

Differential legacy effects: Three propositions on the impact of administrative traditions on public administration reform in Europe East and West

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Abstract

This article compares the status of historical legacies in explanations of administrative reform in Western Europe and Central and Eastern Europe. It addresses the puzzle that legacy effects in both regions are associated with institutional resilience and persistence even though the administrative history in these two regions differs considerably. The article clarifies the terminological differences between legacies, legacy explanations, legacy effects and administrative traditions. It then identifies three differences between administrative traditions in Europe East and West and argues that these differences matter for a tradition's reproductive capacity, i.e. the degree to which an administrative tradition can act as a persistence-breeding force for contemporary administrative developments. The differences between East and West are (i) the long-term stability versus instability of administrative traditions, (ii) the internal consistency versus inconsistency of ideas, institutions and practices as the three constitutive levels of an administrative tradition, and (iii) the dependence versus autonomy of an administrative tradition from external, mainly foreign, pressure and influence-seeking. The paper concludes that the reproductive capacity of administrative traditions is likely to be lower for Central and Eastern Europe than for Western Europe.

Keywords: Administrative reform, administrative traditions, Central and Eastern Europe, Europeanisation, historical legacies, Western Europe

1. Introduction

Debates in the area of comparative public administration ascribe important weight to the effects of historical legacies such as administrative traditions on processes and outcomes of administrative reforms (Painter/Peters 2010). Administrative traditions are argued to block, delay or filter the reform proposals of political and administrative reformers (Olsen/Peters 1996; Christensen/Lægreid 2001). For radical reforms to succeed, reformers need to fabricate fiscal crises or resort to ‘Big Bang’ tactics of the sort that have been applied in New Zealand two decades ago (Boston et al 1996). Or there is the ‘stick-and-carrot’ tactic that powerful sponsors such as the European Union (EU) and the World Bank have applied for Central and Eastern European countries (CEECs) and for developing countries in Asia and Africa (Polidano/Hulme 1999, Dimitrova 2005). Still then, administrative traditions turn out to be more resilient than often expected. Traditions seem to allow for discursive convergence, i.e. the adoption of a similar reform language by political and administrative elites across countries. But in the end most scholars consider administrative traditions as a persistence-breeding force in the politics of administrative reform.

In this article, we take issue with this emerging conventional wisdom in academic scholarship. We are puzzled that regardless of their geographical focus legacy explanations, i.e. explanations that invoke the causal qualities of the past, tend to come to the same conclusion, namely that the legacy of the past is a hindrance to administrative innovation. This is especially striking when considering accounts of administrative reform in Western Europe and CEECs. For both regions, debates identify legacies as factors that inhibit and slow down reforms, even though the course of administrative history in East and West differs considerably. One would therefore expect that legacy effects on both sides of the former Iron

Certain impinge differently on processes of administrative reform. Our goal in this paper is to identify key dimensions along which administrative legacies in East and West differ in order to identify differential legacy effects for both regions. In doing so, we aim to go beyond the conventional notion that legacy effects are uniformly characterized ‘persistence-breeding’ and ‘hindrance’ devices for administrative development.

2. Legacy explanations of administrative reform: Dominant perspectives from the literature in East and West

Studies of administrative reform in Western Europe that emphasise the importance of administrative traditions assume that the age-old values and norms that are embedded in the structure of public administration shape the administrative reform trajectories in the present rather than other, temporally more proximate reform determinants such as economic circumstances, party political interests or influence exerted by the EU.

In particular with respect to the New Public Management reform era of the last two to three decades, it is argued that administrative traditions determine the extent to which NPM reform ideas and measures are compatible with the administrative heritage and thus the extent to which NPM reforms can be pursued and implemented in a given jurisdiction. Administrative traditions help to explain why the new public management has been more popular in some Western democracies, in particular, the Anglo-Saxon countries, than in most of continental Europe (Pollitt/Bouckaert 2000, Pollitt et al 2007).

Administrative traditions are also a popular theme among students of the Europeanization of national administrative systems (Harmsen 2000; Knill 2001).

Initially, it was expected that national administrative systems would change in response to European integration. The main hypothesis was that European integration would lead to administrative convergence. Subsequent studies abandoned this hypothesis (Olsen 2003). Instead, empirical evidence points in the direction of persistent divergence between national administrative systems and the development of administrations according to national historical pathways.

