Administrative Patterns of Policy-Making

–

A Theoretical Concept

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1. Introduction

PhD-Project:

„Financial Regulation and the Implementation of EU directives in the European Union member states”

» Research Question:
  › How do administrative patterns of policy-making affect the transposition of EU directives within the ministerial departments of the EU Member States?

» Key Assumption:
  › The different administrative patterns of policy-making affect the way EU directives are transposed at the Member State level with regard to the directive’s leeway?
2. Theory

» Decisive steps of the EU directives’ transposition process take place within the ministerial departments

» Previous research reveals the importance of administrative explanations for the implementation of EU law
  › Capacity, experience, organization structures
  › Routines/standard operating procedures

How does the transposition process within ministerial departments look like and how do administrative factors affect the transposition of EU directives?

⇒ Need for appropriate theoretical concept
2. Theory

» Theoretical background:

» Main Idea:
  › Public administrations are characterized by different institutional settings
  › Institutional settings can explain differences in the transposition of EU directives

» Public organizational theory:
  › Theories about the formal structures, rules and norms of public administration
    • Formal bureaucratic structures have an independent effect actors‘ decision-making behavior
    • How do the organizational structures of the government bureaucracy affect the policy-making process and its outputs?
  › Theories emphasizing an institutional perspective
    • Institutions: Structural features (formal or informal) that affect the behaviour of actors
2. Theory

» Theoretical Approach: Policy Capacity Concept (Howlett/Ramesh 2015, Wu et al. 2015)

<table>
<thead>
<tr>
<th>Levels of resources and capabilities</th>
<th>Skills and competences</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Analytical</td>
</tr>
<tr>
<td>Individual</td>
<td>Individual analytical capacity</td>
</tr>
<tr>
<td>Organizational</td>
<td>Organizational analytical capacity</td>
</tr>
<tr>
<td>Systemic</td>
<td>Systemic analytical capacity</td>
</tr>
</tbody>
</table>


» Approach to conceptualise the structural features of organisations/public administrations

» Policy capacity: „[…] skills and resources – or competences and capabilities – necessary to perform policy functions“ (Wu et al. 2015: 166)
2. Theory

» Theoretical Approaches: Administrative Styles Concept (Knill et al. 2016)

<table>
<thead>
<tr>
<th>Policy stage / indicator</th>
<th>Entrepreneurial style</th>
<th>Servant style</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy initiation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Issue emergence</td>
<td>Within bureaucracy</td>
<td>Outside bureaucracy</td>
</tr>
<tr>
<td>Support mobilization</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>Mapping of political space</td>
<td>Pronounced strategies</td>
<td>Absent</td>
</tr>
<tr>
<td>Policy drafting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solution search</td>
<td>Optimizing</td>
<td>Satisficing</td>
</tr>
<tr>
<td>Internal coordination</td>
<td>Positive coordination</td>
<td>Negative coordination</td>
</tr>
<tr>
<td>Political anticipation</td>
<td>Functional politicization</td>
<td>Absent</td>
</tr>
<tr>
<td>Policy implementation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of formal powers</td>
<td>Strategic deviation / use</td>
<td>Sticking to formal rules</td>
</tr>
<tr>
<td>Policy promotion</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td>Evaluation efforts</td>
<td>High</td>
<td>Low</td>
</tr>
</tbody>
</table>


» Approach for capturing informal characteristics of public administrations

» Ideal-typic distinction of two styles of administrative behavior:

» Entrepreneurial Style:

» Active role in the policy-making process

» Servant Style:

» Reactive and instrumental role in the policy-making process
2. Theory

» Administrative Patterns of Policy-Making

» Assumption: Both *formal* and *informal* institutions affect the way how the government bureaucracy acts in the policy-making process

» Two dimensions, along which administrative patterns of policy-making vary:

  » Bureaucratic capacity (formal institutions)
    » Capabilities necessary to perform functions in the policy-making process
    » Policy capacity concept

  » Policy ambition of bureaucratic organizations (informal institutions)
    » "[...]extent to which the administration actually pursues clear and consistent policy goals or targets“ (Knill, Enkler, et al. 2017, p. 62) in the policy-making process

» Administrative styles concept
2. Theory

» Administrative Patterns of Policy-Making

<table>
<thead>
<tr>
<th>Bureaucratic Capacity</th>
<th>Policy Ambitiousness</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>High</td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td><strong>Entrepreneur</strong></td>
<td><strong>Reluctant-Entrepreneur</strong></td>
</tr>
<tr>
<td></td>
<td>„capable and willing“</td>
<td>„capable but unwilling“</td>
</tr>
<tr>
<td></td>
<td>Complementary informal institutions</td>
<td>Accommodating informal institutions</td>
</tr>
<tr>
<td>Low</td>
<td><strong>Wannabe-Entrepreneur</strong></td>
<td><strong>Servant</strong></td>
</tr>
<tr>
<td></td>
<td>„willing but not capable“</td>
<td>„unwilling and not capable“</td>
</tr>
<tr>
<td></td>
<td>Substitutive informal institutions</td>
<td>Competing informal institutions</td>
</tr>
</tbody>
</table>
2. Theoretical Expectations

Research Question:

How do administrative patterns of policy-making affect the transposition of EU directives within the ministerial departments of the EU Member States?

Hypothesis about the transposition of EU directives,

(1) The more „entrepreneurial“ the administrative patterns of policy-making within the government bureaucracy, the higher the possibility to see the leeway of EU directives.

(2) The more „entrepreneurial“ the administrative patterns of policy-making within the government bureaucracy, the higher the possibility to use the leeway of EU directives.
3. Discussion

» Is the combination of *formal* and *informal* institutions within one concept logical and comprehensible?

» Is the concept „parsimonious“ or to complex?

» Are both determinants really independent or covariant?

» Can both dimensions be captured independently?