

European Union Studies Association

EUSA: Biannual Conference | Boston | March 3-5, 2011

**Pattern and Extent of EU Involvement in Public Administrations:
How to Describe and Explain the European Administrative Space**

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Abstract

This paper claims that public administrations are central players in the policy process. Hence, the control over and organization of civil services represent core state powers. The puzzles that emerge are therefore: which administrative system underpins supranational policy-making; and which consequences does participation in the European Administrative Space entail for the autonomy of national bureaucracies? I confront the theoretical challenge, namely the analytical description for the EAS, proposing a policy-centered approach that captures the EAS along the four dimensions administrative tasks, authority, instruments, and actor constellations. The empirical challenge is how to measure a supranational impact on national civil services. Drawing on a complementarity view of political and administrative action in public administration research, a set of variables is applied to the EAS and the German national bureaucracy. The results show that not only the EAS but also the participation of the German administration herein increase the distance between the political and administrative realm but, at the same, also reduce drastically the ability of administrations to mitigate between the policy process, politics, and citizens.

Panel: Beyond the Constitutional Settlement
The European Regulation and Creation of Core State Powers
Conveners: P. Genschel & M. Jachtenfuchs

Introduction: Bureaucracies and Core State Powers

Why should one care about bureaucracies when challenging the widely held assumption that core state powers remain essentially unaffected from regional integration? And why should we consider national civil services when claiming that the European Union's de facto power reaches well beyond that of an acclaimed regulatory polity? This paper builds on the claim that bureaucracies are a core institution of modern statehood (Weber 1947), and that the world of politics and administration are not neatly separated (Aberbach, Putnam *et al.* 1981). It is argued that despite the formal absence of supranational competences on national bureaucracies, supranational policy-making has an impact on state-level civil services. While many scholars may intuitively agree to these starting points, a rigorous empirical examination of presumed impacts faces serious theoretical and methodological challenges (Olsen 2003: 507). In order to tackle this defiance and to provide answers to the above-raised questions, I will present a conceptual framework of how to depict the so-called European Administrative Space (EAS). Starting from a policy perspective, the EAS is systematically described by distinguishing the underlying administrative processes, authority, instruments, and actor constellations. On the basis of this conceptual sketch, I will then analyze how the policy-making in the EAS at large and in Germany as exemplary national administration affects the relationship between the political and administrative realms in order to trace the effect of multilevel administration on core state powers.

Before delving into the analysis of the *European Administrative Space*, the fairly illusive term has to be defined more precisely not least to clarify the relevance of studying it. The EAS does not represent a unitary, integrated administrative system. At the same time, it is not merely the sum of 27 national bureaucracies plus the European Commission as supranational secretariat. In general terms "the European administrative space is the area in which increasingly integrated administrations jointly exercise powers delegated to the EU in a system of shared sovereignty" (Hofmann 2008: 671). The little specific notion of an *area* – or of a *space* – indicates the ambiguous localization of bureaucratic authority in the process of EU policy-making. This holds, on the one hand, for the boundaries of EU jurisdiction that produces systematically externalities for administrative systems outside the Union. Most prominently, this has happened in the process of enlargement in which the EU acted intentionally towards administrative reforms in the candidate states. With significantly less leverage, similar dynamics also apply to the European Neighborhood Policy. On the other hand, bureaucratic authority is split between the levels of governance during the policy-making process. Most evidently, the right for legislative initiative lies in the hands of the Commission, which acts as central supranational administration. The implementation of legal acts is, in contrast, formally a prerogative of national administrations – even if this formal right is practically watered down by Comitology and other practices. Furthermore, that *administrations are increasingly integrated* is reflected in various ways, least however by top-down harmonization of national systems. The following theoretical section focuses on how to conceptualize the vertical and horizontal interaction modes between different administrative actors (national: civil services; supranational: Commission; independent: agencies). In short, I will systematically map how administrations interact in the EAS and mark out integration mechanisms that underpin the multifaceted compound system. Vital about these administrative interaction modes is that they grow from the rules on policy-making. They are not the result of the institutional engineering of a unitary multi-level bureaucratic apparatus. For

example, the authoritative way in which the Commission supervises the distribution of agricultural funds to single farmers by national payment offices differs cardinally from the horizontal network national units have already built up during the era of European Political Coordination (EPC) in the foreign policy realm, or the coordination function of Europol in the area of police cooperation. Whereas in the former area the Commission issues detailed rules on administrative practices on the ground, the EPC marked a horizontal information network that linked national foreign ministries directly (Hill 1996), which is similarly the purpose of Europol, an agency that coordinates national police systems without conferring substantive competences to the EU level (Brady 2008). The very nature of the *powers delegated to the EU* determines therefore the specificity of the EAS. The historical example illustrates this insight. Obviously, in 1957 and the years to follow, few national administrators working on core economic policies would know Brussels very intimately. Today, national officials act in more than 200 Comitology committees and participate in the formulation of implementation rules on a daily basis. The extent and kind of involvement depends on the concrete policy dealt with because *sovereignty is shared* to different degrees, as indicated by distinction between “exclusive”, “shared”, and “supporting” supranational competences (TFU, Title I, Art. 2). The following features therefore characterize the EAS: it is a *multi-level compound* administrative system (rather than a system of administrative federalism), it is strongly policy-dependent *procedure-driven* (rather than based on a unitary institutional administrative framework), it is *differentiated by policies* (rather than a small number of codified procedures), and it thus represents an increasingly complex new form of *network administration* (rather than leading to convergence of national systems).

But why bother about this diffuse, if not tedious administrative space? What is the relevance of finding out how this compound, procedure-driven administrative space works? The EAS matters if we perceive of public administrations as more than mere adjutants to execute political decisions. The dichotomy between politics and public administration based on the assumption that the two spheres operate separately has been challenged on theoretical and empirical grounds (Svara 2001; Demir and Nyhan 2008). Bureaucracies play vital roles, most evidently in the implementation of public policies. Taking a complementary view (Demir 2009), interactions between elected and appointed officials are (and should be) much more embracing. In consequence, the establishment of a functioning civil service is a core component of state formation; administrative capacities are a core element of good governance and organizing and controlling a bureaucratic apparatus represents a core state power. Against this background, the compound EAS that blurs the distinction between supranational and national levels raises inevitably questions about changes in the interaction between elected and appointed officials. The EU offers an ideal case to explore how supranational policy-making with limited own administrative resources penetrates national civil services. Suffice it to look at the mere figures: national much rather than Brussels bureaucrats administer the European Union. The European Commission counts some 32,000 staffⁱ, an astonishingly small number in face of a population of over 500 million EU citizens. Looking from the angle of any international organization, these figures will not raise many eyebrows. And indeed, the EU was initially based on the principle of administrative autonomy that left the execution of common decisions to the exclusive authority of sovereign states. However, if we consider that the EU has developed far beyond clear-cut inter-state cooperation in core policies such as a single market and currency, internal security, external crisis management and the like, the scarce own administrative resources are striking. How can we systematically account for these administrative underpinning of EU governance?

