**Public Administration of the European Union**

*Jarle Trondal*

*Paper prepared for the EUSA Fifteenth Biennial Conference, May 4-6, 2017, Miami Florida.*

**Abstract**

Throughout history the EU has faced shifting hostile and uncertain environments, and responded by erecting turbulent organizational solutions of various kinds. To capture the complexity of EUs institutional responses to internal and external challenges, this paper suggests organized turbulence as a conceptual tool-kit. Organized turbulence is captured by the supply of independent and integrated organizational capacities within EU´s multilevel executive system. Multilevel governance involves a multiplicity of centers of authority and succeeding governance ambiguities for national actors. Studying organized turbulence opens an opportunity to rethink governance in turbulent core-executive systems more generally. In EU´s multilevel governance system policy processes at one level tend to create challenges and dilemmas at lower levels. These governance challenges and dilemmas increasingly affect contemporary European core-executive governance where the inherent state prerogative to formulate and implement public policy is subject to an emergent independent and integrated EU core executive system.

**Introduction**

In a multilevel governance system such as the European Union (EU) policy processes at one level may create centrifugal challenges and dilemmas at lower levels. Multilevel governance involves a multiplicity of regulatory regimes (e.g. Harlow and Rawlings 2014) and succeeding governance ambiguities for national actors. This paper aims to unravel those regulatory challenges and ensuring governance dilemmas that face contemporary European public administration. These challenges and dilemmas are captured in this paper by the term turbulence. The overarching question is: How to reconcile strong integration and coherence of a common European polity while at the same time upholding strong national coordination and control? Strong coordination across levels may arguably counteract strong coordination at the national level. This ‘coordination dilemma’ has been largely ignored in the literatures on EU network governance and national ‘joined-up government’ reforms, respectively. The tension between, on the one hand, central steering and policy coordination across levels of government and, on the other, regional/local autonomy and coordination is a well-known topic in research on federal states and central-local relations within unitary states (e.g. Fenna 2012). However, the underlying organizational *mechanisms* of the ‘coordination dilemma’, seem underspecified so far (Egeberg and Trondal 2015a). This paper presents *organized turbulence* as one theoretical route to understand this dilemma. The turbulence of governance systems is assessed by analysing degrees of institutional *independence* (Verhoest et al. 2012) and degrees of *integration* of its parts (March 1999). Organized turbulence in this paper covers (i) the development of administrative capacities that make the Commission able to act relatively independent from pre-existing administrative orders at national level; and (ii) that these administrative capacities are able to integrate non-majoritarian institutions at some length.

Administrative capacities generate the power ‘to actually do things’ (Fukuyama 2014: 52). Essential to this paper is the extent to which an organizational capacity is established independently from key components of an inherent administrative order (Madison 1788). This requirement squares with Rothstein’s call for impartial government in the exercise of public power (Rothstein and Teorell 2012: 17). Essentially in our context is not *any* kind of impartiality, but the EU administration’s impartiality/independence vis-à-vis member-state governments. What matters is the extent to which the EU administrative system in practice is relatively *independent* from key components of an intergovernmental administrative order, not whether it is independent in general. A second requirement is how *internally integrated* this EU administration is.

Formulating and implementing public policy in Europe has been a prerogative for national administrations under the assumption that administrative sovereignty is essential to safeguard state sovereignty (Genschel and Jachtenfuchs 2014). The sovereignty of the state has been supplied by ‘the [administrative] capacity of the state to effectively achieve the chosen policy outcomes’ (Matthews 2012: 281). This paper explores how these prerogatives have become complemented with the rise administrative capacities within the EU institutions. This paper illuminates that these capacities are found primarily within the Commission, however, supported by an increased parallel administration consisting of both EU level and national level agencies. Capacity building may strengthen the Commission’s capacity to independent policy formulation, managing decentralized policy implementation, and strengthen its capability to draw common lessons from experience. This may also strengthen the Commission’s capacity to integrate domestic non-majoritarian institutions as part of the centre.

In addition, this paper suggests that the recent European economic and governance crisis has not distorted the fundamentals of this system, but rather reinforced core elements of it through incremental organizational layering. This has resulted in what Wrong (2015) calls ‘creeping supranationalism’, which is institutionally embedded into the EU administrative fabric. Illustrative of this, even the new Eurozone governance architecture largely builds on pre-existing organizational solutions and governance patterns, largely strengthening the role of existing institutions. This can be seen at three levels: (i) a sustained role of the Commission, i.e. in controlling and socializing member-states economic policy (Bauer and Becker 2014; Zeitlin and Vanhercke 2014), (ii) increased agencification of the EU and an increased role of depoliticised non-majoritarian institutions such as the European Central Bank (Caparaso et al. 2014; Hodson 2014), and (iii) stronger ties between EU-level and domestic-level institutions and public governance processes (Laffan 2016).

Based on a rich body of primary data, two empirical observations are highlighted: First, the supply of organizational capacities inside the Commission has become steadily strengthened over a 60 years’ period. This paper thus contends the ‘weakening of the Commission’ myth and claims that ‘the …. Commission lack[s] powerful, independent sources of authority …’ (Peterson and Shackleton 2012: 16). At present, most organizational capacities are concentrated within policy DGs, however, increasingly supplemented with a more powerful Precedency and Secretariat General (SG). Essentially, this supply of organizational capacities inside the Commission administration has enabled Commission officials to act fairly independently of domestic government institutions. Secondly, the supply of organizational capacities inside the Commission is positively associated with the integration of agencies at EU and national level across levels of governance. In sum, this has created a turbulent multi-level EU administration.

The paper proceeds in the following stages. The next section conceptualizes the turbulent nature of the EU administration and outlines an organizational theory approach to explain European integration of public administration and its wider implications. The subsequent empirical section goes in two steps: The first step examines capacity building within the Commission and how Commission officials make use of these capacities during every-day work. The second step analyses the extent to which and how non-majoritarian institutions (both EU and national agencies) relate to the Commission and in practice tend to supply the Commission with extended administrative capacities.

