if political-strategic insight is a skill of decreasing importance to the work of senior civil servants, then it is plausible that the separation of tasks between ministers and civil servants is increasing.

Similarly, if substantive knowledge and procedural knowledge are skills of increasing importance, then it is plausible that the separation of tasks is increasing, and if both skills are decreasing in importance, then it is plausible that the separation of tasks is decreasing.

The survey respondents were asked how relevant each skill is to their current work, and how (if at all) the importance of each skill is currently changing.

Current change in relevance of POLITICAL-STRATEGIC INSIGHT	Current relevance of POLITICAL-STRATEGIC INSIGHT					
	Not relevant at all	Not so relevant	Neutral	Somewhat relevant	Very relevant	Overall (N=260)
Relevance decreases strongly	-	-	-	-	-	-
Relevance decreases somewhat	-	-	-	3%	1%	2%
Relevance stays constant	-	100%	38%	36%	34%	35%
Relevance increases somewhat	-	-	63%	52%	45%	47%
Relevance increases strongly	-	-	-	9%	20%	17%
Total (N=260)	-	100%	101%	100%	100%	101%

Table 9.36   *Perceptions among Dutch senior civil servants concerning the relevance of political-strategic insight for successfully performing their professional activities (2007)*

Table 9.36 above shows that 2 percent of all respondents feel political strategic insight is becoming a less important skill to their work, and 64 percent feel that this skill is becoming a more important skill to their work. This points to a politicisation of the senior civil service in functional terms, and a decrease is the functional separateness of ministers and senior civil servants.

Moreover, table 9.36 above indicates that the perceived increase of the importance of political strategic insight is stronger among those for whom this skill is already important than among those for whom this skill is cur-

rently less important. This means that political strategic insight is becoming more important for those for whom it was already important, indicating a further specialisation of labour within the senior civil service.

Current change in relevance of SUBSTANTIVE EXPERTISE	Current relevance of SUBSTANTIVE EXPERTISE					
	Not relevant at all	Not so relevant	Neutral	Somewhat relevant	Very relevant	Overall (N=260)
Relevance decreases strongly	-	13%	-	1%	1%	1%
Relevance decreases somewhat	-	25%	28%	22%	7%	17%
Relevance stays constant	-	38%	33%	57%	57%	55%
Relevance increases somewhat	-	25%	39%	17%	20%	20%
Relevance increases strongly	-	-	-	4%	16%	8%
Total (N=260)	-	101%	100%	101%	101%	101%

Table 9.37 *Perceptions among Dutch senior civil servants concerning the relevance of substantive expertise for successfully performing their professional activities (2007)*

Table 9.37 above shows that 18 percent of all respondents feel substantive expertise is becoming a less important skill to their work, and 28 percent feel that this skill is becoming more important to their work. In itself this may not point to a politicisation of the senior civil service in functional terms, but the contrast with the perceived increase of importance of political-strategic insight is striking (28% against 64%).

Current change in relevance of PROCEDURAL KNOWLEDGE	Current relevance of PROCEDURAL KNOWLEDGE					
	Not relevant at all	Not so relevant	Neutral	Somewhat relevant	Very relevant	Overall (N=260)
Relevance decreases strongly	-	-	-	-	-	-
Relevance decreases somewhat	-	17%	24%	4%	2%	5%
Relevance stays constant	100%	83%	48%	65%	55%	61%
Relevance increases somewhat	-	-	29%	28%	30%	28%
Relevance increases strongly	-	-	-	3%	12%	5%
Total (N=260)	100%	100%	101%	100%	99%	99%

Table 9.38 *Perceptions among Dutch senior civil servants concerning the relevance of procedural knowledge for successfully performing their professional activities (2007)*

In line with the observation stated above that the specialisation of labour among the senior civil service is increasing, table 9.37 shows that the perceived increase of the importance of substantive expertise is stronger among those for whom this skill is already important than among those for whom this skill is currently less important.

Table 9.38 above shows that 5 percent of all respondents feel procedural knowledge is becoming a less important skill to their work, and 32 percent feel that this skill is becoming a more important skill to their work. In itself this may not point to a politicisation of the senior civil service in functional terms, but the contrast with the perceived increase of importance of political strategic insight is again striking (32 % against 64%).

Parallel to what has been said above, table 9.38 indicates that the perceived increase of the importance of procedural knowledge is stronger among those for whom this skill is already important than among those for whom this skill is currently less important. This strengthens the thesis that the further specialisation of labour within the senior civil service is taking place.

The political component of senior civil servants' work has also increased due to the sequence of attempts that have been made over the past decades to overcome the coordination problems that seem to be the inherent downside of a departmental civil service with a high degree of ministerial autonomy is the permanent risk of compartmentalisation, i.e. interdepartmental coordination problems. Government reports since the early 19th century make mention of the perceived necessity to discourage compartmentalisation. As policy issues become more complex, an increasing number of issues affect multiple policy departments and coordination becomes a matter of greater urgency. Therefore attempts to decompartmentalise the Dutch civil service have been undertaken more or less permanently since the 1970s.

For the civil service, the emphasis on greater interdepartmental coordination has opened up opportunities to strengthen their position in terms of influencing decision making. Administrative antechambers were created in which top civil servants from various departments convened to pre-digest minister-level meetings, in order to create understanding between the senior civil servants from the ministries and to prepare the way for smooth ministerial decision-making. As a consequence of their participation in the administrative antechambers, these civil servants were sometimes also invited to attend meetings of the ministerial subcouncil, to which formerly only ministers and junior ministers were allowed access (Van der Meer and Raadschelders, 1999). Although this coordination structure is intended to enhance the unity of national policies, it is by no means guaranteed that more interdepartmental consultation makes an end to interdepartmental infighting: officials in the administrative antechambers and interdepartmental

committees agents of their departments and may see serving the department's interest as the primary purposive of their participation.

More change has been observable in terms of the exclusiveness of tasks for both ministers and state secretaries on the on hand or civil servants on the other hand. It appears that senior civil servants have taken on more tasks that used to belong to the domain of the minister, and vice versa. In a sense, civil servants and ministers have grown closer together as is suggested by the Aberbach et al. (1981) model (i.e. a shift towards the 'pure hybrid') and by Svara's (2001) complementarity model. As an explanation, Van der Meer (2002) suggests that the de-ideologisation of politics (i.e. the decrease of ideological conflicts between the main political parties from the 1980s) has contributed to the more administrative attitudes of ministers. Secondly, the increased public profile of an increased group of top civil servants and the at least partial acceptance of this by political leadership made the role senior civil servants more similar to that of politicians. In this sense, arguably both a bureaucratisation of politics and a politicisation of bureaucracy have been taking place.

The separation of tasks has eroded to the extent that ministers and civil servants are involved in both internal and external policies and management. This advanced complementarisation of politics and administration in the 1990s was founded on consensus between political and administrative officeholder's that seemed to have emerged as to the broad preferential direction of policies, including the reform of the public sector itself (Van der Meer, 2004).

9.5.4   Power

The question of the power-relations between senior civil servants and their ministers has been one that is on the one hand difficult to answer and on the other hand whose relevance can bet disputed. Concerning the former, it is firstly difficult to define power, and secondly to measure power, due to both the diffuseness with which power can be manifested and the difficulty to attain reliable data on this relationship. Concerning the latter, the acknowledgement of a considerable degree of complementarity between ministers and senior civil servants may make the question of power relations to a certain degree redundant. However, based on the interviews conducted for this research, it seems there is a difference in the effect of increased multi-level governance (i.e. the horizontal and vertical transfers of powers and responsibilities) for civil servants and ministers. Civil servants have sacrificed control, but have gained coordination responsibilities in the elaborate multi-level governance policy system. Put bluntly, they hold less sway but have more to do. In a sense, their position has been hollowed out then partially filled up again.

For ministers, this seems to be different. Their degree of control over policies has been reduced, but they are not as much personally involved in the new or expanded coordination tasks as the bureaucrats. In other words for the ministerial office, the hollowing out has not been followed by a repletion with new tasks. The same can be said to have happened to national parliaments. As a result, the focus of both parliament and ministers on ad hoc issues has increased, because this seems to be the most efficient way to further their own public profile and power position within the political system.

It appears that there is complementarisation between political leadership (ministers and junior ministers) and political-strategic advisers, because these civil servants are considered the most useful in the eyes of political leadership in a context where scoring points and media profiling have become primary concerns for ministers and junior ministers. Also, political leadership and their close advisors have grown closer in terms of their time horizon, given that many

It appears that there is a drifting apart between political leadership and their direct administrative aides on the one hand and the managers and policy specialists on the other hand. This notion will be elaborated in chapter 11.

9.5.5   Conclusion

Political-administrative relations in The Netherlands have gradually developed over het past decades. In this paragraph, a recap of this development is given, distinguishing between the (a) interaction style between ministers and civil servants, (b) the cohesiveness as a social group, (c) the separation of tasks and (d) bureaucratic power.

Looking at the style of interaction between ministers and their senior civil service, a number of incidents and openly expressed conflicts in the 1990s immediately come to the fore. These escalated working relations may partly be explained by the increased policy-entrepreneurial attitude taken on by some members of the senior civil service, and partly by the lower levels of experience in public leadership on the part of the concerned ministers, resulting in lower levels of automatic authority vis-a-vis their departmental organisation and their top civil servants. However, since the late 1990s, the picture of relatively calm cooperation between ministers and top civil servants returned. The relatively high political instability in The Netherlands since the early 2000s, as observed both in terms of polarisation in society and parliament and in terms of instable coalitions, does not seem to have had a negative impact on political-administrative cooperation within the executive.

In general, ministers seem much less interested in European affairs than in domestic affairs, given the lack of public attention for EU affairs. European issues are thus not high on most ministers' lists of priorities. In this light, it may seem remarkable that Europeanised civil servants appear to be more likely to interact with ministers than non-Europeanised civil servants. However, this fact is possibly better explained by the notion that many of the non-Europeanised top civil servants are managers of executive bodies and implementation services, who by the nature of their activities have less than average direct contact with their minister to begin with. Also, Europeanised civil servants appear to view the political-administrative interaction in more positive terms than non-Europeanised civil servants. This greater satisfaction on the part of Europeanised civil servants concerning the interaction with their minister may be an indication of the larger degree of discretion or lower degree of ministerial control over Europeanised civil servants.

Turning to cohesiveness between politicians and civil servants as a social group, it goes for The Netherlands that the share of ministers with a background in the civil service has traditionally been relatively high. The percentage of former civil servants per cabinet was relatively constant between 1977 and 2002. Since then, this percentage first decreased, and then heavily increased again. It seems that at least the large political parties in government value leadership experience in the public sector over leadership in the private sector as a criterion for ministers. Moreover, it appears that accomplished business leaders are increasingly reluctant to switch to an executive political office. One explanation is the considerable personal and professional risks involved in high public office, but lower salaries and the fear for the impossibility of vigorous action in the public domain also play a role. As a result, the percentage of former civil servants in the cabinet has remained relatively high.

Conversely, cohesiveness can be measured in terms of party membership by civil servants: membership among bureaucrats has traditionally been remarkably high among senior civil servants. It is every Dutch citizen's constitutional right to be a member of a political party, but all of the civil service is formally neutral in party-political terms. While it is an open secret that in the top positions of the civil service party-political considerations play a role, official sources have always denied this. Interestingly, a higher percentage of Dutch senior civil servants proved prepared to be open when asked about their political party membership in comparison to the British civil servants.

The separation of tasks between politicians and civil servants has decreased over the past years in the sense that political-strategic insight – an obvious traditionally core competence for politicians - has been an increasingly important skill for senior civil servants as well. This has partly to do with the faster and broader spread of information and the higher media

pressure that has come with it. The increased importance of political-strategic insight for civil servants points towards an overall, but not uniform, functional politicisation of the senior civil service (the implications of this will be further discussed in chapter 11). Next to this form of politicisation, the separation of tasks between ministers and civil servants has also decreased as a result of the greater necessity for interdepartmental policy co-ordination. Although the cabinet meetings are the ultimate mechanism for government-wide coordination, the coordinating responsibilities of senior civil servants have increased.

Speaking about the power-question concerning political-administrative relations is of doubtful applicability because on the whole the structure and practice of the relations between ministers and their senior civil servants seem to resemble Svara's (2001) complementarity model most. In other words, power between ministers and senior civil servants is not a zero-sum game. Especially in a multi-level governance system, senior civil servants benefit more from a strong minister than from a weak minister. A strong minister helps elevate the external prestige of the department as a whole, which implies an increase in the potential effectiveness of its senior civil servants in their dealings with the outside world, too. Given that the outside world has become larger, more diversified and more interfering with policies and departmental processes, the power positions of civil servants and that of ministers have become more strongly positively related than used to be the case.

9.6   Conclusion

Table 9.39 below sums up the findings for the Dutch civil service system. With respect to the size and organisation of the civil service, departmental organisations per se have shrunk in size, due to the fact that in many policy areas, policy and implementation activities have been separated organisationally. The result has been a growth in so-called executive services, and the number of independent administrative bodies (ZBOs) under public law. Some of the relatively modest number of state-owned enterprises have been brought to the market, resulting in a smaller civil service. On the whole however, the number of civil servants has not gone down, as a result of an increased societal and political demand for government activity in the fields of education, health care, and public safety and security.

Concerning the Weberianness of bureaucratic staff in the Dutch civil service system, no drastic changes have taken place in the hierarchical structure of Dutch civil service organisations, which is paired to an egalitarian organisational culture. One crucial development has been the creation of the ABD, the system wide regime for all civil servants at the director level

and up. In this sense, the importance of hierarchy has at least not withered, given that a new and integrated personnel structure has been developed for a specific subgroup of civil servants based on hierarchical position. In terms of recruitment and career, the Dutch civil service has traditionally been strongly merit-based. Only at the very top levels, political affiliation is appears to be taken into consideration as a criterion next to merit. Over the period studied, little change appears to have occurred. Within the cohorts that belong to the ABD, there has been a real increase in interdepartmental mobility. On average, directors, directors-general and secretaries-general move to a new position every 2,5 to 3 years. Most of the time, their new position is with a different organisation.

With respect to training and expertise, the relatively high percentage of lawyers has decreased, to the benefit of graduates in the various disciplines of the social sciences (including public administration, economics, sociology and management). There seems to be little relation between this development and the increased significance of European integration for the civil service. Interdepartmental mobility has increased at the upper echelons of the civil service, but to a far lesser extent at the middle and lower levels of the civil service. Expertise of and experience with EU-related activities is in only seen as an asset in terms career advancement in organisations that are highly Europeanised. Still, the overwhelming majority of civil service positions are fulfilled based on merit criteria. Only for a handful of positions in what can be called the ministers' entourage is political affiliation applied as a criterion for suitability. However, in many positions from director level upward, a certain affinity with the policy agenda of the minister of the day is seen as an important, if not necessary, asset.

In terms of training and expertise, the performance of EU-related activities require on the one hand in-depth technical skills on the particular subject matter, in combination with advanced process skills in order to be successful in the complex and diplomacy-like context of EU decision making. However, a considerable portion of the civil servants active at the EU level could improve both in terms of technical expertise and in terms of advanced process skills, in relation to their counterparts from some other EU member states. Given that EU related activities are largely concentrated within certain pockets of the civil service, such advanced process skills are not generally required in the civil service at large. However, as the complexity and the negotiation-based mode of policy making have become more relevant in other areas than just EU decision making, it is expected that the distinction between EU-level civil service and domestic-level civil service work will – also in terms of required skills – gradually decrease further.

Across the senior civil service, it is striking to see the contrast between the increase in importance that senior civil servants observe with respect to political-strategic insight, in comparison to the increase of importance of

substantive expertise and procedural knowledge. Political-strategic insight seems to have become *the* currency for senior civil servants to be successful at the uppermost levels.

In line with this finding, senior civil servants see the media as the actor type whose relevance for the work of senior civil servants is currently increasing the most, followed by that of ministers and the national parliament respectively. For senior civil servants in general, the relevance of the national politics and national media related actors are more important and growing in importance than any of the EU related institutions, subnational authorities or the courts.

Political-administrative relations, which traditionally have resembled a functional village life, have developed further into the direction of an ideal-typical functional village life. Ministers and top civil servants continue to belong to a considerably homogeneous social group and generally perform their duties in a complementary cooperation. What has to be noted, however, is that there appears to be a clearer differentiation within the top of the senior civil service, within which a category of political-strategic entourage surrounding the minister can be discerned, a group of high-level policy experts, and a group of professionalised bureau-managers. Of these three categories, the political-strategic entourage are most successful in drawing and retaining the minister's ear, to the detriment of the prestige and influence of both policy experts and bureau managers. What is more, in Europeanised dossiers, ministers tend to be in direct contact with mid-level policy civil servants, rather than with their higher-placed bureau managers.

Table 3.39 below sums up the key findings for the Dutch case.

		1980	2007	Role of the EU-membership in the change
CS size and organisation	Demarcation	Staff in ministerial departments, agencies, IABs under public law and state-owned enterprises	Staff in ministerial departments, agencies, IABs under public law and state-owned enterprises	No change, so no role EU
	Degree of centralisation	Medium-size central ministries	Reduced-size ministries, fragmentation (verzelfstandiging), separation policy and implementation, small degree of decentralisation to provinces and municipalities	No clear role of EU, except for dispersion of management reform ideas through international fora.
Weberian Bureaucratic Staff	Hierarchy	Hierarchical structure, egalitarian culture	Hierarchical structure, egalitarian culture, intro ABD	No relation, but cross-national learning
	Recruitment and Career	Merit system, little mobility	Merit system, little more mobility at the top levels	No relation
	Training and expertise	Relatively many lawyers and social scientists.	Increase in edu level, fewer lawyers, more people with a management background	EU requires technical specialists with extraordinary process skills. No match between what EU requires and real life development.

Collegiality and advice	Highly collegial executive Advice from SCS and advisory bodies	Somewhat less collegial Advice from SCS, advisory bodies, consultants, scientists, political assistants	Position prime minister strengthened by EU
Parliament	Relatively strong vis-a-vis executive	Weaker vis-a-vis executive, less structural scrutiny, more incidental scrutiny	EU actions by executive are hard to scrutinise, unfavourable rules on this point. Also other reasons
Regulators	Relatively underdeveloped, often as part of ministry	Put at arm's-length, more important, more numerous, more of a factor in governance	EU governance stimulates regulatory reform at the national level
Scrutinising institutions Judiciary	CS-judiciary were not an issue	Judiciary has become more visible and influential	Society has juridified and so has European governance, EU legislation often technical and vague, stronger positions for courts
Interest groups	Important, both in policy and in implementation	Non-negotiability further reduced	Structure of EU policies is inclusive of interest groups
Mass Media	Deferential and substance-interested	More investigative, more interested in people, less anonymity, mare capable to make or break ministers	No
IGOs and SNO's	Important to several sectors	Important to virtual all sectors	EU is most important and most intrusive.
Subnational authorities	Relatively many delegated competencies	A little more, but no demands for political autonomy	Not really, no subsidiarity arguments used
Political-administrative relations	Functional village life	Functional village life with more characteristics of policy-politicisation, loss of prominent advice position	EU and MLG stimulated functional differentiation, but much of it has been non-EU induced.

Table 9.39 *Overview of the main findings for The Netherlands*

10 COMPARATIVE ANALYSIS

The previous 3 chapters provided a detailed account of the changes in the civil service systems of France, Britain and The Netherlands. In all three countries, change and adaptation were proven to be present on all of the four dimensions of civil service systems (that is, size and organisation; personnel system; relations with other actors and institutions, and political-administrative relations). Interestingly, however, none of these countries experienced drastic or irrevocable breaks with historically-grounded core beliefs or principles in the time period under investigation. In the present chapter we will compare the findings of the empirical case studies. Consistent with the structure of the empirical chapters, this chapter will first examine the size and organisation of each civil service (10.1), followed by the question of the "Weberianness" of civil staff in each of the countries (10.2) and the potential for other actors and institutions to curb official dominance (10.3), and finally it will address political-administrative relations (10.4).

In this chapter and the next, reference is made to Pollitt and Bouckaert's (2004) concept of a public sector reform trajectory, where there is a starting point (an alpha – α), a chain of stapes or events (trajectory), leading to an end-point (an omega – ω). These three basic elements together form a scenario (see figure 10.1).
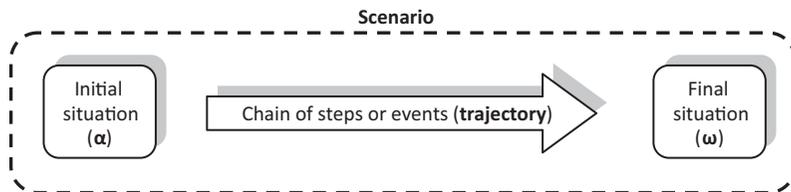
Figure 10.1 *The concept of a trajectory (after Pollitt and Bouckaert, 2004: 65-66)*

10.1   The size and organisation of the civil service

For this research, "size and organisation of the civil service" are operationalised by reference to:

(a) the overall size of the civil service in terms of either full-time staff equivalents ("fte") or headcount;

(b) the size of the civil service in terms of what parts fall within the formal demarcation of the civil service and what parts do not; and

(c) the degree of organisational centralisation within the civil service (see figure 10.2).

Figure 10.2 below summarises this operationalisation.
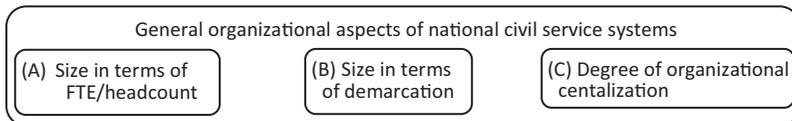
Figure 10.2   *General organisational aspects of national civil service systems*

The question to be answered here is: what have been the key changes in the size and organisation of the civil service in each of the countries since 1980? And. what are the differences and similarities in those changes?

In Britain, the overall headcount of the civil service workforce decreased in the 1980s and 1990s, and showed some growth in the early 2000s. For France and The Netherlands, the civil service workforce increased during the 1980s, decreased during the 1990s, and then started growing again in the early 2000s.

The factors which account for these fluctuations and which may drive the numbers of civil servants in specific policy areas are (a) economic growth or stagnation in a given period; (b) the ideology of the political party in power in a given period; (c) dominant international public management discourse, leading to structural changes such as (quasi-) privatisation and agencification; and (d) societal developments. The first three factors are considerably interrelated, whereas the last one can be considered somewhat autonomous.

The demarcation of the civil service differs from each country, and the specific demarcation reflects the historical development and the dominant idea in each country as to the tasks of the civil service and its place within society. In Britain, the national civil service consists of only those employees working in core departments, executive agencies and non-ministerial departments. In France, the state civil service is more widely defined, con-

sisting of permanent state civil servants, non-permanent state civil servants, school teachers, public health care staff, and civil servants working for the subnational authorities. In The Netherlands, civil service status applies to employees of ministries, agencies, ZBOs under public law and state-owned enterprises (it should be noted that formal state-owned companies are rarely found in The Netherlands today, and to the extent that they do exist, civil service status does not extend to their staff).

Ongoing European integration has so far not fundamentally changed these national arrangements. That said, it is arguable that, in the future, a partial convergence may become evident, based on the developments in France concerning the definition of the civil service in response to EU legislation (see chapter 7 regarding France).

In conjunction with the transition from the active to the enabling state (Page, 2007), the national civil service in each of the three countries has become more decentralised in an organisational sense. That is, central departments have shrunk in terms of tasks and size, and subsidiary executive and regulatory organisations have either been established, or, where they already existed, have been expanded. Across all three systems, it is evident that tasks and staff have been transferred from central departments to executive agencies (on the largest scale in Britain); regulatory bodies have been set up or have been given a more independent status vis-à-vis their parent ministry; and tasks and – usually to a lesser extent – staff has been transferred to regional field services or sub-national authorities (on the largest scale in France).

It should be noted here that this process of fragmentation and diversification of the previously more monolithic national civil service has had a stronger impact where the civil service was more centralised to begin with than in already fragmented systems. From its inception, The Netherlands has had a relatively fragmented civil service system, which dampened the impact of this reform wave in this country. The same goes, albeit to a lesser extent, for Germany.

In this sense, the civil service systems of the respective member states show a partial convergence: the changes are similar both in extent and in direction, but depending on each country's starting position (their α's), each country's trajectory of change and adaptation, and end-point (their ω's) also differ, and therefore mutual differences do not dissolve entirely. In other words, the various national civil service systems are becoming more alike, but that is not to say that they are becoming identical. Table 10.1 below sums up these comparative findings.

		France	Britain	The Netherlands
Demarcation of the national civil service	Size	1980s growth; 1990s reduction; 2000s limited growth	1980s and 1990s reduction; 2000s limited growth	1980s growth; 1990s shrink; 2000s limited growth
		La fonction publique – la fonction publique hospitalière – la fonction publique territoriale – agents contractuels – agents non-titulaires = agents titulaires	Servants of the Crown – political office holders – military – judiciary – police force – local government – state education – NDPBs = civil service (Government departments incl. Agencies; NMDs)	Public sector workforce – judiciary – police force – teachers - public health care – subnational government – military – staff in ZBOs under private law = civil service (ministerial departments, agencies, staff in ZBO's under public law, and formerly: state owned enterprises)
	Central departments	Ministries and their services	Core departments	Core departments and executive organisations
Degree of centralisation	State-owned enterprises	Long tradition of state-owned industrial enterprises. Nationalisation in early 1980s, privatisation in late 1980s, stabilisation in early 1990s, further privatisation in late 1990s.	1979-1993 State owned industrial enterprises were privatised on a large scale and at a fast pace.	State never owned many enterprises. PTT and DSM were privatised in the early 1990s.
	Service delivery agencies	EPAs (administrative) and EPICs (industrial/commercial)	1988-1997 Transfer of 75% of the civil service from central departments to Next Steps agencies	ZBOs (Independent Administrative Bodies) under public law and ZBOs under private law
	Regulatory bodies	Move towards more regulatory governance: extension of use of AAIs	24 (NMDs) Non-ministerial departments	ZBOs and directorates
Key changes in	Subnational layers of government	Deconcentrated to field services of central departments in the regions since 1992.	Regional and local government subject to central government control. Since devolution in the late 1990s: more autonomy to governments of Scotland, Wales and Northern Ireland.	Provincial government with statutory tasks, water boards with statutory tasks, municipal government with statutory tasks. Decentralisation from national to provincial and provincial to municipal in 1980s, 1990s and 2000s.

Table 10.1 *Comparative findings for the size and organisation of civil service systems*

Apart from these organisational aspects, this research has also investigated the staffing dimension of civil service systems, establishing to what degree the civil service staff resembles or deviates from the ideal-typical administrative staff as formulated by Weber (1972).

10.2   A Weberian bureaucratic staff?

This section provides a comparison of the key changes in the Weberianness of civil service staff in each of the countries since 1980, and also addresses the differences and similarities in those changes. The degree to which a civil service staff is "Weberian" has been interpreted as consisting of the following dimensions: Hierarchy, Recruitment and Career, and Training and Expertise (see figure 10.3).
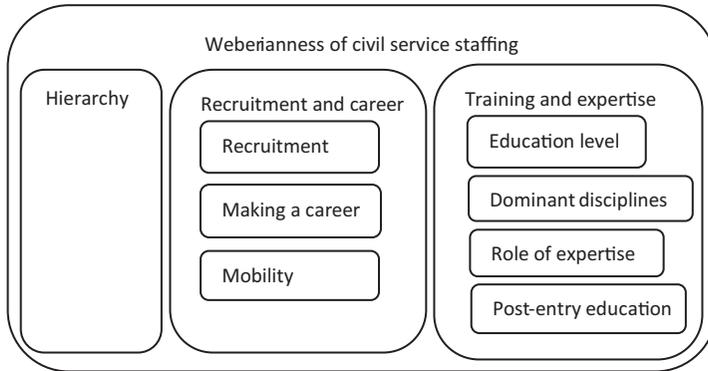
Figure 10.3   *Conceptualising the Weberianness of civil service staffing practices*

Despite the rhetoric about increasing flexibility, organising expert pools and tearing down departmental walls, in terms of staffing, the Weberian model is still quite firmly standing. Hierarchy is still the dominant organising principle and the ubiquitously used mechanism for internal control and accountability (only the very top layers form an exception to this).

Recruitment is still overwhelmingly based on merit, which is defined by reference to expertise, skills and experience. That said, a degree of politicisation of recruitment processes (either based on party-political or policy orientation, or personal fidelity) has become evident in all three cases, with France being the strongest, then Britain, and lastly The Netherlands. However, two important caveats are in order. Firstly, this applies only to the higher echelons of the civil service. And secondly, politicisation is more often personal or policy-political than party-political. Politicisation therefore means more of an increased personal discretion on the part of minis-

ters to appoint their staff, rather than an increasing polarisation in ideological terms within the civil service.

Civil service mobility has grown in all three cases, but most noticeably at the top and much less in the civil service at large. This implies that senior civil servants have become more mobile and therefore less specialist in their knowledge and skills (that is, the managerialisation of the higher civil service), while substantive expertise has correspondingly sunk to the lower levels of the civil service. At these levels, mobility is still quite limited, despite efforts to increase it.

Being a civil servant constitutes a career in all of the three cases. In France, sidesteps to the private sector have become increasingly common for senior civil servants. In Britain, non-civil servants have been able to join the civil service in an increasing number and variety of senior roles despite having no civil service experience. In The Netherlands, the formation of the ABD has ensured that most candidates for senior positions come from within the civil service.

The education level of the senior civil service has risen in all three countries. There has been a shift in dominant disciplines. In Britain, Oxbridge humanities graduates have made space for lawyers and social scientists; in France, economists and management students have grown proportionally; and in The Netherlands, lawyers have made room for social scientists. Post-entry education is still strongest in France, but under pressure due to the emerging disruptive impact of EU legislation on France trinity of concours-école-statut. In Britain and The Netherlands, post-entry education is mostly done on the job, but ideas of lifelong learning have been introduced.

The rhetoric of the importance of substantive expertise is widely used in each of the cases, but at the same time management skills and people skills are generally considered more vital to "making it" as a senior civil servant. In all three countries, a diminution in the substantive knowledge of civil service leaders is observable. One way of repairing this is to hire external expertise at the higher levels of the civil service, but this is both expensive and seen as lacking public legitimacy. An alternative approach is to argue that the power of lower-ranking civil servants will increasingly grow at the expense of middle management, given that *Fachwissen* resides with the lower echelons and not with their hierarchical superiors.

Table 10.2 provides a comparison of the key changes in the "Weberianness" of the civil service in each of the studied member states.

		France	Britain	The Netherlands
Hierarchy		Hierarchy is a crucial principle, but always linked to collectiveness / democracy / equal opportunity. Greater importance of cabinets undermines traditional organisation hierarchy. Within the senior civil service (grands corps), informality is the norm rather than hierarchy. Education at ENA plays an important role in this upper layer, but the supremacy of Énarques is under pressure. Personal connections and political profile have become equal to hierarchy as a source of power.	1986: new, extended grading structure, including an integrated senior civil service. Fast Stream and European Fast Stream (recently abolished). Increased relevance of personal advisers has eroded the principle of hierarchy as a basis of power and influence.	Superficially egalitarian culture, but clear hierarchical structure, supplemented by informal networks. Separate approach to senior civil service since 1995. Misfit in hierarchical culture between The Netherlands on the one hand and most other member states and the European Commission on the other hand.
Recruitment and career	Recruitment	Centralised entry through concours system per corps. Trinity of concours-école-statut is under pressure due to EU legislation.	Decentralised entry recruitment, except for Fast Stream.	Decentralised entry recruitment, except for foreign service, police, judiciary, military and rijkstrainee programme.
	Mobility	Great difference between senior civil service and the rest. Corps structure prohibits mobility at lower levels. Pantouflage creates high degree of mobility among the public, semi-public, and private sectors.	Turnover is generally high among senior civil servants, due to their integration. Influx from private sector has been high since Thatcher.	Mobility has increased within the national civil service, but not so much with sectors outside of the civil service.
	Making a career	Career civil service. Vertical mobility is contained with a specific corps unless a new concours is taken. Within the grands corps generalism is higher valued than specialism. Rotation at the top has increased. Bottle neck for grands corps members, outflow to private sector.	Career civil service. Only top officials are appointed by ministers, but not necessarily on party-political grounds. Political-strategic insight helps to make career. Specific expertise is decreasingly valued.	Career civil service. Political party membership helps. Having a MLG outlook helps. Top positions are appointed by ministers; some political considerations appear to play a role, albeit a subsidiary one.