Conceptual Framework: A Policy-focused Definition of the EAS

Attention on the EAS has risen.ⁱⁱ Yet the concept remains illusive and insufficiently defined. The term EAS stands for an integrated administration short of either intended harmonization or unintended convergence of its constituent national parts. This challenge of capturing the EAS is linked to broader questions about the ontology of the EU polity. In essence, “if the EU is not adequately described as regulatory polity, how should it be described” (Genschel and Jachtenfuchs)? The conceptual starting point of this paper is the assumption that the EAS is established by procedures in the policy process and not by a designed overreaching administrative organization or harmonized administrative model. In consequence, I will tackle the problem from a policy rather than an institutional angle. Drawing in particular on insights from multilevel governance research, this approach allows capturing the specific governance modes and structures independent from (absent) institutions in the narrower sense of formalized harmonized rules on some kind of codified “European administration”. To describe the EAS, attention is drawn on administrative actions (practices), administrative tasks (the location of responsibilities in the multilevel setup), administrative cooperation (instruments), and administrative interaction patterns (actor constellations). This leads to the following questions about multilevel administration:

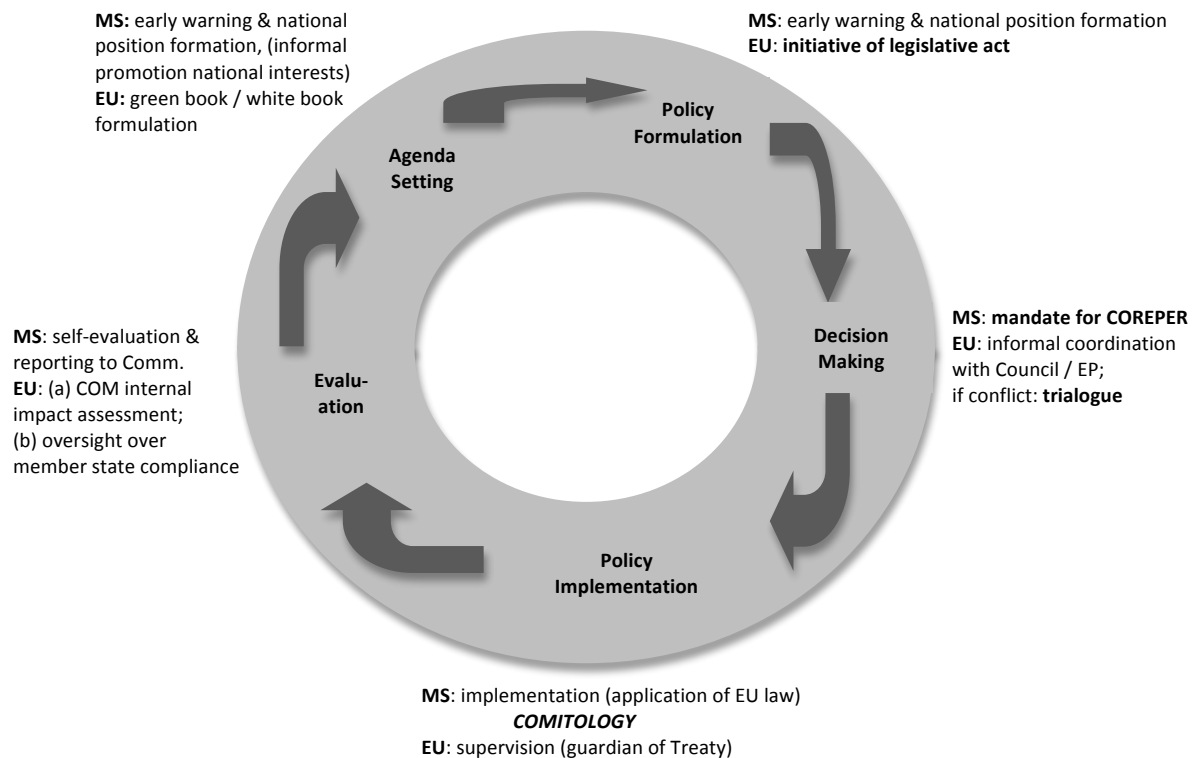
- policy process / administrative action: which tasks are fulfilled by whom?
- policy problems / administrative authority: how are responsibilities divided?
- policy instruments / administrative tools: how do the levels interact?
- Policy networks / administrative roles: how are actors related to each other?

From a public policy perspective, answering these questions will draw a comprehensive picture of the compound, process-driven, and multilevel administration because it captures the key features of public administration: **tasks, authority, instruments, actor constellations**.

First, who does what? Which **administrative tasks** do the supranational and national actors complete in EU policy-making? Figure one reproduces the classical policy cycle heuristic (Howlett and Ramesh 2003: 13) and relates each stage to the respective bureaucratic involvement of the national and supranational administrative actors. Obviously, this illustration does not provide any explanatory model (deLeon 1999), but it bares necessary information on the procedural involvement of bureaucracies in policy-making. Above all, it indicates that the predominant focus on Comitology as *the* shared moment of national/supranational bureaucratic interaction falls short of the much wider compound administrative practices. The relevant information revealed is that at each stage both the Commission as supranational and national administrations are involved, and that the emphasis and significance for the EU policy-making process vary from stage to stage (*bolt print for dominant administrative actor, Fig. 1*). Agenda setting and policy formulation are primarily perceived as the Commission’s stronghold based on the exclusive right to initiate EU legislation. The issuing of white and green books as well as legislative acts themselves is hence also the most relevant administrative act in these stages. However, initiation is accompanied by input and exchange with national governmental, EU parliamentary and non-state actors. Scrutinizing to which extent the Commission really uses its right to initiative independently, Rasmussen concludes that both the European Parliament and the member states in the Council are able to exert informal agenda-setting power, “both because the Commission has been willing to accede to their requests, and because they possess important sanctioning tools in the event that it does not” (Rasmussen 2007: 261). In policy areas in which a member states has high stakes,

the domestic administration can try to intervene early on, either through its own national representation (most relevantly the COREPER), or by feeding in information and knowledge to the Council Secretariat – which does, nonetheless, not mean that all member states have the resources or awareness to have developed the needed early warning mechanisms and informal channels to intervene at this stage on a regular basis.