**Theorizing public administration in the EU**

How can the public administration of the EU be theorized? This section suggests that the concept of turbulence may be one valuable toolkit. So, how can we operationalize turbulence in context of the EU administration? This section suggests two proxies of organized turbulence: First, the level and organization of administrative *capacities* of the EU administration, and secondly the degree to which these capacities become *integrated* as such (see Trondal and Peters 2013).

Turbulence is not mere periodic and temporary exogenous phases that organizations encounter, but also enduring features embedded into organizations. While implicit recognition of turbulence within organizations has a long historical path, the idea of organized turbulence has rarely been explicitly theorized (see Ansell et al. 2016). Organized turbulence arises from enduring tensions within organizations, which produce ambiguity about what problems, solutions, and consequences to attend to at any time, and what actors are deemed legitimate and efficient. Organizations and organized systems tend to live with turbulence of various kinds – of which some are subject to design (i.e. by establishing organizational compromises of various kinds) – while others are subject to organizational evolution. Notably, *political organizations* are of a different kind than private organizations in this regard. Political organizations are ‘created in order to handle conflicts …’ (Jacobsson et al. 2015: 35) and are thereby turbulent by design. Organized democracies have an embedded partisan responsiveness to a host of different cleavages of conflict (Rokkan 1999), which private organizations clearly have not. Cyert and March (1963) suggested three mechanisms for how the firm may resolve conflicts: through local rationalities, through acceptable-level decision rules, and through sequential attention to goals. Political organizations do not always *solve* problems, but cope with them through organizational (re)design. This is materialized in the organizational fabric of central administrations through the vertical and horizontal specialization of ministerial departments, through procedures for the recruitment of staff, through the geographical location of offices, through time rules for budgeting, and so on. In addition, this paper also shows that organized turbulence has certain consequences for what we term turbulence of scale. The organized turbulence inside the EU administration may have certain consequences for organized turbulence within member-state administrations, thus creating turbulence of scale. Turbulence at one level (in this paper at the EU level) may have consequences for organizational interaction across levels (in this paper towards member-state agencies). The attempts of one actor to manage/limit turbulence (i.e. within the European Commission (Commission)) may have turbulence-increasing consequences for others (i.e. member-state governments).

Building on prior work in organization theory and political science, we argue that turbulence occurs *where the interaction of events, demands and support is experienced as highly variable, inconsistent, unexpected, and/or unpredictable.* We also extend previous discussions of turbulence by arguing that it is not merely an environmental property but also a key attribute of organizations and organized systems (see Ansell et al. 2017; Rosenau 1990). In organization theory, the traditional image is one of organizations adapting to turbulent environments. But the reverse is possible as well: turbulence within organization or institutions may project that turbulence onto the broader environment in which they operate. Organizational and environmental turbulence may also interact, deepening overall turbulence (Ansell et al. 2016). There has been an unawareness of how turbulence may be an *endogenous* property of organizations. Government ministries, for example, are subject to complex external demands and bound by public obligations; they must be responsive to rapidly shifting changes in public opinion, electoral outcomes and accountability practices and standards; and they are dependent upon legislatures for budgets and authority. In short, turbulence is embedded into their very organizational fabric. Building on this prior work, we argue that organized turbulence arises from enduring tensions *within* organizations, which produce ambiguity about what problems, solutions, and consequences to attend to at any time, and what actors are deemed legitimate and efficient.

Following a recent stock-taking study of the European administrative system (Trondal and Peters 2013), the administrative order in Europe is indeed coined by certain turbulent organizational configurations (Benz 2015; Heidbreder 2015). It has been suggested that the turbulent nature of the European administrative system may be captured by at least two proxies: institutional independence and integration. Whereas the first proxy is essential in order to capture administrative order transformation (that transcends the Westphalian administrative order based on administrative sovereignty among national administrations), the second proxy is important in order to gauge how well coordinated administrations are, and how it relates to surrounding administrations – notably how the EU administration relates to national administrations.

***Independent administrative capacity:*** First, organized turbulence is captured by the rise of an *independent* administrative capacity (Fukuyama 2014: 61). Administrative independence requires the possession of one’s ‘own’ administration, thereby not solely relying on the administrative capacities of others – such as member-state governments (Zurn 2012: 731). In a European context, this necessitates the rise of separate administrative capacities at the ‘European’ level that are able to act relatively independent from member-state government institutions. Administrative independence involves the existence of separate administrative capacities, recruitment based on merit – and not nationality -, and essentially that this administrative capacity is able to have a separate will (to set its own agenda) and to have a separate ability (to implement). In addition to in-house capacities, the Commission is supplied with auxiliary capacities composed of expert committees (ECs) and EU agencies. Independent administrative capacities will subsequently enable the independent development and implementation of public policy.

* + We also assume a positive relationship between administrative independence and turbulence: The more independent the EU administration becomes, the more turbulent the overall EU administration would be. By contrast, a ‘dependent’ EU administration would imply a less turbulent administrative system merely relying on administrations of the member-states and their overall sovereign capacities.
* ***Integration of administrative capacities:*** Secondly, organized turbulence is captured by the *integration* of administrative capacities across government institutions and levels of government. This entails the integration of majoritarian (here: the Commission) and non-majoritarian institutions (here: agencies) into one common administrative resource. Such administrative integration may affect how majoritarian institutions in practice influence the implementation of public policy by non-majoritarian institutions. Examples would be the integration of administrative capacities of the Commission and EU agencies, and/or the integration of administrative capacities of the Commission and domestic agencies. Administrative capacity building in the Commission might also expand its capacity to integrate horizontal administrative networks (e.g. Heidbreder 2015).
  + We also assume a positive relationship between administrative integration and turbulence: The more integrated the administrative components become, the more turbulent the overall administrative system would be. By contrast, a lack of integration of administrative resources would imply a less turbulent administrative system merely relying on administrations of the member-states and their sovereign capacities.