		Grade A, B, and C corps 48% have a university education	50% hold a master degree	81% hold a master degree
Training and expertise	Education level			
	Dominant disciplines	Pre-entry training is often generalist; specialist or technical expertise is learned post-entry to corps system.	Decrease in natural sciences, increase in social sciences, increase in lawyers but still much less than in other member states.	Proportion of lawyers has decreased; proportion of social scientists has increased.
	Post-entry education	Each corps has their own school. ENA takes a special position. ENA exam score determines chances for career. ENA has adopted a strong European focus. IRAs have increased in importance.	Training on the job, and National School of Government.	Training on the job, courses. Mostly decentralised, although there are some specialised state administrative schools.
	Role of expertise	Expertise is important basis for influence and the level of internal expertise is maintained through the network of state administrative and technical schools. Substantive expertise is less appreciated within cabinets ministeriels than within permanent senior civil service.	Expertise seems to leak away from the civil service, with many hired on a temporary basis. Knowledge and experience are appreciated less than political sensitivity.	Expertise seems to leak away from the civil service, with many hired on a temporary basis. Knowledge and experience are appreciated less than political sensitivity.

Table 10.2 *Comparative findings for the Weberianness of staffing practices*

10.3   Containing the potential for official dominance

One of the key questions of this research is whether the potential for official dominance has increased or decreased in the context of European integration and increasing multi-level governance. In other words, what have been the key changes in the degree to which civil servants are able to pursue their own interests in each of the countries since 1980, and what are the differences and similarities in those changes? For the purposes of this research, a framework was developed to examine a civil service within its environment of actors and institutions. This framework was first described in chapter 3 and is depicted below in figure 10.4.
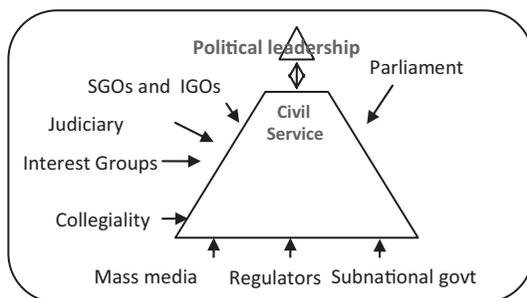
Figure 10.4   *The civil service in its environment of actors and institutions*

Parliament

As to the relations between the senior civil service and the national parliament, in France, of first importance is the generally weak position of the parliament during the Fifth Republic. Moreover, the interaction between the legislative and the executive takes place via the minister's personal *cabinet*, rather than with the career civil servants. However, at an informal level, there is more interaction between parliamentarians and senior civil servants, given that they belong to the same homogeneous social elite group. Given the already limited power of the French parliament in relation to the executive, European integration has not substantially diminished the power of the parliament. The most important change in the relationship between parliament and the civil service has been the introduction of the *Lolf*, which has strengthened the position of parliament *vis-à-vis* the executive. This has proved to be a powerful constraint on the potential of civil servants to pursue their own interests, albeit indirectly.

Compared to France, the British parliament is in a much stronger position to scrutinise the executive, not least because of the traditional framing of the nation's sovereignty as parliamentary sovereignty. The deep-rootedness of the notion of parliamentary sovereignty has also helped the British national parliament to withstand losses in power vis-à-vis the executive more than in other countries.

In The Netherlands, by contrast, the executive has gained relatively more influence at the expense of parliament. European integration is one of the factors that contributed to this, amongst other factors such as the increased technical nature of issues to be legislated on and the increasing asymmetry in resources (information, staff) between the executive and parliament. Formal contacts between parliamentarians and senior civil servants are frowned upon and, given the doctrine of ministerial responsibility, civil servants are not directly answerable to parliament. However, since parliamentarians and senior civil servants both belong to the same elite group (many members of parliament are former civil servants and many civil servants are politically active to one degree or another), informal coordination does take place and is seen as fairly normal.

Collegial government, as an instrument to contain the potential for bureaucratic dominance (*Beamtenherrschaft*), is decreasing in each of the three cases. In France, semi-presidential government inhibits collegial decision-making among the collective of ministers. The heightened degree of dualism between president and government during the periods of *cohabitation* ensured that the *cabinet* of ministers functioned more as a team (and therefore more collegially) than in normal periods, given that the *cabinet* members enjoyed a sense of shared morale in opposition to the president.

In Britain over the past decades, the strength of the position of the Prime Minister *vis-à-vis* the rest of the government has grown, in part as a result of European integration. Collegial decision-making has therefore decreased somewhat. A decrease in the degree of collegiality within the core executive would imply an increase in the potential for official dominance, because if decisions are made less collegially, it means that senior civil servants can – within their domain – to a larger extent do as they please. However, this is countered by the need to stay in tune with their minister. The same is true for The Netherlands, where the Prime Minister is formally *primus inter pares*, but has managed to centralise power to some extent in his own favour.

In addition, in all three countries, European integration has contributed to a decrease of collegiality in the core executive, given the elevated position of the heads of government through their participation in the EU's European Council.

Advice to ministers

Bureaucratic dominance can be contained by the use that ministers make of (semi-)external personal advisers. A classic example of this is the French system of *cabinets ministeriels*, composed of personal political aides and other trusted helpers. Over the past decades these cabinets have grown in size and importance, to the detriment of ministers' reliance on their permanent senior civil service staff. However, it should be noted that the members of *cabinets ministeriels* and the senior civil service are by no means mutually exclusive, given that the majority of members of *cabinets ministeriels* are also members of one of the *grands corps* and have previously served as permanent senior civil servants. The greater reliance of ministers on their *cabinets*, in combination with the relatively frequent changes in government during the past decades, has resulted in the emergence of a class of functionally politicised senior civil servants, which is distinct from those civil servants who are functionally bureaucratised.

Similarly, in Britain, personal advisers to the prime minister and ministers have become increasingly numerous and important over recent decades, to the detriment of the advisory role of the permanent senior civil servants. Unlike the situation in France, though, personal advisers (some of whom have come to be known as spin doctors) are mostly recruited from outside of the civil service, either from the party apparatus, think tanks, the academic world or the private sector.

In both France and Britain, therefore, the near-monopoly of permanent senior civil servants in terms of access to and confidentiality with their ministers has been increasingly eroded, while the influence of semi-external advisers has correspondingly grown.

In The Netherlands, given the country's consociational history and consensus-oriented mode of decision making, ministers have traditionally had a wider range of sources for policy advice. However, in The Netherlands, the role of political assistants and press officers has also increased, albeit to a lesser extent than in Britain and France and their influence has remained more confined to their role as political liaisons rather than policy shapers. Within the Dutch system, in response to the increasing importance of framing, scripting and casting, a group has emerged within the senior civil service specialising in political, strategic and media advice (see Van Twist, 2010). Therefore, in The Netherlands, the tension that has arisen between permanent senior civil servants and (semi-)external advisers is different to that found in Britain and France. This tension has arisen within the permanent senior civil service, between those who have functionally moved more towards framing, scripting and casting and those who have functionally remained either bureau-managers or substantive policy experts. We will return to this development in the next sub-section.

Interest groups

The potential for bureaucratic dominance is further determined by the degree to which policy issues are negotiable or non-negotiable with other societal actors and institutions. The larger the set of issues that are non-negotiable, the greater the potential for senior civil servants to pursue their own interests.

In France, the degree of negotiability in the policy-making process has traditionally been limited, but the discretion on the part of civil servants to accommodate the interests of social actors in the implementation phase has been large. Moreover, the practice of *pantouflage* has ensured that interaction with and input from the private sector have been present on a continuous basis at least from the early 20th century onwards. As a result of EU policies in many areas, societal actors are now involved in the earlier stages of the policy-making process rather than in the later stages of policy implementation. As such, senior civil servants now have to negotiate with societal actors and organisations in the policy-making phase (which they did not have to do before), and they can no longer grant discretionary favours to social groups during implementation.

Similar to France, interest groups have not traditionally held much sway in the policy-making process. Rather, their interest has been served through the self-regulation of societal sectors. Here, too, the prevalence of EU policies in many policy areas has contributed to a change: societal groups have gained more involvement in the policy-making process. The flipside of this coin is that they are less able than before to regulate their sector amongst themselves. Such societal actors have suffered a loss of autonomy, but at the same time, the national civil service has not necessarily gained in influence. Rather, senior civil servants have become interest brokers between various kinds of societal actors and government, but their potential to steer the outcome of the policy-making process has thereby not necessarily increased.

In The Netherlands, interest groups have always been important partners to both policy makers and policy implementers. Therefore, the Dutch policy process has not experienced the same degree of misfit with the mode of policy making generally promoted by the EU's institutions, as has been the case in France and Britain. Still, national government organisations are increasingly by-passed by interest groups which address EU-level policy makers directly. However, the formation of alliances between national government organisations and interest groups to influence EU policies in favour of a specific Dutch interest is also observable. Here, national civil servants arguably become an extension of national interest groups at the EU level, at least in as much as the interest groups' goals correspond with (a) the general national interest, and (b) the political agenda of the government of the day.

All in all, European integration has increased the degree of negotiability of policies in those member states where it had traditionally been low, curbing the potential for bureaucratic dominance in those systems. Secondly, the existence of the EU has made societal interests groups less dependent on national governments, given their option to address the EU level directly. Moreover, it has encouraged new ways of cooperation between national governmental organisations and national interest groups to jointly pursue their common interests.

The judiciary

The judicial branch of power is a classical institution that may function as a check on the potential for official dominance. Over the past decades, the judiciary in each of the three countries has gained in importance and in public visibility in matters dealing with public policy and with interactions between the state and private actors. While many societal factors can be identified to account for this juridification of public governance, we here focus on the impact of European integration on the role of the judiciary to curb dominance by officials.

While the EU's legal system relies to a considerable extent on case law, which is a basic characteristic of the British legal system, too, EU membership has contributed to a relative legalist turn in both policy making and policy implementation in Britain. Senior civil servants have had to adapt to this new approach to regulation in many sectors, but this development has not fundamentally altered the relations between the executive and the judiciary to any real extent. However, since senior civil servants have more influence on the making of legislation than they have on decisions of courts and similar tribunals, the move towards a codified legal system can be seen to increase the potential for bureaucratic dominance, albeit in a fairly limited and indirect manner. Perhaps more significantly, the difference in legal culture between Britain and continental EU member states creates an extra challenge for British civil servants cooperating with their continental counterparts, be it at the EU level or in bi- or multi-lateral interaction outside of the framework of Brussels institutions.

In France and The Netherlands, the differences in legal culture between the national level and the EU level are not as great. Yet, in France the judiciary has only slowly adapted itself to the institutional and policy frameworks imposed by the EU. Accepting the prevalence of EU law, and acting proactively on it, has made it possible for both the *Conseil d'État* and the *Conseil Constitutionnel* to strengthen their position as legal watchdogs over the executive. These two arms of the judiciary now function more powerfully in containing the potential of dominance by civil servants.

For The Netherlands, it was observed that in relation to European integration, the judiciary has become a more important actor within the political-administrative system because of legislative ambiguity that requires judicial interpretation and adjudication. That is, given the often generalist scope of European framework legislation, and the sometimes limited capacity of national parliament and the executive to remove ambiguities from EU legislation in the transposition process, the judiciary has increasingly been called upon to 'fill in the blanks'. In this sense, the judiciary has gradually become a greater force determining the legal boundaries within which civil servants operate.

The role of regulatory bodies

Regulatory governance and regulatory bodies have been created, expanded and have risen to prominence in all three studied member states. Do their presence and functioning contain the potential for dominance by officials? This question is difficult to answer, since the rise of regulatory governance and agencies can, in some ways, itself be seen as a move in the direction of greater power for officials (rather than politicians, at least). Regulators are bureaucratic bodies with additional independence from the political sphere, based on specific expertise and above all a perceived absolute degree of autonomy and impartiality. So the creation and elevation of regulators is in itself a strengthening of bureaucratic power. However, the degree to which regulatory governance, as the preferred mode of governance by the EU's institutions, has disrupted the national political-administrative context depends on the degree of misfit. In Britain, the extension of regulatory governance has been least disruptive given its compatibility with the previous dominant mode of governance: self-regulation. However, regulatory governance implies a different working mode for the civil servants in their dealings with private actors, given that it is based more on norms and principles than used to be the case.

In France, internal control and inspectorates belong to a long French administrative tradition. As such, inspectorates and regulatory agencies are held in high esteem, both among the civil servants and within society at large. The number and scope of *autorités administratives indépendantes* with regulatory tasks has increased during recent decades. On the one hand, it seems that these organisations are examples of how civil service organisations have strengthened rather than weakened their influence on political-administrative and societal processes; however, it should also be noted that regulatory governance in many sectors has replaced central steering by the government. Therefore, at least in France and in The Netherlands, regulatory governance entails a looser form of governance than

was previously in place, whereas in Britain regulatory governance in many sectors means a relatively stricter form of governance.

The role of the media

Public media can play a substantial role in containing the power of officials, in the sense that their agenda-setting and investigative activities (or the anticipation thereof) can function as a check on civil servants' room to manoeuvre. In all three countries, over the past decades the media have become actors of greater importance to the work of senior civil servants. Yet, looking at the three countries, France is the only country that has retained most of its originally high degree of deference towards authoritative institutions, including the senior civil service. At the same time, however, the French media have become more investigative and more insistent. In terms of direct interaction, the French media deal almost exclusively with the *cabinets ministeriels*, rather than with permanent senior civil servants.

In The Netherlands, the media used to serve as the voice of their respective pillarised institutional organisations. In more recent decades, the Dutch media have become both more independent *vis-à-vis* their old partners from the pillarised era and more aggressive in their agenda-setting and investigative endeavours. Moreover, since the beginning of the 1990s, there has been an increase in the degree to which senior civil servants have tried to seek publicity for venting their viewpoints on current societal issues and the best political and administrative response to those. While this has been defended by various actors as a welcome way for influential actors to 'take responsibility' and to 'account for their functioning', it is detrimental to democratic accountability in a system in which ministers – and not civil servants – are accountable to parliament and the public. Yet, in circles close to a minister, public communications professionals work hard to optimise communications *on behalf* of the minister.

It seems as if the British media has become the most aggressive of the three countries. Positive coverage has become vital for a minister's survival, let alone success. The relative ease with which a prime minister can replace ministers and reshuffle his or her cabinet contributes to this. Be that as it may, it also has serious consequences for the working environment of senior civil servants. Policy priorities are at least partly based on the potential degree of positive media coverage an issue can generate for a minister. Substantive arguments may thus shift to the background. Moreover, against this backdrop it is quite natural that permanent senior civil servants feel by-passed to the advantage of spin doctors.

The role of supranational institutions

Can supranational institutions (e.g. the European Commission, the European Parliament or the European Court of Justice) function as institutions that check the potential for national civil servants to pursue their own interests? In all three countries is has been observed that national senior civil servants' room to manoeuvre is curtailed by the development of European rules and regulations in many, if not all, policy areas. However, this is only one side of the story. The European institution-building project has also opened opportunities for French senior civil servants to contribute to the formation of the EU system of governance. The job security under the French *grands corps* system made it possible for them to work at the EU level for a fixed period of time and then return to their original organisation. British and Dutch senior civil servants have also been able to help shape both the establishment of EU institutions and the content of policies at the EU level in their capacity as member state representatives in the various EU consultation and negotiation forums.

Still, the question remains whether senior civil servants would have been better off in terms of their domestic power position if there had not been a European Union. The general answer is probably yes, given that national civil servants find themselves in larger negotiating settings at the EU than at the national level, in which there is no pooling or sharing of sovereignty. The games through which national civil servants pursue their interests (that is, their ministers' interests, their organisation's interests or their own interests) have spread to an additional level and have expanded in terms of the number and variety of fellow players. Whether senior civil servants have adapted well or poorly to this system in part depends on the misfit between the pre-existing national context and the evolved European context. Dutch senior civil servants had traditionally been more accustomed to a system of multi-level and consensus-oriented governance than their British and French colleagues. This can in one sense be interpreted as an advantage; on the other hand, a high degree of apparent similarity may also hold actors back in strategically reconsidering their position, organisation and ways of operating. This lower degree of urgency to drastically adapt to the existence of the EU may explain the relatively low degree of measures taken to truly embed the EU within Dutch national civil service organisations.

The role of subnational government

The less powerful and independent subnational layers of government are, the greater the potential for bureaucratic dominance at the national level. Over the past decades, the power and independence of subnational authori-

ties in all three countries has increased, and the national administration, including the senior civil servants, have come to take the interests and perspectives of decentralised governments increasingly into account. However, it is important to distinguish between different types of decentralisation here, since they have a different impact on the position of the senior civil service.

Administrative decentralisation refers to the downward transfer of executive tasks without necessarily a transfer in political power. This form of decentralisation strengthens the position of the national administration, in that it sheds cumbersome executive tasks but does not decrease the power of the national administration to direct the subnational governments. Political decentralisation, on the other hand, does increase the political independence of subnational authorities from the national core. A third factor is the increased potential for subnational authorities to influence decision-makers at the EU-level, thereby bypassing the national core altogether. This last variant increases the autonomy of subnational governments against that of the national government in much the same way as political decentralisation does, with the exception that, in this case, it may only have been to a limited extent the national government's own choice to let the subnational governments empower themselves in this way.

The image of France as a centralised nation state *par excellence* has eroded somewhat over the past decades due to both deconcentration and decentralisation reforms. Regional and local bodies have gained relative autonomy both in the administrative and in the political sense. Also, local and regional governments have increasingly found their way to the EU's policy arena where they have been able to make their interests and perspectives known (in some instances via their associations).

In Britain, the devolution reforms that started in the late 1990s have impacted the national administration to a larger and more visible extent than European integration has. That said, in some ways European integration also contributed to the occurrence of devolution in the first place. Administrative responsibilities and political authority have been devolved, but on the whole the devolved parliaments and their administrations are still strongly subordinate to central government. Subnational institutions enjoy only so much autonomy as the national government grants them. However, devolution has been a key contributor to the erosion of the perceived natural hierarchy of governmental layers. As such, senior civil servants must now take the subnational perspectives more into account than at beginning of the period studied here.

Decentralisation reforms have also taken place in The Netherlands. However, these reforms have been more limited given that provincial and municipal authorities were always generally regarded as co-authorities rather than subordinate authorities. Therefore, decentralisation was less ideologically driven and less reliant on the arguments related to the subsi-

diarity principles prevalent in the EU context. On the other hand, the provinces in The Netherlands are small and in reality enjoy only limited budgetary and political autonomy from the national government. Lobbying at the EU level is therefore a complementary strategy in addition to their channels to national politics and administration, rather than a realistic option for by-passing the national government altogether.

10.4   Political-administrative relations

For this study, the concept of political-administrative relations has been defined as consisting of the distance between ministers and bureaucrats, in terms of (a) task separation and (b) social separation; (c) ministers' and bureaucrats' interaction style; and (d) ministers' or bureaucrats' dominance, see figure 10.5 below.
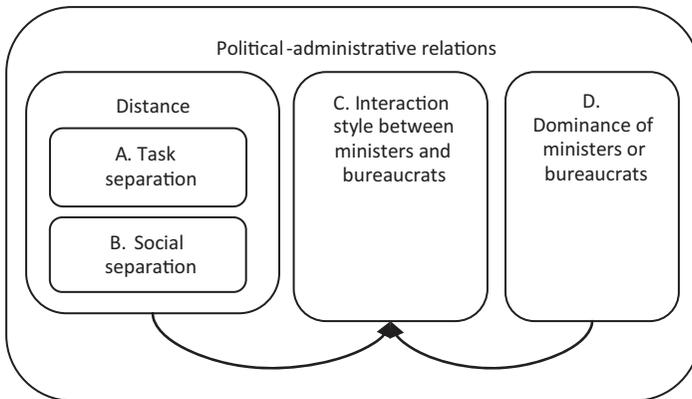
Figure 10.5   *Key aspects of political-administrative relations for cross-national comparison*

In all three countries, the task separation between ministers and their senior civil servants has become less clear-cut over the past decades. In France, civil servants close to ministers have taken on more tasks that, at least according to the Weberian perspective, belong to the political sphere. This is particularly the case for the members of the *cabinets ministeriels*, but also applies to those positions in the permanent civil service for which ministers can now make discretionary appointments. The line of separation between 'politics' and 'administration' has therefore shifted from dividing ministers and civil servants to dividing functionally politicised and functionally bureaucratised civil servants.

In Britain, a similar development has taken place, where spin doctors and personal advisers have taken on more political tasks, at the same time as permanent senior civil servants generally have an enhanced political awareness. In The Netherlands, just as in France, a part of the senior civil service has taken on tasks that can be seen as primarily political rather than administrative, (such as engaging in public debate whether in person or in writing, assisting in developing and executing political strategies to further the minister's personal-political or party-political agenda), while other parts of the senior civil service have become professionalised bureau-managers and still others serve primarily as substantive experts in a specific policy area. Here, too, the line of separation between politics and administration has shifted from dividing ministers from bureaucrats to dividing ministers and their functionally politicised civil servants from the functionally bureaucratised civil servants (i.e. bureaucratic senior managers and substantive policy experts).

This development in terms of task separation has been paralleled by a further social merging between the political elite and the administrative elite in all three countries. While the proportion of ministers with a civil service background has increased, so also the share of senior civil servants with some sort of political profile (party membership, participant in public debate, etc.) appears to have increased somewhat. This has happened notwithstanding the relatively higher influx of outsiders both to political and bureaucratic offices in the wake of NPM-inspired ideas. It is true that in all three countries the share of people with a background in the private sector has increased both among ministers (and other politicians) and among senior civil servants, but it seems that these outsiders have gradually blended in with their insider colleagues. Arguably, the influx of private sector outsiders to both the administrative and the political elite may even have contributed to the decreasing distance between politicians and senior civil servants as social groups.

However, with respect to the interaction style between ministers and civil servants, the picture is more nuanced. In France, the dominant interaction style between ministers and their permanent (functionally bureaucratised) civil servants has suffered from the increased distrust between the political and administrative leadership. This distrust arose from the politicisation of the senior civil service caused by the many consecutive changes in the ruling party during the period under investigation, and also because the members of *cabinets ministeriels* have increasingly come to identify themselves against rather than with the permanent senior civil service. This is all the more interesting, given the fact that in social terms, permanent and cabinet civil servants belong to the same elite group. Apparently, as a *cabinet* member one enjoys greater prestige than a permanent civil servant, given one's proximity to the minister, and membership to the same elite is therefore an insufficient basis for a more complementary interaction style.

In Britain, too, the relatively smaller social distance between ministers and civil servants has generally not been matched by a more complementary interaction style. Ministers' primary reliance and trust has in many cases shifted from the permanent senior civil servants to (semi-)external advisers. The added value of career civil servants to the survival and success of a minister in an era in which framing, scripting and casting are of paramount importance is often less clear to a minister.

In The Netherlands, however, it seems that in general the persistent dominant interaction style is complementary, rather than adversarial, and this has been strengthened rather than weakened over recent decades. In part, this can be explained by the small size and the traditionally close-knit nature of the political-administrative elite. In such a context, the senior civil service (helped by the integrating structure of the ABD) has been able to co-evolve with the evolving needs of the ministers. Therefore, ministers have felt a lesser need to attract (semi-)external personal aides than their counterparts in France and Britain.

The last aspect of political-administrative relations deals with the question of dominance: who controls whom, and in what circumstances? Has ministers' scope to contain the potential for official dominance widened or narrowed?

Starting with Britain, it seems that ministers' scope to contain the potential for official dominance has indeed widened, given the deliberate attempts during the Thatcher governments to deprivilege the senior civil service. Subsequent governments have failed to provide any true rehabilitation efforts or other mechanisms to repair their weakened position. Moreover, the power of senior civil servants has shrunk as ministers have come to rely more and more on other advisers. On the other hand, ministers' increasingly narrow focus on a limited number of core issues within their portfolio leaves permanent civil servants more room to manoeuvre in those areas that fall outside the primary scope of the minister. These areas are typically not the ones that are politically or socially of the greatest weight, but of course there have been ample examples of initially seemingly unexciting or technical issues that have turned into highly politically salient episodes.

The same arguments hold for the situation in France, except that there have not been as many open attacks on the senior civil service by the government itself as compared to Britain. In The Netherlands, the question of administrative dominance was in the limelight in the 1990s following a series of scandals involving conflicts and apparent power struggles between ministers and their permanent civil servants. Since the famous *Kok Ukase* – a 1998 prime-ministerial directive aimed at constraining contacts between civil servants and members of parliament, and thus to protect the significance and applicability of the doctrine of ministerial responsibility – such incidents have occurred only rarely (or at least not openly). Other

than that, the question of the mutual power balance between ministers and civil servants seems somewhat less acute in The Netherlands than in the other two countries, given the generally high degree of complementarity and social homogeneity across the two groups. Still, the newly emerged Partij voor de Vrijheid in parliament has heavily criticised the senior civil service and other parties, such as the CDA (Christian-democrats) and D66 (social-liberals) have argued for merging the offices of the administrative office and of the secretary-general and the political office of the state secretary (junior minister) and to create a core cabinet consisting of a smaller number of ministers. Therefore, it is likely that new political-administrative arrangements and minister-bureaucrat relations will become a greater matter of public and political debate in The Netherlands in the near future (see also Geut, Van den Berg and Van Schaik, 2010). These findings are summed up in table 10.3 below.

		France	Britain	The Netherlands
Distance	*Task separation*	Civil service has taken on political tasks; line of separation has shifted to between politicised civil servants and bureaucratised civil servants.	Spin doctors, personal advisers have taken on political tasks; senior civil servants have become more politically aware.	Civil service has taken on political tasks; line of separation has shifted to between politicised civil servants and bureaucratised civil servants.
	Social separation	Ministers with civil service background; Civil servants with political profile.	Ministers with civil service background; Civil servants with political profile.	Ministers with civil service background; Civil servants with political profile.
Interaction style		Less complementary, due to: decreased trust, politicisation as a result of many consecutive shifts in the ruling party, and the fact that cabinets identify themselves against the permanent civil service.	Less complementary; ministers no longer appreciate the traditional added value of permanent senior civil servants and have turned to others to fill gap.	More complementary, thanks to ABD and social homogeneity; senior civil service as a group has been able to evolve with the changed needs of ministers.
Dominance		Generally the senior civil service is less powerful, because of the loss of confidence. Still powerful in fields in which the minister takes little interest.	Less powerful due to Thatcher's deliberate policy and reliance on others during the Blair-period. Still very powerful in fields in which the minister takes little interest.	Due to high degree of complementarity, a relative non-issue.

Table 10.3 *Comparative findings for political-administrative relations.*

10.5   Concluding remarks

This chapter presented a comparison of the empirical findings for the de-velopment of the national civil service systems in France, Britain and The Netherlands. All in all, what stands out is the similarity of changes and adaptation across the three countries. Similarity in this context should not be confused with identicalness, for within the similarities, there is certain degree of differentiation. This differentiation seems to follow from the dif-ferences in starting positions (α's) in each of the three countries, which im-plies that for each country the national institutional and value-based pre-ex-isting context helps determine the set of possible or politically and socially acceptable endpoints (ω's), thereby making specific changes or reforms that are perfectly acceptable in one country, much less likely or even inac-ceptable in another country. This points into the direction of a partial or re-lative convergence across the three countries, rather than divergence, per-sistence or full / absolute convergence. This assessment will be further dis-cussed in the next chapter.

Another significant line through this analysis is that the European Union as such is rarely the main driver for change but that the implications of the European Union, such as EU-level activity by national civil servants, great-er demands on domestic policy coordination through increased multi-level governance, and changing domestic opportunity structures are clearly, if not directly involved in the driving forces for changes in the position, out-look and organisation of the national civil service. What the theoretical and empirical implications for these findings are, will be the subject of the next chapter.

11 CONCLUSIONS: CUSTOMISED EUROPEANISATION

The rise of modern bureaucratic government coincided with the rise of the nation state in Western Europe. This apparent connection between the nation state as a form of state, and bureaucracy as a government system raises an important question: Is, in an era in which the nation state is becoming less dominant as an arena for political and administrative action, and in which the supremacy of the national level over other levels of government is being toned down, bureaucracy as a form of government also past its prime?

For our purposes, the decrease in the dominance of the nation state is conceptualised by the notion that public administration and state-society relations in Western Europe have increasingly developed into a system of multi-level governance, in which:

- power is increasingly shared across multiple levels of governance rather than centred just at the national level;
- power is increasingly share between state actors, semi-state actors and non-state actors, rather than being predominantly concentrated with stated actors;
- institutional relations are increasingly determined through negotiations and networks as a complement to constitutional provisions; and
- the strictly hierarchical and top-down ordering of levels of governance is decreasing in importance, in favour of a relatively more equal power distribution between tiers of governance.

In this study, the repercussion of this increased multi-level governance for national bureaucracies has been explored, guided by the following research question:

> *What are the implications of EU integration – given its intensifying ef-*
> *fect on the MLG character of public decision making and service deliv-*
> *ery in the member states – for national civil service systems in terms of*
>   *(1)   their organisational design;*
>   *(2)   their personnel systems; and*
>   *(3)   the scope to contain the potential for official dominance in*
>   *relation to*
>   *a. political leaders and*
>   *b. external institutions?*

In this chapter, we conclude the exploration by answering this question for the national civil service systems of France, Britain and The Netherlands. We will first look at the general implications of increased multilevel governance for the Western European nation-states (11.1) and then turn to the repercussions for the various essential aspects of national civil service systems (11.2), followed by a number of concluding remarks and considerations (11.3).

11.1   The state within a system of MLG

There are few more commonly made statements in political and administrative history than that states have always found themselves amidst a continuously changing environment, both internally (the domestic society) and externally (the society of states). In most forms of government, but especially in a democracy, it is up to the state's leading actors and institutions to help shape and respond to such changes in a way that at minimum defends the interests of their society and its members, and preferably strengthens the society both internally and externally. Oftentimes, such endeavours involve a (partial) reform or reorganisation of the state's administration, and sometimes such endeavours involve a (partial) rearrangement of the borders between the internal and the external sphere. Regarding their own administrative organisation, West European national states have helped shape and responded to changes in their domestic and international environments over the past decades in three key ways: an *upward*, *downward* and *sideways* transfer of decision-making authority and executive tasks.

Upward transfer: European integration

European integration involves the upward transfer of decision-making authority by member state governments to the intergovernmental and supranational bodies of the European Union, thereby creating an additional layer of government with its own political-administrative culture and dynamics. While originally this project was primarily aimed at consolidating peace in Europe and facilitating post-WWII economic recovery, over the past decades the EU is increasingly seen as an vehicle for its member states to address cross-border issues, to uphold the region's economically prosperity relative to the US and emerging markets and to remain key political players in the globalised world. Needless to say, as cooperation has advanced and widened, and the transfer or pooling of sovereignty has gradually increased, the potential of each member state to autonomously take authoritative decisions in the majority of policy areas has naturally diminished.

Yet, it should be noted that both the degree to which member state governments have conceded authority and the resulting degree of disruption at the national level are by no means equal across member states. First of all, there is no such thing as a uniform membership of the EU. Some member states have been prepared to go further than others in terms of cooperation, of which the areas of monetary and immigration policy are chief examples. Secondly, the degree of national disruption varies from member state to member state depending on the consequences of upward transfer and the extent to which the EU's institutions and policies differ from the existing national structures and practices.

Downward transfer: Decentralisation and devolution

The second main response by national governments to their changing environment over the past decades has been a downward-directed transfer, involving the re-allocation of political authority and/or executive tasks to regional and local jurisdictions. While decentralisation and devolutionary reforms have often been framed as domestically inspired and domestically oriented changes, the advance of European integration has also strengthened decentralising tendencies in most, if not all, EU member states. Here too, the institutional misfit between the domestic environment and the dispersed and multi-level nature of EU governance helps explain the strength of the decentralising tendency across the member states. Previously highly centralised member states have experienced stronger decentralising tendencies than previously decentralised or even federal states. What implications has this had for national civil service systems? First, it has meant that the

EU, which for the national civil service is partly a self-created countervailing power at the supranational level, has helped to tone down the intra-state hierarchical relationship between the national and subnational administrations. Subnational authorities have gained autonomy vis- à-vis national executives as a result of (a) EU-related resources and access, and (b) decentralisation reforms - for which the arguments were usually strengthened by the adherence to the principle of subsidiarity. For instance, the EU's adherence to the principle of subsidiarity was used by subnational actors as an argument for deconcentration and decentralisation in France and devolution in Britain.