Figure 1: Administrative tasks in the EU policy process

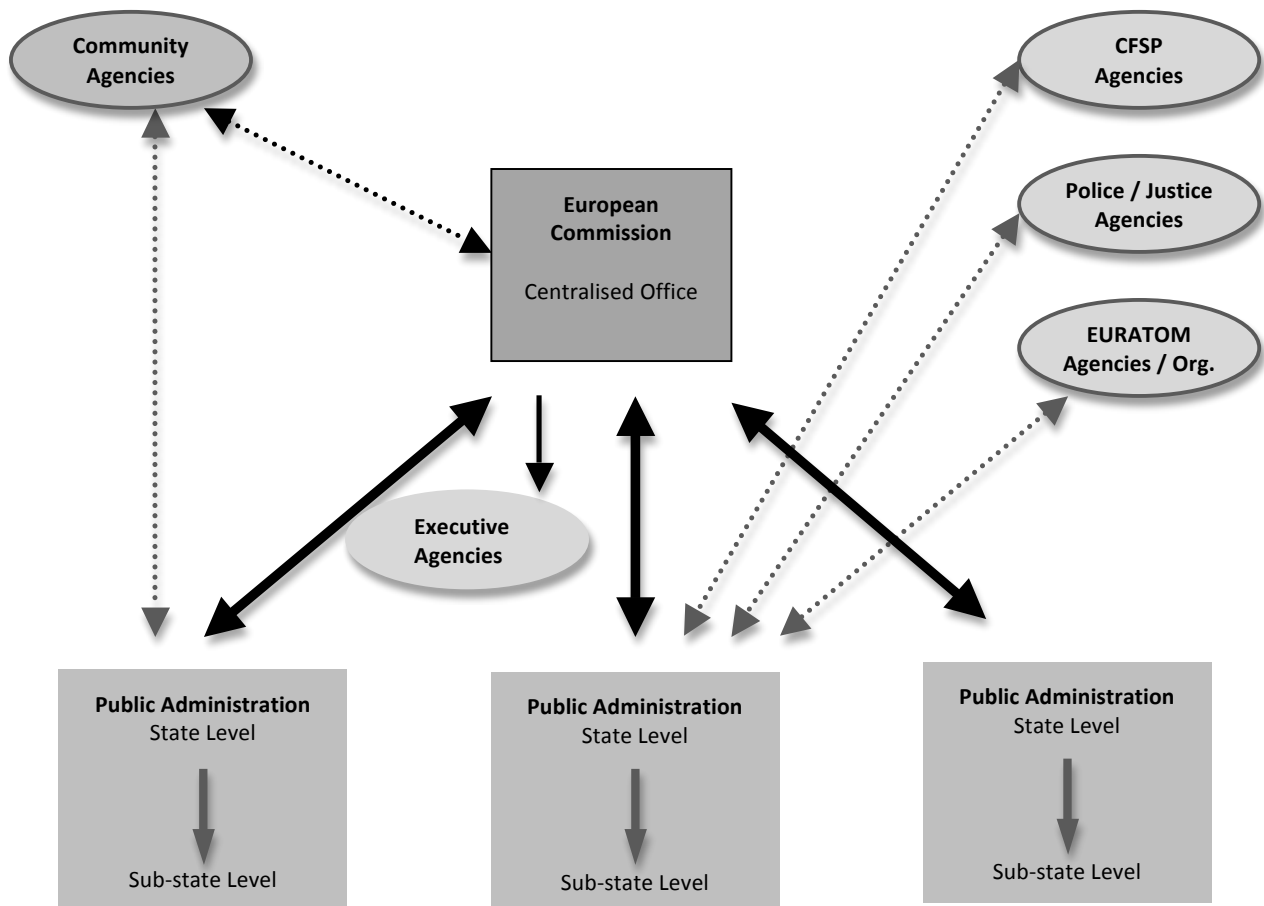


Source: own figure

In contrast, during the decision-making phase, national bureaucracies are central players since they coordinate and deliver the national position to be represented by the COREPER and/or political representatives in the Council of Ministers or European Council. The Commission gains a dominant role only in case of conflict and if a triilogue is set up to overcome deadlock in the decision-making between the Council and the EP. In order to find a compromise in the triilogue, the Commission refers again back to its right to initiative in proposing alternatives but becomes at the same time an actor in the decision-making procedure. As mentioned above, implementation is the obvious stage in which national and supranational administrators meet within the framework of Comitology, i.e. the negotiation for implementing acts for EU legislation in the multiplicity of committees made up by national and supranational administrators. Policy evaluation gained significant relevance in the context of Commission reforms that were realized after the Commission under President Santer had to resign do to corruption allegations. On the Commission side, performance orientation (Pollitt and Bouckaert 2004: 126) and systematic policy evaluations (Tholoniati 2009) adhering to new public management principles have been introduced under the Prodi and subsequent Barroso Commissions (for a critical review: Levy 2004). Despite the strong emphasis put on evaluation in Brussels, comprehensive impact evaluations remain a structurally contested

issue. The Commission suffers from very limited resources to exercise effective oversight on the lower echelons that implement policies in the multilevel system (Dimitrakopoulous and Richardson 2001: 349-52). Effective compliance control beyond outputs in form of national regulation depends heavily on self-evaluations of outcomes by the national administrators themselves. While in the evaluation stage the supranational and national levels formally stand in a hierarchical relationship, the limited resources of the Commission turn evaluation de facto into a joint venture based largely on self-reporting.

Figure 2: Division of administrative authority in the EAS



Source: own figure

The second question touches on **administrative authority**, which in a multilevel framework stands for the division of competences across the levels of the polity. Figure two depicts a schematic overview of the main bureaus on the different levels and various functional units that participate in the EAS. Officially, the European Commission as central bureau (Egeberg 2002) and the member state administrations with their respective sub-state administrative entities are endowed with administrative authority. Authority remains either with the member states, it is exclusively delegated to the Commission, or it is shared vertically between the national and supranational levels. In formal terms, the EU has no competences over national public administrations. That means the Commission cannot initiate legislation to harmonize administrative law in the member states and there is no single EU model of administration. Through its oversight role as guardian of the treaties and in areas of exclusive EU

competence, it has however some de facto authority over national administrations. In turn, national administrations impact on the Commission that depends on national resources for policy implementation but also policy formulation (*solid double-headed arrows, Fig. 2*). In addition, the past twenty years have seen the proliferation of different forms of agencies that fulfill a wide range of legal, technical, or scientific tasks (Wonka and Rittberger 2010). The five types of agencies operate with varying degrees of autonomy delegated by the EU and member state authorities. Still very much within the traditional Commission / member state administrative coordination fall the six executive agencies that manage aspects of selected EU program for a limited period of time are directly subordinated to the European Commission and – unlike the other agencies – are based in Brussels or Luxembourg. In terms of authority, the agencies play a subordinate role (*solid arrow, Fig. 2*). In contrast, the currently 23 Community agencies have an independent legal personality and are accordingly placed outside the administrative hierarchy proper. These agencies are mostly jointly set up and controlled by the member states and the Commission. Most depend on Community budget, while a number of Community agencies are financially independent. They are active in areas from aviation safety to fundamental rights, chemicals, environment and food safety. The third and smaller group of agencies is occupied with special tasks in intergovernmentally organized policy sectors. It comprises agencies of the Common Foreign and Security Policy (3 agencies), police and juridical cooperation in criminal matters (3 agencies) and Euratom (2 agencies) (*dotted arrows to indicate the limited authority the Commission and member states have over the agencies – and vice versa, Fig. 2*).ⁱⁱⁱ Together, the Commission, national and subnational administrations and agencies create an interlaced network of administrative governance.^{iv} In order to capture the mechanisms that underpin the convoluted vertical and horizontal linkages, I will turn to the policy instruments.

Public policy instrumentation “reveals a (fairly explicit) theorization of the relationship between the governing and the governed: every instrument constitutes a condensed form of knowledge about social control and ways of exercising it” (Lascoumes and Le Gales 2007: 1). In this vein, the analysis of the instruments at work in the EU brings to the fore how authority is organized and exercised. How these different levels and units of administration interact is scrutinized by a systematic stocktaking of the **policy instruments** through which supranational policy-making impacts on national public administrations.^v The two by two table (Table 1) draws from governance approaches and Europeanization research. Governance scholars distinguish between hierarchical and non-hierarchical governance modes. Applied to the EAS this means that instruments are either based on legally binding authority over national administrative organization, practices and tasks, or coordination is based on non-hierarchical modes. The second dimension refers to the kinds of policy-making through which the EU “hits home” and changes domestic public administrations. Whereas explicit supranational rules deal directly with public administrations, i.e. formulate rules about civil services as such, the EU affects domestic structures and practices implicitly where the implementation of common policies entails (unintended) adaptations of domestic administrations. Accordingly, the most binding and far-reaching form of supranational penetration are legally binding standards that regulate national administrations directly (*top left box, Tab. 1*). In the absence of a formal competence, the EU can actually not issue such regulations. This notwithstanding the European Court of Justice (ECJ) has produced a limited body of case law. Legal scholars thus state the existence of basic administrative principles that have been harmonized by the jurisdiction of the ECJ. These principles are distinguished in four groups “1) reliability and predictability (legal certainty); 2) openness and transparency; 3) accountability and 4) efficiency and effectiveness” (Cardona 1999: 8). Case law has selectively filed these

principles with concrete meaning, as for instance in the case of administrative employment (Nizzo 2001: 3; Bossaert, Demmke *et al.* 2001).

