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TRANSPOSITION PERFORMANCE IN THE EUROPEAN UNION:
LONG-OVERDUE DIRECTIVES AND QUALITY OF BUREAUCRACY

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List of abbreviations

CPI – Corruption Perception Index

EC – European Commission

ECSC- European Coal and Steel Community

EEC – European Economic Community

EGDI – E-Government Development Index

EU – European Union

Euratom – European Atomic Energy Community

GDP – Gross Domestic Product

HI – Historical Institutionalism

HR – Human Resources

iREG - Indicators of Regulatory Policy and Governance

MS – Member State

NI – New Institutionalism

NPM – New Public Management

OECD – Organisation for Economic Co-operation and Development

PRP – Performance-related pay

QOG -Quality of Government

TFEU – Treaty on the Functioning of the European Union

UN – United Nations

WB – World Bank

WGI – Worldwide Governance Indicators

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Summary

In January 2018, the European Union celebrated the sixtieth anniversary of the entry into force of the Treaties of Rome, establishing the European Atomic Energy Community (Euratom) and, most importantly, the European Economic Community (EEC). Together with the European Coal and Steel Community (ECSC) they were commonly referred to as the "European Communities", the first core of what was to become the European Union (EU) in the Maastricht Treaty of 1992. During this long historical path, the Community first and the Union after produced a massive number of legal acts generally referred to as European Union law. Among other legal acts, a particular attention is devoted to directives: indeed, these legal tools combine a binding nature, seeking to guarantee a certain level of "strength" for EU central action by setting policy objectives, with a generally ample room for *manoeuvre* left to Member States as for the choice of the most appropriate national instrument to pursue the established objectives. While this freedom of choice provides Member States with the possibility to choose what works best for them when it comes to achieving policy objectives, therefore recognizing and somehow protecting the specificities of their national legal frameworks, it might also allow space for Member States not to carry out implementation properly.

The key concept of implementation mentioned above refers essentially to a particular time in the lifecycle of a policy where the policy designed and agreed by the relevant actors needs to be translated into concrete actions. This activity is generally carried out by political and administrative actors who tend to be different from those who drafted the policy action in the first place; therefore, actors in charge of implementation might, intentionally or unintentionally, implement the policy action in a way that is not so in line with policy

prescriptions, and that could potentially lead to different or even opposite outcomes compared to the expected ones. Therefore, the correctness of implementation is crucial in order to try and pursue the established policy objectives. Transposition, according to the prevalent conceptualization, is part of the implementation process and specifically refers to the phase in which all relevant actors act together to modify the national legal system according to the requirements contained by the directive. This conceptualization is valid for the EU policy cycle, but the principle remains the same also for other political levels.

Given the crucial role of implementation and transposition in the policy cycle, academic research has been investing these subjects for a long time. More in detail, researchers tend to focus on the assessment of the so-called "transposition deficit", that is, the systematic failure to comply of Member States in transposing EU directive into their national legal frameworks. While the existence of a truly systematic transposition deficit is still debated in literature, it is undoubted that delayed transposition is a serious and widespread issue among Member States. This is something closely monitored by the European Commission, as it is potentially capable of endangering policy actions of the European Union; and this is something investigated in depth by researchers, who try to explain why delayed transposition is so widespread and seemingly unavoidable.

Of the many explaining factors present in academic literature, we felt that those pertaining to the features of the actors involved in the implementation process were the most interesting to investigate, given our academic background and interests. Since the main actors responsible for transposition are generally public administrations, our focus was on trying to assess the influence of administrative features on transposition performances of Member States. Therefore, the focus of this project was trying to assess the possible existence and intensity of the relation between transposition performance and quality of bureaucracy for European Union Member States. More in detail, the general research question underpinning the project was: "How much the features of the political and institutional framework of the Member States are able to affect their compliance with EU directives?" The core hypothesis, in a much more focused wording, was therefore "the lower the quality of the administrative machinery, the more difficult will be to achieve compliance". Even if the academic research on compliance issues is very broad, and thus it is almost impossible to put in place a brand-new research design, my research project appears to be, for the time being, somewhat different from other sources I have encountered during my studies.

The theoretical framework guiding us in this research is New Institutionalism, more precisely its sub-current of Historical Institutionalism (HI). Among all other theoretical approaches available, New Institutionalism was the one providing the tools suiting the most the scope of this research. On the methodological front, the idea was to sort Member States according to transposition performance in recent years, and then investigate quality of bureaucracy for the groups obtained in order to check whether there were significant differences between groups with different transposition performances. In order to operate the division, we made use of the Single Market Scoreboard, the tool used by the European Commission to monitor and present transposition performance of Member States. Since the objective of this research is to focus on systemic factors (that is, persistent and "stickier") related to bureaucracies, the assessment of performance was grounded on occurrences for long-overdue directives. These directives are those which deadlines for transposition has expired since more than two years, and for which, at the same time, essentially correct transposition has not yet been fully achieved by all Member States. The timeframe selected encompasses twelve Scoreboard reports, being published between September 2011 and July 2018 and covering directives with deadlines from September 2007 to October 2015. While the timeframe selected is not particularly long, it contains a considerable number of occurrences of long overdue directives, which allowed for a clear division of the 28 EU Member States into four performance groups. For our research purposes, it was not necessary to take into account all four groups.

As for the quality of bureaucracy part, we decided to build upon the method of another research, which identified six essential features of bureaucracy and linked them to six basic dimensions of quality; in turn, dimensions of quality insist and can be measured on a specific set of proxies and indicators. The hypothesis underpinning this research is that, if quality of bureaucracy is able to affect transposition performance in Member States, Member States with the same transposition performance should roughly share the same level of quality of bureaucracy; this should also be true the other way around. While we were specifically interested in assessing whether quality of bureaucracy (that is, a *poorer* quality) is capable of leading to delays in transposition, we also have to check whether a good quality of bureaucracy is present in countries not displaying occurrences of long-overdue directives. This is why our research is focused on the two extreme groups resulting from performance analysis: the countries who performed best (that is, with zero long-overdue directives in the reference period), and those which have the highest occurrences of said directives. These two groups are referred to as group one (most occurrences), composed of Belgium, Poland, Austria,

Netherlands, Slovenia and Ireland; group two (zero occurrences), composed of Denmark, Greece, Malta, Portugal and Slovakia.

Findings for each dimension are presented in the following paragraphs.

As for the first dimension, that of structural differentiation, the analysis of the organisation of local government gave no significant results. What we observe is that countries from group two generally possess a high level of centralisation and a lighter structure for local government, that is, with less administrative levels. On the other hand, there is no such clear criterion for group one, which presents both centralised and decentralised countries, and which Member States possess both "heavier" and "lighter" structures of local government. While it is reasonable to argue that a "lighter" and simpler administrative organisation could in theory favour coordination and communication among the single units and therefore at least partly avoid conflicting tasks and competences, we cannot check this hypothesis for our sample. Moreover, there is no clear link between a simpler administrative structure and the quality of administration itself, because even a "lighter" structure could suffer from limitations hampering its quality (for instance, lack of coordination and overlapping competences).

The second dimension, management of resources, gave mixed results; however, there is evidence pointing to a slightly better quality in this respect for countries belonging to group two. The first batch of indicators, that including "traditional" macroeconomic proxies, does not provide for clear trends and differences between the two groups: countries with good and less good financial performances are fairly equally divided among the two groups, and there's no clear evidence of better performance for none of the two groups. On the contrary, the second batch of indicators, those expressing size and remuneration of administrative personnel points towards a below-average performance for countries belonging to group one, therefore suggesting that countries belonging to group two might enjoy greater quality for their bureaucracy for what concerns size and remuneration.

The third dimension, that of competence, gave mixed results; however, there is some evidence pointing to a slightly better performance for group two. The first indicator provides evidence for a slightly better performance for group one, but we feel this might be not so straightforwardly significant; in fact, the difference between the two groups is not so remarkable, and average values for group two are spoiled by very low figures for Slovakia, while the other countries perform rather alike to those in group one. As for the second indicator, the difference between the average values for the two groups is very narrow, and it is what is left after a steadily convergent trend of the two groups. Therefore, we feel that this difference

should not be taken into account to infer information on quality for our sample groups. In the end, the last proxy provides clear information: group two clearly shows a better performance in this respect, and this becomes even more evident even if we only focus on the aspects of the proxy that are more clearly linked to competence of personnel.

As for the fourth dimension, that of responsibility and accountability, we observed mixed results, but with evidence pointing for a better performance of group two. Indeed, the first indicator for this dimension points toward a better performance of group one; however, we feel that the dataset has some limitations that somehow reduces the reliability for this observation. Indeed, group two suffers from a combination of three issues: incomplete time series for Slovakia, very low figures for Portugal, and the lack of information for Malta. While these issues, taken on their own, might not severely undermine conclusions based on this dataset, we feel that this combination is likely to weaken our observations, therefore deciding as a preventive measure not to take into account results for this indicator. On the other hand, figures for the second indicator clearly point out evidence towards a better performance for countries in group two.

The fifth dimension, autonomy, gave evidence clearly pointing towards a better performance for countries from group one. As for the first indicator, group two has generally lower figures, and even lower than the average OECD values, while also showing a divergent trend from figures for group one. Therefore, there is clear gap between the two groups, with group one having a better performance, and evidence point against the possibility for this gap to be closed in the near future. Similarly, the second proxy points toward a remarkably better performance for countries in group one, with a considerable gap between the two groups.

As for the sixth and last dimension of quality, the one pertaining to openness, evidence provides for diverging conclusions. As for the first two indicators, capturing corruption, evidence points towards a better performance for group one, with the two indicators picturing fairly consistent values. On the contrary, the third indicator points towards a better performance for group two, both for the overall composite indicator that for most if its core dimensions, with a rather remarkable difference from performance for group one. The same observation is also valid for the fourth indicator, with yet a rather remarkable gap between performances for the two groups. On the contrary, the last proxy does not provide evidence towards different performances for the two groups, but underlines a generally high attention towards the implementation of reforms aimed at enhancing transparency and government openness.

In conclusion, our analysis points out to the existence of some sort of correlation between quality of bureaucracy and transposition performances. Indeed, three out of six dimensions of quality that we investigated in our research suggested better quality of bureaucracy in the group with better transposition performance; two dimensions gave mixed results, but still with a slight indication that quality of bureaucracy could still be better for group two; only one dimension clearly underlines better quality of bureaucracy for the group with comparatively worse transposition performance. However, some limitations to the findings could apply: for instance, they could depend on the selection of some indicators and proxies over the other, or for the focus on the broad variable of bureaucracy, which goes far beyond the mere actors dealing with transposition. Moreover, this variable is not able to explain all cases selected: paradigmatic is the example of the Netherlands and Denmark, for which according to many indicators quality of bureaucracy seems to be not so different, despite very different transposition performances. However, despite these potential limitations, we still feel it is reasonable to believe that these findings are still rather significant, since they provide some evidence suggesting the existence of a potential link between quality of bureaucracy and transposition performance. However, we note that the actual extent to which quality of bureaucracy is able to influence transposition performance remains still fairly unclear; therefore, further research on this subject is needed.

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Introduction

In January 2018, the European Union celebrated the sixtieth anniversary of the entry into force of the Treaties of Rome, establishing the European Atomic Energy Community (Euratom) and, most importantly, the European Economic Community (EEC). Together with the European Coal and Steel Community (ECSC) they were commonly referred to as the "European Communities", the first core of what was to become the European Union (EU) in the Maastricht Treaty of 1992. During this long historical path, the Community first and the Union after produced a massive number of legal acts generally referred to as European Union law. This very extensive *corpus* can be further divided into two main categories of legal instruments, according to a hierarchical criterion. At the top we find the so-called primary law, comprising the Treaties and all other documents of the same importance (for instance, accession treaties and protocols annexed to the Treaties). They are generally regarded as the supreme source of law in the European Union, or the "fundamental documents of constituent character" (Biriukov & Tuliakov, 2016, p. 81) and thus provide for the distribution of powers between European Union actors and the legal basis for the formulation and implementation of all European Union policies.

Below this level we find the secondary (or derived) law, which constitutes the majority of EU law and includes all the legal documents adopted on the basis on primary law (Biriukov & Tuliakov, 2016). Secondary law comprises an array of different legal instruments issued by various European Union bodies. They are generally referred to as "legal acts of the Union" and are listed and defined by Chapter 2, section 1 of the Treaty on the Functioning of the European Union (TFEU). In fact, article 288 TFEU reads: "To exercise the Union's competences, the institutions shall adopt regulations, directives, decisions, recommendations and opinions."

(European Union, 2016). Each legal instrument has its own specific features, designed to accommodate different needs such as, for instance, the "strength" of the action and the broadness of the scope. One of the most important features, which also usually serves as a criterion for categorising the different instruments, is the "legal force" of the act. According to this, we can isolate two groups: the first one is composed by binding instruments (the so-called "hard law", law in the traditional sense) such as regulations, directives and decisions; the second one is made up by non-binding instruments (the so called "soft law"), such as recommendations and opinions (Biriukov & Tuliakov, 2016).

Going into further details regarding EU secondary law instruments is out of the scope of this research; however, among all the legal acts, directives carry a particular interest for this research and therefore shall be investigated a bit further. As defined by article 288 TFEU, "A directive shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods." In practical terms, a directive generally sets out the legal framework underpinning a given policy action, and the general objective(s) and standards to be achieved through the action itself. The general level of detail of these provisions is left to be a political choice of the legislator. Unlike regulations, which application in Member States is immediate after the entry into force of the act itself, directives are only applicable when transposed into Member States national law. In order to do so, the directives set out specific transposition deadlines, establishing the exact amount of time available to Member States to carry out transposition. Member States are also requested to notify the adoption of said transposition measures to the European Commission. Given this specificity, this legal tool appears to be specifically designed following a two-fold logic. On the one hand, its binding nature seeks to guarantee the "strength" of the EU central action, by setting common objectives and standards and therefore trying to harmonise policy action across Member States. On the other hand, directives recognize and take into account the specificities of national legislative frameworks and legal cultures, and respect this diversity by leaving Member States with a generally ample room for *manoeuvre* as for the choice of the most appropriate national instrument to pursue the established policy objectives.

However, while this freedom provides Member States with the possibility to choose what works best for them when it comes to achieving policy objectives, it might also allow space for Member States not to carry out transposition properly. This could essentially be translated into two distinct scenarios: either the deadline for transposition was not respected,

leading to a delay, or the national instrument was not chosen or drafted in a proper way, thus is not properly achieving the objectives set in the directive[1].

1. Choice of the topic, research question, hypothesis

While the existence of a systematic "transposition deficit" is still debated by some scholars (see for example Haverland & Romeijn, 2007, and Peters, 1997), many scholars agree that implementation of directives has been a challenge for Member States throughout EU history, and still represents a problematic task to be carried out. Many statistics confirm this hypothesis: for instance, Pelkmans reports that in 1991 the transposition rate of the then twelve Member States averaged 65% (Pelkmans, 1991, p. 52). Moreover, the European Commission has always perceived recurring transposition delays as a "a persistent problem, which prevents citizens and businesses from benefiting from the tangible benefits of EU law." (European Union , 2015). This is believed to be particularly true in the case of directives affecting the functioning of the Single Market: "the correct and timely transposition of directives in that field is essential for its smooth operation. Late or incorrect transposition of directives can cause obstacles and make the European economy less competitive." (European Union, 2017). For this reason, the European Commission has been closely monitoring the transposition of Single Market directives, publishing regular reports on implementation performance by Member States since November 1997.

In parallel to the European Commission, academics have been conducting researches on implementation issues for a long time[2]. Compliance studies are generally believed to have begun in the 1980s, and at the present date the academic research on compliance issues appears to be still well and alive. During these decades, many research hypotheses were formulated and many explaining factors were tested under different methodologies. However, conclusions often appear to be quite mixed, and there exists little agreement on the causes behind such persisting implementation issues.

As per myself, on the contrary, I had never really focused on compliance issues before. This is not for a lack of interest in the subject: in fact, European policies have always been the focus of my studies, both in mandatory courses and in elective classes or additional extra projects. Moreover, my bachelor's degree thesis was focused on European cultural policies, the

[1] A more detailed analysis of transposition and non-transposition is carried out in section 2 of the following chapter.
[2] A detailed overview of the state of the art in compliance studies is provided in section 4 of the following chapter.

legal framework behind them and their possible use in the strengthening of relation with third countries. In addition, I was also well-aware of the potential risks that could arise from a complex task such as policy implementation. In fact, I was particularly fascinated by the implementation of policies, which I believe is one of the most complex and challenging stages of the policy cycle. Nevertheless, the closer I had ever been to the subject of transposition issues was during a European Union law class on the European Court of Justice and infringement procedures.

When I had to choose my research topic, I decided to put together my passion for European Union policies and my fascination towards implementation: the initial idea was to try and evaluate concrete changes to existing conditions brought about by the implementation of a precise policy item. This is precisely why my first research project was to carry out an impact assessment of a particularly crucial piece of EU legislation. Unfortunately, I soon discovered the difficulties in accessing such a massive quantity of reliable data, and the lack of capacity from my side to elaborate them in such a meaningful way to be then able to carry out a significant research. In a nutshell, I was still left without a research topic and had to keep brainstorming to try and find something that could conjugate my interest in implementation and EU law policies.

In fact, I was reading academic researches on a handful of different EU-related topics, when I came across this very comprehensive and detailed study by Gerda Falkner, Oliver Treib, Miriam Hartlapp and Simone Leiber called *Complying with Europe: Eu Harmonisation and Soft Law in the Member States* (2005). At first, I started reading it just to check if I could draw some inspiration for my thesis, and then got surprisingly but genuinely interested in the academic debate and research results. I kept looking for some of the sources cited in the book and continued reading by focusing on specific explanatory factors, while also brainstorming on how I could check the hypotheses I was thinking of. Long story short, I ended up gladly accepting issues in transposition of EU directives as my dissertation topic and started building a research design around my ideas.

Of the many explaining variables mentioned in the academic debate, two seemed particularly interesting to me: political preferences of national governments and national administrative quality. After some more research and brainstorming, I ended up choosing this latter. This choice has various reasons behind it. First of all, I'm Italian, and many Italians (as some other Mediterranean neighbours) often complain about the poor quality of national bureaucracy, made up by lengthy and sometimes over-complicated procedures and a generally

scarce quality of information. Basically, my line of thought was that if quality of bureaucracy was able to affect daily lives of citizens, then it makes sense to think that it is also able to affect much higher and complex businesses such as implementation of directives. Secondly, I was more interested in investigating systemic issues that lead to implementation failure, rather than more "occasional" ones. For this reason, I felt that administrative quality was a more systemic factor than political preferences: in fact, while governments change quite frequently, administrations tend to survive and change very little during time, thus being generally "stickier" than ruling elites and their agendas. Last, but not least, it seemed it was the most feasible factor to test. Given the time constraints and my personal capacity, I thought administrative quality impact on implementation was the factor I could investigate deeper and more comprehensively, thus with a better and hopefully more meaningful final result.

To sum up, the general question I had in mind while drafting my research design was *How much the features of the political and institutional framework of the Member States are able to affect their compliance with EU directives?* This led to the formulation of one core hypothesis: the lower the quality of the administrative machinery, the more difficult will be to achieve compliance. Even if the academic research on compliance issues is very broad, and thus is almost impossible to put in place a brand-new kind of research, my case selection appears to be (for the time being) somewhat different from the other sources I know, and my conclusions could add something to the academic debate on the significance of this explaining factor. In any case, this research will be for sure useful for me to gain a deeper insight on a topic I'm interested in and that could be somehow an asset in a future career, hopefully in the EU policies field.

2. Theoretical framework

As explained in the previous section, the core point of this research resides in the quality of bureaucratic systems of European Union Member States and their alleged capability of influencing transposition performance. The assumption underpinning this statement is that that "transposition is by no means a mechanical process." (Steunenberg, 2005, p. 296); therefore, we believe there are many factors (at the European, national and even sub-national level) that are able to affect this process.

The theoretical framework that will guide us along this research is New Institutionalism, more precisely its sub-current of Historical Institutionalism (HI). Among all other theoretical approaches available, New Institutionalism was the one providing the tools suiting the most the scope of this research. As Harguindéguy put it, "historical institutionalism constitutes a

powerful theory to analyse national differences of implementation of global policies" (Harguindéguy, 2007, p. 10). In another and more detailed words, "what the HI scholar wants to know is why a certain choice was made and/or why a certain outcome occurred. Most likely, any significant political outcome is best understood as a product of both rule following and interest maximizing" (Steinmo, 2008, p. 163).

New Institutionalism was born during the early 1980s, a time that marked a renewed interest in the academic research upon institutions. In the new institutionalist theory, "institutions" are broadly defined, taking into account not only formal rules but also informal norms, conventions, procedures, symbols, etc. To be precise, an institution is "a relatively enduring collection of rules and organizes practices, embedded in structures of meaning and resources that are relatively invariant in the face of turnover of individuals and relatively resilient to the idiosyncratic preferences and expectations of individuals and changing external circumstances." (Goodin, 2006) The new institutionalist theory central theme is, in brief, the crucial role of institutions (broadly intended) in shaping political processes and influencing the behaviour of the actors involved. In other words, "institutions are the set of official and officious procedures, protocols, norms and conventions which link individuals to social life. Institutions are not a simple variable but rather constrain and refract political life." (Harguindéguy, 2007, p. 10). Therefore, institutions should not be treated as "empty boxes" in academic research, but rather deeply investigated in their features, since they are both means and products, input and output of the political processes they are a part of.

As underlined above, the constraint exercised by institutions on political life is part of one of the core features of this theory, commonly referred to as "path dependence". This concept refers specifically to the idea that actions available to actors are limited and that therefore actors tend not to deviate too much from the previously enacted behaviours. A broad definition of this concept is the one, very famous, formulated by William Sewell: "what has happened at an earlier point in time will affect the possible outcomes of a sequence of events occurring at a later point in time." (Sewell, 1996, pp. 262-263). While on the other hand this definition is widely used in academia, it is very broad and provides little information on how this "dependence" exactly occurs. One widely used and more precise definition of path dependence is the one provided by James Mahoney: according to this scholar, "path dependence characterizes specifically those historical sequences in which contingent events set into motion institutional patterns or event chains that have deterministic properties." (Mahoney, 2000, p. 507). More in detail,

> *"Historical developments depend on the previous settings and the former decisions undertaken: once certain choices are made, the set of future possibilities is limited. The range of options available to policy makers at a given time is a function of institutional capabilities implemented in the past, probably in response to very different pressures from the environment, the economic, social and cultural dimensions of a country or an organisation."* (Sebastiani, 2017, p. 10)

However, scholars do recognize that institutions are a broad and complex subject, and that often causal links between a given institutional arrangement and the actual policy choices made are indirect and not so easy to isolate (Weaver & Rockman, 1993). For this reason, "political institutions can be expected to constrain and enable outcomes without being the immediate and direct cause of public policy" (Goodin, 2006), with the very same institutional arrangement producing different outcomes under different circumstances. Nevertheless, this should not discourage researchers interested in investing the relation between institutions and policies.

The rationale behind path dependence is that institutions will generally evolve following the path traced by both formal and informal norms and patterns, and will therefore be very difficult to alter. Nevertheless, historical change is not impossible to achieve. In fact, such an assumption would fail to account for the existence of usually short periods of intense political changes, that do indeed periodically appear in history. Therefore, Historical Institutionalism theorizes the existence of so-called "critical junctures", periodical phases when a particular set of contingencies allows for intense and rapid institutional changes. As conceptualised by Pierson and Skocpol,

> *"Outcomes at a "critical juncture" trigger feedback mechanisms that reinforce the recurrence of a particular pattern into the future. […] Once actors have ventured far down a particular path, however, they are likely to find it very difficult to reverse course. Political alternatives that were once quite plausible may become irretrievably lost."* (Pierson & Skocpol, 2002)

It is worth underlining the fact that institutional changes are not a break of path dependence altogether. On the contrary, they theorised as being the results of a specific choice among those possible, determined by past choices and therefore respecting the "path" already traced. That specific choice strongly affects the future sets of possibilities available, thus determining a precise "path" for the future. While the dependence is still clearly there, the contingencies allow for a specific choice to be more significant than the others in shaping future sets of available choices.

3. Methodology overview

From an operational perspective, the focus of this contribution is dual: on the one hand, on the analysis of transposition performances of all 28 EU Member States, over a limited period of time, with a specific focus on isolating groups according to performance outcomes; on the other hand on the quality of their bureaucracies, with a specific focus on assessing the existence of similar levels of quality in Member States with the same transposition performance. Needless to say, the analysis will insist on a macro level, as the scope of this research is to try and isolate the systemic causes pertaining to national bureaucracy that are able to affect (positively or negatively) the transposition process of directives.

In order to assess the transposition performance of Member States, we will make use of the statistical data contained in the Single Market Scoreboard. This is a tool set up by the European Commission (and being further developed) to collect information and monitor the performance of Member States around the implementation of all relevant pieces of legislation part of the Single Market regulatory framework[3]. Since the objective of this research is to specifically analyse systemic factors (that is, persistent and "stickier") related to bureaucracies influencing transposition, the assessment of performance should be designed as to limit biases due to more incidental circumstances. In order to do so, the transposition performance assessment won't be carried out on all EU directives due to be transposed in a certain timeframe, but just on long overdue directives. These directives are those which deadlines for transposition has expired since more than two years, and for which, at the same time, essentially correct transposition has not yet been fully achieved by all Member States. Long overdue directives are monitored by a specific part of the Single Market Scoreboard, since such a long delay is perceived to be particularly dangerous and, if not addressed quickly and effectively by the

[3] A more detailed description of the Scoreboard can be found in chapter 2, section 1.

Member States, could lead to infringement procedures being initiated by the Commission. By selecting only this kind of directives we believe it would be possible to exclude from the analysis the bias behind shorter delays in transposition. In fact, these might be caused by one-off circumstantial factors or set of conditions, such as moments of political transition and/or instability, lengthy debates due to particularly strong political opposition of the measures or exceptional complexity of the directive prescriptions.

The timeframe selected encompasses twelve Scoreboard reports, being published between September 2011 and July 2018 and covering directives with deadlines from September 2007 to October 2015. While the timeframe selected is not particularly long, it contains a considerable number of occurrences of long overdue directives, which allowed for a clear division of the 28 EU Member States into four performance groups[4].

As for the quality of bureaucracy part, we decided to build upon the method designed and adopted by Maria Tullia Galanti in her contribution *Is Italian bureaucracy exceptional?* (2011). In a nutshell, she enumerated and defined the six essential features of bureaucracy and linked them to six basic dimensions of quality; in turn, dimensions of quality insist and can be measured on a specific set of proxies and indicators[5]. At this point, a disclaimer should be made: Galanti's research was tailored on Mediterranean countries' bureaucracies, with the specific aim of trying to demonstrate whether or not the Italian one was exceptionally different from the others. This is clearly not the focus of this research, which is focused on a broader and more mixed set of EU Member States, and aims at finding similarities within a group, rather than pointing out specificities. However, the methodology behind the design of quality dimensions and the related proxies and indicators follows a general approach, which does not hinder the use of this tool in researches with slightly different purposes like the one carried out in this thesis. Therefore, no fallacy is believed to be hidden behind the choice of using this tool.

The hypothesis underpinning this research is that, if quality of bureaucracy is able to affect transposition performance in Member States, Member States with the same transposition performance should roughly share the same level of quality of bureaucracy; conversely, Member States with the same levels of quality of bureaucracy should share more of less the same performance patterns. While we are specifically interested in assessing whether quality

[4] The detailed process of sample selection is carried out in chapter 2, section 1.
[5] A more detailed description of the dimensions and indicators used by Galanti is provided in chapter 1, section 7. The adapted set of indicators and proxies used in this research is presented in chapter 2, section 2.

of bureaucracy (that is, a *poorer* quality) is capable of leading to delays in transposition, we also have to check whether a good quality of bureaucracy is present in countries not displaying occurrences of long-overdue directives. This is why our research will focus on the two extreme groups resulting from performance analysis: the countries who performed best among the others (that is, with zero long-overdue directives in the period considered), and those which, on the other hand, have the highest occurrences of said directives.

4. Structure of the work

After this brief introduction on the topic and the research methodology, the research shall be articulated in three chapters.

In the first one, we will present the key concepts used in this research and the state of the art in compliance studies, with a specific focus on the hypotheses involving administrations.

In the second one, we will present in detail the data collection and selection of the sample methods and process, as well as the adapted tool used to assess quality of bureaucracy.

In the third one, we will perform the detailed analysis of the quality of bureaucracy for selected Member States, with a first description of the findings.

A more detailed analysis of the findings will be carried out in the concluding chapter.

Chapter 1: key concepts and state of the art

This chapter will provide an overview of the keywords and key concepts of this research, as well as the present state of the art in compliance studies. The first three sections are entirely dedicated to key concepts related to the policy cycle, followed by three sections on the state of the art and the main explaining variables present in the academic debate. The last section of this chapter will focus specifically on the complex issue of bureaucracy and its quality, presenting the table of dimensions of quality that inspired this research design.

