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# The Administrative System of the European Union

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# Introduction[1]

This volume is a primer on the European Union (EU) administrative system. It offers a wide anging analysis, notably on how EU administrative capacities relate to pre-existing institutional constellations at global, national, and subnational levels of government, and contribute to a system transformation of existing (largely nation-state) administrative orders. The intellectual foundations of the endeavor lie in the fields of administrative sciences, organizational and institutional theories, and theories of decision-making and the policy-making process. This introductory chapter aims to set the stage regarding the core aims of the volume, scholarly relevance, and a research agenda. It attempts to develop a perspective of public administration as the core characteristics and elements of theEU'semerging political system. We argue that analyzing the patterns and dynamics of the administrative capacities of the EUis essential in understanding how the EU shapes European public policy. Administrative capacities are thus not analyzed in isolation, but as structures that mobilize systematic bias in the production of public policy (Arellano-Gault et al., 2013, 154; Schattschneider, 1975).

This volume addresses a variety of research questions on institutional change and continuity, decision-making behavior and processes, and public policy making. Six broader research questions are placed centerstage and are discussed and empirically illuminated throughout the individual chapters:

- How enduring are administrative systems? More specifically, we ask to what extent the characterstics, elements, and dynamics of an emergent European administrative system are fairly stable or subject to abrupt change. In short, how unsettled and emergent is the European administrative system?
- Do new administrative systems profoundly transform pre-existing administrative systems? More specifically, we ask if the rise of a genuine European public administration system represents a profound institutional transformation, or merely an adjustment of well-known principles and practices of administrative organization and patterns of public policy-making.
- What are the principled implications of an emergent new European administrative system? More specifically, we ask how a European public administration system impacts on well-known processes of administrative control, accountability, coordination, implementation, and policy learning.
- How does the growth of administrative capacities equate with the principle of democratic governance? More specifically, we ask how a European public administration system may change public administration as an instrument of national democratic authority. How far and with what effects does policy making in a multilevel administrative system change the role and power of core executive institutions and correspondingly weaken parliamentary oversight?

- Finally, when does administrative capacity building equate to new polity formation? Mores pecifically, we ask to what extent the rise of a European administrative system contributes to system transformation. Does the sum of administrative capacities – and their inter-relationships – aggregate to some kind of common administrative system? If so, this volume aims to unveil the characteristics, elements, and dynamics of such a system.

Our point of departure is the observation that the European integration project that has become the EU has transformed and keeps transforming itself and its memberstates. In more than 60 years of cooperation, a multilevel political and administrative system has emerged that is characterized by institutional innovation and imitation, and organizational fragmentation and integration, as well as institutional continuity and change. Of course, any political system tends to adjust – more or less effectively – to changing technical, socioeconomic, and cultural environments (Cerny, 2006; Thorntonetal., 2012). However, the scope, scale, and intensity of change that has been evident in the EU make it a particularly interesting case to study.[2] Thus, the EU can be understood as a system that provides specific challenges and particular conditions to cope withorsufferfrominstitutionalchange.Againstthisbackground,thischapter is concerned with what may be called the 'administrative dimension' of the emerging multilevel political system of the EU. Five concerns underpin the relevance of choosing such a focus.

A first reason for focusing on the administrative face of the EU relates to the fact that the EU is neither a republican democracy no a fully-fledged state. Its supranational legal order is uniquely dense and sophisticated, but there is, for example, no common administrative law as we know it from nation-states. Other differences concern the fact that it is national legislators that largely transpose EU legislation, with national contributions basically financing the EU budget, and national public administrations and national courts practicing and supervising EU public policies. In other words, peculiarities of the division of tasks between national and supranational levels of government underscore some unique features of the EU administrative system. However, the separation of authority between levels of government appears more pronounced, that is its various levels are more independent from each other, than seems to be the case in any national federal system.

This manifest separation gives rise to a number of specific characteristics and challenges. For example, enforcement of EU policies is less determined by unified rules and procedures and thus tends to be much more precarious and also more costly than in national systems. Therefore, it is easy to see why joint convictions and values, and common operating procedures, become important in safeguarding a cohesive implementation in the various national constituencies. As it is the bureaucratic apparatuses at various levels which prepare policy solutions, organize

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[2] The current financial turmoil appears to give rise to protective measures (for example customs and tariffs) that may well lead to 'deglobalization'. The point is that transformative change should not be conceived of as unidirectional. See Reinhart (2012). 'The Return of Financial Repression'. CEPR Discussion Paper no. 8947. London, Centre for Economic Policy Research. http://www.cepr.org/pubs/dps/DP8947.asp.

the decision-making, and conduct implementation, the concern arises that democratically unresponsive and anonymous bureaucrats de facto decide without proper political guidelines about issues that majorly affect national ways of life and the redistributive choices of European societies (Habermas, 2012).

A second and related concern about administrative power in the EU stems from the particular decision-making logic developed at supranational level. The standard legislative process in the EU requires a proposal from the Commission, a broad majority in the Council, and the approval of the European Parliament (Stie, 2013). The efficiency of that procedure has been praised. However, once the high consensual hurdle has been jumped, the very same consensual require; ments prevent the subsequent adaptation of supranational legislation. Even if political preferences subsequently change, a coalition between the Com; mission and a small number of member states can relatively easily defend the status quo (Scharpf, 2006). In other words, EU legislation is much less reversible than national legislation; one effect of this is that the 'custodians' at supranational and national levels increasingly become central players because they 'administer' the status quo with the prevailing legislative stability play; ing into their hands (Ellinas and Suleiman, 2012). Moreover, in many EU policy areas (monetary policy, competition policy, or areas where the open method of coordination is applied) representative politicians tend to be cut out and special appointees are empowered instead – such as European judges and bureaucratic experts. It is evident that in view of these observations the conditions, structures, and forms of interaction under which public administration in the EU functions need to be thoroughly studied.[3]