The path dependence explanation is echoed by the ‘family-of-nations’ metaphor (Castles 1993). The divergence between groups of countries is explained by reference to the existence of some sort of a common logic of appropriateness among countries with historical, geographical and cultural ties. Christensen/Læg Reid (2001: 24) build on similar mechanisms when pointing at the filtering and adaptation function of ‘national political-administrative history, culture, traditions and styles of governance’ (also Bevir et al 2003, Knill 2001, Olsen/Peters 1996).

Explanations that refer to the causal impact of the past have also had a prominent place in the debates surrounding the reform of public administration in CEECs. The very first generation of research on administrative transformation in CEECs expected that administrations of CEECs would undergo a process of gradual adaptation to Western models of public administration. Towards the end of the 1990s, the optimistic view gave way to more sceptical assessments, as many characteristics of the communist administration such as the over-politicisation of personnel policy and a general weakness of formal rules to induce administrative behaviour ‘did not want to go away’. Nunberg (1999) concluded that ‘bureaucracies of the ancien regime proved strikingly resistant to wholesale transformation,

dashing notions that modern, ‘western-style’ administrations could be installed with minimal effort and maximal speed’.

The communist heritage was almost naturally identified as one of the major obstacles for the protracted reform progress in CEECs. Verheijen/Rabrenovic, for instance, (2001) refer to the period of transition as a hindrance for successful reform. However, they suggest that ‘the legacy of the communist regimes has been far more damaging’. At the same time, research pointed to the impact of administrative traditions beyond the period of communist rule such as the inter-war period and even the time when CEECs were part of one of the major European empires. Nunberg (1999), for instance, suggests that the pre-communist traditions provided a point of reference for reforms in the post-communist context.

In summary, studies that focus on the causal effects of the past reach remarkably similar conclusions regardless of their geographical focus: legacies are primarily seen as a reform inhibiting factor, i.e. they bias reform attempts towards the persistence of ‘traditional’ patterns of public administration. In the remainder of this paper, we challenge this perspective.

3. Legacy explanations, legacy effects and administrative traditions: Conceptual considerations

Before we can develop our argument that legacy effects differ in Europe East and West, in particular, that the reproductive capacity of the legacy is greater in Western Europe than in CEECs, we need to clarify the concepts that we use in this article. Let us start with the concept of ‘legacy explanation’. It is defined by Ekiert/Hanson (2003a: 5) as an explanation

that 'highlights the burden of the past'. We therefore see 'legacy effects' simply as effects associated with the days gone by. The concept of legacy explanation has been popular in the context of studies of democratisation in post-communist countries. They are distinguished from explanations that stress the causal impact of temporally more proximate factors such as political institutions, which are typically established during the period of transition and constitution-making (Kitschelt et al 1999).

Legacies thus understood have to be specified in order to become a useful category for analysis. From an analytical point of view, it strikes us as especially important to consider more carefully the temporal structure of historical legacies when studying their causal effect on contemporary administrative reform outcomes. In addressing this issue, Ekiert/Hanson (2003b) distinguish three 'levels of analysis'. First, the structural level refers to long-term, historical and cultural legacies that are inherited from the distant past. These kinds of legacies concern values and norms passed on from one generation to the next and are deeply ingrained in a society's heart and soul. Second, the institutional level of analysis refers to 'regularised patterns of social action' that are backed up and enforced by institutional characteristics of particular public policies and political regimes'. Third, they distinguish an interactional level of analysis, which refers to contingent events, actor constellations and the decisions of political and social agents, which unleash processes of 'increasing returns' and 'reactive sequences' as described by Pierson (2000).

The three levels of analysis refer to different aspects of a legacy such as ideas and values, institutions and practices as well as actors, their capabilities and constellations. Yet they also incorporate broad temporal boundaries that are necessary for the specification of legacies. The structural legacy concerns the *long durée*. Famous legacy explanations in comparative

politics such as Lipset/Rokkan's (1967) explanation of party system formation in Western Europe goes as far back as the age of the Reformation. By contrast, the interactional level of legacies typically refers to a recent period of time, in particular, when events such as natural disasters and economic crises lead to the emergence of 'critical junctures' (Thelen 1999) to set public policies on a new path. The institutional level of analysis concerns an intermediate period of time. It is squeezed between the short- and the long-term legacies. Ekiert/Hanson (2003b) consider it as a kind of 'regime time' because institutional configurations are characteristic of political regimes and hence can be assumed to persist for the duration of the regime, at least in their most general form. It is difficult, however, to generalise about the temporal boundaries of the different levels of analysis. These boundaries depend on the context within which legacies emerge and are shaped.