Organizational theory can be used to explain variation in both administrative independence and integration. Formal organizations temporarily settle issues about ‘tasks, authority, power, and accountability’ (Olsen 2010: 37). Formal rules systematically bias the decision-making behaviour of civil servants, eventually biasing the formulation and execution of public policy the decision-making behaviour of civil servants (Barnett and Finnemore 2004: 3). An organizational approach claims that both continuity and change of organizations and the behaviour of organizational members are biased by organizational structures (Ansell and Weber 1999).

organizational approach suggests that the supply of organizational capacities have certain implications for how organisations and humans act. An organizational approach assumes that organizational capacity-building supply government institutions with leverage to act independently and to integrate external institutions into its orbit. This approach departs from the assumption that organizational structures mobilize biases in public policy because formal organizations supply cognitive and normative shortcuts and categories that simplify and guide decision-makers’ behaviour (Schattschneider 1975; Simon 1957). Organizations supply cognitive maps that simplify and categorize complex information, offer procedures for reducing transaction costs, give regulative norms that add cues for appropriate behaviour as well as physical boundaries and temporal rhythms that guide decision-makers’ perceptions of relevance with respect to public policy (March and Olsen 1998). By carving organizations into vertical hierarchies of rank and command the decision-making behaviour evoked by civil servants is assumed to be guided by political-administrative hierarchies through disciplination and control (Lægreid and Olsen 1978: 31). Decision-making processes within government systems are the result of hierarchical imposition and horizontal departmentalization of organizational roles where mutually exclusive groups of participants, problems, alternatives and solutions reside. According to this perspective the decision-making behaviour of ‘Eurocrats’ in an EU administrative system is likely to reflect their primary organizational embedment into roles and rules. Two empirical predictions follow:

*First, on administrative independence*: The supply of independent administrative capacities is necessary for government institutions to act and to affect how other institutions act. Because officials spend most of their time and energy in organizational sub-units (Whyte 1956: 47), they may be expected to primarily attend to their sub-unit and less towards organizations as wholes (Ashford and Johnson 2001: 36). Subsequently, Commission bureaucrats are likely to attend primarily to their Commission DGs rather than to the concerns of member-state governments. They are expected to evoke an ‘inward-looking’ behavioural pattern geared towards their ‘own’ sub-units and task environments. Commission officials are expected to evoke the classical Weberian civil-servant virtues of being party-politically neutral, attaching identity towards their unit, division and portfolio, and abiding by administrative rules and proper procedures (Richards and Smith 2004).

*Secondly, on administrative integration*: Organizational capacity installed within majoritarian institutions may supply them with a capacity to *integrate* non-majoritarian institutions (such as agencies subordinated to ministerial departments). Organizational capacity within majoritarian institutions may for example contribute to mutual adjustment and reduction of decisional errors within non-majoritarian institutions (Landau 1969: 351). By contrast, a lack of organizational capacity may reduce its capacity to integrate and guide subordinated non-majoritarian institutions. One implication of lacking administrative capacities may be increased independence for non-majoritarian institutions and thereby a vertical disintegration of the administrative apparatus on a broader scale (Fukuyama 2014). Concomitantly, the supply of administrative capacities inside the Commission is expected to increase the likelihood that signals sent from the Commission will be ascribed importance by officials in EU agencies and domestic agencies. Administrative integration is thus expected to be supplied by the independent administrative capacities of the Commission.

More specifically, administrative *integration* across levels of government may be expected to assume *sectoral* characteristics. This assumption derives from the premise that the behaviour, role and identity perceptions evoked by government officials are expected to be primarily directed towards those administrative units that are the primary supplier of relevant decision premises. It is thus likely that administrative integration is supplemented by the organisational capacities of government sub-units at both levels of government. One empirical implication is administrative integration along sectoral lines, for example between Commission DGs and agency sub-units.

**Data and methods**

The empirical observations benefit from three separate data sources: One interview study of Commission officials, one study on the role of EU agencies, and finally one survey among domestic agency officials.

First, assessing Commission autonomy is done by the use of semi-structured interview data among permanent Commission administrators (ADs) (N=24) and contracted Commission officials (N=50). The interviews were carried out during 2006 and 2007 in Brussels. The questions posed in the interviews were directed at measuring the *perceptions* of civil servants with respect to their decision-making behaviour, and role and identity perceptions. One caveat is warranted: This data set covers two Commission DGs (DG Trade and the Secretariat General) and a fairly small sample of officials compared to the universe of ADs. Concomitantly, the selected cases merely serve as *illustrative devices*. (The original data are presented in Trondal 2010.)

Secondly, administrative integration between the Commission and EU agencies are documented on the basis of Commission and EU-agency documents. One primary source is the Annual Activity Reports (AARs) of Commission DGs. These AARs were systematically searched through electronically in order to detect and extract text concerning EU agencies. The aim was to map to what extent and how such agencies are mentioned and agency activities reported on by each DG. The AARs for both 2005 and 2012 were accessed through the Commission’s official website. The data sources also consist of other Commission documents such as ‘analytical fiches’. The ‘analytical fiches’ are used in this study to tap the EU’s policy on EU agencies. Authored by the Commission, these papers may come to over-emphasize the role of the Commission. However, the Commission has been assigned the task to prepare the policy documents in this area, leading up to an inter-institutional agreement or understanding. (The original data are presented in Egeberg et al. 2015.)

Thirdly, to assess administrative integration between the Commission and national agencies, survey data were collected among officials in national agencies in the Norwegian central administration. The survey was conducted as an online survey by the Norwegian Social Science Data Service encompassing officials from all Norwegian subordinated agencies (51 in total). The survey was distributed to a random selection of *every third* official at the ‘A-level’ with at least one year in office. The total number of responses at the agency level is 1452, giving a response rate of 59. Norway is not a member of the EU and, accordingly, Norwegian politicians and officials are not taking part in the formal decision-making processes within EU institutions. However, due to the European Economic Area (EEA) and Schengen agreements, Norway is obliged to implement most of the EU’s hard law as regards the internal market and border control. If one focuses on the *practicing* of EU legislation (and not on policy formulation), Norway can be considered in most respects to be comparable to EU member states (Egeberg and Trondal 1999). Arguably, given its ‘quasi-membership’, Norway might even be seen as a *critical case* in the sense that if administrative integration is observed in this case, we may have reason to believe that an *integration* of domestic agencies in the EU administrative system will be observed in the EU member-states as well, other things being equal. (The original data set is presented in Egeberg and Trondal 2009.)