Thirdly, public administration as a subdiscipline needs to pay more atten; tion to ongoing transformations of bureaucratic interaction in the EU. The administrative reality of the EU – perhaps with the exception of work concerning the European Commission – remains under;studied even though it has received increased academic attention in recent years (for example, Kassim et al., 2013). Public administration scholars thus still have only an imperfect and partial understanding of how the supranational administrations function, how bureaucratic interactions occur horizontally and vertically among various political layers, how administrative structures across levels are developing, how precisely supranational administrative actors cultivate and use resources, and how national bureaucratic structures and actors adapt to and exploit respective constellations. From an administrative science perspective, it is of great importance to come to grips with the contemporary bureaucratic reality and administrative change in the EU. Even more so since mapping and explaining administrative patterns and variations, be they structural or attitudinal, allow significant insights into a fluid multilevel political system, the constituents of which have been forged by the varied paths taken in the past and which have accompanied diverse national traditions, institutional arrangements, cultures,

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[3]The paragraph follows the succinct discussion of these problems by Fritz W. Scharpf – see 1985 and 2006.

and styles. How such diversity is bound together and how it combines needs to be disentangled.

Fourthly, there is also a broader theoretical interest behind analyzing the patterns and dynamics of the EU administrative system. This more general theoretical interest is related to the challenge that the emerging EU administrative system poses for the discipline of public administration which has been largely locked in 'national laboratories'. Theoretical lessons from social sciences are arguably affected by the empirical laboratories available to schol; ars. The domain of public administration may possibly gain new theoretical advances by challenging methodological nationalism. As new forms of political and administrative orders emerge, they need to be appropriately analyzed and interpreted in view of the changes they carry for executive politics and bureaucratic interaction. How public administration functions in a world characterized by the blurring of administrative boundaries, increasing inter; dependence, and decreasing capacities of national administrations to provide a common good is still far from well understood. The emerging public administration of the EU, in which such kinds of structural changes are arguably most advanced, appears the appropriate area for sharpening our analytical tools and for learning new theoretical lessons in public administration. Such an exercise also adds to the effort of bringing public organizations into greater focus in organizational sciences and thus building bridges between organizational studies and public administration (see Arellano;Gault et al., 2013, 152; Bozeman, 2013).

Fifthly, mapping and explaining changes in the EU administrative order must not, however, be seen as an end in itself. While recording and accurately describing administrative patterns and dynamics are of crucial value, the prime aim is to decode the consequences of administrative realities for public policy. Against this background, this chapter attempts to develop a perspective of public administration as a core dimension of the EU's emerging political sys; tem. We argue that analyzing the patterns and dynamics of the administrative capacities of the EU is essential in understanding how the EU shapes European public policy.

The chapter is laid out as follows. The next section offers rationales for studying the EU as an administrative system. The third section reviews the existing literature and attempts to 'order' the various works into distinct scholarly approaches and agendas. Against the background of the analysis of the state of the art of scholarly thinking, we then consider the elements constituting the most specific characteristic of EU administration, fourth section. By combining approaches of multilevel governance and system theory, a 'system perspective' as an appropriate framework for studying EU administration is offered; the aim is not to prescribe a particular theory in order to analyze EU administration, but rather to outline a broad frame for analysis that may encourage the accumulation of knowledge from the case studies presented throughout this volume. The chapter closes with the skeleton of the research agenda in the fifth section and a brief outline of the structure of the volume in the sixth section.

## Studying administrative systems

The significance of administrative systems, structures, and dynamics is often taken for granted during historical periods of stability. As envisaged already by Saint-Simon (1964, 35–38) in 1814, a necessary factor in building political order is the establishment of common institutions, including a permanent congress independent of national governments serving the common interest. During periods of crisis, however, existing political and administrative arrangements tend to be subject to debate, contestation, and demands for major reform. Periods of turbulence are sometimes also accompanied by calls for pre-existing political solutions; new problems may call for familiar answers. The financial crisis that hit Europe in 2008 illustrates that in order to understand administrative systems, we need to understand how formal organizations emerge, change, learn, and disappear. It is equally important to understand how organizations, and different modes of organizing, affect decision making, cooperation, and conflict as well as political outcomes.

However, studies of unsettled systems such as the EU have been – at least in this respect – much less attended to in scholarship. Since the classic administrative school of Luther Gulick (1937) and up to recent public administration and comparative government literature (Olsen, 2010), scholars have largely dealt with settled administrative systems. This volume aims to contribute to our understanding of the rise of the European administrative system as a 'system in the making' – regarding both its major causes and its consequences. The analytical point of departure is thus the European administrative system, and unfinished and evolutionary polity. Given the rise of an emergent administrative system in the EU, one scholarly challenge is thus to empirically recognize it. An even greater challenge, of course, is to explain it and to assess its likely consequences. This volume contributes to both challenges.

From a public administration perspective, questions of an emerging executive system in Europe are of increasing interest. The focal point of small, and large scale changes to Europe's inherent administrative systems is indeed the EU bureaucracy which supplies the EU with administrative capacity – basically making the EU able to act fairly independently of member-state interests (Trondal, 2013). While EU institutions are frequently the objective of a number of pertinent scientific publications (Cini and Borragàn, 2013; Jones et al., 2012; Wallace et al., 2010), the administrative dimension of the EU polity has so far – to our knowledge – received far less systematic consideration.[4]

Essential to this volume is that the arrival of a living European administrative system may be observed both when institutions are created and reformed and during everyday decision;making processes. The nuts and bolts of an emergent European administrative system may be observed by how trade-offs between institutions,

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[4] As we will show below in detail, there are several debates where EU administration and administrative interaction in the area of EU policy;making figures prominently, but no attempt to systematically establish a theory of the EU administrative dimension as such exists.

decision-making processes, and accountability dynamics are handled by actors in everyday decision making, as well as in periods of institutional creation, reformation, and dismantling (Wilson, 1989, 327). In order to offer a comprehensive analysis of the components of an emergent European administrative system, this book applies three sets of dependent variables:

(1) *Organizational formation and change*: That is, the establishment and insti; tutionalization of relatively independent administrative capacities of a European administrative system (for example, the recruitment of staff, establishment of administrative procedures, installation of management boards and teams of directors, emergence of new agencies, and so on).