1. Implementation

As already mentioned in the introduction to this research, implementation is a crucial phase when it comes to European Union law, and this is especially true for European directives. In this case, implementation of directives into national legislation is supposed to be "carried out by amendment or cancellation of existing or issuance of new laws and by-law acts within a specified period." (Biriukov & Tuliakov, 2016, p. 93) However, implementation is something that has to do not only with directives, or European Union law in general. Implementation is something that is commonly related to all policies. More in detail, in fact, implementation is generally one of the many stages that are a part of the so-called "policy cycle".

The policy cycle is a simplified model widely used in the academic research to conceptualize the policy process. The first attempt of policy cycle model was developed by Harold Lasswell in 1956, and many others followed. The model is usually divided into a number of subsequential stages; the number of the stages varies according to different theorizations. The models most referred to in academia are those, among others, from May and Wildavsky (1978), Anderson (1975) and Brewer and deLeon (1983). We could say that, on average, models

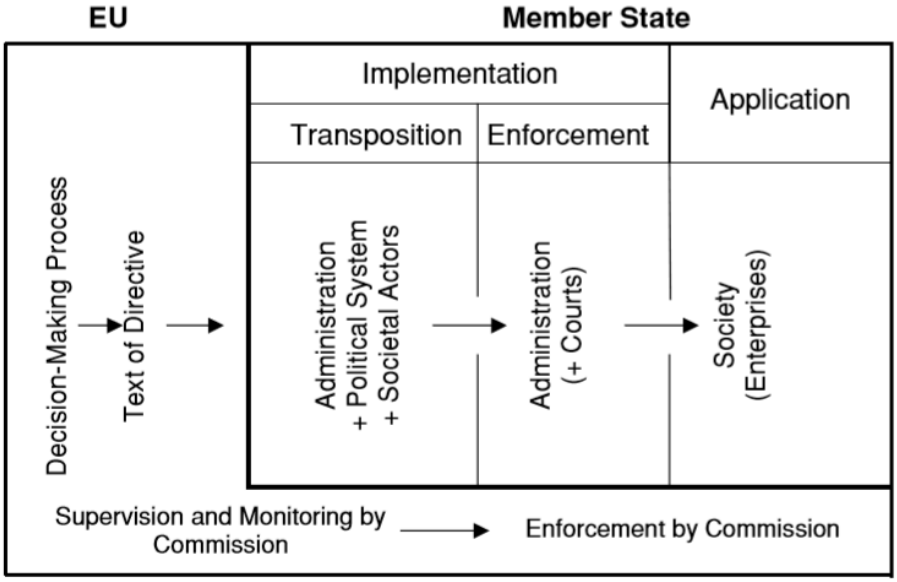
of policy cycle consider the process as the sum of five main consequential steps: agenda-setting, policy formulation (an appropriate action is developed), decision-making (the action is adopted by the competent institution(s)), implementation, and evaluation (assessment on whether and how the action has reached its initial objective). The agenda-setting is the preliminary stage, where some issues are perceived as problematic and need to be addressed; these issues are ranked according to the perceived "urgency" of the action, so as to define the political agenda. The policy formulation stage is the following one, in which political actors decide on the appropriate action needed to deal with the issues in the agenda, and then draft the appropriate measure according to the most pertinent procedures. This stage is followed by the decision-making stage, where the policy action gets approved from the competent political actor, following the appropriate rules and procedures. During the implementation stage, policies get translated into actual actions from the appropriate actors, and their application and respect is generally favoured and monitored. Finally, the evaluation stage is the one in which the policy action is monitored and evaluated, in order to assess whether it is serving the purpose for which it was originally drafted (for instance, if it is delivering significant progress on reaching some target or standard, etc.).

As briefly described in the previous paragraph, the implementation stage is the one that deals with “what happens between the establishment of an apparent intention on the part of the government to do something, or to stop doing something, and the ultimate impact on the world of action” (O'Toole, 2000, p. 51). This step of the process is particularly crucial, as the political and administrative actors in charge of implementation “are hardly ever perfectly controllable by objectives, programs, laws, and the like” (Jann & Wegrich, 2007, p. 51). This "embedded imperfection" underpinning implementation is precisely why action carried out during this stage may hijack the whole policy process, thus potentially endangering the intended outputs and outcome of the adopted action. In fact, as implementation is neither an automatic nor an apolitical affair, implementation outcomes tend to vary greatly inside and across polities. This is particularly true in a large and differentiated polity such as the European Union.

Being such a complex step, academics usually tend to divide implementation into some sub-stages: for instance, Falkner and her co-authors divided the implementation process of the EU multi-level policy system into two distinct parts, namely transposition and enforcement, as described in figure 1 below (Falkner, et al., 2005, p. 51). The transposition stage is the phase in which all relevant actors (the authors mention administration, political system and societal actors) act together to modify the national legal system according to the requirements contained

by the directive. This conceptualization is valid for the EU policy cycle, but the principle remains the same also for other political levels. On the other hand, enforcement mostly refers to the patrolling action carried out by public administrations (generally the judiciary branch, mostly courts) to make sure that the mechanisms modified or created by the transposition are working properly according to their scope and paying general respect to the broader legal framework.

Figure 1: *Policy cycle steps and involved actors at the EU and Member State levels* (Falkner, et al., 2005, p. 51)



2. Transposition

As mentioned in the introduction, transposition is of particular interest: this is true for researchers in implementation studies, since it is one of the stages in which national specificities tend to emerge and influence outcomes; on the other hand, this is also true for the European Commission, that sees transposition issues as one of the most pressing risks for the general correct application of European Union law. Either way, both sides consider transposition as being made up of two distinct dimensions: correctness and timeliness. The timeliness dimension generally refers to the capacity of the Member State to "meet the transposition deadline of a directive" (Hartlapp & Falkner, 2009); this essentially means that the national actors in charge of transposition are able to make the necessary changes to the national legal framework within the timeframe set by the directive itself. Timely transposition assessment usually relies on the

accomplishment of a specific reporting duty by the Member State, who is officially required to promptly notify to the European Commission when the national transposition instrument has been adopted by the competent actors. This notification requirement may conceal some issues, that could impact on transposition performance assessment. For instance, Member States could transpose directives into national legislation, but fail to fulfil the notification requirement; or else, directives of a certain complexity could require multiple transposition acts, that therefore need multiple notifications. Moreover, notification of transposition does not guarantee that the transposition process is actually finished and that the national transposition instrument is working properly towards the objectives set in the directive (see following paragraph).

On the other hand, the dimension of correctness essentially refers to the condition where the national legal framework, as modified by the transposition process, is in line with the prescription and objectives set out in the directive. As it might appear evident even from this very brief description, it is very difficult (if not entirely impossible) to assess whether the entire national legal framework is in line with the norms contained in a given directive. In fact, there could always be some piece of legislation working at least partly, or indirectly, against the achievement of a directive's objective. This is also partly why the correctness of transposition measures needs to be checked before courts. It is also worth noting that the assessment of correctness of transposition relies also on checks against the relevant EU law, which is a changing item. While the European Union law changes mostly through the adoption of new legal instruments, and the amendment or repealing of the previous ones, EU law could also be changed through innovative ruling of the European Court of Justice (ECJ), changing the interpretation of some concepts. Therefore, changing laws and interpretation of laws at the European level could affect the correctness of a national transposition act, even without changes occurred at the national level. To avoid all these potential biases, generally researchers often take into account the moment when transposition is believed to be "essentially correct", that is, the moment when “the national rules and regulations satisfied the standards of the Directive almost completely, with only minor details missing or incorrect" (Falkner, et al., 2005, p. 66, fn 10). Nevertheless, a truly dutiful transposition process has to produce at the same time both timely and correct transposition into the national legislation.

While correctness of transposition is essentially out of the scope of this research, timely transposition (more precisely, the absence of it) constitutes the core of this research study. As

already mentioned in the introduction[6], our interest lies mainly in systematically long-delayed transposition of EU directives, as the (at least partial) consequence of a sub-optimal quality of national bureaucracies among EU Member States. Most circumstantial factors leading to more occasional cases of transposition failure should be excluded from this analysis by exclusively focusing on long-overdue directives.

3. Compliance

While being closely related to implementation and transposition, the word "compliance" has a consistently different meaning. In fact, it refers to "a state of conformity or identity between an actor's behaviour and a specified rule" (Raustiala & Slaughter, 2002, p. 539). On the other hand, we have non-compliance when "actual behaviour departs significantly from prescribed behaviour" (Young, 1979, p. 104). These two very broad definitions, while describing perfectly the general meaning of compliance, leave the door open to the use of this concept in the academic debate in a few different specific meanings, to be analysed in the following paragraphs, with a special attention to the role and features of EU legal instruments.

The first possible use of the term compliance (let it be compliance1) specifically reflects the broad definitions above, and refers to the actual adherence of relevant actors to rules. This is more easily explained through an example. The Renewable Energy Directive, one of the most important pieces of EU legislation on sustainable development for the energy sector, sets two targets: by 2020, at least the 20% of total EU energy production should come from renewable sources, and at least 10% of transport fuels in Member States should come from renewable sources (European Commission, 2016). In this case, there will be compliance if and when, in 2020, both targets will be effectively respected by the relevant actors. Needless to say, in order to produce effects and achieve compliance, the Renewables Energy Directive needs to be timely and correctly transposed into national legislation. If this doesn't happen, then compliance1 might result more difficult (if not impossible) to be achieved. Nevertheless, what really matters in policy terms (and what essentially justifies the adoption of such a directive) is the attainment of the established targets: without achieving compliance1, any policy action would ultimately be meaningless.

As it may appear obvious, compliance with a given rule entails a certain amount of costs, that are defined as "compliance costs". A widely used definition comes from the Organisation

[6] Introduction, section 3.

for Economic Co-operation and Development (OECD): "Compliance costs are the costs that are incurred by businesses or other parties at whom regulation may be targeted in undertaking actions necessary to comply with the regulatory requirements, as well as the costs to government of regulatory administration and enforcement." (OECD, 2014). This definition is also recognized by the European Commission in its monitoring and evaluation of policy costs and burdens (High Level Group on Administrative Burdens, 2014). The size and amount of compliance costs is able to affect the achievement of compliance1: for instance, if the recipients of a policy actions are persuaded that compliance costs are unnecessarily high and/or unjustified, they might choose not to comply to the rules. In this case, actors will either reject and violate the rules altogether, if they believe they can get away with it, or they will try to resist compliance if forced to adapt to the rules. The level of compliance costs has been a long-standing critique to European Union laws, and its potential negative effects on the achievement of compliance1 are well-known to European institutions. This is precisely the reasons why the European Commission has enacted many initiatives and programmes to reduce regulatory and compliance costs; the current initiative with this purpose is the Regulatory Fitness and Performance programme (REFIT) (European Commission, 2018).

An important distinction to be made is the one between compliance and efficacy of a given policy action. The dictionary definition for efficacy is "the ability of something to produce the results that are wanted" (Oxford Advanced Learner's Dictionary, 2018); in a policy perspective, it refers specifically to the ability to reach the objectives set by the policymaker. Generally speaking, efficacy is instrumental towards reaching compliance. The policy objectives to be reached are usually designed bearing in mind specific purposes; for instance, going back to the Renewable Energy Directive example, the expansion of the use of transport fuels coming from renewables is set to (among other reasons) reduce dependence on imported fossil fuels and to reduce greenhouse gas emissions (European Union, 2009). If the policy process takes place properly, then compliance1 should be achieved and the policy should prove effective in reducing dependence from imported fossil fuels. On the other hand, if either policymakers or actors in charge of implementation (or both) voluntary or involuntarily spoil the policy process, efficacy and compliance1 could part ways. If, for instance, the 10% target for transport fuels by 2020 is reached, but for some reason the renewable fuels used produce higher levels of greenhouse gases, becomes at least partially ineffective in fulfilling the purposes for which it was created, even if compliance1 is in principle achieved.

The second possible meaning of compliance (let it be compliance2) is somehow a specific meaning included in the broader one mentioned above, specifically referring to the observance of rules by the actors that are supposed to enforce and apply them, usually public administrations. It seems bizarre to assume that a given norm could not be respected by the very actors that are supposed to; nevertheless, as political science scholars, we know that this event is not so impossible to occur, and it has been taken into account in some non-compliance studies (see for instance Schmälter, 2018 and Falkner, et al., 2005). It is worth separating this connotation from that of compliance1 for at least one reason, that is, level of compliance2 has effects on levels of compliance1. As an example: if the actors designed to enforce and apply a given norm are not able (or not willing) to respect said norm, then we expect that other actors in society such as enterprises and citizens will not be able or willing to respect the norm themselves. In a nutshell, low levels of compliance2 are likely to cause low (or at least lower) levels of general compliance with a given norm (compliance1). Considering a multi-territorial level analysis, differences in attitudes of public administrations towards a given norm (that is, different levels of compliance2) could at least partly explain differences in compliance1.

The third connotation of the term compliance (indicated as compliance3) is much narrower in the meaning, and it is the one generally used throughout this research. In fact, it refers to the ability of Member States to comply with their general duty to incorporate in a timely and correct fashion EU directives in their national legislation. A timely and correct transposition would then comply with Member States obligations deriving from EU law. All three different compliances mentioned above are linked: for instance, incorrect transposition fails to achieve compliance3, and could be at the same time both a cause and an effect of a low level of consideration and respect coming from the relevant public administration (that is, a low compliance2), that could in turn lead to a generalised and widespread failure to achieve compliance1.

In the case of EU Member States, achieving compliance generally includes, on the operational side, adopting new rules and/or adapt the existing ones, while also actively monitor that they are respected on the ground (enforcement). As we just saw in this section, many possible scenarios exist: for instance, implementation may not result in compliance in the end, when implementation outcomes are incomplete, incorrect or simply go in a different direction with respect to policy prescriptions. On the other hand, implementation and compliance are not necessarily always strictly connected and dependent. In fact, compliance could be achieved even without any implementation: for instance, this could happen in situation where the current

situation is already in line with policy prescriptions, or if actors spontaneously comply to new norms because they clearly perceive the benefits of modifying their behaviour in accordance to the rules (or the risks of not doing so, if the sanctions set are clear and sufficiently strict).

4. The state of the art

Compliance with EU directives is one of the most recurrent items in European integration research: this is because the great amount of discretion left to Member States in the choice of legal tools during the transposition phase of directives sometimes causes compliance to be a bit more difficult to achieve, and somehow may create favourable conditions for non-compliant behaviours of national actors to take place. The factors and conditions having effects on the occurrence of (non-) compliance have basically been under the lenses of academic researchers since when the EU started producing legislation (namely, directives) that needed to be transposed into national legal frameworks of Members States. However, the process started drawing much more attention in the 1990s, when the European Union started to build the foundations of the single market: in order to do so, a greater number of directives was produced, and ensuring compliance was crucial in order to achieve such an ambitious target.

The difficulties encountered by Member States in complying with EU dispositions caught the attention of researchers, which theorized the existence of the so-called "transposition deficit" and tried to investigate the reasons behind it. The first empirical study on the subject is believed to be the one conducted by Siedentopf and Ziller (Ziller & Siedentopf, 1988), which constituted some sort of blueprint for the following studies. These latter are usually divided into three distinct waves of scholarship.

The first one was rather eclectic, with studies lacking thorough theoretical frameworks, which were generally built by researchers by essentially combining other paradigms coming from other sub-disciplines. Most of these studies focused on compliance as a mechanical and apolitical process, thus explaining non-compliance by mainly focusing on purely legal or administrative factors. Regarding the former, the main variables taken into account by academics are the institutional characteristics of Member States (Krislov, et al., 1986), the excessive complexity of the provisions contained in many directives (Krislov, et al., 1986; Collins & Earnshaw, 1992; Ciavarini Azzi 2000) and that of national legal frameworks (Collins & Earnshaw, 1992). On the other hand, explanations grounded on administrative factors support the existence of "Chinese walls" between actors/department dealing with preparation of

implementation (usually with a legal training) and those specifically in charge of implementation, generally trained administrators and bureaucrats (Ciavarini Azzi, 2000), internal co-ordination problems in national public administrations (Krislov, et al., 1986), and lack of sufficient resources (Ciavarini Azzi, 2000). Moreover, the first wave of EC-related implementation studies also linked up with the 'bottom-up' approach in traditional implementation theory, which had developed as a reaction to the dominant top-down school. Instead of hierarchical organisation, authors from this strand of literature stressed the need for implementation actors and target groups to be incorporated into the decision-making process in order to avoid political decisions that are out of step with the reality 'on the ground'. In fact, many scholars argue that actors having a role in implementation should be engaged since the very beginning in the decision-making process (see for instance Krislov, et al., 1986, Collins & Earnshaw, 1992, Richardson, 1996), which happens essentially at the supranational level, so to bring political disagreements to debate at an earlier stage and try to avoid "opposition through the backdoor" (Falkner, et al., 2007, p. 452) once the directive is sent to the national level for implementation.

The second wave of research started in the late 1990s, when scholars began rooting the research in a neo-institutionalist methodological framework and thus provided compliance studies with a stronger theoretical basis. This second wave had a greater attention towards the effects of Europeanisation on domestic systems of governance: this broader perspective has produced a wealth of contributions dealing primarily with the impact of membership in the European Union on national political institutions. In trying to explain the different degrees of compliance across Members States, the key hypothesis was that compliance essentially depends on the degree of fitness[7] between the requirements set at the EU level and contained in directives and the existing national institutions, (Knill & Lenschow, 2000, Knill, 2001). On the other hand, other scholars have directed attention to policy fit or misfit, i.e. the existence of a match or mismatch between EU measures and prescriptions and domestic policy instruments, standards and problem-solving approaches (Börzel, 2000; 2003). A third group of authors has blended into their researches both institutional and policy dimensions, to try and provide a more comprehensive understanding of the match or mismatch between European Union demands and domestic structures or legacies (Héritier et al. 1996; Duina, 1997; Risse et al. 2001).

[7] To be analysed more in depth in the following subsection.

The third and more recent wave of compliance studies was primarily aimed at trying to compensate for the failure of the goodness of fit hypothesis by taking back into account national politics features as explaining factors. In this case, we can identify two main approaches: one based on rational choice, claiming that a misfit may provide societal actors with new opportunities and constraints to pursue their interests, triggering sometimes surprising outputs coming out of transposition (Cowles, et al., 2001). On the other hand, other academics ground their studies onto sociological institutionalism, implying that a high misfit is a clash between new norms and ideas and the already existing ones in the domestic arena; this clash that can produce change via the process of socialization.

4.1 The goodness of fit hypothesis

As we just saw in the previous section, the misfit hypothesis largely dominated the second wave of compliance studies, and it's generally recognised by many scholars to be a not-so-satisfying explaining factor. This sort of explanatory failure and its recognition are generally regarded as some sort of watershed between the second and third wave of scholarship. Even though the misfit hypothesis is not the centre of this dissertation, it is undoubtedly worth looking at one of the most important factors of compliance studies, of which the explanatory power is still highly debated in academia.

One of the most comprehensive formulation of the misfit hypothesis is the one offered by Francesco Duina and Frank Blithe:

> *"[W]e hypothesize that implementation of common market rules depends primarily on the fit between rules and the policy legacy and the organization of interest groups in member states. Rules that challenge national policy legacies and the organization of interest groups are not implemented fully and on time; they are normally rejected, typically reaching domestic systems only partially and long after the official deadlines [...] When, on the other hand, rules propose principles consistent with those found in national institutions, implementation is a smooth affair and the common market reaches smoothly and deeply into the nation-state."* (Duina & Blithe, 1999, p. 499)

In other words, if the degree of misfit between European policies and the institutional and regulatory national structure is high, implementation should be seriously endangered; on

the other hand, if a directive requires very little adaptation from the national side, we should expect a rather unproblematic and timely implementation process, smoothly leading to a successful compliance.

However, many different formulations of this hypothesis exist. For instance, some researchers conceptualize the goodness of fit as an essentially rationalist argument, mostly related to the minimization of the costs of adaptation (Héritier et al., 2001; Börzel, 2003), while others stress the normative aspects of compliance (Cowles, et al., 2001). Seen from this angle, European directives at the transposition stage are required to face deeply rooted institutional and regulatory structures at the national level. If both fit together, meaning that adaptational pressure is low, implementation should be a smooth and unproblematic process easily accomplished within the given time limits. However, if European policies do not match existing national institutions, implementation should be highly contested, leading to considerable delays, and involving a high risk of total failure (see in particular Duina, 1997; Duina and Blithe 1999; Börzel, 2000; Knill & Lenschow, 2000).

The misfit hypothesis was empirically discarded by results of many researches conducted by several authors (see for instance Mastenbroek, 2005; Falkner, et al., 2005; Bugdahn, 2005): among these, Falkner et alters (2005) concluded that there was no clear relationship between the level of misfit and the presence and magnitude of transposition issues. Nevertheless, the same authors highlighted an increased explanatory power and significance of this variable when looking at cases "in which regulatory philosophies or deeply entrenched national models were challenged" (Falkner, et al., 2005, pp. 291-292). In these specific cases, national actors often appeared to have "acted as guardians of the status quo, as the shield protecting national legal-administrative traditions" (Duina, 1997, p. 157). Despite that, the authors ascertain that, in the majority of the cases under analysis, governments were quite ready to give up opposition and adapting to policy prescription by changing their pre-existing systems, especially when faced with the concrete risks of sanctions.

On the other hand, other scholars tried to make up for the limited explanatory power of the goodness-of-fit hypothesis by combining it with other explanatory variables. For instance, Treib (2003) showed that the preferences of the governmental party may impact significantly on transposition outcomes. Under this assumption, governments would be able to accept wide-ranging reforms with high degrees of misfit if these go together with the direction of their governing objectives. Similarly, Mastenbroek and van Keulen argued that governments "may

work wonders in overcoming misfit" (Mastenbroek & van Keulen, 2006, p. 38) if the objectives prescribed are in line with their political preferences.

Still, as already said, the explanatory power of the goodness of fit is highly debated in academia. Among its supports, we find for instance Angelova et alters (2012), who conducted a quantitative comparison of explanatory factors in compliance studies, concluding that the goodness of fit hypothesis is one of the two theoretical arguments with a solid statistical robustness. They support this view, as in their comparison they found that this argument holds in the majority of policy fields and across all countries taken into account in quantitative studies, even in those cases where we would not expect this explanatory variable to have a great impact on transposition outcomes. Therefore, mixed results coming out of the scientific debate do not allow for the formulation of a clear and unambiguous judgement on the explanatory value of this variable, which is still one of the most used in compliance research.

5. Influence of administrative factors on implementation

Given the central focus of this research on bureaucracies and public administration systems in general, we believe it is worthwhile to dedicate a specific section of this chapter to giving an overview of the state of the art of research findings related to the influence of administrative factors on implementation performance. As we mentioned in the previous section, different specific features of public administration are one of the explanatory factors which explanatory power is highly debated in academia, with very mixed results. In fact, as already mentioned above and also noted by Angelova, "existing reviews of compliance studies provide a mixed picture with sometimes contradictory conclusions on the factors promoting (non-)compliance" (Angelova, et al., 2012, p. 1270)

In academic research, some scholars focus mostly on public administration as a whole, by taking into account the entire national administrative system: for instance, Berglund et alters (2006) and Thomson et alters (2007) focus on the impact of inefficient administrations, which are more prone to following private interests and thus tend to try and block the transposition of certain "problematic" directives. Falkner et alters (2005) found evidence of lack of adequate resources and temporary administrative overload causing implementation delays, due to the inability of fulfilling the necessary transposition procedures on time.

On the other hand, many scholars tend to focus on more specific aspects of public administrations: for instance, Van den Bossche (1996), Mastenbroek (2003) and Ciavarini Azzi (2000) all argue in favour of the capacity of administrative coordination problems to delay

transposition. This could be caused by either a bad internal coordination of offices (usually at the inter-ministerial level) or for a lack of effective cooperation of the relevant actors in the transposition process. Nevertheless, Falkner at alters (2005) found little or no evidence of this influence: while noting that, for some directives, responsibility for specific parts of the transposition process being in the hands of different administrative units actually produced delays in transposition, they also found justification of these delays mostly within situations of administrative overload, and only very rarely in actual coordination problems among units. Some other authors (Szukala, 2002) mentioned the presence of watchdog units supervising the implementation as being a deterrent to delays. Again, Falkner and alters (2005) found contradictory evidence on this in their study, underlining that the presence itself of a watchdog unit may not be enough to discourage delays. They also found very little evidence of the composition, organisation and resources allocated to these units as being able to affect transposition in a meaningful way.

6. Bureaucracy

The term "bureaucracy" is of French origin and combines the French word *bureau* with the Greek word *κράτος,* literally translated to "rule of the office". It is generally referred to an administration led by non-elected career officials (the bureaucrats) and it was initially generally used with a pejorative connotation. One of the first ample and systematic theories on bureaucracy belongs to the German sociologist Max Weber, who in his seminal work *Economy and Society* extensively analysed the evolution of the relationship between bureaucracy and the State in the various eras. He argued that bureaucracy was first born for the necessity to manage resources, generally armies and finances, and then its tasks got increasingly complex due to the increasing functions carried out by the State itself. Believing in "rationalization" as the key principle in all areas, he argued that having an administration composed by officials by profession (or vocation)[8] professionally trained according to fixed and shared rules was the best way to carry out governmental functions. As he very clearly states in his masterpiece:

[8] These two concurring translations are due to the two-fold meaning of the German word *Beruf*, that means in fact both vocation and profession. The meaning "profession" is the one that suits more the Weberian idea of professional bureaucrats having a remunerated job in public administrations and being professionally trained to do so, rather than entrusting the very same tasks with officials with no specific education and training. On the other hand, it is true that a "vocation" element could be seen by Weber in professional bureaucrats, mostly with reference to spirit of service and loyalty to the public administrations. Nevertheless, the this "vocation" was seen by Weber as belonging primarily to politicians and scientist and was less strong in bureaucrats. This is precisely why the connotation of "profession" for *Beruf* is more appropriate when referring to public administration officials.

> *"Precision, speed, unambiguity, knowledge of the files, continuity, discretion, unity, strict subordination, reduction of friction and of material and personal costs - these are raised to the optimum point in the strictly bureaucratic administration, and especially in its monocratic form. As compared with all collegiate, honorific, and avocational forms of administration, trained bureaucracy is superior on all points. And as far as complicated tasks are concerned, paid bureaucratic work is not only more precise but, in the last analysis, it is often cheaper than even formally unremunerated honorific service."* (Weber, 1978 (1922), pp. 973-974).

While the Weberian conception of bureaucracy was generally accepted as paradigm in the first part of the 20th century, the economic crisis of the 1970s constituted a break point and therefore produced an ideological watershed. Some scholars (see Lippi & Morisi, 2005; Wright, 1994) argued that this event contributed to changing the duties (both the actual and the perceived ones) of bureaucracy, leading to the Weberian model being now considered rather obsolete. This paved the way to the new paradigm of New Public Management (NPM), which was grounded on the general rule of the need of a reduced influence of the State into the economy, while also realizing "efficiency through competitive markets and participatory policy networks" (Galanti, 2011, p. 8). Therefore, New Public Management aims at improving the efficiency of administration by adapting and applying to public bodies management models coming from the private sector. The focus of attention when managing public administration should no longer be on the public administration itself, but rather on citizens, the "customers" of public administrations. In a nutshell, New Public Management

> *"emphasized the centrality of citizens who were the recipient of the services or customers to the public sector. New public management system also proposed a more decentralized control of resources and exploring other service delivery models to achieve better results, including a quasi-market structure where public and private service providers competed with each other in an attempt to provide better and faster services."* (Management Study Guide, 2018)

As we just saw, the changing paradigm behind public administrations general organisation and management changed the tasks administrations were asked to do, but above all it constituted a change in *how* these tasks were supposed to be carried out. In fact, New Public Management brought about the introduction of performance standards to be respected, that are evaluated and monitored through output and outcome controls carried out by establishing quantitative indicators and targets to be achieved. In a nutshell, it marked the introduction of "performance management" in public administrations, which could be generally defined as "a set of procedures for defining performance, measuring it, and linking it to incentives or sanctions provided by a superior agency or person to a subordinate one, generally coupled with some increased degree of managerial autonomy for the subordinate." (Ketelaar, et al., 2007, p. 8)

It is worth noting that in this research, the words bureaucracy, public administration and government are used interchangeably with no particular disclaimer. More in detail, "bureaucracy" is intended in the broader sense mentioned above, that is as an administration led by non-elected and professionally trained officials. On the other hand, "administration" refers to "the execution of public affairs as distinguished from policy-making" (Merriam-Webster, 2018). More in detail, "the term “public administration” refers to the techniques by which government policies are carried out" (OECD, 1996). Therefore, the term bureaucracy is usually more focused on the people that are part of an administration, and their structures and organisation, while the term "(public) administration" refers more specifically to *how* policies are dealt with by the bureaucracy. However, we feel that it is not worth making this distinction in our research, that deals both with structure and organisational features of administration and with how policies are managed: in fact, our research tries to identify a specific causal relationship (if any), trying to answer the question of whether some organisational features are able to affect the management of policies and therefore policy process outcomes. Finally, a broad definition of "government", as the one used throughout this work, is two-fold: on one side, it indicates "the organization, machinery, or agency through which a political unit exercises authority and performs functions and which is usually classified according to the distribution of power within it" (Merriam-Webster, 2018); on the other hand, it might refer to "the body of persons that constitutes the governing authority of a political unit or organization" (Merriam-Webster, 2018). While the term government can be (and usually is) used to refer specifically to the executive branch, its broadest meaning encompasses all public governing

body, and the people in them. With this definition, the term government is able to include both the terms bureaucracy and (public) administration; therefore, this meaning is the one suiting more our research purposes.