**The EU administrative system**

The first part of this section examines the supply of administrative capacities at disposal to the Commission and how these resources contribute to Commission independence. The second part analyses how subordinate agencies (both EU and national) are integrated into the orbit of the Commission and in practice tend to supply the Commission with additional administrative capacities.

**Step I: Independent administrative capacities**

The administrative capacities of the Commission have steadily increased during a 60 years period. There is no evidence of a reduction in this capacity building inside the Commission at any point of time. Beyond quantitative growth of the apparatus, however, the overall organizational architecture of the Commission administration has remained largely untouched during the same time period. In short, the supply of administrative capacities has increased substantially whilst the organizational structures inside the Commission has been characterised by overall continuity. Moreover, the economic crisis has not put Commission capacities on a halt (Bauer and Becker 2014). By contrast, the crisis has increased the administrative capacities in the Commission to draft and conduct country-specific recommendations as part of the annual growth estimates. Still, the crisis has not fundamentally questioned how the Commission is organized.

Despite public criticism toward the ‘Brussels bureaucracy’ – first triggered by the resignation of the Santer Commission in 1999 – the Commission administration has continued to expand largely by stealth, and probably despite public resistance. The Commission was established in 1957 under the leadership of President Hallstein, succeeding the High Authority under the presidency of Jean Monnet (1952-1957). It was Hallstein’s idea to organise the Commission into ‘vertical columns’ (Dumoulin 2007: 221; Loth and Bitsch 2007). Following Hallstein’s ideas, from 1957 the Commission was horizontally organized with a total of nine DGs, numbered I to IX. Émile Noël, the long-term Secretary-General of the Commission, recalls that President Hallstein had clear ideas about the organization of the Commission: he wanted a ‘great administration’, both strong and hierarchical (Duchêne 1994; Dumoulin 2007: 221). Today’s Commission administration totals around 40 DGs on an average. The Commission personnel increased from 280 officials in 1953 (the High Authority) to 680 in 1957. When the Hallstein Commission was established in 1957, the original estimate was that the Commission needed some 1,000 to 2,000 officials. However, already by December 1958 there were 1,051 officials (Bitsch 2007: 58; Dumoulin 2007: 219). The staffing of the first Commission was officially completed by 1961. The number of officials reached 2,892 in 1967 – at the time of the merger of the three Commissions – and by 1972 the Commission had a total of 5,778 officials (Dumoulin 2007: 220). Yet, staff members grew more slowly in the Commission than in the other EU institutions (Mangenot and Seidel 2014: 64).

Whereas by 1953 the Commission was dominated by short-term seconded officials from the member-states, today the Commission is mostly staffed by permanent officials with long-term careers. For example, in 2000, 19 out of 22 Directors-General had tenure within the Commission of more than ten years (Georgakakis and Lassalle 2007: 12). Since the last enlargement more than 4,000 new civil servants from the new member-states have joined the Commission (Kurpas et al. 2008: 46). Despite Jean Monnet’s early vision of creating a small Commission mostly hired on secondment contracts and intentionally not exceeding 200 officials, the present Commission houses around 35,000 officials. Of this workforce only ADs who take part in the policy-making processes (totalling approximately 12,000) are studied here. Divided by the number of DGs in the Commission, there are on average approximately 300 ADs per DG (Statistical Bulletin of Commission Staff 01/2012).

The largest increase in staff has happened post-1990, partly due to increased workload caused by the ‘communitarisation’ of ever more policy areas, and partly due to the enlargements in 1994 and 2004. The large Commission staff also reflects continuous legislative activity of the Prodi and Barroso Commissions from 2000 to 2014, including strengthened emphasis on policy implementation. The Commission in general seems not to do ‘less’. However, the Commission seems to put greater ‘focus on the implementation of what is already in place’ (Kurpas et al. 2008: 20). Thus, the need for implementation capacities at the Community level *and* at the national level has become ever more crucial.

The Commission administration has recently experienced capacity building by stealth around the President and the SG. The ambition has been to make the SG into the administrative command centre for the President (Barroso 2009 and 2011; Kassim et al. 2013; Kassim 2006). This trend has particularly been witnessed throughout the Barroso Presidency, but also the new Juncker Commission has suggested staff increase of the SG to support the new team of Vise Presidents. The recent crises that has hit the EU has also accelerated the processes of presidentialization of the Commission (Becker et al. 2016). Yet, most Commission officials in practice tend to orient their behaviour, role perceptions and identities towards the DGs, directorates and units. Centre ambitions of the Presidency thus seem somewhat modified throughout policy DGs largely due to the portfolio specialization of the DGs (Hartlapp et al. 2014; Trondal 2012). The most prevalent behavioural logic among Commission officials is a portfolio logic, which is largely indifferent to Presidential commands and an administrative logic of hierarchy. Yet, new data shows an increased top-down character of decision-making in the new Juncker Commission (Becker et al. 2016).

The supply of administrative capacity inside the Commission has indeed certain behavioural implications among staff members. In short, administrative structures seem to safeguard Commission independence. Reflecting the independent administrative capacities supplied by the Commission administration, officials of different ranks in the Commission hierarchy, as well as officials across different DGs, tend to act fairly independently of member-state influence both as regards decision-making behaviour, role perceptions and identities. Recent studies suggest that Commission staff obtain most of their decision-relevant information from within the Commission (Ellinas and Suleimann 2012) and that the essential parts of policy proposals is supplied by the lead DGs (Hartlapp et al. 2014). Illustrative of this, Hustedt and Seyfried (2015) shows that DGs differ in how they perceive problems and problem saliency, and also that the importance of the SG is perceived differently across DGs.