(2) *Decision-making and behavioral dynamics* among civil servants within core executive institutions and executive subcenters: Although politicians formally decide on issues considered to be of political importance, power and influence are also inherently linked to what takes place at other stages of the policy process, stages at which bureaucracy tends to play a crucial role. Thus, the exercise of discretion that may have policy implications could also be found at the agenda-setting stage, at the stage in which various policy alternatives are elaborated, during policy implementation, and, finally, when interpretations of the effects of public policies are fed back into new policy processes (Olsen, 2007; Page and Jenkins, 2005). In a sense, decision-making can be seen as endless streams of premises, of which some may become relevant for decision making and from which choices occasionally happen (March, 1994; Simon, 1957).

(3) *Impact on policy-making*: Finally a crucial question is how, to what extent, and under what conditions do (i) organizational change and formation and (ii) decision-making and behavioral dynamics affect public policy.

Unveiling how an emergent European administrative system operates – includingits institutional components – implies focusing on administrative governance within and among different administrative institutions. However, what do we mean by administrative governance? Despite great variation in its use (for example, Fukuyama, 2013) and a conceptual morass (Olsen, 2009, 192), the administrative governance concept has faced (at least) two difficulties in much of the contemporary literature: firstly, the problem of conceptual stretch; ing, and secondly, the problem of the reductionist trap. The first difficulty of conceptual stretching has made administrative governance a 'catch-all' concept claiming universal or near universal application (Fredrickson, 2005, 282; Pollitt and Hupe, 2011). One illustration of this is how the World Bank conceives of governance: it has offered a rather broad understanding of governance where it is comprised of the traditions and institutions by which authority in a country is conducted. The trouble with this is that 'such a definition is just about as broad as any definitions of "politics"' (Pollitt, 2010, 97). Conceptual

stretch; ing runs the risk of emptying the very meaning of administrative governance all together. At the opposite end of the spectrum is the reductionist literature that proposes narrow criteria that are deemed necessary and sufficient for cap; turing administrative governance. This reductionist literature faces a second difficulty quite common in much of the administrative governance literature, aimed at typologizing and classifying particular administrative governance sys; tems in particular periods of time (Bevir, 2009). One essential argument in this literature has been that administrative governance has certain – often con; ceived of as 'new' – characteristics, such as the blurring of the public–private distinction, a proliferation of largely horizontal administrative networks, and the fact that it happens without any executive center and with one final center of authority (for example, Kjær, 2011; Rhodes, 1997). This literature has also often been trapped in the 'tyranny of dichotomies' between stylized ideal types such as 'old' and 'new' modes of governance (Olsen, 2009, 195). This type of definition is reductionist in that it claims that real;world phenomena have to fulfill a predefined and limited set of criteria in order to be subsumed under the umbrella of administrative governance.

This olume follows a definition of administrative governance that tries to avoid these conventional difficulties – as well as to escape the 'tyranny of dichotomies' – by occupying a middle;ground conceptualization (Olsen, 2009, 192). In short, administrative governance basically encompasses the multidimensional set of decision-making processes, behavioral patterns, and accountability practices taking place within and among government institutions and between politico-administrative actors and societal groups at any time. Administrative governance shapes relationships of authority and power within and among government institutions and thus frames 'politics that are binding on individuals and collective actors' (Hanf and Jensen, 1998, 3). Such a definition does not a priori assume any substantive governance character; istics, as is the case, for example, in Rhodes' seminal definition of governance (1997, 109). According to our middle-range account, administrative governance concerns activities such as administrative actors' allocation of attention, their distribution of contacts, and the emphasis they give to particular concerns and considerations. These activities are likely to vary across time and space, thus broadly speaking being context sensitive and not reducible to sim; ple dichotomies. The theoretical potential of such a definition is thus more extensive.

Administrative governance is often portrayed as sequenced in stages (see Knill and Grohs, this volume). Firstly, ministerial units and committees – specialized in obtaining information about particular policies – propose preliminary drafts and settle first compromises. Ministerial leadership then refines the proposal and reports to the ministerial level. Finally, the parliament decides. Subsequent steps include implementation, evaluation, and learning from experience. This sequential model portrays governance as sliced into an administrative and a political stage. Empirical observations, however, suggest that this dichotomy may be overly unrealistic (for example, Olsen, 1983, 2010). Decision stages are often less sequential and hierarchically nested, and more sectorally intercon; nected and hierarchically decoupled. Stages of decision making are also often mutually interconnected. The

agenda-setting stage may be followed by a formal decision-making stage, which leads to the implementation stage, during which additional problems may be discovered and fed back into new government initiatives. Thus, contrary to the sequential approach outlined above, the different stages in circular governance processes may be mutually integrated and therefore difficult to disentangle.

As politicians delegate policy-making responsibilities to non-majoritarian institutions, they may easily lose control over certain parts of agenda-setting and implementation processes. Ministers sometimes rubber stamp decisions made more or less autonomously by such institutions. Power is often vested not in the formal vote in parliament but at the agenda-setting stage of the decision-making cycle as well as at the implementation stage. The important premises of parliamentary vote are routinely inserted throughout the whole decision;making cycle. Students of the executive branch of government gen; erally focus on the role of bureaucracies in addition to that of executive politicians. Although politicians at the top formally decide on issues considered to be of political importance, power and influence are also inherently linked to what takes place at other stages of the policy process, stages at which bureau; cracy tends to play a crucial role. Thus, the exercise of discretion that may have policy implications could also be found at the agenda;setting stage, at the stage in which various policy alternatives are elaborated, during policy imple; mentation, and, finally, when interpretations of the effects of public policies are fed back into new policy processes (Olsen, 2007; Page and Jenkins, 2005). In a sense then, administrative governance can be seen as endless streams of premises from which choices occasionally happen (Simon, 1957).