Legacy explanations in the area of comparative public administration are mostly associated with the concept of 'administrative tradition'. Recent studies see an administrative tradition as 'an historically based set of values, structures and relationships with other institutions that defines the nature of appropriate public administration within society' (Peters 2008: 118, see also Painter/Peters 2010, Bevir et al. 2003, Knill 2001). Most definitions can be reduced to three interrelated elements: ideas about public administration, structures of the administrative machinery and administrative practices. Accordingly, we see an administrative tradition as an interrelated set of a specific idea of administration whose embodiment can be observed in the practices and structures of the administration.

It is obvious then that administrative traditions refer to a lower level of abstraction than historical legacies. Administrative traditions are a part of the administrative legacy of a country. They are mainly concerned with the levels of structural and institutional time as

defined by Ekiert/Hanson (2003b). Most studies of administrative traditions do not specify the temporal dimension of the traditions under study. Yet the reading of the literature suggests that the interactional level of analysis is not included. The ‘origins’ of an administrative tradition are usually located in the period of state- and nation-building in Western Europe, in particular, the first half of the 19th century (Rugge 2007). When we speak about ‘legacy effects’ in the context of this article, we therefore mean effects on contemporary administrative reform outcomes that are traced to the structural and institutional level of analysis of a country’s administrative history.

Studies of administrative traditions are typically less concerned with the different temporal boundaries that constitute a country’s administrative legacy. The focus of the debate is on the main dimensions along which administrative traditions are distinguished in order to classify countries along different types of traditions such as the Napoleonic, Anglo-Saxon or Germanic tradition (Painter/Peters 2010, Knill 2001, Ongaro 2008). Instead, the propositions that we develop in the next section are mainly concerned with the cross-temporal evolution of an administrative tradition, the internal consistency of ideas, structures and practices, and the independence of an administrative tradition from external, notably international, pressures.

4. Legacy explanations in East and West: Different legacies, different effects?

At first glance, it looks appealing and reassuring to find that historical legacies have similar effects regardless of the geographical context under study. It suggests a generic quality of legacy effects that travels well across time and space. In the remainder of this article, we question this assumption. We identify three differences between the administrative traditions

in Western Europe and in CEECs and discuss how these differences affect administrative developments in the two parts of Europe.

Temporal stability versus instability of administrative traditions

Recent contributions to the study of administrative traditions in Western Europe argue that many potentially very different administrative traditions may exist alongside each other (Bevir et al 2003, Rhodes 2005). For instance, Rhodes (2005) argues that the British 'governance narrative' is shaped and influenced by the competing Whig, Tory, Liberal and Socialist traditions. These four 'British political traditions', Rhodes (2005: 2) argues, 'have informed the diverse policies and practices by which elite actors have sought to remake the state'. Contrast this with the mainstream view in British political science that sees the workings of the British administrative system dominated by a single tradition, i.e. the Westminster tradition. Richards/Smith (2004: 778) argue that ministers and civil servants 'draw from the same tradition, the Westminster model (...) which can be understood as the building block from which [they] develop narratives that shape and condition their actions'.

The question of competing traditions can also refer to ideas, institutions and practices that were dominant at different points in time. Especially the experience of CEECs demonstrates that emphasis on the past can mean very different things because the communist period and the period between the two world wars differ considerably with regard to their prevailing administrative configurations, practices and ideas. To this we can add the period before World War I when many of the current CEECs belonged to one of the European empires. There are obvious differences in the contents of administrative traditions of CEECs when compared to Western Europe. The communist administrative tradition is not applicable to

Western Europe. In addition, the Russian and the Ottoman administrative traditions are relevant for several CEECs but they are not for Western Europe.

The reference to the imperial legacies of CEECs provides an important connection to the study of administrative traditions in Western democracies. As argued above, studies on Western Europe trace administrative traditions to the period of state and nation-building throughout the 19th century (Rugge 2007). By contrast, discussions of administrative traditions of CEECs pay little attention to the this time period, most plausibly, because the face of public administrations of CEECs has changed many times since the imperial times. CEECs have experienced several regime changes over the last one and a half centuries and most punctuations at the regime level have been followed by major changes in the configuration of public administrations. In short, Western European administrative traditions are characterised by continuity and hence long-term stability, while their Central and Eastern European counterparts lack this kind of stability.