Overall, subnational authorities have become a more self-assured and better-equipped countervailing power against the national administration.[51] Looking at the countries studied here, this has been most strongly the case in Britain, followed by France and then followed by The Netherlands.

Sideways transfer: From the active to the enabling state… and back?

The third main response by states in adapting to their changing environment has been the shift on the scale which ranges from the *active* or *interventionist* state to the *enabling* state, in the direction of the latter (Page and Wright: 2007; Raadschelders and Van der Meer: 2009). In the idea of the active state, the state's own organisation is the main medium for its intervention in the national society, economy and culture. In the concept of the enabling state, services and regulation are provided by a mix of different kinds of organisations with a range of supervisory and control regimes and mechanisms (see Hood et al 2004). Government's main role is thus to *enable* other organisations to provide services and to exercise hands-on control over the application of regulation. These organisations typically do not form part of the state's core apparatus, but may be private, voluntary, semi-public or judicial bodies, or government agencies placed at an arm's length (Page and Wright 2007). While European integration in itself does not necessarily contribute to the shift toward the enabling state, the content of many European policies and the preferred regimes that are embedded in European rules and regulations (e.g. regulatory governance, obligatory involvement of societal interests in policy making and implementation) in practice have made European integration and the move to a more enabling state largely parallel developments.

Since each country has a different starting point, so also the shift towards the enabling state has happened at different paces and along different trajectories in each of the EU member states. Britain's starting point was already closer to the ideal typical enabling state than to the ideal typical active state. However, during the 1980s, 1990s and 2000s, it moved

further along the axis toward the enabling state, due to privatisation and agencification reforms and liberalisation policies. France has traditionally been a strong and active state, which used its own apparatus to steer the nation's societal, economic and cultural sectors. In part due to domestic policies and in part by adopting European legislation, it has moved significantly towards the enabling state. On the axis between the active and the enabling state, The Netherlands started roughly in the middle between France and Britain.[52] All three countries reformed considerably to become a more enabling than active state. Despite these different starting points, in the period under study, all three countries nonetheless moved decisively away from the active state and nearer to an ideal-typical enabling state.

The figure below graphically summarises the change in the three countries with respect to the degree of centralisation in their state's structure and the degree of conformation to either the active or the enabling state. Measured by these two dimensions, a relative convergence between the member states can be discerned.
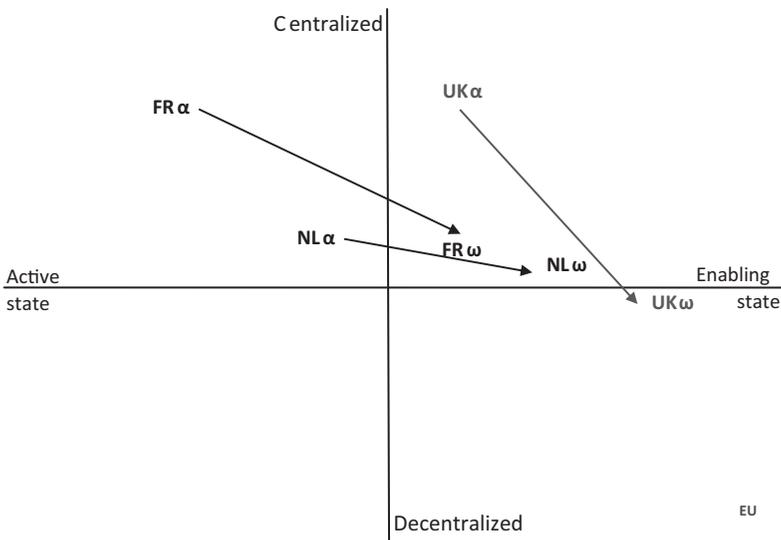

Figure 11.1 *Change in degree of centralisation in state structure and degree of conformity to either the active or enabling state of four EU member states in 1980 (α) and 2008 (ω).*

11.2   National civil service systems within a system of MLG

As the structure of the state and its relations with society have developed, so have national bureaucracies. The foregoing chapters have delved into the question of such changes for the main characteristics of civil service systems: its organisational design, its staffing principles and the potential for dominance by officials, both vis-à-vis their political leadership (ministers) and external institutional that may contain the power of bureaucrats. In this paragraph, we will return to these themes and summarise the main changes.

11.2.1   Civil service design: Increased functional and organisation fragmentation

During the period studied, in all three countries an important organisational separation in terms of tasks and responsibilities has taken place within the public sector. Initially, this separation was simply between policy formulation and policy implementation / service delivery (1980-1990), but later policy, implementation, regulation, inspection and enforcement came to be increasingly differentiated, too (1990 and beyond). The explanation for this can primarily be found in considerations relating to enhanced efficiency, and the expected greater clarity in terms of allocation of responsibilities, mostly within the larger framework of NPM-style reform initiatives.

EU policies and EU-level institutions have played a role in this separation of tasks within the policy cycle in the sense that national governments have felt the European regulatory pressure, leading to the spread of a new regulatory paradigm which has resulted in regulatory policy convergence between EU member states, but not necessarily to convergence in the organisational design of regulatory agencies (Barbieri, 2004, Tenbucken and Schneider 2004, Christensen and Laegreid 2005).

In Britain, policy is prepared and formulated within the core ministries, implemented in part by executive Next Steps agencies, non-departmental public bodies (NDPBs) and regional and local government, and regulatory governance and inspection is provided by non-ministerial departments (NMDs) and NDPBs which have judicial or monitoring responsibilities.

In France, policy is prepared and formulated within the core ministries, implemented partly by departmental organisations, partly by *Etablissements Publics Administratifs* (EPAs) and *Etablissements Publics Industriels et Commerciels* (EPICs), and partly by regional and local authorities, regulatory governance and inspection by a range of organisations, most of

which fall within the category of *Autorités Administratives Indépendantes* (AAIs).

In The Netherlands, policy is prepared and formulated within the core ministries, and implemented partly by departmental organisations, executive services and independent administrative bodies (ZBOs), as well as partly by the provincial and municipal authorities. Regulatory governance and inspection is done by ZBO-type organisations, and inspectorates are linked to specific ministerial departments.

The reallocation of tasks across separate organisations (some of which fall altogether outside of the public sector) has led to smaller departments and to the establishment (to varying degrees) of core departments rather than large, monolithic bureaucratic organisations. While it is true that the various types of new agencies and non-departmental public bodies differ significantly in institutional design from country to country, in their broader categories, Britain, France and The Netherlands now employ organisations of an institutional make-up that are fairly similar (see division of tasks across the different types of organisations as discussed above).

11.2.2   Civil service staffing principles

In terms of managerial integration, civil service systems can range from a job system, through a career system per department, to a system-wide career system. Governments have responded to the intensification of multi-level governance by trying to decrease the organisational rigidity and staffing inertia within their civil service apparatus. At the same time, many initiatives have been taken to integrate the managerial functions of a civil service, such as recruitment, selection, and post-entry training, both to increase efficiency by creating economies of scale, and in order to create more flexibility in civil service careers. Along with the increasing multi-level nature of the governance system in Western Europe, the call for a more joined-up and flexibly deployable administrative apparatus has increased.

Integration at the top (SCS, ABD)

A common development in the upper layers of the civil service systems of Britain, France and The Netherlands has been their increased integration in terms of how they are managed. In The Netherlands, the senior civil service used to be organised separately per department, but has been integrated by means of the establishment of the *Algemene Bestuursdienst* (ABD) in 1995. In Britain, the senior civil service had traditionally been an integrated social group – given a common social and educational background – but had also become managerially integrated in 1995. In France, the top of the civil service has also historically been a socially integrated group, and its management has been uniformly organised (although secto-

rally it was divided into various *corps*). The former structure of the *corps* is currently confronted with increasing pressure to reform, not least as a result of European policies.

Departmentalisation in the lower ranks

With respect to the middle and lower ranks of the civil service, in all three countries a dual development can be observed: on the one hand integration and centralisation seems to be going on in the sense that at the central level, framework rules are formulated and procedural guidelines are provided to standardise processes. At the same time, however, departmentalisation and decentralisation have occurred, in the sense that the responsibility for the decisions taken has remained with the organisations and units themselves, and in many cases this discretionary authority has increased at the unit level.

This movement is generally observable in all three studied countries, but the process and outcome differ for each country depending on their starting position. Moreover, all three countries have moved to a somewhat more business-like approach to civil servants' appraisal, promotion, performance management and, in a limited number of positions, salaries. Of the three countries, this happened first and most strongly in Britain, later and to a less far-reaching extent in The Netherlands, and finally in France too, although the impact in France was greater than in The Netherlands.

The interesting question is whether, in a context of increasing multi-level governance, the preference for a departmental civil service becomes stronger or whether in such a context, calls for an integrated departmental civil service become stronger. In other words, what works better given the conditions of a system of increasing multi-level governance: integration or departmentalisation? The empirics show that there is a unification at the top (Britain and The Netherlands; France already had a unified system through its *corps*), combined with a departmentalisation of the rest of the civil service (OECD, 2003, 2005). This points to a desire by political leaders to be able to rely on a professionalised generalist layer of senior managers, together with a content-driven base of civil servants who can guarantee continuity. Consciously or not, this appears to point to a preference for a dually organised civil service in order to meet the demands of a state administrative apparatus in a context of multi-level governance. This may imply that, as the state apparatus is increasingly becoming part of a multi-level governance system, an ever-widening split is emerging within the national civil service: on the one hand there is the upper part (roughly the director level and above), characterised by a high degree of horizontal and diagonal professional mobility, but a generally low degree of substantive expertise, and on the other hand a base of lower civil servants with significantly lower rotation rates but a higher degree of substantive expertise.

11.2.3   The potential for official dominance

To what extent can civil servants rule in a bureaucratic system of government, and to what extent are non-bureaucratic powers capable of containing the potential for official dominance in a bureaucratic system? How has the intensification of multi-level governance changed the dynamics between national civil servants and others actors and institutions? In this research, the relations between the bureaucracy and the following key powers have been investigated: parliament, the judiciary, subnational governments, interest groups, and political leadership (ministers).

Civil servants and parliament

The disempowerment of national parliaments as result of European integration is widely documented (Norton, 1996; Raunio and Hix, 2000; Maurer and Wessels: 2001; Maurer 2001). The EU has taken over powers of initiative and approval that used to be the domain of national legislatures. National parliaments have very limited power in transnational policy-making process; they have limited information on EU developments (although this has improved in most countries over the past years); and they lack control over policy decisions made in the Council by their own governments. National parliamentary scrutiny over the behaviour of ministers at the EU level is further hindered by nature of EU decision making in which package deals, logrolling and qualified majority voting are dominant features. It should be noted that European integration is one of several other factors that have contributed to the loss of power by parliaments; these include the increasing complexity of modern governing activities and the growing importance of technical expertise; the wide use of specialised agents within ministries; and the move to independent regulatory agencies which are less directly accountable to parliament than executive agencies.

National parliaments' loss of their traditional powers to initiate legislation and scrutinise the executive have been followed by a gradual shift in focus towards raising issues, holding hearings and voicing concerns and complaints. Where parliaments are less able to scrutinise the executive on complex and Europeanised policy issues, they have come to focus more on picking up on incidents and forms of casuistry. Arguably, this is to draw the attention of their electorate – using whatever means are at their disposal – and also to re-establish their legitimacy. Decision making at the *EU level* often seems based on technical considerations and behind-the-scenes interest representation, rather than on the outcome of transparent public political debate and can therefore be labelled 'policy without politics'[53]. In many cases, the Europeanisation of a policy issue has implied a reduction of the political heat surrounding the issue, since at the European level a widely accessible political debate does not often take place, and the weighing of interest and argument is made more often in expert networks instead of in

the political arena. As gradually more policy issues have become (at least partly) Europeanised, the reverse is to some extent true for the national political arena: what is left at the member state level is an empty shell filled with increasingly personalised and incident-driven debates oriented on maximising media-exposure, or in other words 'politics without policy' (Schmidt, 2006).

This relative weakening of national parliaments has had implications for the degree to which parliaments can successfully serve was a countervailing power vis-à-vis the national bureaucracy. First of all, a consequence for civil service systems has been an increase in their burden to responding to parliamentary questions and issues relating to incidents rather than to long-term policy debates. Closely related to this, however, is that those civil servants who are engaged in developing long-term policy have gained more opportunities for doing so off the parliamentary radar. The third broad implication has been that civil servants have to a large extent monopolised the provision of information about EU developments. The executive's position towards the parliament has thereby been strengthened, since to varying degrees, the executive can regulate the timing and depth of information supplied to parliament with which parliament in turn is to scrutinise ministers.

While these are general trends, parliamentary-civil service relations in the various member states parliaments have not been affected similarly. The British parliament, for instance, has been successful in retaining its historically (and comparably) large power of oversight and voice over the national executive (Schmidt, 2006: 66; Norton, 1996; Maurer and Wessels: 2001; Kassim, 2005). Therefore, the ability of the British parliament to curb the power of civil servants has only been reduced to a minor extent.

In The Netherlands the disempowerment of parliament seems to have been more severe. After the 2005 popular referendum on the ratification of the Treaty establishing a Constitution for Europe, the insufficiencies of the effectiveness of parliamentary involvement in EU matters became apparent. Since then some reforms, particularly in terms of information generation and clerical support, have been carried through, but parliament is still largely dependent on the executive for information and guidance in EU matters. This indicates that independently keeping up to date with and scrutinising the executive on all matters going on at the EU level is a challenge for parliamentary groups. Given the wide and ever expanding range of policy domains that are dealt with at the EU level, the ability of the Dutch parliament to curb the power of state officials appears to have weakened.

In France, the weakening of parliamentary control over the executive as a result of European integration can be said to have been more moderate. However, this has more to do with the limited powers the French parliament has had throughout the Fifth Republic rather than with a successful preservation of control over the executive (Schmidt, 2006: 66; Rizzuto, 1996; Maurer and Wessels, 2001; Kassim, 2005).

Civil servants and the judiciary

An independent judicial system is identified by Weber as one of the means for checking the power of civil servants. European integration is often seen as strengthening the power of judicial actors, both at the national level and at the EU level. The European Court of Justice (the ECJ) partially erodes the powers and prerogatives of national executives, in part through its own judgements, and in part through the increase of the independence of national judicial authorities from national executives, since by ensuring national governments' conformity with EU law, they are the ones that do the ECJ's work (Stone Sweet, 1998: 163-4; 2004:69). Based on the primacy of EU law over national rules of practice, and the possibility that private actors can force their governments to implement EC legislation through recourse to the national judiciary, national courts have become increasingly independent from their national governments.

The degree to which national courts' independence vis-à-vis the national executive has increased on account of European integration depends on their original level of independence in the member state in question. In The Netherlands, the courts enjoyed a relatively high level of independence, which testifies to the strongly legalist tradition in which the law is the prime instrument for societal regulation. In other words, the misfit with the EU's system of governance has been small. In Britain, where the proliferation of EU laws and their precedence over national laws has been problematic in the eyes of both the executive and societal actors, the already substantial independence of the judiciary in relation to the executive has prevented great shifts in the level of independence of the national courts. In France, the greater independence of the courts had more to do with domestic dynamics than with the growing importance of EU law. The *Conseil Constitutionnel* and the magistrates have acquired greater importance and assertiveness which has affected the executive in the sense that reform initiatives have been delayed by Constitutional Court decisions, and ministers have had to resign following corruption investigations by magistrates.

Civil servants and subnational governments

As described above, European integration involves the loosening of the hierarchical authority of the central government vis-à-vis the periphery. Decentral governments have become more independent from the national government because they no longer have to channel all their demands through central authorities. Subnational authorities can deal directly with EU institutions, and with national and subnational authorities in other member states. Moreover, regional and local authorities are responsible for the implementation of EU policies in many areas.[54]

The way in which this relationship between central government and its peripheries has changed varies from one member state to the other. To begin with, in unitary states, the EU has provided a much greater potential

source of autonomy for subnational authorities than in federal states, given that in unitary states regions have little autonomous power and lack constitutional or legislative power to force any renegotiation of powers with the executive at the central level. By contrast, in federal states regional authorities are not as dependent on the central state to determine important policies or to provide funds, so the impact there has been less drastic.

In Britain, devolution has meant some degree of emancipation for Scotland, Wales and Northern Ireland,[55] which now have regional elected legislatures (Loughlin, 2001), and in France, decentralisation in the 1980s empowered subnational authorities to a certain degree. The French national executive has been exceptionally weary of its regional authorities' access to EU-level policy making. Fearing a loss of control, France sent a *subprefect* to Brussels in 1988 to ensure that the regions could not make European policy 'behind the state's back'. In 1992, France finally officially acknowledged the right of the French regions to be in Brussels (Schmidt 1990: 300).

In The Netherlands, provincial authorities are by no means autonomous from the central state, but the relationship between the national and provincial levels has traditionally been oriented on consensus-seeking through negotiation and interest accommodation, rather than top-down imposition. Yet, the executive responsibilities of both provinces and municipalities were widened during the 1980s and 1990s.

In sum, these developments have had a noticeable bearing on the relationship between national civil servants and (representatives of) subnational authorities, albeit to varying degrees. Regional and local interests have become more important in the weighing of interests by national civil servants; regional, and albeit to a lesser extent, local authorities have become increasingly recognised by national civil servants as valuable partners in lobbying their interests at the EU level. National civil servants have likewise recognised the need to work with decentralised authorities to make sure policies made or transposed at the national level are implemented appropriately at the subnational level.

Civil servants and interest groups

As described above, one part of the shift away from an active state towards a more enabling state is the greater inclusion of private and voluntary actors and organisations into the process of policy making and implementation. Focussing on the contribution of European integration, three key impacts on the relationship between national civil servants and societal actors can be distinguished.

Firstly, national societal interests have been empowered by the expansion of European integration, in the sense that many EU policies mandate a degree of interest consultation that is greater than was traditionally the case in most of the member states. At the same time, the new demands that Eur-

opean integration puts on national interests (i.e. organisational capacity and alliance formation at the supranational level), has implied a relative thinning out of effective national interests. The implementation of EU policies and the usage of EU funds by national and subnational government actors often requires the active participation of civil society and organised interests. This means that the level of negotiability has increased, thereby decreasing the potential of national civil servants to pursue their own interests.

Secondly, societal interest organisations have been empowered in the sense that they have become less dependent on national governments for making their voices heard. Since the 'buck' no longer 'stops' with the national government, societal interests have gained access and influence in a policy-making process that offers many more points of entry than that of any member state. The possibility of national societal interest organisations to sidestep their national governments (and appeal directly to the EU) erodes the power base of national executives and therefore of national civil servants.

Thirdly, national governments and national societal interest organisations have realised the pay-off involved in working together at the European level to serve the interests of their shared or overlapping constituencies, which may the national public interest, but may also be private business, labour, environment or regional interests. Societal interest organisations may have access to actors and institutions that are outside the reach of national government (and vice versa), increasingly making societal interests a strategic partner for the executive, and adding an extra dimension to the mutual dependence between national civil servants and representatives of societal interests.

Finally, a striking implication of European integration for the relations between the civil service and societal actors has been for member states that used to manage societal interest accommodation through administrative discretion, self-regulation or joint regulation. EU policies have come to press state actors to take on a more regulatory and legalist mode enforcement, thereby excluding the older ways of self regulation or informal interest accommodation. It should be noted that in such member states, neither the core civil service nor the societal actors have strengthened their position towards the other. Rather, more influence is now enjoyed by the independent regulators (often formally also part of the civil service) and judges who apply the rules that are made at the EU level and simply transposed by the executive and legislative.

While these are the broad and generic implications, their degree and specific impact differs from member state to member state. In member states which traditionally had a dominant practice of statist policy making (in our sample, France and Britain), civil servants' autonomy has been reduced as a result of European integration in the sense that they have to include societal actors in the policy formulation process in sectors from which they had typically been excluded. Also, these societal actors have gradually

been more and more excluded from those policy implementation processes in which they had long been included.

By contrast, in corporatist systems such as The Netherlands, the increase of the level of negotiability has been more modest, although there too, European integration has further diffused state actors' autonomy by adding societal actors to those already included in policy formulation and only sometimes excluding societal actors traditionally included in policy implementation. Moreover, the cooperation between civil servants and societal interest groups to influence EU-level policy making is now organised earlier, and more smoothly and more naturally, in member states that have longstanding corporatist traditions (such as The Netherlands). This contrasts sharply with those member states in which the involvement of societal actors in policy making has historically been seen as illegitimate, given their perceived undermining effect on representative politics (such as Britain and France).

The figure below graphically summarises the change in the four countries with respect to the degree of negotiability in policy making and the degree of conformation to either a pluralist or neo-corporatist state. Measured by these two dimensions, a relative convergence between the member states can be discerned, albeit somewhat less striking as the relative convergence presented in figure 11.2.
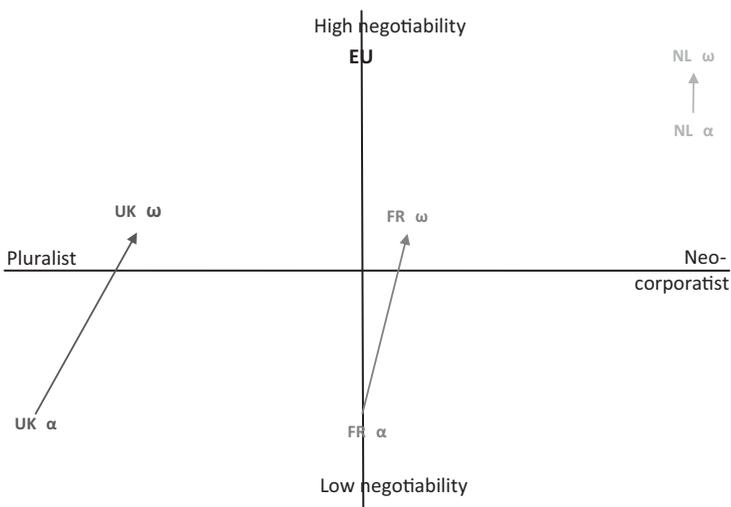

Figure 11.2   *Change in degree of negotiability in policy making and degree of conformity to either a pluralist or neo-corporatist state of four EU member states in 1980 (α) and 2008 (ω).*

We can now take stock of the developments in the capacity to contain the potential for official dominance for the four powers discussed: parliament,

judiciary, subnational government and interest groups. Table 11.1 sums these findings up.

	Parliament		Judiciary		Subnational gvt		Interest groups	
	1980	*2008*	*1980*	*2008*	*1980*	*2008*	*1980*	*2008*
FR	- - -	- -	-	+	-	+	-	+
UK	+++	++	-	+/-	-	+	+/-	+
NL	+/-	-	-	+	+/-	+	+	++

Table 11.1 *Degree to which, parliament, the judiciary, subnational government and interest groups are able to serve as powers to contain the potential for official dominance in a bureaucratic system (1980-2008).*

Political-administrative relations in a multi-level governance system

In bureaucratic systems of government, political leadership provided by ministers is the crucial mechanism to contain the potential for official dominance (Weber, 1972, Page, 1992). An important question therefore remains: in what sense and to what extent has the scope for political leadership changed in an increasingly multi-level governance system? In order to answer this question, it is first necessary to address two key issues this research has brought to the fore: firstly, the increased differentiation within the senior civil service and secondly, the changes within the core executive.

	Functionally politicised	**Functionally bureaucratised**	
	Minister's entourage	*Departmental managers*	*Policy experts*
Description	Functionally politicised[56]: Political advisers, personal advisers, members of ministerial cabinet, senior press officers, parliamentary liaisons	Functionally bureaucratised: Managers of the day-to-day business of a department, directorate or agency, highly mobile	Specialists in a particular field or on a particular issue, with an elaborate network within the scientific community and/or societal field concerned
Qualities	Strategic mindset, skilful external communicator, guardian of minister's personal brand and interests	Management skills, project and programme deliverers, focus on effectiveness and efficiency	Possesses expertise, guarantees continuity and institutional memory, well-connected, credible negotiator
Pitfall	Limited credibility for external parties, limited engagement with or understanding of content of policy agenda	Internal orientation, limited engagement with or understanding of content of policy agenda	Risk of becoming unaccountable policy entrepreneurs

Table 11.2 *A differentiated senior civil service and its characteristics*

A differentiation within the senior civil service has become more pronounced between three ideal-typical senior civil servants: (a) **the minister's entourage**, (b) **departmental managers**, and (c) **policy experts** (see table 11.2).

This increased differentiation has to be understood as a form of advanced specialisation within the highest echelons of the civil service. In broad terms, this is true for all three countries. Increased specialisation in itself need not be problematic as long as different types of senior civil servants acknowledge the importance of each other's roles and work from a shared overall vision of the public service towards complementary working relations and toward a common purpose. This is not necessarily the case in practice.

The explanation for this internal differentiation can be found in the combination of many factors, including: (a) the desire by ministers to create an entourage, due to presidentialisation (Poguntke and Webb, 2005), structural incidentalism ('t Hart et al., 2002), politics without policy (Schmidt, 2006), and other developments; (b) a more business-like approach to senior civil service recruitment, training and evaluation; and (c) increased unification of the senior civil service in organisational and managerial terms.

Of these factors, the underlying reasons for the increased desire by ministers to create an entourage are connected to European integration, while the latter two are less clearly linked. Interestingly, however, this internal differentiation has its own implications for the Europeanisation of the civil service. In general, members of the minister's entourage try to steer clear of European issues and EU-related activities, because investing in such dossiers is not seen as strengthening the minister's personal brand or serving his (or her) political interests. Departmental managers are not tempted to get involved in EU-related activities because of their focus on effective and efficient policy delivery and a well-functioning internal organisation, rather than the uploading of national preferences to the EU level or the downloading of EU rules.

Thus, the political-administrative ensemble in an increased multi-level governance system can be understood to be developing into the following model, in which the key and mutually distinct actor-types are the layer of political leadership, consisting of the head of government and cabinet ministers, the senior civil service, consisting of minister's entourages, top policy experts and top bureau managers, and middle and lower ranking civil service (see figure 11.3).
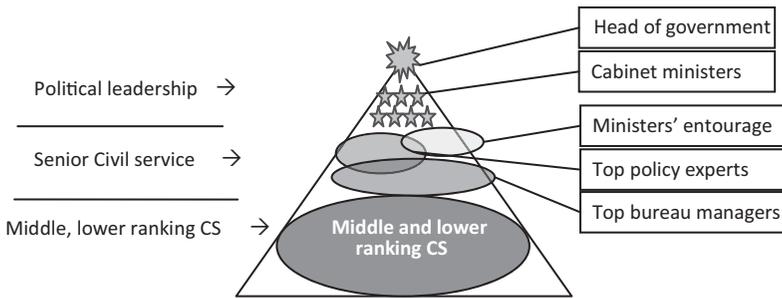
Figure 11.3   *A differentiated political-administrative ensemble*

Along with the increasing internal differentiation of the civil service, this research found that the various distinguishable sections of the political-administrative ensemble appear to have experienced various developments in terms of both their degree of politicisation and their importance or prestige within the governance system. Table 11.3 demonstrates this.

	Politicising / bureaucratising	Change in importance / prestige
Head of government	Politicising	+
Cabinet ministers	Bureaucratising	-
Ministers' entourage	Strongly Politicising	+
Top policy experts	Mildly politicising	-
Top bureau managers	Mildly politicising	-
Middle and lower ranking CS	Mildly bureaucratising	0

Table 11.3   *The constituent parts of the political-administrative ensemble within the national executive and their differential development*

With respect to the potential of ministers to contain the power of civil servants, the composition and functioning of the core executive influences the civil service in two key ways: (a) the internal relations within the core executive and its decision-making logic determines the degree to which civil servants can act in their own interest, rather than following the will of democratically accountable ministers (Page 1992); and (b) the background and outlook of appointed ministers influences the political-administrative interaction at the apex of ministerial departments.

As a consequence of the increasingly important political bargains made in the Council of Ministers and the European Council, in which heads of government are the key participants, European integration (along with other factors) has had a strengthening effect on the office of the head of government to the detriment of that of the other cabinet ministers. By con-

sequence, the degree to which national core executives function as colle-gial decision-making bodies has decreased. The picture that emerges is two-sided: on the one hand, a chief executive (prime minister) now has in-creased power on Europeanised portfolios, while on the other hand cabinet ministers have increased autonomy over non-Europeanised parts of their portfolios. It is these parts that cabinet ministers need to politically exploit in order to market themselves successfully within the electorate and to en-hance their chances for political survival and a future role in government.

In any discussion involving the relative power position of the executive, it should be stressed that the absence of a public European space gives the executive a substantial – but admittedly relative – strategic and discursive advantage to any other actor or institution. The public's main point of re-ference and the media's main orientation is the national executive, rather than the national legislature or any EU-level institution. This enables the national executive to frame on its own terms not just the misfit between the national and the EU level, but also the pressure to adapt national poli-cies and structures to the EU, and any actual adaptation that occurs.

Moreover, the 'who' of the core executive appears to have been chan-ging, in the sense that the proportion of ministers with a purely party or parliamentary background has decreased (Bäck et al, 2009: 247). As Eur-opean integration advances, the number of ministers with an expert back-ground, either as a pure expert or in combination with a political back-ground, appears to be growing. While there is little doubt that other factors are at play here, this development can nonetheless be interpreted as an in-dication that European integration calls for a greater functional need for ex-pertise within the government. Indications of this form of bureaucratisation of executive politics are found in The Netherlands, Britain and France, since expertise rather than parliamentary or party-experience is seen as in-creasingly relevant.

The tendency towards a more technocratic cabinet government is also suggested by Kassim (Kassim et al 2000, Kassim, 2003). European inte-gration increases the complexity of policy making and requires national governments to present a united front in supranational negotiations. Thus, the EU's policy-making mode of continuous negotiations confronts national governments with a strong functional pressure to reorganise the executive branch of government in order to meet the need for better, quicker and clearer intra-government policy coordination.

In parliamentary systems, the doctrine of ministerial responsibility serves as a leading principle in the relations between ministers and their civil ser-vants and the relations between the executive and the legislative branch of power. Ministers are accountable to parliament for their civil servants' ac-tions. Whatever civil servants do or fail to do, falls under the responsibility of the minister, their political superior. Ministers in turn can call their civil servants to account internally.

It is important to note that ministerial responsibility is a doctrine in constitutional law rather than an absolute empirical reality. However, that does not alter its worth in terms of regulating and safeguarding democratic control in a *Rechtsstaat*. Indeed, it urges a constant alertness on the part of national parliaments as to whether the conditions necessary to make this principle function properly are in fact operative (Geurink, 2006, Visser 2008).

How do the change processes addressed in this study (that is, increasing multi-level governance, hollowing out of the state and European integration) impact the conditions to uphold proper democratic accountability through the principle of ministerial responsibility before parliament, combined with loyalty on the part of the involved civil servants? The first condition for the principle of ministerial responsibility to work properly is the degree to which civil servants act in accordance with instructions from their political superior. Civil servants who are transnationally and supranationally active are less easily instructed or controlled by their ministers, because:

(a) the issues are generally more technically complex than national policy issues;

(b) administrative behaviour takes place in a mode of multi-lateral negotiations, implying that strategies may have to be adjusted in the process and outcomes are unpredictable; and

(c) the large number of participants and the lack of transparency make it difficult for ministers or parliaments to discern or reconstruct the actual behaviour of the national civil servants once it is found that ministerial responsibility has been imperilled.

The second condition is the degree to which parliaments are willing and able to scrutinise actions by ministers and their civil servants. Given the large amounts of information national parliamentarians find and receive as part of fulfilling their scrutinising role, it is a given that they can only selectively process that information. Criteria for selection are generally accessibility, clarity, and usability for personal- or party- political gains. EU-related issues tend fall outside of either of these categories, in contrast to national issues which are broadly covered by the media or are relatively simple to communicate to one's electorate. Moreover, even if parliamentarians are willing and adequately informed about the issue at hand, it is more difficult for them to hold a minister accountable for actions taken in the intergovernmental policy arena than in the national arena, given the lack of transparency.

Moreover, since EU policy is the outcome of a complex process of intergovernmental and supranational decision making, parliaments have a harder time in scrutinising ministers, given that their role in the entire process is more difficult to isolate or reconstruct.