In summary, the rise of a European administrative system is assumed to profoundly rebalance existing decision-making and accountability practices, refocusing adherence to organizational goals, shifting institutional powers, and ultimately transforming public policy. This requires conducting parallel research into five different corners of the EU administrative system:

- Core executive institutions such as the European Commission, and the domestic branch of executive government, as well as other international bureaucracies beyond the EU (see Part II of this volume).
- The EU's parliamentary administration, notably the European Parliament administration (see Part III of this volume).
- The EU's 'intergovernmental' administration, such as the (Union) Council Secretariat (see Part IV of this volume).
- Judicial assemblies, notably the EU's Court administration (see Part V of this volume).
- Executive subcenters such as EU agencies (see Part VI of this volume).

## Analyzing EU public administration: Debates and approaches

Academic interest in the administrative dimension of the European integration process grew in the aftermath of the European Single Act and the completion of the common market. It is thus perhaps no coincidence that the area from which this scholarly interest initially emerged was a question concerning the coherent and uniform national implementation of policies agreed upon at the EU level (Siedentopf and Ziller, 1988). It was the problem of 'making European policies work' coherently and timely, where the differential reality of national public administration systems came to the forefront (Knill, 2001).

Some core debates that have been putting the European administrative issues center stage shall be briefly summarized. We have ordered the research agenda into four clusters or areas of debate: (i) Multilevel administration (MLA) and European administrative space (EAS), (ii) the constructivist and anthropological 'turns', (iii) a European executive order, and (iv) comparative public policy analysis.

## Multilevel administration (MLA) and the European administrative space (EAS)

A core part of the literature on the European administrative system has centered on the emergence of a multilevel administrative system, sometimes characterized as a European administrative space (EAS). This scholarship can be split into two-dimensional subdebates. Firstly, a political;science;based lit; erature that tries to theoretically conceptualize multilevel governance (MLG) more broadly (Benz, 2012; Hooghe and Marks, 2001; Marks, 1993), and a more recent public;administration;based literature that aims to understand the EU as a multilevel administrative system (MLA) (for example, Egeberg, 2006; Trondal, 2007). While the MLG literature largely conceptualized domestic – or regional – governments as coherent political;administrative entities, the MLA literature tried to unpack the organizational components of gov; ernments and studied the conditions under which different components of government systems may interact across levels of government. The MLA literature thus suggests conditions under which multilevel administrative processes are likely to occur, such as the emancipation of a strong European executive institution (the Commission) and the domestic fragmentation of government systems (Egeberg, 2006). The second scholarship on multilevel administra; tion is largely legal, as recently summarized by Hofmann and Turk (2006). Political science, public administration, and legal scholarship, however, bring to bear complementing understandings of the European administrative space (see below).

It has been argued that an EAS can be understood as a process of institutionalization of common administrative capacity (Trondal and Peters, 2013). This institutionalization has both normative content and some structural manifestations. Despite advances in contemporary research on the EAS, however, no widespread understanding of its meaning, mechanisms, and significance yet

exists. Contemporary scholarship has diverse understandings of the EAS. Questions have centered on what such a space contains, whether there are one or several spaces, what has caused its emergence, whether there is convergence, and what implications such space(s) may have for domestic government institutions and processes (see Heidbreder, 2011). Essential to this literature is that the 'space' metaphor has no 'spatial' connotations attached. We have seen basically two waves of study of EAS ('EAS I' and 'EAS II'). Chapter 5 of this volume proposes two conceptual accounts of the EAS: 'EAS I' basically features the convergence of administrative systems and policies. This account builds on the fields of comparative government and comparative public admin; istration (Siedentopf and Ziller, 1988), studying, for example, the origins and spread of common administrative traditions (for example, Knill, 2001; Meyer; Sahling and Yesilkagit, 2011) and public management practices (for example, Christensen and Lægreid, 2011). The EAS was conceived of as featuring the convergence of administrative systems around some shared forms. By contrast, 'EAS II' features an emergent common administrative order in Europe through the development of new institutional constellations and configurations. This second line of research emphasizes new patterns of integration of public admin; istration. One early contribution to this line of research was an 'Italian law school' studying administrative engrenage (Berlin et al., 1987; Cassese, 1987; Chiti, 2004; Franchini, 2004), later followed by Hofmann and Turk (2006). Research has been preoccupied with understanding both the European admin; istrative capacity building (for example, Egeberg, 2006; Rittberger and Wonka, 2011) and the interconnected nature of the European public administra; tion (for example, Curtin and Egeberg, 2008; Egeberg, 2010; Egeberg and Trondal, 2009). Illustrative of the latter approach, Hofmann and Turk (2006) conceive of the EAS as the emergence of a multilevel and nested, though sometimes loosely coupled (Benz, 2012), network administration where institu; tions at different levels of government 'are linked together in the performance of tasks' (Hofmann and Turk, 2006, 583; see also Eising and Kohler;Koch, 1999).

Related to the danger of conceptual stretching mentioned above, the literature on multilevel EU administration has partly overlapped with the literature on 'new modes of governance' (for example, the NEWGOV integrated project) and on the EU as a 'networked system of governance' (for exam; ple, Eising and Kohler;Koch, 1999). This literature has, however, brought two essential analytical dimensions to the forefront of the debate: territory/place and time/temporality. Firstly, an emergent European administrative system has been conceived of as contributing to a deterritorialization of executive politics in Europe in the sense that territorial actors have become relatively less impor; tant, that territorial concerns are relatively less attended to by decision makers, and that cleavages and conflict in public policy are organized less along ter; ritorial lines and relatively more along sectoral and party political lines (for example, Bartolini, 2005; Hix, 2005). Secondly, Goetz (2010) has reminded us that multilevel governance is not only organized territorially and sectorally, that is in space, but also in time. He has introduced issues such as the sequencing of politics, the rhythms and tempo of politics,

and so on and how these may overlap and collide in multilevel administrative systems (see also Ekengren, 2002).