What should we expect from these differences? We argue that the difference in the temporal stability of administrative traditions is not without consequences for contemporary administrative reforms. The continuity and the longevity of administrative traditions in most Western settings imply a deeper entrenchment of traditional patterns of administrations and thus greater resistance to change. Administrative change in most Western democracies has evolved in a piecemeal fashion. Even when in a setting like the UK four different governance narratives are distinguished, we find that these narratives are in one way or another variations on a theme when compared with the diversity of administrative traditions that can be identified within individual CEECs.

The frequent transformations in the administrative history of CEECs and thus the instability of ideas, institutions and practices associated with administrative traditions can be expected to make these administrations more receptive to radical changes and sudden turnarounds. Several mechanisms that favour major administrative change can be identified. First, these systems have undergone punctuations at the regime level. Like ‘punctuated equilibria’ that occur at the policy subsystem level (Baumgartner/Jones 1993), regime punctuations often result in radical changes when a dominant legacy (or paradigm) becomes challenged or even replaced by a competing idea or alternative legacy. Second, regime changes are typically closely associated with the presence of ‘critical junctures’ (Thelen 1999) that send countries down new pathways of development rather than entrenching patterns of incremental change.

Third, frequent regime changes are associated with a lower degree of actor continuity in the politico-administrative systems. Especially ‘cognitive mechanisms’ (Kitschelt 2003) for the inter-generational transmission of administrative traditions are likely to be less developed due to regular personnel turnover in public administration, in particular, after regime changes. As a result, there is less scope for the persistence of an administrative tradition. By contrast, the large proportion of civil servants with long-standing careers in public administration in most West European countries acts as guardians of the administrative heritage and thus the cognitive linkage between past and present. As a consequence, administrative developments in Western Europe are more geared towards the persistence of inherited ideas, structures and practices than in CEECs.

Internal consistency versus inconsistency between ideas, institutions and practices of public administration

The second difference between administrative traditions in East and West concerns the consistency between ideas and beliefs about public administration, the formal structure of administration and administrative practices (Dyson 1980; Bevir et al. 2003). Some legacy explanations concentrate on one of these elements, while others consider all of them at the same time, but they rarely specify what exactly they operationalise as administrative legacy. More problematically, the relationship between legacies as administrative ideas and legacies as formal administrative structure or administrative practice is often left unexplored. The relationship between ideas, formal institutions and administrative practices is loosely coupled. Prevailing institutions do not need to reflect prevailing ideas. That they nevertheless reflect values is a central feature of modern theories of the state. Dyson (1980: 138) argues, it is a 'central feature of the nineteenth- and twentieth-century theories of the state of how to give institutional expression to the general ideas that were contained within the 'modern' impersonal and abstract state'.

Here again we identify important differences between the administrative traditions in West Europe and CEECs. One of the major sources of persistence, especially for continental European '*Rechtsstaat*' tradition, is the entrenchment of public administration in a body of public law. The consequence is that formal-legal arrangements governing administrative behaviour are often seen as 'sticky' and difficult to change. Especially the Europeanisation literature argues that formal institutions remain stable over a long period of time. By contrast, values, norms and practices of administrative behaviour slowly but continuously adapt to external challenges but within the existing formal-legal framework (Bulmer/Burch 1998, Jordan 2004).

The administrative traditions of CEECs look far less consistent compared to Western Europe. For CEECs, research on the institutionalisation of core executives points to ‘institutional weaknesses’ (Dimitrov et al 2006) and thus frequent changes of formal institutions as a characteristic feature of post-communist executive governance. At the same time, public administration debates emphasise that informal patterns of behaviour, values and norms have persisted after the change of regime from communism to democracy (Jowitt 1992, Nunberg 1999). As a result, a general discrepancy between legislative intent and administrative practices remains a hallmark of post-communist administrations (Goetz/Wollmann 2001).

We expect that differences between the administrative traditions in East and West do not only affect the speed of change but also the level of change. For Western democracies, we expect an emphasis on the slow adaptation of administrative practices ‘followed’ by formal institutional change. By contrast, for CEECs, we expect (frequent) formal institutional change used to ‘induce’ a change of administrative practices but a lower degree of congruence between formal rules and actual practices due to the inherently slower adaptation of the latter. Moreover, we expect a greater consistency between grand ideas of administrative governance and formal institutions in CEECs than in Western Europe. The deep legal entrenchment of public administration in Western Europe biases administrative adjustment in the direction of accommodating and absorbing new ideas into the existing body of legal doctrine and thinking. By contrast, the formal-legal set up of public administration in CEECs is more flexible and thus more receptive to changes induced by new ideas.