The administrative capacities supplied in the Commission even profoundly affect temporary Commission officials (SNEs). Being hired by the Commission for a maximum of six years and having an ambiguous organizational affiliation to the Commission during the contract period, the emergence of portfolio roles and identity perceptions among SNEs would serve as a valuable illustration in this regard (Trondal 2004; Murdoch and Trondal 2013). Our data suggests that SNEs tend to be attached to the Commission organization quite quickly upon arrival in Brussels, viewing themselves as ‘ordinary’ Commission officials. A study of *current* and *former* SNEs demonstrate that these officials direct their *primary* allegiances towards Commission DGs and sub-units and only secondary allegiances towards their parent ministries and agencies back home (Trondal et al. 2008). Quite similar to permanent ADs, portfolio loyalties are strong among SNEs. In sum, the ‘silo thinking’ is supplied throughout the Commission services by the horizontal specialization of the Commission structure.

The next sub-section shows that this organizational capacity in addition supplies the Commission with a capacity to integrate non-majoritarian institutions.

**Step II: The integration of administrative capacities**

This sub-section shows that the Commission in practice is supplied with auxiliary administrative capacities. Emphasise here is on the role of EU agencies and domestic agencies.[[1]](#endnote-1)

***EU agencies:*** The establishment of agencies at the EU level, so-called EU agencies, has mainly taken place during the last 20 years. The establishment of EU agencies may be

regarded as a compromise between functional needs for more regulatory capacity at

the European level, on one hand, and the member states’ reluctance to transfer more

power to the European Commission, on the other (Kelemen 2002). The accumulated administrative capacities of EU agencies may be assessed by considering their number and size. At least three waves of agency formation at the EU level can be distinguished – the initial one in 1975, a second one from 1990 to 1999, and the third from 2000 to present (Trondal and Jeppesen 2008). Several of the currently existing agencies are granted some amount of formal decision-making power, while the remaining agencies have tasks such as information gathering, technical support and administration (Groenleer 2009). Most EU agencies have restricted *de jure* powers, particularly with regard to making decisions. The European Aviation Safety Agency (EASA) is one example where great expectations were partly dashed. When planned and established, EASA was expected to acquire major rulemaking powers. The result, however, suggests that EASA has received much less *de jure* powers in this regard (Schout 2012).

Despite a significant increase in the supply of independent administrative capacities in the Commission, the same time period has witnessed a quantitative increase in the total number of EU agencies, EU agency staff and budgets. Since 2008 the pace has accelerated even further, especially in 2010 and 2011 with the advent of the new European Supervisory Authorities in the financial services area*.* These new agencies have added not only in terms of quantity but also in terms of their nature and their powers, some of which are quite novel and far-reaching. Together these agencies spend over one billion Euros per year, and employ more than 5,000 staff. Parallel to the continuous growth of administrative capacity in the Commission, there is thus far also evidence of continuous growth of administrative capacities in EU agencies (Busuioc et al. 2012; Rittberger and Wonka 2011).

The Commission sees EU agencies as ‘partners’ of the Commission and its DGs. EU agencies are seen as integral parts of the Commission. One early testimony of this integral policy frame was the ‘White Paper on Governance’ issued in 2001 which called for the Commission to control and monitor EU agencies (European Commission 2001). As one illustration, the White Paper emphasized that agency staff should fall under the same staff regulations as ordinary Commission ADs. Agency autonomy was sacrificed for the Union’s need for integrated and uniform administration. The ‘Analytical Fiches’ reveals the Commission’s policy of close integration of the Commission DGs and ‘their’ agencies. The semantic twins applied by the Commission are ‘partner’ and ‘parent’ agencies, where ‘partner’ suggests a more equal role between the agencies and the Commission while ‘parent’ advises a more superior role of the Commission vis-à-vis EU agencies. The Commission even argues that the ‘parent’ role of the Commission has become greater than envisaged (Analytical Fiche Nr. 31: 4). In short, the Commission promotes tight relationships between Commission DGs and ‘their’ EU agencies. The Commission frames EU agencies as integral to Commission activities, not as free-floating bodies.

A recent study (Egeberg et al. 2015) also shows how the Commission itself has tidily allocated the so-called regulatory (or decentralized) EU agencies *among certain DGs*. By content-analyzing DG Annual Activity Reports (2012), this study found that in 91 per cent of the cases, the DGs mention ‘supervision’ and ‘monitoring’ of ‘their’ agencies as part of their activities during the year. In 72 per cent of the cases, the DGs speak of themselves as ‘parent DG’ or ‘responsible DG’. Together, these observations indicate that there exists, or should exist in the eyes of the Commission, a kind of hierarchical relationship between the DG and the agency. The term ‘partner DG’, on the other hand, which signals a more horizontal relationship, only appears in a minority of cases. Moreover, only in relation to four agencies’, the DG is considered solely as a ‘partner DG’. Interestingly, and most commonly, the term ‘partner DG’ operates in tandem with ‘parent DG’. This linguistic ambiguity probably reflects some power ambiguity as regards the governance structures surrounding EU agencies.

In sum, the supply of administrative capacities inside the Commission is positively associated with the *integration* of Commission DGs and EU agencies, and thus the accumulation of overall organizational turbulence inside the EU administrative system.

***Domestic agencies:*** The European Commission does not ‘own’ or possess administrative infrastructure (agencies) at lower levels of authority. However, studies show that national implementing authorities, such as agencies, work so closely together with the previously mentioned EU bodies that national agencies in practice function as direct implementing authorities for EU legislation. In practice, this role challenges national administrative sovereignty quite fundamentally (Egeberg and Trondal 2015b). National agencies in practise seem to supply the Commission with relevant administrative capacities, particularly in their application of EU hard law (Egeberg and Trondal 2009) but also at the policy-development stage (Bach et al. 2015). Domestic agencies tend to be integrated by the Commission, particularly if the Commission supply relevant organizational capacities. Even the daily practicing of EU legislation at the national level is no longer solely in the hands of national governments although the role of ministerial departments is pivotal. Egeberg and Trondal (2009) show that the Commission takes actively part in the practicing of EU legislation at national level. Table 1 demonstrates the extent to which legislation that originates from EU decisions (‘hard law’) is *practiced* by domestic agency officials.