Table 1: Supranational instruments affecting domestic public administration

Governance mode	Supranational Rule	Explicit	Implicit
	Hierarchical	Administrative Standard <i>Examples:</i> general principles such as rule of law; ECJ: definition of administrative employment	Administrative Ordinance <i>Examples:</i> agricultural payment agencies, services of general interest
Non-hierarchical	Voluntary Coordination <i>Examples:</i> EUPAN, Common Assessment Framework (CAF)	Policy Implementation <i>Examples:</i> EU Directives in environmental, anti-discrimination, intellectual property, data protection	

Source: own table (cf. Heidbreder 2011)

Likewise hierarchically, administrative ordinances (*top right box, Tab. 1*) are based on the duty of member states to implement EU policies. The leverage the Commission has over national administrators derives from the executive powers delegated to her. In selected areas, as for instance agricultural or environmental policy, the Commission can therefore issue detailed executive orders that imply in practice that national offices need to fully adopt the hierarchically prescribed organization and practices of the implementing units. Services of general interest are another example in which the EU can negatively define which services do not fall under this category and hence the EU can effectively circumscribe which policies must not be dealt with by public bodies.^{vi} The extent to which the Commission can prescribe administrative details for policy implementation depends on the executive powers delegated to her. According to the founding treaties policy execution was originally exclusively in the hands of national administrations. This moves us to the traditional form of indirect administration (Ziller 2005: 214) (*bottom right box, Tab. 1*). Nonetheless, adaptations in national administrative structures or practices occur as side effects of the obligation to implement EU law. Notably, these adaptations do not automatically lead to harmonization between member state administrations since different states may opt for very different administrative responses within the logic of their administrative traditions and culture. Finally, the loosest form of cooperation is the voluntary horizontal coordination between national administrators. The European Public Administration Network (EUPAN) was founded in the 1970s as an “informal network” and a “platform for exchange of views, experiences and good practices to improve the performance, competitiveness and quality of European central public administrations” whose “vision” is to support the implementation of the Lisbon strategy by “placing the citizen at the centre of public management, by working in different areas (human resources, innovation, quality, e-government) and with different actors in order to support efficiency and customer orientation in European public services”.^{vii} EUPAN is accordingly a platform national public administration ministers use in biannual meetings that are lead by the incumbent EU presidency but remain strictly voluntary in character. In sum, the

EU applies various instruments that effectively penetrate the role, the tasks, the powers, and the practices of national administrations although the EU lacks regulatory competences to harmonize national civil services.

Table 2: Roles of national administrative actors

Supranational Influence Applicability to Public Administration	Explicit	Implicit
Hierarchical	Administrative Standard <i>Subordinate of Supranational Authority</i>	Administrative Ordinance <i>Executing body of EU Administration</i>
Non-hierarchical	Voluntary Coordination <i>Independent Actor</i>	Policy Implementation <i>Independent Implementing Agency</i>

Source: own table

The overview on administrative authority above listed the main administrative bodies that interact in the EAS. A closer look on **administrative actors** sheds light on the actor constellations and mutually dependent role definitions of the different units the various forms of multilevel policy-making. The focus on administrative actors is therefore derived from the insights on the intersecting policy instruments and links this to our central research question: how does the EU interfere with core state powers? Table two depicts the various roles national administrators have according to type of supranational rule and form of governance. Where hierarchically binding administrative standards (*top left box, Tab. 2*) apply, national public administrations are subjects of EU authority, as for instance when national laws have to be changed to accommodate foreign nationals as civil servants in accordance with ECJ case law. Implementing EU policies in which the Commission has been delegated executive powers, national administrations act quasi as executive bodies of the Commission that prescribes the rules of how to implement a narrowly defined task (*top right box, Tab. 2*). This differs from traditional indirect administration that leaves it to the discretion of national administrations how to implement EU law. Yet, the obligation to comply with the EU policy goals can entail far-reaching adaptations of domestic structures and practices (*bottom right box, Tab. 2*). Involving into voluntary coordination to exchange best practices, national administrations keep the largest degree of independence and act as independent actors on an informal platform. These different roles indicate the extent to which administrative state powers are affected by regional integration, especially by implicit supranational rule in day-to-day policy-making of the European Union.

From the systematic analysis of tasks, authority, instruments and actor constellations in the EAS, we can draw a number of conclusions about how to describe the multilevel administration in absence of harmonizing top-down regulation or bottom-up convergence of national public administrations:

- Both the supranational and national public administrations are involved in each stage of EU policy-making with complementing responsibilities. The EU policy process builds on **intersecting vertically shared administrative responsibilities**.
- The division of authority is policy-dependent; it ranges from national independence, over a clear delegation to the supranational level in which case respective other level has auxiliary functions, to fully shared responsibilities in which case administration is carried out jointly. Administrative **authority is partially delegated and therefore split** between political institutions and specialized agencies.
- Despite the absence of a formal supranational competence over national administrations, within the EU framework supranational actors apply a **variety of instruments to penetrate national administrations**. These range from general rules born out of ECJ litigation to strictly horizontal state-to-state voluntary coordination.
- As the selection of a policy instrument of national administrative penetration depends on the division of administrative authority in the multilevel policy process, actor roles depend on the respective instrument. Accordingly, the relationship between the supranational and national administrations ranges from a hierarchical principal-agent relation to full independence of national administrations. Cross-level **actor relationships depend on the policy stage and the policy content**.

The EAS is hence extremely pluralistic in its rules and procedures. Analytically, this makes the EAS some kind of moving target – that is however ever present and therefore relevant to be analyzed.

Empirical Analysis: Transforming Administrative Core State Powers

In order to underpin the conceptual take on the EAS with empirical evidence, I will turn to the second core question of the panel. “Why is the institutional development of the EU pushing the boundaries of the regulatory polity model” (Genschel and Jachtenfuchs)? From the above discussion follows one answer straightforwardly: because the EU impacts on core state powers through a much wider range of instruments than regulation. The regulatory polity model does not capture these implications of multilevel policy-making. The notion of the EU as regulatory state rests on the premise that for the EU steering by regulation is an efficient way to rule in light of its scarce resources to redistribute (Majone 1996). However, the regulatory polity model neglects in particular the unintended and implicit impact of supranational policy processes. Even if the autonomy of national public administrations is not subject to supranational regulation directly, participation in supranational policy-making changes tasks, authority, instruments and the actor constellations of national public administrations. Yet, even if it seems plausible that participation in EU policy-making occupies resources and changes administrative practices or even organization partially, this answer can hardly satisfy empirically. Which evidence gives a measurable indication of transforming core state powers?

The challenge for state powers over administration addressed here is not the reduced power of traditional public administration – although there are strong claims that new public management reforms and agencification produce such effects in the EU context (Egeberg and Trondal 2009b, a). However, the more deep-rooted challenge emerges from the overlapping EU tasks, authorities, instruments, and hence changed actor constellations that come hand in glove with EU policy-making. As pointed out in the beginning of the paper, this puzzle

emerges from a complementary view on public administration according to which politics and administration are not dichotomized but mutually supporting.