Lastly, the question whether EU policy is domestic policy or foreign policy resurfaces here, since it may be unclear whether the minister in charge of EU affairs or the minister responsible for the substantive issue should be held primarily responsible in a given matter. In this sense Europeanisation makes the principle of individual ministerial responsibility more difficult to uphold, if line ministers and EU-affairs ministers are able to pass the buck back to one another.

The third condition is the degree to which civil servants and their organisations are part of a system of clear vertical accountability. Vertical accountability is not one of the aspects that is necessarily stressed or given priority in a system of multi-level governance. Rather, for reasons of efficiency and flexibility, horizontal and informal modes of accountability are preferred. Also, increased organisational fragmentation and flexibility have been shown to blur the otherwise clear lines of accountability between civil servants and ministers. An issue that often arises is that ministers, for understandable political-strategic reasons, are tempted to shun responsibility and the increase of flexible, fluid and fragmented organisational structures increases their opportunities to do so. This applies both to functionally decentralised organisations and to non-permanent organisational structures governed by means of project- and programme management. Ministers may have greater opportunities to hide behind the managerial independence of administrative organisations or behind a political responsibility that is shared between multiple ministers.

What do these three issues (increasing differentiation of the senior civil service, changing core executive and ministerial responsibility in an Europeanised context) mean for the general power position of ministers vis-à-vis their civil servants? Or, in the words of Page: what does this mean for the capacity of political leadership to contain the potential for *Beamten- herrschaft*? Based on the findings of this study, it can be concluded that the decreased potential for ministers to control the Europeanised part of their civil service apparatus does not by definition mean that civil servants are free agents in the EU's policy arena. Rather, civil servants must possess political support and political credibility in order to successfully influence the decision-making process. Secondly, ministers profit from the fact that they can less easily be held to parliamentary account on Europeanised policy issues, since it gives them the opportunity to hide behind the opacity of the EU policy process, which implies a lessening of their vulnerability towards parliament. The power of the doctrine of ministerial responsibility therefore decreases in practice, which by no means negatively affects the position of the minister. The only damage that is done is to the office of minister, since it can be assumed that the prestige of the office of minister will diminish in the long run. Still, this does not alter the considerable room to manoeuvre which individual ministers enjoy. Interestingly, civil

servants' own room to manoeuvre is also not affected in real terms since for them, other skills are more critical to successfully influence the multi-level governance policy field. The real losers in the triangle of ministerial responsibility appear to be the national parliaments, whose potential to scrutinise and sanction individual ministers decreases, on top of the loss of policy issues they can exclusive legislate on. Given the limitations of national parliaments in terms of technical expertise and their relative dependence on the executive for information on EU matters, it remains doubtful whether the subsidiarity checks that form part of the newly effectuated Treaty of Lisbon will bring about real change in this.

The developing distinction between *policy without politics* at the EU level and *politics without policy* at the national level also has a bearing on political-administrative relations at the national level. This development is problematic for the civil service, because an increasing amount of time and energy has to be directed towards 'making the minister look good', while there is a decreasing volume of policy action for which the minister can claim near-exclusive credit. Moreover, responding to incidents which have entered the national media's spotlights has implied that ministers are increasingly encouraged to surround themselves with political and media-strategic advisers and only to a lesser extent with policy experts. Policy experts are placed in positions where they participate in policy preparatory rounds in Brussels or in consultation and negotiation with national societal and subnational partners. In fact, the policy experts are thus much more immersed in the reality of multi-level governance than the ministers' closest aides. As such, political-administrative relations are changing in the sense that substantive expert career civil servants appear to have given way to personal and political advisers as ministers' preferred or primary counsellors (and thus their confidants). This applies primarily to Britain and France, but to a lesser extent also to The Netherlands. Beyond that, the (at least theoretically) clear line of division between politics and administration is increasingly challenged. Generally, the political sphere used to be thought of as elected ministers who are, for a fixed electoral period, in charge of drawing out the main policy lines; the administrative sphere, on the other hand, used to be thought of as appointed permanent officials who possess substantive expertise and are responsible for developing policies and managing their implementation. Over the past three decades or so, this dividing line has blurred. Of course, this leaves to one side the mitigating or exacerbating impact of the characteristics and behaviour of individual ministers and civil servants. At a more structural level, however, the blurring of this line can be explained by the growth of the so-called buffer-zone or grey area between politics and administration, i.e. the minister's entourage or the group of functionally politicised civil servants.

The functional politicisation of parts of the senior bureaucracy, combined with the so-called bureaucratisation of executive politics as described above, implies that there has been an increased hybridisation in the activities and perspectives of ministers and senior civil servants. Ministers have increasingly less experience in parliamentary or party politics, while senior civil servants have increasingly less experience within the permanent civil service apparatus. Both ministers and senior civil servants may be involved in strategic external communication, in maintaining contacts with parliamentary and party-representatives. The increased negotiability of ever more policy areas – and involving an increased number of negotiation partners – has further implied that both ministers and senior civil servants have come to be in a semi-continuous state of negotiation with external partners. Such partners might be European institutions, transnational counterparts, parliamentary groups, organised interests, colleagues from other government departments and agencies, or decentralised authorities.

In sum, the outcome of recent and current trends of which European integration forms an important part, is the increased hybridism in activity between ministers and their entourage, combined with increased separation in activity and perspective between ministers, departmental managers and policy experts. With respect to the interaction style, what can be observed is an increased complementarity of ministers with some parts of the senior civil service (their entourage of 'courtiers', described as ωI in Figure 11.4 below), and increased distrust, alienation and/or adversariality with other parts of the senior civil service (top bureau-managers and policy experts, ωII in Figure 11.4 below).

The nature and degree of this outcome differs across the various member states, as Figure 11.4 shows.

11.2.4   Answering the research question

Weber's idea of bureaucratic government can be perceived as "rational-legal rule by means of a bureaucratic administrative staff" (Weber, 1972), and the bureaucratic administrative staff in turn implies two key components: (a) an organisational and management component; and (b) a formal division between political and administrative actors as to their role and the extent of their power (the political-administrative relations component).

Coinciding with the expansion of multi-level governance, the organisation and management component appears to be becoming ever more strongly entrenched, whereas the political-administrative relations component seems to have drifted away from the Weberian ideal-typical bureaucratic government. This supports the claim that the connection between 19th century bureaucratisation and the rise of the nation state is more temporal than causal (see Van den Berg and Toonen, 2007).
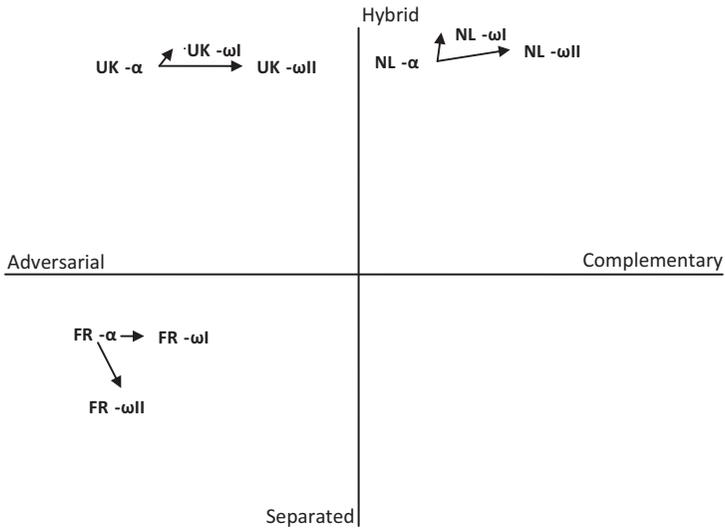
Figure 11.4 *Changes in task separation and interaction style between ministers and senior civil servants of three EU member states in 1980 (α) and 2008 (ω, where ωI indicates the entourage, and ωII indicates bureau managers and policy experts).*

Bureaucratisation in the Weberian sense is conceived as the rationalisation of social life and legal-rational rule with an administrative apparatus that is rule-based and oriented to standardisation and specialisation (Weber, 1972). Based on this definition, the national civil service systems in the three countries under study have become increasingly bureaucratic during the past three decades. Interestingly, however, the expansion of the use of protocols, systematic and rule-based information management, further standardisation and specialisation of operational processes aided by new technologies have, for the large part, been introduced as part and parcel of reform packages that were meant to streamline, reinvent and above all de-bureaucratise the civil service. Thus, certain aspects of the Weberian bureaucratic organisational form have been strengthened to an unprecedented extent based on the most radical anti-bureaucratic arguments.

In conclusion, it appears that European integration in itself has had little impact on the extent to which national civil service systems are bureaucratic in the Weberian sense. Yet, as part of a broader movement towards multi-level governance (a trend which also encompasses decentralisation, agencification, and changing opportunity structures among domestic actors), the combined impact has been a greater degree of organisational fragmentation, specialisation and standardisation of work processes on the organisation and management side, and a greater stress on and blurring of

the task and power separation between political and administrative office holders.

11.3   European integration as a converging force?

On the various dimensions along which this study has explored the changes in national civil service systems, the general notion emerges that although historical patterns are by no means abandoned altogether, a relative convergence can be discerned in the sense that the degree of mutual difference appears to be diminishing.

The comparative analysis in this chapter has further demonstrated two crucial analytical findings. Firstly, while change and adaptation have been the norm in each of the countries, this has not led to dramatic or revolutionary breaks with past beliefs or principles. Secondly, while many of the changes and adaptations are strengthened by EU level structures, policies and practices, very few have European integration as their primary, let alone exclusive, root.

Concerning the first notion, what can be concluded is that change has occurred within the existing frameworks given by the historically developed political-administrative system in each of the three countries, since the core beliefs underlying each of the national civil service systems have not fundamentally altered. It logically follows that full convergence is out the question. However, what can be observed is partial convergence to the degree that the given political-administrative system allows for such changes.

With respect to intra-governmental relations, changing opportunity structures between actors at the national level, as well as management and organisation of the civil service and policy coordination within the state do not appear to be closing but are at least narrowing rather than widening. Moreover, the future demarcation and definition of what constitutes the national state civil service is due to become more equivalent across EU member states, a fact which is arguably a more fundamental manifestation of convergence. EU legislation regarding the free movement of persons, goods, capital and service involves the opening up of public sector jobs to non-national fellow EU citizens. The only exceptions that are made involve those jobs that are regarded to relate to the exertion of the state's authority (Bezès and Jeannot, 2010). The fact that EU legislation demands the opening up of all other civil service jobs means, in effect, that the terms of labour law and those parts of the civil service that do not directly involve the exertion of state authority will be normalised. Thereby, this implies that a more uniform definition of the boundaries of the civil service will emerge

across the member states. The civil service status will apply to those positions that fall within the exertion of the state's authority, while a normal contractual status will apply to other positions in the public sector. Naturally this will have more serious consequences for countries in which there is a greater misfit between the existing boundaries of the civil service and the civil service core as defined by EU legislation than countries for which this misfit is smaller. By consequence, the disruptive effect will be greater in France than in The Netherlands and Britain. The result is varying degrees of obligatory adaptation, as well as relative mutual convergence. Moreover, this may be an adaptation that sets off a domino effect regarding convergent reforms: the more narrow demarcation of the civil service has a significant impact on, for instance, the corporate structure of the French civil service, the recruitment by means of centralised competitive exams, and the training of staff within state schools. All of those may be confronted with large pressure to adapt, resulting in again the diminishing of differences between the arrangements across the nation states.

This leaves us with a situation in which it appears that civil service change leads to relative convergence, which is moderated by historically evolved institutional and value-systems. In other words, change occurs in similar directions but national distinctiveness persists. The partial preservation of cross-national distinctiveness is explained by:

(a) different degrees of misfit with EU policies, practices and preferences;
(b) differences in the way the national executive interprets and communicates the existing adaptation pressure; and
(c) differences in options for adjustment based on what is acceptable and what is not given the historically developed institutional make-up and dominant set of values in each member state.

This is the meaning of Europeanisation with national colours: change and adaptation in a converging direction, but essentially contained by boundaries that are determined by each member state's national political-administrative system. Collectively, the civil service systems grow more alike, but individually they retain much of their national distinctiveness.

We will now turn briefly to the notion that the definition of any civil service can be exclusively attributed to EU integration. It can be concluded that, in the absence of binding EU requirements in the field of public administration, policy convergence leaves substantial scope for differentiation in terms of management and organisation across the member states, and for the persistence of historically grounded national beliefs and principles in determining governance across the member states. At the very least, the levers with which the political-administrative elite is able to preserve the idea of a nationally distinctive political-administrative system persist, despite any pressure to converge within the processes of EU integration, be-

cause of the success of national elites in hiding EU adaptation within the context of affirming nationally-grounded practices and methods (see Schmidt, 2006).

While the absence of full convergence can be explained by the absence of binding EU requirements in the field of public administration, the fact that such requirements do not exist can in turn be explained by the imbalance between the high costs that deeper convergence would entail (in both material terms and in terms of the national perception of the distinct character and self-determination), together with the uncertain benefits to an individual member state in terms of quality and efficiency.

However, it is important to draw attention here to the Europeanising effect of administrative co-operation, quite separately from the potential Europeanising effect of Community law. Originating from co-operation and monitoring mechanisms between member state governments that assist in implementing EU regulation and directives, closer forms of collaboration have been developed over recent years, such as the European Institute for Public Administration's European Public Administration Network (EUPAN), the Common Assessment Framework (CAF), and the OECD's GOV (Public Governance and Management) Committee, which has replaced PUMA (Public Management). National administrations are involved in these cooperation structures not simply to give and receive assistance in incorporating EU legislation into their national systems, but also to advocate and gain supporters for their domestic institutional and regulatory philosophy and structures. This has the dual purpose of convincing fellow member state administrations (and above all the European Commission) that their policies or models should be adopted at the European level, and also trying to minimise their misfit and future adaptation costs (Mangenot 2005). These forms of administrative cooperation are an informal but no less important form of Europeanisation that can be labelled as 'back-door' Europeanisation given its unofficial, a-political and potentially politically un-mandated nature. Through exchanging lessons and best practices in these forums, Europeanisation of administrative policy and public sector organisation may occur, even despite the political agenda or direction of the political executive. The convergence that results from this type of socialisation may be substantial.

11.4 European integration and the national bureaucracy: Strategic Europeanisation or incurable hollowing out?

What is the future of the national civil service in a governance system that is increasingly Europeanised, decentralised, privatised and agencified, and in which moreover the core of non-negotiable issues and practices is gradually shrinking? In order to answer this question, either an optimistic or a pessimistic scenario can be applied. The optimistic scenario predicts that the national civil service will transform into an indispensable hub of knowledge, expertise, influence and connectivity within the political-administrative 'jungle' that is multi-level governance. The pessimistic scenario is that the national civil service will subside into being an obsolete and empty shell, a relic of the time in which nation states ruled the world.

For both scenarios, indications can be found in the world of empirics. On this matter, there does not seem to be a clear difference between the various EU member states. In both scenario's it will be evident that power and influence will be less dependent on formal or hierarchical positions and more dependent on knowledge, credibility towards institutional partners and the public, and the ability to connect to other actors and institutions. National civil service systems that succeed in transferring more tasks upwards, downwards and sideways, and in becoming more clearly value-based and mission-driven, will have a better chance of becoming an indispensible hub rather than an obsolete shell. For a civil service apparatus to transform into such a hub, investments need to take place its officials' quality (expertise and skills) and not in their quantity. Such a civil service will have increased internal and external dynamics, in the sense that formal positions can be moderated by individual civil servants' levels of expertise, credibility and connectivity. Such a civil service may be small in size: a combination of determined departments and where appropriate with flexible and temporal project and programme organisations whose ideas, means and people are drawn from and finally returned to the fixed departments. It will also have to be characterised by a separation between the political and the administrative sphere, which helps identify the appropriate power, responsibility and accountability for each office.

Few observers will doubt that the current economic crisis and the fiscal deficits that have been created in its wake will inspire new debates on the size and functioning of public sector organisations and the civil service. The call for running government like a business will likely regain support in much the same manner as it did during the fiscal crisis of the late 1970s

and early 1980s (Osborne and Gaebler, 1992). While debates about government frugality are necessary and helpful in themselves, it would be important to prevent a repetition of past endeavours without figuring in the lessons learned from previous NPM-inspired reform initiatives. This includes recognising and valuing the distinctiveness of government, rather than negating it. That is not to say that government should be big or that large scale state intervention will necessarily be helpful in finding an economic way forward or in preventing future crises. The discussion about what tasks (and consequently, what type of organisations) belong to the governments is legitimate at all times and is – broadly speaking – up to politicians to decide. Nonetheless, Europeanisation and EU legislation will prove to offer a helpful (if not inevitable) framework for defining the future boundaries of the civil service (although not that of the public sector). As is discussed above, EU law gives national governments directions as to what are the core civil service jobs within the state. Since member state governments have allowed the EU's institutions to define the scope of the civil service as such, they would do well to equip and run it properly and with conviction, so that it can be optimally effective, efficient and maximise its legitimacy. In short: to run government like a government, not like a business. So, it is important, especially in economically and fiscally hard times, that running a professional and high-quality civil service is not a luxury but a core value in any *Rechtsstaat*.

Proper explorations have a tendency to raise more questions than they answer. Looking at the present study's theme, the development of national civil service systems in a context of increasing Europeanisation and multi-level governance, the open questions can be organised into two broad categories, those pertaining to past and present, and those pertaining to the future.

Regarding the past and present, an important question lies in the differences between various groups of member states, and most notably whether the development process and experience in the newer member states in Central and Eastern Europe are similar to those of Western European member states. In particular, how do their experiences of Europeanisation differ, and to what degree has the 'goodness of fit' played a similar role in these countries, since their national civil service systems were redesigned in the 1990s with the prospect of future EU membership in mind?

Another question that is worth addressing is the question of size and quantitative distribution and organisation. What can be learned from an EU-wide bureaumetric comparison as to the cross-time development of civil service systems and their constitutive departments and agencies? Will a quantitative analysis of the development of civil service systems yield the same conclusions as to the issue of convergence as this qualitative study does? Is the convergence based on the EU's demarcation of the core civil

service already observable by means of quantitative data on size and organisation?

The second set of questions pertains to future developments in national civil service systems. While there are no indications that the multi-level nature of government will decrease in the future, the question is whether national administrative apparatuses will be able to become comfortable again with their own position amidst both the European and decentralised levels of government, and also amidst the myriad of voluntary and private sector organisations that take part in governing the society.

In addition to the increase in multi-level governance, including the outcome of the effectuation of the Lisbon Treaty and ongoing decentralising operations, the present economic recession will continue to test the quality and adaptability of national civil service systems. What will be the desired kind of state after the economy has picked up again? The occurrence of a renewed new public management wave of reforms (or NPM 2.0) seems likely if the reflexes occur as they did during the recession of the early 1980s. The occurrence of a modified NPM wave, along the lines of what Pollitt and Bouckaert have described as the Neo-Weberian State (Pollitt and Bouckaert, 2004), seems likely if the lessons of the old NPM are taken into account, and if the awareness that orthodox NPM and the continental European *Rechtsstaat* systems do not easily go hand-in-hand. The question is, however, whether decision-making elites will feel they have the democratic and financial means to leave much as it is.

A third possible model is that of joined-up government, in which state governments largely reorganise themselves around problems rather than departments, and the various domestic layers of government – as well as the various types of organisations in the policy cycle (policy departments, executive agencies, local service delivery units) – merge together on a non-permanent basis through programme-management rather than line-management. While a more integrated approach to urgent societal issues is by all means commendable, the temporal, horizontal and fluid nature of this kind of governance invites criticism. The reinvention of national civil service systems along these lines harbours the risk of throwing the baby out with the bathwater, in the sense that cross-sectoral, cross-departmental and cross-level project organisations need separate sectors, departments and levels to achieve their goals. Without those more determined structures, temporal and flexible arrangements cannot exist, let alone succeed. This calls for caution when applying joined-up government or fluid government on a large scale, because of the danger that clear lines of command and accountability are lost, combined with a weakening of expertise and network relations when there is an insufficient institutional and organisational base to relate to and to return to.

Whatever course or model may be chosen for the post-recession nation-state government, it seems highly likely that a new wave of reforms will

follow, and that this wave will have a highly international character, as evidenced in each of the reform initiatives since the late 1970s. For EU member states, the boundaries of possible reform will principally be set by EU policies, practices and preferences, even in the absence of a fully developed or binding European administrative policy.

Appendix: Questionnaire

Leiden University Press

International Public Governance Survey 2007 - UK

1. First, we would like to know which **type of public sector organisation** you work for. Which of the following labels does fit your organisation best?

   ○ Ministerial department

   ○ Executive agency

   ○ Regulatory body

   ○ Non-permanent project organisation

   ○ Other (please specify)

2. In which **issue area** are you involved (choose answer which applies best)?

   The next set of questions are about interactions between civil servants working for the national government and national interest organisations. By national interest organisations we mean organisations that operate at the national level and represent their own or other peoples' interests. Any kind of organisation could in principle be an interest organisation, such as labour unions, private firms, public institutions, single issue groups or stakeholders in general.

3. With how many of such national interest organisations did you interact last year (interactions can include anything from informal email or telephone contacts to formal consultation meetings related to the field you work in)?

   ○ None

   ○ 1-5 organisations

   ○ 6-10 organisations

   ○ 11-15 organisations

   ○ over 15 organisations

4. What were the most important reasons you did not interact with national interest organisations last year (check all that apply)?

   ○ There are no relevant interest organisations to the field I work in

   ○ Interactions with interest organisations are not relevant for my activities in the organisation

○   My colleagues usually interact with interest organisations

○   It is uncommon to interact with interest organisations

○   Interest organisations are not a legitimate partner to interact with in my field

○   My organisation disagrees too strongly with the relevant interest organisations

○   Other (please specify)

5.   What are the main reasons you interacted with these national interest organisations last year (check all that apply)?

○   They have expertise we need

○   They can help to implement our policies

○   They can provide political support for our policies

○   They are intermediaries of difficult to reach target populations

○   It is common practice to work with interest organisations

○   My predecessor did it and therefore do I

○   We are required by regulation to consult with them

○   Other (please specify)

6.   Did you or the interest organisations usually take the initiative to interact last year?

○   I always

○   I mostly did

○   Both parties did equally often

○   They mostly did

○   They always did

7.   How many of the national interest organisations with which you interacted last year **were already familiar** to you before last year?

○   None

○   1-5 organisations

○   6-10 organisations

○   11-15 organisations

○   Over 15 organisations

8.   If you think of the previous year, would it have been possible **to circumvent familiar interest organisations** in case your organisation did not want to interact with them? This would have been...

○   Always possible

○   Very often possible

○   Often possible

○   Not very often possible

○   Never possible

9. Please indicate the main reason it could have been **difficult to circumvent** familiar interest organisations.

    ○ They have a too important role in the nation's economy

    ○ There has always been a close cooperation

    ○ They are too important a spokesperson to neglect

    ○ Other interest organisations cannot provide us with what we want

    ○ Our cooperation is a routine that is hard to change

    ○ We are required by regulation to consult them

    ○ Other (please specify)

10. To the best of your knowledge, do you know of any other national interest organisations relevant to the issue area you are involved in **other than those you interacted with**?

    ○ There are no others

    ○ There are 1-5 others

    ○ There are 6-10 others

    ○ There are 11-15 others

    ○ There are over 15 others

    ○ I don't know

11. What are the main reasons you did **not** interact with these other national interest organisations (check all that apply)?

    ○ They do not have expertise we need

    ○ They cannot help to implement our policies

    ○ They cannot provide political support for our policies

    ○ They are not intermediaries of difficult to reach target populations

    ○ It is uncommon to work with interest organisations

    ○ My predecessor did not do so and therefore I don't either

    ○ Other (please specify)

12. With how many of the following organisations did you interact last year?

	none	1-5	6-10	11-15	more than 15
Advisory councils	○	○	○	○	○
Consultancy firms	○	○	○	○	○
University research institutes	○	○	○	○	○
Other research institutes	○	○	○	○	○
Ideologically oriented think tanks	○	○	○	○	○
Technically oriented think tanks	○	○	○	○	○
Executive public agencies	○	○	○	○	○

13. With which type of organisation did you usually interact last year with respect to the following purposes?

I usually interacted with:

To obtain expertise

For the ability to implement policies

To get support for our policies

To function as intermediary of target populations

The next questions are on the **external actors** with whom senior civil servants may interact. Below you find 14 of such actors.

14. Which external actors are **increasingly relevant** to the practicing of the senior civil service profession? (Check all that apply)
    - ○ National parliament
    - ○ Ministers / deputy ministers
    - ○ Personal advisers to ministers / deputy ministers
    - ○ Commerical (management) consultancy firms
    - ○ Subnational authorities
    - ○ The media
    - ○ The Courts - national level
    - ○ The Courts - European level (ECJ, ECHR)
    - ○ Interest organisations - national level
    - ○ Interest organisations - European level
    - ○ The European Parliament
    - ○ The European Commission
    - ○ Other international organisations
    - ○ Citizens
    - ○ Other (please specify)

15. Which external actors are **decreasingly important** to the practicing of the senior civil service profession? (Check all that apply)
    - ○ National parliament
    - ○ Ministers / deputy ministers
    - ○ Personal advisers to ministers / deputy ministers
    - ○ Commerical (management) consultancy firms
    - ○ Subnational authorities
    - ○ The media
    - ○ The Courts - national level
    - ○ The Courts - European level (ECJ, ECHR)
    - ○ Interest organisations - national level
    - ○ Interest organisations - European level

○ The European Parliament

○ The European Commission

○ Other international organisations

○ Citizens

○ Other (please specify)

16. How would you characterise the **interaction** with the following **actors**?

	Very constructive	Somewhat constructive	Neutral	Somewhat conflictuous	Very conflictuous	I don't know
National parliament	○	○	○	○	○	○
Ministers / deputy ministers	○	○	○	○	○	○
Personal advisers to ministers / deputy ministers	○	○	○	○	○	○
Commerical (management) consultancy firms	○	○	○	○	○	○
Subnational authorities	○	○	○	○	○	○
The media	○	○	○	○	○	○
The Courts - national level	○	○	○	○	○	○
The Courts - European level (ECJ, ECHR)	○	○	○	○	○	○
Interest organisations - national level	○	○	○	○	○	○
Interest organisations - European level	○	○	○	○	○	○
The European Parliament	○	○	○	○	○	○
The European Commission	○	○	○	○	○	○
Other international organisations	○	○	○	○	○	○
Citizens	○	○	○	○	○	○

The next questions are on the **skills** that are associated with the work of senior civil servants.

17. How relevant is each of the following skills to your current position?

	Very relevant	Somewhat relevant	Neutral	Not so relevant	Not relevant at all
Substantive expertise	○	○	○	○	○
Procedural expertise	○	○	○	○	○
Political-strategic insight	○	○	○	○	○
Financial management	○	○	○	○	○
Negotiation skills	○	○	○	○	○

	Ability to motivate and direct colleagues	○	○	○	○	○
	Programme and project management	○	○	○	○	○
	External communication and marketing	○	○	○	○	○
	Command of foreign languages	○	○	○	○	○
	Ability to adapt to other cultures	○	○	○	○	○

The relevance of a certain skill may vary over time

18. State for each skill in what sense you feel its relevance is changing at the moment, if at all.

	Strongly increases	Somewhat increases	Stays the same	Somewhat decreases	Strongly decreases
Substantive expertise	○	○	○	○	○
Procedural expertise	○	○	○	○	○
Political-strategic insight	○	○	○	○	○
Financial management	○	○	○	○	○
Negotiation skills	○	○	○	○	○
Ability to motivate and direct colleagues	○	○	○	○	○
Programme and project management	○	○	○	○	○
External communication and marketing	○	○	○	○	○
Command of foreign languages	○	○	○	○	○
Ability to adapt to other cultures	○	○	○	○	○

The next questions are on the impact of the EU on the work of senior civil servants and on their cooperation with interest organisations.

19. To what degree is your work affected by the **EU**?

   ○ To a very high degree

   ○ To a high degree

   ○ To a reasonable degree

   ○ To a limited degree

   ○ Not at all

20. How relevant is each of the following **EU-related activities** to your job?

	Very relevant	Reasonably relevant	Neutral	Not so relevant	Not relevant at all
Preparation of national input for EU-level meetings	○	○	○	○	○
Participation in working groups for the Council of Ministers	○	○	○	○	○

Participation in meetings organised by the European Commission (e.g. expert meetings)	○	○	○	○	○
Informal consultations by/with colleagues from other member states	○	○	○	○	○
Transposition of European policies into national legislation	○	○	○	○	○
Involving subnational authorities in EU-decision making and policy making	○	○	○	○	○
Involving national interest organisations in EU-level decision making and policy making	○	○	○	○	○

21. What **percentage of your working time** per week do you spend on average on the abovementioned EU-related activities in total?

22. To be eligible for a position **with a clear EU-dimension** in my organisaton, experience with EU-related activities is...
    - ○ very relevant
    - ○ somewhat relevant
    - ○ neutral
    - ○ not so relevant relevant
    - ○ not relevant at all
    - ○ don't know

23. To be able **to move up in the ranks** of my organisation, experience wiht EU-related activities is...
    - ○ very relevant
    - ○ somewhat relevant
    - ○ neutral
    - ○ not so relevant relevant
    - ○ not relevant at all
    - ○ don't know

24. Compared to the priority given to purely national activities, the priority given to EU-related activities is in my organisation...
    - ○ much higher
    - ○ higher
    - ○ just as high
    - ○ lower
    - ○ much lower
    - ○ don't know

25. In my policy area, coordination between those who negotiate at EU-level about policies and those who are responsible for transposing EU-policy into national policy is...

   ○ very good

   ○ good

   ○ not good, not bad

   ○ bad

   ○ very bad

   ○ don't know

26. When I participate in EU-level meetings, the mandate that I get from home is generally defined in...

   ○ very specific terms.

   ○ reasonably specific terms.

   ○ somewhat specific terms.

   ○ reasonably general terms.

   ○ very general terms.

   ○ I have never participated in EU-level meetings

27. When I interacted with national interest organisations last year, I had to take into account EU regulations to a...

   ○ very significant extent

   ○ somewhat significant extent

   ○ not significant, not insignificant extent

   ○ somewhat insignificant extent

   ○ very insignificant extent

   ○ not applicable

28. How often did national interest organisations refer to EU policy while you interacted with them last year?

   ○ Never

   ○ 1-25% of the time

   ○ 26-50% of the time

   ○ 51-75% of the time

   ○ 76-100% of the time

   ○ Not applicable

29. EU interest organisations are organisations that operate at the EU level and are usually not affiliated with a particular EU member state, such as The European round table of industrialists or The platform of European social NGOs. With how many of such EU interest organisations did you interact last year?

   ○ None

   ○   1-5 EU interest organisations

   ○   6-10 EU interest organisations

   ○   11-15 EU interest organisations

   ○   more than 15 EU interest organisations

30. What were the main reasons you interacted with these EU level interest organisations (check all that apply)?

   ○   They have expertise we need

   ○   They can help to implement our policies

   ○   They can provide political support for our policies

   ○   They are intermediaries of difficult to reach target populations

   ○   It is common practice to work with EU interest organisations

   ○   My predecessor did it and therefore do I

   ○   We are required by regulation to consult with EU interest organisations

   ○   Other (please specify)

We are now approaching the completion of the questionnaire. A few questions follow regarding your previous and current position.

31. Do you have working experience of more than one year with an organisation other than the one you presently work for?

   ○   Yes

   ○   No

32. In what type(s) of organisation(s) was this working experience?

   ○   A ministerial department

   ○   An executive agency

   ○   A regulatory body

   ○   A non-permanent project organisation

   ○   A private sector organisation - not for profit

   ○   A private sector organisation - for profit

   ○   An EU-institution

   ○   A non-EU international organisation (e.g. the UN, NATO, World Bank, IMF, OECD)

   ○   Other (please specify)

33. Is one or more of the organisations you previously worked for a stakeholder in the policy area you are currently working in?