**Table 1 Percent of agency officials who report that national agencies practice laws and rules that originate from EU decisions within their own issue area\***

|  |  |  |  |
| --- | --- | --- | --- |
| **Yes** | **No** | **Do not know** | **Total** |
| 61 | 13 | 26 | 100 (974) |

*\* The table includes those officials who report being affected by the EU ‘to a fairly little extent’ or more*

Table 1 suggests that a vast majority of domestic agency personnel who find themselves affected by the EU confirm that EU legislation is practiced within their issue area. In the following, only this group of agency officials (594) is included in the analysis. Egeberg and Trondal (2009) also show similar findings among ministry personnel: 46 percent of ministry officials report that EU legislation is implemented at the agency level within their particular issue area.

Table 2 reveals the extent to which different institutions and actors are deemed important with respect to influencing how EU ‘hard law’ is being practiced by domestic agencies.

**Table 2 Percent of agency officials reporting that the following institutions and actors are important with respect to influence national agencies’ practicing of EU ‘hard law a, b**

|  |  |
| --- | --- |
| Ministry  National agency  European Commission (EC)  EFTA Surveillance Authority (ESA)\*  EC and ESA combined  ‘Sister agencies’ in other countries  EU-level agencies | 67  66  43  36  51  32  23 |
| Mean N | 572 |

1. *This table includes those officials who report that national agencies practice laws and rules that originate from EU decisions (‘hard law’) within their own issue area.*
2. *This table combines value 1 and 2 on the following six-point scale: very important (value 1), fairly important (value 2), both/and (value 3), fairly unimportant (value 4), very unimportant (value 5), do not know (value 6).*

*\*) ESA has the role of monitoring implementation of EU ‘hard law’ in the EEA member states Norway,*

*Iceland and Lichtenstein.*

Domestic agencies organised at arm’s length from ministerial departments enjoy a certain level of autonomy as regards their exercise of discretion: almost two-thirds consider the executive agency itself to be important in this respect. The role of ‘sister agencies’ in other countries reflect the role of horizontal administrative networks. Also, respondents agree that the ‘parent ministry’ is the most influential external body. The importance of the ministry is to some extent dependent upon its supply of organizational capacity. ‘Parent ministries’ that contain units that are ‘duplicating’ units found in the agencies are deemed more powerful by agency officials than ministries without such units (Pearson’s r=.21\*\*). Secondly, national agency officials report that the second most important external institutions at the stage of practicing EU legislation are the Commission and the EFTA Surveillance Authority (ESA). While the Commission is responsible for monitoring implementation of EU policies at the national level and, if necessary, activating sanction mechanisms within the EU, ESA has similar responsibility as regards the EEA countries. ESA strives to copy Commission procedures and ways of behavior in these respects but does not take part in the policy process at various stages in the way the Commission does (Martens 2010). Together the two ‘sister executives’ may supply considerable administrative capacity of relevance for domestic agencies. Finally, national agency officials who report that the Commission is important as regards their implementation practices also tend to have direct contacts with the Commission (Pearson’s r=.20\*\*). In the same vein, those who consider EU agencies as important tend to interact directly with these bodies (Pearson’s r=.37\*\*).

The results indicate that the Commission, and to some extent EU agencies as well, actively take part in the practicing of EU legislation at the national level. Thus, the supply of administrative capacities inside the Commission is positively associated with the integration of public administration across levels of government, and thus the accumulation of organizational turbulence in the EU administrative system.

**Conclusions**

This paper reports the how the inherent state prerogative to formulate and implement public policy is subject to an emergent and turbulent EU administration coined by administrative independence and integration. It is suggested that the turbulent nature of the EU administration can be captured by looking at the supply of *independent* and *integrated* bureaucratic capacities at a ‘European level’. This paper has demonstrated that the supply of administrative capacities inside the Commission is positively associated with the integration of non-majoritarian institutions, notably agencies at EU and national levels. Administrative independence and integration arguably is conducive to organized turbulence of the EU administration on a broader scale.

In greater detail, this paper shows that the supply of administrative capacities inside the Commission has become steadily extended over a 60 years’ period. At present, most administrative capacities in the Commission are concentrated within policy DGs, however, increasingly supplemented with a more powerful Secretariat General. This supply of administrative capacities inside the Commission also enables Commission officials to act fairly independently of domestic government institutions. Moreover, these capacities also supply the Commission with a capacity to integrate non-majoritarian institutions by stealth. Compared to the gradual increase of capacities in the Commission, the supply of organizational capacities in non-majoritarian institutions outside the Commission has happened more recently. These consist primarily of EU agencies and domestic agencies. Capacity building through the creation of genuinely European public administration has strengthened the Commission’s ability to set independent policy agendas, shape the implementation of these, and strengthen its capability to draw common lessons from experience. This has also supplied the Commission with a capacity to integrate domestic government institutions – and their staffs -, and thus integrate a European public administration on a broader scale (see Bauer and Trondal 2015; Egeberg and Trondal 2015a; Overeem and Sager 2015; Trondal and Peters 2013). Both factors have potentially put domestic administrative sovereignty under pressure.

**Notes**

1. The author would like to thank Carolyn Ban, Philipp Genschel, Markus Jachtenfuchs, Eva Heidbreder, Adrienne Hèritier, Nicolas Jabko, Anand Menon, Berthold Rittberger, Fritz Scharpf, Susanne Schmidt, and Arndt Wonka for comments to a previous version of this paper. Previous versions were presented at the workshops ‘Beyond the Regulatory Polity? The European Integration of Core State Powers’, Hertie School of Governance, Berlin, June 2011 and Delmenhorst, March 2012.
2. Additional observations along similar lines have been made on integration of Commission services and the European Parliament administration (Egeberg et al. 2013) and the European External Action Service (Henokl 2015).

**References**

Ansell, C., Trondal, J. and Ogard, M. (eds.) (2016). *Governance in Turbulent* Times (Oxford: Oxford University Press).

