TROPICO
Transforming into Open, Innovative and Collaborative Governments

RESEARCH REPORT ON COLLABORATIVE GOVERNMENT FRAMEWORKS IN TEN COUNTRIES

Work Package 2 – Deliverable 2.3

Agnes Batory & Sara Svensson
Center for Policy Studies,
Central European University (CEU CPS), Budapest, Hungary

Deliverable number	D2.2
Deliverable title	Codes of Collaboration
Responsible author	CEU CPS

Grant agreement no	726840
Project acronym	TROPICO
Project full name	Transforming into Open, Innovative and Collaborative Governments
Starting date (dur.)	01/06/2017
Ending date	30/05/2021
Project website	http://tropico-project.eu/
Coordinator	Lise H. Rykkja
Project manager	Line M. Sørsdal
Reply to	lise.rykkja@uib.no, Batorya@ceu.edu or Svenssons@ceu.edu
Document URL	
Date of delivery	May 31, 2018
Nature	R (Report)
Dissemination level	PU (Public)
Lead beneficiary	CEU CPS

WP2 Team	**Agnes Batory** & **Sara Svensson,** Center for Policy Studies, Central European University (CEU CPS), Budapest, Hungary
Contributing	Cardiff University (CU), United Kingdom: James Downe, Benedetta Bellò Centre national de la recherche scientifique (CNRS)/IEP Grenoble, France: Claire Dupuy and Marine Trichet Erasmus University Rotterdam (EUR), The Netherlands: Erik Hans Klijn and Vidar Stevens, with support from Diana Sisto Hertie School of Governance (HSOG), Germany: Andrea Costa, Gerhard Hammerschmid, Maike Rackwitz and Kai Wegrich Roskilde University (RUC), Denmark: Peter Triantafillou and Magnus Paulsen Hansen Tallinn University of Techology (TUT), Estonia: Tiina Randma-Liiv and Agne Vabamäe University of Antwerpen (UA), Belgium: Koen Verhoest, Chesney Callens, with support from Jan Boon, Tom Langbroek and Joachim Vandergraesen University of Bergen (UiB), Norway: Lise H. Rykkja, Line M. Sørsdal and Jonas Lund-Tønnesen University of Zaragoza (UNIZAR), Spain: Lourdes Torres, Vicente Pina, Sonia Royo and Jaime García Cardiff University (CU), United Kingdom: James Downe, Benedetta Bellò Centre national de la recherche scientifique (CNRS)/IEP Grenoble, France: Claire Dupuy and Marine Trichet Erasmus University Rotterdam (EUR), The Netherlands: Erik Hans Klijn and Vidar Stevens, with support from Diana Sisto Hertie School of Governance (HSOG), Germany: Andrea Costa, Gerhard Hammerschmid, Maike Rackwitz and Kai Wegrich

Table of Contents

List of Figures

List of Tables

Chapter 1: Introduction

1.1 Aims of the report

The TROPICO research project starts from the premise that across the EU public administrations are transformed to enhance collaboration between public, private and societal actors in policy design and service delivery. However, this transformation is not linear or deterministic, and it has taken different forms across countries and time periods. This gives rise to important questions: Where, why and to what extent does collaboration actually take place? One common assumption is that the variation is structured in part by the institutional context: the behaviour and choices actors make are enabled, encouraged or constrained by rules, norms and conventions. Written rules, particularly laws, are one of the most important institutions underpinning the modern state. This also applies to cooperation within government and between government and citizens. To put it differently, one simple but often overlooked answer to the question 'why collaborate' is that a formal legal or administrative requirement to do so is in place.

Although collaborative government arrangements can be underpinned by both formal institutions (notably, law) and informal practices, the focus here is on the former. The task for this report is to analyse *codified collaboration frameworks* in the 10 country cases selected by the TROPICO consortium, as shaped by a range of institutional conditions, including administrative traditions (which motivated case selection in the project), the structure of state and government, international influence, and avenues for stakeholder involvement enabled by e-government, digitalisation and freedom of information regimes. The analysis is comparative: it observes variation across the ten EU member states in terms of the extent to which requirements or expectations to collaborate are codified in laws and regulations; the nature of the legal infrastructure in terms of scope and content to determine where (in which areas) law and other written rules are concentrated; and finally the broader trends that underpinned the transformation.

The foundation for the analytical framework in this report is an earlier paper in this work package, a review of the academic and grey literature (Batory and Svensson 2017, i.e. Deliverable 2.1). This report also relies on an original collection of codes of collaboration (codified rules), a corpus of 119

documents, presented as Deliverable 2.2 in the project (Batory and Svensson 2018). We further draw on narrative reports of the country experts in the TROPICO consortium (see section 1.3 on methodology), as well as secondary sources pertaining to conditions enabling and obstructing collaboration and reform trajectories, since these have already been subject to extensive analysis elsewhere. They include, notably, reports from the COCOPS research project,[1] but also data from various indexes produced by international organizations such as OECD, the United Nations and the European Union, and reputable research organisations/think tanks.

The report is structured as follows. We proceed to outline the analytical framework (1.2), followed by description of, and reflections on, the methodological approach and the material used (1.3). **Section 2** comparatively analyses the institutional context bearing on collaboration in and by governments relying on secondary data and the narrative reports from the country teams (country profiles in Annex 1 provide a discussion of institutional conditions for each case study country). **Section 3** provides a comparative meta-analysis of codes of collaboration in 10 European countries, first in terms of legal regulation mandating cooperation (3.1) and then in terms of guidelines and administrative documents facilitating and encouraging collaboration (3.2), with further comparative textual analysis in sub-section 3.3. Section 4 revisits the questions and analytical framework and offers some conclusions about the institutional dynamics behind patterns of collaboration in a comparative perspective.

1.2   Analytical framework

The TROPICO project proposal employed a 'shorthand' for collaborative governance as "a relationship between organizational actors established to achieve distinct objectives, most notably in formulating government policies or delivering public services, for which different means are applied that can be distinguished regarding their scope, formality, and intensity" (TROPICO Grant Agreement No. 726840 Part B: 8). The overall rationale for the project is to map parallel transformations of the state, for the citizens as provider of public goods, and by the citizens and stakeholders as feeding

---

[1] The research project 'Coordination for Cohesion in the Public Sector of the Future' (COCOPS) was funded under the EU FP7-program. Especially reports on coordination, e.g. Lægreid, Randma-Liiv et al. (2013), but also various country reports are referred to extensively in this report (D2.3). For full list, see http://www.cocops.eu/

into the policy process – the latter thus broadening the perspective, to include not only inter-organisational but also societal cooperation.

One of the findings of the literature review in this work package (Batory and Svensson 2017) was that definitions of collaborative governance in scholarship and policy documents vary greatly along several dimensions, most notably whether collaboration involves governmental actors only (internal collaboration), or also actors outside the governmental sector, be they citizens, organised groups or private sector actors (external collaboration). Internal and external collaboration in turn can be horizontal (e.g. internal collaboration across ministries or agencies on the same level of governance) or vertical (e.g. external collaboration with international organizations).[2] We concluded that the most influential definitions involve both the external and internal aspects but also that the literature suggests overlapping but not identical sets of conditions that drive/facilitate or obstruct collaboration in the two realms. Bearing this in mind, for *internal collaboration*, the most important conditions include:

- the structure of the state: unitary/federal and degree of de/centralisation as structuring the need and scope for internal vertical coordination and collaboration, i.e. across levels/tiers of government;
- the organisation of the government: mechanisms ensuring coherence across policy sectors/issue areas as structuring the need and scope of internal horizontal collaboration;
- historical development trajectories, most notably administrative traditions and political culture (as well as trust in government), the former as structuring the scope of government agencies' discretion with respect to cooperation and collaboration; and the latter as influencing attitudes to (accepted ways of) conflict resolution and the scope and nature of delivering public services;
- embeddedness in supra/trans/international institutional contexts as sources of obligations, structuring the scope of policy transfer, notably from the EU; and
- other country-specific factors.