   ○   Yes

   ○   No

   ○   Don't know

34. For how long have you been working for the civil service?
    ○ Less than 1 year
    ○ Between 1 and 3 years
    ○ Between 3 and 5 years
    ○ Between 5 and 10 years
    ○ Between 10 and 15 years
    ○ More than 15 years

35. What grade does your current position correspond to?

36. For how long have you been working for the Senior Civil Service?
    ○ Less than 1 year
    ○ Between 1 and 3 years
    ○ Between 3 and 5 years
    ○ Between 5 and 10 years
    ○ Between 10 and 15 years
    ○ More than 15 years
    ○ I do not work for the Senior Civil Service

37. Do you have a permanent or a temporary appointment as a member of the Senior Civil Service?
    ○ Temporary
    ○ Permanent

38. Senior civil servants can be recruited through various recruitment methods. Below you find a number of common recruitment methods.
    Through which method were you recruited for you current position?
    ○ Nomination (I was exclusively asked for this position)
    ○ Limited trawl (post was advertised in only a limited number of departments)
    ○ Service-wide trawl (post was advertised through the civil service but no wider)
    ○ Open competition (anyone could apply)
    ○ Other (please specify)

We finish with a number of short standard questions.

39. What is your **age**?

40. What is your **gender**?
    ○ Female
    ○ Male

41. Do you consider yourself belonging to an **ethnic minority**?

    ○ Yes

    ○ No

42. What was your highest form of **education**?

    ○ Bachelor degree

    ○ Master degree

    ○ Ph.D.

    ○ Other (please specify)

43. In what field is your education?

44. What is your gross monthly salary (GBP)?

    ○ Less than 2,730 GBP

    ○ 2,370 – 3,070 GBP

    ○ 3,070 – 3,410 GBP

    ○ 3,410 – 3,750 GBP

    ○ 3,750 – 4,100 GBP

    ○ 4,100 – 4,440 GBP

    ○ 4,400 – 4,780 GBP

    ○ 4,780 – 5,120 GBP

    ○ 5,120 – 5,460 GBP

    ○ More than 5,460 GBP

    ○ No answer

45. Are you a member of a political party?

    ○ Yes

    ○ No

    ○ No answer

46. What is the main reason you do not wish to answer this question?

47. Do you have further substantive comments?

48. Do you have comments on the questionnaire?

49. We are considering organising a symposium to present the findings of this survey to our respondents and to discuss the outcome. Would you in principle be interested in attending such a symposium?

    ○ Yes

    ○ No

50. Would you be available for an interview on the topics of this survey at a later point?

    ○ Yes

    ○ No

If you wish so, we can e-mail you a research report containing the findings of this survey.

51. Would you be interested in receiving such a research report?

    ○ Yes

    ○ No

Notes

1 The term 'governance' refers to the practice of public decision making and service delivery and is distinguishable from 'government' in the sense that it also encompasses public activities by quasi- and non-governmental actors, including hybrid organisations, private sector organisations, and the media (see Peters and Pierre, 1998; Frederickson, 1997).

2 National civil service systems are defined as "mediating institutions that mobilize human resources in the service of the affairs of a state" (Morgan and Perry, 1988). Thus, when we speak of civil service systems, we are primarily concerned with human, rather than financial or physical resources (Bekke et al., 1996: 2).

3 'Internationalisation' is defined as the development in which "global, international and transnational activity and interaction between actors and institutions involved in governance becomes more frequent, more intensive and expands to more policy areas" (Van den Berg and Toonen, 2007).

4 It was at this point in the development of the European Union that, three decades after Schuman's public appeal which lead to the creation of the European Coal and Steel Community, the then nine member states jointly effectuated the European Monetary System and launched the European Currency Unit, which was the predecessor of the common European currency that commenced in 2002.

5 In fact the opposite argument, namely that European integration is an indispensable device in rescuing the national state, is made with considerable cogency as well (Axtmann, 1996; Milward, 1992; Hoffmann, 1966; Van Kersbergen, 1999; Linklater, 1998; Rhodes, 1994; Holton, 1998).

6 This selection of cases is more fully explained in chapter 4.

7 This 'starting date' is contested, as will be discussed below.

8 This mechanism is reinforced by "an international network of multinational public-service providers and management consultants, including international bodies like the OECD's PUMA, and the World Bank, purveying similar ideas about 'best practice' and 'benchmarks' for 'good governance'. It should be noted however, that the commitment of international organisations to the idea of convergence is not totally devoid of self-interest, given that they exist by the grace of their task to 'benchmark' and foster the best practice model around which convergence is supposedly centered" (Hood, 1998: 203).

9 Path dependency in this context means that administrative systems are shaped by the way critical institutional dilemmas were handled at major historical turning points, and the response to subsequent challenges varies according to those earlier decisions (Hood, 1998).

10 Self disequilibration in this context means the capacity of administrative reform initiatives to produce the opposite of their intended result (Hood, 1998).

11 However, this does not mean that some non-merit characteristics, such as demographic qualities, can increase a candidate's ability to perform a specific function within the civil service, especially within the street-level echelons of the civil service.

12 It has to be noted, however, that with increasing civil service mobility, this contrast between political leaders and civil servants weakens.

13 Although hard data are not (yet) available, estimates range up to 80 percent. For the problems associated with the issue of determining the percentage of national legislation dictated or otherwise shaped by EU legislation, see http://www.asser.nl/eurlaw/index. asp?sub_categorie=28.

14 This representation of the ideal type is misleading, since image 2 is also included in Weber's conception of political-administrative relations (see Page 1992: 5).

15 Even within Image IV, not all tasks are jointly executed; instead, some tasks are reserved for one of the two actor types. This indicates that the label for this image, the pure hybrid, is a misnomer.

16 Surprisingly, the importance of this power distribution aspect is marginalized by 't Hart et al., 2003: 37.

17 However, this juxtaposition has been severely criticized since the 1980s (Ashford, 1982; Bullpit, 1989; and see Toonen and Van der Meer, 2006).

18 This is not the case in Norway and the Netherlands.

19 However, it may also be argued that greater equality in power between both actor types would induce rivalry and therefore adversarilaity, but we leave this argument aside for now.

20 Arguably, Dienstwissen refers more to skills than to knowledge.

21 If we formally wish to establish exactly and exhaustively what has caused these changes, we become entangled in a myriad of causal processes, without actually achieving the original goal: knowing and understanding a certain phenomenon. When the variety of motives underlying a specific phenomenon can be aggregated into one cluster, we speak of Sinnzusammenhang (Weber, 1949). Sinnzusammenhang is problematic in the sense that clustering multiple motives has an obscuring effect on correlative relations, given that one social phenomenon is bound to be the result of a multitude of motives, and one motive can be (part of) the cause of many social phenomena. It follows that it is impossible to equate an interpretation of underlying behavioral motives, however evident to our minds, with empirically demonstrated causal explanations of this behavior.

22 One knows a priori that this strategy will never result in a form of a solid law, since the present reality may be different from what is observed by the researcher and the factors to which causal impact is ascribed, may be seen as less causally powerful when looked at from a different perspective.

23 The thought experiment is a mental construction to establish the weight of diverse causes which have an impact on social phenomena.

24 Brief analyses of the ideal type approach are provided by Goddijn (1980) and Giddens (1971: 141-4).

25 However, this does not mean that making valid analytical generalisations is thereby also unattainable. Analytical generalisation means the tentative transferal of the findings of this study to countries other than the ones studied, or the use of the findings to build hypothesis that can in turn be applied to a larger range of EU member states (see Anderson, 2003).

26 Maxwell defined intentional sampling as sampling according to a strategy in which "particular settings, persons or events are deliberately selected for the important information they can provide that cannot be gotten as well from other choices" (Maxwell, 1998: 87).

27 See Page (1992), chapters 3 and 4.

28 In this section 'I' should be interpreted as 'we' as I conducted these surveyws together with Caelesta Poppelaars, a then colleague at the Department of Pulbic Adminsitration, Leiden University. As the two populations in our individual research projects overlapped we jointly conducted the survey. For Popppelaars' analysis of the survey data, see Poppelaars, 2009.

29 This percentage is an inference based on the information that the ORC International SCS survey 2006 had a response rate of 67 % of the entire SCS through a tot al N of

2,985, resulting in a full population of about 4,455. Dod's database turned out to include about 600 members of the SCS, representing 13.2 percent of the full SCS population. In our survey, about 30,5 respondents indicated that they were SCS-members. Thus, the estimated number of SCS-members in our dataset is about 124, or 2,8 percent of the total SCS population.

30 ECJ rulings of 17 December 1980 and of 26 March 1982: The Commission v. Belgium

31 Law of 26 July 1991; law of 26 July 2005.

32 Decree of 6 January 2003.

33 www.legifrance.gouv.fr/html/sites/sites_autorites.htm

34 Of the members of the grands corps, only 17 % are managers within ministries and agencies (Rouban, 2007). They often serve on cabinets, are top aides to politicians, judges or expert advisers to the President or Prime Minister (Page and Wright, 1999).

35 In recent years, the legal instruments for performance bonuses have also been created for civil servants below the top level, but these instruments have, to date, not been commonly used (DGAFP, 2008). Nonetheless, the new law on personnel policy has been enacted in late 2008 provides guidelines for further individualisation of performance assessment and, accordingly, rewards (DGAFP, 2008). This too seems to be – at least in principle – an aberration from the traditional collective approach of the French state towards the civil service.

36 For instance, France has roughly as many associations as most other western countries.

37 Within the UK, Scotland forms an exception, since Roman law has had a stronger and longer lasting influence on the pre-existing native rules, initially through Canon law and later through contact with the Roman law taught in the universities (see R. Evans-Jones, The Civil Law Tradition in Scotland, Edinburgh, The Stair Society, 1995).

38 In the 2005 election, the two major parties together received only 68% of the votes, a historically low figure.

39 Although most of the recommendations were in the end implemented, merit never truly replaced seniority as a basis for promotion, just as the division of labour between intellectual and mechanical was never completely carried through (Fry, 2000).

40 The Attorney General's Office, the Cabinet Office, Communities and Local Government, the Department for Business, Enterprise and Regulatory Reform (BERR); Department for Children, Schools and Families (DCSF), the Department for Culture, Media and Sport (DCMS) the Department of Energy and Climate Change (DECC), the Department for Environment, Food and Rural Affairs (DEFRA), the Department for Innovation, Universities and Skills (DIUS), the Department for International Development (DfID), the Department for Transport (DfT), the Department for Work and Pensions (DWP), the Department of Health (DH), the Foreign and Commonwealth Office (FCO), Her Majesty's Treasury (HMT), the Home Office (HO), the Ministry of Defence (MoD), the Ministry of Justice (MoJ) , the Scotland Office (SO), the Wales Office (WO), The Northern Ireland Office (NIO) and the Office of the Leader of the House of Commons.

41 Assets Recovery Agency; British Council; Charity Commission for England and Wales; Commissioners for the Reduction of the National Debt (CRND); Crown Estate (CE); Crown Prosecution Service (CPS); Export Credits Guarantee Department (ECGD); Food Standards Agency; Forestry Commission; General Register Office (GRO); Government Actuary's Department (GAD); HM Revenue and Customs (HMRC); Office for National Statistics (ONS); Office for Standards in Education (OFSTED); Office of Fair Trading (OFT); Office of Gas and Electricity Markets/Gas and Electricity Markets Authority (OFGEM); Office of Rail Regulation (ORR); Parliamentary Counsel Office (PCO); Postcomm (Postal Services Commission); Public Works Loan Board (PWLB); Revenue and Customs Prosecutions Office (RCPO); Serious Fraud Office (SFO); UK Trade Water Services Regulation Authority (Ofwat).

42 www.faststream.gov.uk/index.asp?txtNavID=44.

43   Nomination (I was exclusively asked for this position).
44   Limited trawl (post was advertised in only a limited number of departments).
45   Service-wide trawl (post was advertised through the civil service but no wider).
46   Open competition (anyone could apply).
47   www.nationalschool.gov.uk/about_us/whatwedo.asp
48   For an overview of the devolution process in the UK see M. Leeke, C. Sear and O. Gay,
     An introduction to devolution in the UK, Parliament and Constitution Centre, House of
     Commons Library (2003).
49   ABD website http://www.algemenebestuursdienst.nl/abd_algemeen/benoemingen/in-
     dex.cfm?artikelen_id=35730D67-CDD2-FD6C-7A77909FDCFB891F as consulted June 5,
     2010.
50   Rosenthal 1983, Van der Meer and Raadschelders, 1999.
51   It is important to note that while the erosion of the hierarchy and thereby the emancipa-
     tion of subnational authorities is observable, it nonetheless remains relative. For in-
     stance, the gains in autonomy are at least partially offset by the loss in autonomy follow-
     ing from the subnational authorities' responsibilities for implementation of EU-man-
     dated policies (Schmidt, 2006, p. 54). Moreover, the power of provincial and municipal
     authorities vis-à-vis the national government in The Netherlands is limited by the lower
     degree of legitimacy the provinces have in the eyes of citizens and the relatively low ca-
     pacity of the municipalities in terms of personnel and capital.
52   Although the interventionist nature of the British state in a number of sectors should
     not be overlooked, for instance in the field of health care.
53   The term politics here is used in the Eastonian sense as 'the authoritative allocation of
     values for a society' including - in a democratic political system - the public weighing of
     arguments and societal interests for the purpose of this allocation of values.
54   Examples of policy areas for which subnational authorities are mostly responsible for
     implementation are the structural funds, environmental regulation, the application of
     technical and safety standards, workplace requirements, public procurement and regio-
     nal aids to industry.
55   Yet autonomy at the local level remains very limited throughout the United Kingdom.
56   The term politicisation here denotes the increasing degree to which civil servants are in-
     volved in the political and strategic activities of the executive, including external commu-
     nication with political actors, parliamentary factions and the media, and formulating
     and executing the personal-political, party-political and policy-political strategy of their
     minister.

References

ABD (2006). *Bekend maakt bemind: Tweede Kamerleden en ambtenaren in gesprek*. Den Haag: ABD.

ABD (2010). Retrieved June 5, 2010, from http://www.algemenebestuursdienst.nl/abd_al-gemeen/benoemingen/index.cfm?artikelen_id=35730D67-CDD2-FD6C-7A77909FDCFB891F

Aberbach, J. D., Putnam, R. D. & Rockman, B. A. (1981). *Bureaucrats and politicians in Western Democracies*. Cambridge, MA: Harvard University Press.

Aberbach, J. D. & Rockman, B. A. (1994). Civil Servants and Policymakers: Neutral or Responsive Competence? *Governance, 7*(4), 461-469.

Albertini, J.-B. (2000). *Réforme Administrative et Réforme de l'État en France: Thèmes et Variations de l'Esprit de Réforme de 1815 à Nos Jours [Administrative Reform and Reform of the State in France from 1815 to the Present]*. Paris: Economica.

Albert-Rouhac, C. (1998). The Influence of EU Membership on Methods and Processes of Budgeting in Britain and France, 1970-1995. *Governance, 11*(2), 209-230.

Albrow, M. (1970). *Bureaucracy*. London: Macmillan.

Allum, P. (1995). *State and Society in Western Europe*. Cambridge: Polity Press.

Almond, G. A. & Powell, G. B. (1966). *Comparative politics: a Developmental Approach*. Boston: Little Brown.

Alter, K. J. (1996). The European Court's Political Power. *West European Politics, 19*(3), 458-487.

Anderson, J. (2003). Europeanisation in Context: Concept and Theory. In K. Dyson & K. H. Goetz (Eds.), *Germany and Europe: A 'Europeanised' Germany* (pp. 37-53). Oxford: Oxford University Press.

Andeweg, R. B. & Irwin, G. A. (2002). *Governance and Politics of The Netherlands*. Houndmills: Palgrave Macmillan.

Andeweg, R. B. & Irwin, G. A. (2005). *Governance and Politics of the Netherlands* (Second ed.). Basingstoke: Palgrave Macmillan.

Andrews, W. G. (1981). The collective political executive under the Gaullists. In W. G. Andrews & S. Hoffman (Eds.), *The Fifth Republic at Twenty*. Albany, NY: State University of New York Press.

Andrews, W. G. & Hoffman, S. (Eds.) (1981). *The Fifth Republic at Twenty*. Albany, NY: State University of New York Press.

Ansell, C. (2000). The Networked Polity: Regional Development in Western Europe. *Governance, 12*, 303-333.

Arcy, F. d' & Rouban, L. (Eds.) (1996). *De la Cinquième république à l'Europe*. Paris: Presses de Sciences Po.

Ashford, D. (1982). *French Pragmatism and British Dogmatism*. London / New York Allen & Unwin / HarperCollins.

Axtmann, R. (1996). *Liberal Democracy Into the Twenty-First Century: Globalisation, Integration and the Nation-State*. Manchester: Manchester University Press.

Bache, I. & Flinders, M. (2004). *Multi-level Governance*. Oxford: Oxford University Press.

Bache, I. & Jordan, A. (Eds.) (2006). *The Europeanisation of British Politics*. Houndmills: Palgrave Macmillan.

Bäck, H., Dumont, P., Meier, H. E., Persson, T. & Vernby, K. (2009). Does European Integration Lead to a Presidentialisation of Executive Politics? Ministerial Selection in Swedish Post-War Cabinets. *European Union Politics, 10*(2), 226-252.

Bagehot, W. (1876). The Postulates of English Political Economy No. 1. *Fortnightly Review,* 215-242.

Baldersheim, H. (1989). *Sentral styring og institutionjell autonomi*. Bergen: Alma Mater.

Baljé, C. L., Drupsteen, T. G., van Haeften, M. P. H. & Toonen, Th. A. J. (Eds.) (1996). *De ontzuiling voorbij*. Den Haag: Sdu.

Balme, R. & Jouve, B. (1996). Building the Regional State: Europe and Territorial Organisation in France. In L. Hooghe (Ed.), *Cohesion Policy and European Integration: Building Multilevel-Governance* (pp. 219-256). Oxford: Oxford University Press.

Balme *L'Inspection des Finances: 16 ans de Pantouflage 1974-1989*. Paris: CNRS / Heidrick and Struggles.

Balme, R. & Woll, C. (2005). France: Between Integration and National Sovereignty. In S. Bulmer & C. Lequesne (Eds.), *The Member States of the European Union* (pp. 97-118). Oxford: Oxford University Press.

Barbieri, D. (2004). Europeanisation of National Administrations: an Assessment of the Italian Antitrust Authority and Environment Agency Cases. *Arena Working Papers, 04*(21), http://www.arena.uio.no/publications/working-papers2004/papers/wp2004_2021.pdf.

Bauer, M. & Danic, D. (1990). *L'Inspection des Finances: 16 ans de Pantouflage 1974-1989*. Paris: CNRS / Heidrick and Struggles.

Beckemans, L. (Ed.). (1994). *Culture: the Building Stone of Europe 2002. Reflections and Perspectives*. Brussels: Presses Interuniversitaires.

Bekke, A. J. G. M., Bekker, R. & Verhoeven, A. D. J. (1996). *Haagse bazen: een verkenning van de topstructuur van de ministeries*. Alphen aan de Rijn: Samsom H.D. Tjeenk Willink.

Bekke, H. A. G. M., Perry, J. L. & Toonen, Th. A. J. (Eds.) (1996). *Civil Service Systems in Comparative Perspective*. Bloomington: Indiana University Press.

Bekke, H. A. G. M. & Meer, F. M. van der (Eds.) (2000). *Civil Service Systems in Western Europe. Civil service systems in comparative perspective*. Cheltenham: Edward Elgar.

Bekke, H. G. J. M. & Meer, F. M. van der (Eds.) (2000). *Western European civil service systems*. Cheltenham/Aldershot: Edward Elgar.

Benz, A. (2003). Mehrebenenvervlechtung in der Europaeischen Union. In M. Jachtenfuchs & B. Kohler-Koch (Eds.), *Europaeische Integration*. Opladen: Leske & Budrich.

Benz, A. (Ed.). (2004). *Governance - Regieren in komplexen Regelsystemen. Eine Einführung*. Wiesbaden: Verlag für Sozialwissenschaften.

Berg, C. F. van den, Dijkstra, G. S. A. & Meer, F. M. van der (2006). Over de rol van de politieke gezindheid bij benoemingen in de Openbare Dienst: De Praktijk van Politieke Benoemingen. In P. van Schie & W. P. S. Bierens (Eds.), *Grondrechten gewogen. Enkele constitutionele waarden in het actuele politieke debat. Publicatie 100*. Den Haag: Prof. dr. B.M. Teldersstichting.

Berg, C. F. van den & Suvarierol, S. (2008). Haagse pionnen op het Brusselse schaakbord? Over de aansturing en beleidsnetwerken van Nederlandse gedetacheerden bij de Europese Commissie. *Beleid en Maatschappij, 35*(1), 26-39.

Berg, C. F. van den & Toonen, Th. A. J. (2007). National Civil Service Systems and the Implications of Multi-level Governance: Weberianism Revisited? In J. C. N. Raadschelders, Th. A. J. Toonen & F. M. van der Meer (Eds.), *The Civil Service in the 21st Century. Comparative Perspectives* (pp. 103-120). Houndmills: Palgrave Macmillan.

Berg, C. F. van den, Meer, F. M. van der & Raadschelders, J. C. N. (2007). Representative Government and Top Administrative Officers; A Comparative Historical Approach to Po-

litical-Administrative Relations. In A. G. Manca & F. Rugge (Eds.), *Governo rappresenta-tivo e dirigenze amministrative (secoli XIX-XX) / Repräsentative Regierung und führende Beamte (19.-20. Jahrhundert) Annali dell'Istituto Storico Italo-Germanico in Trento / Jahr-buch des Italienisch-Deutschen Historischen Instituts in Trient 2007* (pp. 207-236). Trento: Fondazione Bruno Kessler.

Berglund, M. (2009). *Cross-border enforcement of claims in the EU: history, present time and future*. Alphen aan den Rijn / Stockholm: Kluwer Law International / Norstedts Juridik.

Best, H. & Cotta, M. (Eds.) (2000). *Parliamentary Representatives in Europe (1848-2000): Leg-islative Recruitments and Careers in Eleven European Countries*. Oxford: Oxford University Press.

Best, H. & Gaxie, D. (2000). Detours to modernity: Long-Term trends of Parliamentary Re-cruitment in Republican France (1848-1999). In H. Best & M. Cotta (Eds.), *Parliamen-tary Representatives in Europe (1848-2000): Legislative Recruitments and Careers in Eleven European Countries* (pp. 88-137). Oxford: Oxford University Press.

Bezes, Ph. (2009). *Réinventer l'État: Les réformes de l'administration française (1962-2008)*. Paris: PUF (collection Le Lien Social).

Bezes, P. & Jeannot, G. (2010). The development and current features of the French civil ser-vice system. In F. M. van der Meer (Ed.), *Civil Service Systems in Western Europe*. Chel-tenham: Edward Elgar.

Bezes, P. & Lidec, P. L. (2007). French Top Civil Servants Within Changing Configurations: From Monopolisation to Challenged Places and Roles? In E. C. Page & V. Wright (Eds.), *From the Active to the Enabling State. The Changing Role of Top Officials in European Na-tions* (pp. 121-163). Basingstoke: Palgrave Macmillan.

Bickman, L. & Rog, D. J. (Eds.) (1998). *Handbook of Applied Social Research Methods*. Thou-sand Oaks: Sage.

Bigaut, C. (1997). *Les Cabinets Ministériels*. Paris: LGDJ.

Bodde, D. (2004). *China and Europe, 1500-2000 and Beyond: What is Modern?* New York: Co-lumbia University.

Bonnin, C.-J. (1812). *Principes d'administration publique*. Paris: Renaudiere.

Börzel, T. & Risse, T. (2000). When Europe Hits Home: Europeanisation and Domestic Change. *European Integration online Papers (EioP), 4*(15).

Börzel, T. & Risse, T. (2003). Conceptualising the domestic impact of Europe. In K. Feather-stone & C. M. Radaelli (Eds.), *The Politics of Europeanisation*. Oxford: Oxford University Press.

Börzel, T. & Sprungk, C. (2007). Undermining Democratic Governance in the Member States? The Europeanisation of National Decision-Making. In R. Holzhacker & E. Albaek (Eds.), *Democratic Governance and European Integration*. Aldershot: Edward.

Börzel, T. A. (2002). Pace-Setting, Foot-Dragging, and Fence-Sitting: Member State Re-sponses to Europeanisation. *Journal of Common Market Studies, 40*(2), 193-214.

Börzel, T. A. (2005). Europeanisation: How the European Union Interacts with its Member States. In S. Bulmer & C. Lequesne (Eds.), *The Member States of the European Union* (pp. 45-76). Oxford: Oxford University Press.

Braam, A. van (1977). *De wetenschap der bestuurskunde*. Leiden: Universiteit Leiden.

Braam, A. van (1988). *Wat weten we eigenlijk van de ambtenaren?* Leiden: Interfacultaire Vak-groep Bestuurskunde, Rijksuniversiteit Leiden.

Bradley, A. & Ewing, K. (1997). *Constitutional and Administrative Law* (Twelfth ed.). Harlow: Longman.

Brans, M. (1994). Public office - private awards. The dynamics of material reward systems for legislators. A comparative study of material rewards for legislators in the Nether-lands and Belgium. In C. C. Hood & B. G. Peters (Eds.), *Rewards at the top* (pp. 106-119). London: Sage.

Broeksteeg, J. L. W., Berg, J. T. J. van den & Verhey, L. F. M. (Eds.) (2006). *Ministeriële verantwoordelijkheid opnieuw gewogen*. Deventer: Kluwer.

Bruin, J. A. de (2007). *Managing performance in the public sector* (Second ed.). London: Routledge.

Bulmer, S. & Burch, M. (2002). British Devolution and European Policy Making: A Step Change Towards Multi-level Governance. *Politique Européenne, 6*, 114-136.

Bulmer, S. & Burch, M. (2006). Central Government. In I. Bache & A. Jordan (Eds.), *The Europeanisation of British Politics* (pp. 37-51). Houndmills: Palgrave Macmillan.

Bulmer, S. & Lequesne, C. (Eds.) (2005). *The Member States of the European Union*. Oxford: Oxford University Press.

Bulpitt, J. (1989). Walking Back to Happiness? Conservative Party Governments and Elected Local Authorities in the 1980s. In C. Crouch & D. Marquand (Eds.), *The New Centralism, Britain Out of Step in Europe?* Oxford: Basil Blackwell.

Burgess, M. & Vollaard, H. (Eds.) (2006). *State Territoriality and European Integration*. London: Routledge.

Button, K. J. & Swann, D. (1989). *The Age of Regulatory Reform*. Oxford: Clarendon.

Cabinet Office (2003). *Civil Service Statistics*. London: Cabinet Office.

Cabinet Office (2004). *Civil Service Statistics*. London: Cabinet Office.

Cabinet Office (2006). New Civil Service Code fuses dynamism with traditional values. Press notice.

Cafruny, A. & Rosenthal, G. (Eds.) (1993). *The State of the European Community*. New York: Lynne Rienner.

Casella, A. & Weingast, B. (1995). Elements of a Theory of Jurisdictional Change. In B. Eichengreen, J. Frieden & J. v. Hagen (Eds.), *Politics and Institutions in an Integrated Europe* (pp. 11-41). New York / Heidelberg: Springer Verlag.

Christensen, J. G. (1994). Denmark: Institutional Constraints and Personal Advancement. In C. Hood & B. G. Peters (Eds.), *Rewards at the Top: A Comparative Study of High Public Office* (pp. 70-89). London: Sage.

Christensen, T. & Laegreid, P. (2005). Agencification and Regulatory Reforms, *Automisation of the State: From Integrated Adminsitrative Models to Single Purpose Organisations*. Stanford University: SCANCOR / SOG.

Civil Service Department. (1981). *Civil Service Statistics 1981*. London: HMSO.

Clark, D. (1998). The Modernisation of the French Civil Service: Crisis, Continuity and Change. *Public Administration, 76*(1), 97-115.

Clausade, J. de (1991). *L'adaptation de l'administration française à l'Europe*. Paris: La Documentation Française.

Collier, R. B. & Collier, D. (1991). *Shaping the Political Arena*. Princeton: Princeton University Press.

Committee on the Civil Service. (1968). *Civil Service. Vol. 1, Report of the Committee 1966-68. Chariman: Lord Fulton*. London: Her Majesty's Stationery Office.

Contet, P. (2000). *Les préfets de la Cinquième République: Le recrutement social et politique dún corps de l'Etat (1958-1995)*. Université de Montpellier I: Thèse de doctorat en science politique.

Costa, J. P. & Jeguozo, Y. (1988). *L'administration francaise face aux défis de la decentralisation*. Paris: Les Editions STH.

Cowles, M. G., Caporaso, J. & Risse, T. (Eds.) (2001). *Europeanisation and Domestic Change: Transforming Europe*. Ithaca NY: Cornell University Press.

Crouch, C. & Marquand, D. (Eds.) (1989). *The New Centralism, Britain Out of Step in Europe?* Oxford: Basil Blackwell.

Daalder, H. (1993). *Van oude en nieuwe regenten, of: Politiek als beroep*. Leiden: Rijksuniversiteit Leiden.

Dargie, C. & Locke, R. (1999). The British Senior Civil Service. In E. C. Page & V. Wright (Eds.), *Bureaucratic Élites in Western European States. A Comparative Analysis of Top Officials* (pp. 178-204). Oxford: Oxford University Press.

Delamarre, M. (2008). *L'administration et les institutions administratives*. Paris: La Documentation française.

Derlien, H.-U. (1994). Karrieren, Tatigkeitsprofil und Rollenverstandnis der Spitzenbeamten des Bundes - Konstanz und Wandel. *Verwaltung und Fortbildung, 22*, 255-272.

Derlien, H.-U. & Peters, B. G. (2008). *The State At Work. Volume 1 Public Sector Employment in Ten Western Countries*. Cheltenham: Edward Elgar.

DGAFP (2005). *La fonction publique en France. Des métiers au service des citoyens*. Paris: Direction générale de l'administration et de la fonction publique.

DGAFP (2008). *Conseil des ministres du 9 avril 2008. Communiqu'e sur le projet de loi relatif à la mobilité et aux parcours professionnels dans la fonction publique*. Paris: Direction générale de l'administration et de la fonction publique.

DGAFP (2008). Rapport relatif à l'organisation et au pilotage des recrutements au sein de la fonction publique (Rapport Dorne-Corraze), . Paris: Direction générale de l'administration et de la fonction publique.

Dijkstra, G. & Meer, F. M. van der (1997). Functionele Decentralisatie. In *Compendium voor Politiek en Samenleving in Nederland*. Deventer: Kluwer.

Dijkstra, G. S. A. (1996). Juridisering en de veranderde verhouding tussen bestuur en burger. In C. L. Baljé, T. G. Drupsteen, M. P. H. van Haeften & Th. A. J. Toonen (Eds.), *De ontzuiling voorbij*. Den Haag: Sdu.

Dijkstra, G. S. A. & Meer, F. M. van der (2005). Zelfstandige Bestuursorganen en Politiek-Ambtelijke Verhoudingen, *Nederlandse Kring voor de Wetenschap der Politiek*. Antwerp, Belgium.

DiMaggio, P. & Powell, W. (1983). The iron cage revisited: Institutional isomorphism and collective rationality in organisational fields. *American Sociological Review, 48*, 147-160.

Drake, H. (Ed.). (2005). *French relations with the EU*. London: Routledge.

Drentje, J. (2004). *Thorbecke. Een filosoof in de politiek*. Amsterdam: Boom.

Dunleavy, P., Heffernan, R., Cowley, P. & Colin, H. (2006). *Developments in British Politics 8*. Basingstoke: Palgrave Macmillan.

Dunn, D. D. (1997). *Politics and Administration at the Top. Lessons from Down Under*. Pittsburgh: University of Pittsburgh Press.

Durkheim, E. (1964). *The Rules of the Sociological Method*. Toronto, ON: Collier-Macmillan.

Dyson, K. (1980). *The State Tradition in Western Europe*. Oxford: Martin Robertson.

Dyson, K. & Goetz, K. (Eds.) (2003). *Germany, Europe and the Politics of Constraint*. Oxford: Oxford University Press.

Eichengreen, B., Frieden, J. & Hagen, J. von (Eds.) (1995). *Politics and Institutions in an Integrated Europe*. New York/Heidelberg: Springer Verlag.

Eising, R. (2003). Interest Groups: Opportunity Structures and Governance Capacity. In K. Dyson & K. Goetz (Eds.), *Germany, Europe and the Politics of Constraint*. Oxford: Oxford University Press.

Elgström, O. & Jönsson, C. (Eds.) (2005). *European Union Negotiations. Processes, networks and institutions*. London: Routledge.