Ansell, C. and Weber, S. (1999). “Organizing international politics: Sovereignty and open systems”. *International Political Science Review* 20(1): 73-93.

Ashford, B.E. and Johnson, S.A. (2001). “Which Hat to Wear? The relative salience of multiple identities in organizational contexts”. in Hogg, M.A. and Terry, D.J. (eds.). *Social Identity Processes in Organizational Contexts* (Ann Arbor: Psychology Press).

Bach, T., Ruffing, E. and Yesilkagit, K. (2015). “The differential empowering effects of Europeanization on the autonomy of national agencies”. *Governance* 28(3): 285-304.

Barnett, M. and Finnemore, M. (2004). *Rules for The World* (thaca: Cornell University Press).

Barroso, J.M. (2009). *Political guidelines for the next Commission* (Brussels: European Commission).

Barroso, J.M. (2011) “Debate on economic governance”. European Parliament, Strasbourg, 16 November 2011.

Bauer, M.W. and Becker, S. (2014). “The unexpected winner of the crisis: The European Commission’s strengthened role in economic governance”. *Journal of European Integration* 36(3): 213-229.

Bauer, M.W. and Trondal, J. (2015). “The administrative system of the European Union”. In Bauer M.W., and Trondal, J. (eds.). *The Palgrave Handbook of the European Administrative System* (Houndmills: Palgrave Macmillan).

Becker, S., M.W. Bauer, S. Connolly and H. Kassim (2016). “The Commission: boxed in and constrained, but still an engine of integration”. *West European Politics* 39(5): 1011-1031.

Bitsch, M.-T. (2007). “The Hallstein Commission 1958-1967”. In Dumoulin, M. (ed.). *The European Commission, 1958-72. History and memories* (Brussels: European Commission).

Busuioc, M., Groenleer, M. and Trondal, J. (eds.) (2012). *The Agency Phenomenon in the European Union* (Manchester: Manchester University Press).

Caparaso, J.A., Kim, M.-h., Durrett, W.N. and Wesley, R.B. (2014). “Still the regulatory state? The European Union and the financial crisis”. *Journal of European Public Policy* DOI: 10.1080/13501736.2014.988638.

Cyert, R.M. and March, J.G. (1963). *A Behavioral Theory of the Firm* (Englewood Cliffs, NJ: Prentice-Hall).

Duchêne, F. (1994). *Jean Monnet. The first statesman of interdependence* (New York: W.W. Norton & Company).

Dumoulin, M. (ed.) (2007). *The European Commission, 1958-72. History and memories* (Brussels: European Commission).

Egeberg, M., Gornitzka, Å., Trondal, J. and Johannessen, M. (2013). “Parliamentary staff. Unpacking the behaviour of officials in the European Parliament”. *Journal of European Public Policy* 20(4): 495-514.

Egeberg, M. and Trondal, J. (1999). “Differentiated integration in Europe: the case of the EEA country Norway”. *Journal of Common Market Studies* 37 (1): 133-142.

Egeberg, M. and Trondal, J. (2009). “National agencies in the European administrative space. Government driven, Commission driven or networked?”. *Public Administration* 87 (4): 779-790.

Egeberg, M. and Trondal, J. (2015a). “National administrative sovereignty. Under pressure”. In Eriksen, E.O. and Fossum, J.E. (eds.). *The European Union’s Non-Members. Independence under hegemony?* (Abingdon: Routledge).

Egeberg, M. and Trondal, J. (2015b). “Why strong coordination at one level of government is incompatible with strong coordination across levels (and how to live with it). The case of the European Union”. Paper presented at the Annual EGPA Conference, Toulouse.

Egeberg, M., Trondal, J. and Vestlund, N.M. (2015). “The quest for order: unravelling the relationship between the European Commission and European Union agencies”. *Journal of European Public Policy* 22(5): 609-629.

Ellinas, A.A. and Suleiman, E. (2012). *The European Commission and Bureaucratic Autonomy* (Cambridge: Cambridge University Press).

European Commission (2001). *European Governance. A White Paper*. COM(2001) 428 final.

Fenna, A. (2012). “Federalism and intergovernmental coordination”. In Peters, B.G. and Pierre, J. (eds.). *The Sage Handbook of Public Administration* (London: SAGE).

Fukuyama, F. (2014). *Political Order and Political Decay* (New York: Farrar, Straus and Giroux).

Genschel, P. and Jachtenfuchs, M. (eds.) (2014). *Beyond the Regulatory Polity*? (Oxford: Oxford University Press).

Georgakakis, D. and Lassalle, M. de (2007). “Who are the Directors-General? European construction and Administrative careers in the Commission”. Paper presented at ‘EU-Consent workshop, 21-22 June, Paris, 2006.

Groenleer, M. (2009). *The Autonomy of European Union Agencies.* PhD Thesis (Amsterdam: Eburon).

Harlow, C. and Rawlings, R. (2014). *Process and Procedure in EU Administration* (Oxford: Hart Publishing).

Hartlapp, M., Metz, J. and Rauh, C. (2014). *Which Policy for Europe?* (Oxford: Oxford University Press).

Heidbreder, E.G. (2015). “Horizontal capacity pooling: Direct, decentralized, joint policy execution”. In Bauer, M.W. and Trondal, J. (eds.). *The Palgrave Handbook of the European Administrative System* (Houndmills: Palgrave Macmillan).

Henökl, T. (2015). “How do EU Foreign Policy-Makers decide? Institutional orientations within the European External Action Service”. [*West European Politics*](http://www.frankcass.com/jnls/wep.htm)  38(3): 679-708.

Hodson, D. (2014). “Eurozone governance: Recovery, reticence and reform”. *Journal of Common Market Studies* DOI: 10.111/jcms.12170.

Hustedt, T. and Seyfried, M. (2015). “Co-ordination across internal organizational boundaries: how the EU Commission co-ordinates climate policies”. *Journal of European Public Policy*, DOI: 10.1080/13501763.2015.1074605

Jacobsson, B., Pierre, J. and Sundstrom, G. (2015). *Governing the Embedded State* (Oxford: Oxford University Press).