As said above, and well represented by the meaning of the term "government", all the terms taken into account comprise both an individual and an organisational perspective. As it appears evident, administrations are composed of individuals with specific features, who in turn form a collective body with specific features, distinct from the simple sum of those of individuals. Insisting on a macro level of analysis, as highlighted above[9], this research tend to focus more on the organisational aspects of public administration.

6.1 Quality of bureaucracy

As a matter of fact, New Public Management strengthened the focus of public administration management on quality of performance and therefore, by extension, on quality of the administration itself. This of course also captured the attention of researchers, which in recent years widely investigated geographical and temporal differences in quality of bureaucracy and the reasons behind them. One thorough example of this persisting interest is the Quality of Government Institute of the University of Gothenburg, an independent research institute focusing specifically on good governance and quality of government. The research activities of the Institute cover a very wide range of topics related to governance and administration, such as corruption, elections, reforms of the public sector, just to name a few. In a nutshell, their research "addresses the questions of how to create and maintain high quality government institutions and how the quality of such institutions influences public policy and socio-economic conditions in a broader sense." (University of Gothenburg, 2018). One of the distinctive traits of their research is the attention given to the sub-national level, which in mainstream research tends to be neglected in favour of central government (see for instance Charron, et al., 2015 or Halkos, et al., 2015). This expertise in sub-national governance was also used by the European Commission, who commissioned some reports on this topic to the Institute: some examples are Charron, et al., 2010 and above all the publication *"Regional Governance Matters"*, which was aimed at increasing awareness on the work done by the Directorate-General for Regional Policy and was therefore not exclusively directed at a narrow audience made up by experts and policymakers (Charron, et al., 2012).

[9] Introduction, section 2.

Despite many studies having been carried out on this topic, quality of public administration remains a very complex and articulated subject, and evaluating it could be a tricky task. A broad definition of good governance could be "trustworthy, reliable, impartial, uncorrupted and competent government institutions." (University of Gothenburg, 2018). However, this definition is just illustrative, and a truly meaningful assessment of quality of bureaucracy needs a far more articulated definition. This is precisely what we can find in the aforementioned paper by Maria Tullia Galanti: there, the author identifies six main features of bureaucracies, which are then linked to six corresponding dimensions of quality; then, a set of proxies and indicators is established, to assess the level of each quality dimension. The detailed breakdown of this process can be found in the table below (figure 2).

Figure 1: *Features of bureaucracy, dimensions of quality and relevant indicators* (Galanti, 2011, p. 10)

Property	Dimension of quality	Proxies and indicators
Organisational structure	Structural differentiation	Homogeneity in organisational models; absence of duplication of offices; existence of mechanisms for coordination.
Material resources	Ability in the management of resources	Evaluation of: government expenditure revenues; budget deficit and public debt; size of personnel and its remuneration.
Non material resources	Competence	Levels of professionalisation and evaluation of career paths: levels of education; continuous training; promotion based on merit systems.
Logic of action	Accountability and responsibility	Clear setting of performance standards. Presence and implementation of ex-post evaluation procedures.
Relationship with politicians	Autonomy	Cultural homogeneity of the administrative elite. Levels of politicisation (participation of bureaucrats in parties or interest groups, membership or candidatures; extent of administrative turnover following elections); incidence of clientelism.
Relationship with Citizens/society	Openness	Existence of transparency and anticorruption measures; perceived levels of corruption; accessibility of information and offices; actual possibility to challenge the actions of public officials in court.

The first feature taken into account by Galanti when defining bureaucracies is the organisational structure: given the complexity and broadness of the tasks administrations are asked to perform, their structure becomes crucial. This is exactly why the linked dimension of quality is structural differentiation: since functions carried out by administration are many, and

of a very specialist nature, offices need to be appropriately differentiated and well-coordinated, according to functional criteria. The second dimension is related to material resources, that is essentially the financing of public administrations. An appropriate level of funding and an oculate financial management are crucial in order to deliver services in a resource-efficient way: this is why the linked dimension of quality is the ability in resource management. The third feature of bureaucracy is still pertinent to resources, but this one refers particularly to non-material resources, meaning the knowledge and expertise of civil servants. Given the complexity of tasks carried out by bureaucracies, staff needs to possess a high level of specialised knowledge, and needs to be continuously trained in order to maintain and/or increase the expertise of personnel. The fourth characteristic of administrations is the logic of action underpinning the organisation and ensuring that tasks are performed correctly and according to public interest. Following a rationalist approach, it is believed to be difficult for bureaucrats to put aside the maximization of their own personal interest and pursuing public interests. Given these issues, it appears crucial to hold bureaucrats accountable for their actions and set clear divisions of responsibilities across hierarchies and among offices and single civil servants; therefore, the corresponding dimension of quality is that of accountability and responsibility. The fifth feature of administration pertains to the relationship between politics and politicians and bureaucracy and bureaucrats. As already mentioned, putting aside one's own interest-maximising attitude is not easy according to a rationalist approach, and therefore both politicians and bureaucrats might have incentives in establishing relationships and behaviours that try to divert resources from actions in the name of public interest towards maximising political interest of the ruling elite. This is why public administrations need to be shielded by means of law and other tools from inappropriate interference of the incumbent political power in its action; therefore, the corresponding quality dimension is autonomy from political powers. The sixth and final feature of public administration is the relationship with citizens and society in general, that are recipients of the services offered by administrations. Therefore, citizens should be allowed to check the actions of their service providers who act in the name of public interest, and to hold bureaucrats accountable for the management of public resources. For these reasons, the linked dimension of quality is openness, which grants to citizens the possibility to meaningfully engage in monitoring public administrations' conduct.

In recent years, researchers have come to considering bureaucracy no longer as a neutral actor, and started recognizing instead its power in policymaking processes, that go beyond the mere execution of governmental policy prescriptions in the implementation phase (see for

example Lippi & Morisi, 2005, pp. 86-87). While this is out of the scope of this research, it is an important point in research that is worth underlining. This feature is not captured by the table proposed by Galanti; nevertheless, in the same paper the author argues that an appropriate dimension of quality linked to this characteristic should be the presence of an "appropriate balance between political control and bureaucratic discretion" (Galanti, 2011, p. 10). Moreover, administration should always maintain a collaborative attitude towards the political powers, since both the executive powers and public administration are supposed to be working together towards the achievement of the same goal, namely public interest.

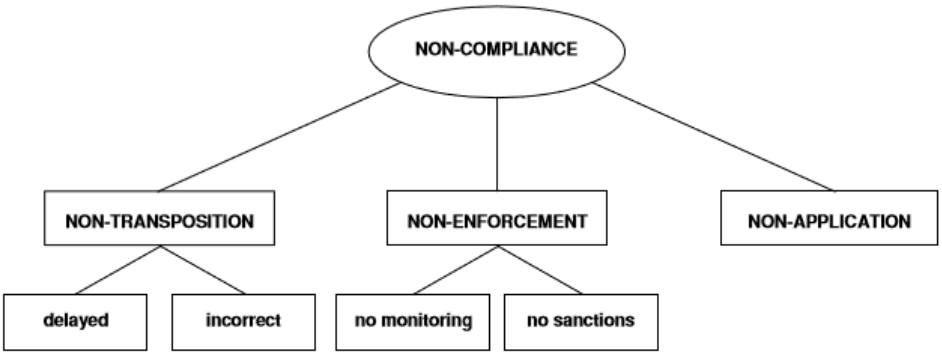
We find no particular issue with the categorisation and operationalisation carried out by Galanti, and we feel this table suits very well our research purposes and should be adopted to underpin our analysis. On the other hand, we also recognize that Galanti's research was carried out on a very small sample of countries with similar features, while our research focuses on a higher number of countries with potentially more diverse bureaucracies. For this reason, we believe that some adaptation work on this table is needed in order to better reflect our research hypothesis and design and properly use this operationalisation in our project. Moreover, we should take into account the availability of reliable and recently updated statistical data and adapt the list of proxies and indicators in order to have a balance between the need to take into account as many indicators as possible and the necessity to have the most recent data available. An adapted table for this research and the description of the adaptation process will be developed later in this document[10].

[10] See chapter 2, section 2.

Chapter 2: Cases selection

As already extensively mentioned in the previous chapter, compliance is a complex phenomenon, and so it is non-compliance. In very simple words, we could affirm that non-compliance with a European Union directive occurs when a Member State fails, for some reason, to respect the obligations stemming from the directive itself. This is true either if we speak about formal obligations, such as the duty to correctly transpose the directive into national legislation, or about the objectives and other standards that constitute the essential scope of the directive. Going deeper into details, non-compliance could stem from different specific causes, related to specific steps in the policy cycle. As an example, and as illustrated in figure 3, Falkner and her fellow researchers articulate non-compliance into three distinct aspect: non-transposition, non-enforcement and non-application (Falkner, et al., 2005).

Figure 3: *Forms of non-compliance* (Falkner, et al., 2005, p. 12)



As already mentioned in the previous chapter[11], non-transposition refers to the inability of a Member State to incorporate the directive into its national legal framework within the established deadline (delayed transposition) or to do it in such a way that mirrors the directives scope and objectives and allows for the goals set to be fully achieved (incorrect transposition). While they are not the focus of this research, it is worth spending a few lines on the other two aspects of non-compliance to be thorough. Non-enforcement essentially refers to the lack of measures to secure compliance by the relevant actors. The establishment of sanctions is often crucial to achieve compliance, especially in the cases in which benefits stemming from compliance are not so evident or are not perceived as particularly significant by most recipients of the norms. Therefore, the absence of sanctions – whether it is either the lack of sanctions altogether, or the lack of credible and/or strong enough sanctions – can potentially seriously weaken enforcement activities and therefore undermine compliance. On the other hand, Falkner and her fellow colleagues use "monitoring" to define the supervision role occupied by the European Commission, which should monitor the correct implementation, application and compliance with obligations coming from EU law. This refers, for instance, to the power of the Commission to investigate suspected breaches of EU law, to require actions from Member States to fix these situations, and to give reasoned opinions and initiate infringement proceedings if Member States repeatedly fail to fulfil these obligations. If these control by the European Commission are not carried out, enforcement of EU law might not be carried out in a proper way, thus resulting in low levels of compliance. Last, but not least, non-application refers to cases in which public administrations or, more in general, recipients of EU directives fail to apply the relevant norms when needed. Non-application could be voluntary, where actors are in open opposition with a specific policy and feel they will get away with this negligence, or rather involuntary, when for instance the relevant actors do not have access to reliable and sufficient information and therefore ignore their duties, or yet again when norms are unclear in establishing conditions for the application, or there's a lack of capacity on the recipients' side to comply with these obligations.

As it might be evident even from this very brief overview, other aspects of non-compliance are generally believed to be more difficult to investigate, both in terms of theorization and operationalisation. Compliance studies taking into account also non-enforcement and non-application do exist, with one example being precisely *"Complying with*

[11] Chapter 1, section 2.

Europe" (Falkner, et al., 2005), they are much less widespread than those focusing primarily on transposition. Nonetheless, these issues do not affect our research, which focuses on non-transposition.

1. Assessing transposition performance

As it was already extensively publicised in the previous sections of this work, the focus of this research lies exclusively in delayed transposition. This is because my interest lies primarily on the causes that are behind the incapability of the designed actors to timely translate directives into national law instruments. Particularly, I'm interested in long-term, "stickier" causes, that is, persistent elements of governance that are behind repeated delayed transposition of EU Member States. Therefore, I had the objective to build a research design that was able to exclude biases coming from occasional delays stemming from circumstantial factors. For instance, I had to exclude all delays potentially coming from a one-off overload of the public administrative machinery, or from a situation of political instability (for instance, the dissolution of the parliament, a hung parliament after the elections or a governmental crisis). I felt that the most efficient and efficient way to try and eliminate all these possible biases was to exclusively focus on long-overdue directives. Long-overdue directives are directives which deadline for transposition has expired since more than two years, and yet they haven't been correctly transposed by Member States into their national legislation. I believe that such long delays are unlikely to be due to occasional unfavourable circumstances. Unfavourable circumstances lasting more than two years should not be very frequent in history, with the possible exception of periods of particularly penetrating political instability; on the other hand, if these unfavourable circumstances are able to last more than two years, then perhaps we should start thinking about them as at least partly stemming from structural and more long-lasting features of the political systems of Member States.

Moving forward to the actual case selection process, first step of it was to find a reliable source of statistical data regarding transposition performance of directives in the European Union. I found that source in the Single Market Scoreboard, a comprehensive monitoring and information tool designed by the European Commission to collect and disseminate information regarding the management and functioning of the Single Market. As stated in the Commission's related webpage, "[i]t not only gives a performance overview for all the Member States but also covers the results that have been achieved, the feedback received and conclusions drawn, providing a basis for future action." (European Commission, 2018). Moreover, data are

conveniently organized and presented according to different criteria, such as the stage in the governance cycle, the chosen governance tool, or the selected Member State. New data for the Single Market Scoreboard are now usually released once a year, in July; this happened in 2018, 2017 and 2016. Up until 2015, data were released twice a year: April/October for 2015 and approximately February/July for 2014 and earlier years. Up until February 2013, the Scoreboard went under the name of "Internal Market Scoreboard" and was a printed report published by the European Commission (European Commission, 2016). Starting from July 2013, the Scoreboard was broadened in scope and changed name in favour of the actual one, without changing the core structure and methodology; this was also the first edition to be published exclusively online. Since the change essentially pertained to the method of publication and dissemination, and left the methodology of data collection and aggregation untouched, for the scope of this research the Internal Market Scoreboard reports and the Single Market Scoreboard data published online are exactly equivalent and perfectly comparable.

As for the legal tool monitored, the Scoreboard takes into account a large portion of European Union law, including directives. However, being the Scoreboard specifically tailored to monitor performance around the Single Market, the directives taken into account are the so-called "Single Market directives". These directives are defined as the

> *"legal measures considered to have an impact on the functioning of the internal market, as defined in Articles 26 and 114(1) of the Treaty on the Functioning of the European Union (TFEU). This includes the four freedoms (freedom of movement of persons, goods, services and capital across borders within the EU), and supporting policies that have a direct impact on the Single Market such as taxation, employment, social policy, education, culture, public health, consumer protection, energy, transport, environment (except nature protection), information society and media."* (European Commission, 2018)

Even though Single Market directives do not represent the totality of European Union directives, they still constitute a large number of EU legal acts. In any case, these directives are numerous enough to infer useful information for our research regarding trends in transposition performance in EU Member States. Moreover, the Scoreboard contains a specific section regarding long-overdue directives: each edition of the Scoreboard reports the name and number

of the long-overdue directives that haven't been transposed at the time of the publication, along with the Member States who missed the deadline and the deadline itself. This particular section represented the focus of my data collection on Member States' transposition performance.

As already said, I was interested in selecting, among all EU Member States, those with the highest number of occurrences for long-overdue directives in a given timeframe. In order to do so, I pulled together in an Excel table all occurrences of long-overdue directives reported in the Scoreboard. Since I was interested in analysing the period of time closest to the present, I started from this year's edition of the Scoreboard and proceeded progressively adding data from previous editions. After data from the first five reports being collected in the table, there was already a rather clear-cut division between some Member States with frequent occurrences and the rest of the EU countries; nevertheless, I felt the timeframe I had was definitely too short to be safely reliable and therefore I decided to keep pulling data from older reports. I ended up pulling together data from twelve Scoreboard reports, from 2018 to 2011 (therefore encompassing both the Internal Market Scoreboard and the Single Market Scoreboard), covering long-overdue directives with deadlines from 15 September 2007 to 30 November 2015. I stopped gathering data after the twelfth report because I felt that a timeframe of slightly more than eight years was a reasonable length to infer information on trends, and most importantly because the group with most occurrences of long-overdue directives that had formed after the first five report had been staying fairly untouched since then. Therefore, I felt this timeframe was providing me with a reasonable amount of reliable information to select the countries I was interested in studying.

The key figures of this process, that is summarised in the Annex (table 1), are as follows: as already said, twelve reports covering eight following years, with an overall total of 119 occurrences of long-overdue directive; of these, 66 occurrences belonged to six countries only, that ended up being my research sample. These six countries are[12]: Belgium (BE), with 15 occurrences; Poland (PL), with 14 occurrences; Austria (AT) and the Netherlands (NL), with 10 occurrences; Slovenia (SI), with 9 occurrences; Ireland (IE), with 8 occurrences. I felt that six countries were a reasonable sample, balancing manageability and width; moreover, I felt that the gap of two occurrences between Ireland and the United Kingdom (the seventh country

[12] After the country name, in brackets, is reported the two-letter country code used by Eurostat, that is also used later in this chapter and in the sample selection tables contained in the Annex to this research. The glossary explaining this system can be found on the Eurostat website: https://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:Country_codes (last accessed: 18/09/2018)

and the first to be excluded from the sample) was somehow significant for dividing the first six countries from the rest.

While selecting the sample, following the process described above, I also noticed that sometimes the same directive was reported as overdue for the same country in more than one following Scoreboard edition: this is because the Member State in question had failed to transpose the directive (after they were already flagged up as long-overdue) for longer periods than those elapsing in between two consecutive Scoreboard editions. Since I'm interested in structural factors behind delayed transposition, this factor didn't constitute an issue *per se* for my research: indeed, the fact that a Member State had repeatedly failed to take effective action and transpose a specific directive which was already long-overdue is as interesting (if not more) for my research as a Member States securing a new long-overdue directive every year.

Nevertheless, while the repetition of the same directives across following reports was not an issue in principle, it was still affecting the total of occurrences per each Member State. And still, while the exact number of occurrences was not a variable to be investigated as such, it was still the means through which I was selecting my cases to carry out my research on. Therefore, I had to make sure that the repetition was not biasing my sample selection: in order to do so, I had to make sure that the samples selected with and without taking into account the same directives more than once were not significantly different from each other. In order to do so, I redid the exact same process on the same twelve reports, taking into account only the first occurrence for each directive in the same Member State and ignoring the following ones (if any)[13]. The outcomes, summarised in the Annex (table 2), are as follows: for a total of 84 occurrences, 44 (more than half of them) belong to the first seven countries with more occurrences overall; the first six were those already selected with the first method, with the sole addition of Germany (DE), which now witnesses the same number of long-overdue directives (five) of Ireland, Austria and Slovenia.

In my opinion, this slight change in the sample is minimal in its significance and the possibility to change the research sample according to this new result should not be taken into

[13] For the earliest report taken into account (September 2011), I cannot make sure that the occurrences mentioned are the first for each directive contained there; in fact, the very same directive could have been signalled as long-overdue in previous reports. Checking this potential issue would have meant looking into an earliest report, thus pushing the limit of the timeframe (and the problem of checking first occurrences) a little bit further each time. Therefore, given the little number of occurrences reported in that Scoreboard edition (two) and given that these occurrences do not imply meaningful changes to the groups already coming out after pulling out data from the previous report, I felt it was safe enough to count both of them as first occurrences without further investigating.

account. In fact, with the first method (that is, including repetitions) Germany was having the same number of occurrences (five), which is quite far from the score of eight of the last country in the sample, Ireland. Moreover, one occurrence is particularly problematic for Germany (darker shaded cell in table 1 – Annex), and, after a deeper analysis, I feel this case pertains more to incorrect transposition than it does for delayed transposition[14]; if this feeling could be proven correct, total occurrences for Germany would be down to four. For all the reasons listed above, I then decided to maintain the research sample as it resulted from the first selection process: Belgium, Poland, Austria, Netherlands, Slovenia, Ireland.

As already extensively described in previous sections of this research, I am interested in investigating and comparing the bureaucracies and quality of bureaucracy of countries with same transposition performances, in order to assess whether quality of bureaucracy could be able to meaningfully affect transposition outcomes. Needless to say, I'm particularly interested in trying to find similarities in countries with frequent and long-lasting transposition delays that could be able to explain the recurrence of said delays. However, while the main comparison is to be carried out within the group with highest transposition delays, I am also aware of the need to check the potential similarities I could find against some sort of "control group" with opposite transposition performance, in order to assess whether said similarities are just a mere coincidence or could realistically be able to influence transposition. For this reason, I selected as control group the countries securing zero occurrences of long-overdue directives in the timeframe considered. It might seem superfluous, but I still believe it is worthwhile to underline that in this case it doesn't matter whether we take or not into account repetitions of the same directive, since the final result for these Member States will always be zero. The sample is therefore composed as follows: Denmark (DK), Greece (EL), Malta (MT), Portugal (PT) and Slovakia (SK).

In the following sections of these research, these two groups will be addressed as group one (high number of transposition delays) and group two (zero transposition delays). These expressions do not immediately recall the performance levels of the countries they comprise,

[14] As reported by the corresponding Scoreboard report (February 2014) "the deadline for transposition for Directive 2006/24/EC was 15 September 2007. In January 2008, Germany notified a transposition law which was repealed by the German Constitutional Court on 2 March 2010. This last date here is used as transposition date for Germany." (European Commission, 2014). If transposition was carried out correctly, there is, respecting all constraints resulting from national legislation, this directive would have never been reported as long-overdue, even if transposition did occur with a (short) delay.

and thus they might create some confusion at first on what they stand for. On the other hand, their undoubted neutrality shields us from the potential tendentious language and judgemental expressions that could be used when mentioning directly performance levels of countries inside groups. This is why I prefer risking to be a bit less clear instead of being tempted to use expressions such as "the best/worst performers". The scope of this research is to try and investigate causes behind transposition delays and provide a contribution to the academic debate, and not providing personal moral judgements on EU Member States on the basis of their transposition performances.

2. Adapting quality of bureaucracy

As already highlighted earlier, the focus of the comparison between selected EU Member States lies on the quality of their bureaucracies. In order to assess quality of bureaucracy, we need to operationalise quality and find some proxies and indicators that could provide us with meaningful information on the functioning of public administrations. We already mentioned that the operationalisation carried out by Maria Tullia Galanti in her paper (Galanti, 2011) suited our research design; we also mentioned however the need to put in place some adaptation to better tailor the operationalisation put forward by her to fit our research scope and design.

The main objectives in this revision work was to replace some proxies and indicators that were no longer produced (or produced with a suitable methodology for our purposes) or that were produced for a set of countries that did not match our sample selection. Moreover, in cases when there were multiple sources providing data on the same proxies, we chose the one with most recent data available, to always have the most recent statistical data on which to ground our observations and conclusions. The new operationalisation is presented in table 1 below, and a brief explanation for proxies and indicators selected and the reasons behind the selection are provided in the following pages.

Table 1: *Adapted operationalisation for quality of bureaucracy*

Dimension of quality	**Proxies and indicators**
Structural differentiation	• Territorial distribution and organisational structure of local government
Ability in the management of resources	• Total general government expenditure as a percentage of GDP • Total general government revenue as a percentage of GDP • Total local government expenditure as a percentage of GDP • Total local government revenue as a percentage of GDP • Net lending (+)/ Net borrowing (-) of the general government sector as a percentage of GDP • General government consolidated gross debt as a percentage of GDP • Employment in general government as a percentage of total employment • Compensation of employees of central government, payable, as a percentage of GDP
Competence	• Extent of the use of performance assessments in HR decisions in central government • E-Government Development index • Innovation in central/federal government human resource management frameworks, strategies and programmes
Accountability and responsibility	• Use of performance budgeting practices at the central level of government • Extent of the use of performance-related pay in central government
Autonomy from the political power	• Government effectiveness • Staff turnover with a change of government
Openness	• Corruption perception index • Control of corruption • Main policy objectives of open government reforms • Stakeholder engagement in developing primary laws • Minimum periods, openness and response mechanisms for stakeholder engagement

As showed in the table above, each dimension will be analysed according to a specific set of proxies and indicators specifically chosen for this research design. While some of them come directly from the operationalisation put forward by Galanti, many others have been changed.

For the dimension pertaining to structural differentiation, we found no specific indicator to observe; indeed, we found that the best way to observe the degree of structural differentiation was to focus on the organisation of local government. Therefore, our analysis for this dimension will focus on the territorial and hierarchical distribution of levels and units of local government, with a special attention for the relationship between the different levels and units.

For the second dimension, we decided to take into account many different indicators, to be divided into two distinct groups. The first group refers to general macroeconomic performance of general government, and it is comprised of many "traditional" indicators used in research, such as government expenditure and revenues (both for the general government and for the local government) and general government gross debt. The second group focuses more on bureaucracy in the narrow sense, trying to capture the size of public administration in terms of employment and of compensation of public employees.

As for the third dimension, that of competence, three different proxies are provided. The first one is the extent of use of performance assessment in decisions concerning human resources, that should help in avoiding discretionary choices and therefore favour the selection of personnel with good skills and appropriate level of competence. The second one is the E-Government development index, which should be able to capture the level of adaptation of public administrations to the new needs of citizens and new possibilities offered by the changing technologies. The third one is the innovation in various aspects of human resources management in central and local government, which should offer an overview of the capacity of public administrations to adapt the way they manage their personnel to accommodate changing needs and challenges and therefore respond with dynamism to the evolution of tasks that bureaucracies are required to perform.

The fourth dimension of quality, focused on accountability and responsibility, relies on two indexes. The first one is the extent of the use of performance budgeting techniques in central government: this essentially takes into account to which extent countries make use of performance information when allocating resources to specific units of the administration, in ordure to promote responsibility and efficiency. The second index captures the extent to which countries make use of performance-related pay in the remuneration for employees. Performance-related pay is a tool that allows remuneration to be at least partly determined (that is, increased or reduced) according to the success or failure in achieving given performance targets, thus promoting responsibility among civil servants.

The fifth dimension, dealing with autonomy from the pollical powers is evaluated through two main proxies. The first one is government effectiveness, a composite indicator built by the World Bank that takes into account the autonomy of bureaucrats from politicians, but also other aspects such as the quality of policy formulation and the credibility of government commitments. The second one is a qualitative proxy based on a survey, aimed at assessing the magnitude of administrative staff turnover after a change in government. This is aimed at capturing how much changes in the political majority are able to influence the composition of administrations, with a special attention to top management positions.

The sixth and last dimension, that of openness, relies on five proxies and indicators. The first two deal directly with corruption, more specifically with its levels as perceived by citizens, businesses and experts. This is to assess the magnitude of potentially dangerous relationships between citizens and bureaucrats that could enable the use of bureaucratic power to pursue private interests. The third and fourth indicator and proxy pertain to stakeholder engagement, which is a crucial part of openness and it is also crucial to keep administrative action focused on the public interest. The first indicator is a global evaluation on quality and effectiveness of stakeholder engagement, composed of four basic dimensions: methodology, oversight, systematic adoption and transparency. The second proxy is a collection of qualitative evidence on the frequency with which people can freely engage in public consultations and whether administrations have the duty to publish comments on the response received by users during public consultation. The fifth and last one proxy for this dimension is a qualitative measure of whether countries carry out open government reforms, and with which policy objective they do so; this is to assess whether they value openness as a value per se that can be pursued as such, or if they believe it to be mostly a means to achieve some other policy objective.

The proxies and indicators selected for this operationalisation are elaborated and provided for by different institutions, such as Eurostat, the United Nations (UN), the Organisation for Economic Co-operation and Development (OECD) and the World Bank. Generally, for obvious reasons, we tended to avoid choosing indicators and proxies with incomplete datasets; nevertheless, sometimes the indicators were so relevant for our research purposes that we decided to include them in our analysis despite the lack of data. This lack generally includes incomplete time series or missing answers from surveys, but can also mean this systematic exclusion by definition of one of more countries for the dataset: this is particularly true when using proxies and indicators provided for by the OECD, which never

include Malta in their statistics since it not a member of the OECD. In these cases, while adding the missing information by retrieving data from relevant institutions (such as the National Statistical Office) would in theory have been possible, it would have created issues of consistency and comparability between data, due to the likely presence of different methodologies used by different sources. Moreover, in some cases data presented are results of surveys to experts, and it would have been impossible to add the missing information without carrying out the same survey; however, we have neither the capacity nor the time to carry out such an activity. Therefore, as a general rule we tried to avoid incomplete datasets altogether wherever possible; in the eventuality in which there was no other solution, we accepted to use them to ground our conclusions, but bearing in mind this limitation. A small disclaimer specifying which data are missing and how they could (potentially) affect our conclusions is provided wherever relevant when summarising observations around each proxy or indicator.

It is also worth underlining noting that many indicators do not refer to absolute values, but rather to relative terms, usually expressed as percentages of other values. For instance, all macroeconomic indicators are expressed as percentages of GDP, and employment in general government is expressed as a percentage of total employment. This is necessary in order to be able to carry out cross-country comparisons; in fact, presenting this data in absolute terms would have little sense, since it would be impossible to compare countries and infer trends. However, the downside for this is that changes in figures are not only expression of changes in values of the main indicator (for instance, public employment), but also of the broader value of which they're expressed as a percentage of. To give an example: a change in figures for public employment might occur even if there has been no change in the absolute numbers for public employees, but just because the general employment level has changed in absolute terms. This is a limitation of many indicators we decided to use in our analysis and a factor that might somehow influence our observations; nevertheless, it is an unavoidable risk that we have to accept in order to conduct cross-country comparisons.