“Complementarity entails ongoing interaction, reciprocal influence, and mutual deference between elected officials and administrators. Administrators help to shape policy, and they give it specific content and meaning in the process of implementation. Elected officials oversee implementation, probe specific complaints about poor performance, and attempt to correct problems with performance, and attempt to correct problems with performance through fine-tuning. Changes in governmental process that substantially expand political control and weaken independence [...] weaken the dialogue between elected officials and administrators”

(Svara 2001: 180).

The core argument developed on the preceding pages is that the involvement in EU policy processes marks such a change in governmental process. The theoretical expectation is that the complementarity between elected officials and administrators is modified to the end that political power over public administrations effectively lessens due to the embedding of national administrators in the EAS.

In order to define measurable variables for the change the inclusion of national administrations in EU policy-making entails, I will draw from Demir’s work on complementarity between elected and administrative officials in US local government. To render the notion of complementarity between elected and administrative officials tangible, the politics-management dichotomy is broken up into four constructs. The author measures the role of administrators on a continuum between *politics* and *policy*, i.e. the degree to which public administrators serve particular or technical objectives. The role of elected officials is, in turn, measured on a continuum between *administration* and *management*, i.e. the extent to which elected and appointed officials share governance responsibility and reciprocally influence each other (Demir 2009: 877).^{viii} I use the variables proposed by Demir to measure policy activities along the two continua. The purpose is primarily to test whether these variables convey information on changed state powers in terms of adapted relations between elected and appointed officials, i.e. to get a coarse empirical overview on the direction of changed state powers. Therefore, the following discussion centers on variables and is beefed up with empirical illustrations on the EAS and Germany as exemplary member state. The data relates back to the above depiction of the EAS and builds on some earlier comparative work as well as secondary literature.^{ix} The single case approach is considered sufficient to examine the validity of the conceptual and empirical frameworks. Tables three and four summarize the findings. To distill changes in the complementarity between political and administrative realms, will discuss (1) the distinguishing complementarity features of the EAS at large, (2) the impact on the complementarity variables in Germany, and (3) the interaction effects between the national and supranational administrative action on complementarity of EU policy-making in general.


Before moving on to the analysis, a few words on the specificities of German EU policy coordination are necessary. Unlike centralized states like the UK or France, the federal state structure combined with large ministerial portfolio autonomy result a strong inclination to vertical and horizontal fragmentation of German EU policy coordination. Vertically, the division of authority over specific policies between the federal (Bund) and the state (Länder) levels is reproduced in the split responsibilities in EU coordination. Overall, “the constitutionalized (vertical) division of power between the federal level and that of the Länder leads to a complex system involving not only a negotiating structure relating equivalent actors to each other, but also relationships across the hierarchies of governance which prevail at each

level” (Maurer and Wessels 2001: 102). Horizontally, fragmentation is caused by the strong departmental autonomy of the German ministerial bureaucracy. The core coordination responsibilities are divided between the Ministry of Foreign Affairs (*Auswärtiges Amt*, AA) and the Economics Ministry (*Bundesministerium für Wirtschaft*, BMWi). Notwithstanding the ultimate hierarchical superiority of the Federal Chancellery (as for domestic cabinet decisions), day-to-day practiced coordination between the dominant ministries appears often as “double-tongued” and as cause for the structural fragmentation (Bauer, Knill *et al.* 2007: 736). The division of responsibilities between the AA and the BMWi replicates the two-tiered organization of policy negotiation in the Committee of Permanent Representatives (COREPER) in Brussels (Beichelt 2007: 425). The BMWi mirrors the issues dealt with in COREPER I, which are technical matters and the bulk of economic and main sectoral EU policies. The AA coordinates the political topics dealt with in COREPER II, namely institutional, financial, and the former third and second pillar policies. A relevant feature of German administrative coordination in general and regarding EU policies particular is the “negative” coordination style (Maurer and Wessels 2001: 102), though in a political context of a pronounced EU supporting consensus among the political elites (Grünhage 2006: 325). Negative coordination focuses on cases of conflict, be it vertically, horizontally, political, institutional or technical between different governmental departments. The dominant focus of conflict evasion (instead of positive, proactive promotion of innovative policy ideas) is in great part owed to the personnel structure and the hierarchical organization in which the Chancellery can issue general guidelines but does not exercise a centralized coordination in day-to-day coordination (Krax 2010: 99-100).

Notwithstanding the high fragmentation, Beichelt brands German EU coordination “over-efficient” due to the highly “functionally organised but purely technocratic preparation of EU policy without the participation of the general public, political parties, and national parliament” (Beichelt 2007: 421; see also: Derlien 2000: 72-73). Applying the notion of an integrated EU administration to Germany highlights the inclusive character of the bureaucratic procedures, to the point that bureaucrats of other member states with similar administrative systems consider the elaborate German coordination a technical support to estimate the impact of EU policy proposals on their own national and sub-national levels (Interview, October 2010). Reform attempts to increase efficiency and efficacy of the system have largely lead to a refinement of complex fragmentation (Moore and Eppler 2008). At the same time, the German coordination system has, in administrative terms, domesticated much of EU policy-making.

Table three offers an overview on the variables that measure public administrators’ scores on a politics / policy continuum. The variables are applied to the wider EAS and the German public administration. **Political neutrality** (particularism respectively) denotes the political end of the continuum. The EAS scores generally well, in particular because the multilevel and functionally segmented division of tasks and authority structurally reduce the options for political capture. The opposite is the case for national administrations whose central purpose becomes to promote the respective state interests. National administrators acting in the EAS are intentionally deprived of a complete neutrality status to promote state-centered particularism. The forum for political neutrality has thus shifted to the supranational, reflected in the declared national independence and collegial principle of the Commission.

Table 3: Politics – Policy Continuum (public administration complementary roles)

	Ideal typical task of administration	Administrators' activities in the EAS	... in Germany inside EAS
 <p style="margin: 0;">Politics end</p> <p style="margin: 0;">Policy end</p>	Political neutrality	avoiding political particularism	+	–
			<ul style="list-style-type: none"> • multiple political principals that reduce political clout • collegial principle in Commission • agencification of administrative tasks 	<ul style="list-style-type: none"> • bias towards state centered / German particularism (promotion of member state interest as main objective)
	Policy leadership	interacting & accounting for stakeholders	–	–
			<ul style="list-style-type: none"> • generally weak direct links to stakeholders (but: white book on governance strategy of Commission) • agencification: less stakeholder involvement due to mere technical, managerial nature of agencies 	<ul style="list-style-type: none"> • complex and fragmented coordination makes it difficult for stakeholders to access EU policy process in German system • time lack between EU decision-making and national communication / effect additional hurdle
	Conflict resolution	deliberating with society	–	–
			<ul style="list-style-type: none"> • supranational administration: weak ties except some very ,selected stakeholders • communication channeled largely through national media (Koopmans and Statham 2010) • response to increased politicization mainly in national realm (Hooghe and Marks 2009) 	<ul style="list-style-type: none"> • complex coordination process: reduced access points for societal actors • system of “negative coordination” (Maurer and Wessels 2001: 102), i.e. merely focusing on inter-ministerial & cross-level conflicts
	Policy initiation / formulation	providing expert input	+	(+)
		<ul style="list-style-type: none"> • formally strong role attributed to Commission (but: informally: lack of resources to fulfill task, reliance on external expertise) • state-level administrative support • agencification 	<ul style="list-style-type: none"> • direct provision and reception of information with Commission (but: lengthy procedure may lead to exclusion of German expertise in end) • division of coordination responsibilities according to COREPER I / II 	
Goal setting & resource allocation	cooperating with elected officials in decision-making	– / (+)	–	
		<ul style="list-style-type: none"> • formally low, goal setting prerogative of European Council, • informally strong input in goal setting by Commission / Council Secretariat (but: depends on political leadership, e.g. Delors/Barroso) • weak administrative input in resource allocation since stronghold for national political influence 	<ul style="list-style-type: none"> • due to complex coordination system: generally weak in agenda setting on EU level (but: due to political weight of state often option to exert political pressure late in decision-making process) 	
Policy evaluation	providing information on needed change & assistance to change / terminate policies	–	–	
		<ul style="list-style-type: none"> • evaluation capacities weak due to high dependence on implementing units' self-evaluation • termination of policies highly political / hardly possible due to decision-making rules (Scharpf 2006; Farrell and Héritier 2007) 	<ul style="list-style-type: none"> • Mere information providers, very limited if any bridging function vis-à-vis citizens 	
Policy analysis	providing information & factual data	+ / –	–	
		<ul style="list-style-type: none"> • formally strong role for Commission, (but: limited resources & use external expertise (van Schendelen 2006)) 	<ul style="list-style-type: none"> • weak due to negative coordination system that triggers no proactive but only administrative action if internal conflict 	