Dependence versus independence from external pressure

It is important to recognise that administrative traditions are partial explanations of administrative reforms. This is generally recognised in the comparative public administration

literature. Debates on the reform of public administration in Western democracies identify a range of factors such as socio-economic factors, political system variables, administrative system factors, elite decision-making processes and situational factors such as scandals and sudden crises (Pollitt/Bouckaert 2000, Hood 1995, Barzelay 2001, Wright 1994). The same applies to debates surrounding the reform of public administration in CEECs. Beside the role of administrative traditions, research emphasises the role of political parties, economic determinants and the transformative power of the EU (Dimitrova 2005, Grzymala-Busse 2007).

The relevant question here concerns the interaction between administrative traditions and other reform determinants. Three constellations are distinguished. (1) Administrative traditions shape some of the temporally more proximate factors such as the party system or the coordination capacity of the core executive. Administrative traditions are therefore classified as ‘deeper’ causes for the explanation of contemporary administrative reforms. (2) Alternatively, traditions interact with short-term factors such as ‘economic crises’ (Hood 1995, Wright 1994) or the ascendance of ‘reform entrepreneurs’ (Barzelay 2001). Here, short-term factors provide the trigger for reforms that will nonetheless be embedded in long-term tradition. (3) Third, administrative traditions are eclipsed by factors that are temporally closer to the administrative reform outcomes. The arguments surrounding the Europeanisation of CEECs, for instance, imply that the EU is able to ‘overcome’ the communist administrative tradition and set a country on a new path in terms of administrative development.

The reference to the impact of European integration on national public administrations indicates a third important difference between the legacies in East and West. Public

administration in CEECs is historically much more exposed to external influences than the administrative developments in most Western countries. During the imperial days, administrations of CEECs were in the periphery of imperial centres (Janos 2000). During the communist period, they were part of the ‘Soviet bloc’ and thus under strong influence from Moscow (Brzezinski 1967). While the mechanisms of influence-mongering have changed, administrations of CEECs are arguably again subject to more intense external influence than their Western counterparts. Especially the Europeanisation debate suggests that CEECs were ‘downloaders’ of the EU *acquis communautaire* during the pre-accession period (Goetz 2005). They had virtually no opportunities to shape EU policy. As candidate states outside the ‘EU-club’, they were subject to conditionality and had virtually no opportunities to shape EU policy. By contrast, most of the members of the old EU-15 were the ‘ins’. They are often described as ‘uploaders’, in that they shape EU policy over a long period of time and, as a result, reduce the adaptive pressures that emanate from EU membership (Börzel 2005).

Again, we expect that administrative reforms in East and West are affected by the differences in exposure to international influences. The ‘peripheral status’ of CEECs implies that international factors have a greater potential to overshadow the influence of an administrative tradition within a shorter period of time. By contrast, for Western Europe we expect that administrative traditions are more autonomous and thus more resistant vis-à-vis international influence, short-term fashions and other reform pressures. In Western Europe, they are more likely to qualify as a deep cause of administrative reform than in CEECs.

5. Conclusion

This article has examined the status of historical legacies in explanations of administrative reform in Europe East and West. It has addressed the puzzle that administrative traditions in both regions are identified as persistence-breeding factors for administrative developments even though the administrative history of the two regions differs considerably. Having reviewed the relevant literature, we developed three propositions and argued that the reproductive capacity of an administrative tradition, i.e. the degree to which a legacy acts as a persistence-breeding force, is weaker (i.e. less persistence-breeding) in CEECs than in Western Europe. The propositions developed in the previous section will require further empirical investigation. They can be examined in studies of administrative reform within and across regions. It is possible to address a wide range of administrative reform issues such as agency reform, civil service reform, financial management reform etc. The propositions contribute to debates on divergent administrative developments in Western Europe and CEECs such as core executive developments (Dimitrov et al 2006). They are further relevant for discussions concerning the impact of the new public management on administrative reform in East and West. Debates that centre on Western Europe increasingly draw attention to the emergence of the 'post-new public management' (Christensen/Laegrid 2007), the rise of the 'neo-Weberian state' (Pollitt/Bouckaert 2000), and the 'rediscovery of bureaucracy' (Olsen 2008). By contrast, the popularity of the new public management has grown in CEECs, in particular, since their accession to the EU (Meyer-Sahling 2009). Our approach will provide a fresh perspective on the study of these divergent trends in both parts of Europe and on the status of legacy explanations in comparative public administration in general.

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