With respect to external collaboration, additional conditions include:

---

[2] See Christensen and Lægreid on coordination (2008b:102). We classify collaboration with sub-national (regional and local) actors as vertical *internal* collaboration since it takes place within the realms of the state.

- the structure of the state and of government as giving rise to the fora available for partnerships with/involvement of external partners;

- the structure of interest mediation and societal dialogue, notably neo-corporatism, and other traditions of collaboration with non-governmental actors as impacting government agencies' readiness to cooperate with stakeholders;

- data-sharing and freedom of information regimes and e-government/e-participation reform trajectories as structuring avenues for citizen input; and

- other country-specific factors.

Most of the terms above are widely used and relatively clear, but it is in order to briefly define what we mean by the system of government, administrative tradition and political culture. The first of these refers to how the government is set up in terms of the existence and type of mechanisms for inter-ministerial coordination and where core responsibilities for central coordination lie (e. g., Wright 1994; Christensen and Lægreid 2001; De Vries 2000). Administrative traditions are conceptualised in many different ways in the literature; here we use the definition from the TROPICO project proposal as a concept encompassing the formal rules essential for the emergence of a Weberian rational-legal bureaucracy, norms and values about role of public administration in society as modified by major reform trends and, significantly for our purposes, legal systems. Administrative traditions are strongly shaped by legal systems, with a basic distinction between continental European Roman Law and Anglo-Saxon Common Law systems (e.g., Kuhlmann and Wollmann 2014). Political culture is a fuzzy term; among the many interpretations Lijphart's (1998, 1999) influential distinction between consensus and adversarial political cultures (corresponding to consensus vs majoritarian democracy) is more relevant for the purposes of this report than the more sociologically oriented interpretations (e.g., Inglehart 1988; Putnam et al 1988; Almond and Verba 2015). The essence of the concept that is relevant here concerns the style of decision-making not only in politics but also in public and organisational life more broadly.

In terms of reform trajectories, if the introduction of a Weberian rational-legal bureaucracy was the first generation public administration reform, taking place in many European countries more than a

century ago, then New Public Management (NPM) was the second (Van de Walle et al 2016: 4-6). The expression 'New Public Management' captured a shift away from public administration built on a belief in the state as superior innovator and implementer, and towards public management which put its faith in the market with an emphasis on economy, efficiency and efficacy (e.g., Hood 1991; Hughes 2003). Then, with NPM's gradual demise, a range of third generation (or post-NPM) reforms followed, which can be referred to as neo-Weberian or new public governance (Van de Walle et al 2016: 4-6).[3] Post-MPM reforms call for a return to classical Weberian values together with new objectives emphasizing openness and collaboration, as well as a more cohesive state (joined-up or 'whole-of-government-approaches).

The institutional context bearing on collaboration is not static, but clearly the likelihood and speed of changes is likely to vary across the conditions listed above. Radical changes in the structure of the state are not unprecedented – witness the succession of state reforms transforming Belgium into a federal state, for instance – but less common or likely than changes in the organisation of government, which, at least on a limited scale, often take place after a new party or coalition enters office. Administrative traditions may be transformed, but only gradually, through incremental change. The basic characteristics of the legal system or political culture are the product of long historical development and tend to be thought of as relatively stable frameworks. Policy transfer from international/supranational organisations, notably the EU, can be a source of rapid change.

In addition, our earlier literature review (Batory and Svensson 2017) indicates that major triggers of a transformation towards more collaborative government are also to be found in technological developments that enabled and necessitated the wide-spread use of ICT and digitalisation, and a broad normative shift towards open government and specifically transparency becoming widely accepted as a 'doctrine of good governance' (Hood 2007). ICT in particular not only offers new tools for collaboration, but its widespread use also necessitated the creation of new rules, for instance for data protection, sharing, and access. In the reviewed policy documents and other grey literature, collaboration is seen to be strongly connected to ICT and digitalization trends, suggesting that for practitioners or policy-oriented research this is the area where the most interesting developments
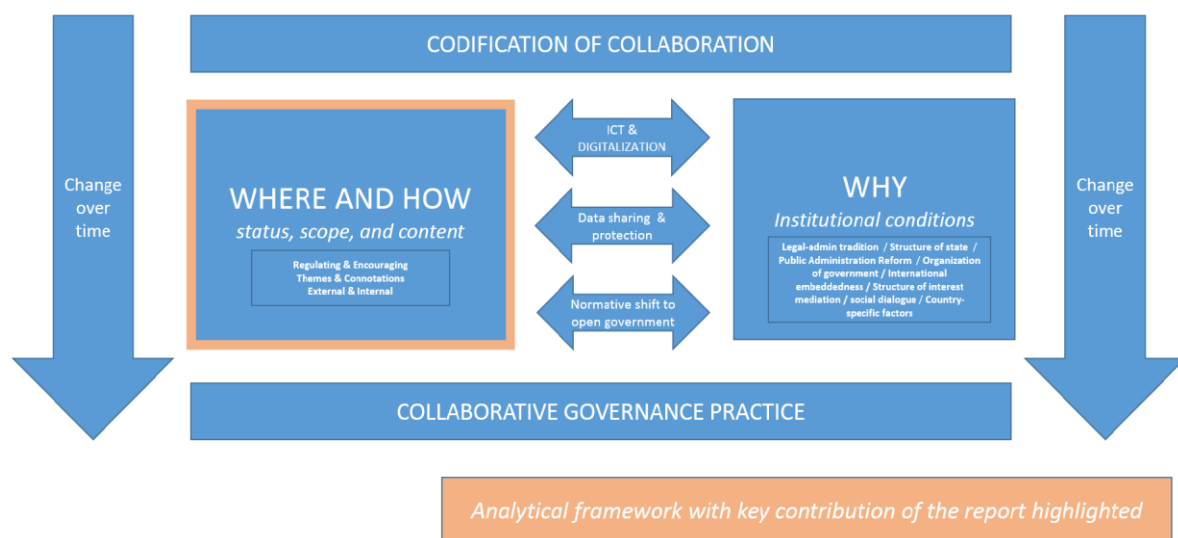
---

[3] Despite these developments, NPM trends continue to be important in many European countries (Christensen and Lægreid 2006, 2007, 2008a; Lægreid et al 2015; Andrews et al 2016).

are taking place.

Thus, a dynamic analytical framework of collaboration interlinks the shaping conditions (enablers and obstacles) with the role played by the rapid development of ICT and digitalisation/data sharing regimes as well as a normative shift towards open government. This framework guides the analysis in order to identify similarities and differences in patterns of collaboration regarding status, scope, content and changes over time. A graphic representation of this is shown below in Figure 1.1, highlighting the focus of the present report on where and how codification takes place in the context of broader institutional conditions. The framework is dynamic in the sense that changes in institutional conditions over time will have implications for collaborative practices (which is however outside the scope of this report).