Chapter 3: Analysis and comparison of bureaucracies

This chapter aims at providing a comprehensive analysis of quality of bureaucracy for countries in group one and group two, as identified in the previous chapter. The analysis builds on proxies and indicators as identified in table 1 above, trying to assess possible similarities for countries belonging to the same group, or differences between the two groups. The chapter will be divided into six sub-sections, one for each dimension of quality, thus dividing the analysis according to the specific dimensions for more clarity.

In order to carry out the analysis, many tables with data will be presented. In all tables, groups will be clearly distinguished from each other by a bold line, that will also separate groups from averages or other such data. Moreover, countries forming groups will be presented in two different orders. While countries from group one will be ranked according to number of transposition delays, from top (highest occurrence) to bottom (lowest occurrence), countries in group two will be presented according to an alphabetical order. This inconsistency between the two groups in the criteria of presentation of countries is outweighed by the functionality of keeping group one in order of transposition performance: indeed, this should allow us to immediately detect a potential link between the proxies/indicators, the dimension of quality resented and the transposition performances.

As for data presented, tables will, wherever possible, include averages from relevant aggregate of countries (that could be the European Union, the Eurozone, OECD countries or other relevant regional aggregates) in order to have benchmark values to complement the analysis. In cases of indicators composed by a single value (that is, when there's no time series available for a given indicator), data will be the most recent available; in case of time series, data will go from the most recent figure available back to a relevant amount of time, up to a

maximum of ten years. In any case, tables would never include figures from before 2007, which is the year of the earliest deadline for transposition present in the reports used to build our sample of Member States. Moreover, as a general rule, figures coming from 2007 are generally avoided, especially when they pertain to macroeconomic indicators. This is because they belong to the period before the economic crisis and could be part of trends that could be no longer visible, therefore driving the analysis to somehow biased conclusions.

We recognise that in some cases line graphs would have been useful to better highlight trends and variations for certain types of data; however, we also recognise that such graphs would have negatively affected clarity in the presentation of data, given the high number of lines to be represented (usually more than 10). Therefore, we decided to present data into tables with figures, giving up some immediateness in favour of more clarity and precision.

1. Structural differentiation

As already briefly described before, the dimension of structural differentiation deals with the organisational structure of the administration. It refers primarily to the functional division of work amongst administrative units, their relationship with each other and the coordination between their actions. The organizational structure and the links between single units is crucial for quality of administration: as very well noted by Galanti, "a highly-differentiated administrative system where the different parts do not communicate is a fragmented system that will be unlikely to perform well" (Galanti, 2011, p. 9).

There are several paths that can be followed to try and map the organizational structures of bureaucracies. One of them, for instance, consists in looking at sub-national forms of government and their competencies and relationship with the central government. In academic research, many categorizations and models have been advanced to group countries according to their local governmental structure. For instance, Kersting and Vetter have categorised countries into three types: the Franco-southern one (comprising Belgium, Greece, Portugal among others), Anglo-Saxon type (Ireland, among others), and the Northern and Middle European group (Denmark, Austria, the Netherlands and others). This categorization is grounded on divisions occurring according to specific features, namely the constitutional status of local authorities and the control exerted by central government on their day-to-day activities (Kersting, et al., 2013). However, many models, including this one, do not suit our research purposes and do not provide us with useful information to detect similarities in quality of governments for our selected Member States. For instance, according to the Kersting/Vetter

model countries in our countries end up being split in two or three distinct categories, with no particular trend to be highlighted; moreover, many of our selected countries get left out (namely, Malta, Poland, Slovenia and Slovakia), since the model is mostly tailored for Western and Central European countries.

Given the impossibility we found in relying on many models of categorization we encountered in literature, we decided to autonomously conduct a more detailed analysis country by country, specifically looking at each national local government system. The findings are extensively presented in the following pages, but also summarised in the Annex (table 3).

1.1 Belgium

Political power in Belgium is essentially divided into three levels:

1. The federal government, Brussels-based;
2. Three language communities: Flemish Community (*Vlaamse Gemeenschap*), French Community (*Communauté française*) and German-speaking Community (*Deutschsprachige Gemeinschaft*);
3. Three regions: Flemish Region (*Vlaams Gewest*), Walloon Region (*Région wallonne*), Brussels-Capital Region (Dutch: *Brussels Hoofdstedelijk Gewest*; French: *Région de Bruxelles-Capitale*).

The federal government, Communities and Regions all have separate parliaments and governments, with the exception of the Flemish Region who merged the two institutions into a single one in the 1980s. Therefore, Belgium counts a total of six parliaments and six governments; they are independent in their own areas of competence, but very often they are interconnected by mutual representation exercised by their members (for instance, ministers of one region serving as ministers in the corresponding language community, etc.). Regions have a very wide array of competences, with authority in fields connected to their territory; the Constitution also allows them to conduct their own foreign policy, by foreseeing the signing of treaties on subjects falling under their competences (art. 167 Const.).

Both the Flemish Region and the Walloon Region are divided into five provinces each; the Brussels-Capital Region has no provincial sublevel. Belgium also possesses the municipal level of administration, counting a total of 589 municipalities (Dutch: *gemeenten;* French: *communes*); these are also often divided into several sub-municipalities. Mayors in the Flemish region and in Brussels are appointed by the respective regional governments, while in the

Walloon Region mayors are indirectly elected through preferences voting at the municipal elections.

1.2 Poland

The upper level of local government in Poland is represented by voivodeships (*województwa*), which are generally assimilated to provinces. Until 1998 there were 49 voivodeships, but the local government reform entered into force in 1999 reduced them to just 16 bigger voivodeships. The political power in these administrative units is shared between a governor appointed by the central government and an elected assembly; the assembly also elects a marshal, who represents the head of the executive board of the voivodeship (Regulski, 2003). Below the voivodeships/provincial level we find 380 counties (*powiats*); of these, 66 are cities that have been granted county status due to their notable size. The smaller administrative unit in Polish local government in represented by the 2478 municipalities (*gminas*). All municipalities, including cities with *powiat* status, have an elected assembly and a directly elected mayor.

1.3 Austria

Austria is a highly centralised federal state, where the Constitution explicitly mandates for a close tie between the central government and the federate states (Casini, 2009). The Austrian territory is divided into nine federate states (*Bundesländer*), which possess very few legislative powers compared to the federal government. Moreover, federate states are financially dependent on the central government, since they have very limited powers to levy their own taxes in order to finance their activities. Below the federate states level, the national territory is divided into 79 districts (*Bezirke*) and 15 statutory cities (*Statutarstädte*), which are municipalities vested with both municipal and district administrative powers in reason of their population size. Districts are mere administrative divisions, so they do not directly hold elections, instead, their officials are nominated by the Federate governments. Districts are furtherly subdivided into 186 municipalities (*Gemeinden*).

1.4 Netherlands

The Netherlands have no regional level. The immediate lower division under the central government is that of provinces (*provincies*): there are twelve provinces, each governed by a King's Commissioner (called Governor in the Limburg province, but entrusted with the exact

same tasks). They have competences in matters directly concerning their territories, such as for instance public transportation, environment, infrastructures, etc. Nevertheless, they mainly depend on the central government for their financing, with only very little funding coming from a few locally collected taxes. The Caribbean Netherlands, being not a part of mainland Netherlands, are not a part of any province. Provinces are further divided into municipalities (*gemeenten*), of which there are 380. Mayors are not elected, but instead appointed by the national government. The country also possesses 24 water districts (*waterschappen*), directly elected every 4 years and having direct powers concerning water management.

1.5 Slovenia

Slovenia has essentially only one local government level, consisting in the *ensemble* of the 212 municipalities (*občine*); eleven of them have been granted the urban status, implying a greater autonomy from the central government, in reason of their population size. Municipalities have an elected assembly and a directly elected mayor, and are usually further divided into districts and local communities. The Slovenian territory is also divided into administrative districts (62 in total), often referred to as Administrative Units (*upravne enote*); however, they merely represent local divisions of the central government, with no further specific functions or features, mostly serving as statistical units for some purposes.

1.6 Ireland

The Irish Republic used to have 8 regional authorities, which came into existence in 1994 with a two-fold purpose: promoting the coordination of public service provision, main responsibility of a body called Operational Committee, and monitoring the delivery of European Union Structural Funds assistance to the regions, mostly carried out by the EU Operational Committee. Given their features and functions, these administrative units were mostly executors of national policies under close ministerial control, and thus had a very little degree of political autonomy from the centre (Delcamp & Loughlin, 2003). Regional Authorities members were not elected but nominated amongst elected members of local authorities; members of both Operational Committees (advisory bodies) were selected among senior managers of local authorities. These Authorities were dissolved by the 2014 administrative reform and were replaced by three regional assemblies: Eastern and Midlands, Southern, and Northern and Western.

The 2014 Local Government Reform Act also modified the lower levels of local government. The traditional Irish system of 26 counties was reorganised into a 31 local authorities' network, comprising the county councils of the traditional 26 counties, two city and county councils (Limerick and Waterford) and three city councils (Dublin, Galway and Cork). Below this level we find the municipal districts, which replace since 2014 the pre-existing system of town councils.

1.7 Denmark

Up until 2007, the Danish territory was divided into 16 counties (*amter*), of which three were municipalities with county status. Following the 2007 administrative reform, counties were abolished and replaced by five regions (*regioner*). Regions benefit of a limited financial capacity, since they are indirectly financed through central government and municipal taxes, without having the competence to levy their own taxes. Moreover, they have to give back resources that haven't been spent and they cannot reshape their budget by allocating resources for purposes different from those initially stated. On the other hand, regions benefit of some political autonomy, since they possess specific competences on subjects related to their territory, with the most important being public healthcare services.

The 2007 reform also cut the number of municipalities (*kommuner*) from 270 down to 98. Contrary to regions, municipalities enjoy a greater degree of autonomy: in fact, the Constitution grants municipalities the right to manage their own affairs independently (art. 82 Const.). However, this autonomy is still subject to the supervision of the central government.

1.8 Greece

The Greek system of local government underwent a great reform project in 2011 (Kallikratis plan), which split local governments into two levels: regional and municipal. The country is now divided into 13 regions (*peripheries)*, who took up many of the functions of the pre-existing prefectures; in fact, before 2011 regions were complementary administrative units to the prefectures. The government-appointed general secretary that was at the head of pre-reform regions was then substituted by an elected regional governor, ruling together with an elected regional council. Regions are further split into 74 regional units (*perifereiakés enótites*), mostly respecting the previous prefectures' borders; regional units are headed by a vice-regional governor coming from the same political majority as the regional governor. Below the regional

level there are 325 municipalities (*dímoi*), directed by an elected mayor and an assembly, and further divided into municipal units and then communities below them.

There also exist a third administrative level, comprised by decentralised administrations (*apokentroménes dioikíseis*): this was created in 2011 as a body exercising devolved state powers. These units enjoy administrative and financial autonomy from the central government and are invested with the power to supervise both regions and municipalities. They are run by a government-appointed general secretary and an advisory council comprised by representatives of both regions and municipalities.

1.9 Malta

The Maltese territory is divided into five regions (*reġjuni*), each one having a regional committee holding the executive and legislative power. There exist also 68 localities (assimilated to municipalities), governed by directly elected local councils (*kunsilli lokali*); the mayor is the leader of the majority party in the council. Municipalities carry out very few specific duties for the central government and are responsible for a very limited array of tasks strictly related to their territory. There exist also a sub-level of 16 so-called "hamlets", meaning towns which are part of largest local councils but they also have their own independent administrative committee. There are also six districts, as an intermediate level between regions and municipalities, but they serve as mere statistical units.

1.10 Portugal

Mainland Portugal is divided into 2 metropolitan areas (Lisbon and Porto) and 21 intermunicipal communities (*comunidades intermunicipais*); metropolitan councils and intermunicipal councils are formed by presidents of the municipal chambers. Those bodies can be described as free associations of municipalities recognized by the law, to which said municipalities transfer some of their competences that pertain to their territory. The Portuguese territory (including the autonomous regions of the Azores and Madeira) is further divided into 308 municipalities (*concelhos*), with an elected municipal assembly. Municipalities are also furtherly divided into 3092 civil parishes (*freguesias*), whose presidents are also part of the municipal councils.

1.11 Slovakia

The Slovak territory is divided into eight regions (*krajov*) and eight self-governing bodies (*samosprávny kraj*), which refer to the same territory. The main difference is that while for the *krajov* the bodies are all appointed by the government, the self-governing bodies (constituted by an assembly and a chairperson) are democratically elected. Therefore, self-governing regions enjoy a moderate degree of autonomy from the central government. Regions are further divided into 79 districts or counties (*okresy*). Districts are then divided into 2890 municipalities (*obcí*), governed by an elected council (entitled with legislative powers) and a mayor, holding office for a four-year term.

From this overview of local governments in our selection of Member States, it appears difficult to identify a clear-cut division of features for the two groups. First, we have to note that both groups are very heterogenous in terms of demographics: for instance, Malta is at the same time the smallest EU Member State and the one with the highest population density, and Poland and Greece are the only two countries above the threshold of 100.000 km^2. Moreover, the Belgian local government has to accommodate the needs and demands of three distinct communities speaking three different languages. Therefore, the structure and organisation of local governments in selected Member States is asked to respond to very diverse needs and functions. Nonetheless, there are some matters arising from the analysis of local governments that is worth noting here.

First of all, for all countries in group two the administrative level immediately under the central government has either a limited degree of autonomy from the centre (Denmark and Malta) or shares competences and territory with other government-controlled bodies (Greece and Slovakia). This remains somehow true also for Portugal, where intermunicipal communities and metropolitan areas do not depend directly from the central government, but to some extent on municipalities. Indeed, these bodies are associations of municipalities who decide to transfer some of their powers (those strictly connected with the territory) at a higher administrative level, therefore leaving this upper tier of government with a limited degree of autonomy by definition. Moreover, only one country (Slovakia) out of five in group two possesses three levels of local government, with a meaningful administrative level between the regional and the municipal level. In addition, only two countries (Greece and Portugal) out of five attribute some administrative powers to sublevels of the municipal tier of local government. Therefore,

it seems reasonable to affirm that countries from group two share high levels of centralisation of their governmental structures.

However, it is difficult to assess whether the opposite can be said for group one. Indeed, we note that Belgium grants a very high level of autonomy to local government, with many administrative levels and sublevels, sometimes sharing territories and responsibilities. On the same footing we find Austria, another federal State in which federate States enjoy a high level of autonomy; however, Austria has a much simpler local government organisation, with only two other administrative levels below the one of *Bundesländer*. Nevertheless, all other countries in group one seem to have on the contrary a fairly centralised administration: Poland, the Netherlands and Slovenia have no regional level of government, and Ireland leaves very little space of *manoeuvre* to its regions. As for the municipal level, mixed results appear: while in Poland, Slovenia and Ireland bigger cities are entrusted with wider competencies and therefore greater political autonomy, the Netherlands grant no such privileges to their municipalities; moreover, Dutch mayors are designated by the central government, while the other three countries leave municipal government to local elections. Additionally, Slovenia has formally no other local governmental level as that of municipalities, since the administrative bodies called Administrative Units are essentially territorial offices of the central government with no special features.

2. Management of resources

It might appear superfluous to say that, in order to ensure its proper functioning and an effective delivery of services, an administration should have access to an appropriate amount of resources and have the ability to deploy them efficiently. The focus for the assessment of this dimension of quality in selected countries will be some "traditional" indicators, those often used in research such as public debt and government revenues. Moreover, the analysis will also take into account the more "human" part of bureaucracies, looking at the size of administrative staff and especially their remuneration. It is worth noting that most of these statistics all refer to "general government", which at the European level is defined as consisting "of institutional units which are non-market producers whose output is intended for individual and collective consumption, and are financed by compulsory payments made by units belonging to other sectors, and institutional units principally engaged in the redistribution of national income and wealth." (Eurostat, 2013, p. 44). This includes in the picture social security funds, in addition to central, state and local government; this does not negatively affect our analysis, since social

security funds management is still part of administrative management and therefore dutifully part of the factors determining quality of administration.

2.1 Government macroeconomic indicators

First of all, we start by looking at how much our selected Member States spend to carry out their general government activities (table 2 below).

To begin with, the figures for the European Union as a whole and the Euro area suggest that general government usually absorbs slightly less than half of the Gross Domestic Product (GDP). Moreover, we note that figures tend to increase in the first part of our reference period, reaching a peak around the year 2011 to 2013 and then decreasing again; in most cases, the most recent value (2017) is slightly lower than that for 2008, signalling a slight overall decrease in the percentage of GDP used for general government expenditures. All countries show a sharp increase and a peak in the first part of the reference period, but with different timings: 2009 was a peak for Belgium, Austria, Netherlands, Greece and Slovakia, 2010 for Poland, Ireland and Portugal, 2011 for Slovenia, 2012 for Belgium, Denmark and Malta, 2013 for Slovenia and Greece, 2014 for Portugal and 2015 for Slovakia. As evident from the table, most countries had only one peak; however, Belgium, Austria, Slovenia for group one, and Greece, Portugal and Slovakia for group two, show two distinct peaks in the reference period.

Countries from both groups show similar levels of public expenditure, generally in line with EU and Eurozone figures and trends. Belgium and Austria (group one) and Denmark and Greece (group two) present very similar levels and patterns of expenditure, consistently above both EU and Eurozone levels; however, Greece has a slightly more differentiated temporal trend, with a sudden peak in 2013 (over the 60% of GDP threshold) and a steeper decrease after that, allowing Greece to be the closest of these four countries to the Euro area average for 2017. Poland, the Netherlands and Slovenia for group one, and Portugal for group two present similar figures and temporal patterns, however being slightly below the Eurozone average; Portugal is the closest to the EU average levels for the reference period. On the other hand, Ireland, Malta and Slovakia present rather different features. Ireland was quite below the EU average in 2008, and witnessed a very high isolated peak in 2010 (above the 60% of GDP threshold, the only other occurrence other than that of Greece in 2013) and then a very sharp and steady decrease for the following years, hitting 26,1% of GDP in 2017, the lowest level of expenditure for the selected Member States and almost half the Eurozone average for that year. The steep decrease is likely to be a product of a series of public services reform plan, starting in 2011, and of the

Local Government Reform Act in 2014. As for Malta, 2008 levels were slightly lower than EU average, but the expenditure in the country remains essentially stable throughout the reference period, with just one small peak in 2012 were, after a slight decrease, level of expenditure was back at 2008 levels. Having not had a significant increase during the reference period, the overall decreasing trend for public expenditure has had a particular effect on Malta, which level of expenditure for general government is now the second lowest in our sample, below the 40% threshold. Finally, Slovakia has had an overall increase in the levels of expenditure in our reference period, contrary to all other countries who witnessed a decrease. The country experienced two peaks in expenditure levels, in 2009 and 2015; while in 2008 it was the Member State in our sample with the lowest expenditure, below the 40% threshold, other figures in the reference period are more in line with EU averages, and the value for 2017 is slightly above the 40% threshold, therefore showing Slovakia has got closer to the EU average expenditure than it was in 2008.

The analysis for this indicator does not provide for clear similarities or differences in groups. Group one has a higher overall consistency, with three countries (Poland, Netherlands and Slovenia) closely following EU average levels from below, two (Belgium and Austria) following the EU trends from above, and one (Ireland) with a more diverse pattern. On the other hand, group two includes the country with the highest overall level of expenditure (Denmark) and two with systematically very low levels of expenditure (Malta and Slovenia), as well as one country perfectly in line with EU values (Portugal) and one with high expenditure and a slightly more mixed pattern (Greece). The information gathered from the analysis of this indicator thus do not provide for clear conclusions.

Table 2: *Total general government expenditure as a percentage of GDP, 2008-2017. (Source: Eurostat, Government Finance Statistics (gov-10a-main). Last update 16/08/18, data extracted 20/08/18.)*

GEO/TIME	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
European Union (current composition)	46,2	50,1	49,9	48,6	48,9	48,6	48,0	47,0	46,3	45,8
Euro area (19 countries)	46,6	50,7	50,6	49,2	49,8	49,8	49,2	48,3	47,6	47,1
Belgium	50,3	54,2	53,3	54,5	55,9	55,8	55,2	53,8	53,2	52,2
Poland	44,3	45,0	45,8	43,9	42,9	42,6	42,3	41,6	41,1	41,2
Austria	49,9	54,1	52,8	50,9	51,2	51,6	52,3	51,0	50,6	49,1
Netherlands	43,6	48,2	48,2	47,0	47,1	46,3	46,2	44,9	43,4	42,6
Slovenia	43,9	48,2	49,3	50,0	48,5	59,5	49,9	47,7	45,3	43,1
Ireland	41,8	47,0	65,1	46,3	41,9	40,2	37,6	28,9	27,1	26,1

Denmark	50,4	56,5	56,7	56,4	58,0	55,8	55,2	54,8	53,6	51,9
Greece	50,8	54,1	52,5	54,1	55,7	62,3	50,2	53,8	49,5	48,0
Malta	42,6	41,9	41,1	41,2	42,7	42,0	41,3	40,1	37,1	36,5
Portugal	45,3	50,2	51,8	50,0	48,5	49,9	51,8	48,2	44,9	45,9
Slovakia	36,9	44,1	42,1	40,8	40,6	41,4	42,0	45,2	41,5	40,4

Similar considerations seem to remain valid also when looking at total general government revenues (table 3 below).

Figures for the European Union as a whole and the Euro area suggest that revenues for general government are usually around 45% or even less of GDP. Also in this case, we note that figures tend to slowly increase in the first part of our reference period, reaching a peak around 2013 and then start slowly decreasing; however, contrary to expenditures, for revenues the overall trend in the reference period is positive, with the most recent EU and Eurozone averages (2017) being slightly higher than values for 2008. However, selected countries show different overall temporal trends here: Belgium and Slovenia for group one, and Greece, Malta, Portugal and Slovakia for group two show an overall increase in revenues, with Greece and Slovakia witnessing the most significant changes (+8.1% GDP and +4.9% GDP respectively in 2008-2017); Austria and Netherlands for group one and Denmark for group two remains substantially unchanged, with changes smaller than 1% GDP; on the other hand, Poland and Ireland (group one) go against the shared positive trend, with Poland scoring a slight reduction (1,1% GDP) and Ireland witnessing instead a sharp reduction (-9,2% GDP). Most countries show a small but sudden decrease between 2008 and 2009, with the exception of Austria (group one) and Slovakia (group two) who had a slight increase in values, and Slovenia (group one) and Denmark and Malta (group two) who remained substantially unchanged. Almost the totality of the selected Member States had a peak in revenues in 2013, with the exception of Poland (2011) for group one and Malta (2014) and Slovakia (2015) for group two; Slovenia (group one) and Greece (group two) also had another small peak in 2015.

Countries from both groups show similar levels of public expenditure, generally in line with EU and Eurozone figures and trends. Belgium and Austria (group one) and Denmark (group two) present similar levels and patterns of expenditure, consistently above both EU and Eurozone levels; however, Austria has had a very light increase in the reference period, therefore it reduced the positive distance above the EU average. Moreover, Greece shows a 2017 figure slightly above the Eurozone average (+2,6% GDP) but it worthwhile to underline

that it had started in 2008 almost 4% GDP under the Eurozone average, therefore scoring a considerable increase in revenues in the reference timeframe. The Netherlands and Slovenia (group one) show trends and values very close to those of the European Union average; Portugal and Malta (group two) show a trend similar to EU averages, but with figures consistently below the average line. On the other hand, also for revenues Ireland, Malta and Slovakia present rather different features. Ireland was well below the EU average in 2008 (almost 10% GDP), and witnessed a very slow but rather steady reduction in the reference period, with a considerable further acceleration in the reduction in the last three years. Also for revenues, Ireland achieves the lowest level of revenues in 2017 for the selected Member States, hitting 25,7% of GDP in 2017, which is again almost half the Eurozone average for that year. Also in the case of revenues, the steep decrease is likely to be a product of public services reform plans, which started in 2011, and of the Local Government Reform Act in 2014. Finally, Slovakia has had a significant overall increase in the levels of revenues for the period 2008-2017. The country started in 2008 as the country in our sample with the lowest revenues, half a percentage point behind Ireland and ten percentage point below the Eurozone average; despite the slow but steady increase Slovak general government revenues for 2017 are still circa 7% GDP below Eurozone average, which however are values very close to those scored by Poland and Malta.

Even in the case of revenues, the analysis does not provide for clear similarities or differences in groups; if possible, this indicator shows even more mixed trends and figures. In this case, both groups show a mixed composition: group one has two countries with steadily high revenues (Belgium and Austria), two with figures close to EU averages (Netherlands and Slovenia) and two with low revenues (Poland and Ireland), with Ireland securing almost always the lowest levels of revenues amongst the countries selected in our sample. Group two shows a slightly more consistent upward trend, with four countries out of five showing an increase in revenues, and with two of them (Greece and Slovakia) scoring significant positive variations; in group two, overall change for Denmark is only slightly negative. Despite this negative variation, Denmark remains the country in our sample with the highest level of revenues for all years in the reference period, consistently above EU and Eurozone average levels; moreover, this group also includes two of the countries with lowest revenues (Malta and Slovakia).

Table 3: *Total general government revenue as a percentage of GDP, 2008-2017 (Source: Eurostat, Government Finance Statistics (gov-10a-main). Last update 16/08/18, data extracted 20/08/18.)*

GEO/TIME	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
European Union (current composition)	43,7	43,5	43,5	44,0	44,7	45,3	45,1	44,7	44,7	44,9
Euro area (19 countries)	44,5	44,5	44,4	45,0	46,1	46,8	46,7	46,3	46,1	46,2
Belgium	49,2	48,8	49,3	50,3	51,6	52,7	52,1	51,3	50,8	51,2
Poland	40,7	37,8	38,5	39,1	39,1	38,5	38,6	38,9	38,8	39,6
Austria	48,4	48,8	48,4	48,3	49,0	49,7	49,6	49,9	49,0	48,4
Netherlands	43,8	42,7	43,2	42,7	43,2	43,9	43,9	42,8	43,8	43,7
Slovenia	42,5	42,4	43,6	43,3	44,5	44,8	44,3	44,9	43,3	43,1
Ireland	34,9	33,2	33,0	33,6	33,9	34,1	33,9	27,0	26,6	25,7
Denmark	53,6	53,7	54,0	54,4	54,5	54,6	56,4	53,3	53,2	53,0
Greece	40,7	38,9	41,3	43,8	46,9	49,1	46,6	48,2	50,2	48,8
Malta	38,5	38,6	38,7	38,8	39,2	39,5	39,6	39,0	38,1	40,5
Portugal	41,6	40,4	40,6	42,6	42,9	45,1	44,6	43,8	43,0	42,9
Slovakia	34,5	36,3	34,7	36,5	36,3	38,7	39,3	42,5	39,3	39,4

Given the different organisations of local governments analysed in section 1 and following subsections of this chapter, and given the mixed results obtained by looking at general government macroeconomic indicators, we feel it is worth to look at the same indicators (expenditure and revenue) also for the local government level. Table 4 below shows total local government expenditure; in this case, we see that figures get even more nuanced.

Figures for the European Union and the Eurozone suggest that local government expenditures usually stand around slightly more than 10% of GDP. On the opposite footing of what we observed for general government, here the overall trend is that of a decrease in the overall expenditure. Even for local governments we note a peak in 2009-2010, followed by a slow but steady decrease until 2017. While countries generally follow this negative trend, some of the selected Member States show different patterns: for instance, Slovakia and especially Denmark (group two) show an overall increase in their levels of expenditure, while Belgium and Austria for group one and Greece and Malta for group two remain substantially unchanged; moreover, Ireland shows a sharp overall decrease in the expenditures, around 5% of GDP. Most countries show a small but sudden increase between 2008 and 2009. Nevertheless, some countries constitute an exception to this rule: for instance, in group one Belgian expenditures for local government peaked in 2012-2013 and Ireland shows no such peaks; for group two,

Malta shows a very small peak in 2012 and Slovakia increased expenditures in 2015; moreover, Slovenia has two equal peaks, in 2009-2010 and again in 2014.

At the opposite of what noted for general government expenditures, figures for local government tend to be very diverse amongst our selected Member States. Denmark (group two) is by far the country with the highest expenditures for local government, settling around 34% GDP for almost the whole reference period, more or less 20% of GDP more than the second-highest countries in the sample. Group two also includes the country with the lowest expenditures for local government, Malta, which figures always remain consistently below 1% GDP. The second-ranking countries as for local government expenditures are the Netherlands and Poland (group one), which follow the EU average pattern with figures securing at least +2% of GDP compared to the value for the whole European Union. Same trends as the EU average, but following from below the line, can be observed for Slovenia (group one). Austrian figures look alike the Slovenian ones, but with no substantial overall change in the reference period; Belgium shows no change but has values consistently lower (more or less -1% GDP) with respect to the Austrian ones. Ireland started in 2008 already quite below the average for the Eurozone (7% of GDP against 10% of GDP) but ended up in 2017 as being the second-lowest country in the sample as for expenditures, with only Malta securing a lower figure. Portugal, Slovakia and especially Greece (group two) all remain considerably below the average values observed in the European Union.