Elton, G. R. (1953). *The Tudor Revolution in Government: Administrative Changes in the Reign of Henry VIII*. Cambridge: Cambridge University Press.

Evans-Jones, R. (1995). *The Civil Law Tradition in Scotland*. Edinburgh: The Stair Society.

Eymeri, J.-M. (1999). *Les gardiens de l'Etat: Une sociologie des énarques de ministère*. Université de Paris-I: Thèse de doctorat en science politique.

Eymeri, J.-M. (2001). *La fabrique des énarques*. Paris: Economica.

Eymeri, J. M. (2006). La Fonction Publique Francaise aux Prises avec une Double Européanisation. *Pouvoirs, 117*, 121-135.

Eymeri, J.-M. & Pavillard, J. (1997). *Les administrateurs civils: fin de carrière et débouchés*. Paris: La Documentation française.

Eymeri, J.-M. & Pierre, J. (Eds.) (2010). *Administrative reforms and democratic governance*. London: Routledge.

Featherstone, K. & Radaelli, C. M. (Eds.) (2003). *The Politics of Europeanisation: Theory and Analysis*. Oxford: Oxford University Press.

Foster, C. D. (2001). The Civil Service Under Stress: The Fall in Civil Service Power and Authority. *Public Administration, 79*(3), 725-749.

Fournier, J. (1987). *Le Travail Governmentale*. Paris: Presses de la Foundation Nationale des Sciences Politiques.

Frederickson, H. G. (1997). *The spirit of public administration*. San Francisco, CA: Jossey-Bass.

Freindreis, J. P. (1983). Explanation of Variation and Detection of Covariation. The Purpose and Logic of Comparative Analysis. *Comparative Political Studies, 16*, 252-272.

French Government (1994). Circulaire du 21 Mars 1994: Journal Officiel du 31/3/1994.

French Government (1996). Circulaire du 26 Juillet 1995 Relative à la Préparation et à la Mise en Oeuvre de la Réforme de l'État et des Services Publiques [The Circular of 26 July 1995 Concerning the Preparation and Implementation of Reform of the State and the Public Services] (pp. 11217-11219): Journal Officiel de la République Française (Official Journal of the French Republic).

French Government (2006). Loi Organique Relative aux Lois de Finances.

French Government (2007). Statut général des fonctionnaires.

French Government (2008). Les autorités administratives indépendantes. Retrieved December, 2008, from http://www.legifrance.gouv.fr/html/sites/sites_autorites.htm

Frey, B. & Eichenberger, R. (1999). *The New Democratic Federalism for Europe. Functional, Overlapping, and Competing Jurisdictions*. Cheltenham: Edward Elgar.

Fry, G. K. (2000). The British Civil Service System. In H. A. G. M. Bekke & F. M. van der Meer (Eds.), *Civil Service Systems in Western Europe. Civil service systems in comparative perspective* (pp. 12-60). Cheltenham: Edward Elgar.

Gaxie, D. (1986). Le Ministre. *Pouvoirs, 36*, 61-78.

Gay, O. (1997). *The accountability debate: Codes of guidance and Questions of Procedure for Ministers*. London: House of Commons Library.

Gay, P. du (2000). *In Praise of Bureaucracy*. London: Sage.

Gay, P. du (Ed.). (2005). *The values of bureaucray*. Oxford: Oxford University Press.

Geuijen, K., Hart, P. t., Princen, S. & Yesilkagit, K. (Eds.) (2008). *The New Eurocrats*. Amsterdam: Amsterdam University Press.

Geuijen, K., Hart, P. t., Princen, S. & Yesilkagit, K. (2008). *The New Eurocrats: National Civil Servants in EU Policy-Making*. Amsterdam: Amsterdam University Press.

Geuijen, K., Hart, P. t. & Yesilkagit, K. (Eds.) (2008). *The New Eurocrats*. Amsterdam: Amsterdam University Press.

Geurink, E. (2006). Ministeriële verantwoordelijkheid voor ambtenaren. In J. L. W. Broeksteeg, J. T. J. van den Berg & L. F. M. Verhey (Eds.), *Ministeriële verantwoordelijkheid opnieuw gewogen* (pp. 41-52). Deventer: Kluwer.

Geut, L., Berg, C.F. van den & Schaik, S. van (2010). *Koning van het schaakbord of Jan zonder Land*. Assen: Uitgeverij Van Gorcum.

Giddens, A. (1971). *Capitalism and Modern Social Theory*. Cambridge: Cambridge University Press.

Goddijn, H. P. M. (Ed.). (1980). *Max Weber: Zijn Leven, Werk en Betekenis: Een Inleiding*. Baarn: Ambo.

Goetz, K. (2000). European integration and national executives: a cause in search of an effect. *West European Politics, 23*(4), 211-231.

Goodnow, F. J. (1893). *Comparative administrative law : an analysis of the administrative systems, national and local, of the United States, England, France and Germany.* New York: G. P. Putnam's sons.

Goodsell, C. T. (2003). *The Case For Bureaucracy: A Public Administration Polemic, 4th Edition.* Washington, D.C: CQ-Press.

Goodsell, C. T. (2005). The Bureau as Unit of Governance. In P. du Gay (Ed.), *The Values of Bureaucracy* (pp. 17-40). Oxford: Oxford University Press.

Government Statistical Service (1995). *Civil Service Statistics 1995.* London: HMSO.

Government Statistical Service (1996). *Civil Service Statistics 1996.* London: HMSO.

Government Statistical Service (1998). *Civil Service Statistics 1997.* London: HMSO.

Government Statistical Service (1998). *Civil Service Statistics 1998.* London: HMSO.

Government Statistical Service (2000). *Civil Service Statistics 1999.* London: HMSO.

Graziano, P. & Vink, M. (Eds.) (2007). *Europeanisation: New Research Agendas.* Basingstoke: Palgrave Macmillan.

Greenaway, J. (2004). Celebrating Northcote/Trevelyan: Dispelling the Myths. *Public Policy and Administration, 19*(Spring), 1-14.

Grossman, L. (13 December 2006). Time's Person of the Year: You. *Time Magazine.*

Grotz, F. & Toonen, Th. A. J. (Eds.) (2008). *Crossing borders: Constitutional development and internationalisation. Essays in honour of Joachim Jens Hesse.* Berlijn: De Gruyter Recht.

Gunlicks, A. B. (1986). *Local Government in the German Federal System.* Durham, NC: Duke University Press.

Gustavsson, S. & Lewin, L. (Eds.) (1996). *The Future of the Nation State.* London: Routledge.

Guyomarch, A. (1999). Public Service, Public Management and the Modernisation of the French Public Administration. *Public Administration, 77*(1), 171-193.

Hague, R. & Harrop, M. (2004). *Comparative Government and politics: An Introduction* (Sixth ed.). Basingstoke: Palgrave Macmillan.

Hague, R. & Harrop, M. (2007). *Comparative Government and Politics. An Introduction* (Seventh ed.). Houndmills: Palgrave Macmillan.

Hall, P. A., Hayward, J. & Machin, H. (Eds.) (1994). *Developments in French Politics* (Revised ed.). London: Macmillan.

Hall, P. A., Hayward, J. E. S. & Machin, H. (Eds.) (1990). *Developments in French Politics.* London: Macmillan.

Harmsen, R. (1999). The Europeanisation of National Administrations: A Comparative Study of France and the Netherlands. *Governance, 12*(1), 81-113.

Harrison, M. (1993). The President, cultural politics and media policy. In J. Hayward (Ed.), *De Gaulle to Mitterrand: Presidential Power in France.* Brighton: Harvester Wheatsheaf.

Hart, P. 't. & Wille, A. (Eds.) (2003). *Politiek-ambtelijke verhoudingen in beweging.* Amsterdam: Boom.

Hart, P. 't. & Wille, A. (2006). Ministers and Top Officials in the Dutch Core Executive: Living Together, Growing Apart? *Public Administration, 84*(1), 121-142.

Hart, P. 't., Wille, A. C., Boin, R. A., Dijkstra, G. S. M., Meer, F. M. van der, Noort, W. J. van, et al. (2002). *Politiek-ambtelijke verhoudingen in beweging.* Amsterdam: Boom.

Haverland, M. (2003). The impact of the EU on environmental policies. In K. Featherstone & C. M. Radaelli (Eds.), *The Politics of Europeanisation.* Oxford: Oxford University Press.

Haverland, M. (2007). Methodology. In P. Graziano & M. Vink (Eds.), *Europeanisation: New Research Agendas.* Basingstoke: Palgrave Macmillan.

Hayward, J. (Ed.). (1993). *De Gaulle to Mitterrand: Presidential Power in France.* Brighton: Harvester Wheatsheaf.

Hayward, J. & Page, E. C. (Eds.) (1995). *Governing the New Europe.* Cambridge: Polity Press.

Heady, F. (2001). *Public Administration. A Comparative Perspective.* New York: Marcel Dekker.

Heclo, H. (1987). Issue networks and the executive establishment. In A. King (Ed.), *The New American Political System*. Washington, DC: American Enterprise Institute.

Heffen, O. van, Kickert, W. J. M. & Thomassen, J. A. (Eds.) (2000). *Governance in Modern Society. Effects, Change and Formation of Government Institutions*. Dordrecht / Boston / London: Kluwer Academic Publishers.

Hendriks, F. & Toonen, Th. A. J. (2001). Polder Politics: The Reinvention of Consensus Democracy in the Netherlands. Aldershot: Ashgate.

Hennessy, P. (1988). *Whitehall*. London: Secker and Warburg.

Her Majesty's Treasury (1982). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1982). *Civil Service Statistics 1982*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1983). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1984). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1985). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1986). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1987). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1988). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1989). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1990). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1991). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1992). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1993). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Her Majesty's Treasury (1994). *Civil Service Statistics*. London: Her Majesty's Stationery Office.

Hesse, J. J. (Ed.). (1994). *The European Yearbook on Comparative Government and Public Administration*. Oxford: Oxford University Press.

Hesse, J. J. & Benz, A. (1990). *Die Modernisierung der Staatsorganisation. Institutionspolitik im internationalen Vergleich: USA, Groszbritanien, Frankreich, Bundesrepublik Deutschland*. Baden-Baden: Nomos Verlagsgesellschaft.

Hix, S. & Goetz, K. H. (2000). Introduction: European Integration and National Political Systems. *West European Politics, 23*(4), 1-26.

Hobsbawm, E. J. & Ranger, T. O. (Eds.) (1983). *The Invention of tradition*. Cambridge: Cambridge University Press.

Hoffmann, S. (1966). Obstinate or obsolete? The fate of the nation state and the case of Western Europe. *Daedalus, 95*, 892-908.

Holton, R. J. (1998). *Globalisation and the Nation-State*. New York: St. Martin's Press.

Holzhacker, R. & Albaek, E. (Eds.) (2007). *Democratic Governance and European Integration*. Aldershot: Edward Elgar.

Hood, C. (1991). A Public Management for all Seasons? *Public Administration, 60*, 3-19.

Hood, C. (1998). Individualized Contracts for Top Civil Servants: Copying Business, Path-Dependent Political Re-engineering - or Trobriand Cricket? *Governance, 11*, 443-462.

Hood, C., James, O., Jones, G., Scott, C. & Travers, T. (1998). Regulation Inside Government: Where New Public Management Meets the Audit Explosion. *Public Money and Management, 18*(2), 61-68.

Hood, C., James, O., Peters, B. G. & Scott, C. (Eds.) (2004). *Controlling Modern Government: Variety, Commonality and Change*. Cheltenham: Edward Elgar.

Hood, C. & Peters, B. G. (Eds.) (1994). *Rewards at the Top: A Comparative Study of High Public Office*. London: Sage.

Hooghe, L. (1995). Subnational Mobilisation in the European Union. *West European Politics, 18*(3), 175-198.

Hooghe, L. (1996). *Cohesion Policy and European Integration: Building Multilevel-Governance*. Oxford: Oxford University Press.

Hooghe, L. (2001). The Renaissance of European Integration Studies. *West European Politics and Society Newsletter, APSA Section*.

Hooghe, L. & Marks, G. (2001). *Multi-Level Governance and European Integration* (Vol.). Lanham, Maryland: Rowman & Littlefield Publishers.

Hooghe, L. & Marks, G. (2003). Unravelling the Central State, But How? Types of Multi-Level Governance. *American Political Science Review, 97*(2).

Hooghe, L. & Marks, G. (2004). Constrasting Visions of Multi-Level Governance? In I. Bache & M. Flinders (Eds.), *Multi-Level Governance* (pp. 15-30). Oxford: Oxford University Press.

Horton, S., Hondeghem, A. & Farnham, D. (Eds.) (2002). *Competency Management in the Public Sector*. Amsterdam: IOS Press.

Hoskyns, J. (1983). An Outsider's View Whitehall and Westminister. *Parliamentary Affairs, 36*, 137-147.

Hucke, J. & Wollmann, H. (Eds.) (1989). *Dezentrale Technologiepolitik*. Basel: Birkhäuser.

Ibbs, R. (1988). *Improving Management in Government: The next steps*. London: Efficiency Unit.

Jachtenfuchs, M. & Kohler-Koch, B. (Eds.) (2003). *Europaeische Integration*. Opladen: Leske & Budrich.

Jann, W. (1983). *Staatliche Programme und 'Verwaltungskultur'*. Opladen: Westdeutscher Verlag.

Jeannot, G. (2008) "Réforme de la fonction publique et réorganisation de l'État", in *ESPRIT* (12/2008).

Jeffery, C. (Ed.). (1997). *The Regional Dimension of the European Union: Towards a Third Level in Europe?* London: Frank Cass.

Jönsson, C. & Strömvik, M. (2005). Negotiations in networks. In O. Elgström & C. Jönsson (Eds.), *European Union Negotiations. Processes, networks and institutions* (pp. 13-28). London: Routledge.

Jordan, A. (2001). The European Union: An Evolving System of Multi-Level Governance or Government? *Policy and Politics, 29*(2), 193-208.

Jordana, J. & Levi-Faur, D. (Eds.) (2004). *The Politics of Regulation: Institutions and Regulatory Reforms for the Age of Governance*. Cheltenham: Edward Elgar.

Kaeding, M. (2007). *Better regulation in the European Union: lost in translation or full steam ahead? The transposition of EU directives across member states*. Leiden: Leiden University Press.

Kassim, H. (2003). The National Co-ordination of EU Policy: Must Europeanisation Mean Convergence? In K. Featherstone & C. Radaelli (Eds.), *The Politics of Europeanisation: Theory and Analysis* (pp. 83-111). Oxford: Oxford University Press.

Kassim, H. (2005). The Europeanisation of Member State Institutions. In S. Bulmer & C. Lequesne (Eds.), *The Member States of the European Union* (pp. 283-316). Oxford: Oxford University Press.

Kassim, H., Menon, A., Peters, B. G. & Wright, V. (Eds.) (2001). *The National Coordination of EU Policy:The European Level*. Oxford: Oxford University Press.

Kassim, H., Peters, B. G. & Wright, V. (Eds.) (2000). *The National Co-ordination of EU Policy: The Domestic Level*. Oxford: Oxford University Press.

Kavanagh, D. & Butler, D. (2005). *The British General Election of 2005*. Basingstoke: Palgrave Macmillan.

Keating, M. & Loughlin, R. J. (Eds.) (1997). *The Political Economy of Regionalism*. London: Cass.

Kersbergen, K. van (1999). National Political Systems: The Changing Boundaries of Politics. In K. van Kersbergen, R. H. van Lieshout & G. Lock (Eds.), *Expansion and Fragmentation. Internationalisation, Political Change and the Transformation of the Nation State* (pp. 71-88). Amsterdam: Amsterdam University Press.

Kersbergen, K. van, Lieshout, R. H. van & Lock, G. (Eds.) (1999a). *Expansion and Fragmenta-tion. Internationalisation, Political Change and the Transformation of the Nation State*. Am-sterdam: Amsterdam University Press.

Kersbergen, K. van, Lieshout, R. H. van & Lock, G. (1999b). Conclusion: Developing the Re-search Agenda. In K. van Kersbergen, R. H. van Lieshout & G. Lock (Eds.), *Expansion and Fragmentation. Internationalisation, Political Change and the Transformation of the Na-tion State* (pp. 195-205). Amsterdam: Amsterdam University Press.

Kessler, M.-C. (1996). Les grands corps face à l'Europe. In F. d'Arcy & L. Rouban (Eds.), *De la Cinquième république à l'Europe* (pp. 183-201). Paris: Presses de Sciences Po.

Kettl, D. F. (1996). *Civil Service Reform: Building a Government That Works*. Washington, DC: The Brookings Institution.

Kickert, W. & Veld, R. in 't (1995). National Government, Governance and Administration. In W. Kickert & F. van Vught (Eds.), *Public Policy and Administration Sciences in The Netherlands*. London: Prentice-Hall / Harvester Wheatsleaf.

Kickert, W. J. M. & Hakvoort, J. L. M. (2000). Public Governance in Europe: a historical-in-stitutional tour d'horizon. In O. van Heffen, W. J. M. Kickert & J. A. Thomassen (Eds.), *Governance in Modern Society. Effects, Change and Formation of Government Institutions* (pp. 223-256). Dordrecht / Boston / London: Kluwer Academic Publishers.

King, A. (Ed.). (1987). *The New American Political System*. Washington, DC: American Enter-prise Institute.

King, G., Keohane, R. O. & Verba, S. (1994). *Designing social inquiry : scientific inference in qualitative research*. Princeton, N.J: Princeton University Press.

Kiser, L. & Ostrom, E. (1982). The Three Worlds of Action: A Metatheoretical Synthesis of Institutional Approaches. In E. Ostrom (Ed.), *Strategies of Political Inquiry*. Beverly Hills, CA: Sage.

Knill, C. (1999). How European Matters: Different Mechanisms of Europeanisation, *Eur-opean Integration online Papers (EioP)* (Vol. 3).

Knill, C. (2001). *The Europeanisation of National Administrations. Patterns of Institutional Change and Persistence*. Cambridge: Cambridge University Press.

Kochanowitz, J. (1994). Reforming Weak States and Deficient Bureaucracies. In J. Nelson (Ed.), *Intricate Links: Democratisation and Market Reforms in Latin America and Eastern Europe*. New Brunswick, N.J.: Transaction Pulbishers.

Kohler-Koch, B. (1996). The Strength of Weakness: The Transformation of Governance in the EU. In S. Gustavsson & L. Lewin (Eds.), *The Future of the Nation-State* (pp. 93-117). London: Routledge.

Kohler-Koch, B. & Eising, R. (Eds.) (1999). *The Transformation of Governance in Europe*. Lon-don: Routledge.

Kohn, M. L. (Ed.). (1989). *Cross-National Research in Sociology*. Newbury Park: Sage.

Kooiman, J. (Ed.). (1993). *Modern Governance. New Government-Society Interactions*. London: Sage Publications.

Krasner, S. D. (1988). Sovereignty: An Institutional Perspective. *Comparative Political Studies, 21*(1), 66-94.

Kuypers, P. (2001). *Rooksignalen: Opstellen over politiek en bestuur*. Amsterdam: De Balie.

Laffan, B. (2001). The European Union polity: a union of regulative, normative, and cogni-tive pillars. *Journal of European Public Policy, 8*(5), 709-727.

Lambert, A. & Migaud, D. (2005). *La mise en oeuvre de la loi organique relative aux lois de fi-nances - Réussir la LOLF, clé d'une gestion publique responsable et efficace*. Paris: La Doc-umentation française; Ministère du budget et de la réforme budgétaire.

Landman, T. (2003). *Issues and Methods in Comparative Politics. An Introduction*. London: Routledge.

Lane, J.-E. (Ed.). (1987). *Bureaucracy and Public Choice* (Vol. 15). Beverly Hills: Sage.

Lane, J.-E. (1994). The Ends and Means of Public Sector Reform. In J. J. Hesse (Ed.), *The European Yearbook on Comparative Government and Public Administration*. Oxford: Oxford University Press.

Lane, J.-E. (2000). *New Public Management*. London: Routledge.

Lee, K.-H. & Raadschelders, J. C. N. (2005). Between Amateur Government and Career Civil Service; The American Administrative Elite in Cross-Time and Cross-National Perspective. In *Yearbook of European Adminsitrative History*. Baden-Baden: Nomos Verlagsgesellschaft.

Leeke, M., Sear, C. & Gay, O. (2003). *An Introduction to devolution in the UK*. London: Parliament and Constitution Centre/House of Commons Library.

Lehmbruch, G. & Schmitter, P. C. (Eds.) (1982). *Patterns of corporatist policy-making*. London: Sage.

Lequesne, C. (1993). Paris-Bruxelles: comment se fait la politique européenne de la France. In. Paris: Presses de la Foundation Nationale des Sciences Politiques.

Levi-Faur, D. (2007). Regulatory Governance. In P. Graziano & M. Vink (Eds.), *Europeanisation: New Research Agendas* (pp. 102-114). Palgrave: Macmillan.

Lijphart, A. (1971). Comparative Politics and Comparative Method. *American Political Science Review, 65*, 682-693.

Lijphart, A. (1984). *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-one Countries*. New Haven: Yale University Press.

Linker, P.-J. (2006). *Sturing in de rijksdienst: nieuwe en bestaande inzichten verenigd in hét sturingsmodel*. Assen: Van Gorcum.

Linklater, A. (1998). *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era*. Columbia: University of South California Press.

Loughlin, J. (1994). Nation, State and Region in Western Europe. In L. Beckemans (Ed.), *Culture: the Building Stone of Europe 2002. Reflections and Perspectives*. Brussels: Presses Interuniversitaires.

Loughlin, J. (2001). *Subnational Democracy in the European Union: Challenges and Opportunities*. Oxford: Oxford University Press.

Loughlin, J. & Peters, B. G. (1997). State Traditions, Administrative Reform and Regionalisation. In M. Keating & R. J. Loughlin (Eds.), *The Political Economy of Regionalism* (pp. 41-61). London: Frank Cass

Lynn, L. E. (2006). *Public management, old and new*. New York: Routledge.

Machin, H. (1990). Political Leadership. In P. A. Hall, J. E. S. Hayward & H. Machin (Eds.), *Developments in French Politics*. London: Macmillan.

Mair, P. (2008). The Challenge to Party Government. *West European Politics, 31*(1/2), 211-234.

Majone, G. (1996). *Regulating Europe*. London: Routledge.

Majone, G. (1999). The Regulatory State and its Legitimacy Problems. *West European Politics, 22*, 1-24.

Manca, A. G. & Rugge, F. (Eds.) (2007). *Governo rappresentativo e dirigenze amministrative (secoli XIX-XX) / Repräsentative Regierung und führende Beamte (19.-20. Jahrhundert) Annali dell'Istituto Storico Italo-Germanico in Trento / Jahrbuch des Italienisch-Deutschen Historischen Instituts in Trient 2007*. Trento: Fondazione Bruno Kessler.

Mangenot, M. (1998). Une école européenne d'administration? L'improbable conversion de l'ENA à l'Europe. *Politix, 43*, 7-32.

Mangenot, M. (2000). *Une Europe improbable. les hauts fonctionnaires français dans la construction européenne 1948-1992*: Université Robert Schuman de Strasbourg, Institut d'Etudes Politiques: Thèse de doctorat en science politique.

Mangenot, M. (2005a). The Conseil d' État and Europe: Adapting the French Administrative State. In H. Drake (Ed.), *French relations with the EU* (pp. 86-104). London: Routledge.

Mangenot , M. (ed.) (2005b). *Administrations publiques et service d'interêt général : Quelle Européanisation ?* Maastricht : European Institutute of Public Administration (EIPA).

Mangenot, M. & Polet, R. (2004). *European Social Dialogue and the Civil Services. Europeanisation by the back door?* Maastricht: European Institute of Public Administration (EIPA).

Marks, G. (1993). Structural Policy After Maastricht. In A. Cafruny & G. Rosenthal (Eds.), *The State of the European Community* (pp. 391-410). New York: Lynne Rienner.

Marks, G., Hooghe, L. & Blank, K. (1996). European integration from the 1980s. *Journal of Common Market Studies, 34*(3), 341-378.

Mastenbroek, E. (2007). *The politics of transposition: Explaining the transposition of EC directives in the Netherlands*. Leiden: Department of Public Administration, Faculty of Social and Behavioural Sciences, Leiden University.

Maurer, A. (2001). National Parliaments in the European architecture: from Latecomers Adaptation to Permanent Institutional Change. In A. Maurer & W. Wessels (Eds.), *National Parliaments on their Ways to Europe: Losers or Latecomers* (pp. 27-76). Baden-Baden: Nomos Verlagsgellschaft.

Maurer, A. & Wessels, W. (2001). *National Parliaments on their Ways to Europe: Losers or Latecomers*. Baden-Baden: Nomos Verlagsgellschaft.

Maxwell, J. A. (1998). Designing a Qualitative Study. In L. Bickman & D. J. Rog (Eds.), *Handbook of Applied Social Research Methods* (pp. 214-253). Thousand Oaks: Sage.

Mayntz, R. (1965). Max Webers Idealtypus der Bürokratie und die Organisationssoziologie. *Kölner Zeitschrift für Soziologie und Sozialpsychologie, 17*(3), 493-502.

Mayntz, R. (2004). Governance im modernen Staat. In A. Benz (Ed.), *Governance - Regieren in komplexen Regelsystemen. Eine Einführung* (pp. 65-76). Wiesbaden: Verlag für Sozialwissenschaften.

McGregor, E. B. (1990). The Comparative Civil Service Research Agenda: Getting the Questions Right, *School of Public and Environmental Affairs Working Paper*. Bloomington IN.

Meer, F. M. van der (2002). Civil service reform in Western Europe and the rise of the enabling state, *paper presented at the Paul van Riper symposium at the ASPA conference*. Phoenix, AZ.

Meer, F. M. van der (2004). Dutch government reform and the quest for political control. In B. G. Peters & J. Pierre (Eds.), *Politicisation of the civil service in comparative perspective: The quest for control* (pp. 206-226). London: Routledge.

Meer, F. M. van der (2009). Public Sector Reform in Western Europe and Rise of the Enabling State: An Approach to Analysis. In R. R. Mathur (Ed.), *Glimpses of Civil Service Reform* (pp. 171-194). Hyderabad: The Icfai University Press.

Meer, F. M. van der (Ed.). (Forthcoming). *Civil Service Systems in Western Europe*. Cheltenham: Edward Elgar.

Meer, F. M. van der & Dijkstra, G. S. A. (2000). The Development and Current Features of the Dutch Civil Service System. In H. A. G. M. Bekke & F. M. van der Meer (Eds.), *Civil Service Systems in Western Europe. Civil service systems in comparative perspective* (pp. 148-187). Cheltenham: Edward Elgar.

Meer, F. M. van der & Raadschelders, J. C. N. (1999). The Senior Civil Service in the Netherlands: A Quest for Unity. In E. C. Page & V. Wright (Eds.), *Bureaucratic Élites in Western European States. A Comparative Analysis of Top Officials* (pp. 205-228). Oxford: Oxford University Press.

Meer, F. M. van der & Raadschelders, J. C. N. (2007). The Changing Role of the Senior Civil Service in Dutch National Government. In E. C. Page & V. Wright (Eds.), *From the Active to the Enabling State: the changing role of top officials in European nations* (pp. 99-120). London: Palgrave Macmillan.

Meer, F. M. van der, Raadschelders, J. C. N. & Toonen, Th. A. J. (2008). I Modelos Administrativos, tradiciones y reformas. Ultimo recurso explicativo? *Chilean Journal of Public Administration/Revista Chilena de Administracion Publica*, 85-103.

Meer, F. M. van der & Roborgh, R. J. (1993). *Ambtenaren in Nederland. Omvang, bureaucrati-sering en representativiteit van het ambtelijk apparaat*. Alphen aan den Rijn: Samsom H. D. Tjeenk Willink.

Meer, F. M. van der & Toonen, Th. A. J. (2005). Competency management and civil service professionalism in Dutch central Government. *Public Administration - an international quarterly. Oxford: Blackwell, 83*(4), 839-853.

Meininger, M. C. (2000). The Development and Current Features of the French Civil Service System. In H. A. G. M. Bekke & F. M. van der Meer (Eds.), *Civil Service Systems in Western Europe. Civil service systems in comparative perspective* (pp. 188-211). Cheltenham: Edward Elgar.

Menon, A. (2000). France. In H. Kassim, B. G. Peters & V. Wright (Eds.), *The National Co-Ordination of EU Policy. The Domestic Level*. Oxford: Oxford University Press.

Mény, Y. (1993). *Le système politique français*. Paris: Montchrestien.

Meron, M. (1988). Les migrations des salariés de l'Etat. *Economie et Statistique, 214*, 3-18.

Milward, A. S. (1992). *The European Rescue of the Nation-State*. London: Routledge.

Minister van Binnenlandse Zaken en Koninkrijksrelaties. (13 oktober 2004). Kamerbrief Rijksbreed onderzoek naar de uitvoeringsaspecten van de beloning van de ambtelijke top. http://www.minbzk.nl/contents/pages/10200/begeleidendebrief1.pdf.

Montricher, N. de (1996). France: In Search of Relevant Changes. In J. P. Olsen & B. G. Peters (Eds.), *Lessons from Experience. Experimental Learning and Administrative Reform in Eight Democracies* (pp. 243-277). Oslo: Scandinavian University Press.

Morgan, E. P. & Perry, J. L. (1988). Re-orienting the Comparative Study of Civil Service Systems. *Review of Public Personnel Administration, 8 (Summer)*, 84-95.

Mouritzen, P. E. & Svara, J. H. (2002). *Leadership at the Apex: Politicians and Administrators in Western Local Government*. Pittsburgh: University of Pittsburgh Press.

Muller, P. (Ed.). (1992). *L'Administration Française est-elle en crise?* Paris: L'Harmattan.

National School of Government. (2008). National School of Government: Learning and Change for the Business of Public Service. Retrieved June, 2008, from http://www.nationalschool.gov.uk/about_us/whatwedo.asp

NCW. (1993). *Een democratie van ambtenaren en leraren. Onderzoek naar de beroepsachtergrond van politici*. Den Haag: NCW.

Nieuwenkamp, R. (2001). *De prijs van het politieke primaat: Wederzijds vertrouwen en loyaliteit in de verhouding tussen bewindspersonen en ambtelijke top*. Delft: Eburon.

Norton, P. (Ed.). (1996). *National Parliaments and the European Union*. London: Frank Cass.

OECD (1997). *Managing across levels of government*. Paris: London.

OECD (2003). *Managing Senior Management: Senior Civil Service Reform in OECD Countries*. Paris: OECD.

OECD (2005). *Trends in Human Resources Management Policies in OECD Countries*. Paris: OECD.

Office of National Statistics (2000). *Civil Service Statistics*. London: Office of National Statistics.

Office of National Statistics (2001). *Civil Service Statistics*. London: Office of National Statistics.

Office of National Statistics (2002). *Civil Service Statistics*. London: Office of National Statistics.

Olsen, J. P. (2002). The Many Faces of Europeanisation. *Journal of Common Market Studies, 405*, 921-952.

Olsen, J. P. (2003). Towards a European Administrative Space? *Journal of European Public Policy, 10*, 506-531.

Olsen, J. P. (2005). Maybe It Is Time to Rediscover Bureaucracy. *Journal of Public Administration Research and Theory, 16*, 1-24.

Olsen, J. P. & Peters, B. G. (Eds.) (1996). *Lessons from Experience. Experimental Learning and Administrative Reform in Eight Democracies*. Oslo: Scandinavian University Press.

Ostrom, E. (Ed.). (1982). *Strategies of Political Inquiry*. Beverly Hills, CA: Sage.

Ostrom, V. & Ostrom, E. (1999). Public Goods and Public Choices. In M. McGinnis (Ed.), *Policentricity and Local Public Economies: Readings From the Workshop in Political Theory and Policy Analysis* (pp. pp. 75-105). Ann Arbor: University of Michigan Press.

O'Toole, L. J. (1987). Doctrines and Developments: Separation of Powers, the Politics-Administration Dichotomy and the Rise of the Administrative State. *Public Administration Review, 47*(1), pp. 17-25.

Overeem, P. & Rutgers, M. R. (2003). Three roads to politics and administration: Ideational foundations of the poltics/administration dichotomy. *Research in Public Administration, 7*, 153-160.