Figure 1: Analytical framework in a schematic form

CODIFICATION OF COLLABORATION

Change over time

WHERE AND HOW
status, scope, and content

Regulating & Encouraging
Themes & Connotations
External & Internal

ICT & DIGITALIZATION

Data sharing & protection

Normative shift to open government

WHY
Institutional conditions

Legal-admin tradition / Structure of state / Public Administration Reform / Organization of government / International embeddedness / Structure of interest mediation / social dialogue / Country-specific factors

Change over time

COLLABORATIVE GOVERNANCE PRACTICE

Analytical framework with key contribution of the report highlighted

In the literature review (Batory and Svensson 2017), we also noted that the conditions above can be embodied in 'hard' *or* 'soft' institutions (for a broad institutional approach see March and Olsen 1989; Scott 2012; Olsen 2007, and Olsen 2010). For example, a country's constitutional order ('hard') determines state structure, which may necessitate particular cooperative patterns for the state to function, for instance in terms of distribution of competences. Administrative traditions ('soft'), also shaped by NPM and post-NPM reforms, influence what is valued more in public

administration/public service. 'Getting things done' (managerial public administration) or reaching consensus in a tightly regulated process (procedural public administration; see e.g. Thijs et al 2018), has implications for the likelihood that collaboration will emerge: in the former case, only if it is seen as essential for reaching a given organisational goal; in the latter case, as a matter of course. Both formal institutions (notably, law) and informal practices can also underpin collaborative governance arrangements. For instance, consultations with a given organisation or stakeholder may take place regularly because of a legal requirement but also because the practice is widely accepted and seen as normatively desirable or simply as 'ways of doing things'.

This question, on a highly abstract level, is rooted in the debate in legal scholarship on natural law theory and legal positivism (e.g. Finnis 2016), which we will not engage with here. The salient points for our purposes are, firstly, that collaboration *in law and written guidelines* and collaborative *practices* overlap, but are not identical. Less collaboration might take place then legally required if the law is not implemented or circumvented (a relevant example here is the legislative process in contemporary Hungary, where legal requirements for consultation with stakeholders are often evaded). Of course collaboration with other government agencies or external stakeholders may also be far more extensive than the minimum standard embodied in legislation, for instance when it is so dictated by practical needs, such as the inability for individual agencies to address cross-sectoral or in particular 'wicked' problems effectively (Lægreid et al 2015). The existing literature also provides examples when administrative agencies adopted procedures that went beyond statutory requirements, and in this way created administrative legal norms that were not (yet) codified (e.g. Reiss 2010; Graham 2000; Thatcher 2002).

A second salient point is that some countries are systematically less likely to codify rules than others, which however does not necessarily mean that particular practices would be less extensive as a consequence. This taps into the distinction between continental European legal systems based on Roman Law and Anglo-Saxon countries based on Common Law, the former characterised by comprehensive codification ambition and legal specification, the latter by reliance on judicial interpretation (e.g., Kuhlmann and Wohlmann 2014: 11). Codification may also be less likely in

countries where coordination and consultation have a long history. In these contexts – such as the Scandinavian countries – collaboration is deeply ingrained in practice, and therefore the adoption of a legal rule may not be seen as necessary.

The task in this work package is to map and comparatively analyse the legal infrastructure underpinning collaboration; we focus on formal, written 'codes of collaboration' as laid down in law and administrative guidelines. On the basis of the collected material, we can only infer observations about practice, thus, the picture presented in this report is necessarily incomplete – not just by virtue of the material collected but also the fact that actors' preferences (agency) is entirely outside our scope. The tendency against codification in the case of our single Common Law country can be taken into account, to some extent, when we consider administrative traditions (the legal system is a core component of administrative traditions; Kuhlmann and Wohlmann 2014: 10).

This takes us to the country cases in the report. The TROPICO consortium examines 10 EU member states: Belgium, Denmark, Estonia, France, Germany, Hungary, the Netherlands, Norway, Spain and the UK. The country cases are similar in many respects: notably, EU membership means that they are subject to the same or very similar influences from international or supranational sources, although the strength of these influences may vary. The country cases however also display variation with respect to the institutional conditions outlined above. Administrative traditions were the main criterion for the TROPICO research design, and all main traditions (*Common Law; Roman-Scandinavian; Roman-Germanic; Roman-French/Napoleonic*, see Yesilkagit 2010; Reynolds and Flores 1989; La Porta et al. 1999; La Porta et al. 2008; and *Central and Eastern European*, see Meyer-Sahling and Yesilkagit 2011, Kuhlman and Wollmann 2014) are represented in the analysis by at least one country case. In terms of state structure, the pool includes federal, unitary-centralised, and unitary decentralised countries alike. In the organisation of government, different organisations and mechanisms are in the focal point of coordination in central government across our country cases. We also have countries with adversarial and with consensual political culture (the UK and more recently Hungary as opposed to e.g., the Netherlands or Norway). This diversity makes the range of cases eminently suitable for comparative analysis by enabling the identification of differences and

similarities in patterns of codified rules of collaboration across EU countries.

With respect to the broad institutional conditions facilitating or inhibiting collaboration, this report provides both a set of country profiles (in Annex 1) and based on them a brief comparative overview (Section 2; see also methodology below). Our analytical strategy with respect to codes of collaboration is, first, to map the extent to which requirements to collaborate are in place, and what status these requirements have: e.g., in the constitution, in basic public administration laws, in sector-specific or other laws, or in documents without legal force, such as administrative guidelines. This corresponds to the degree to which codified rules for collaborative arrangements are formalised, i.e. more or less tightly regulated or only loosely encouraged. Two, we analyse the nature of the legal infrastructure in terms of scope and content, with the aim of identifying where (corresponding to which shaping condition) law and other written rules are concentrated. Finally, we study the broader trends that underpinned the transformation (if that can be substantiated) in each country context through a discussion of country-specific factors, national connotations and trajectories of collaboration.

As our previous reports (Batory and Svensson 2017; Batory and Svensson 2018) spell out, this comparative analysis contributes to addressing a distinct gap in the literature in several respects. First, there is little analysis considering the legal infrastructure underpinning collaboration in general, and in EU countries in particular. A handful of American public administration scholars have tackled the issue in the US context (e.g., Bingham and O'Leary 2015; Amsler 2016). Bingham et al (2005) pointed out that the legal infrastructure of collaborative practices has been established on the federal level, and relevant legislation is rapidly developing on the state level, and sought to situate these developments within public management, governance, and legal studies. The empirical novelty in this body of literature is providing an overview of the legal rules pertaining to collaboration and analysing their scope and the gaps that appear in regulation. In the EU context, this kind of mapping exercise has not been done, or has only been done on a limited scale, largely as pertaining to particular policy areas. In this study, we seek to substantiate whether there are requirements to collaborate, and where (in what type of document) this obligation in included, which could form a

European counterpart to the American scholarship cited above. The project also advances the scope of our knowledge on the subject, since the collection by the TROPICO country teams of codified rules pertaining to collaboration in their respective countries is the first *comprehensive* overview of the state of play in ten EU member states. Finally, this collection also serves as the foundation of a *comparative* analysis of national patterns of codification, which contrasts with the national focus of most existing studies.

Moreover, as discussed in the literature and report review (Batory and Svensson 2017), collaboration is often defined and discussed as taking place among governmental actors, *or* as bringing together governmental and non-governmental actors in policy-making or service delivery. The latter aspect, a key concern with the involvement of citizens and organized interests in the policy-process is particularly characteristic of US scholarship, whereas in European public administration scholarship the bulk of work so far has focused on cooperation within government. The TROPICO project (and this work package) examines both internal (within-government) and external (outreach-oriented) collaboration, which will serve an important bridging, synthetizing function in the literature. Of special relevance for policy is the integration of ICT, digitalisation and e-FOI/e-participation in the study, which, as the review of grey literature indicated, is a key concern for practitioners.