As evident from what it has been underlined in previous paragraphs, not even this indicator is able to provide for clear-cut differences between the two groups. What we can observe is that group two includes both the country with the highest expenditure and the one with lowest expenditures (Denmark and Malta, respectively), while the others three all possess quite low levels of expenditures. Group one shows a lower degree of internal difference between countries, but still it is difficult to see a clear consistence in patterns of expenditure among these Member States.

Table 4: *Total local governments expenditure as a percentage of GDP, 2008-2017 (Source: Eurostat, Government Finance Statistics (gov-10a-main). Last update 16/08/18, data extracted 20/08/18.)*

GEO/TIME	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
European Union (current composition)	11,3	12,1	11,9	11,6	11,6	11,4	11,2	11,0	10,8	10,7
Euro area (19 countries)	10,0	10,8	10,6	10,2	10,1	10,2	10,1	9,9	9,8	9,6
Belgium	6,8	7,4	7,2	7,4	7,6	7,6	7,4	7,2	7,1	7,1
Poland	14,1	14,5	15,0	14,0	13,3	13,1	13,3	12,8	12,9	13,3
Austria	8,1	8,7	8,6	8,2	8,3	8,5	8,5	8,5	8,5	8,3
Netherlands	14,8	16,4	16,2	15,5	15,1	14,2	13,9	14,3	13,8	13,4
Slovenia	9,0	9,8	9,8	9,4	9,5	9,7	9,8	8,9	8,2	8,2
Ireland	7,0	6,2	5,4	4,8	4,2	3,6	2,9	2,2	2,2	2,1
Denmark	32,1	35,8	35,8	35,6	35,9	35,5	35,3	34,9	34,8	34,2
Greece	3,6	4,1	3,8	3,1	3,3	3,6	3,3	3,4	3,5	3,4
Malta	0,5	0,6	0,6	0,7	0,8	0,7	0,6	0,5	0,4	0,4
Portugal	7,1	7,5	7,4	6,8	6,2	6,6	6,0	5,9	5,7	5,8
Slovakia	6,1	7,3	7,3	6,8	6,4	6,4	6,7	7,4	6,6	6,9

As for local government revenues (summarised in table 5 below), data referring to the European Union and the Euro area show that revenues usually fluctuate around 10-11% of GDP. As observed for local government expenditure, the overall trend for revenues is negative, while in a very moderate fashion. Similarly to what we observed for expenditure, statistics report a peak for revenues in 2009-2010, followed by a slow but steady yearly reduction up until 2017. While many of the selected Member States tend to follow this descending trend, some countries show different patterns instead: for instance, Slovakia and especially Denmark (group two) show an overall increase in their levels of expenditure, while Belgium, Austria and Slovenia for group one and Greece and Malta for group two remain substantially unchanged; moreover, Ireland shows a considerable overall decrease in the expenditures, slightly less than 5% of GDP. As for trends, evidence is quite mixed: for instance, in group one Belgium and Poland show a rather flat pattern in the reference period, together with Portugal from group two; Ireland has a sharp and steady decreasing trend for the whole reference period; Malta shows a very small but persisting higher level of revenues between 2010 and 2013. Moreover, most countries show a moderate peak in values around 2008 and 2009. Nevertheless, some countries fail to respect this "rule": for instance, in group two, Austria shows a peak in the years 2014-2015 and Slovenia has higher value for revenues in 2010 and again in 2014; for group

two, Denmark peaks a bit later than other countries, in 2012-2013, together with Slovakia who shows a higher figure in 2015, and Greece for which we observe a second peak in 2013.

As we already noted for local government expenditures, and different from what we observed for general government revenues, figures tend to be very diverse amongst our two groups of Member States. Denmark (group two) is by far the country with the highest local government revenue levels, scoring around 35% GDP for almost the whole reference period, which is almost 20% of GDP more than the second-highest countries in the sample. Group two also includes the country with the lowest revenue levels, Malta, for which figures never go beyond 0,7% of GDP. The second-highest ranking countries as for local government revenues are the Netherlands and Poland (group one), which follow the EU average pattern from above, with figures systematically scoring +3/+4% of GDP more than the value for the whole European Union. Same pattern as the EU values, but following from below the average line, can be observed for Slovenia (group one). Austrian figures are very close to the Slovenian ones, but with very little fluctuations in the reference period; Belgium shows no meaningful change from 2008 to 2017 but has values substantially slightly lower (more or less -1% GDP) with respect to the Austrian ones. The 2008 value for Ireland (group one) was already rather below the average for the Eurozone (6,6% of GDP against 9,8% of GDP), but then the steady negative trend caused the country to be in 2017 the second-lowest country in the sample as for local government revenues, with only Malta presenting a lower figure. Portugal, Slovakia and especially Greece (all from group two) remain considerably below the average values observed in the European Union for the whole reference period.

Just as it was already observed for local government expenditures, this indicator does not allow us to identify clear features for our two groups and the countries within them. What we can observe, again, is that group two includes both the country with the highest local government revenues and the one with lowest levels of revenues (Denmark and Malta, respectively), while the other three countries in the group all possess quite low levels of overall revenues throughout the reference period. Group one shows again a lower degree of internal difference between the selected Member States, but it is still difficult to see a clear consistence in patterns of revenues among these EU countries.

Table 5: *Total local governments revenue as a percentage of GDP, 2008-2017 (Source: Eurostat, Government Finance Statistics (gov-10a-main). Last update 16/08/18, data extracted 20/08/18.)*

GEO/TIME	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
European Union (current composition)	11,0	11,7	11,6	11,4	11,5	11,3	11,2	11,1	10,9	10,7
Euro area (19 countries)	9,8	10,5	10,2	10,0	10,1	10,1	10,0	10,0	9,9	9,7
Belgium	7,1	7,3	7,1	7,2	7,1	7,3	7,3	7,2	7,3	7,2
Poland	13,9	13,4	13,7	13,3	13,0	13,0	13,1	12,8	13,1	13,4
Austria	8,0	8,3	8,2	8,1	8,2	8,4	8,5	8,5	8,4	8,2
Netherlands	14,1	15,5	15,1	14,9	14,6	13,8	13,6	14,1	13,9	13,2
Slovenia	8,4	9,3	9,6	9,4	9,6	9,5	9,7	9,2	8,4	8,3
Ireland	6,6	6,1	5,4	4,7	4,2	3,6	2,9	2,4	2,2	2,2
Denmark	31,9	35,2	35,7	35,7	35,9	35,8	35,5	35,2	35,2	34,4
Greece	3,6	4,1	3,5	3,3	3,6	4,0	3,6	3,7	3,8	3,7
Malta	0,5	0,6	0,7	0,7	0,7	0,7	0,6	0,6	0,4	0,4
Portugal	6,5	6,7	6,6	6,7	6,7	6,8	6,3	6,3	6,1	6,1
Slovakia	6,1	6,6	6,4	6,6	6,5	6,6	6,6	7,6	7,1	6,9

Another "traditional" macroeconomic indicator, closely related to the ones already observed and yet still worth having a look at, is net lending/net borrowing, which is essentially the calculation resulting by subtracting expenditures from revenues. Statistics pertaining to this factor are collected in table 6 below.

For starters, figures for the European Union and the Eurozone show a constant deficit situation in the reference period, with a negative peak in 2009-2010 and a general recovery trend in recent years. Overall, in both geographical clusters the most recent figures signal a smaller deficit than those recorded in 2008. Many countries in our sample follow this positive growing trend; however, some of them show different behaviours instead. For instance, the Netherlands (group one) and Denmark (group two) are the only two countries that were not in deficit in 2008 and still managed to avoid deficits in 2017; however, while the Netherlands saw an increase in their surplus, Denmark witnessed a two-percentage point reduction on its 2017 surplus with respect to that of 2008. Moreover, Belgium for group one and, to a lesser extent, Portugal for group two had no substantial changes between 2008 and 2017 levels of deficit. Slovenia (group one) and especially Greece and Malta (group two) were able to move from deficit to surplus in the reference period; Malta saw a positive change of around eight percentage points, while Greece, starting in 2008 from the highest deficit among selected

countries, secured more than ten percentage points of positive change. Also Ireland (group one), the second-highest deficit in 2008, was able to considerably reduce its deficit, getting very close to the equilibrium (0,3% of GDP) in 2017. As for fluctuations, many countries show peaks in 2009-2010, following the EU averages; however, some countries have different observed trends. For instance, for group one Slovenia has a smaller peak in 2011 and then a very significant one (-14,7% of GDP) in 2013, while Ireland has a very significant peak in 2010 (-32,1% of GDP); for group two, Greece has a second peak in 2013 and Portugal has another second peak in 2014.

Even in this case, figures and trends tend to be rather diverse among our selected Member States. The Netherlands (group one) and Denmark (group two) appear to be the countries with smaller deficits throughout the reference period, closely followed by Malta (group two) which managed to reduce its deficit and transform it into a significant surplus from 2008 to 2017. On the other hand, Ireland (group one) and Greece (group two) have similar patterns with big fluctuations and considerable peaks, but both countries managed either to secure a surplus in recent years (Greece) or to get very close to a balance between revenues and expenditures (Ireland). Slovakia (group two) and Poland (group one) tend to somehow follow the EU average, even if they tend to have consistently higher deficits than the European average ones; Slovenia (group one) appears to have the same pattern, but with smaller deficits. All countries appear to be working towards successfully reducing their deficits, with the only (potential) exception of Portugal, which saw an increase rather than a reduction in its deficit from 2016 to 2017.

As already observed for previous indicators, and if possible even more in this case, we cannot infer useful information on countries or sample groups. Indeed, groups show a moderate degree of consistency, not only within them but also in comparison to each other. In fact, if we exclude from the table Ireland (group one) and Greece (group two), the two countries with more irregular patterns and more diverse values, we see that all other countries tend to have quite similar values, fluctuating together in quite narrow ranges from one year to another. This is also true for Greece and Ireland, that perfectly fit this scheme if we take out just the years with very diverse figures. At this point, it seems reasonable to say that this high consistency across countries from different groups is likely to at least partly result from the macroeconomic surveillance activity carried out by the European institutions, which appear to be pushing to homogenise trends and figures across Member States.

***Table 6**: Net lending (+)/ Net borrowing (-) of the general government sector as a percentage of GDP, 2008-2017 (Source: Eurostat, Government Finance Statistics (gov_10dd_edpt1). Last update 24/04/18, data extracted 20/08/18.)*

GEO/TIME	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
European Union (current composition)	-2,5	-6,6	-6,4	-4,6	-4,3	-3,3	-2,9	-2,3	-1,6	-0,9
Euro area (19 countries)	-2,2	-6,3	-6,2	-4,2	-3,7	-3,0	-2,5	-2,0	-1,5	-0,9
Belgium	-1,1	-5,4	-4,0	-4,1	-4,2	-3,1	-3,1	-2,5	-2,5	-1,0
Poland	-3,6	-7,3	-7,3	-4,8	-3,7	-4,1	-3,6	-2,6	-2,3	-1,7
Austria	-1,5	-5,3	-4,4	-2,6	-2,2	-2,0	-2,7	-1,0	-1,6	-0,7
Netherlands	0,2	-5,4	-5,0	-4,3	-3,9	-2,4	-2,3	-2,1	0,4	1,1
Slovenia	-1,4	-5,8	-5,6	-6,7	-4,0	-14,7	-5,5	-2,9	-1,9	0,0
Ireland	-7,0	-13,8	-32,1	-12,7	-8,0	-6,1	-3,6	-1,9	-0,5	-0,3
Denmark	3,2	-2,8	-2,7	-2,1	-3,5	-1,2	1,1	-1,5	-0,4	1,1
Greece	-10,2	-15,1	-11,2	-10,3	-8,9	-13,2	-3,6	-5,7	0,6	0,8
Malta	-4,2	-3,2	-2,4	-2,4	-3,5	-2,4	-1,8	-1,1	1,0	3,9
Portugal	-3,8	-9,8	-11,2	-7,4	-5,7	-4,8	-7,2	-4,4	-2,0	-3,0
Slovakia	-2,4	-7,8	-7,5	-4,3	-4,3	-2,7	-2,7	-2,7	-2,2	-1,0

Finally, the concluding macroeconomic indicator to look at is government gross debt as percentage of GDP, which figures are summarised in table 7 below. Data referring to the European Union and the Eurozone show an overall growing trend (more or less a 20% GDP growth) in the reference period considered, with values included in a range of 60% and 80% circa of GDP. Many countries follow the growing trend, even if with different intensities. For instance, in group one Belgium and Austria show an approximately 10% of GDP overall growth for gross debt, while Poland has witnessed an increase smaller than 5% GDP and, on the contrary, Slovenia scores a growth of more than 50% of GDP, almost tripling its gross debt in the reference timeframe. On the other hand, in group two Greece increased its gross debt of almost 70% of GDP, while Portugal surpassed a 50% of GDP growth threshold. On the other hand, other countries observed different trends: for instance, the Netherlands (group one) and Denmark (group two) have had a very small change in their overall gross debt in the reference period, and Malta (group two) managed to reduce its gross debt by more than ten percentage points. As for fluctuations, the average values show higher figures in 2013-2014, and this is generally reflected into statistics for single countries. However, a few exceptions are there: for

instance, Poland (group one) had a peak in 2013 but also two smaller ones in 2011 and 2016; in group two, Denmark and Malta had a very small peak in 2011.

As in the case of some indicators already discussed above, trends and values tend to be quite different among our sample countries. Some countries' gross debt managed to remain quite stable in the reference period; this true for instance for the Netherlands (group one), and Denmark (group two), but also for Poland (group one) to a lesser extent. On the contrary, other countries have had great fluctuations: this is true for Greece, Ireland and to a lesser extent Portugal, who all scored particularly high values between 2012 and 2014. For instance, in this timeframe Ireland (group one) has had a more than 25% GDP change from previous and following years, while Greece and Portugal (group two) had a 30% GDP and 15% GDP increase circa respectively from the previous year, and still haven't managed to go back to lower levels of gross debt. One country for group one (Belgium) and two countries for group two (Greece and Portugal) present 2017 values well above the EU average, with Greece scoring a level of gross debt essentially double than the Euro area average gross debt. All other countries are significantly below the EU average, with the exception of Austria which is quite close to the average value (but still below). On the other hand, we also have three countries around the 50% of GDP threshold, Poland for group one and Malta and Slovakia for group two; Denmark is the country with the lowest gross debt in 2017, with a figure (36,4% of GDP) which is less than half the average for both the Eurozone and the European Union.

Again, this indicator does not provide us with clear information on countries for the our sample groups. The two groups include four countries which had considerably high gross debt rates in the reference period, two for group one (Belgium and Ireland) and two for group two (Greece and Portugal); of these four, just Ireland managed to secure a steady reduction of the gross debt in recent years and reached a final figure in 2017 which is almost 20% of GDP below the Eurozone average. As for group one, the other four countries have more stable patterns over time, and significantly lower levels of debt in 2017, with Austria being the highest but still considerably above the Eurozone average. As for group two, all other three countries have quite stable patterns, with all countries below (or well below, in the case of Denmark) the average values for the European Union. Malta is also the only country who secured a decrease in the overall levels of gross debt in the reference period. Therefore, group two includes both countries with persistently very high levels of gross debt (Greece above all) and countries with very low levels of debt (Denmark above all); group one, on the contrary, generally shows average or below average values of debt, with the only exception of Belgium being more that 20% of GDP

above the EU average and of Ireland high but temporary values in the central years of the reference timeframe. Given these mixed results, we could reasonable state that group one shows a higher internal consistency for values of gross debt, but even this conclusion comes with some caveats that somehow reduce the significance of such observation.

Table 7: *General government consolidated gross debt as a percentage of GDP, 2008-2017 (Source: Eurostat, Government Finance Statistics (gov_10dd_edpt1). Last update 24/04/18, data extracted 24/08/18.)*

GEO/TIME	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
European Union (current composition)	60,8	73,4	78,9	81,5	83,9	85,8	86,5	84,5	83,3	81,6
Euro area (19 countries)	68,7	79,2	84,6	86,6	89,7	91,6	91,9	89,9	89,0	86,7
Belgium	92,5	99,5	99,7	102,6	104,3	105,5	107,0	106,1	105,9	103,1
Poland	46,3	49,4	53,1	54,1	53,7	55,7	50,3	51,1	54,2	50,6
Austria	68,7	79,9	82,7	82,4	81,9	81,3	84,0	84,6	83,6	78,4
Netherlands	54,7	56,8	59,3	61,6	66,3	67,8	68,0	64,6	61,8	56,7
Slovenia	21,8	34,6	38,4	46,6	53,8	70,4	80,3	82,6	78,6	73,6
Ireland	42,4	61,5	86,1	110,3	119,6	119,4	104,5	76,9	72,8	68,0
Denmark	33,3	40,2	42,6	46,1	44,9	44,0	44,3	39,9	37,9	36,4
Greece	109,4	126,7	146,2	172,1	159,6	177,4	178,9	176,8	180,8	178,6
Malta	62,6	67,6	67,5	70,1	67,8	68,4	63,8	58,7	56,2	50,8
Portugal	71,7	83,6	96,2	111,4	126,2	129,0	130,6	128,8	129,9	125,7
Slovakia	28,5	36,3	41,2	43,7	52,2	54,7	53,5	52,3	51,8	50,9

From this overview of macroeconomic indicators, what we note is that there's no clear overall distribution of features or no clear-cut differences between the two groups emerging from the analysis of raw data. Both groups possess one country which very good macroeconomic indicators throughout the different sets of data and reference periods, being Denmark for group two and, to a slightly lesser extent, the Netherlands for group one. Both groups possess one country with remarkable fluctuations in the reference period across all datasets, being Ireland for group one and, to a slightly lesser extent, Greece for group two. Other countries generally tend to follow the average values within a certain range and/or to show different trends across different indicators that do not provide for clear macroeconomic patterns.

2.2 Administrative personnel and its remuneration

When trying to evaluate the quality of public administration it is crucial to also look at the human part of it, that is, its personnel and the conditions in which it operates. While this aspect mainly represents the core of other dimensions, such as competence, it is also worth looking at the overall size of administrative staff, and the part of administrative resources that goes towards their remuneration. In fact, a public administration which is understaffed, or in which compensation for employees is not appropriate for the role they cover, it is arguably likely to possess a sub-optimal level of quality.

Looking at size of public employment (table 8 below), we see that the general average level for OECD countries stands at around 18% of the total employment; it remains essentially stable in the reference timeframe (2007 to 2015), with a small peak in 2009. However, only in few countries public employment has remained this stable: namely, Belgium for group one and Greece and Slovakia for group two. Other countries have either slightly increased their overall level of public employment, such as Slovenia and to a lesser extent Ireland for group one, and Denmark and Portugal for group two, or they witnessed a reduction in public employment, such as for instance Netherlands and to a lesser extent Austria for group one. Almost all countries tend to present a positive peak in 2009 compared to values for the other two reference years, with few exceptions: for instance, Slovenia (group one) follows a steady increasing pattern in public employment, and both Greece and Slovakia (group two) have negative peaks in 2009 compared to previous and following years.

As opposed to some indicators analysed in the previous section, here figures and trends seem to be slightly more homogeneous. Figures for Belgium (group one) remain permanently slightly above the OECD average, and the same remains valid also for Slovakia, however with a greater distance from the OECD average. Figures for Greece are mostly in line with average, and figures for Denmark remain at least a solid 10% above the OECD average. All other countries are below the average values, with Austria and to a lesser extent Slovenia (both from group one) being the closest to the average, while the Netherlands and Ireland for group one, and Portugal from group two tend to be further below the average figures for OECD. The Netherlands (group one) was and still appears to be the country among our sample with the smallest administrative personnel, while Denmark (group two) is by far the Member State in our sample that employs the largest amount of people in general government.

By contrast to what we observed for other indicators, the size of administrative personnel allows us to formulate some remarks on the selected Member States. In fact, we

recognize a general consistency of values across countries, that can, with the sole exception of Denmark's very high figures, be included in a rather narrow range. What we also note is that group one generally presents figures that are below the OECD average, with the sole exception of Belgium which however is not so far from OECD values either; on the other hand, group two tends to show figures that are above or well above the OECD values, with the sole exception of Portugal. This is also true if we look at group averages: the average value for group one in 2007 is 15,7% GDP and that of 2015 is 15,9% GDP, that is a couple of percentage points below the average; on the contrary, figures for group two are 20% GDP in 2007 and 20,4% GDP for 2015, thus being a couple of percentage points above the OECD average values. Even if we exclude Denmark very high figures from the calculations, we still note that the three remaining countries score an average for 2007 of 17,3% GDP and 17,5% GDP for 2015: these values now appear to be slightly below the average for OECD, but they are both more than one and a half percentage point higher than those observed for group one. Therefore, we can conclude that, however, narrow, there is a clear difference in between the two groups, with group one generally having a smaller percentage of public employment. Nevertheless, this observation must take into account the fact that the dataset does not report figures from two of the selected Member States, Poland and Malta[15]: since the excluded countries come from two different groups, the lack of data is somehow evenly distributed, but still it is important to be aware and underline that the inclusion of the missing information in the analysis could potentially influence the formulation of remarks and lead to somewhat different conclusions.

[15] Malta is not usually present in OECD statistical datasets, since it is not a member of the Organisation. Poland didn't send any data regarding this indicator, as stated in the disclaimer for the dataset itself (http://dx.doi.org/10.1787/888933532048, last accessed 18/09/18).

Table 8: *Employment in general government as a percentage of total employment, 2007, 2009 and 2015 (Source: OECD, Government at a Glance 2017, ch. 3 fig. 3.1. Last update 26/06/17, data extracted 26/08/18).*
Disclaimer: for Portugal, data refer to 2014 rather than 2015.

GEO/TIME	2007	2009	2015
OECD	17,9	18,3	18,1
Belgium	18,5	18,8	18,4
Austria	16,4	16,5	15,9
Netherlands	13,6	13,8	12,8
Slovenia	15,4	15,9	17,4
Ireland	14,6	15,8	15,0
Denmark	28,3	29,4	29,1
Greece	18,0	17,6	18,0
Portugal	14,5	15,0	15,2
Slovakia	19,4	18,9	19,4

Moving on to looking at compensation of employees in central government, which figures are collected in table 9 below, it seems useful to underline that this indicator does not exclusively refer to salaries in a narrow sense. In fact, compensation refers to "the total remuneration, in cash or in kind, payable by an employer to an employee in return for work done by the latter during an accounting period" (Eurostat, 2013). Therefore, statistics presented here refer to pre-tax wages and also take into account "actual and imputed social contributions" (Eurostat, 2017). Moreover, these data specifically focus on central government, therefore not capturing compensation of employees at the local governmental level.

Looking at European Union and Euro area values, we see that there's an overall general stability across the reference period, mostly slightly above a share of 4% of GDP and with very little changes in the percentages. The only observable trends are a slight growth followed by a slight decrease in figures in the central years of the selected timeframe, and a slight overall decrease in the figures for the Eurozone. However, the reality for single countries appears to be more variegate. While some countries actually followed the slow downward trend experienced by the Euro area (namely Belgium and Poland from group one), some others have had no meaningful changes in the reference period, such as Austria and Slovenia from group one and Denmark from group two. Other countries from the sample have witnessed an upward trend in compensation of employees, such as Netherlands for group one and Slovakia for group two and, to a greater extent, Greece from group two; other countries have experiences larger reduction in compensation than those observed at the EU and Eurozone levels, such as Ireland for group one and Malta and Portugal from group two. Many countries also witnessed an

increase (with various degrees of magnitude) in the share of GDP dedicated to compensation of employees during the reference period, most of it occurring between 2009 and 2011. Countries with most remarkable increases in this period are Slovenia and Ireland for group one (more or less +1% more than values for 2008), and Portugal, Slovakia and especially Greece for group two, with respectively +0,6%, +0,7% and +1,3% GDP compared to figures for 2008.

As opposed to what has been observed for the size of personnel, figures referring to compensation of employees in central government tend to be more mixed. The general trend of reduction in the share of GDP used for compensation is generally respected, with just two exception of positive trends (Netherlands for group one and Greece for group two), but levels of compensation vary greatly across countries. We observe that only two countries, Austria from group one and Denmark from group two, tend to mirror more or less the average values for EU and the Euro area, and only one country, Poland (group one), closely follows the average EU line from slightly above. All other countries observe figures generally further, either above or below, the average values. For instance, Belgium and Netherlands for group one show rather similar figures, with Netherlands however showing an upward trend with growing values, and are generally more than 1% of GDP below the average for the European Union. On the other hand, figures for Slovenia (group one) are generally above the Euro area average values, showing an approximate 3% of GDP positive difference. Also, Greece (group two) shows above-average values, which are also combined with an upward trend: the country witnessed +5,8% of GDP positive difference from the Euro area average in 2008, and this gap progressively increased to become +6,8% of GDP in 2017. On a different pattern, Ireland (group one) started almost 6% of GDP above the average Eurozone figure in 2008, and a downward trend cause the gap to reduce to just +2,4% of GDP in 2017; the same pattern can be observed also for Malta and Portugal, which reduced their positive gaps from the EU average from 9,4% to 7,2% GDP and from 6,5% to 4,8% GDP respectively. Opposite is the pattern observed for Slovakia, which instead started at a slightly above EU average value in 2008, and witnessed a positive trend that widened the positive gap from +0,2% of GDP in 2008 to 1,3% of GDP in 2017.

As observed also for size of personnel, the analysis of figures for compensation of employees in central government allows us to formulate some remarks on the selected Member States. From the table, we can observe a moderate differentiation in countries within groups: for instance, group one has two countries with consistently low and below average figures (Belgium and the Netherlands), two countries with rather average values (Poland and Austria)

and two countries with high and above average values (Slovenia and Ireland); on the other hand, group two has two countries with generally average values (Denmark and Slovakia) and three countries with high and very high figures (Greece, and Malta and Portugal respectively). While there's no strong consistency in values for countries belonging to the same group, there is a generalised prevalence of high and very high figures in group two, compared to the considerably lower values that can be observed for group one. For instance, the countries with higher shares for group one is Ireland, and each one of its figures is still below those of Greece for the corresponding year – and Greece has the overall "lowest" values among countries with the highest values in group two. Moreover, this assumption also holds true if we look at group averages: the average value for group one in 2008 is 5,2% GDP and that of 2017 is 4,6% GDP, that is respectively 0,9% GDP and 0,4% GDP above EU average for the corresponding years; on the contrary, figures for group two are 8,6% GDP in 2008 and 8,1% GDP, respectively double and almost double the EU average for the corresponding years. While average values for both groups are above the EU average, it is clear that, compared to group one, group two generally witnesses a remarkably higher share of GDP that is used to finance compensation for employees in central government.

Table 9: *Compensation of employees of central government, payable, as a percentage of GDP, 2008-2017 (Source: Eurostat, Government Finance Statistics (gov-10a-main). Last update 16/08/18, data extracted 24/08/18.)*

GEO/TIME	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
European Union (current composition)	4,3	4,6	4,5	4,4	4,4	4,4	4,3	4,3	4,2	4,2
Euro area (19 countries)	4,1	4,3	4,2	4,1	4,0	4,1	4,0	3,9	3,9	3,8
Belgium	2,4	2,5	2,4	2,4	2,4	2,4	2,4	2,2	2,2	2,1
Poland	4,9	5,0	4,9	4,7	4,6	4,7	4,8	4,7	4,7	4,6
Austria	4,3	4,6	4,5	4,4	4,4	4,3	4,3	4,3	4,3	4,3
Netherlands	2,6	2,8	2,8	2,7	2,7	3,2	3,2	3,2	3,2	3,1
Slovenia	7,0	7,9	8,2	8,3	8,2	7,7	7,3	7,1	7,3	7,1
Ireland	9,9	10,7	10,2	10,0	9,6	9,2	8,6	6,7	6,5	6,4
Denmark	4,1	4,5	4,5	4,5	4,4	4,4	4,3	4,3	4,2	4,1
Greece	9,9	11,2	10,6	10,8	11,1	10,6	10,8	10,9	10,8	10,6
Malta	13,7	13,6	12,9	12,8	12,8	12,7	12,3	11,6	11,5	11,4
Portugal	10,8	11,4	11,2	10,4	9,4	10,1	9,6	9,2	9,2	9,0
Slovakia	4,5	5,2	5,2	5,2	5,1	5,4	5,4	5,5	5,5	5,5

From this analysis of size and compensation of administrative personnel we can draw some conclusions on sample groups features. As we already observed above, countries belonging to group one generally tends to have smaller bureaucracies, by comparison to other employment sectors. On the other hand, countries in group two generally report higher shares of employment in general government. We underline again the fact that these conclusions were based on the analysis of a dataset where two countries of the sample, one per each group (Poland for group one and Malta for group two) were missing; therefore, these conclusions must be treated with caution. Nevertheless, findings for compensation of employees of central government seem to be somehow in line with what has been said for size of bureaucracy. Indeed, both groups share average values of shares of GDP used for compensation of employees that are well above the average value for the EU as a whole; however, overall average for group two is remarkably higher than that for group one, signalling a generally higher share of GDP utilised to finance compensation for employees.