Source: own table (first three columns adapted from Demir 2009)

In **political leadership** and **conflict resolution**, defined as the inclusion of stakeholder viewpoints and deliberation with society, both the EAS and national administrations score worse than traditional national administration. On the supranational level, the Commission has reacted to this in its White Paper on Governance (2001a) to promote both the inclusion of societal actors and deliberative communication with citizens. Despite the vivid academic attention to the Governance White Paper, this approach cannot overcome the structural problem that political communication is channeled primarily through national political actors (Koopmans and Statham 2010). However, with policy-making having extended to the EU level combined with the complex internal coordination system, also the German federal and state level administrations have less or no leeway for policy leadership and conflict resolution, especially in the implementation phase because they can hardly react to implementation failures directly by changing supranational rules. In the **policy initiation and formulation** stage authority has clearly shifted to the Commission on the supranational level, as pointed out above. Effectively, on the national level “neither the parliament nor the government have direct influence over the setting of the European agenda” (Auel and Benz 2007: 378). Given the many formal and informal administrative links, national administrations can, in relative terms, be seen to have the largest influence of the national actors. Nevertheless, in absolute terms also national administrations are rather weak vis-à-vis the Commission’s authority. Also goal setting and resource allocation have shifted to the EU level. Yet, unlike policy initiation the **setting of goals and resource allocation** are highly politicized in the EU. Whereas Demir places them closer to the policy end of the continuum, the negotiation of overall policy goals and the multiannual budget are the most salient points of conflict in intergovernmental negotiations in the European Council. Formally, all administrative actors in the EAS therefore score low (with a partial exception of the Council Secretariat, though). Informally, the Commission does play a role in drafting overall guidelines, such as the Agenda 2020 or budgetary proposals, whereas national administrations clearly play a minor role. Both for **policy evaluation** and **analysis**, the Commission is formally endowed with a key role, which is de facto weakened by the scarce resources to deliver, which makes it often dependent on the expertise of external experts (analysis) or national administrations (evaluation). The EAS and national administrations score particularly and chronically badly in the evaluation of EU policies, for reasons discussed in connection to the EU policy cycle above. Linked to its strong role in policy initiation, the Commission relies on policy analysis, often provided by external expertise though. In contrast, the dominant style of negative coordination in Germany is geared heavily to detect potential vertical or horizontal conflict that may arise over EU policy proposals. Negative coordination implies a systematic negligence of an analysis-based and positive shaping role in form of providing information or data.

Summing up: how do the EAS and the German administration score, and which interaction effects shape the complementarity between political and administrative actors? Overall, the EAS is marked by a strong policy bias. It scores well on neutrality but simultaneously weak in the politically glazed tasks of conflict resolution and social deliberation. This weak performance is not only owed to the specific role of the European Commission but roots deeper in the structure and functioning of the compound administrative system whose split authority and joined tasks management reduce the number of direct contact points for citizens. With respect to policy initiation and formulation, goal setting and resource allocation, policy evaluation, but also the avoidance of particularism, we see a shift of formal task attribution from national to supranational administration within the EAS. However, for all these variables the very limited resources of the European Commission to fully complete these tasks

reduces de facto supranational overweight and brings national administrations (rather than political actors!) back in. All in all, the strong bias of the EAS towards the policy end of the continuum is not so much weakened by direct political interference but by a lack of administrative resources. The German public administration scores low on basically all variables in absolute terms. Only in policy initiation it scores better than other national political and societal actors. Most striking is the intended particularism national administrations are set to promote in EU policy-making, which runs counter the generally endorsed neutrality principle. More relevant for the hollowing out of core state powers is that the national administration's capacity for policy leadership and conflict resolution are reduced. Same holds for the changed leverage on goal setting, policy evaluation and analysis – let alone initiative. The policy bias of the overall EAS that makes it strong as a-political policy oriented administration implies thus that the national administration is deprived of potentially relevant capacities to mitigate between the political and administrative realm, as normatively intended by the complementarity perspective. Complementarity and with it a strong politics / administration link on the national level is weakened due to participation in EU policy-making.

The second dimension focuses on elected officials' complementary roles along the administration / management continuum. The underlying idea is that elected officials should ideally also be involved in certain administrative processes. Table four summarizes the variables that would all fall into the administrative realm were we to apply a strict politics / administration dichotomy. The first variable at the administration end of the spectrum is the assistance and political oversight during the **policy implementation**. The involvement of elected officials should serve to react directly on complaints or conflicts. Referring back to the illustration on the policy implementation phase and the peculiar organization of Comitology, quite obviously political involvement in policy implementation is extremely difficult in the highly technical procedure, even if a topic has high political salience. The European Parliament has for long been fighting for oversight rights in the Comitology procedure, which it has been granted in the Treaty of Lisbon. The new powers are however limited to ex ante control, not least because ongoing control by the EP during the implementation phase is basically impossible to realize in the multilevel framework. This situation is even more articulated when national administrators implement EU policies since political and administrative authority are split: while the perceived responsibility of a policy decision is located in Brussels, the administrative output is delivered nationally, regionally or locally. Political actors' involvement in **administrative goal setting** is to ensure politically and technically balanced proposals. The EAS scores – intentionally – badly on this variable. First, multiple principals cannot easily formulate clear preferences at this stage. Second, and more importantly, the peculiar institutional setup in the EU legislative process (Majone 2001) contradicts such a political involvement to avoid national particularism in common initiatives. Notably, the European Parliament does not even have a right to initiate legislation, which is a core privilege of parliaments under traditional separation of powers in democratically organized states. This said, informally the Commission aims to accommodate both member state and EP preferences in a wide array of informal procedures (Farrell and Héritier 2003). De facto there is political involvement but it remains diffuse and informal. Not much recognized but little disputed, the Commission has moreover large discretion in issuing administrative acts which puts it in the role of a legislator in areas of exclusive Community competences (Cini 2006) – basically free of any political involvement. The delegation of tasks to independent agencies further reduces the points of reference for political / administrative exchange.