## The constructivist and anthropological 'turns'

The EU administrations are run by a body of staff from diverse national and cultural backgrounds (for example, Ban 2013). This heterogeneity has attracted scholars from ethnology and anthropology since the early 1990s (Abélès and Bellier, 1996; Bellier, 1995; McDonald, 1997). The objects of their work were in particular the existence and persistence of national stereotypes in multinational bureaucracies, the causes of departmental socialization, and the endurance of supranational socialization among national decision makers that interact with Brussels. A chief concern has been to gauge the extent to which diverse nationalities working together in Brussels may develop some kind of common belief systems, roles, and identities that transcend pre;existing identi; ties, roles, and beliefs. In short, does working 'for Europe' actually influence an individual's support for the European integration project?

At macro-level, this strand of literature has been preoccupied with under; standing the social cement of the EU polity and with different attitudi; nal images of Europe. Liesbet Hooghe's (for example, 2001, 2005) seminal studies on 'images of Europe' among Commission officials have offered impor; tant insights. She found little evidence that working within supranational administrations has a profound impact on individuals' attitudes. Pro-European socialization effects could empirically only be identified among officials that joined – in that case the European Commission – early on in their professional career (Hooghe, 2001). Recent works surveying (mostly again) Commission officials expanded this research agenda (Ban 2013; Ellinas and Suleiman, 2012; Kassim et al., 2013; Suvarierol, 2007). The research focus in this area, however, switched from mapping and explaining individual professional attitudes to trying to establish a 'link' between aggregated individual preferences and organizational variables or even policy outcomes (Bauer, 2012; Ellinas and Suleiman, 2012; Hartlapp et al., forthcoming). However, isolating this 'link' remains a key challenge in this emergent literature.

Another group of scholars started to ask slightly different questions, focusing less on the organizational architecture of administrative systems and more on actor-level dynamics. A new strand of anthropological, institutionalist, and constructivist scholarship emerged and started to ask questions such as whether EU institutions and the myriad of committee and expert meetings manage to redirect or transform the loyalties and roles played by civil servants. This 'constructivist turn' in the scholarship largely rediscovered the old neo-functionalist claim on loyalty transfer (Ruggie et al., 2005). The transformative power of EU institutions was assessed by the extent to which actors/decision makers adopted a 'supranational' set of identities, beliefs, and role perceptions ('actor-level supranationalism'). In this literature a supranational role implied a 'shift of loyalty' and a 'sense of community' that became integral and endogenous to actors' self-perceptions (Deutsch et al., 1957, 5–6; Haas, 1958, 16; Herrmann et al., 2004, 6). Whereas recent social constructivist literature has

carefully theorized, operationalized, and empirically illustrated processes of pre-socialization and re-socialization, scholarship applying institutional and organizational theory approaches has also emphasized how actor-level supranationalism may reflect the organizational structures – notably at EU level – within which social interaction occurs (Checkel, 2005; Egeberg, 2006; Olsen, 2010; Trondal, 2010). Actor-level supranationalism may arguably strengthen the autonomy of EU institutions vis-à´-vis member-state governments, augmenting EU institutions' ability to upgrade common interests and to facilitate coordinated decision; making processes. In this literature actor-level supranationalism denotes that a shared system of rules, norms, principles, and codes of conduct is inducted, internalized, and taken for granted by actors. This is consistent with the 'type II socialization' as suggested by Checkel (2005, 804) whereby actors acquire a collective interest and a positional 'organizational personality' inside EU institutions that is distinct from any national, professional, and departmental roles previously internalized (Searing, 1991, 1249; Simon, 1957, 278). A role perception is a generalized recipe for action as well as a normative system of self-reference that provides spontaneous feelings of allegiance to organized communities (Bevir et al., 2003, 4; Mayntz, 1999, 83). One lively part of this scholarship has been the EU committee studies. Some scholars assume that EU decision makers become re-socialized in such committees as far as their role perceptions are concerned (for example, Franklin and Scarrow, 1999; Hayes;Renshaw and Wallace, 1997, 235; Joerges, 1999, 320; Laffan et al., 1999, 87; Scully, 2002; Weiler, 1999, 342). A common assertion among these scholars is that an *esprit de corps* emerges within EU committees (for example, Berlin et al., 1987), especially if the committee participants interact fairly frequently and intensively (for example, Haas, 1958; Lewis, 2005). Recent research suggests that national officials attending EU committees are socialized into an 'EU identity' (Banducci and Radaelli, 2008). In contrast, Wessels (1998, 227) and Hooghe (2005) have argued that no loyalty transfers take place at EU level or through EU committees. However, few systematic empirical observations are available to confirm or reject these assertions. This lack of empirical scholarship partly reflects the methodological problems that have plagued contemporary neo-functionalist scholarship, particularly the problem of 'controlling for' pre-socialization of actors outside the EU system (Niemann, 2006; Pollack, 1998). Nevertheless, studies confirm that EU committees serve to direct the attention, energy, contacts, coordination behavior, and loyalties of national civil servants. The decision-making and agenda;setting processes within national governments are increasingly integrated into the EU agenda;setting stage (Larsson and Trondal, 2006). However, Trondal (2006) also shows that the re-socializing powers of the EU committees are mediated by the domestic government institutions embedding the EU committee participants. EU committee scholarship has also shown how different EU committees affect participants differently. Interestingly, research demonstrates that the intergovernmental Council has important supranational traits by developing shared norms and collective identities among some participants. The Council has institutionalized small supranational and deliberative 'clubs' within and around the Committee for Permanent Representatives of members states to the EU (COREPER) and the Council working groups (for example, Lewis, 2005). Actor-

level supranationalism is in fact stronger in the Council working groups than in Commission expert groups – among those officials who interact and socialize fairly intensively and informally (Egeberg et al., 2003). Egeberg et al. (2003) also demonstrate that deliberative dynamics are not omnipotent within the comitology committees as asserted by Joerges and Neyer (1997), but that the Commission expert committees have stronger deliberative modus operandi. This research thus challenges previous expectations of administra; tive fusion and bureaucratic engrenage (Wessels, 1998) by reporting different decision-making dynamics within different EU committees, and also how the 'EU effect' is mediated and filtered by the domestic government institutions embedding EU committee participants on a more full-time basis.