1.3   Data and methodology

The potential information sources for a report on this subject are almost endless, and in deciding how to approach the gathering and analysis of data, we followed two principles. The first principle was to seek to re-use data. We did not want to duplicate work by requesting TROPICO experts to supply information that is already available. The material used in this report can therefore be broadly divided into two types: an original data set and secondary data. For the set of institutional conditions underpinning the analytical framework (Section 2 below), we mainly relied on existing qualitative and quantitative data and research publications, combined with narrative interpretations provided by a number of the country experts as part of our Request for Information template. In contrast, since the regulatory aspect of collaboration has been largely overlooked by European scholars (see previous section), original data collection involved the compilation of 119 primary sources ('codes of collaboration'), presented as Deliverable 2.2 (Batory and Svensson 2018), which

were received as part of ten country expert teams' input. As a meta-analysis, Section 3 of this report utilizes these to comparatively analyse similarities and differences in legal frameworks governing collaboration across the project's 10 countries. Information was extracted from partner input with the aid of the analytical framework and systematized through the creation of tabular overviews, which served as the basis of the qualitative analysis in Section 3. This was supplemented with a quantitative method by subjecting the summaries of the entire corpus of documents (Batory and Svensson 2018) to computer-assisted text analysis (CATA), using Voyant Tools to produce word clouds and compare the corpus of text across country cases to establish variation in emphasis. (Further information on CATA follows in section 3.3 where it is used).

The second principle was to make the data that we collect valuable for both the policy/practitioner and the academic community. The former goal is primarily served by making the collected material easily accessible on-line in a user-friendly format.[4] Our previous report (Batory and Svensson 2018) provides concise summaries of all relevant laws, administrative instructions and guidelines collected by the country experts – altogether constituting of 119 document entries. The comparative analysis that follows here will also serve as basis of publications for an academic audience (the two remaining deliverables in this work package) and dissemination to a wider audience.

In somewhat more detail, data collection involved asking public administration experts in the partner institutions to identify texts pertaining to internal and external collaboration in a range of sources including, but not limited to: constitutions; laws on the legislative process; regulations on the internal structure and working methods of government; ethical and other guidelines for the civil service; and examples of best practice. In addition, the experts were asked to collect documents that relate to data protection/sharing and freedom of information, with a focus on currently valid laws, rules and guidelines affecting how government share data among its different units (internal collaboration) and with interest/civil society organizations and the citizenry (external collaboration). Finally, a narrative section requested experts to provide their own assessment of other institutional factors that may shape collaboration; how collaboration practices have developed over time; and the

---

[4] Available at the project website at http://tropico-project.eu

possible effects of the overall and freedom of information regulatory framework on internal and external collaborative governance. The narrative section was optional but 9 of the 10 country expert teams provided their assessments, and this input was utilised in particular for writing up country profiles comprising the shaping conditions (Annex 1) which serve as the basis for the comparative analysis in Section 2 of this report.[5]

It is important that we acknowledge and reflect on the limitations of the methodology and material collected. As discussed above, the collection of codified rules gives us only limited insight into implementation and practice. We have to assume that a significant proportion of collaborative practices remains outside our purview; however, other work packages of the project will complement our findings. Moreover, the material collected pertains mainly to the national/central government level, but does not cover sector- or organization-specific rules or sub-national levels. Collaboration may vary across sectors, but our material only shows a few specific examples (e.g., environmental policy or EU cohesion policy related rules). Collecting material on the very complex and shifting landscape of sub-national government in Europe would have been too resource-intensive. That said, we also have examples for instance to Flemish and Welsh codification.

Also as noted in our previous report (Batory and Svensson 2017), the collection of codes of collaboration reflected the judgment of the country experts on what counted as a relevant source. As is the case with any kind of expert data, there is therefore a risk of bias and distortions that may arise from different interpretations of the key concepts, instructions or questions asked (see e.g., Hooghe et al 2010 with respect to expert surveys). Since many source documents are not in English, the lead team (CPS CEU) was not able to assess the original documents. However, these risks were ameliorated by circulating drafts of the report to the country experts for verification. In any case, widely differing interpretations of key concepts were unlikely given that the country teams used the TROPICO project framework as common frame of reference.

---

[5] The Request for Information from Partners template forms Annex 1 to Deliverable 2.2 (Batory and Svensson 2018); that report also provides further information on the distribution and characteristics of the pool of 119 documents received as part of the country reports.

Chapter 2: Institutional conditions facilitating or inhibiting collaboration

This section outlines the broad institutional conditions that shape collaboration in the ten countries covered. We focus on the conditions outlined in the analytical framework, relying on the existing literature dealing with these factors as well as the narrative sections in the country reports provided by the TROPICO teams in the ten countries. The resulting country profiles consequently deal with the most important sets of conditions that may drive or inhibit internal and/or external collaboration (see section 1.1). To reiterate: for internal collaboration these are the structure of the state, the organization of government, administrative traditions and political culture including trust in government; broader societal tendencies; public administration reform trajectories; and embeddedness in supra/trans/international contexts (particularly the EU), and for external collaboration also the structure of interest-mediation and tradition of social dialogue, data sharing and protection and freedom of information regimes and e-government/e-participation reform trajectories as structuring avenues for citizen input.

Since much of this information is extensively covered by existing literature, the country profiles form Annex 1 to this report, combining secondary sources with insights from the narrative sections of the input from TROPICO partner institutions. In this section of the report, we sought to be concise, and consequently the main points of the country profiles in Annex 1 were summarised in a tabular overview (see Table 2.1 at the end of this section). Below, we offer comparative observations about how the conditions applied across the ten countries.

- Regarding the *structure of the state*, several countries in our country set are subject to political and administrative pressure regarding the (re)distribution of powers vertically across tiers of government. This has implications for opportunities and constraints for collaboration. First, decentralisation or devolution of powers to regional or local actors opens the way for multi-actor collaborative partnerships at new levels of government, particularly at subnational and local levels, as competencies are shifted there; and also creates needs for more vertical collaboration across tiers of government. These developments are in line with much of the scholarship on multi-level governance – where the EU level is added 'on top' of levels within the

state, albeit often with alliances or coalitions emerging that connect actors on the supranational with those on the regional level, thereby bypassing national central government (e.g., Hooghe and Marks 2001; Tatham 2015).

- A second observation is that state structure is a less static variable than perhaps thought at the beginning of the 2000s. Within this relatively small sample of ten countries, we see how forces as different as policy fragmentation, reaction to secessionist claims or political counter-movements from the centre have led to centralisation, decentralisation, and/or recentralization in the last decades. We can also observe country-specific processes with contradictory dynamics from the point of view of vertical collaboration, with e.g. the UK devolving powers to the regional governments, and thus opening the way for more cooperative central-regional relationships, while the relative weakness of local governments seems to be a fixture. **Belgium**'s gradual transformation to a federal country in the last decades resulted in an extremely complex state structure with very elaborate vertical and horizontal cooperation mechanisms, which at times seem to be limiting, rather than boosting, the effectiveness of the state. **Spain** is subject to such strong centripetal pressures that, especially in the last year, its territorial integrity has been at stake. The Catalan independence movement in particular prompted both calls for re-centralisation in Madrid and further regional autonomy or even secession in Catalonia, and a corresponding crisis, and temporarily even breakdown, in vertical collaboration. Meanwhile, in **Hungary** extreme centralisation has been the dominant pattern since 2010, in part as a response to real and alleged vertical coordination difficulties and the weakness of local government.

- The *organisation of (central) governments* shows relatively little variation in terms of the basic characteristics. Prime Minister's Offices tend to be given the task of running the machinery of cross-sectoral, inter-ministerial/inter-departmental cooperation, and as such can be considered as key actors in horizontal internal collaboration. Ministries of Finance play a key secondary or supplementary role in e.g. **Norway**, **Belgium**, **Netherlands**, and **Spain**, and tended to become more powerful as a consequence of the financial crisis (Randma-Liiv and Savi 2016). Although PMOs do vary in size and influence, there are few innovative additions of transversal functions. However, beyond the centrality of this key coordinator, central governmental organisational change is common in the ten EU countries analysed. For instance, state

secretariats might be created or ministers without portfolio appointed for distinct, urgent tasks, only to be removed when they have fulfilled their tasks or are considered to have failed in the same. For example, in 2006 **France** set up a General Directorate for State Modernization in 2006. This unit was terminated in 2017, and replaced by Interministerial Directorate for Public Transformation and the Interministerial Directorate for State's digital issues. Similarly, earlier tendencies of agencification (Verhoest et al 2012; Overman and van Tiel 2016; Mortensen 2016) seem to have run their course, with independent agencies created at the height of NPM reforms quietly closed down or merged. The **UK** is a key example for a counter-movement in countries that were most affected by agencification (Thijs et al 2018).