Page, E. & Wouters, L. (1995). The Europeanisation of the National Bureaucracies? In J. Pierre (Ed.), *Bureaucracy in the Modern State*. London: Edward Elgar.

Page, E. C. (1992). *Political Authority and Bureaucratic Power. A comparative analysis*. New York: Harvester Wheatsheaf.

Page, E. C. (1995). Administering Europe. In J. Hayward & E. C. Page (Eds.), *Governing the New Europe* (pp. 257-285). Cambridge: Polity Press.

Page, E. C. (1997). *People who run Europe*. Oxford: Clarendon Press.

Page, E. C. (2007). Middle Level Bureaucrats: Policy, Discretion and Control. In J. C. N. Raadschelders, Th. A. J. Toonen & F. M. v. d. Meer (Eds.), *The Civil Service in the 21st Century. Comparative Perspectives* (pp. 152-168). Houndmills: Palgrave Macmillan.

Page, E. C. & Wright, V. (Eds.) (1999). *Bureaucratic Élites in Western European States. A Comparative Analysis of Top Officials*. Oxford: Oxford University Press.

Page, E. C. & Wright, V. (Eds.) (2007). *From the Active to the Enabling State. The Changing Role of Top Officials in European Nations*. Basingstoke: Palgrave Macmillan.

Parris, H. (1969). *Constitutional Bureaucracy. The Development of British Central Administration since the Eighteenth Century*. London: Allen & Unwin.

Pedrieri, A. & Enterría, E. G. d. (1984). *La Constitución española de 1978. Estudio sistemático*. Madrid: Civitas.

Perez-Diaz, V. M. (1993). *The Return of Civil Society. The Emergence of Democratic Spain*. Harvard: Harvard University Press.

Peters, B. G. (1987). Politicians and Bureaucrats in the Politics of Policy-Making. In J.-E. Lane (Ed.), *Bureaucracy and Public Choice* (Vol. 15 pp. 256-282). Beverly Hills: Sage.

Peters, B. G. (1988). *Comparing public bureaucracies: Problems of theory and method*. Tuscaloosa, AL.: The University of Alabama Press.

Peters, B. G. (2000). *The Future of Governing* (Second ed.). Lawrence, KS: University Press of Kansas.

Peters, B. G. (2001). *The Politics of Bureaucracy* (Fifth ed.). London: Routledge.

Peters, B. G. & Pierre, J. (1998). Governance without Governments? *Journal of Public Administration Research and Theory, 18*, 223-244.

Peters, B. G. & Pierre, J. (2001). *Politicians, Bureaucrats and Administrative Reform: the Changing Balance*. London: Routledge.

Peters, B. G. & Pierre, J. (2004). Multi-level Governance and Democracy: A Faustian Bargain? In I. Bache & A. Jordan (Eds.), *Multi-level Governance* (pp. 75-92). Oxford: Oxford University Press.

Peters, B. G. & Pierre, J. (Eds.) (2004). *Politicisation of the civil service in comparative perspective: The quest for control*. London: Routledge.

Peters, B. G. & Pierre, J. (Eds.) (2006). *Handbook of public policy*. London: Sage.

Peters, B. G. & Pierre, J. (Eds.) (2007). *Handbook of Public Administration*. London: Sage.

Peterson, J. (2001). The Choice For EU Theorists: Establishing a Common Framework for Analysis. *European Journal of Political Research, 39*, 280-318.

Pierre, J. (Ed.). (1995). *Bureaucracy in the modern state: an introduction to comparative public administration*. Cheltenham: Edward Elgar.

Pierre, J. & Peters, B. G. (2000). *Governance, Politics and the State*. Basingstoke: Macmillan.

Poguntke, T. & Webb, P. (Eds.) (2005). *The presidentialisation of politics : a comparative study of modern democracies*. Oxford: Oxford University Press with ECPR.

Polidano, C. (1999). The Bureaucrat Who Fell Under a Bus: Ministerial Responsibility, Executive Agencies and the Derek Lewis Affair in Britain. *Governance, 12*(2), 201-229.

Pollitt, C. (1984). *Manipulating the Machine: Changing the Pattern of Ministerial Departments 1960-1983*. London: Allen & Unwin.

Pollitt, C. & Bouckaert, G. (2004). *Public management reform: a comparative analysis* (Second ed.). Oxford: Oxford University Press.

Poppelaars, C. (2009). *Steering a course between friends and foes: why bureaucrats interact with interest groups*. Delft: Eburon.

Potocki, A. (1992). La Mise en place du service des affaires européennes au Ministère de la Justice. *Revue française d'administration publique, 63*, 464-467.

Power, M. (1994). *The Audit Explosion*. London: Demos.

Power, M. (1997). *The Audit Society: Rituals of Verification*. Oxford: Clarendon Press.

Prada, J. (1994). Rapport sur l'encadrement supérieur de l'Etat. *280*, 335-360.

Programma Andere Overheid. (2003). *Actieprogramma 'Andere Overheid'*. Den Haag: Programma Andere Overheid, Ministerie van Binnenlandse Zaken en Koninkrijksrelaties.

Przeworski, A. & Teune, H. (1970). *The Logic of Comparative Social Inquiry*. New York: Wiley Interscience.

Putnam, R. D. (1993). *Making Democracy Work. Civic traditions in modern Italy*. Princeton: Princeton University Press.

Pyper, R. (1995). *The British Civil Service*. Hempel Hempstead: Harvester Wheatsheaf.

Raadschelders, J. C. N. (1995). Rediscovering citizenship. Historical and contemporary reflections. *Public Administration, 73*(4), 611-625.

Raadschelders, J. C. N. & Rutgers, M. R. (1996). The Evolution of Civil Service Systems. In H. A. G. M. Bekke, J. L. Perry & Th. A. J. Toonen (Eds.), *Civil Service Systems in Comparative Perspective* (pp. 67-99). Bloomington: Indiana University Press.

Raadschelders, J. C. N., Toonen, Th. A. J. & Meer, F. M. van der (Eds.) (2007). *The Civil Service in the 21st Century. Comparative Perspectives*. Houndmills: Palgrave Macmillan.

Raadschelders, J. C. N. & Meer, F. M. van der (1998). *Administering the Summit*. Bruxelles: IISA.

Radaelli, C. (1999). *Technocracy in the European Union*. Harlow: Longman.

Ragin, C. (1989). New Directions in Comparative Research. In M. L. Kohn (Ed.), *Cross-National Research in Sociology*. Newbury Park: Sage.

Raunio, T. & Hix, S. (2000). Blackbenchers Learn to Fight Back: European Integration and Parliamentary Government. *West European Politics, 23*(4), 142-168.

Rhodes, R. A. W. (1994). The hollowing out of the state. Changing nature of the public sector in Britain. *The Political Quarterly, 65*, 1138-1151.

Rhodes, R. A. W. (2000). A guide to the ESCR's Whitehall programme, 1994-2000. *Public Administration, 78*(3), 251-282.

Risse, T., Cowles, M. G. & Caporaso, J. (2001). Europeanisation and Domestic Change: Introduction. In M. G. Cowles, J. Caporaso & T. Risse (Eds.), *Europeanisation and Domestic Change: Transforming Europe* (pp. 1-20). Ithaca NY: Cornell University Press.

Rizzuto, F. (1996). The French Parliament and the EU: Loosening the Constitutional Straitjacket. In P. Norton (Ed.), *National Parliaments and the European Union*. London: Frank Cass.

Rohr, J. A. (2002). *Civil Servants and Their Constitutions*. Lawrence: University Press of Kansas.

Romeijn, M. (2008). *Compliance with EU social policies: work in progress*. Rotterdam: Optima Grafische Communicatie.

Rooij, R. A. A. d. (2003). *Nederlandse gemeenten en provincies in de Europese Unie: gevolgen van het nationale EU-lidmaatschap voor subnationale overheden*. Deventer: Kluwer.

Rose, R. (1991). Comparing Forms of Comparative Analysis. *Political Studies, 39*, 446-462.

Rosenau, J. N. (1992). Governance, Order, and Change in World Politics. In J. N. Rosenau & E.-O. Czempiel (Eds.), *Governance Without Government: Order and Change in World Politics* (pp. 4-5). Cambridge: Cambridge University Press.

Rosenau, J. N. (1997). *Along the Domestic-Foreign Frontier: Exploring Governance in a Turbulent World*. Cambridge: Cambridge University Press.

Rosenau, J. N. & Czempiel, E.-O. (Eds.) (1992). *Governance Without Government: Order and Change in World Politics*. Cambridge: Cambridge University Press.

Rosenthal, U. (1983). De mandarijnen van de rijksdienst: modieuze stellingen en harde feiten over de Nederlandse topambtenarij. *Bestuurswetenschappen, 5*, 302-315.

Rosenthal, U. (1999). De politiek-ambtelijke rechtsstaat: over de tweezijdigheid van de politiek-ambtelijke verhoudingen. *Liberaal Reveil, augustus*.

Rosenthal, U. & de Vries, J. (1995, November 4). Ook Topambtenaar Trekt Naar het Veilige Midden. *NRC Handelsblad*, p. 8.

Rosenthal, U., Ringeling, A. B., Bovens, M. A. P., 't Hart, P. & van Twist, M. J. W. (1996). *Openbaar Bestuur. Beleid, Organisatie en Politiek* (Fifth ed.). Alphen aan den Rijn: Samsom H.D. Tjeenk Willink.

Rouban, L. (1994). Public Administration at the Crossroads: the End of the French Specificity. In J. Pierre (Ed.), *Bureaucracy in the Modern State* (pp. 39-64). London: Edward Elgar.

Rouban, L. (1997). The Administrative Modernisation Policy in France. In W. Kickert (Ed.), *Public Management and Administrative Reform in Western Europe* (pp. 143-158). Cheltenham: Edward Elgar.

Rouban, L. (1998). *The French Cicil Service*. Paris: La Documentation Française.

Rouban, L. (1999). The Senior Civil Service in France. In E. C. Page & V. Wright (Eds.), *Bureaucratic Élites in Western European States. A Comparative Analysis of Top Officials* (pp. 65-89). Oxford: Oxford University Press.

Rouban, L. (2004). Politicisation of the civil service in France. From Structural to Strategic Politicisation. In B. G. Peters & J. Pierre (Eds.), *Politicisation of the Civil Service in Comparative Perspective. The quest for control* (pp. 81-100). London: Routledge.

Rouban, L. (2007). Public Management and Politics: Senior Bureaucrats in France. *Public Administration, 58*(2), 473-501.

Rutgers, M. R. (2004). *Grondslagen van de bestuurskunde. Historie, begripsvorming en kennisintegratie*. Muiderberg: Coutinho.

Saalfeld, T. (1996). The German Houses of Parliament and European Legislation. In P. Norton (Ed.), *National Parliaments and the European Union*. London: Frank Cass.

Sadran, P. (1997). *Le système administratif français* (Second ed.). Clefs: Montchrestien.

Sakwa, R. & Stevens, A. (Eds.) (2006). *Contemporary Europe* (Second ed.). London: Palgrave Macmillan.

Sampson, A. (1982). *The Changing Anatomy of Britain*. London: Hodder and Stoughton.

Sansholtz, W. (1996). Membership Matters: Limits of the Functional Approach to European Institutions. *Journal of Common Market Studies, 34*(3), 403-429.

Sausman, C. & Locke, R. (2004). The British civil service: examining the question of politicisation. In B. G. Peters & J. Pierre (Eds.), *Politicisation of the civil service in comparative perspective: The quest for control* (pp. 101-124). London: Routledge.

Sausman, C. & Locke, R. (2007). The Changing Role of the British Senior Civil Service: Challenge and Reform. In E. C. Page & V. Wright (Eds.), *From the Active to the Enabling*

State. The Changing Role of Top Officials in European Nations (pp. 189-207). Basingstoke: Palgrave Macmillan.

Sawicki, F. & Mathiot, P. (1999). Les membres des cabinets ministériels socialistes en France (1981-1993): recrutement et reconversion. *Revue française de science politique, 49* (1), 1-27.

Schie, P. van & Bierens, W. P. S. (Eds.) (2006). *Grondrechten gewogen. Enkele constitutionele waarden in het actuele politieke debat. Publicatie 100*. Den Haag: Prof.dr. B.M. Teldersstichting.

Schmidt, M. G. (2003). *Political Institutions in the Federal Republic of Germany*. Oxford: Oxford University Press.

Schmidt, V. A. (1990). *Democratizing France: The Political and Administrative History of Decentralisation*. Cambridge: Cambridge University Press.

Schmidt, V. A. (1996a). *From State to Market? The Transformation of French Business and Government in France*. Cambridge: Cambridge University Press.

Schmidt, V. A. (1996b). Loosening the Ties that Bind: The Impact of European Integration on French Government and Its Relationship to Business. *Journal of Common Market Studies, 34*(2), 223-254.

Schmidt, V. A. (1997). European Integration and Democracy: The Differences Among Member States. *Journal of European Public Policy, 4*(1), 128-145.

Schmidt, V. A. (1999a). European 'Federalism' and its Encroachments on National Institutions. *Publius: The Journal of Federalism", 29*(1), 19-44.

Schmidt, V. A. (1999b). National Patterns under Siege: The Impact of European Integration. In B. Kohler-Koch & R. Eising (Eds.), *The Transforming of Governance in Europe*. London: Routledge.

Schmidt, V. A. (2005). The Europeanisation of National Economies? In S. Bulmer & C. Lequesne (Eds.), *The Member States of the European Union* (pp. 360-387). Oxford: Oxford University Press.

Schmidt, V. A. (2006). *Democracy in Europe. The EU and National Polities*. Oxford: Oxford University Press.

Schmitter, P. C. (1996). Examining the Present Euro-Polity with the Help of Past Theories. In G. Marks, F. Scharpf, P. Schmitter & W. Streeck (Eds.), *Governance in the European Union*.

Schrameck, O. (2001). *Matignon, Rive Gauche 1997-2001*. Paris: Le Seuil.

Secker, W. (1991). *Ministers in beeld. De sociale en functionele herkomst van de Nederlandse ministers, 1848-1990*. Leiden: DSWO Press.

Self, P. (1977). *Administrative Theories and Politics: An Enquiry Into the Structure and Processes of Modern Government*. London: Allen and Unwin.

Shapiro, M. & Stone Sweet, A. (2002). *On law, politics, and judicialisation*. Oxford: Oxford University Press.

Shugart, M. & Wattenberg, M. (Eds.) (2001). *Mixed-Member Electoral Systems: The Best of Both Worlds?* Oxford: Oxford University Press.

Shugart, M. S. & Carey, J. M. (1992). *Presidents and Assemblies*. Cambridge: Cambridge Univeristy Press.

Siedentopf, H. & Ziller, J. (1988). *Making European Policies Work. L'Europe des Administrations?* (Vol. 2). London: Sage.

Silberman, B. S. (1993). *Cages of Reason. The Rise of the Rational State in France, Japan, The United States and Great-Britain*. Chicago: Chicago University Press.

Siné, A. (2006). *L'ordre budgétaire: l'économie politique des dépenses de l'État*. Paris: Economica.

Sjolund, M. (1994). Sweden. In C. Hood & B. G. Peters (Eds.), *Rewards at the Top: A Comparative Study of High Public Office*. London: Sage.

Skocpol, T. & Somers, M. (1980). The Uses of Comparative History in Macrosocial Inquiry. *Comparative Studies in Society and History, XXII*, 174-197.

Slaughter, A.-M., Stone Sweet, A. & Weiler, J. H. H. (Eds.) (1998). *The European Court and National Courts - Doctrine and Jurisprudence*. Oxford: Hart Publishing.

Spence, D. & Edwards, G. (2006). *The European Commission* (Third ed.). London: Harper.

Steen, T. P. S., Berg, C. F. van den, Meer, F. M. van der, Overeem, P. & Toonen, Th. A. J. (2005). *Andere Overheid in het buitenland. Internationale vergelijking van veranderprocessen bij de centrale overheid*. Den Haag: Programma Andere Overheid.

Stevens, A. (2003). *Government and politics of France* (Third ed.). Basingstoke: Palgrave Macmillan.

Stevens, A. (2006). United in its diversity: Ever closer union and the European dimension. In R. Sakwa & A. Stevens (Eds.), *Contemporary Europe* (Second ed., pp. 186-212). London: Palgrave Macmillan.

Strikwerda, H. (2010). Een toekomst met Shared Service Centers? , from http://www.shared-servicesbijdeoverheid.nl/.../DBA-SSC-Strikwerda30mrt10.pdf

Suleiman, E. (2003). *Dismantling Democratic States*. Princeton: Princeton University Press.

Suvarierol, S. & Berg, C. F. van den (2008). Bridge-builders or bridgeheads in Brussels? The world of Seconded National Experts. In K. Geuijen, P. 't Hart, S. Princen & K. Yesilkagit (Eds.), *The New Eurocrats* (pp. 103-128). Amsterdam: Amsterdam University Press.

Suvarierol, S. & Berg, C. F. van den (2008). Bridges-builders or bridgeheads in Brussels? The world of Seconded National Experts. In K. Geuijen, P. 't Hart & K. Yesilkagit (Eds.), *The New Eurocrats* (pp. 103-128). Amsterdam: Amsterdam University Press.

Svara, J. (2001). The myth of the dichotomy: complementarity of politics and public administration in the past and future of public administration. *Public Administration Review, 61*, 176-183.

Svara, J. H. (1998). The Politics-Administration Dichotomy Model as Aberration. *Public Administration Review, 58*(January / February), 51-58.

Svara, J. H. (1999). Complementarity of politics and administration as a legitimate alternative to the dichotomy model. *Administration and Society, 30*, 676-705.

Svara, J. H. & Brunet, J. R. (2003). Finding and Refining Complementarity in Recent Conceptual Models of Politics and Administration. In M. R. Rutgers (Ed.), *Retracing Public Administration, Research in Public Administration* (Vol. 7, pp. 185-208). Amsterdam: JAI Press / Elsevier Science.

Sweet, A. S. (1998). Constitutional Dialogues in the European Community. In A.-M. Slaughter, A. Stone Sweet & J. H. H. Weiler (Eds.), *The European Court and National Courts - Doctrine and Jurisprudence* (pp. 305-330). Oxford: Hart Publishing.

Tenbucken, M. & Schneider, V. (2004). Divergent convergence: structures and functions of national regulatory authorities in the telecommunications sector. In J. Jordana & D. Levy-faur (Eds.), *The Politics of Regulation: Institutions and Regulatory Reforms in the Age of Convergence* (pp. 245-272). Cheltenham: Edward Elgar.

Tenzer, N. (2004). *France: la réforme impossible?* Paris: Flammarion.

The Economist. (23 October 2008). The State as Owner: Re-Bonjour, Monsieur Colbert.

Thiel, S. van & Buuren, M. W. van (2001). Ontwikkeling van het aantal zelfstandige bestuursorganen tussen 1993 en 2000: zijn zbo's 'uit' de mode? *Bestuurswetenschappen, 55*, 386-404.

Thuillier, G. (1995). Remarques sur le modèle napoléonien d'administration. In B. Wunder (Ed.), *Les influences du 'modèle' napoleonien d'administration sur l'organisation administrative des autres pay [The influences of the Napoleonic 'model' of administration on the Administrative organisation of other countries]* (pp. 25-34). Brussels: International Institute of Administrative Sciences.

Toonen, Th. A. J. (1987). A Decentralized Unitary State in a Welfare Society. *West European Politics, 10*(4), 108-129.

Toonen, Th. A. J. (1990). *Internationalisering en het openbaar bestuur als institutioneel ensemble: naar een zelfbestuurskunde*. Den Haag: Vuga.

Toonen, Th. A. J. (1993). Analysing Institutional Change and Administrative Transformation: A Comparative View. *Public Administration, 71*(Summer 1993), 151-168.

Toonen, Th. A. J. (1993). Wonen in het huis van Thorbecke. De provincie en de bestuurlijke vernieuwing volgens 'Vonhoff'. *Openbaar Bestuur, 3*(9), 25-29.

Toonen, Th. A. J. (2001). The Comparative Dimension of Administrative Reform: Creating Open Villages and Redesigning the Politics of Administration. In B. G. Peters & J. Pierre (Eds.), *Politicians, Bureaucrats and Administrative Reform: the Changing Balance* (pp. 183-201). London: Routledge.

Toonen, Th. A. J. (2004). *EU & Governance: Compliance with EU legislation on a local and regional level*. Den Haag.

Toonen, Th. A. J. & Steen, T. P. S. (2008). Constituting the cooperative state: Strategies for collaborative decentralisation with unitary states. In F. Grotz & Th. A. J. Toonen (Eds.), *Crossing borders: Constitutional development and internationalisation. Essays in honour of Joachim Jens Hesse* (pp. 207-232). Berlijn: De Gruyter Recht.

Toonen, Th. A. J., Steunenberg, B. & Voermans, W. (2005). Saying no to a European Constitution: Dutch revolt, enigma or pragmatism? *Zeitschrift für Staats- und Europawissenschaften / Journal for Comparative Government and European Policy, 3*, 594-619.

Toonen, Th. A. J. & Meer, F. M. van der (2005). Territory and Bureaucracy. In M. Burgess & J. P. Vollaard (Eds.), *State, Territoriality and European Integration*. London: Routledge.

Toonen, Th. A. J. & Meer, F. M. van der (2006). Area and administration: a multi-level analysis of a multi-layered phenomenon. In M. Burgess & H. Vollaard (Eds.), *State Territoriality and European Integration* (pp. 71-99). London: Routledge.

Trondal, J., Berg, C. F. van den & Suvarierol, S. (2008). The Compound Machinery of Government: The Case of Seconded Officials in the European Commission. *Governance, 21* (3), 253-274.

Twist, M. J. W. van (2010). *Over (on)macht en (on)behagen in de beleidsadvisering*. Den Haag: Uitgeverij Lemma.

UK Government (2006, November 13, 2009). Civil Service Code. Retrieved October 1, 2010, from http://www.civilservice.gov.uk/about/values/cscode/index.aspx

UK Government (2008). Civil Service Faststream. Retrieved November, 2008, from www.faststream.gov.uk/index.asp?txtNavID=44

Verba, S., Nie, N. H. & Kim, J.-O. (1978). *Participation and political equality : a seven-nation comparison*. Cambridge: Cambridge University Press.

Visser, J. & Hemerijck, A. (1997). *A Dutch miracle. Job growth, welfare reform and corporatism in the Netherlands*. Amsterdam: Amsterdam University Press.

Vivien, A. (1845). *Études administratives* Paris: Librairie de Guilaumin & Cie.

VNO-NCW (1997). *Een democratie van ambtenaren en leraren. Onderzoek naar de beroepsachtergrond van politici*. Den Haag: VNO-NCW.

Vries, J. de & Dam, M. van (1998). *Politiek-bestuurlijk management*. Alphen aan den Rijn: Samsom.

Vulpen, E. van & Moesker, F. (2002). Competency-based management in the Dutch senior public service. In S. Horton (Ed.), *Competency Management in the Public Sector* (pp. 65-76). Amsterdam: IOS Press.

Weber, M. (1904). *Die protestantische Ethik und der Geist des Kapitalismus*: Beltz Athenäum.

Weber, M. (1949). *The Methodology of the Social Sciences*. New York: The Free Press.

Weber, M. (1972). *Wirtschaft und Gesellschaft*. (Fifth ed.) Tübingen: J.C.B. Mohr.

Welch, E. & Wong, W. (2001). Effects of Global Pressures on Public Bureaucracy: Modeling a New Theoretical Framework. *Administration & Society, 32*, 371-402.

Wessels, W. & Rometsch, D. (Eds.) (1996). *The European Union and Member States. Towards Institutional Fusion*. Manchester: Manchester University Press.

Wilson, R. (1999). The civil service in the new millennium (Speech given to senior civil servants, May 1999). Accessed via Cabinet Office website at: www.cabinet-office.gov.uk/1999/senior/rw_speech.htm

Wilson, W. (1887). The Study of Administration. *Political Science Quarterly, 2*(2), 197-222.

Wright, V. (1989). *The Government and Politics of France* (Third ed.). London: Unwin Hyman.

Wright, V. (1994). The Administrative Machine: old problems and new dilemmas. In P. A. Hall, J. Hayward & H. Machin (Eds.), *Developments in French Politics* (Revised ed., pp. 114-132). London: Macmillan.

Wright, V. (1995). Preface. In B. Wunder (Ed.), *Les influences du modèle Napoleonien d'administration sur l'organisation administrative des autres pays* (pp. 3-6). Brussel: IISA.

Wright, V. (Ed.). (2000). *The Changing French Political System*. London: Frank Cass.

Wright, V. (2000). The Fifth Republic: from the Droit de l'État to the État de droit? In R. Elgie (Ed.), *The Changing French Political System* (pp. 94-119). London: Frank Cass.

Wunder, B. (Ed.). (1995). *The impact of the Napolenonic 'model' of administration on the administrative organisation of other countries*. Brussels: International Institute of Administrative Sciences.

Young, H. & Sloman, A. (1981). *No Minister*. London: British Broadcasting Corporation.

Zijderveld, A. C. (1983). *Sociologie als cultuurwetenschap : een beknopte methodologie van de cultuursociologie*. 's-Gravenhage: VUGA-Uitgeverij.

Zijderveld, A. C. (1990). *Sociologie als Cultuurwetenschap: Een beknopte Methodologie van de Cultuursociologie*. Utrecht: Lemma.

Ziller, J. (2007). The Continental System of Administrative Legality. In B. G. Peters & J. Pierre (Eds.), *Handbook of Public Administration* (pp. 167-175). London: Sage.

Samenvatting

De opkomst van de moderne bureaucratische overheid in West-Europa heeft ongeveer tegelijkertijd plaatsgevonden met de opkomst van de natie-staat. Dit schijnbare verband tussen de natiestaat als staatsvorm, en bureau-cratie als een overheidssysteem, geeft aanleiding tot de volgende vraag: Is, in een tijdperk waarin de natiestaat minder dominant wordt als dé arena voor politieke en bestuurlijke activiteit, en waarin het oppergezag van het nationale niveau over andere bestuurslagen afneemt, bureaucratie als vorm van overheidsorganisatie ook op z'n retour?

In deze studie is de verminderde dominantie van de natiestaat geconcep-tualiseerd door middel van de notie dat openbaar bestuur en de verhoudin-gen tussen staat en samenleving in West-Europa zich in toenemende mate hebben ontwikkeld tot een systeem van *multi-level governance*, waarin:

- de strikt hiërarchische en top-down ordening van bestuurslagen in be-lang afneemt, ten gunste van een verhoudingsgewijs meer gelijke machtsverdeling tussen bestuurlagen;
- macht steeds meer wordt gedeeld tussen overheidsactoren, semi-over-heidsactoren en non-overheidsactoren, in plaats van een concentratie van macht bij de overheid; en
- institutionele verhoudingen steeds meer bepaald worden door onderhan-delingen en (informele) netwerken als aanvulling op constitutionele ar-rangementen.

In dit onderzoek zijn de gevolgen van deze toegenomen vorm van multi-le-vel governance voor nationale ambtelijke apparaten verkend, met de vol-gende onderzoeksvraag als uitgangspunt:

> *Welke implicaties heeft Europese integratie – gegeven haar intensiver-ende werking op multi-level governance m.b.t. publieke besluitvorming en dienstverlening in de lidstaten – voor nationale ambtelijke appara-ten, in termen van:*
> *(a) hun organisatorisch ontwerp;*
> *(b) hun personeelssysteem; en*
> *(c) de wijze waarop* politiek leiderschap *en* externe instituties *in staat zijn de macht van ambtenaren binnen de perken te houden?*

De natiestaat in een systeem van multi-level governance

De natiestaten van West-Europa hebben zich door de decennia heen steeds aangepast aan de veranderingen in hun binnenlandse en internationale omgeving, en daarmee hebben ze ook op hun beurt die binnenlandse en buitenlandse omgeving mede vormgegeven. Bestuurlijk gezien, zijn de drie belangrijkste manieren waarop dit proces de afgelopen drie decennia heeft plaatsgevonden: opwaartse, neerwaartse en zijwaartse overdracht van beslissingsbevoegdheid en uitvoerende taken.

Opwaartse overdracht heeft plaatsgevonden door middel van Europese integratie, waarbij de regeringen van de lidstaten een extra, supranationale bestuurslaag hebben gecreëerd. Daarbinnen is geleidelijk een eigen politiek-bestuurlijke cultuur en dynamiek ontstaan. Als gevolg hiervan is de mogelijkheid van afzonderlijke lidstaten om zelfstandig bindende beslissingen te nemen, op veel beleidsterreinen verkleind. Toch is de mate waarin lidstaten gezag hebben overgedragen, en de daaruit voortvloeiende ontwrichting op nationaal niveau niet voor alle lidstaten hetzelfde. Niet alle lidstaten doen op alle beleidsterreinen even sterk mee met Europa, en de mate van ontwrichting in de lidstaat verschilt al naar gelang de passendheid (*goodness of fit*) tussen (a) de instituties en het beleid van het EU-niveau, en (b) de nationale structuren en beleidspraktijk in de betreffende lidstaat.

Neerwaartse overdracht heeft plaatsgevonden door middel van o.a. decentralisatie en devolutie. Terwijl decentralisatie en devolutie-hervormingen vaak geframed worden als veranderingen die binnenlands veroorzaakt en binnenlands gericht zijn, heeft voortgaande Europese integratie decentralisatie-tendensen in de meeste, zo niet alle, EU lidstaten versterkt. Subnationale overheden hebben zodoende aan autonomie richting de centrale overheid gewonnen als gevolg van (a) het ontvangen van Europese financiële middelen en de toegang tot de Europese beleidsarena en (b) decentralisatiehervormingen, waarvoor de argumenten in veel gevallen kracht bijgezet zijn op grond van het subsidiariteitsbeginsel. Voor nationale ambtelijke apparaten houdt dit in dat de EU heeft bijgedragen aan het verzwakken van de hiërarchische relatie tussen nationale en subnationale overheden.

Zijwaartse overdracht heeft plaatsgevonden door middel van de verschuiving van de actieve naar de *enabling state*, dat wil zeggen dat de centrale overheid steeds minder zelf intervenieert in de samenleving, de economie en de cultuur. In plaats daarvan schept de staat de voorwaarden waarbinnen een breed scala aan andere organisaties in het publieke, semi-publieke en private domein diensten verlenen en deels ook verantwoordelijk zijn voor toezicht op de naleving van regelgeving. Verschillende lidstaten kennen verschillende uitgangspunten op het continuüm tussen de ac-

tieve en de *enabling state*. Groot-Brittannië bevond zich traditioneel al dichter bij de ideaaltypische *enabling state*, maar heeft zich in de in de jaren 1980, 1990 en 2000 verder bewogen richting de *enabling state*, als gevolg van privatisering, agentschapvorming en liberalisering. Frankrijk is traditioneel een sterke en actieve staat, dat het eigen overheidsapparaat gebruikt om te nationale maatschappelijke, economische en culturele sectoren aan te sturen. Deels als gevolg van binnenlands beleid en deels als gevolg van het overnemen van Europese regelgeving, is het significant opgeschoven in de richting van de *enabling state*. De startpositie van Nederland aan het begin van de jaren 1980 was ruwweg in het midden tussen Frankrijk en Groot-Brittannië in. Ook Nederland heeft zich aanzienlijke stappen gemaakt in de richting van de *enabling state*.