## A European executive order

A more recent strand of scholarship has attempted to conceptually and empirically understand the emergence of what is conceived of as a 'European executive order'. Two dimensions have been suggested for conceptualizing such an order: firstly, organizational formation and change, that is, the establishment and institutionalization of relatively independent organizational capacities within a new European political order; secondly, behavioral effects among civil servants within core executive institutions and executive subcenters, and between these executive institutions and the European Parliament. A key argument has been that a common political order consists of a compound set of decision-making and accountability dynamics that are biased toward basically non-territorial dynamics (for example, Haas, 1992; Lieberman, 2002; Radaelli, 1999). This literature has been theoretically informed by organizational theory. An organizational approach argues that the rise of a European executive order is profoundly shaped by pre-existing institutional orders – by the 'genetic soup' of pre;existing organizational structures (Olsen, 2010, 96). Executive orders do not emerge solely as organizational solutions to functional needs, as the result of wilful design, as a reaction to external crises, or as local translations of global institutionalized standards and ideas. An organizational perspective ascribes an autonomous role for pre-existing organizational structures (or orders) to explain the emergence and institutionalization of new organizational structures, and their effects. Political institutions create elements of robustness, and concepts such as 'historical inefficiency' and 'path dependence' suggest that the match between environments and new institutional structures is not automatic and precise (Olsen, 2010). New governing arrangements – such as an emergent European executive order – are expected to be extorted from and mediated by pre;established institutional frameworks that empower and constrain political actors (Olsen, 2010; Skowronek, 1982).

## Comparative public policy analysis

The 1990s saw a growing interest in applying tools, concepts, and theo; ries of public policy analysis to the emerging EU multilevel system. Policy studies have

already been part of the repertoire of integration analysis for some time (for example, Wallace et al., 2010). However, with the classical dialogue between intergovernmentalism and neo;functionalism losing steam, and with the EU's post;Maastricht expansion into ever more policy areas, com; parative and policy;analytic theorizing came to be seen as a promising route to understanding the 'nature of the beast' (Risse;Kappen, 1996). It is easy to see why intergovernmentalism and neo;functionalism (and their respective heirs) lost appeal. In essence, these positions were geared toward explaining system development at the macro-level (Peterson, 2008). However, the international relations' conceptual lenses were increasingly found to be unsuitable, as 'the purpose of EU studies should be to say something about politics more generally, rather than developing a series of specific claims about the EU' (Rosamond, 2000, 110). Studying the policy process in the EU by focusing on policy networks, decision traps, epistemic communities, interorganizational relationships, and the like – as pioneered by researchers such as Helen and William Wallace, Jeremy Richardson, and others – promised to offer new insights and also greater potential for theoretical advancement (Jørgensen et al., 2007).

In the event, varieties of the new institutionalism as well as policy network analysis came to dominate the scene. Furthermore, the international relations question of how national politics would influence supranational system development was not just set aside but actually turned around. With the question of the 'domestic impact of Europe' on procedural, institutional, and organizational changes 'at home', the Europeanization focus within the broader EU policy-making debate emerged (Börzel, 2002; Graziano and Vink, 2007; Héritier et al., 2001; Knill, 2001). Needless to say, questions of implementation and compliance as well as those from the governance debate have particularly attracted scholarly efforts. To summarize even only the outlines of this debate and how it changed during the 2000s is outside the remit of this volume (but see Jørgensen et al., 2007). For our purpose it is, however, important to note that organizational and administrative variables often figure prominently in the Europeanization debate and in the studies of EU policy making. For example, Adrienne Héritier (1999) investigated the cunning strategies of the European Commission administration to influence policy choices; furthermore, studies of the powers of this supranational 'agent' to 'call the tune without paying the piper' (Bauer, 2001; Cram, 1993) now fill library shelves. However, in these studies organizational and administrative factors are referred to as 'independent' rather than as 'dependent' variables. Administrative variables are brought into the analysis in order to explain policy change or persistence. Public administration factors thus have a different status in the analysis of EU multilevel policy making than in the other research programs discussed in this section: these factors are focused on insofar as their variation helps to explain differential policy outputs or even outcomes (Héritier et al., 2001; Knill, 2001).

In summary, the accumulated literature on multilevel administration, sociological or anthropological studies, conceptualizations of the executive order, and public policy analytical scholarship have provided impressive insights regarding the public administration system of the EU. To a large extent, however, the collected

insights remain fairly 'isolated'; a common public administration research program is missing. The integration and accumula; tion of theoretical insights thus seems a remote objective. However, developing some joint notions to allow the presentation and subsequent ordering of results and insights produced by individual studies does appear possible. We suggest developing the notion of the European administrative system as a framework for allowing a comprehensive empirical analysis and the theoretical integra; tion of empirical results. We will come back to this below; however, it is to the clarification of the particularities that are the hallmark of the EU multilevel administration that we now have to turn.

## Characteristics of the EU administrative system

What then are the crucial characteristics of the emergent European administrative system? What are the elements that are different – be it in kind or degree – in this administrative system, compared to what we know of national or international administrations, which thus deserve particular attention? If the aim is to advance our theoretical understanding, we are well advised to start considering such differences. Only by focusing on key differences may we be able to sharpen our analytical lenses and our theoretical tools in order to appropriately appreciate and analyze the emerging EU public administration system and its effects on public policy. We identify four such crucial structural differences: the multilevel character of the system, the incongruence of competences, the role of networks, and demographic heterogeneity. We do not claim that this list is exhaustive; we do, however, claim that without considering these elements, grasping the particularities of the European administrative systems is unlikely.