In other countries where public administration is more politicised we can go further and state that the secondary characteristics of the organisation of central government is in a state of flux, and important administrative/organisational functions are relocated/reorganised as a function of party politics or in line with the preferences of the government in power (e.g., Meyer-Sahling and Veen 2012). A key example in our country set is **Hungary**, where the EU policy coordination portfolio often changes hands, and where the PMO itself tends to be reorganised after each election, even if the ruling government stays in power, as is currently the case with Fidesz. A prominent example of political exigencies having a major impact is the **UK**, where Brexit has led to the establishment of the Department for Exiting the European Union the performance of which has been widely criticised. Most, if not all, of these changes in the above mentioned cases were justified by the need for better coordination and collaboration among different parts of central government.

- Historical development trajectories matter by creating path dependencies (e.g., Pierson 2000; Pierson and Skocpol 2002; Peters et al 2005). *Administrative traditions* continue to have an impact, as modified by historical legacies and also more recent or contemporary experiences of public administration reform. Legal and administrative traditions structure the extent to which national bureaucracies rely on detailed rules, including strongly regulated administrative processes, or are conversely relatively free to pursue set goals. Recent transitions to democracy also matter, particularly in post-communist countries, in the form of over-bureaucratisation and weak procedural guarantees for citizens which remained visible for a long period of time after

regime change in **Hungary** or **Estonia**, while at the same time roman-Germanic traditions predating (and to some extent continuing under) communism reasserted themselves. And *political culture* is also relevant, with majoritarian political systems more likely to display a 'winner takes it all' mentality, less inclined to cooperation, which is also expressed in the relative volatility of institutional frameworks whereas, in more consensual countries, changes of government are less likely to result in major disruptions as collaboration across partisan lines is more likely.

- At the same time, our comparative analysis confirms that administrative traditions continue to be overlaid by hybridization (Painter and Peters 2010). Commonalities are introduced by policy transfer in the context of waves of *administrative reform*, most notably NPM and post-NPM (New Public Governance). In this context, the availability of organisational and financial *resources* also clearly structures collaborative attitudes and opportunities. In particular, austerity and/or an 'over-drive' to cost-efficiency have been normalized to the degree that it has become an institutional factor in several countries (Diamond and Vangen 2016; Elston et al 2018a, Elston et al 2018b). For instance, in **Spain**, lack of public resources to achieve stated goals seems to have been a major driver of public-private partnerships in service provision and major infrastructure projects, essentially involving private capital as a way to relieve the pressure on the state budget – in this case austerity pointing to increased external collaboration. In the **UK**, austerity measures affecting local government seem to be incentivising a search for novel ways of meeting citizens' demands for public services, for instance by co-creation and co-delivery, which may thus constitute a driver for the emergence of more external collaboration practices. At the same time, poor funding may also constrain local governments in supporting non-governmental actors wishing to participate in collaborative arrangements.

- Embeddedness in a multitude of fora in *EU policy-making* has a significant impact on collaboration. The EU itself is a source of requirements for collaboration in various policy sectors. One notable example concerns regional and cohesion policy, where a key requirement is to follow the 'partnership principle': EU member states can only access structural and regional development funds if they comply with the requirement of involving the social partners and other non-governmental organisations in monitoring expenditure in committees established for

this purpose (Batory and Cartwright 2011). Effective absorption of funds also creates functional needs for complex vertical cooperation arrangements within public administration, where regional and central government agencies need to coordinate administrative processes. The necessity to coordinate EU policy within national administrations, for instance with the purpose of formulating national positions to represent in EU level structures, also gives rise to collaborative arrangements in national administrations in EU capitals (Kassim et al 2000; Batory 2012). EU membership also creates the scope for a wide range of policy transfer processes, driven by both instrumental and normative considerations, among them the aspiration to emulate European best practice (Batory et al 2018). The latter type of influence is of course not exclusive to the EU but is also common to international organisations. OECD for instance seems to have had a significant influence on public administration reform in **Estonia**, **Hungary**, and **Spain**, generally in the direction of expanding collaborative processes in government and between government and societal actors.

- *Interest-mediation* is often assumed to be governed by a relatively stable institutional framework, shaped by long historical development of the relations among the state, the market and organised labour (see the varieties of capitalism literature, Hall and Soskice 2001; Bohle and Greskovits 2012). However, against the background of broader shifts in many EU countries that weaken organised labour (e.g., declining trade union membership), political changes also have an impact on interest mediation. In **Hungary,** the ruling populist government emptied out social dialogue, turning the earlier relatively influential tripartite body of government, employee and employers' organisations into a weak consultative organ. Elsewhere, we can observe the opposite tendency, where in **Denmark** a relatively new body (the Environmental Economic Council, established in 2007 in addition to the existing council) brings together government, labour, and industry, albeit only in an advisory capacity.

- *Freedom of information regimes and (electronic) consultation/participation* practices matter mainly for external collaboration, and specifically for engaging the citizens, in the former case as a precondition for having an informed public debate. FOI is a rapidly spreading right, with numerous countries adopting specific legislation guaranteeing the right (see e.g. freedominfo.org). The world's longest standing regulations establishing this right is Sweden's

Freedom of the Press Act dating back to 1766 (not in our country sample). Among the relatively late adopters are **Germany** (2005) and the **UK** (2000), but by now all ten countries have FOI as an established constitutional/legal principle. The degree to which citizens can access government held information varies in practice, but in this area there is thus clear evidence of a *shift towards open government* as a precondition for external collaboration involving citizens. However, we also see backsliding in the area in our country sample. In **Hungary,** several restrictions have been introduced to an earlier progressive FOI regime, with an ever-increasing range of exemptions for public bodies from disclosure requirements (Sitter et al 2017). At the same time, the **Hungarian** government launched new consultation tools, most notably the so-called national consultations involving mailing questionnaires to every household on a wide range of issues, seven times since 2010 when Fidesz entered into office. (The questionnaire was also available online). The consultations were however deeply flawed instruments for actually securing public input, for instance because of strong bias in the framing of questions. **Estonia** also experimented with novel electronic consultation practices (notably, the People's Assembly), which however did not entirely fulfil expectations about securing extensive public input.

- Finally, and connected to e-FOI and e-participation, a cross-cutting theme emerging from the country reports is an increasing pre-occupation with *digitalisation*, particularly data storing and exchange in government, the utilisation of big data and the procurement and utilisation of the latest technology in information and communication across government, often in collaboration with private sector providers in arms' lengths or PPP relationships. This has an internal cooperation and collaboration aspect, for instance in terms of interoperability of systems, and an external collaboration aspect, for instance in terms of making government-held databases (big data) available for commercial and/or societal use. The **UK** government has been a pioneer in the latter. The **UK** is also a leader in e-government development more broadly, while **Estonia** is clearly considered the most advanced among the EU's newer member states (see e.g. the UN E-Government Survey 2016).

- In addition, a wide range of country-specific factors is relevant for facilitating or inhibiting collaborative government. Rather than enumerating them here, they are noted in the country profiles in Annex 1.