However, two further considerations should be made. Data for the size of bureaucracy refer to general government, that we know as including central, state and local government levels, as well as social security funds; on the other hand, data for compensation of employees explicitly refer only to central government. While it is reasonable to think that levels of compensations will be at least comparable from one level of government to another, and therefore there should be no considerable differences between compensations for central government and general government, we cannot verify this condition. Nonetheless, is something that is worth underlining. Secondly, this difference also impacts on considerations for single countries. To give a paradigmatic example: Denmark (group two) is the country in the sample with the bigger share of employment in general government, far larger than that of other countries. However, contrary to what one could expect, this is not mirrored in figures for compensation of employees, which are very much alike the European Union average. This difference could be explained by referring again to the difference in statistics: in fact, compensation of employees refers to central government, and it is reasonable to assume that the very high public employment rates do not mainly refer to central government, but on the other hand might hide a very high employment of personnel for local government. This would be also mirrored by the high expenditures and revenues of local government, examined in the previous section. However, since there's no available breakdown of employment data according to government level, we cannot verify this condition either. Nonetheless, it is worthwhile to

underline the potential, however minor, biases that could be produced from this discrepancy in the levels of analysis for these two datasets.

To give a brief final overview for this dimension of quality: "traditional" macroeconomic indicators do not provide useful information to draw clear conclusions on features of sample groups, while data on size and compensation of personnel do provide for a division of groups according to their features. As for the first, both groups present pairs of countries with the same patterns, or countries with patterns very close to average values for the reference geographical area, or countries with mixed patterns and high values and/or fluctuations. Therefore, the mixed trends and the somehow similar internal composition of the two groups does not allow for the individuation of meaningful differences between the two groups. As for the second aspect of this dimension of quality, we found that countries in group two generally tend to have highest share of employment for the general government, and also higher shares of GDP that are used for the financing of compensation of employees at the central government level. Therefore, this second group of indicators provides for a rather clear differentiation between the two groups of selected countries.

3. Competence

Another dimension of quality of bureaucracy, that of competence, strictly pertains to the human capital and therefore to the features of the personnel and of the mechanisms that regulate their working life. As we already saw in previous chapters, bureaucracies are increasingly asked to fulfil different duties and provide many services; therefore, a well-trained and specialised administrative staff can be considered as one of the core determinants of a high quality of bureaucracy. The recruitment and "maintenance" of a personnel that is able to effectively fulfil its duties rely on many factors: among others, the characteristics of the recruitment system, that should be exclusively based on merit; the use of performance assessment in decisions concerning career advancements; the possibility for members of to undergo continuous training activities, to keep their skills up to date with the changing needs of societies. To assess the presence and use of these factors in our sample of selected Member States, we decided to take into account three proxies: the extent of the use of performance assessments in HR decisions in central government (OECD), the E-Government Development index (United Nations) and the innovation in central/federal government human resource management frameworks, strategies and programmes (OECD).

As we already mentioned in previous sections[16], New Public Management called for a rationalisation in the management of public administration, on the model of private management models. This is to be carried out through, among other tools, the setting of efficient performance standards, to inform the organisation of public administration and to monitor its outputs and outcomes in order to carry out a continuous improvement of the system. Moreover, the setting of performance standards could also be of help for employees, providing a useful reference framework for the different roles and responsibilities and linking them to clear expected outputs to be attained by single members of the staff. Moreover, "performance assessments also strengthen incentives to improve performance by allowing for the recognition of individual and collective efforts in a consistent and transparent manner" (OECD, 2017, p. 44). Therefore, performance evaluation should be carried out frequently, in order to feed in strategic management choices and planning, that become particularly crucial for public administrations, where limited resources and multiple constraints require a particular care in management.

Performance assessments can (and should) also be used when carrying out choices regarding human resources, for instance when deciding on career advancement, contract renewals, or changes in the level of and/or criteria for remuneration. Given the potential benefits deriving from the use of such tool, the OECD provides for a specific composite index[17] that is supposed to measure the extent of the use of performance assessment in decision concerning human resources. The use of performance assessment can be regarded a proxy to assess the competences of administrative staff, since it should help avoiding discretionary choices and favour selection and advancement of those staff members who are actually able to effectively perform the tasks assigned. Figures for this index are presented in table 10 below; values for this index range between a minimum of zero for no use of performance assessment in HR decisions, and a maximum of one for high use.

Table 10 shows that average for all OECD countries stands at 0,64, suggesting a generalised moderately high use of performance assessments. What we can see from figures for our selected Member States is that results appear quite mixed. In group one, countries are fairly

[16] See Chapter 1, section 6.

[17] "The index on performance assessment is composed of the following variables: existence of a formalised performance assessment; use of performance assessment tools; performance assessment criteria; and importance of performance assessment for career advancement, remuneration, and contract renewal." (OECD, 2017, p. 44)

distributed around the average: two countries (Belgium and Slovenia) are more or less in line with the OECD average, slightly above it; two countries (Ireland and the Netherlands) are above the average with a positive gap of +0,11 and +0,15 respectively; two countries (Austria and Poland) are below the average, with a negative gap of -0,15 and -0,09 respectively. At the same time, group two shows a similar internal distribution: Denmark is slightly above the average, while Portugal stands well above the average (+0,16 of positive gap) and Greece and especially Slovakia stand well below the average, with a negative gap of -0,11 and -0,40 respectively.

As it might appear evident, these results do not allow us to draw clear conclusions on features of the two groups. Even when looking at group averages, there's no clear and reliable trend to be noted. Average for group one stands at 0,65, perfectly in line with the OECD average; however, average for group two stands at 0,56, which is below the average. Such a low result is of course affected by the very low figure for Slovakia; if we take that value out of our calculation, considering it as an exception, we obtain 0,67, which is now very close to the OECD average. Nevertheless, we cannot make sure that the low figure for Slovakia is an actual product of exceptional circumstances; and even if we could, exceptional circumstances do not make the figure less relevant for our research, allowing us to take it out entirely from our analysis. Given these circumstance, we feel that this index does not add relevant information to our research: for group one, we know that the use of performance assessments is in line with the average, which in this case appears not so crucial for drawing conclusions; for group two we have a very low figure that distorts calculation; moreover, missing data for Malta (as it is an index build by the OECD) make any possible remark based on this index on group two weak in representativeness and thus, low in significance.

Table 10: *Extent of the use of performance assessments in HR decisions in central government, 2016 (Source: OECD, Strategic Human resources management Survey 2016. Last update 26/06/17, data extracted 26/08/18).*

GEO/TIME	2016
OECD	0,64
Belgium	0,67
Poland	0,55
Austria	0,49
Netherlands	0,79
Slovenia	0,66
Ireland	0,75
Denmark	0,68
Greece	0,53
Portugal	0,80
Slovakia	0,24

Another interesting aspect that should be analysed regarding competences is the development of e-government. As defined by the United Nations "E-government has been employed to mean everything from ‘online government services’’ to ‘exchange of information and services electronically with citizens, businesses, and other arms of government’" (United Nations, 2018). The capacity to develop and maintain an effective e-government system can be regarded as proxy for bureaucracies' ability to respond to changing technology and needs of citizens and businesses, as well as for the ability of administrative personnel to adapt their skills and update their competences to be up to speed with the changing duties, means and expected outcomes of administrations. The development of e-government services is captured by the UN E-Government Development Index (EGDI), developed in order to assess " national websites and how e-government policies and strategies are applied in general and in specific sectors for delivery of essential services" (United Nations, 2018). Figures for this index are presented in table 11 below.

As we can observe from the table, the average for Europe as a whole stands at 0,7727, with a growth of more than +0,15 in the last ten years. We can also observe that all countries in the sample have a growing trend in the reference timeframe, even if with different degrees of intensity: Belgium (group one) and Malta and Slovakia (group two) have witnessed changes in line with the European average (+0,13, +0,14 and +0,13 respectively); Poland (group one) and Portugal and Greece (group two) observed their EGDI grow faster than the European average,

with changes of +0,18, +0,16 and +0,21 respectively; Austria, Slovenia and Ireland (group one) saw in increase in their index of more or less +0,1, less than the average European growth. Moreover, Netherlands (group one) and Denmark (group two) have remained basically unchanged; however, this is to be seen in connection with their already very high EGDI values for 2008, which were already well-above the European average (+0,24 and +0,29 respectively). Indeed, in 2008 the Netherlands and Denmark were the only two countries from the sample who possessed a very high EGDI, that is, an EGDI higher than 0,75. This has changed in 2018, when all countries except Slovakia (group two) have a very high EGDI. In 2008, all countries except two[18] were below the European EGDI average, them being Greece (-0,05) and Slovakia (-0,03), both from group two. In 2018, one country[19] of the sample still belong below the European average: Slovakia (group two), which despite the growth has widened its gap with the average, now standing at -0,06. The Netherlands and Denmark have preserved their wide positive gap with respect to the European EGDI average, though it has considerably reduced to +0,10 and +0,14 respectively.

This index does not provide clear information on groups features. Both groups include one country with very high EGDI values (the Netherlands and Denmark), but then values for 2018 look quite alike for both groups, without any particular trend to be highlighted. This also remains true when looking at group averages: in fact, while group one tends to have a higher group average, the difference is rather minimal and somehow negligible. For 2008, average EGDI for group one stands at 0,7158, while average EGDI for group two stands at 0,6760; as for 2018, the gap is even narrower, with average EGDI for group one standing at 0,8178 and average EGDI for group two being 0,8036. Therefore, while we could reasonably conclude that EGDI for group one is generally higher than for group two, we also have to underline that the gap seems to be progressively closing and is currently thin enough not to constitute an adequate basis for the formulation of an actual division between the two groups.

[18] We deliberately omitted to mention Poland, for which the gap from the European EGDI is negligible (-0,0054).
[19] We deliberaly omitted to mention Slovenia, for which the gap from the European EGDI is negligible (-0,0013).

Tables 11: *E-Government Development index, 2008 and 2018. (Source: United Nations, UN E-Government Knowledgebase. Data extracted 27/08/18).*

Country	EGDI 2008	EGDI 2018
Europe	0,6188	0,7727
Belgium	0,6779	0,8080
Poland	0,6134	0,7926
Austria	0,7428	0,8301
Netherlands	0,8631	0,8757
Slovenia	0,6681	0,7714
Ireland	0,7296	0,8287
Denmark	0,9134	0,9150
Greece	0,5718	0,7833
Malta	0,6582	0,8011
Portugal	0,6479	0,8031
Slovakia	0,5889	0,7155

The last aspect that we decided to take into account to assess competence in bureaucracies is the presence of elements of innovation in the management of human resources. As we already noted, in the changing world bureaucracies are often faced with new challenges and constraints, demanding innovative answers to the same issues to be given by administrations. For this reason, "civil servants need the ability, motivation and opportunities to contribute to innovation" (OECD, 2017, p. 196). Therefore, human resources management needs to be adapted and tailored in order to give civil servants the right competence to adjust to the changing environment, and to allow personnel to always be up to speed with new solutions new challenges. That is precisely why the presence of innovations introduced in many aspects of HR management can be reasonably used as proxy to assess the level of competence and, ultimately, of the capacity to effectively carry out tasks and functions of civil servants. In order to assess this aspect, the OECD has built a specific survey dedicated to human resources management. Data obtained from this survey are collected in table 12 below.

From the results of the survey, we see that elements of innovations are included into the competence framework in half of our selected Member States, with two of them belonging to group one (Belgium and Slovenia) and three of them belonging to group two (Denmark, Greece and Portugal). Training and development programs contain innovations in almost all cases, with only three countries constituting an exception: they are all from group one (Netherlands, Slovenia and Ireland). Performance assessments show elements of innovations in all countries except four, three from group one (Austria, Netherlands and Ireland) and one from group two

(Denmark). Recruitment strategies possess innovative aspect in only three cases, Belgium and Austria from group one and Greece from group two; similarly, innovation in promotion criteria is not so widespread, with only two occurrences, Slovenia (group one) and Greece (group two).

As for overall attention to the introduction of innovations in human resources management, Greece (group two) is the country with many positive occurrences, where innovation is present in six aspects of HR management out of seven. Countries with innovations in five aspects of HR management are Belgium and Slovenia for group one, while countries with four branches of human resources management showing signs of innovations are Austria (group one) and Slovakia and Portugal (group two). Poland (group one) shows three out of seven aspects being somehow innovated, while Denmark (group two) counts two and the Netherlands and Ireland (group one) count just one.

On the contrary of what has been observed for the other previous two, this index does provide some information on groups features, therefore allowing the formulation of some remarks. If we look at the total positive responses to the survey (filled dots in the table) highlighting the presence of innovations in human resources management, we note that group one has an average of 3,17 positive responses per country, while group two has an average of 3,75 filled dots per country. If we only take into account the aspects more relevant for our competence dimension of quality, thus excluding "Leadership development framework" and "Innovation prizes", the average for group one goes down to 1,83 positive responses per country, while the average for group two observes a smaller reduction, going down to 3 filled dots per country. While bearing in mind the limitation of this dataset, which does not include data for Malta as non-OECD country, we can cautiously conclude that countries in group two generally tend to show higher attention to the inclusion of innovative elements in their human resources management strategies.

Table 12: *Innovation in central/federal government human resource management frameworks, strategies and programmes, 2016. (Source: OECD, Survey on Strategic Human resources management in central/federal governments of OECD countries. Last update 24/07/17, data extracted 27/08/18).*

	Competence framework	Training and development programmes	Recruitment strategy / guidelines	Performance assessment	Promotion criteria	Leadership development framework (or programme)	Innovation awards
Belgium	●	●	●	●	❍	●	❍
Poland	❍	●	❍	●	❍	❍	●
Austria	❍	●	●	❍	❍	●	●
Netherlands	❍	❍	❍	❍	❍	❍	●
Slovenia	●	❍	❍	●	●	●	●
Ireland	❍	❍	❍	❍	❍	❍	●
Denmark	●	●	❍	❍	❍	❍	❍
Greece	●	●	●	●	●	●	❍
Portugal	●	●	❍	●	❍	●	❍
Slovakia	❍	●	❍	●	❍	❍	●
● **Included**				❍ Not included			

To sum up the findings for this dimension of quality, two out of three proxies taken into account did not provide for any meaningful division of features between groups in our sample. For the use of performance assessments in human resources decisions, figures point towards a less widespread use in countries for group two; however, we feel that this conclusion might be biased by the very low figure reported for Slovakia, and the missing information for Malta. Therefore, we feel this conclusion is not solid enough to be pushed further in this research. As for the E-Government Development index, the difference between the average values for our two groups is very narrow, and it is what remains after a past trend which pushed for closing this gap. Therefore, we feel that this difference should not be taken into account for two reasons: first, it is very thin; second, if past trend will continue in the future, this already small difference between the two groups will likely disappear in the next decade. The last proxy, the presence of innovation in some aspects of human resources management, proves decisive. Here, group two clearly shows a higher presence of innovation in HR management, and this difference gets even more evident if we exclusively focus on those aspects of human resources management that are most likely to produce effects on competence of personnel.

4. Accountability and responsibility

The fourth dimension of quality deals directly with responsibility and accountability of personnel and the administration as a whole. These are crucial aspects in avoiding the arbitrary use of power by administration officials and ultimately for the achievement of a predictable behaviour of administration. In this respect, setting of clear performance targets and carrying out performance evaluations are of central importance. Therefore, the proxies selected to analyse this dimension of quality all revolve around performance targets: the first one is the use of performance budgeting practices, while the second one is the use of performance-related pay systems.

One of the most important uses that could be made of performance information is in the design of the budget, since the allocation of resources is crucial in order to carry out activities. The index we decided to use in the assessment of the use of performance budgeting is the one built by the OECD; it covers "information on the availability and type of performance information developed, processes for monitoring and reporting on results, and whether (and how) performance information is used." (OECD, 2017, p. 126). The index ranges from a minimum of zero (no use) to a maximum of one (high use); figures for this index are summarised in table 13 below.

What we can observe from data is that the overall average for OECD countries signal a moderate use of the tool of performance budgeting, with a very slight increase in the reference period. Many countries tend to follow this growing trend; the exceptions are Netherlands and Slovenia for group one and especially Portugal from group two. While other countries witnessed a more diffuse use of these tool, magnitude of the increase vary across the sample: values go from a change perfectly alike to that of OECD average for Ireland (group one) to a very sharp increase for Austria (group one), with an index almost doubled in the reference period; in between we find Poland (group one) with a variation slightly above the one for the average, and Denmark and Greece from group two, with changes around 0,1.

Unfortunately, this indicator does not seem to provide for clear differentiation of performances between the two groups. When we look at group averages, we find that group one scores 0,37 in 2011 and 0,45 in 2016, with a remarkable positive change; on the other hand, group two scored 0,32 in 2011 and 0,30 in 2016, thus registering a small negative change in the reference period. While this could suffice to draw some conclusions, we feel that these conclusions would not be solid enough. In fact, various issues emerge from the dataset. First,

data for Slovakia in 2016 are missing: given the promisingly high figure for 2016, and reasonably excluding a sharp decrease since it is not the prevailing trend in our sample, we believe that the figure for Slovakia, if present, would have increased the average for group two significantly. Second, figures for Portugal, especially that for 2016, are very low; while this does not constitutes a problem *per se*, since statistics should report reality as it is and not how we would like it to be, the very low figure for 2016 is not compensated by what we believe would be an high value for Slovakia, therefore driving average for group two lower than where it might really be. Third and last point, figures for Malta are missing, as usual in OECD datasets. In principle, this could not constitute an issue; in reality, it sums up together with the two issues highlighted before, and therefore might gain a relevance that would not possess under other circumstances. Therefore, while we might affirm that group one tends to make more extensive use of the tool of performance budgeting, we also feel that this conclusion would not be robust enough to be pushed further in this research.

Table 13: *Use of performance budgeting practices at the central level of government, 2011 and 2016. (Source: OECD, Survey of Performance Budgeting. Last update: 26/06/17, data extracted 28/08/18).*

GEO/TIME	2011	2016
OECD	0,39	0,41
Belgium	0,26	0,39
Poland	0,31	0,36
Austria	0,26	0,58
Netherlands	0,51	0,50
Slovenia	0,49	0,44
Ireland	0,41	0,43
Denmark	0,37	0,45
Greece	0,27	0,36
Portugal	0,18	0,08
Slovakia	0,45	n.a.

The other proxy taken into account, the use of performance-related pay systems, essentially constitutes a system of "punishments" and rewards for employees in reason of their performances, according to performance targets set in advance. This tool is particularly flexible, since it can be used for all staff positions or just for some categories or for performances of single individuals or for entire teams, just to give some examples. The index we use, built by the OECD, takes into account all these aspects; indeed, "the index on PrP is composed of the

following variables: use of a PrP mechanism and for which staff categories; use of one-off bonuses and/or merit increments; and maximum proportion of basic salary that PrP represents." (OECD, 2017, p. 140). Here also, index ranges from a minimum of zero (no use) to a maximum of one (high use). Data pertaining this index are collected in table 14 below.

What we can observe from the table is that the average for OECD countries[20] signals a moderately high use made of this tool across OECD countries. One country for each group has no PRP system in place (Belgium for group one and Greece for group two). The general trend observed among countries in our sample is either stability or an increase the use of performance-related pay systems, signalling that reforms have intervened in some countries to reinforce and promote the use of this tool. This is particularly evident in the case of Poland (group one), which back in 2011 was reporting no use at all of performance-related pay, while in 2016 it makes a moderate use of this tool.

This tool provides for some information on differences between groups; indeed, countries from group two make a more extensive use of performance-related pay systems. This is evidently true when comparing averages[21]: for group one, average has grown from 0,565 in 2011 to 0,678 in 2016, while average for group two has grown from 0,791 in 2011 to 0, 867 in 2016. The 2016 value for group one is essentially in line with OECD average, while the one for group two is 0,2 higher than OECD average. Therefore, it seems reasonable to conclude that countries belonging to group two are generally more prone to making a more extensive use of performance-related pay systems for their public administration staff. It is again worthwhile to highlight that this conclusion is based on a dataset not including a country from group two, Malta. However, given the very high average value for group two, we feel that the potential figure for Malta should be remarkably low in order to overturn this conclusion; indeed, value for Malta in 2016 should be lower than 0,110, which is the value that equals average for group two to average for group one in 2016. Given that the lowest figure for that year, belonging to Poland (group one) is almost 0,4 and it is already quite far from the second-lowest figure for the same year, such a possibility seems very unlikely to occur. Therefore, we could reasonably conclude that the conclusion we formulated should be adequately robust.

[20] "The average for OECD countries includes the six OECD countries that have reported not having a PrP system: Belgium, Greece, Iceland, Luxembourg, Mexico and Turkey. " (OECD, 2017, p. 140)

[21] Contrary to what was done in the OECD dataset, personal calculations are carried out without taking into account countries for which there is no performance-related pay system in place.

Table 14: *Extent of the use of performance-related pay in central government, 2016 and 2010 (Source: OECD, Strategic Human resources management Survey 2016. Last update 26/06/17, data extracted 26/08/18).*

GEO/TIME	2010	2016
OECD	n.a.	0,662
Belgium	No PRP in place	
Poland	0,000	0,383
Austria	0,675	0,675
Netherlands	0,558	0,558
Slovenia	0,900	0,900
Ireland	0,692	0,875
Denmark	0,857	1,000
Greece	No PRP in place	
Portugal	0,725	0,725
Slovakia	n.a.	0,875

Before moving on to the next dimension of quality, we briefly summarise findings for this section. As for the use of performance budgeting, data seem to suggest that countries from group one make a more extensive use of this tool. However, we reject such a conclusions, since data contained in the set present various issues that undermine the robustness of such observation. The issues are the lack of one figure for Slovakia, remarkably low figures for Portugal, and the absence of Malta from the dataset as a non-OECD country. On the other hand, the use of performance-related pay does identify differences in the two groups. Indeed, countries from group two appear to be making a far more extensive use of this system compared to countries in group one. In this case, while data for Malta are still excluded from the dataset, we feel that there is no particular concern for the robustness of conclusion. This is due to the fact that such figures should possess extremely low figures in order to change this conclusion, and such low figures seem very unlikely to be potentially observed, given the comparison with other countries in the dataset.

5. Autonomy

The dimension of autonomy essentially refers to the features of the interactions between the administration and the surrounding environment, most importantly with politics. As already underlined in previous chapters, bureaucracy has progressively been recognized a growing importance in the policy process, with a role that goes beyond the mere implementation of political choices coming from the ruling elite. However, this condition of shared political power

between the administration and politicians could potentially lead to situation in which bureaucracy acts as a dependent branch of politics, therefore losing its autonomy. Indeed, while politics has the duty and right to exert some sort of control on the behaviour of public administrations, bureaucracy should also be granted a considerable degree of autonomy; this is to ensure that the administration acts in the name of the public interest of citizens and not to serve the private interest of the governing majority. In short, a good bureaucracy should achieve "an appropriate balance between political control and bureaucratic discretion" (Galanti, 2011, p. 10). In order to analyse this dimension of quality we rely on two proxies: government effectiveness, which is part of the Worldwide Governance Indicators from the World Bank, and administrative staff turnover after elections.

Government effectiveness is part of the Worldwide Governance Indicators project, carried out by the World Bank in order to collect statistical data from all over the world and produce a comprehensive collection of governance indicators allowing for a wide cross-country and cross-temporal comparability. Governance is divided into six dimensions, one of which is Government effectiveness; each dimension is expressed through a composite indicator, and the *ensemble* of the six indicators comes from the aggregation of more than 30 distinct sources. Government effectiveness takes into account, among other aspects, the quality of civil service and its degree of independence from political pressures, which directly pertains to our "autonomy" dimension. Other aspects included in the government effectiveness composite indicator is the quality of policy formulation and the credibility of the government's commitment to such policies (World Bank, 2018). Values for the indicator range from a minimum of -2,5 (worse governance) to a maximum of +2,5 (better governance); figures for the government effectiveness indicator are presented in table 15 below[22].

Looking at the figures for our selected Members States, we notice a widespread downward trend in the reference period: all countries experience a reduction in the values of the indicator, with the only exceptions of Poland and the Netherlands for group one (+0,22 and +0,14 respectively) and Portugal and Slovakia for group two (+0,13 and +0,03 respectively). Two countries, Belgium and Slovenia (group one) experience rather small reductions (-0,06

[22] The most recent set of data available for the government effectiveness available refers to 2017. While this research always relied on the most recent data available, in this case it was not possible, since figures for 2017 were released when the empirical analysis had already been carried out and the document was in the final stage of revision. Therefore, the analysis for this index relies on the most recent data available as of August 2018, that referred to the year 2016.

and -0,07 respectively); Ireland (group one) has a slightly bigger change (-0,15); four countries (Austria for group one, Denmark, Greece and Malta for group two) experience reductions around -0,30, with Greece almost reaching -0,40. We also note that few countries observe figures under 1: examples are Poland (group one), Greece and Malta (group two); also Greece (group two) has a figure below 1 in 2016, resulting from the negative trend in the reference period. On the other hand, Denmark (group two) appear to be the "best performer", with very high values throughout our reference period.

For this indicator we do not have absolute values to refer to in order to benchmark the performance of our countries in the sample; however, table 5 Annex includes also figures for percentile of each country, and also that for OECD countries. What we see from these figures is that there's a generally high variability among countries with respect to the OECD percentile for the reference year. Focusing on 2016, only Poland (group one) is aligned with the OECD percentile; Belgium and Ireland (group one) and Portugal (group two) are below the OECD percentile, with a difference comprised between approximately -2% and -4%; Malta and Slovakia (group two) and especially Slovenia (group one) are also below the values for the OECD, with a distance that goes from approximately -10% to -15%; Greece (group two) is the country furthest below the OECD percentile, with a distance of -25,36%. On the other side of the average we find the Netherlands and Austria (group one), with +3,97% and +8,29%, and Denmark (group two) with +11,18%.

This indicator allows us to formulate a conclusion on the features for groups from our sample. In fact, we observe from the figures that group one has generally higher values for this indicator compared to group two. Indeed, this appears evident if we calculate averages for both groups for the three reference years: averages for group one are 1,34 for 2008, 1,38 for 2012 and 1,31 for 2016, while averages for group two are 1,21 for 2008, 1,09 for 2012 and 1,03 for 2016. Moreover, we can also observe that the two group have diverging trends, since the gap between average has steadily increased in the reference period, moving from -0,12 in 2008 to -0,27 (more than doubled) in 2016. This remains also true when looking at percentiles: averages for group one are 86,33 in 2008, 88,07 in 2012 and 86,70 in 2016, which are very close to the OECD average values for the corresponding years; on the other hand, values for group two are 83,59 in 2008, 80,57 in 2012 and 80,19, which are rather far from the OECD average and tend to get further in recent years, thus still proving the divergent trend. Therefore, we observe that group one has a slightly higher consistency for values of the indicator and has generally overall higher values of government effectiveness. On the other hand, group two has more mixed

figures, with two countries out of five with figures being consistently quite low, therefore driving down the overall average for the group.

Table 15: *Government effectiveness (without percentiles), 2008, 2012 and 2016. (Source: World Bank, the Worldwide Governance Indicators (WGI) project. Data extracted 28/08/18)*

GEO/TIME	2008	2012	2016
Belgium	1,39	1,6	1,33
Poland	0,47	0,68	0,69
Austria	1,78	1,58	1,51
Netherlands	1,7	1,81	1,84
Slovenia	1,19	1,03	1,12
Ireland	1,5	1,55	1,35
Denmark	2,25	1,98	1,89
Greece	0,59	0,32	0,21
Malta	1,28	1,25	0,95
Portugal	1,09	1,04	1,22
Slovakia	0,86	0,84	0,89

The second proxy is the turnover occurring in administrative staff after a change in government. Indeed, this is a very important proxy for the autonomy of bureaucracy: in fact, public administration should be composed of trained personnel selected according to strict criteria of competence and, according to New Public Management, changes in their professional life should be mostly grounded on performance targets and the merit criterion. In any case, the intervention of politicians in decision concerning human resources, when tailored at favouring staff members in line with their political beliefs, should be avoided as much as possible, so not to potentially endanger the features of impartiality and universality that should be at the very ground of public administrations acting in the public interest of all citizens. The occurrence of turnover of administrative staff is captured in an OECD survey, for which results are summarised in table 16 below.

What we can observe from the statistics is that there's a clear differentiation according to hierarchy: indeed, senior managers and above all advisors to ministers are much more likely to experience turnover after the change of the government. As for the single countries, we see that there is a general consistency in results, with very few exceptions: in fact, Poland (group one) and Greece and above all Slovakia (group two) tend to experience a larger turnover in

administrative staff; on the other hand, Netherlands (group one) reports negligible levels of turnover. In order to carry out a better analysis for this indicator, we decided to convert symbols into numbers, so as to be able to make computations. The empty dot representing "none" was translated into a zero and the full dot representing "all" was replaced with a three, in order to maintain coherence among the levels of intensity. While we acknowledge that arbitrarily converting ranges into numbers inevitably implies a loss of information and consistency, we also believe that this is the most effective way to analyse and present these data. Table with replaced symbols can be found in the Annex (table 6).