## The multilevel character of the EU administrative system

The multilevel character of the EU system has been intensively discussed (Marks, 1993; Piattoni, 2010). Referring to the EU as a multilevel system has become so colloquial that the term often gets used rather metaphorically, thereby hollowing out its analytical value. This has perhaps contributed to the fact that the mechanisms which fuel the transformatory potential of the multilevel constellation of EU policy making remain vague and poorly understood – in particular in view of their impact on the administrative dimension. This volume proposes that a 'level' indeed refers to the existence of separate and relatively independent sets of institutions, personnel, rules, finances, and so on. With regard to administrative interaction, 'multilevelness' is thus also a common feature within national political systems – obviously being more pronounced in federal states but also present to some degree in unitary states (Benz, 2012; Hooghe et al., 2010). This means that with a supranational level in the form of the Commission, the Council, EU agencies, and so on being 'added on' to existing national structures, a qualitative shift comes along. This qualitative shift is constituted by the fact that the new supranational layer is not characterized by an individual national institutional

context. This means that in its concrete institutional set-up it remains alien to most national systems and does not always integrate well into existing national systems of executive government and parliamentary accountability.

Multilevel in this administrative context means that a new platform emerges that interlinks the national institutional set-up with other corners of the EU system. This platform consists of the paradoxical mix of institutional independence and institutional interconnectedness across levels of government. It consists of separate institutions (such as the Commission) that are able to act (potentially) relatively independently from member-state governments, and at the same time of an institutional interconnectedness between the very same institutions across levels of governments. Understanding the dynamics of this paradoxical mix – of administrative independence and interdependence – is essential in order to gain an adequate understanding of the multilevel character of the EU administrative system.

## The incongruence of competences

Looking at the emerging multilevel structure from a public policy production perspective, the problem of the incongruence of institutional powers and policy competences comes to the fore. This incongruence becomes problematic when the various constituent communities of the system expect uniform rules to solve common societal problems. However, there are often no suitable, let alone consensually pre;established, common standards or procedures of how to 'organize' the political struggle. Incongruence and interdependence – if the aim is the production of Pareto optimal policy solutions – are thus different sides of the same problem. The internal market may serve as an illustration. Despite the (perceived) need for unified EU-wide rules, the bulk of formal powers and the institutional focus of regulatory activities continue to be located at national level (Eberlein and Grande, 2005, 89; Schmidt, 2000). Clashes, as in the case of the Services Directive, thus appear inevitable. Fritz W. Scharpf (1985) identified another pathology under the label 'joint decision trap' likely to emerge in such multilevel constellations.

The national or subnational levels hold crucial regulatory powers and political resources; they are – depending on the policy area – not de jure or de facto subordinated to the supranational level. We thus expect characteristic dynamics to emerge in that system connected with incongruences of administrative and political structures, political time cycles, differential resources, and capacities to formulate or implement joint policies at national and subnational levels (Curtin and Egeberg, 2008; Goetz, 2010).

## The role of networks

Precisely because the political value of hierarchical resources and formal offices become relativized, political relationships become much more instable than in

national contexts; the actor constellations – that is, the relevant participants to formulate, decide, and implement political choices – are increasingly fluid. Moreover, the actor constellations are fragmented and characterized by what has been conceived of as 'polycentricity' (Ostrom, 1999). Actors thus engage in exchange in transnational 'networks' on a more equal footing than they probably could in their respective national systems, making bargaining an essential mode of interaction. The networks are characterized by a great heterogeneity of participants: policy stakeholders, beneficiaries, civil society groups, and so on. Thus, depending on the policy problem at stake, multiple principals, multiple agents, and private actors engage jointly in policy production and implementation (Rhodes, 1997).

The co-evolving nature of such networks or administrative subsystems – relatively independent (that is, decoupled) subunits of government systems – are likely to utually recouple across levels of government. A catalyst for this to happen is both the emancipation of the Commission as a strong and indepen; dent European executive institution and the fragmentation and disintegration of government institutions at national level (Egeberg, 2006).


## Demographic heterogeneity

The model of the representative bureaucracy assumes that the demographic 'baggage' that civil servants bring with them into a bureaucracy profoundly shapes their behavior. It is also assumed that the 'diversity of public sector workforce' (Peters et al., 2013, 7) impacts on how public sector organizations perform, how they are internally controlled, how legitimate they are perceived to be, and how they relate to the constituent populations (Andrews et al., 2005; Selden, 1998). Civil servants' former institutional affiliations, their educational backgrounds, their geographical origins, and so on are assumed to affect the way they act in office. The bureaucracy will thus change its performance according to the composition of staff. In short, what civil servants bring with them into the organization is of significance to its conduct. This is the picture of the embedded bureaucracy that broadly speaking reflects society (Peters et al., 2013).

A final essential feature of the EU administrative system is its 'cultural heterogeneity'. The problem of language and common national stereotypes are often seen as nothing more than the folklore of Europe. As such, these differences are perhaps of little significance. However, national formative or professional backgrounds will almost certainly characterize the understanding of problems and also restrict the solutions actors may think appropriate. Styles, traditions, and institutional experiences affect the mental maps of actors and thus most likely the range of solutions they support as applicable and suitable (Dyson, 1980; Richardson, 1982; Van Waarden, 1995). Appropriate policy solutions are thus far from 'self;understanding' but are dependent to a large extent on the backgrounds of the actors that attempt to develop them.

**Potential consequences of the characteristics of the EU administrative system**

The multilevel character, interdependence and incongruence, interaction in networks, and demographic heterogeneity are in our view essential character; istics of the emerging administrative system of the EU. The question is what are the likely consequences? How are administrative interactions in the EU system characterized by these constellations and features? Systematic answers are anticipated by the analyses conducted in subsequent chapters of this volume. The likely effects of these features are: the reinforcement of bargaining as a prime mode of interaction, informality, the evolutionary character of proce; dures and established administrative structures, and instability of relationships characterized by extensively long chains of delegation and the volatility of participants in administrative subsystems. Institutional or policy convergence is thus an unlikely implication. The question, however, is how we can identify and categorize the emerging differential administrative arrangement at work, and how it is possible to clarify the conditions under which these differential arrangements influence policy outputs in the EU.