Looking at the mosaic of institutional conditions, it is evident that each country in our sample is subject to a wide variety of influences, some facilitating others inhibiting collaboration. Consequently, we are unable to classify countries as highly collaborative or otherwise; what we observe is instead a range of sometimes contradictory influences from institutional conditions. Nonetheless, we can conclude that major macro-institutional variables continue to matter for the ease and likelihood with which collaboration may emerge. This includes, most notably, the vertical and horizontal structure of the state and of the government structure the availability of fora and mechanisms for internal vertical and horizontal collaboration, with countries that possess tiers of government with significant competencies giving rise to a plethora of collaborative networks. Administrative cultures matter too for positioning the public administration/civil service vis-à-vis society, but most countries falling into the 'archetypes' have been subject to waves of reform: original Weberian conceptions of administration have been transformed by NPM and post-NPM reforms, resulting in similarities across countries originally anchored in different traditions. More recent developments, notably international and EU influence also often overwrite long historical development patterns, and constitute a more powerful impact on internal and external collaboration. Table 2.1 below provides a keyword-based overview of the institutional conditions that shape collaboration by country, drawn from the country profiles provided in Annex 1.

Table 1: *Overview of institutional conditions shaping collaboration, by country*

	Belgium	Denmark	Estonia	France	Hungary
Structure of state	From unitary --> federal (in constitution since 1993) and decentralized (regions differing)	Unitary and decentralized	Unitary and centralized	Unitary and decentralized	Unitary and centralized
Public Administration Reform	Some NPM-driven reforms in the 1990s, followed by pragmatism and process in the 2000s	Soft NPM reforms followed by neo-Weberian/Digital Era Governance reforms	Radical reform agendas since early 1990s; neo-liberalism; NPM; pursuit of 'Single Government Approach'	Limited and highly contextualized NPM-influence; Neo-Weberian reforms; Uneven trajectories of reform between sectors	Pushes for efficiency gains and leaner state not realized; decentralization reforms entailed building up state administration structure outside capital; then more recently re-centralization.
Organization of government	Venues for coordination between coalition partner; coordinative unit at PMO works well short term, but lack of true collaboration towards shared goal and central long-term coordinative strategic planning; policy fragmentation due to federalization	Small PMO, coordination committee, seconded line ministry officials, multi-party coalition core executive	Development to more collaboration and coherence, but still deficits in this area; new second minister at Ministry of Finance responsible for public administration reform	High-level intermin. coordination through PMO and President's office; Important new actor General Directorate for State Modernization (as of 2006); replaced by a new Directorate in 2012 (SGMAP), terminated in 2017.	Re-organization of government: extreme centralization; efficiency has been key aim; concentration of power in PM's hands (personalization of power) since 2010; sweeping constitutional changes weakening checks and balances
Historical Development including administrative tradition and political culture (where relevant)	Different traditions in Wallonia and the Flemish region; Roman-French vs Roman-Germanic; Consensual political culture	Roman-Scandinavian: comprehensive statutory laws,; long history of collaboration; Consensual political culture	Eastern European; civil law legal system; admin trad influenced by Roman-Germanic traditions; legacies of communism	Roman-French: strong legal basis for a state, interventionist, hierarchical, civil servants with very high status (elite)	Eastern European; influenced by Roman-Germanic traditions through Habsburg rule; adversarial political culture; highly politicized

					civil service
Embeddedness in supra/trans/international institutional contexts	Highly embedded; Hosting the EU capital'; multi-level fragmentation may hinder effective policy communication internationally	Highly embedded, more influence on policy transfer than warranted by size	highly embedded and influenced by external actors (e.g. EU, OECD)	Highly embedded; Strong filtering of external influences through specific French politico-administrative features	Highly embedded but increasingly resistant to external influence
Structure of interest mediation and social dialogue	Neo-corporatist consensual	Neo-corporatist ---> privileged pluralism	Rapid development of inclusive practices and possibilities to impact law-making, less possibilities later in the policy cycle	Despite strong trade unions weak structures for interest-mediation; venues characterized by formality and distrust; recent development of social dialogue forums	Polarized politics mirrored in civil society with decreased opportunities for parts of civil society to take part; weakened tripartite structures
Freedom of Information regimes	Step-by-step development; partly fragmented (e.g. original act restricted to only federal government and some agencies).	Contested	Interlinked with e-government development. Advanced.	Through open data initiatives but less successful than other digitalization reforms; has fallen in in international rankings.	Contested; early progress followed by backsliding
Digitalization and use of ICT	Incremental change in e-government starting from the 1990s, punctuated with more radical change (e.g. eHealth); important drivers and components in public administration reforms;	Advanced; active promoter of use of digital means (Digital Era Governance)	Advanced; active in e-government and e-participation	Core for reform, drive to make administration accessible via online means	Rapidly developing ICT interfaces for administrative user contacts; laggard overall
Country-specific factors/recent important developments	Has seat of EU capital'; policy fragmentation due to federalization process	Slow decision making (consensus building), fast implementation.	Informality and networking key mode of operation among civil	Modernization' core for collaboration and reforms	Backsliding of democracy has effects on governance; national consultations as

			servants		main tool for input

	Germany	Netherlands	Norway	Spain	United Kingdom
Structure of state	Federal and decentralized	Unitary and decentralized	Unitary and decentralized	Unitary, asymmetric regionalism/semi-federal	Unitary, centralized, asymmetric devolution
Public Administration Reform	Laggard' NPM reformer / 'reluctant' reformer, but civil servants confirm important NPM and post-NPM trends; Perceived deficits in openness, digital gov and mergers of agencies; Some reforms of internal vertical collaboration; capacity for reform (e.g. labour and social, Hartz I-IV);	Some NPM-driven reforms (slimming down government), but no anti-state moment	Collaborative reform strategy --> (soft) NPM reformer; international reform filtered and layered resulting in post-NPM hybrid features	Much reform tied to restructuring of the state; other PA reform 'sluggish'; current reforms driven by austerity	Half a century of reform: NPM -->post-NPM (New Public Governance)
Organization of government	high executive capacity, but relatively weak inter-ministerial coordination	strong line ministries staffed with career civil servants; due to EU influence more important role for PM and Finance Minister; executive agencies	Highly efficient coordination at the core; important central government agencies (also at the regional level)	Stable, relatively high interministerial coordination	Strong core executive with well-functioning coordinating mechanisms. Less horizontal coordination at lower levels and among agencies.
Historical Development including administrative tradition)	Roman-Germanic: civil law; civil servants with high status; organicist; 'secrecy' culture in public administration	Roman-Germanic administrative tradition consociational and consensual political culture	Roman-Scandinavian: civil law, professional civil service; consensual and egalitarian political culture	Roman-French; 'mana-gement by decree'; interventionist; some clientalistic features including the temporal appointment by the govt of high positions in the public sector	Common Law/Anglo-Saxon: Evolving case law; pluralist; a neutral, generalist and permanent civil service; values limited government
Embeddedness in supra/trans/international	Strong links with international institutional contexts - two-way	high	Extensive and high; 'quasi-member' of the EU (EEA membership)	high	Extensive and active embeddedness, though declining through Brexit

institutional contexts	influence				
Structure of interest mediation and social dialogue	Neo-corporatist; more venues for social dialogue with citizens being developed	Neo-corporatist structures with new structures for social dialogue and citizen input --> network governance	Neo-corporatist, broad spectrum of actors included, venues for social dialogue (shortened time-frames an issue)	Weak, few structures, uneven across policy sectors	Formally venues for tripartite talks or citizen input available. Recent improvements threatened by cuts on civil society funding.
Freedom of Information regimes	Secrecy laws' challenged by Freedom of Information frameworks	Advanced state of digitalization and service delivery. Innovative tools for e-participation such as 'The Right to Challenge Initiative'.	Recently improved access to internal working documents, through digital tools such as the portal 'eInnsyn'.	Improved legislation, but difficulties with implementation.	Recent addition to UK administration; successful in increasing amount of information in society; no consequences for general trust
Digitalization and use of ICT	More coordination needed to speed up digitalization and e-government	attempt to use e-participation to increase trust in institutions	Advanced; civil servants see e-government and digitalization as key reform trend	good e-government practice as regards external collaboration, data sharing and use of ICTs	Advanced
Country-specific factors/recent important developments	Trend against privatization and outsourcing, re-municipalization of public utilities	Consociationalism and consensus in decline, more polarized; Increasingly delegation of implementation to executive agencies	Outside EU (in EEA); Slow decision making (consensus building), fast implementation; High levels of inter-municipal collaboration	Autonomous regions reproducing Napoleonic administrative culture; austerity; increasing Basque and Catalan regional autonomy and now secessionist aspirations; early user of private finance for public projects	Strong capacity for radical reform (e.g. Thatcherism); Austerity; Brexit; relationship to constituent parts (Wales, Scotland); reduced trust levels.