Table 4: Administration – Management Continuum (political actors' complementary roles)

Task of elected officials	Political actors involve in in the EAS	... in Germany inside EAS	
Administration	Policy implementation	Assistance & oversight, direct reaction to complaints	– <ul style="list-style-type: none"> generally weak due to multiple principals and complexity of compound system EP Ombudsman not integrated political player but external oversight to EAS 	– <ul style="list-style-type: none"> implementation of EU policies structurally not linked to strong national oversight, direct reaction by national elected officials hardly possible (but: BVerG judgment on parliamentary oversight)
	Administrative goal setting	Inclusion of political prerogatives in policy formulation	– <ul style="list-style-type: none"> formally policy initiation prerogative of administration, no right to initiate legislation for EP or Council (informally: member states/EP preferences considered in initiatives) (Farrell and Héritier 2003; Rasmussen 2007) Commission as legislator Task delegation to agencies 	– <ul style="list-style-type: none"> strong bias for administrative impact in fragmented coordination system ministerial autonomy potentially strengthened due to "Spiel über Bande", i.e. less national cabinet coordination
Managerial end	Performance evaluation & improvement	Coordination of mutual expectations of admin. performance	– <ul style="list-style-type: none"> mainly administrative self-evaluation ex ante and ex post control of Commission through EP national administrative control through national system (varies) agency oversight by Commission + member states (latter dominant) 	– <ul style="list-style-type: none"> compliance control by Commission (not national political superior) strengthening of executive, administrations vis-à-vis parliamentary oversight
	Organizational coordination	Immunity to political interference	+ <ul style="list-style-type: none"> since EAS complex administrative network, hardly any direct political inference (but: number of ECJ rulings) 	+ <ul style="list-style-type: none"> historical development of German coordination system based on administrative acts, no major political inference
	Personnel management	Shielding from political influence	+ <ul style="list-style-type: none"> generally the case in formalized recruitment system of Commission (concours) (but: national quota) political bias in establishment of agencies to grant national balance 	+ <ul style="list-style-type: none"> largely negligence of specialized EU qualifications for public administrators (but: esp. Länder building up expertise)

Source: own table (first three columns adapted from Demir 2009)

Turning to the national level, again the fragmented coordination system and negative coordination principle strengthen the administrative role vis-à-vis national politicians, but not in absolute terms vis-à-vis the Commission or EU agencies. In cases of political deadlock in a state, moving to the EU level can conversely also increase political leeway for sectoral issues that are not decided in a multi-sectoral national cabinet but a semi-sectoral EU Council of Ministers ("Spiel über Bande"). The greater leeway for ministerial autonomy can be backed by direct horizontal contacts between administrations of various member states. Horizontal administrative cooperation can hence support the multilevel venue shopping for political decision-making. At the same time, it undermines state-internal coordination across sectors and the portfolio coordination of national cabinets in favor of specific ministerial interests. Administrative **performance evaluation and improvement** differ from policy evaluation in that they focus on the organization and functioning of the administrations as such. Strength-

ening political involvement aims at coordinating mutual expectations. For the EAS, the first question is indeed what such mutual expectations ought to be. This quarry relates back to the political versus managerial visions of the Commission as originally represented by Jean Monnet and Coombes (Coombes 1970). Widening the view to the various elements of the EAS, the question itself becomes even more diffuse. Especially the boom of agencies and their very design has convincingly been argued to serve the member states' objective to prevent the delegation of bureaucratic power to the Commission (Tarrant and Kelemen 2007). A landmark constitutional change towards the definition of administrative performance standards was the ratification of the Treaty of Lisbon that renders the Charter of Fundamental Rights legally binding. The Charter includes the "right to good administration" (Art. 14), which "is based to a large extent upon existing principles to be found in the EU treaties, legislation and case-law, in an effort to balance subjective rights of individuals and the general interest of society in having an efficient administration embedded in the respect of the rule of Law" (Ziller 2008: 7). The rights relate to the corollary rights to access EU documents, to refer to the EU Ombudsman, and to effective remedy and fair trial. The positive formulation of good administration as principle is, however, still to be filled with more concrete meaning in the policy process, which will more likely be defined by the ECJ and not political / administrative cooperation. An empirical indication of how expectations are handled are the Commission reforms, most importantly the Kinnock reform that was pushed for by the Commission itself with the multiplicity of political perspectives entering mainly informally (Kinnock 2004). As mentioned before, short of clear-cut objectives about the Commission's role, the member states' most effective means to exert political power is to keep the Commission's resources limited. Additionally, the EP has emerged as an important control body of the Commission. But since the actual control instruments are extremely harsh (rejection of an appointed Commission President, or demission of the whole College), these control functions do not really promote mutual expectations management but rather a confrontational control relationship.^x In short, a cooperative political / administrative coordination of expected administrative performance of the EAS is hardly realizable due to the multiple venues, forms of administrative actions, political principals – and above all, the underspecified definition of "good administrative performance" even of the Commission.^{xi} Turning to the German case, independent of the degree to which mutual expectations are coordinated within the ministerial bureaucracy in general, participation in the EAS decreases the options for such political / administrative links. The systematic difference of EU compared to purely national policy-making is that the Commission becomes a political superior that controls compliance and the implementation of EU law (*bottom right boxes, Table 1 and 2*). Hence, performance goals also have to match supranational standards which are, however, mostly delegated top-down from the Commission to the national administrations in administrative ordinances. Finally, the EAS and the German national administration score fairly well on **organizational coordination** and personnel management at the managerial end of the scale, even if for different reasons. Quite obviously, given the compound and policy-driven nature of the EAS, political inference is, overall, low. Looking at the constituent elements, the Commission's organization is indeed highly independent while the driving idea of delegating tasks to agencies is precisely to increase independence. Policy coordination in Germany has historically grown as response to administrative demands rather than political interference. An exception was the move of coordination functions from the ministry of economics to that of finance under the first Schröder cabinet in order to increase the weight of the minister of finance's portfolio. This move has, however, been reversed after the demission of that very minister. As far as administrative staff is concerned, **personnel management** in the EAS is based on a merit system and especially the entry into the EU Commission is organized by a

formalized procedure of examination. Yet, for the Commission as other EU institutions formal or informal country quotas apply. Personal management in German EU coordination has for long not been an issue since personnel was simply integrated into and recruited out of the ministerial bureaucracy. A changed and more strategic approach that takes account of the increased relevance of EU decisions can be observed in some instances. Some of the Länder administrations have however begun to build up specialized EU expertise. For example, Saxony has introduced a “EU pool” that provides funds for Länder-level bureaucrats to be seconded to either the Brussels office or the coordination unit of the foreign office. Choosing a different approach, the Land of Hesse has started a “EU trainee” program to build up EU related expertise of selected officials. These approaches reflect the increased attention also on the Länder level on administrative competences to participate in EU policy-making (Interview, 2010).

Recapitulating the findings: the EAS in its whole is to be placed much more at the managerial than the administrative end. This results in great parts from the overall institutional architecture of the EU. Equally important is the fact that multiple political actors act as principals across the levels of the polity, which obliterates political clout not least because these actors come from very different administrative cultures and traditions that shape their preferences. German administration in the context of EU policy-making runs generally parallel to this. Notably, this is in great parts explained by the general principles underpinning German public administration. Yet, particularly in the case of performance evaluation and improvement, as well as policy implementation, the additional EU layer has drawn capacities from the national political realm to the supranational authorities. To a lesser degree, this applies also to administrative goal setting. On the whole the EAS structurally lifts the hurdles for political involvement in administration and management tasks.