Organisatorisch ontwerp

Alle drie de landen hebben de afgelopen drie decennia een verregaande functionele en organisatorische fragmentatie doorgevoerd: eerst voornamelijk tussen beleid en uivoering (1980-1990) en later verfijnd naar beleid, uitvoering, regulering, toezicht en handhaving (1990 en later). De overwegingen hiervoor zijn vooral doelmatigheidsverbeteringen geweest en de verwachte grotere helderheid wat betreft de verdeling van verantwoordelijkheden. EU-beleid en Europese instituties hebben een rol in deze taakscheiding binnen de beleidscyclus gespeeld, in de zin dat nationale overheden te maken hebben gekregen met de druk vanuit Europa om over te gaan tot verschillende vormen van *regulatory governance*. Mede hierdoor is een nieuw toezichtsparadigma ontstaan dat in de breedte van de EU waargenomen kan worden, ook al heeft dit niet geleid tot convergentie als het gaat om het organisatorisch ontwerp van toezichthoudende agentschappen. In Groot-Brittannië wordt beleid voorbereid en geformuleerd in kernministeries, uitgevoerd door *Next Steps* agentschappen, *non-departmental public bodies* (NDPBs), en regionale en lokale overheden, en wordt toezicht en inspectie verricht door *non-ministerial departments* (NMDs) en NDPBs met speciale justitiële taken. In Frankrijk worden beleid in de kerndepartementen gemaakt, beleid uitgevoerd door departementale organisaties, *établissements publics administratifs* (EPAs), *établissements publics industriels et commerciels* (EPICs), en deels door regionale en locale overheden. Toezicht en inspectie wordt uitgevoerd door een scala aan organisaties, waarvan de meeste binnen de categorie van de *autorités administratives indépendantes* (AAIs) vallen. In Nederland wordt beleid gemaakt in de centrale departementen, en uitgevoerd door departementale organisaties, uitvoerende diensten, zelfstandige bestuursorganen (ZBOs), provincies en gemeenten. Toezicht en inspectie wordt verzorgd door ZBOs, en inspectiediensten

die aan specifieke ministeries verbonden zijn. De herverdeling van taken over aparte organisaties (waarvan sommige zelfs zich zelf buiten de publieke sector bevinden) heeft geleid tot kleinere departementen in plaats van grote monolithische bureaucratische organisaties. Hoewel de verschillende typen nieuwe organisaties van land tot land significant van elkaar verschillen, gebruiken Frankrijk, Groot-Brittannië en Nederland organisaties die in hun taakopvatting en institutioneel ontwerp zeer vergelijkbaar zijn.

Personeelssystemen

Een gemeenschappelijke ontwikkeling in de Franse, Britse en Nederlandse ambtelijke apparaten is de toegenomen integratie van de ambtelijke top. In Nederland was de top van het ambtelijk apparaat voorheen per departement georganiseerd, maar deze is sinds 1995 geïntegreerd door middel van de instelling van de Algemene Bestuursdienst (ABD). In Groot-Brittannië is de ambtelijke top traditioneel geïntegreerde sociale groep – vanwege de gedeelde maatschappelijke en studie-achtergrond – maar deze is ook qua management geïntegreerd. Ook in Frankrijk bestond de ambtelijke top historisch uit een sociaal homogene groep met een uniforme organisatie (hoewel per sector verdeeld in verschillende *corps*). De oude structuur van de *corps* staat op dit moment onder toenemende druk om zich hervormen, niet in de laatste plaats als gevolg van Europees beleid.

In Nederland en Groot-Brittannië is de personele mobiliteit tussen beleidssectoren aan de top (mede door de integratie van de ambtelijke top) toegenomen. In Frankrijk is deze toename, vanwege de obstakels die de sectorgebonden *grands corps* hiertoe opwerpen, beperkter gebleven. De hogere omloopsnelheid in de ambtelijke top heeft er aan bijgedragen dat de aanwezigheid en waardering van inhoudelijke expertise in de hoge regionen van het ambtelijk apparaat is afgenomen. Dit geldt voor alle drie de landen. Inhoudelijke expertise, ooit gezien als troef voor hoog-ambtelijke macht, is de afgelopen jaren verder naar beneden gezonken in de ambtelijke organisaties. Daarvoor in de plaats wordt aan vaardigheden als politiek-strategisch inzicht en externe communicatie meer waardering toegekend. De afname van inhoudelijke expertise onder topambtenaren kan gezien worden als de prijs die betaald wordt voor de managementprofessionalisering waarop in alle drie de onderzochte landen is ingezet. Hierdoor bestaan ook in alle drie de landen zorgen over de kwaliteit van het functioneren van ambtelijke organisaties, omdat deze in grotere mate afhankelijk is geworden van de goede aansluiting tussen de inhoudelijke expertise op het (hogere) middenniveau en de bestuurlijke en strategische aansturing vanuit de ambtelijke top.

In Groot-Brittannië en Frankrijk is de mobiliteit binnen de ambtelijke top met topfuncties in het bedrijfsleven groter dan in Nederland. In Groot-Brittannië heeft vanuit politiek leiderschap actief beleid plaatsgevonden om bewezen managers uit het bedrijfsleven topfuncties in het ambtelijk apparaat te laten vervullen. In Frankrijk kent men van oudsher al een systeem van *pantouflage*, dat wil zeggen rotatie van *grands corps*-leden tussen topfuncties binnen de overheid, semi-overheid en het bedrijfsleven (met name de voormalige staatsbedrijven). Vanwege verschillende hervormingen op het gebied van privatisering en renationalisering, is deze typisch Franse vorm van mobiliteit onverminderd gangbaar gebleven. Een verklaring voor de relatief beperkte publiek-private mobiliteit in Nederland is het grote verschil tussen de arbeidsvoorwaarden van topfuncties binnen en buiten de overheid, en de afwezigheid van compenserende aspecten (bijvoorbeeld een hoog sociaal prestige) aan het vervullen van topfuncties in de ambtelijke dienst.

Wat betreft de midden- en lagere schalen, is een duale ontwikkeling in alle drie de landen gaande: enerzijds lijkt integratie en centralisatie plaats te vinden in de zin dat op het centrale niveau, kader-regels geformuleerd worden en procedurele richtlijnen opgesteld zijn. Tegelijkertijd is er een departementalisatie en decentralisatie opgetreden, in de zin dat de verantwoordelijkheid voor de besluiten bij de directies en units is blijven liggen, en in veel gevallen de discretionaire bevoegdheid wat betreft personeelsbeleid op het unit-niveau is toegenomen.

Het potentieel voor ambtenarenmacht

In een modern overheidssysteem hebben ambtenaren per definitie macht, en kunnen zij invloed uitoefenen op beleid en daarmee op maatschappelijke processen. Enerzijds is dat ook wenselijk, omdat ambtenaren in veel gevallen de vakspecifieke kennis, de ervaring en het organisatorisch geheugen te bieden hebben, waar ministers en volksvertegenwoordigers in veel gevallen niet over beschikken. Anderzijds moet de macht van ambtenaren binnen de perken gehouden worden, omdat er anders binnen het systeem een machtscentrum kan ontstaan dan niet democratisch gelegitimeerd is, en moeilijk controleerbaar en sanctioneerbaar is. Weber en velen na hem hebben zich gericht op de vraag welke krachten er binnen een modern overheidssysteem bestaan om het potentieel voor ambtenarenmacht in toom te houden. In de eerste plaats is dat het politiek leiderschap, dat wil zeggen de bewindspersonen die de politieke verantwoordelijkheid dragen voor het optreden van ambtelijke organisaties. Maar daarnaast zijn er ook andere actoren die een 'check' kunnen vormen op de macht van ambtenaren: het parlement, de rechterlijke macht, subnationale overheden, en belangengroepen.

De relatieve machtspositie van *nationale parlementen* is gedurende de afgelopen decennia verslechterd. Deels is dit veroorzaakt door Europese integratie, waardoor het initiatiefrecht en het goedkeuringsrecht op een aantal vlakken is verschoven naar andere instituties. Bovendien hebben de nationale parlementen te lijden van een relatieve informatie-achterstand als het gaat om EU-besluitvorming, en zijn zij minder goed in staat het optreden van de regering in Raadsverband te controleren en te sanctioneren. Maar het machtsverlies van het parlement komt ook door andere oorzaken, los van de EU: de toenemende complexiteit van beleid en het groeiende belang van technische expertise, en de beweging naar meer onafhankelijke toezichthoudende instanties die minder direct ter verantwoording te houden zijn door het parlement. Al deze ontwikkelingen tezamen hebben binnen het parlement geleid tot een focusverschuiving: het opwerpen en agenderen van onderwerpen, en het kanaliseren van (al dan niet incidentele) zorgen en klachten uit de samenleving is toegenomen. Een ander gevolg is de meer persoongerichte vorm van politiek bedrijven in het nationale parlement. Voor het publieke en politiek debat is de focus van de samenleving en de media nog altijd op het nationale parlement gericht, ondanks dat een groot deel van inhoudelijke beleidsafwegingen inmiddels elders gemaakt wordt. Hier is de metafoor *politics without policy* van toepassing: het parlement heeft ingeboet aan positie op het gebied van *policy*, terwijl zij dat niet heeft gedaan op het gebied van *politics*. Deze situatie leidt tot een geloofwaardigheidsprobleem dat precies het spiegelbeeld is van het geloofwaardigheidsprobleem van de Europese instituties: daar kun je spreken van *policy without politics*. In Europa worden veel belangrijke inhoudelijke beleidsafwegingen gemaakt, maar wat ontbreekt, is een openbaar politiek debat dat zich kan verheugen in de focus van samenleving en media.

Bovenstaande werkt ook door in de capaciteit van nationale parlementen om als tegenmacht voor het ambtelijke apparaat te dienen. Drie algemene ontwikkelingen vallen voor alle drie de landen op. Ten eerste, een toename van de last voor het ambtelijk apparaat wat betreft het beantwoorden van parlementaire vragen die uit incidenten in de samenleving voortkomen. Ten tweede, een verruiming van de mogelijkheden voor ambtenaren die zich met lange termijn beleidsmaken bezighouden, om hun werk buiten de radar van het parlement te doen. Ten derde, een versterking van de positie van de uitvoerende macht (waaronder het ambtelijk apparaat), als gevolg van de bijna-monopoliepositie van de uitvoerende macht als het gaat om de informatievoorziening over EU-beleid en ontwikkelingen in de EU. Dit maakt het voor het parlement lastig om ministers hier diep op te bevragen en te controleren.

Naast deze algemene trends zijn er land-specifieke nuances. In Groot-Brittannië is het verlies aan machtspositie van het parlement ten opzichte van het ambtelijk apparaat het minste, vanwege de historisch grote controlerende macht van het parlement over de uitvoerende macht. Parlementaire

soevereiniteit is een sterk verankerde waarde in het Britse politiek-bestuur-
lijk bestel, en heeft als zodanig sterker stand gehouden dan in andere land-
en. In Nederland is die macht traditioneel verhoudingsgewijs beperkter.
Echter, in Nederland is sinds het referendum over het Grondwettelijk Ver-
drag in 2005 het bewustzijn binnen, en de ondersteuning van het parlement
op Europees gebied aanzienlijk toegenomen. In Frankrijk is de controler-
ende macht van het parlement over de uitvoerende macht in de Vijfde Re-
publiek relatief zwak, waardoor ook het machtsverlies als gevolg van de
EU ook relatief gematigd is.

Over het algemeen heeft Europese integratie bijgedragen aan een toe-
name van de onafhankelijkheid van de *rechterlijke macht* in relatie tot de
uitvoerende macht, vanwege het sterk juridische karakter van Europees be-
leid, vanwege het primaat van EU-recht boven nationale regelgeving en
vanwege de preventieve werking van het feit dat particuliere actoren hun
regering kunnen dwingen EU wetgeving te implementeren door zich te
wenden tot de rechterlijke macht op nationaal en Europees niveau. In dit
opzicht voert de nationale rechterlijke macht een groot deel van de eigen-
lijke taken van het Europees Hof van Justitie uit, in de zin dat zij zeker
kunnen stellen dat nationale regeringen zich houden aan het EU-recht.

De grootste verandering wat dit betreft is te zien in Frankrijk, waar de
Conseil Constitutionnel en de magistratuur belangrijker en assertiever zijn
geworden, mede op grond van juridische ontwikkelingen op Europees ni-
veau. Nederland heeft met zijn legalistische traditie traditioneel een sterk
onafhankelijke rechterlijke macht: de *misfit* ten opzichte van het EU-sys-
teem, en daarmee de toename van gerechtelijke onafhankelijkheid is wat
dit betreft klein. Ook in Groot-Brittannië is de machtsbalans tussen de re-
chterlijke en uitvoerende macht niet drastisch veranderd, gegeven enerzijds
de politieke en maatschappelijke weerstand tegen de proliferatie van EU-
regelgeving en het voorgaan van EU-regelgeving boven nationale regels,
en anderzijds de traditioneel al hoge onafhankelijkheidsgraad van de re-
chterlijke macht in Groot-Brittannië.

Processen van decentralisatie en deconcentratie in Frankrijk, devolutie in
Groot-Brittannië en decentralisatie in Nederland, hebben een impact gehad
op de verhouding tussen nationale ambtenaren en (vertegenwoordigers
van) *subnationale overheden*. Regionale en lokale belangen zijn belangrij-
ker geworden in de belangenafweging door nationale ambtenaren. Regio-
nale en tot op zekere hoogte ook lokale overheden, worden in toenemende
mate door nationale ambtenaren erkend als waardevolle partners bij de
'lobby' op het Europese niveau. Tegelijkertijd onderkennen ambtenaren
steeds meer de noodzaak om samen te werken met de decentrale overheid
om ervoor te zorgen dat beleid dat gemaakt of omgezet is op het nationale
niveau, op de juiste wijze in de regio geïmplementeerd wordt.

De positie van *belangengroepen* ten opzichte van het ambtelijk apparaat
is versterkt. In de eerste plaats doordat een groot deel van het EU-beleid

een belangrijkere plek voor belangenconsultatie inruimt dan in veel lidstaten voorheen gebruikelijk was. Hierdoor is de mate en de reikwijdte van de onderhandelbaarheid van beleid vergroot, waardoor het potentieel van ambtenaren om hun eigen belangen te dienen, verkleind wordt. In de tweede plaats is de invloed van belangenorganisaties toegenomen doordat zij minder afhankelijk zijn geworden van de nationale overheid om stem te laten horen: lukt het niet op nationaal niveau, dan zijn er nu ook mogelijkheden op supranationaal niveau. De mogelijkheid van belangengroepen om om de nationale overheid heen te gaan bij het behartigen van hun belangen, verkleint de machtsbasis van nationale ambtenaren. In de derde plaats zijn nationale ambtenaren en vertegenwoordigers van belangengroepen meer gelijkwaardig aan elkaar geworden in de zin dat zij een belangencoalitie kunnen vormen richting 'Europa': gezamenlijk kunnen zij via meerdere kanalen hun overlappende belangen Europees behartigen. Die overlap kan variëren van het nationale publieke belang tot belangen van het bedrijfsleven, het milieu of regionale belangen.

In lidstaten met een traditie van beleidsvorming zonder de structurele betrokkenheid van belangengroepen (Frankrijk en Groot-Brittannië), is de autonomie van ambtenaren verkleind door Europese integratie doordat ze maatschappelijke partijen moeten betrekken bij het beleidsvormingsproces in sectoren waarin ze dat voorheen niet gewend waren. Tegelijkertijd heeft de EU eraan bijdragen dat in sommige sectoren maatschappelijke actoren minder betrokken zijn bij de achterkant van de beleidscyclus: oude manieren van sectorale zelfregulering (Groot-Brittannië) en belangenaccommodatie in het uitvoeringsproces (Frankrijk), passen minder goed bij de Europese voorkeur voor toezicht en juridische naleving en handhaving. Daar tegenover staat Nederland, een land met een neo-corporatistische traditie. De onderhandelbaarheid van beleid is in Nederland traditioneel aanzienlijk. Hier is de relatief grote *goodness of fit* met EU-beleid een verklarende factor voor de relatief kleine verandering.

Politiek-ambtelijke verhoudingen

Van alle mechanismen om de macht van ambtenaren in toom te houden, is politiek leiderschap de meest cruciale. Hoe hebben de verhoudingen tussen top-ambtenaren en ministers zich ontwikkeld te midden van de ontwikkeling van toenemende multi-level governance? Ten eerste is van belang dat er een toenemende differentiatie binnen de ambtelijke top heeft plaatsgevonden. In de drie onderzochte landen is er een duidelijkere scheiding ontstaan tussen enerzijds functioneel gepolitiseerde topambtenaren (de *hofhouding* van de minister), en anderzijds functioneel gebureaucratiseerde top-ambtenaren. De laatste categorie valt vervolgens uiteen in

(a) *departementale managers* en (b) *beleidsexperts* (zie tabel 11.2 op p. 385).

Onder de *hofhouding van de minister* verstaan we politiek adviseurs, persoonlijk adviseurs, leden van ministeriele kabinetten, senior voorlichters en zij die voor de minister de contacten met het parlement onderhouden. Zij hebben een strategische denkwijze, zijn bekwame externe *communicators*, en zijn de hoeder van de het 'merk' en de belangen van de persoon van de minister. De mogelijke valkuil van deze topambtenaren is dat zij beperkte geloofwaardigheid hebben in de ogen van externe partners, en een beperkter engagement met of begrip van de inhoud van de beleidsagenda van de minister.

Onder de *departementale managers* verstaan we de managers die de dagelijkse leiding over een departement (of deel daarvan) voeren. Met name binnen deze categorie is de afgelopen jaren de mobiliteit sterk toegenomen. Deze categorie bezit de managementvaardigheden, en een focus op het efficiënt laten ontwikkelen en/of uitvoeren van effectieve beleidsprogramma's. Hun mogelijke valkuil is een overmatige interne gerichtheid, en net als bij de hofhouding een beperkter engagement met of begrip van de inhoud van de beleidsagenda van de minister.

Onder de *beleidsexperts* verstaan we de (vak-)specialisten in een bepaald veld, met een uitgebreid netwerk binnen de betreffende wetenschappelijke en/of maatschappelijke gemeenschap. Zij beschikken over expertise, waarborgen continuïteit en organisatorisch geheugen, en zijn geloofwaardige onderhandelaars in de richting van externe partijen. Hun mogelijke valkuil is het risico om ongecontroleerde beleidsondernemers te worden.

Op deze wijze is een nieuw type politiek-ambtelijk samenspel ontstaan, met naast de bovengenoemd drie categorieën top-ambtenaren, de regeringsleider (minister-president of president) en de kabinetsministers (inclusief junior-ministers of staatssecretarissen). In de context van een toenemend mate van multi-level governance, zijn verschuivingen in de mate waarin een bepaalde functie een politiek of een ambtelijk karakter heeft. 'Politiek' wordt hier geassocieerd met grote lijnen, strategie, tijdelijkheid, en amateurs met betrekking tot de inhoud, terwijl 'ambtelijk' verwijst naar technische details, beheer, continuïteit en inhoudelijke deskundigheid.

Vanuit dit onderscheid is de positie van de regeringsleider in het kader van multi-level governance (en Europese integratie als onderdeel daarvan) politieker geworden; de positie van ministers in bepaalde opzichten relatief ambtelijker; die van de hofhouding sterk politieker; die van de departementale managers en de beleidsexperts ietwat politieker; en die van ambtenaren op de midden- en lagere niveaus ietwat ambtelijker (zie tabel 11.3 op p. 387). Het traditionele onderscheid tussen de politieke sfeer en de ambtelijke sfeer valt daarmee minder dan voorheen samen met het onderscheid tussen (a) een politiek gekozen of benoemde functionaris en (b) een ambtenaar in de publiekrechtelijke zin des woords, maar meer met het karakter

van de taken en de context waarin deze uitgevoerd worden. Niet langer
zijn politiek-georiënteerde taken voorbehouden aan degene die in formele
zin politicus is, of zijn ambtelijk-georiënteerde taken voorbehouden aan de-
gene die in formele zin ambtenaar is. Het beeld dat het ontstane politiek-
ambtelijke samenspel oproept is meer dat van een marmercake dan dat van
een bruidstaart met etages.

Europese integratie maakt het moeilijker om de doctrine van ministeriële
verantwoordelijkheid een waarachtige invulling te geven. Ten eerste kun-
nen ambtenaren die actief zijn in supranationale en transnationale gremia
minder goed door ministers geïnstrueerd en gecontroleerd worden, omdat
de onderwerpen over het algemeen technisch complexer zijn dan nationale
beleidsonderwerpen; omdat ambtelijke gedrag plaatsvindt op wijze van
multilaterale onderhandeling, hetgeen inhoudt dat strategieën wellicht
gaandeweg aangepast moeten worden en uitkomsten onvoorspelbaar zijn;
en omdat het grote aantal deelnemers en het gebrek aan transparantie het
voor ministers en parlementariërs lastiger maakt om het werkelijke gedrag
van ambtenaren te onderscheiden of te reconstrueren. Ten tweede blijken
parlementariërs minder in staat en/of bereid te zijn om de gedragingen van
ministers en ambtenaren in de Europese context te controleren en te sanc-
tioneren.

Op grond van de bevindingen van deze studie kan geconcludeerd wor-
den dat de verminderde mate waarin ministers controle kunnen uitoefenen
op het geëuropeaniseerde deel van hun ambtelijke organisatie, niet per se
hoeft te betekenen dat deze ambtenaren vrij kunnen handelen in de Eur-
opese beleidsarena. In plaats daarvan hebben de ambtenaren juist politieke
steun en politieke geloofwaardigheid nodig om het besluitvormingsproces
succesvol te kunnen beïnvloeden. Ze doen dan ook uit overwegingen van
effectiviteit en geloofwaardigheid moeite om die aandacht en steun van de
minister te krijgen.

Daarnaast is gebleken dat ministers profijt hebben bij het feit dat zij
minder goed in staat zijn om door het parlement ter verantwoording geroe-
pen te worden als het gaat om geëuropeaniseerde onderwerpen. Zij zijn tot
op zekere hoogte in staat zich te verschuilen achter de troebelheid van het
Europese beleidsproces, hetgeen een verminderde kwetsbaarheid ten op-
zichte van het nationale parlement inhoudt. De *positie* van de individuele
minister wordt dus niet aangetast doordat de ministeriele verantwoordelijk-
heid in kracht afneemt. Het enige waaraan schade zal worden toegebracht
is het *ambt* van de minister, omdat verwacht kan worden het prestige van
het ministersambt hierdoor op termijn zal afnemen.

De functionele politisering van delen van de ambtelijke top, in combina-
tie met de zogenaamde verambtelijking van bewindspersonen, betekent dat
de werkzaamheden en perspectieven van ministers en top-ambtenaren meer
hybride zijn geworden. Ministers hebben gemiddeld genomen minder er-

varing met de parlementaire of partij-politiek, terwijl top-ambtenaren ge-
middeld genomen steeds minder ervaring hebben op één vaste positie bin-
nen het ambtelijk apparaat. Zowel ministers als top-ambtenaren kunnen be-
trokken zijn bij strategische externe communicatie, en bij het onderhouden
van de contacten met het parlement en de partij. De toegenomen onderhan-
delbaarheid van beleid in vele sectoren – waarbij ook een groter aantal on-
derhandelingspartners betrokken zijn – betekent daarnaast dat zowel minis-
ters als top-ambtenaren terecht zijn gekomen in een bijna-voortdurende
staat van onderhandeling met externe partners. Deze partners kunnen Eur-
opese instituties, transnationale evenknieën, Kamerfracties, belangen-
groepen, collega's van andere departementen of diensten, of decentrale
overheden.

Kortom, de uitkomst van recente en huidige ontwikkelingen waarvan
Europese integratie een belangrijk deel uitmaakt, is de toegenomen hybri-
diteit wat betreft werkzaamheden tussen ministers en hun hofhouding, in
combinatie met een toegenomen scheiding wat betreft werkzaamheden en
perspectief tussen ministers, departementale managers en beleidsexperts.
Met betrekking tot de omgangsstijl tussen ministers en topambtenaren kan
een toegenomen complementariteit tussen ministers en hun hofhouding
waargenomen worden, en toegenomen vervreemding tussen ministers en
departementsmanagers en beleidsexperts.

(De)bureaucratisering, Europese integratie en multi-level governance

Weber zag bureaucratisch bestuur als "rationeel-legaal bestuur door middel
van een bureaucratische administratieve staf". Wat zo'n bureaucratische
staf precies inhoudt, beschrijft Weber aan de hand van een aantal ideaalty-
pische kenmerken, die zijn onder te verdelen in twee hoofdcategorieën:
een organisatie en management-categorie en categorie die ziet op de poli-
tiek-ambtelijke verhoudingen. Op een aantal kenmerken die deel uitmaken
van de organisatie en management categorie, lijkt de bureaucratische orga-
nisatievorm de afgelopen decennia zich verder te hebben verankerd in de
ambtelijke apparaten in Frankrijk, Groot-Brittannië en Nederland. Voor-
beelden van bureaucratische organisatiekenmerken die zich de afgelopen
decennia sterker dan voorheen hebben afgetekend, zijn het bredere gebruik
van protocollen, systematisch en op regels gebaseerd informatie-manage-
ment, verdere standaardisering van werkprocessen en verdergaande taak-
specialisatie. Daarbij is het interessant op te merken dat deze recente bu-
reaucratiseringsgolf voornamelijk is ingezet als onderdeel van beleid en
hervormingsprogramma's die bedoeld waren om het ambtelijk apparaat te
stroomlijnen, opnieuw uit te vinden en bovenal te de-bureaucratiseren. Be-

paalde aspecten van de Weberiaanse organisatievorm zijn dus aanzienlijk versterkt, terwijl de ingezette hervormingen juist gebaseerd waren anti-bureaucratische argumenten.

Een belangrijke vraag is in hoeverre Europese integratie fungeert als een kracht die voor convergentie tussen de ambtelijke apparaten van de verschillende lidstaten zorgt. Het belang van deze vraag zit hem in het feit dat indien Europese integratie inderdaad voor convergentie binnen het openbaar bestuur van de lidstaten zou zorgen, dit een onderstreping zou zijn van de zogenaamde *transformative power of Europe*: ook al heeft de EU geen formele competenties op het gebied van het binnenlands bestuur van de lidstaten, toch zou zij dan in staat zijn om hierop een transformerende werking uit te oefenen.

Op basis van deze studie kan ten eerste gesteld worden dat de ambtelijke apparaten van de drie onderzochte lidstaten inderdaad veel veranderingen in dezelfde richting laten zien, als het gaat om organisatorisch ontwerp, personeelssystemen, en de mogelijkheden van politiek leiderschap en externe instituties om de macht van ambtenaren in toom te houden. Daardoor zijn de onderlinge verschillen inderdaad afgenomen. Maar tegelijkertijd is duidelijk geworden dat ondanks de druk tot aanpassing, de bestaande, per land historisch gegroeide nationale politiek-bestuurlijke structuur en cultuur hun herkenbaarheid hebben behouden. We spreken daarom van relatieve convergentie, waarbij onderlinge verschillen weliswaar afgenomen, maar zeker niet verdwenen zijn.

Tenslotte is van belang vast te stellen in hoeverre de geconstateerde (de-)bureaucratisering en deze relatieve convergentie inderdaad de resultante zijn van de transformerende kracht van de EU, in een domein waarin zij feitelijk geen bevoegdheden heeft. Op basis van deze studie kan geconcludeerd worden dat Europese integratie op zichzelf slechts een betrekkelijk indirecte impact heeft gehad op de mate waarin nationale ambtelijke apparaten bureaucratisch zijn in de Weberiaanse zin des woords. Toch heeft Europese integratie, als onderdeel van een bredere beweging naar multi-level governance, bijgedragen aan de gecombineerde impact, namelijk een grotere mate van organisatorische fragmentatie, specialisatie and standaardisatie van werkprocessen aan de organisatie en management kant, en wat betreft de politiek-ambtelijke categorie een grotere druk op, en vervaging van, de taak- en machtsscheiding tussen politieke en ambtelijke functionarissen. De mechanismen waardoor de EU hieraan een bijdrage levert, zijn:

- De activiteit van nationale ambtenaren in EU-verband: zij ondervinden de noodzaak tot het ontwikkelen en toepassen van andere vaardigheden, socialiseren zich, en bouwen mee aan beleid en instituties;
- Jurisprudentie van het EHJ die op directe of indirecte wijze doorwerkt op de aard en het functioneren van het ambtelijk apparaat;

- Een preferente of vereiste bestuurspraktijk die ingebakken zit in EU wet- en regelgeving (*regulatory governance*; autonomie voor subnationale overheden, het betrekken van maatschappelijke actoren);
- Europese integratie leidt ertoe dat ambtenaren uit verschillende lidstaten met elkaar interacteren, ook los van de Europese instituties en beleidsarena. Hierdoor vindt kennisverspreiding over beleid en publieke-sectorhervorming plaats.

Dit onderzoek heeft laten zien hoe die gecombineerde impact zich in alle drie de onderzochte lidstaten duidelijk manifesteert. Daarnaast is inzichtelijk gemaakt hoe de mate van impact per lidstaat gemitigeerd wordt door de mate waarin de bestaande politiek-bestuurlijke structuur en cultuur al verenigbaar waren met de gelaagdheid en spreiding van macht. Aan de ontwikkeling van toenemende gelaagdheid en spreiding van macht lijkt vooralsnog geen einde te komen. De noodzaak tot bezuinigen is voor nationale regeringen een aanleiding tot meer neerwaartse en zijwaartse overdracht, terwijl het enthousiasme voor meer opwaartse overdracht aanzienlijk verminderd is. Het wordt interessant te zien hoe deze nieuwe episode in de ontwikkeling van multi-level governance zal doorwerken op de aard en het functioneren van het nationale ambtelijk apparaat.

Acknowledgements

The completion of this study marks the conclusion of a large project, and of a period in my life. I am grateful to those who have thought with me in the course of the project. I have particularly benefitted from the discussions with colleagues at the Leiden AiO/PhD-seminar, the NIG European Research Colloquium (2005-2007); the Nordic Political Science Association conference in Reykjavik (2005), the International Consortium on Civil Service Research conference at Blacksburg (2005), the Copenhagen Business School seminar on Bureaucracy and Entrepreneurial Governance (2006), the European Union Studies Association conference in Montréal (2007), and the Stellenbosch University conference on Public Leadership and Added Citizen Value (2010).

I wish to thank my promotor, Theo Toonen, and my co-promotor, Frits van der Meer, for their guidance throughout this project. Their willingness to share their academic experience, provide constructive feedback and engage in stimulating discussions has been indispensable. I would also like to thank the individual members of the reading committee, as well as Liesbet Hooghe, Paul du Gay and Simon Bulmer, for their helpful criticism.

I am indebted to the Institute for Public Administration at Leiden University, where I have found an inspiring place to work on this project. For the most part, this inspiration came from the interaction with my past and present colleagues. Special thanks go to Caelesta Braun, Michael Kaeding, Marleen Romeijn, Hans Vollaard, Trui Steen, Gerrit Dijkstra and Anchrit Wille. Many thanks go to Ron Holzhacker, who has supported me in my academic endeavours since I followed his Political Science 251 course at University College in Utrecht back in 2000.

Furthermore, I would like to thank Anne Messer, who has been fantastic in her editing of the manuscript, and in taking a genuine and detailed interest in the content of this work, and Carola van Eijk, who has tirelessly helped me to organise the references in the final stage of the project.

Above all, I want to thank my family and friends. My wonderful parents, who have always stimulated me to discover my potential and to set my goals. For each goal I set, they were always there to support me wholeheartedly. Thank you. My grandmother Wendelien has been a source of extraordinary inspiration and I am very grateful that she can be with us to celebrate the end of my PhD phase. Special credits go to Iris and Camiel,

Ellen and Chris, and Eef and Roos, each of whom have helped me complete this study through their support, interest in the project, and great jokes.

Stanley, your support and patience have helped me getting this work done. Thank you for being who you are, and for letting me be part of that.

Curriculum Vitae

Caspar van den Berg was born on 19 May 1980 in Angerlo. He finished secondary school (R.S.G. Het Rhedens in Rozendaal) in 1998. After participating in a one-year educational exchange programme to South Africa, he studied social sciences and humanities at University College Utrecht (1999-2002). Caspar continued his studies at the London School of Economics and Political Science, from which he obtained a Masters degree in International Relations in 2003. In 2003 he was a intern with the VVD-faction in the Dutch parliament.

Caspar joined the Institute of Public Administration at Leiden University in 2004 as a PhD researcher. Besides his PhD training and research, he has been involved in the teaching and supervision of university students at professionals in the field. He teaches courses in the areas of comparative Public Administration, EU politics, Europeanisation, management of the public sector and strategic management.

He is the author of *De koning van het schaakbord of Jan zonder Land?*, a book on programme ministries in Dutch central government (with Berenschot-colleagues Ludy Geut and Suzanne van Schaik). His research has been published in various scientific journals, including *Governance* and *The Brown Journal of World Affairs*. The topics of his publications include modernisation and reform of national civil service systems, multi-level governance, seconded national experts, and fundamental rights and legitimacy issues in relation to public administration. Caspar is a member of the editorial board of *Liberaal Reveil*, a Dutch academic quarterly which publishes on societal and political issues from a liberal perspective.

He currently works as a lecturer and researcher at the Institute of Public Administration at Leiden University and as a public management consultant at Berenschot.