## The EU administrative system as a frame of analysis

The conception of the EU administration as a multilevel system provides, above all, a notion of a 'public policy production' process. Accordingly, the purpose of the EU system can be conceived of as the distribution of values within advanced organized societies. Following such reasoning helps to discipline our analysis by distinguishing between relations at the macro-, meso-, and micro-levels. The macro-level concerns public administrations, their relationships with legislative and judiciary institutions and societal actors, and the relationship between administrators and outside experts. The meso-level concerns intraorganizational configurations and features of intra-organizational conflict, coordination, and choice. Finally, micro-level factors comprise motivational aspects of individual office holders, their mobility and education, and their ability to adapt, obstruct, and innovate. Such terminology is of heuristic value. It helps to identify elements, processes, structures, and individual agencies of relevance for further analysis. Furthermore, such a systemic perspective also encourages a certain restraint upon the analyst and the reader. The characteristics of the public administration subsystem are unlikely to be in themselves a self;sufficient explanation of policy outcomes, but rather part of anexplanation that comprises the broader political system, that is, institutional and societal factors. Thus, it would be wise to limit expectations in view of what an analysis centered upon bureaucracy and organizational factors is able to explain. Public administration factors certainly need to be integrated into political analysis if the aim is to understand the dynamics and effects of the political system of the EU. However, an invaluable advantage of a 'public policy production perspective' is to bring existing interdependencies to the forefront; especially since the EU policy process is characterized by intersections, compound constellations, and interdependencies (see above). Against this background, these are some of the dimensions a study of the European administrative system involves:

- the conditions and effects of intra-organizational change and adaptation within supranational and national bureaucracies;
- the characteristics of change and the persistence of inter-organizational interaction;
- the impact of organizational variables upon continuity and changes of the policy-making process at various levels of government;
- the causes and effects of prevailing policy-making dynamics that may oscillate between technocratic problem solving and democratic accountability.

What appears promising is the integration of such analytical dimensions into a multilevel governance theory of the EU. Arthur Benz has laid some foun dations for the development of such an administrative theory of complex federal-like multilevel systems (Benz, 2004). An essential element of such a theory is the observation that in the complex processes of policy making, hier; archical control is complemented by communication relationships between equal but functionally differentiated bureaucratic actors at various political levels. Administrative hierarchies are supplemented or even replaced by bureaucratic coordination and cooperation relationships. Divergent concerns among bureaucrats may be reconciled at administrative subunit levels, never to reach the radar of elected office holders. Executive heads, although formally responsible, may need to largely rely on and cooperate with subordinate administration to assure both informed initiatives and effective implementation (Benz, 2004; Wessels, 2000, 354). The subsequent chapters in this volume suggest that the administrative interaction processes are characterized by factors such as:

- the nature of the policy problem at stake, for example redistributive versus regulatory public policy;
- actors' commitment to joint action, that is, the range of alternatives, the range in which joint collective action needs to be agreed upon, existing uni; lateral fallback options, and the effects of failing to come to joint collective action;
- actor constellations, for example the number and mixture of organized groups that may be involved in setting the agenda or shaping the implementation of public policies of a European administrative system (unilevel versus multilevel, public versus private, and so on);
- the institutional context, that is, decision;making processes based on diverse mixtures of behavioral logics of competition/negotiation/bargaining/ hierarchy.

## Outline of the volume

The volume consists of eight parts, each offering a combination of state-of-the-art overviews of the relevant subfields of scholarship and cutting-edge original research. Part I consists of a selected menu of theoretical approaches useful for a wide-ranging conceptual understanding of the European administrative system. The subsequent chapters in this part discuss the European administrative system as a multilevel system, the different logics behind such a multilevel administration, and how such a system may contribute to center formation at 'European level'. Part I also discusses how the European administrative system may serve more broadly as part of a European administrative space, the problems of temporal coordination in political-administrative systems characterized by multiple temporal logics, different types of administrative styles in such systems, and finally the possibility of an emergent neo-Weberian order reflecting more than a decade of administrative reforms in the EU administration.

The succeeding parts of the volume are directed toward different institutional parts of the European administrative system. Firstly, Part II outlines the core elements of the EU's executive administration. Focus is directed toward the European Commission, at both its political and its administrative face.

Subsequent chapters discuss the processes of politicization of the Commission, the role of permanent and temporary Commission bureaucrats, and the administration of new administrative elements – such as the European External Action Service. Part III outlines the EU's parliamentary administration. Chapters focus on the organizational structure and behavioral implications of the European Parliament administration and on the role of European Parliament officials in the legislative process of the European Parliament. Part IV is directed toward the EU's 'intergovernmental' administration. Chapters debate the EU Council system and how it may contribute to administrative fusion in Europe, the role of the Council General Secretariat, and, finally, the Janus;faced role of the Committee for Permanent Representatives of member states to the EU (COREPER). Part V introduces the EU's court administration. Chapters discuss the internal and external role of the European Court of Justice on the European administra; tive system, and the role of the European Court of Auditors and how it relates to national independent audit institutions. Part VI outlines the EU's subordi; nated administration and discusses how the emergence of EU agencies may contribute both to the rise of executive power and possibly to accountability consequences at European level. Part VII contributes with a broad discussion on vertical and horizontal administrative interaction in the European admin; istrative system. Chapters discuss different modes of multilevel administration in the EU (direct, decentralized, and joint), how the EU administrative system interacts with international organizations outside the EU, the role of exper; tise in EU decision making through the use of expert committees, the role of subnational actors in the European administrative system, the Europeanization of European civil service systems, and, finally, possible accountability conse; quences emanating from a multilevel administrative system, with empirical evidence from the EU's comitology system. Finally, Part VIII concludes the volume by reassessing some normative implications of the European administrative system and some possible consequences for the research community. The first chapter discusses the EU

administration's accountability challenges, while the final chapter offers a reassessment of the European administrative system and outlines future research avenues.

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