Chapter 3: Collaborative government frameworks in legal rules and administrative guidelines

This section reviews legal provisions and administrative guidelines pertaining to collaboration in the ten countries analysed. The comparative analysis draws on the corpus of 119 documents that form the basic codified rules regulating internal and external cooperation across these EU member states. The specific sources of rules are drawn from the country expert teams' input, utilizing in particular answers to questions on: type of document; trajectory of changes; how internal and external collaboration appears in the selected source; and context of adoption.[6] As it will become apparent, not every country is discussed with respect to every type of legal/policy document, and conversely not every source from a given country report is discussed. The reason is that there is significant variation as to the range of sources regulating collaboration in each of the countries; the aim here is to pinpoint codified rules that exemplify a pattern (commonalities across counties) or signify a county-specific development.

3.2   Regulating collaboration: Legal frameworks of collaborative government

The focus in the first instance is on a wide range of sources with legal force, which the country expert teams selected as key pieces of legislation on collaboration, moving in line with the hierarchy of laws. This organizing principle involves a discussion of constitutional frameworks first, then general legal frameworks (enacted by legislative bodies), and finally statutory law pertaining to specific sectors or fields of administrative activity. By and large, this also means moving from the abstract to the specific, i.e., from general statements of principle to detailed rules on collaboration.

3.1.1   Constitutions

A constitution is "a formal written document, which enjoys some form of superiority over regular law-making, and some form of entrenchment" (Gavison 2002: 89). Constitutions occupy the highest

---

[6] The Request for Information from Partners template forms Annex 1 to Deliverable 2.2 (Batory and Svensson 2018), which also provides further information on the distribution and characteristics of the pool of 119 documents received as part of the country reports.

status in the hierarchy of legal sources, and their function is at least in part symbolic or expressive. The three standard components include "basic governmental structures and the relations between the main powers and functions of government; basic values and commitments; and human rights" (Gavison 2002: 89). Generally, they have little to say about public administration or the general principles underpinning administrative practice. Rather, as Ginsburg (2010: 117) points out, the role of (written) constitutions is "to establish the broader structural apparatus of governance and accountability, in which the bureaucracy is the great unspoken".

The principle of collaboration as an explicit requirement features even less in contemporary European constitutions. One simple reason for this is that most constitutions in the ten EU countries in our case study pool date back to times when collaborative governance may have been practiced, but did not enter the vocabulary of legal and administrative sciences or law-makers. The clearest example of this is the **Norwegian** constitution, adopted in 1814, which is the second oldest in the world and the oldest in Europe. On the other hand, the absence of collaboration from more contemporary constitutions may reflect actual negative attitudes, or a missing sense of importance, of behalf of the adopters of the consultation. The youngest constitution in our set, **Hungary's** basic law, adopted by the Fidesz super-majority in parliament in 2011, exemplifies this situation: any tendency towards collaborative governance should have been visible in this cornerstone of Hungary's political and legal order had the political party behind the document considered this a priority.

While the general picture is of constitutions not including explicit requirements for collaboration (with some exceptions noted below), the principle of internal and/or external collaboration can be inferred from the basic *structure of the state*, and from rights provided to citizens in constitutions. **Belgium's** constitution (the Constitutional Decree of **Belgium**) provides a good example of the former: while is does not discuss coordination by entities within the federal government, it regulates the division of competences across tiers of government – the regions, communities, provinces, municipalities and the federal level – with an implied necessity for cooperation among levels involved in particular state functions, for instance in terms of joint responsibility or tasks. Thus,

internal vertical cooperation can be inferred from the document as a consequence of **Belgium**'s gradual transformation since the 1970s into a federal state, as also discussed in the previous section (Section 2).

This is also the case with the **German** *Grundgesetz*, the other federal country in our sample, which provides for the competences of the federal government and the *Länder*, and determines the scope of joint tasks. One specific provision for inter-level vertical collaboration concerns IT infrastructure and ICT services (Article 91c (1)), which calls for cooperation between the federation and the *Länder*. The vertical territorial organization of the state also provides the context for the single explicit reference to collaboration in the **Hungarian** fundamental law, an article (Article 34 (1)) that requires that local governments and state organs cooperate to achieve 'community goals'. This document also refers to cooperation on a meta-level in the 'national avowal', but this does not concern either internal or external collaboration but rather a communitarian approach to nationhood; the unity of the nation as an organic whole ("We hold that individual freedom can only be complete in cooperation with others").

The principle of internal collaboration can also be inferred from the oldest constitution in our sample. In the **Norwegian** *grunnlov,* internal collaboration is mainly present in terms of horizontal cooperation among branches of government, structured by the constitutional principle of division of powers. External and internal collaboration can also be inferred from the requirements for law-making. The sections on the legislative process for instance require hearings where all relevant parties should be consulted. The *grunnlov* also provides for a wide range of civil and political rights – among them, significantly, freedom of information – which can be considered to form the constitutional foundations of external collaboration. Bills of rights of this kind are core components of modern constitutions (e.g. Gavison 2002). Among the relatively new constitutions in our sample, the **Estonian** document (adopted by a referendum in 1992) for instance also contains one. Among the rights mentioned, the right to information and the right to petition state organs can be seen as foundational to the relationship between public agencies and the citizens.

In sum, collaboration is present as a principle in most constitutions in our sample, but as a general rule, it can only be inferred. There are two outliers in this respect. One is the **UK** which does not have a written constitution (it does have constitutional law embodied in other sources but reviewing them here is beyond the scope of this report). The other is **Spain**, where the constitution – adopted in 1978 as the closure in the transition from the Franco regime to democracy - relatively extensively covers collaboration requirements both generally and in terms of specific forms. In addition to vertical internal cooperation, which is here too inferred from the existence and powers of the autonomous communities (regional governments), Article 103(1) refers to coordination among the core principles guiding public administration. The constitution also provides for a wide range of methods for citizens to provide input into the policy process, including a reference in Article 105 to "the hearing of citizens directly, or through the organizations and associations recognized by law, in the process of drawing up the administrative provisions which affect them". External collaboration with non-governmental organizations and associations is also included, e.g., for planning projects, while article 131(2) refers to trade unions and other professional, business and financial organisations.

However, overall, constitutions – especially old constitutions – are perhaps unsurprisingly silent on or vague about internal and external collaboration, and to the extent the issue is covered, it tends to be framed not as collaboration but rather as the division of powers, the horizontal structure of the state, or the rights of citizens vis–à–vis governments.

3.1.2   Procedural framework legislation

There is wide variation in how countries regulate the legislative and administrative process, whether in the constitution itself (as discussed above with respect to **Norway**), in acts of parliament that enjoy quasi-constitutional standing, for instance in terms of a qualified majority requirement for amendments, or in 'regular' laws or regulations that are nonetheless applicable for essentially all law-making and administrative decision-making. Whatever the case, these legal acts define the basic parameters of the legal infrastructure for collaboration by laying down specific requirements about the range of actors included in policy formulation, decision-making and implementation, and modalities of interaction among them.