Indeed, we observe from calculations that the average value we obtain for single countries is in most cases 0,6. Notable exceptions are 0 for the Netherlands (group one) and 2 for Slovakia (group two), being respectively the lowest and the highest average figure per country in the sample. Moreover, Poland (group one) has an average of 1,2, while Greece (group two) has an average of 1,4. While these numbers do not carry any meaning from an absolute perspective, they allow us to make calculations for averages of the two groups. This is particularly significant, since we can see that the average for group one (0,57) is significantly lower than the one for group two (1,15). Therefore, we are able to conclude that group one generally experiences turnover of staff in a less widespread fashion than it is for group two. This is also evident when looking at the original table, where there is by far a higher occurrence of symbols representing higher percentages of turnover. This assumption also holds true if we breakdown group averages according to the level of management (whether it is advisors, senior or middle). In this case, figures for advisors to the ministers are 2,17 (group one) and 3 (group two); values for senior management are 0,3 (group one) and 0,875 (group two) and averages for middle management are zero (group one) and 0,5 (group two). Therefore, we can conclude that group two generally witnesses a high turnover of administrative staff after a change of government not only at the aggregate level, but also systematically for each hierarchical level taken into account by the survey. Being this an OECD dataset, Malta is not included; however, group two will still possess higher averages than those for group two even if values for Malta were all zero (that is, if all answers for Malta were all "none"). Nevertheless, while this outcome is not impossible (it is the exact setting observed for the Netherlands), it is not so common either; therefore, we conclude that this conclusion is robust even if data for Malta are not available.

Table 16: *Staff turnover with a change of government, 2016. (Source: OECD, Strategic Human resources management Survey 2016. Last update 26/06/17, data extracted 26/08/18)*

		Senior management		Middle management	
	Advisors to the ministry's leadership	D1	D2	D3	D4
Belgium	●	○	○	○	○
Poland	●	■	⦿	⦿	○
Austria	■	○	○	○	○
Netherlands	○	○	○	○	○
Slovenia	■	⦿	○	○	○
Ireland	●	○	○	○	○
Denmark	●	○	○	○	○
Greece	●	⦿	⦿	⦿	⦿
Portugal	●	○	○	○	○
Slovak Republic	●	●	■	⦿	⦿

All (95-100%) ●	Many (50-94%) ■	Some (5-49%) ⦿	None (0-5%) ○

To sum up findings for this section, of the two indicators taken into account, both of them allowed us to formulate conclusions on features of groups in our sample. As for the first one, government effectiveness, we find that group one has generally higher values for this indicator compared to group two, and generally in line with the OECD average, thus indicating a better governance performance. On the other hand, values for group one are generally above average and, by looking to the time series, we note that group two has also a negative and diverging trend with respect to both the OECD average and figures for group one. Therefore, we can conclude that the difference among the two groups is significant and figures do not suggest possibility to close the gap in the near future. On the other hand, the same observation can be made when looking at the second proxy, assessing staff turnover after a change in the government. Also in this case group one seemingly performs better, since values for turnover are consistently and considerably lower compared to those for group two. The robustness of this conclusion is unlikely to be affected by the lack of data for Malta: in fact, the gap in performance between the two groups is so wide that it would not close even in the rather unlikely potential absence of any administrative staff turnover for Malta.

6. Openness

The sixth and last dimension of quality of bureaucracy, similarly to the previous one, deals with the relationship of administration with their surrounding environment, and more specifically with the relationship with citizens and society in general. Bureaucracy should be open and transparent towards citizens, which are to some extent their "customers"; therefore, citizens should be granted access to information and spaces to interact with the policy process. Moreover, granting access to citizens also serves as a means of control towards administration activities: indeed, in this respect, "transparency is supposed to help citizens to hold public administration responsible." (Galanti, 2011, p. 11). Analysis for this dimension is based on five proxies: Corruption Perception Index and the Control of Corruption, part of the Worldwide Governance Indicators; the extent of stakeholder engagement and the mechanisms around it; and last, the main objective of open government reforms.

Corruption essentially refers to "the private use of bureaucratic discretion and power" (Galanti, 2011, p. 11), usually in exchange for money or other types of benefits. By definition, it is indicative of an inappropriate relationship between bureaucracy and the citizens, and diverts administrative action from pursuing objectives of public interest. Many studies and therefore many well-established indicators exist on the topic of corruption; we selected two. The first one is the Corruption Perception Index (CPI), built by Transparency International, an NGO pursuing the scope of a world free of corruption. The index is a composite measure, obtained by aggregating different sources providing for information on perception of corruption from the point of view of experts and businesses. The second one is part of the already mentioned Worldwide Governance Indicators project, carried out by the World Bank in order to collect statistical data from all over the world. Control of corruption in another one of the six dimensions in which governance is articulated, and it takes into account "perceptions of the extent to which public power is exercised for private gain" (World Bank, 2018).

Table 17 below presents the data for the Corruption Perception Index; it ranges from a minimum of zero (very corrupt) to a maximum of 100 (very clean). What we can observe from the figures is that there's a general positive trend: only three countries, Netherlands for group one and Denmark and Malta for group two have witnessed an overall reduction in their CPI in the reference period, while all other figures have grown or remained unchanged. The country with the most remarkable increase in Greece (group two), scoring in 2017 12 points more than it did in 2012; other countries with significant increases are Austria and Ireland for group one

with +6 and +5 respectively, and Slovakia for group two with a +4 change. When comparing country values with the EU average (standing at 65 for 2017) we observe some meaningful differences. Belgium, Austria and the Netherlands for group one and Denmark for group two all stand more than 10 points above the EU average, with the Netherlands and Denmark scoring +17 and +23 respectively; on the other hand, Greece and Slovakia are very far below the EU average, with -17 and -15 respectively.

The analysis of this indicator allows us to draw a clear division between the two groups in our sample. Even from a brief analysis of the figures we could see that group two presents generally lower figures, with the sole exception of the high values for Denmark. This becomes much clearer when calculating group averages: for group two, average for 2012 stands at 69, while average for 2017 stands at 71; on the other hand, average value for group two in 2012 is 58, and average for 2017 is 61. Therefore, average for group two lies systematically below the average for group one, even if the gap seems to be slowly reducing, moving from 11 to 10 in the reference period; in addition, average for group two in 2017 lies even below the EU average. Therefore, the difference between the two groups is rather clear, with group two performing on average less well than group one.

Table 17: *Corruption perception index (CPI), 2012-2017 (Source: Transparency International, 2018. Data extracted 5/09/18).*

GEO/TIME	2012	2013	2014	2015	2016	2017
Belgium	75	75	76	77	77	75
Poland	58	60	61	63	62	60
Austria	69	69	72	76	75	75
Netherlands	84	83	83	84	83	82
Slovenia	61	57	58	60	61	61
Ireland	69	72	74	75	73	74
Denmark	90	91	92	91	90	88
Malta	57	56	55	60	55	56
Greece	36	40	43	46	44	48
Portugal	63	62	63	64	62	63
Slovakia	46	47	50	51	51	50

The same phenomenon, that of corruption, is at the centre of the Control of Corruption index developed by the World Bank. Values for the indicator range from a minimum of -2,5 (worse governance) to a maximum of +2,5 (better governance); figures are collected in table 18 below, percentiles are represented in table 6 Annex[23].

What we can observe from the figures is that the general trend for this index is negative, with only two countries, Belgium and Poland for group one, witnessing a slight overall increase in the reference period (+0,2). All other countries register a reduction in their indexes, however slight; the most relevant change is the -0,3 reported for Austria (group one) and Malta (group two). Two countries, Netherlands for group one and Denmark for group two, have very high values for the index, with Denmark almost reaching a perfect score in the first two years. On the contrary, Poland (group one) and Slovakia and Greece (group two) present very low figures, with Greece even reaching negative figures. Yet again, the same conclusions above can be inferred from this indicator. When looking at group averages, we see that group one performs seemingly better: average values for group one stand at 1,4 for both 2008 and 2016, while average values for group two stand at 1 for 2008 and 0,8 for 2016. Therefore, not only group two presents lower average values in the reference years, but it also presents a downward trend, which widened the gap between the two group in our timeframe. This remains evident when looking at percentiles: while the average percentile for group one is always slightly above the OECD average in the reference period, and it has also observed a slight grow, average values for group two are always below the OECD average, starting at -7,9 in 2008 and ending at -10,4 in 2016, therefore possessing a downward trend stronger than that of the OECD average. Therefore, this indicator allows us to conclude that group two performs worse than group one on control of corruption.

[23] The most recent set of data available for the government effectiveness available refers to 2017. While this research always relied on the most recent data available, in this case it was not possible, since figures for 2017 were released when the empirical analysis had already been carried out and the document was in the final stage of revision. Therefore, the analysis for this index relies on the most recent data available as of August 2018, that referred to the year 2016.

Table 18: *Control of corruption (without percentiles), 2008, 2012 and 2016. (Source: World Bank, the Worldwide Governance Indicators (WGI) project. Data extracted 28/08/18)*

GEO/TIME	2008	2012	2016
Belgium	1,4	1,6	1,6
Poland	0,5	0,7	0,7
Austria	1,8	1,4	1,5
Netherlands	2,1	2,1	2
Slovenia	1	0,8	0,8
Ireland	1,7	1,5	1,6
Denmark	2,4	2,4	2,2
Greece	0,1	-0,2	-0,1
Malta	1	0,9	0,7
Portugal	1,1	1	1
Slovakia	0,4	0,1	0,2

The following indicator, designed by the OECD, measures the quality of effectiveness of stakeholder engagement along the whole stage of formulation of primary laws. Inclusion of stakeholders in the policy formulation stage is crucial in order to ensure that participation keeps the policies focused on the public interest; moreover, participation of people in policymaking "ensures that regulation is user-centred and responds to the needs of those governed." (OECD, 2017, p. 162). The indicator we use is an aggregate measure, that can be used as it is or split into four distinct basic dimensions: "*methodology* gathers information on methods and tools for stakeholder engagement; *oversight and quality control* records information on mechanisms to monitor and evaluate stakeholder engagement practices; *systematic adoption* records formal requirements, and how often they are conducted in practice; and *transparency* records information relating to the principles of open government. " (OECD, 2017, p. 162). The overall index goes up to maximum value of four, while its four dimensions have a maximum value of one. Data for this indicator are summarised in table 19 below.

Since data we have all belong to a single reference year, we cannot infer information on temporal trends. What we observe is that group two generally possess lower overall values for this index. Indeed, we see that in group one all countries except two (Poland and Slovenia) are below the EU average, and with three countries observing figures lower below two (UAstri, the Netherlands and Ireland). On the other hand, group two has only one country (Portugal) scoring less than two, while one country (Slovenia) is the only one to reach an index value higher than

three. If we look at the split dimensions, we notice that group one has particularly low figures as for oversight of stakeholder engagement, with all countries positively below EU average and with a clear zero for Ireland; on the other hand, countries from group one have rather better figures regarding systematic adoption, with just two countries with below-average figures (Netherlands and Ireland) and two countries, Poland and Slovenia, having almost-perfect and perfect scores. Systematic adoption also entails high figures for group two, where three out of four countries score almost-perfect values, with the only exception of Portugal which is however rather close to the EU average value. All countries in our selected sample perform not so well in terms of transparency, with the only country being above EU average being Slovakia (group two).

The analysis of this indicator allows us to draw a clear division between our two groups, with group two performing comparatively worse with respect to group two. This remains true also when looking at averages for the groups. For the overall index the average for group one stands at 1,90, while for group two this value is 2,17; while both averages are below the EU average, still the value for group two is considerably higher than the one for group one. As for the split dimensions, group two has an higher average for three out of four dimensions, with the only exception of methodology where average for group two is higher (0,56 against 0,52). For the dimensions of oversight and systematic use, the gap between the two average is maximal and stands at 0,13: for oversight, average for group one is 0,25 while average for group two is 0,38, and for systematic adoption average for group two is 0,81 while it is 0,68 for group one. Therefore, we could reasonably conclude that group two generally performs better than group one as for the overall stakeholder engagement index. This conclusion is likely to be valid even despite the lack of information for Malta, which is not included in the table as a non-OECD member. Indeed, for the overall index average to be lower than that for group one, and therefore overturning our conclusion, overall figure for this index for Malta should be lower than one; this is not impossible, but it indeed a rather unlikely scenario. Therefore, we conclude that our conclusion is fairly reliable and group two as a better performance on this index compared to that of group one.

Table 19: *Stakeholder engagement in developing primary laws, 2014 (Source: OECD (2015), Indicators of Regulatory Policy and Governance (iREG), OECD Publishing, Paris. Last updated 16/06/17, data extracted 5/09/18).*

GEO/Indicator	Stakeholder engagement, Primary laws	Stakeholder engagement, Primary laws			
		Methodology of Stakeholder engagement, Primary laws	*Oversight of Stakeholder engagement, Primary laws*	*Systematic adoption of Stakeholder engagement, Primary laws*	*Transparency of Stakeholder engagement, Primary laws*
OECD - Average	2,09	0,56	0,32	0,75	0,45
European Union	2,33	0,59	0,44	0,58	0,73
Belgium	2,14	0,71	0,25	0,79	0,39
Poland	2,63	0,78	0,31	0,9	0,65
Austria	1,36	0,34	0,25	0,62	0,15
Netherlands	1,41	0,43	0,31	0,39	0,29
Slovenia	2,78	0,73	0,38	1	0,68
Ireland	1,09	0,39	0	0,39	0,31
Denmark	2,31	0,59	0,31	0,9	0,51
Greece	2,19	0,48	0,44	0,9	0,38
Portugal	1,16	0,24	0,25	0,53	0,14
Slovakia	3,03	0,78	0,5	0,9	0,85

Keeping our focus on stakeholder engagement, we then move on to analysing data regarding the opportunity for any stakeholder to choose to engage in public consultations and for the administration to have the obligation to publish responses to stakeholder comments. Even this dataset comes from the OECD, and it is composed of qualitative information on how often people are free to take part in policymaking and how often administration have to ensure transparency by make information on the consultations public. Information for this proxy are collected in table 20 below.

What can be noted from information on this proxy is that even in this case group two appears to perform better. In group one, members of the public can freely choose to participate in consultations for some primary laws in four out of six countries, while they can do so for major primary laws in one country (Belgium) and all primary laws in one country (Slovenia). This is rather in line with what happens at the EU level, where this happens just for some primary laws, but it is comparatively worse to what happens in countries from group two: here people can freely take part in consultations for some primary laws just in the case of Portugal,

whereas for other three countries this is valid for all primary laws. On the other hand, on the publication of responses to consultations, group one performs quite differently from the EU level: while the European Union publishes responses for every consultation on primary law, four countries in group one have no obligations to do so, while Belgium does that just for major primary laws, and Poland just in some cases. In this case, group one shares a very low level of openness, and also one which is very far from the European Union level. Results are more mixed for group two, where two countries have to do it for every consultation on primary law and the other two countries have no requirement whatsoever. Nevertheless, the general conclusion that can be made is that overall performance for group two regarding openness in stakeholder engagement is better than performance for group one. Moreover, differences between the two groups are quite remarkable, therefore they are likely to be able to remain true even with the potential inclusion of Malta in the dataset, which its missing the related data as Malta is a non-OECD country.

Table 20: *Minimum periods, openness and response mechanisms for stakeholder engagement, 2014 (Source: OECD (2015), Indicators of Regulatory Policy and Governance (iREG), OECD Publishing, Paris. Last updated 26/06/17, data extracted 05/09/18).*

	Any member of the public can choose to participate in a consultation for:	**Are regulators required to publish a response to consultation comments online?**
European Union	✦	❑
Belgium	▲	△
Poland	✦	✧
Austria	✦	❍
Netherlands	✦	❍
Slovenia	■	❍
Ireland	✦	❍
Denmark	■	❑
Greece	■	❍
Portugal	✦	❍
Slovak Republic	■	❑

■ **All primary laws**	❑ For all public consultations on primary laws
▲ **Major primary laws**	△ For consultations regarding major primary laws
✦ **Some primary laws**	✧ For some public consultations on primary laws
● **Never**	❍ Never

The last proxy has more general focus on openness of government in the broader sense, trying to capture what is the main policy objective to be achieved when implementing open government reforms in countries from our sample. Whether this does not provide clear information of performance of our selected countries, it still shows what is the rational behind open government reforms, and whether and to what extent openness as such is on the policy agenda of our selected Member States when it comes to implementing public administrations reforms. This information is provided by OECD, and findings are presented into table 21 below.

What we can observe from the data is that the major focus for reform was the increase of transparency, with Belgium, Netherlands, Poland for group one and Denmark and Slovakia for group two choosing this focus. On the other hand, Ireland (group one) focuses on citizens' trust in public institutions, while Austria (group one) on the effectiveness of public sector; Portugal (group two) has its attention on the efficiency and Greece (group two) on the fight against corruption. What we can see from this table is that seven of the nine countries included in this proxy focus on openness as a something to be pursued *per se* when they implement reforms for their governments; the remaining two countries, Austria (group one) and Portugal (group two) have general objectives of increasing efficiency and effectiveness when implementing open government reforms. What emerges from the analysis of this proxy is that almost all countries in our selected sample are implementing open government reforms, and a fair share of them is doing so for specific openness purposes and not as a means to attain something different. What we also note is that this positive effort is essentially equally distributed between the two groups, therefore there are no useful information that could be inferred to draw conclusions on differences in groups composition.

Table 21: *Main policy objectives of open government reforms, 2015 (Source: OECD, Government at a Glance, page 185. Paris, 2017)*

Main objective to implement open government initiatives	**Country**
Improve the transparency of the public sector	Belgium, Denmark, Netherlands, Poland, Slovakia
Increase citizens' trust in public institutions	Ireland
Improve the effectiveness of the public sector	Austria
Improve the efficiency of the public sector	Portugal
Prevent and fight corruption	Greece

Summing up the findings for this section, we note that four out of five proxies and indicators allowed us to formulate observations on differences between our selected groups. This is true for both indicators regarding corruption, that underlined that group one generally enjoys lower average levels of perception of corruption. Both indicators are consistent with each other, and therefore our conclusions on difference in performance on corruption seem to be reasonably reliable. As for stakeholder engagement, there is strong data evidence showing that group two generally performs better than group one, with a better overall quality and effectiveness of stakeholders' participation in policymaking. This remains also generally true when looking at the specific dimensions of quality of stakeholder engagement. Differences between the two groups are fairly remarkable, and therefore should be able to hold true despite the lack of information for Malta as a non-OECD country. In a similar fashion, transparency in stakeholders' consultations, as captured by the fourth proxy, suggests a better performance of group two in comparison to group one. In fact, group two generally grants wider chances to access consultations and more publicity of information gathered during the process. Even in this case, differences between the two groups of countries are rather remarkable, therefore should hold true even despite the lack of information on stakeholder engagement for Malta. The last proxy does not provide useful information for the formulation of observations on specific differences in the two groups. Nonetheless, it shows a high attention of selected Member States on developing open government reforms, and a considerable attention to the value of openness *per se* and not just as a means to be pursued in order to achieve higher efficiency or better performances for the public sector.

Research findings and conclusions

As it was already highlighted in various parts of this research, transposition and more in general compliance are complex processes involving many different actors, thus entailing potentially highly diverse outcomes. This complexity is precisely what makes them a challenging and therefore utterly interesting research topic. A similar observation can be made also when referring to public administration and quality of bureaucracy. While the complexity of the topics analysed have for sure made this research interesting and worthwhile to be carried out, at least from the point of view of the author, they have also left the door open for many issues that could have emerged and therefore spoiled the analysis. Nonetheless, we believe that this research has somehow succeeded in giving at least an outline of the possible relationship linking the two selected explaining variables. This concluding chapter is specifically aimed at summarising the findings for this research and to put forward some general observations grounded on our analysis. Therefore, the chapter will be structured as follows: a brief overview of the general research question, hypothesis and methodology, as well as a quick recap of the relevant state of the art; a short yet comprehensive presentation of the research findings; a presentation of the limitations of this research and its conclusions.

1. Summarising the research design

As it might appear evident at this stage of the research, the focus of this project was on trying to assess the possible existence and the level of intensity of the relation between transposition performance and quality of bureaucracy for European Union Member States. Therefore, this research revolves around two core concepts: transposition (more specifically that of European Union directives) and quality of bureaucracy. The first one, transposition,

refers to the stage in the policy cycle where all relevant actors work together to modify the national legal system according to the requirements contained by the directive. Of the two core aspects of transposition, being timeliness and correctness, only the first one is central for this project: indeed, the scope of this research is to try to assess whether specific features of EU Member States administration are able to affect the achievement of timely transposition of directives. The second one, quality of bureaucracy, essentially pertains to the features of public administration as a structure and to the characteristics of its actions. A broad definition of quality of bureaucracy we mentioned in this work is the presence of "trustworthy, reliable, impartial, uncorrupted and competent government institutions." (University of Gothenburg, 2018). However, in order to carry out a meaningful analysis, we needed a much more detailed definition and following operationalisation; we borrowed the blueprint for these two from another research design and adapted it to fit our research scope. Therefore, we ended up with a definition of quality of bureaucracy articulated into six dimensions (which are presented more in details, together with findings, in the following section), and operationalised into a total of 21 proxies and indicators.

On the methodological side, Member States were split into groups according to transposition performance in recent years, assessed through the Single Market Scoreboard, the tool used by the European Commission to monitor and present transposition performance of Member States. Since the objective of this research was to focus on systemic factors related to features of bureaucracies, the assessment of performance was grounded on occurrences for long-overdue directives. These directives are those which deadlines for transposition has expired since more than two years, and for which, at the same time, essentially correct transposition has not yet been fully achieved by all Member States. The timeframe selected covers therefore long-overdue directives with deadlines from September 2007 to October 2015. While the timeframe selected is not particularly wide, it contained a considerable number of occurrences, which allowed for a clear division of the Member States into four performance groups. For our research purposes, it was not necessary to take into account all four groups, therefore we selected only the two extremes: group one (countries with most occurrences) and group two (countries with zero occurrences).

The general research question underpinning the project was: "How much the features of the political and institutional framework of the Member States are able to affect their compliance with EU directives?" The core hypothesis, in a much more focused wording, was therefore "the lower the quality of the administrative machinery, the more difficult will be to

achieve compliance". In order to build our research designed, we obviously took inspiration from the state of the art in transposition and compliance studies. The researches who took on greater importance for our work were *"Complying with Europe. EU Harmonisation and Soft Law in the Member States"*, by Gerda Falkner, Oliver Treib, Miriam Hartlapp and Simone Leiber, and *"Is Italian bureaucracy exceptional? Comparing the quality of Southern European public administrations"*, by Maria Tullia Galanti. Falkner at alters carried out a very comprehensive analysis of many of the explaining variables present in compliance literature and providing useful insights on transposition issues and factors having (or believed to have) an effect on it. This ambitious project provided us with guidance in building the research design (choosing the topic and the factor to investigate) and also the inspiration to choose the specific topic of compliance issues and transposition delays. Galanti carried out a comparison of Southern European bureaucracies, from which we borrowed the blueprint for the definition and operationalisation of quality of bureaucracy in our research.

Even if the academic research on compliance issues is very broad, and thus it is almost impossible to put in place a brand-new research design, my research project appears to be, for the time being, somewhat different from other sources I have encountered during my studies.

2. Wrapping up research findings

As mentioned before, our operationalisation of quality of bureaucracy relied on six dimensions, grouping a total of 21 proxies and indicators. These dimensions were: structural differentiation (one proxy); ability in the management of resources (eight indicators, further divided into two groups); competence (three indicators); accountability and responsibility (two indicators); autonomy from the political power (two indicators); openness (five indicators). The analysis of single indicators did not always provide useful information pertaining to our research hypothesis; nonetheless, the combination of many indicators for each dimension allowed us to outweigh less significant results for some proxies with meaningful results on other proxies, therefore enabling us to draw conclusions on each of the six dimensions.

Findings for each dimension are presented in the following paragraphs.

As for the first dimension, that of structural differentiation, the analysis of the organisation of local government gave no significant results. What we observe is that countries from group two generally possess a high level of centralisation and a lighter structure for local government, that is, with less administrative levels. On the other hand, there is no such clear criterion for group one, which presents both centralised and decentralised countries, and which

Member States possess both "heavier" and "lighter" structures of local government. While it is reasonable to argue that a "lighter" and simpler administrative organisation could in theory favour coordination and communication among the single units and therefore at least partly avoid conflicting tasks and competences, we cannot check this hypothesis for our sample. Moreover, there is no clear link between a simpler administrative structure and the quality of administration itself, because even a "lighter" structure could suffer from limitations hampering its quality (for instance, lack of coordination and overlapping competences).

The second dimension, management of resources, gave mixed results; however, there is evidence pointing to a slightly better quality in this respect for countries belonging to group two. The first batch of indicators, that including "traditional" macroeconomic proxies, does not provide for clear trends and differences between the two groups: countries with good and less good financial performances are fairly equally divided among the two groups, and there's no clear evidence of better performance for none of the two groups. On the contrary, the second batch of indicators, those expressing size and remuneration of administrative personnel points towards a below-average performance for countries belonging to group one, therefore suggesting that countries belonging to group two might enjoy greater quality for their bureaucracy for what concerns size and remuneration.

The third dimension, that of competence, gave mixed results; however, there is some evidence pointing to a slightly better performance for group two. The first indicator provides evidence for a slightly better performance for group one, but we feel this might be not so straightforwardly significant; in fact, the difference between the two groups is not so remarkable, and average values for group two are spoiled by very low figures for Slovakia, while the other countries perform rather alike to those in group one. As for the second indicator, the difference between the average values for the two groups is very narrow, and it is what is left after a steadily convergent trend of the two groups. Therefore, we feel that this difference should not be taken into account to infer information on quality for our sample groups. In the end, the last proxy provides clear information: group two clearly shows a better performance in this respect, and this becomes even more evident even if we only focus on the aspects of the proxy that are more clearly linked to competence of personnel.

As for the fourth dimension, that of responsibility and accountability, we observed mixed results, but with evidence pointing for a better performance of group two. Indeed, the first indicator for this dimension points toward a better performance of group one; however, we feel that the dataset has some limitations that somehow reduces the reliability for this

observation. Indeed, group two suffers from a combination of three issues: incomplete time series for Slovakia, very low figures for Portugal, and the lack of information for Malta. While these issues, taken on their own, might not severely undermine conclusions based on this dataset, we feel that this combination is likely to weaken our observations, therefore deciding as a preventive measure not to take into account results for this indicator. On the other hand, figures for the second indicator clearly point out evidence towards a better performance for countries in group two.

The fifth dimension, autonomy, gave evidence clearly pointing towards a better performance for countries from group one. As for the first indicator, group two has generally lower figures, and even lower than the average OECD values, while also showing a divergent trend from figures for group one. Therefore, there is clear gap between the two groups, with group one having a better performance, and evidence point against the possibility for this gap to be closed in the near future. Similarly, the second proxy points toward a remarkably better performance for countries in group one, with a considerable gap between the two groups.

As for the sixth and last dimension of quality, the one pertaining to openness, evidence provides for diverging conclusions. As for the first two indicators, capturing corruption, evidence points towards a better performance for group one, with the two indicators picturing fairly consistent values. On the contrary, the third indicator points towards a better performance for group two, both for the overall composite indicator that for most if its core dimensions, with a rather remarkable difference from performance for group one. The same observation is also valid for the fourth indicator, with yet a rather remarkable gap between performances for the two groups. On the contrary, the last proxy does not provide evidence towards different performances for the two groups, but underlines a generally high attention towards the implementation of reforms aimed at enhancing transparency and government openness.

3. Limitations and concluding remarks

As we already highlighted in chapter 1, academics tend to differentiate between intentional and unintentional non-compliance; while the first is likely to stem from a more or less open opposition against a specific directive, the latter is likely to result by temporary or permanent inability of the actors in charge of implementation. Among the factors leading to unintentional non-compliance, Falkner et alters list administrative problems, which they essentially define as a paralysis of the public implementation structure, that can find its origin into a generally inefficient administration or into a temporary administrative overload (Falkner,

et al., 2005). As already highlighted in various sections of this work, our general interest lied in the bigger picture, and therefore we focused our analysis on the relationship between non-compliance in the form of delayed transposition and inefficient administrations, that is, administrations with a generally lower overall quality.

The complexity and broadness of our explaining factor, quality of bureaucracy, have surely contributed to making this research project more challenging and interesting; on the other hand, they also potentially kept the door open for some research issues that could undermine the validity of our conclusions. While we believe to have put in place all the preventive measures that were in our capacity in order to avoid as many issues as possible, we still believe it is worth to underline some of the limitations that might affect the findings of this research. To begin with, quality of bureaucracy is a very broad concept, and it represents a challenge when it comes to its definition and operationalisation. While we chose as ground for this research the most detailed definition we could find, and while we carried out the most comprehensive operationalisation that our capacity made possible, it is worth noting that this could still not be enough. In a very simplistic way, we could say that every attempt to box the reality into dimensions and definitions entails a certain degree of inaccuracy. In more appropriate terms, we observe that choosing to split quality of bureaucracy into these six dimensions rather than others, or to select some indicators over others, affects the way in which the variable is viewed and affect the analysis in a certain way. This effect is not necessarily negative or invalidating for the findings; however, it is worth noting that the choice of different indicators compared to those used in this research could produce different results.

Moreover, focusing on bureaucracy as a whole implies investigating an "area" which is reasonably much broader than just the actual actors involved in transposition. Indeed, while transposition is a complex process that is carried out by a plurality of different political and administrative actors, we could also argue that it is not carried out by the *whole* public administration either. While this is not a fallacy *per se*, since the actors involved are still part of bureaucracy and are therefore included in the analysis for a fact, adding non-essential actors to the picture might somehow "water down" the significance and robustness of the findings. In addition, the focus on the bigger picture could also fail to highlight the relevance of some specific features of administration that are more clearly linked to transposition and are present in the literature, such as for instance the presence of a watchdog unit supervising the implementation of EU directives (Falkner, et al., 2005). Similarly to what observed before, this is not necessarily negatively affecting our research and the stemming findings; however, it

could at least partly account for some unclear conclusions or narrow differences we found in some cases in our analysis.