Kassim, H. (2006). “The Secretariat General of the European Commission”. In Spence, D. (ed.). *The European Commission* (London: John Harper Publishing).

Kelemen, R.D. (2002). “The politics of ‘Eurocratic’ structure and the new European agencies”. *West European Politics* 25(4): 93-118.

Kurpas, S., Grøn, C. and Kacsynski, P.M. (2008). *The European Commission after enlargement: Does more add up to less?* (Brussels: CEPS Special Report).

Landau, M. (1969). “Redundancy, rationality, and the problem of duplication and overlap”. *Public Administration Review* 29: 346-358.

Laegreid, P. and Olsen, J.P. (1978). *Byråkrati og beslutninger* (Bergen: Universitetsforlaget).

Loth, W. and Bitsch, M.-T. (2007). “The Hallstein Commission 1958-67”. In Dumoulin. M. (ed.). *The European Commission, 1958-72. History and memories* (Brussels: European Commission).

Laffan, B. (2016). “Europe’s union in crisis: tested and contested”. *West European Politics* 39(5): 915-932.

Madison, J. (1788). “The influence of the state and federal governments compared”. In Madison, J., Hamilton, A. and John, J. (eds.). *The Federalist Papers* (New York: SoHo Books).

Mangenot, M. and Seidel, K. (2014). “Consolidating the European civil service”. In Bussiere, E., Dujardin, V., Dumoulin, M., Ludlow, P., Brouwer, J.W. and Tilly, P. (eds.). *The European Commission. 1973-86. History and Memories of an Institution (*Brussels: European Commission).

March, J.G. (1999). “A learning perspective on the network dynamics of institutional integration”. In Egeberg, M. and Lægreid, P. (eds.). *Organizing Political Institutions* (Oslo: Scandinavian University Press).

March, J. G. and Olsen, J.P. (1998). “The Institutional Dynamics of International Political Orders”. *International Organization* 52 (4): 943-969.

Martens, M. (2010). *Organized administrative integration. The role of agencies in the European administrative system.* PhD Thesis (University of Oslo).

Matthews, F. (2012). “Governance and state capacity”. In Levi-Faur, D. (ed.). *The Oxford Handbook of Governance* (Oxford: Oxford University Press).

Murdoch, Z. and Trondal, J. (2013). “Contracted Government. Unveiling the European Commission’s contracted staff”. *West European Politics* 36(1): 1-21.

Olsen, J.P. (2010). *Governing through Institutional Building* (Oxford: Oxford University Press).

Overeem, P. and Sager, F. (2015). “Conclusions: Common ground for a common future?”. In F. Sager and Overeem, P. (eds.). *The European Public Servant* (Colchester: ECPR Press).

Peterson, J. and Shackleton, M. (2012). “The EU institutions: an overview”. In Peterson, J. and Schacleton, M. (eds.). *The Institutions of the European Union* (Oxford: Oxford University Press).

Richards, D. and Smith, M.J. (2004). “Interpreting the world of political elites”. *Public Administration* 82 (4): 777-800.

Rittberger, B. and Wonka, A. (2011). “Introduction: agency governance in the European Union”. *Journal of European Public Policy* 18 (6): 780-789.

Rohtstein, B. and Teorell, J. (2012). «What is quality of government? A theory of impartial government institutions”. *Governance* 21(2): 165–190.

Rokkan, S. (1999). *State Formation, Nation-Building and Mass Politics in Europe* (Oxford: Oxford University Press).

Rosenau, J.N. (1990). *Turbulence in World Politics* (Princeton: Princeton University Press).

Schattschneider, E.E. (1975). *The Semisovereign People. A Realist’s View of Democracy in America* (Forth Worth: Harcourt Brace Jovanovich College Publishers).

Schout, A. (2012). “Changing the EU’s institutional landscape? The added value of an agency”. In Busuioc, M., Groenleer, M. and Trondal, J. (eds.). *The Agency Phenomenon in the European Union* (Manchester: Manchester University Press).

Simon, H. (1957). *Administrative Behavior*. Second Edition (New York: Macmillan).

*Statistical Bulletin of Commission Staff* (2012). Brussels: The Directorate-General for Personnel and Administration.

Trondal, J. (2004). “Political Dynamics of the Parallel Administration of the European Commission”. In Smith, A. (ed.). *Policies and the European Commission. Actors, interdependences, legitimacy* (London: Routledge).

Trondal, J. (2010). *An Emergent European Executive Order* (Oxford: Oxford University Press).

Trondal, J. (2012). “On Bureaucratic Centre Formation in Government Institutions. Lessons from the European Commission”. *International Review of Administrative Sciences* 78(3): 425-445.

Trondal, J. and Jeppesen, L. (2008). “Images of Agency Governance in the European Union”. *West European Politics* 31(3): 417-441.

Trondal, J., van den Berg, C. and Suvarierol, S. (2008). «The compound machinery of government. The case of seconded officials in the European Commission”. *Governance* 21 (2): 253-74.

Verhoest, K., Van Thiel, S., Bouckaert, G. and Lægreid, P. (2012). *Government Agencies. Practices and Lessons from 30 Countries* (Houndmills: Palgrave Macmillan).

Wallace, H. (1993). “European governance in turbulent times”. *Journal of Common Market Studies* 31(3): 293-303.

Whyte, J. (1956), *The Organization Man* (Philadelphia: University of Pennsylvania Press).

Wong, R. (2015) ‘Creeping supranationalism. The EU and ASEAN experiences’, in L. Brennan and P. Murry (eds.) *Drivers of Integration and Regionalism in Europe and Asia*. Comparative Perspectives. London: Routledge.

Zeitlin, J.H.l and Vanhercke, B. (2014). “Socializing the European semester? Economic governance and social policy coordination in Europe 2020”. Report prepared for the Swedish Institute of European Studies (SIEPS).

Zurn, M. (2012). “Global governance as multi-level governance”. In D. Levi-Faur (ed.). *The Oxford Handbook of Governance* (Oxford: Oxford University Press).

1. [↑](#endnote-ref-1)