Conclusions: Depicting and Explaining State and Functioning of the EAS

This paper started from the fundamental claim that public administrations are central players in the policy process, and hence that the control over and organization of civil services are core state powers. The central questions asked were accordingly: which administrative system underpins EU policy-making; and which consequences does participation in the European Administrative Space entail for the autonomy of national bureaucracies?

Answering the first of the two queries, I developed a conceptual framework to depict the EAS as a policy-driven, compound, and multilevel administration. Taking a public policy angle, the EAS is systematically described by delineating the administrative tasks, authority, instruments and actor constellations it operates on. This approach allows drawing a clear analytical picture of the complex administrative space that falls short of unitary institutions in form of formalized harmonizing. This analytical description therefore renders the EAS comparable to other public administrations. Moreover, the analytical framework offers a template to describe other multilevel administrative compounds in international policy making. The theoretical innovation is the definition of categories that are systematically derived from administrative practices in order to overcome the theoretical problem we are faced with when describing systems that develop in the intentional absence of a planned institutional design of the administrative architecture.

The second challenge dealt with was the empirical measurement of the impact which participation in a compound multilevel system has on national public administrations. Drawing on the complementarity view in public administrative research, I applied variables that capture the intersection between the political and administrative realms to the EAS at large, and the German national administration more narrowly. The findings add to our understanding of the EAS, the national civil services in supranational policy-making, and the analysis of complementarity more generally. Firstly, the EAS emerges as strongly policy-oriented with a managerial focus and with very limited scope to integrate political and wider administrative objectives. Applying a politics / administration dichotomy, the EAS hence seems to fare rather well at first sight. Scrutinizing the single variables more thoroughly, it shows however that administrative independence is paired with insufficient resources and concentration of authority. In consequence, the Commission is not the central independent administrative actor it formally suggests to be. Instead, the joint execution of task and split of authority along vertical and functional lines reduces de facto both political oversight *and* administrative independence. Secondly, the participation in the EAS renders the German national administration more policy-oriented with respect direct interactions with citizens. At the same time it loses neutrality because its central purpose is the promotion of national interests in the EU policy process. Core state powers are affected in various ways, the most striking are: the negative German coordination system and shift of policy formulation powers to the Commission reduce the possibility to feed policy analyses into the policy process, policy implementation on the ground is based on administrators' direct contacts to Brussels (largely exclusion of national political actors), political oversight is shared with supranational organizations (mainly the Commission), and horizontal state-to-state administrative cooperation to push a sectoral issue onto the EU agenda can undermine the national inter-ministerial coordination ("Spiel über Bande"). Thirdly, these findings support the validity of the applying complementarity variables in order to measure the effect of multilevel policy making on public administrations. Although the paper's main focus was not an elaborate empirical study, the results reveal a great amount of indicative information that call for further, more refined and comparative empirical research to uncover in more depth how the EAS / national public administration interactions play out in different administrative systems.

In conclusion, the conceptual and empirical results have normative implications that should not go unnoticed, in particular because the complementarity view rests on strong normative grounds. Even though the strengthening of policy-orientation and a managerial bias both in the wider EAS and on the more confined national level appear to support administrative neutrality, it has been shown that this is not necessarily the case. With EU policy-making becoming gradually more politicized (Hooghe and Marks 2009; Kriesi, Grande *et al.* 2008) a gap between political and bureaucratic governance can bare severe dangers because civil services lose their capacity to offer direct contact points for citizens and the crucial capacity to mitigate between the policy process, politics and people.

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ⁱ See: http://ec.europa.eu/civil_service/about/figures/index_en.htm (accessed Feb. 25, 2011)

ⁱⁱ Some more recent publications include (Trondal 2010; Egeberg and Trondal 2009a; Balint, Bauer *et al.* 2008; Hofmann 2008; Pollak and Puntischer Riekman 2008; Olsen 2007; Hofmann and Türk 2007; Craig 2006; Hofmann and Türk 2006; Ziller 2006; Chiti 2004; Shapiro 2004; Siedentopf and Speer 2003).

ⁱⁱⁱ An overview on EU agencies: http://europa.eu/agencies/index_en.htm (accessed Feb. 15, 2011).

^{iv} I omit here the Council Secretariat (officially: General Secretariat of the Council of the European Union), which has assists the Council technically in implementing its annual program, it provides the secretariat for Intergovernmental Conferences, and it coordinates the intergovernmental organized Common Foreign and Security Policy. Depending on experience and choice of the country holding the rotating Council presidency, the Secretariat can play a major role. The omission is however justified by the less prominent role of the Secretariat in the policy process – in contrast to major Treaty reforms (Christiansen 2006). Moreover, the introduction of the permanent president of the Council might also increase the role of the Secretariat vis-à-vis the Commission. At date, it is still to early to judge to which extent the Lisbon Treaty impacts on practices.

^v For a more detailed overview on policy instruments and actor constellations, see (Heidbreder 2011).

^{vi} The regulation of Services of General (Economic) Interest (SGEI/SGI) was already enshrined in the Treaty of Rome. A reference to SGEI/SGI was introduced in the Treaty of Amsterdam (Article 16, EC) highlighting the fundamental character of the values underpinning such services (Commission of the European Communities 2001b). As a term for public services that cannot be equally well-provided by private services “the very concept of services of general interest was developed by the European Community” (Mangenot 2005: 4). Obviously, the authority to define what falls under national authority of SGEI or rather the Community’s competition laws is crucial for the actual responsibilities of national public administrations in areas such as water management, telecommunications or energy supply (services of general economic interest), but also security or education (services of general interest). For the Commission, SGI generally also includes social services (Commission of the European Communities 2006). In essence, the delimitation of national SGEI/SGI by the Commission or the ECJ does not only impact the structure and practices of national administrations but their very functions to the extent that it implies the prohibition of public monopolies in certain areas. The Commission recognizes that the mission to fulfill a general interest takes precedent over the competition rules of the EC Treaties and that, in particular, many social and health services imply obligations that differ substantially from those offered on a commercial basis (Commission of the European Communities 2004). This notwithstanding, short of a precise definition of the distinguishing line between SGEI/SGI and the EC founding principles of anti-trust and competition, there is considerable scope to demark the actual functions of national public administrations.

^{vii} See EUPAN website <http://www.eupan.eu/3/70/> (last accessed February 17, 2011).

^{viii} Demir formulates the variables in normative, prescriptive terms, i.e. the behavior elected and administrative ought to show in order to achieve complementarity. He then measures to which degree city managers adhere to these to these standards and finds that “politics and management seem to have a dichotomous-like relationship, while policy and administration seem to be blended, with reciprocal influence and overlapping roles” (Demir 2009: 885). I do not refer to the normative language but use the variables as measure for a complementary relationship between politics and administration. Unlike Demir, the goal is not to test whether certain administrations meet the criteria of complementarity. The goal is to see whether the degree of complementarity has changed in one or another direction due to inclusion of public administrators and political decision makers into EU policy making.

^{ix} For the data on Germany, see an earlier comparative analysis of German and Italian EU policy coordination (unpublished conference paper, available at: <http://www.sog-rc27.org/paper/berlin2010/Heidbreder.pdf>).

^x A case in point are the rigid budgetary controls the EP put on the Commission after the demission of the Santer Commission.

^{xi} The struggle to cut red tape in Brussels may be read as anecdotal evidence of this, see e.g. <http://www.euractiv.com/en/innovation/governments-failing-deliver-red-tape-industry/article-173181> ; and the Commission’s dossier on administrative burdens: <http://ec.europa.eu/enterprise/policies/better-regulation/administrative-burdens/> .