On the other hand, no matter how broad the variable of bureaucracy is, it will still not be able to capture all factors having an effect on transposition issues. Therefore, there will always be at the very least some cases that cannot be explained through this variable only. Paradigmatic is the case of Denmark and the Netherlands: in many of the indicators taken into account in our analysis for quality of bureaucracy, their performances were remarkably alike. However, this is not mirrored in transposition, for which Denmark has a considerably better performance. To be fair, in most indicators for quality of bureaucracy, Denmark performed slightly better than the Netherlands, but in most cases the performances were generally very close. In any case, this narrow difference is not adequately mirrored in the transposition performance that, on the contrary, looks remarkably different for the two countries. This comparison is rather representative of the fact that bureaucracy and quality of bureaucracy are surely not the only factors affecting transposition. Needless to say, transposition does not happen in a vacuum; and this is also true for administrative action. Therefore, transposition performance has to be affected also by other variables, possibly not related to bureaucracy, of which there are plenty in compliance literature.

In conclusion, our analysis points out to the existence of some sort of correlation between quality of bureaucracy and transposition performances. Indeed, three out of six dimensions of quality that we investigated in our research suggested better quality of bureaucracy in the group with better transposition performance; two dimensions gave mixed results, but still with a slight indication that quality of bureaucracy could still be better for group two; only one dimension clearly underlines better quality of bureaucracy for the group with comparatively worse transposition performance. Despite the potential limitations that we highlighted hereabove, we still feel it is reasonable to believe that these findings are still rather significant, since they provide some evidence suggesting the existence of a potential link between quality of bureaucracy and transposition performance. However, we note that the actual extent to which quality of bureaucracy is able to influence transposition performance remains still fairly unclear; therefore, further research on this subject is needed.

References

Anderson, J., 1975. *Public Policymaking.* New York: Praeger.

Angelova, M., Dannwolf, T. & König, T., 2012. How robust are compliance findings? A research synthesis. *Journal of European Public Policy,* 19(8), pp. 1269-1291.

Berglund, S., Gange, I. & Van Waarden, F., 2006. Mass production of law. Routinization in the transposition of European directives: a sociological institutionalist account. *Journal of European Public Policy,* 13(5), p. 692–716.

Biriukov, P. & Tuliakov, V. e. b., 2016. *Law of the European Union: a Textbook for Master Students.* Voronezh: VSU Publishing House.

Börzel, T. A., 2000. Why There Is No "Southern Problem": On Environmental Leaders and Laggards in the European Union. *Journal of European Public Policy,* 7(1), pp. 141-162.

Börzel, T. A., 2003. Guarding the Treaty: The Compliance Strategies of the European Commission. In: T. A. Börzel & R. A. Cichowski, eds. *The State of the European Union. Vol. VI: Law, Politics, and Society.* Oxford: Oxford University Press, pp. 197-220.

Börzel, T. A., Hofmann, T. & Panke, D., 2011. *Policy Matters But How? Explaining Non-Compliance Dynamics in the EU,* Berlin: Free University Berlin.

Brewer, G. & deLeon, P., 1983. *The foundations of policy analysis.* Monterey: Brooks/Cole Pub. Co..

Bugdahn, S., 2005. Of Europeanization and domestication: the implementation of the environmental information directive in Ireland, Great Britain and Germany. *Journal of European Public Policy,* 12(1), pp. 177-199.

Casini, L., 2009. *Models of Public Administration: Comparative Analysis of Administrative Organisation.* [Online]

Available at: http://unpan1.un.org/intradoc/groups/public/documents/CAIMED/UNPAN028187.pdf [Accessed 4 September 2018].

Charron, N., Dijkstra, L. & Lapuente, V., 2015. Mapping the Regional Divide in Europe: A Measure for Assessing Quality of Government in 206 European Regions. *Social Indicators Research,* 122(2), pp. 315-346.

Charron, N., Lapuente, V. & Dijkstra, L., 2012. *Regional Governance Matters: A Study on Regional Variation in Quality fo Government within the EU - Working Paper 01/2012,* Brussels: European Commission, Directorate-General for Regional Policy (DG REGIO).

Charron, N. et al., 2010. *Measuring the Quality of Government and Subnational Variation,* Gothenburg: University of Gothenburg/European Commission - DG REGIO.

Ciavarini Azzi, G., 2000. The Slow March of European Legislation: The Implementation of Directives. In: K. Neunreither & A. Wiener, eds. *European Integration after Amsterdam: Institutional Dynamics and Prospects for Democracy.* Oxford: Oxford University Press, pp. 52-67.

Collins, K. & Earnshaw, D., 1992. The implementation and enforcement of European community environment legislation. *Environmental Politics,* 1(4), pp. 213-249.

Cowles, M. G., Caporaso, J. & Risse, T. eds., 2001. *Transforming Europe: Europeanization and Domestic Change.* Ithaca: Cornell University Press.

Delcamp, A. & Loughlin, J., 2003. *La décentralisation dans les États de l'Union européenne.* s.l.:La Documentation française.

Duina, F. G., 1997. Explaining Legal Implementation in the European Union. *International Journal of the Sociology of Law,* 2(155-179), p. 25.

Duina, F. G. & Blithe, F., 1999. Nation-States and Common Markets: The Institutional Conditions for Acceptance. *Review of International Political Economy,* 6(4), p. 494–530.

European Commission, 1997. *Single Market Scoreboard n.1.* [Online] Available at: http://ec.europa.eu/internal_market/score/docs/score01/score_en.pdf [Accessed 10 September 2018].

European Commission, 2011. *Internal Market Scoreboard 23.* [Online] Available at: http://ec.europa.eu/internal_market/score/docs/score23_en.pdf [Accessed 27 March 2018].

European Commission, 2012. *Internal Market Scoreboard 25.* [Online] Available at: http://ec.europa.eu/internal_market/score/docs/score25_en.pdf [Accessed 27 March 2018].

European Commission, 2012. *Making the Single Market deliver - Annual governance check-up 2011.* [Online] Available at: http://ec.europa.eu/internal_market/score/docs/relateddocs/single_market_governance_report_2011_en.pdf [Accessed 27 March 2018].

European Commission, 2013. *Internal Market Scoreboard 26.* [Online] Available at: http://ec.europa.eu/internal_market/score/docs/score26_en.pdf [Accessed 27 March 2018].

European Commission, 2013. *Single Market Scoreboard.* [Online] Available at: http://ec.europa.eu/internal_market/scoreboard/_docs/2013/2013-performance-overview_en.pdf [Accessed 27 March 2018].

European Commission, 2014. *Single Market Scoreboard.* [Online] Available at: http://ec.europa.eu/internal_market/scoreboard/_docs/2014/07/transposition/2014-07-scoreboard-transposition_en.pdf [Accessed 27 March 2018].

European Commission, 2014. *Single Market Scoreboard.* [Online] Available at: http://ec.europa.eu/internal_market/scoreboard/_docs/2014/02/transposition/2014-02-scoreboard-transposition_en.pdf [Accessed 27 March 2018].

European Commission, 2015. *Single Market Scoreboard.* [Online] Available at: http://ec.europa.eu/internal_market/scoreboard/_docs/2015/09/transposition/2015-09-scoreboard-transposition_en.pdf [Accessed 27 March 2018].

European Commission, 2015. *Single Market Scoreboard.* [Online] Available at:

http://ec.europa.eu/internal_market/scoreboard/_docs/2015/04/transposition/2015-04-scoreboard-transposition.pdf
[Accessed 27 March 2018].

European Commission, 2016. *Intenral Market Scoreboard - Archive.* [Online] Available at: http://ec.europa.eu/internal_market/score/index_en.htm [Accessed 4 September 2018].

European Commission, 2016. *Renewable Energy Directive.* [Online] Available at: https://ec.europa.eu/energy/en/topics/renewable-energy/renewable-energy-directive
[Accessed 6 September 2018].

European Commission, 2016. *Single Market Scoreboard.* [Online] Available at: http://ec.europa.eu/internal_market/scoreboard/_docs/2016/transposition/2016-scoreboard_transposition_en.pdf
[Accessed 27 March 2018].

European Commission, 2017. *Single Market Scoreboard.* [Online] Available at: http://ec.europa.eu/internal_market/scoreboard/_docs/2017/transposition/2017-scoreboard_transposition_en.pdf
[Accessed 27 March 2018].

European Commission, 2018. *Refit – making EU law simpler and less costly.* [Online] Available at: https://ec.europa.eu/info/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-and-less-costly_en
[Accessed 1 September 2018].

European Commission, 2018. *Single Market Scoreboard.* [Online] Available at: http://ec.europa.eu/internal_market/scoreboard/_docs/2018/transposition/2018-scoreboard_transposition_en.pdf
[Accessed 3 August 2018].

European Commission, 2018. *The Single Market Scoreboard.* [Online] Available at: http://ec.europa.eu/internal_market/scoreboard/
[Accessed 6 September 2018].

European Union , 2015. *European Union directives.* [Online] Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1536846594746&uri=LEGISSUM:l14527 [Accessed 5 September 2018].

European Union, 2009. *Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC.* [Online] Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009L0028&from=EN [Accessed 6 September 2018].

European Union, 2016. *Treaty on the Functioning of the European Union (2016 consolidated version).* s.l.:O.J. 202/172, published 7.06.2016.

European Union, 2017. *EU single market directives — incorporation in national law.* [Online] Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1536846594746&uri=LEGISSUM:l22021 [Accessed 3 September 2018].

European Union, 2018. *Regulation No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS) (consolidated version 2017).* [Online] Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02003R1059-20180118&from=EN [Accessed 2 September 2018].

European Union, 2018. *Secondary legislation.* [Online] Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:ai0032 [Accessed 9 August 2018].

European Union, 2018. *The European Union's primary law.* [Online] Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l14530 [Accessed 6 August 2018].

Eurostat, 2013. *European System of Accounts - ESA 2010.* [Online] Available at: https://ec.europa.eu/eurostat/documents/3859598/5925693/KS-02-13-269-EN.PDF/44cd9d01-bc64-40e5-bd40-d17df0c69334 [Accessed 28 August 2018].

Eurostat, 2017. *Glossary - Compensation of employees.* [Online] Available at: https://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:Compensation_of_employees [Accessed 15 September 2018].

Eurostat, 2018. *Glossary: Country codes.* [Online] Available at: https://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:Country_codes [Accessed 6 September 2018].

Falkner, G., Hartlapp, M., Leiber, S. & Treib, O., 2007. Non-Compliance with EU Directives in the Member States: Opposition through the Backdoor?. *West European Politics,* 27(3), p. 452–473.

Falkner, G. & Treib, O., 2008. Three Worlds of Compliance or Four? The EU-15 Compared to New Member States. *JCMS: Journal of Common Market Studies,* Volume 46, pp. 293-313.

Falkner, G., Treib, O., Hartlapp, M. & Leiber, S., 2005. *Complying with Europe: EU Harmonisation and Soft Law in the Member States.* Cambridge: Cambridge University Press.

Galanti, M. T., 2011. Is Italian bureaucracy exceptional? Comparing the quality of Southern European public administrations. *Bulletin of Italian politics,* 3(1), pp. 5-33.

Goodin, R., 2006. *The Oxford Handbook of Political Institutions.* Oxford: Oxford University Press.

Halkos, G., Sundström, A. & Tzeremes, N., 2015. Regional environmental performance and governance quality: a nonparametric analysis. *Environmental Economics & Policy Studies,* 17(4), pp. 621-644.

Harguindéguy, J.-B., 2007. *New institutionalism and French public policy analysis: maintaining the exception culturelle* , s.l.: HAL Archives Ouverts.

Hartlapp, M. & Falkner, G., 2009. Problems of operationalization and data in EU compliance research. *European Union Politics,* 10(2), pp. 281-304.

Haverland, M. & Romeijn, M., 2007. Do member states make European policies work? Analysing the EU transposition deficit. *Public Administration,* 85(3), pp. 757-778.

Héritier, A., 2001. Differential Europe–New Opportunities and Restrictions for Policy Making in Member States.. In: A. K. D. K. C. L. D. T. M. &. D. A. C. Héritier, ed. *Differential*

Europe: the European Union impact on national policymaking. Lanham: Rowman & Littlefield, pp. 1-22.

High Level Group on Administrative Burdens, 2014. *Cutting the Red Tape in Europe - Final report.* [Online] Available at: http://ec.europa.eu/smart-regulation/refit/admin_burden/docs/08-10web_ce-brocuttingredtape_en.pdf [Accessed 4 September 2018].

Irish Department of Public Expenditure and Reform, 2018. *Public Service Reform.* [Online] Available at: https://www.per.gov.ie/en/public-service-reform/ [Accessed 1 September 2018].

Jann, W. & Wegrich, K., 2007. Theories of the Policy Cycle. In: F. Fischer, G. Miller & M. Sidney, eds. *Handbook of Public Policy Analysis: Theory, Politics and Methods.* Boca Raton: CRC Press, pp. 43-62.

Kersting, N., Vetter, A. & (eds.), 2013. *Reforming local government in Europe: Closing the gap between democracy and efficiency.* Wiesbaden: Springer Science & Business Media.

Ketelaar, A., Manning, N. & Turkisch, E., 2007. *Performance-based Arrangements for Senior Civil Servants: OECD and other Country Experiences,* Paris: OECD Publishing.

Knill, C., 2001. *The Europeanisation of National Administrations: Patterns of Institutional Change and Persistence.* Cambridge: Cambridge University Press.

Knill, C. & Lenschow, A., 2000. Do New Brooms Really Sweep Cleaner? Implementation of New Instruments in EU Environmental Policy. In: C. Knill & A. Lenschow, eds. *Implementing EU Environmental Policy. New Directions and Old Problems.* Manchester: Manchester University Press, pp. 251-282.

König, T. & Luetgert, B., 2009. Troubles with Transposition? Explaining Trends in Member-State Notification and the Delayed Transposition of EU Directives. *British Journal of Political Science,* 39(1), pp. 163-194.

Krislov, S., Ehlermann, C.-D. & Weiler, J., 1986. The Political Organs and the Decision-Making Process in the United States and the European Community. In: M. Cappelletti, M. Seccombe & J. Weiler, eds. *Integration Through Law: Methods, Tools and Institutions. Political Organs, Integration Techniques and Judicial Process.* Berlin: Walter de Gruyter, pp. 3-110.

Lippi, A. & Morisi, M., 2005. *Scienza dell'amministrazione.* Bologna: Il Mulino.

Mahoney, J., 2000. Path dependence in historical sociology. *Theory and Society,* 29(4), pp. 507-548.

Management Study Guide, 2018. *New Public Management Model.* [Online] Available at: https://www.managementstudyguide.com/new-public-management.htm [Accessed 3 September 2018].

Mastenbroek, E., 2003. Surviving the deadline: the transposition of EU directives in the Netherlands. *European Union Politics,* 4(4), pp. 371-395.

Mastenbroek, E., 2006. EU compliance: Still a 'black hole'?. *Journal of European Public Policy,* 12(6), pp. 1103-1120.

Mastenbroek, E. & Kaeding, M., 2006. Europeanization Beyond the Goodness of Fit: Domestic Politics in the Forefront. *Comparative European Politics,* 4(4), pp. 331-354.

Mastenbroek, E. & van Keulen, M., 2006. Beyond the Goodness of Fit: A Preference-based Account of Europeanization. In: R. Holzhacker & M. Haverland, eds. *European research reloaded: cooperation and europeanized states integration among europeanized states.* Dordrecht: Springer, pp. 19-42.

May, J. & Wildavsky, A. e. b., 1978. *The Policy Cycle.* Beverly Hills: SAGE.

Merriam-Webster, 2018. *Administration.* [Online] Available at: https://www.merriam-webster.com/dictionary/administration [Accessed 4 September 2018].

Merriam-Webster, 2018. *Government.* [Online] Available at: https://www.merriam-webster.com/dictionary/government [Accessed 6 September 2018].

OECD, 1996. *Ministerial Symposium on the Future of Public Services.* Paris, OECD Publishing.

OECD, 2014. *OECD Regulatory Compliance Cost Assessment Guidance,* Paris: OECD Publishing.

OECD, 2017. *Government at a Glance.* 2017 ed. Paris: OECD Publishing.

OECD, 2017. *Indicators of Regulatory Policy and Governance (IREG).* [Online] Available at: http://www.oecd.org/gov/regulatory-policy/indicators-regulatory-policy-and-governance.htm
[Accessed 5 September 2018].

O'Toole, L., 2000. Research on Policy Implementation. Assessment and Prospects.. *Journal of Public Administration Research and Theory,* 19(2), pp. 263-288.

Oxford Advanced Learner's Dictionary, 2018. *Efficacy.* [Online] Available at: https://www.oxfordlearnersdictionaries.com/definition/english/efficacy [Accessed 11 September 2018].

Pelkmans, J., 1991. Toward economic union. In: C. f. E. P. Studies, ed. *Setting European Community Priorities 1991-1992.* Brussels: Centre for European Policy Studies, pp. 39-100.

Peters, B. G., 1997. The Commission and Implementation in the European Union: Is There an Implementation Deficit and Why?. In: N. Nugent, ed. *At the Heart of the Union.* London: Palgrave Macmillan, pp. 187-202.

Pierson, P. & Skocpol, T., 2002. Historical Institutionalism in Contemporary Political Science. In: I. Katznelson & H. Milner, eds. *Political Science: The State of the Discipline.* New York: Norton, pp. 693-721.

Raustiala, K. & Slaughter, A.-M., 2002. International Law, International Relations and Compliance. In: W. Carlsnaes, T. Risse & B. A. Simmons, eds. *The Handbook of International Relations.* London: Sage, pp. 538-558.

Regulski, J., 2003. *Local government reform in Poland: an insider's story.* Budapest: Local Government and Public Service Reform Initiative.

Richardson, J., 1996. Eroding EU politics: implementation gaps, cheating and resteering. In: J. Richardson, ed. *European Union: Power and Policy-making.* London: Routledge, pp. 278-294.

Schmälter, J., 2018. A European response to non-compliance: the Commission's enforcement efforts and the Common European Asylum System. *West European Politics,* 41(6), pp. 1330-1353.

Sebastiani, G., 2017. *The impact of "administrative cultures" on the national implementation of the Public Procurement Directive. A comparative analysis of the transpositions in Italy and Belgium.* Rome: s.n.

Sewell, W. H. j., 1996. Three Temporalities: Toward and Eventful Sociology. In: T. McDonald, ed. *The Historic Turn in the Human Sciences.* s.l.:University of Michigan Press, pp. 245-280.

Steinmo, S., 2008. What is Historical Institutionalism?. In: D. Della Porta & M. Keating, eds. *Approaches in the Social Sciences.* Cambridge: Cambridge University Press, pp. 151-178.

Steunenberg, B., 2005. Turning swift policymaking into deadlock and delay: national policy coordination and the transposition of EU directives. *European Union Politics,* 7(3), p. 293–319.

Thomson, R., Torenvlied, R. & Arregui, J., 2007. The paradox of compliance: infringements and delays in transposing European Union directives. *British Journal of Political Science,* 37(4), pp. 685-709.

Toshkov, D., 2008. Embracing European law: compliance with EU directives in Central and Eastern Europe. *European Union Politics,* 9(3), pp. 379-402.

Treib, O., 2003. *EU governance, misfit and the partisan logic of domestic adaptation: An actor-centered perspective on the transposition of EU directives.* Nashville, Unpublished.

United Nations, 2018. *UN E-Governement Knowledgebase - Frequently Asked Questions.* [Online]
Available at: https://publicadministration.un.org/egovkb/en-us/About/UNeGovDD-Framework
[Accessed 23 September 2018].

United Nations, 2018. *UN E-Government Knowledgebase.* [Online]
Available at: https://publicadministration.un.org/egovkb/en-us/Data/Compare-Countries
[Accessed 1 September 2018].

United Nations, 2018. *UN E-Government Knowledgebase - Methodology.* [Online]
Available at: https://publicadministration.un.org/egovkb/en-us/About/Methodology
[Accessed 23 September 2018].

University of Gothenburg, 2018. *The Quality of Government Institute.* [Online]
Available at: https://qog.pol.gu.se/
[Accessed 2 September 2018].

Van den Bossche, P., 1996. In search for remedies for non-compliance: the experience of the European Communities. *Maastricht Journal of European and Comparative Law,* 3(4), pp. 371-399.

Weaver, B. & Rockman, B., 1993. *Do Institutions Matter? Government Capabilities in the United States and Abroad.* Washington: Brookings Insitution Press.

Weber, M., 1978 (1922). *Economy and Society: An Outline of Interpretive Sociology.* Berkeley: California University Press.

World Bank, 2018. *Worldwide Governance Indicators.* [Online] Available at: http://info.worldbank.org/governance/wgi/index.aspx#home [Accessed 21 September 2018].

World Bank, 2018. *Worldwide Governance Indicators - Methodology.* [Online] Available at: http://info.worldbank.org/governance/wgi/cc.pdf [Accessed 14 September 2018].

Wright, V., 1994. Reshaping the state: the implications for public administration. *West European Politics,* 17(3), pp. 102-137.

Ziller, J. & Siedentopf, H., 1988. *Making European policies work: the implementation of Community legislation in the member states.* London: Sage.

Annex 1 – tables

Table 1: *Sample selection, repeating directives (continues to next page). Countries are indicated with the two-letter code system used by Eurostat* (Eurostat, 2018)

	Scoreboard report year (n° in brackets)													
Country	**2011 (II)**	**2012 (I)**	**2012 (II)**	**2013 (I)**	**2013 (II)**	**2014 (I)**	**2014 (II)**	**2015 (I)**	**2015 (II)**	**2016**	**2017**	**2018**	**Total**	
BE			2	4	5	2	1				1		15	Group 1
PL			2	2	3	2	1		1	1		2	14	
AT	1				1	2		1	2	3			10	
NL	1	1	1					1	1	2	1	2	10	
SI					2	3		1	2	1			9	
IE					1	2	2	1		1		1	8	
UK				2				1	1	1		1	6	
CZ								1	1			3	5	
DE				2		1		1		1			5	
IT			1	1					1		1	1	5	
EE					3						1		4	
FI					3					1			4	
LT					1	2							3	
RO								1		1	1		3	
LU	1						1	1					3	
SE	1	1				1							3	
ES											1	1	2	
FR										2			2	
CY					1	1							2	

	Scoreboard report year (n° in brackets)													
Country	**2011 (II)**	**2012 (I)**	**2012 (II)**	**2013 (I)**	**2013 (II)**	**2014 (I)**	**2014 (II)**	**2015 (I)**	**2015 (II)**	**2016**	**2017**	**2018**	**Total**	
HU					1	1							2	
BG			1				1						2	
HR												1	1	
LV											1		1	
DK													0	Group 2
EL													0	
MT													0	
PT													0	
SK													0	
Total	4	2	7	11	21	17	6	9	9	14	7	12	119	

Table 2: *Sample selection, non-repeating directives (continues to next page). Countries are indicated with the two-letter code system used by Eurostat* (Eurostat, 2018)

	Scoreboard report year (n° in brackets)												
Country	**2011 (II)**	**2012 (I)**	**2012 (II)**	**2013 (I)**	**2013 (II)**	**2014 (I)**	**2014 (II)**	**2015 (I)**	**2015 (II)**	**2016**	**2017**	**2018**	**Total**
PL			2		3				1	1		2	9
BE			2	2	3						1		8
NL	1	1						1		2		2	7
IE					1	1	1			1		1	5
AT					1	1		1	1	1			5
SI					2	1		1	1				5

	Scoreboard report year (n° in brackets)												
Country	**2011 (II)**	**2012 (I)**	**2012 (II)**	**2013 (I)**	**2013 (II)**	**2014 (I)**	**2014 (II)**	**2015 (I)**	**2015 (II)**	**2016**	**2017**	**2018**	**Total**
DE				2		1		1		1			5
CZ								1				3	4
EE					3						1		4
FI					3					1			4
IT			1	1					1		1		4
UK				2				1				1	4
RO								1		1	1		3
ES											1	1	2
FR										2			2
CY					1	1							2
LT					1	1							2
HU					1	1							2
BG			1				1						2
SE	1					1							2
HR												1	1
LV											1		1
LU							1						1
DK													0
EL													0
MT													0
PT													0
SK													0
Total	2	1	6	7	19	8	3	7	4	10	6	11	84

Table 3: *Administrative levels divisions, summary table.*

	Administrative level			
Country	**Federal states**	**Regions**	**Intermediate level**	**Municipalities**
Belgium	Yes, very decentralised	Yes, and language communities. High level of autonomy	Yes, provinces	Yes, and sublevels
Poland	No	No	Yes, provinces and counties below	Yes, with some having county status
Austria	Yes	No	Yes, districts and statutory cities	Yes, and statutory cities
Netherlands	No	No	Yes, provinces and water districts below	Yes (mayor designated by the central government)
Slovenia	No	No	No (administrative units are mere local divisions of the central government)	Yes, with some having urban status
Ireland	No	Yes, very low degree of autonomy	Yes, counties and city councils	No, municipal districts instead (replacing town councils), city councils for some
Denmark	No	Yes, with low degree of autonomy	No	Yes
Greece	No	Yes, and decentralised administrations with central devolved powers	No	Yes, and sublevels
Malta	No	Yes, with low degree of autonomy	No	Yes
Portugal	No	No	Yes, metropolitan areas and intermunicipal communities	Yes, and civil parishes
Slovakia	No	Yes, with government-appointed officials, and self-governing regions with moderate autonomy	Yes, districts	Yes

Table 4: *Government effectiveness (with percentiles), 2008, 2012 and 2016. (Source: World Bank, the Worldwide Governance Indicators (WGI) project. Data extracted 28/08/18)*

GEO/TIME	**2008**	**2012**	**2016**
OECD (percentile)	*87,80*	*87,43*	*87,86*
Belgium	1,39	1,6	1,33
Percentile	*87,86*	*93,84*	*86,54*
Ireland	1,5	1,55	1,35
Percentile	*88,83*	*91,94*	*88,46*
Netherlands	1,7	1,81	1,84
Percentile	*94,17*	*96,68*	*96,15*
Austria	1,78	1,58	1,51
Percentile	*94,66*	*92,89*	*91,83*
Poland	0,47	0,68	0,69
Percentile	*67,48*	*72,04*	*73,56*
Slovenia	1,19	1,03	1,12
Percentile	*84,95*	*81,04*	*83,65*
Denmark	2,25	1,98	1,89
Percentile	*99,51*	*99,05*	*99,04*
Greece	0,59	0,32	0,21
Percentile	*71,84*	*63,03*	*62,5*
Malta	1,28	1,25	0,95
Percentile	*86,89*	*84,83*	*77,4*
Portugal	1,09	1,04	1,22
Percentile	*82,04*	*81,52*	*85,58*
Slovak Republic	0,86	0,84	0,89
Percentile	*77,67*	*74,41*	*76,44*

Table 5: *Staff turnover with a change of government (with numbers), 2016. (Source: OECD, Strategic Human resources management Survey 2016. Last update 26/06/17, data extracted 26/08/18)*

		Senior management		Middle management	
	Advisors to the ministry's leadership	D1	D2	D3	D4
Belgium	3	0	0	0	0
Poland	3	2	1	1	0
Austria	2	0	0	0	0
Netherlands	0	0	0	0	0
Slovenia	2	1	0	0	0
Ireland	3	0	0	0	0
Denmark	3	0	0	0	0
Greece	3	1	1	1	1
Portugal	3	0	0	0	0
Slovak Republic	3	3	2	1	1

All (95-100%) ●	Many (50-94%) ■	Some (5-49%) ⦿	None (0-5%) ○
Replaced with 3	Replaced with 2	Replaced with 1	Replaced with 0

Table 6: *Control of corruption (with percentiles), 2008, 2012 and 2016. (Source: World Bank, the Worldwide Governance Indicators (WGI) project. Data extracted 28/08/18)*

GEO/TIME	**2008**	**2012**	**2016**
OECD (percentile)	*86,5*	*85,5*	*85,6*
Belgium	1,4	1,6	1,6
Percentile	*90,3*	*91,5*	*92,3*
Ireland	1,7	1,5	1,6
Percentile	*92,7*	*90,5*	*92,8*
Netherlands	2,1	2,1	2
Percentile	*96,6*	*96,2*	*94,7*
Austria	1,8	1,4	1,5
Percentile	*93,7*	*89,1*	*91,3*
Poland	0,5	0,7	0,7
Percentile	*69,9*	*73*	*76,4*
Slovenia	1	0,8	0,8
Percentile	*80,6*	*76,8*	*77,4*
Denmark	2,4	2,4	2,2
Percentile	*100*	*100*	*99*
Greece	0,1	-0,2	-0,1
Percentile	*61,2*	*52,6*	*56,7*
Malta	1	0,9	0,7
Percentile	*81,6*	*79,1*	*76*
Portugal	1,1	1	1
Percentile	*82,5*	*80,6*	*80,8*
Slovakia	0,4	0,1	0,2
Percentile	*67,5*	*61,1*	*63,5*