In terms of specific regulations of the legislative process, the prime examples come from the two post-communist countries in our sample as well as **Spain**. In **Hungary**, the idea of a 'framework law on law' dates back to 1987, when, with the country still as a communist people's republic, the Act of Parliament on Legislation was adopted, establishing a hierarchy of legal sources and designating a range of subjects that can only be regulated by law (acts of parliament). This was seen as significant first step towards the rule of law in the country's democratic transition (Csink et al 2012). Having gone through numerous amendments in the post-communist era, the act was struck down by the Constitutional Court in 2009. To replace it, two framework laws were adopted in 2010 by the then newly elected Fidesz government, Act CXXX of 2010 on the Adoption of Legislation and Act CXXXI of 2010 on Public Participation in Developing Legislation. The latter can be considered as the most important legal source regulating external collaboration with citizens and non-governmental organisations in policy-making on central governmental level – although mainly by providing for consultation rather than more intensive forms of external input (and even that, only with respect to legislation drafted by ministries). The preamble of the law sets the aim "to foster the engagement of the widest possible range of social segments in developing legislation as part of good governance". The law specifically provides for general consultations online and direct consultations with invited stakeholders. The key difference between the two is that former comprises a more extensive and long-term involvement in public policy-making, while the latter is usually based on a partnership agreement and involves strategic partners (Alberti et al 2015; Council of Europe 2017). A government decree provided detailed rules for implementing Act CXXXI of 2010.

A similar role is played in **Estonia** by the Guidelines for the Development of Legislative Policy until 2018, adopted in 2011 in the form of a *Riigikogu* (Estonian Parliament) Decision and the Rules for Good Legislative Practice and Legislative Drafting (adopted in 2011 as a regulation by the Ministry of Justice). The Guidelines lay down a general requirement that both legislative concepts and draft laws should be subject to consultation, and the regulation provides the specific rules for doing so, in terms of delegating responsibility to bodies preparing legislative drafts for organising consultations with interest groups and the public (external) and with other stare organs (internal). Along the same

lines, **Spain**'s Law 50/1997, of November 27, of Government requires (in article 26(2)) that state organs preparing laws or regulations organise an online public consultation, with administrative Order PRE/1590/2016 providing detailed rules on the consultations.

Similar 'generic' rules can be found in *administrative procedure* acts or close equivalents with respect to both internal and external collaboration. (These are analogous with a centrepiece of collaborative governance in the US, the APA (Administrative Procedure Act; see Bingham 2010). These laws regulate and systematize case processing by administrative agencies, and apply to all aspects of public authorities' working procedures. Their main significance is – in addition to the efficiency gains such systematization may bring – is to put in place procedural guarantees for citizens and organisations interacting with government as clients/users of public services and parties in regulatory decision-making. As Ginsburg (2010: 118) points out: "the average citizen encounters the state in myriad of petty interactions", and it is in these interactions that procedural guarantees are especially important, because arbitrariness is "least likely to be noticed but most likely to affect a large number of citizens". Procedural guarantees typically include provisions on the legitimate use of administrative discretion; the rights of parties to proceedings; the appropriate documentation of proceedings, including the obligation for written decisions with justification; the appropriate handling of personal data; right of review and appeal; etc.

Starting with the same country, one of the two post-communist countries again has the roots of a law on administrative procedure since well before regime change. **Hungary's** previous Administrative Procedural Rules were adopted in 1957, which proved to be very long-lived: two legal scholars writing in 1999 found that not much had changed in the period until then (Galligan and Smilov 1999: 116). The current Act on the General Rules of Public Administration Procedures and Services from 2004 has a similar scope, but, in keeping with the times, contains provisions that are relevant for both external and internal collaboration. For instance, among basic principles the law requires that while carrying out their tasks public administrative authorities are obliged to proceed with professionalism, simplicity and collaboration with the client (Article 1 (2), Act CXL of 2004). The act also has requirements for internal collaboration, for instance by obliging authorities to cooperate

with respect to the resolution of conflicts of competence. Notably, there are provisions on the use of electronic communication and case processing. **Estonia's** Administrative Procedure Act was adopted in 2002 (amended several times) and has similar provisions on the competences and jurisdiction of administrative authorities, as well as more extensive coverage of e-government practices than the **Hungarian** law.

Spain's Law on the Legal Regime of the Public Sector and Law on Common Administrative Procedure of the Public Administrations have very different origins. Adopted in 2015, they enacted key recommendations of the Commission for the Reform of Public Administrations, aiming to modernise, streamline and regulate administrative processes. Nonetheless, the former mainstreams a wide range of collaborative rules into **Spanish** administration; e.g. the general requirement for collaboration (article 95); the principles of inter-administrative relationships (collaboration, cooperation and coordination, each specified; Article 141); the types of collaborative activities and techniques (Articles 141 and 142). The latter law focuses on the incorporation of electronic means of communication, digitalization, and e-participation tools, in particular online consultations. The **German** Administrative Procedure Act, dating back to 1977, applies to federal authorities and makes explicit reference to horizontal internal collaboration, for instance by regulating the enhancement of information sharing and standardization of administrative procedures. It was amended in 2003 to allow for and regulate electronic communication, with a general clause for e-government, in particular electronic administrative acts and applications.

Internal collaboration can be inferred from the **Danish** Public Administration Act, e.g., in relation to sharing information between administrative agencies (section 13 b). External collaboration appears in the range of procedural requirements for interacting with clients and interested parties. The **Norwegian** equivalent, adopted in 1967, has a wide scope of application, since it applies to any central or local governmental body engaged in case work/ administrative work, as well as to private persons when exercising public authority on behalf of the state or municipality. External collaboration appears both implicitly and explicitly. Directly relevant is the public authority's obligation to provide guidance to parties in a case and to the general public, as well as to allow for comments – these

regulations are very similar to the Danish Public Administration Act. Like many of its counterparts, the Norwegian law also allows for electronic communication. A role similar to the above listed administrative procedure acts is played in the **Netherlands** by the General Administrative Law Act (GALA), in force since 1994, and the 2009 Code for Good Governance.

This level of detail in the regulation of collaboration in law-making and especially in administrative procedures reflects the comprehensive codification ambition and legal specification that is characteristic of continental European *legal systems* based on Roman law. As a general rule, these procedural framework laws contain provisions relevant for both internal and external collaboration, but their main historical and contemporary significance comes from providing guarantees to citizens against arbitrary administrative action.

3.1.3 Laws establishing coordinating bodies

Much of the legal infrastructure of collaboration involves the creation and regulation of forums for interaction. These forums differ with respect to their function and field of activity, be that generic or as pertaining to specific policy areas (essentially, horizontal collaboration) or related to the territorial organisation of the state (vertical collaboration). The bodies can take very diverse forms (councils, secretariats, committees etc.) and diverge in terms of the intensity of collaboration they allow for, from sharing information only to sharing work and responsibilities. This also implies competences ranging from weak consultative or advisory powers to strong decision-making powers. The bodies also vary in their membership, whether bringing together actors from the public administration/state sector only or also non-governmental organisations and citizens (internal and/or external collaboration). Given the enormous range of such bodies for interaction in every polity, our aim is not to map legal regulation pertaining to them in each of the countries in our case study set, but rather to flag up typical or, in the country expert team's judgement, particularly important legislation on specific collaborative forums.

In relation to the vertical territorial organisation of the state, organs set up for collaboration across

tiers of government play an important role. In **Belgium**, one of the federal countries in our sample, this role is played by the Consultation Committee and the Inter-ministerial Conferences, as set out in the 'Collaboration and conflict resolution in the federal state of **Belgium**', a document of the **Belgian** Parliament. The Committee comprises of the prime ministers and a number of ministers from the federal government, the government of Flanders, and the Walloon regional government. The inter-ministerial conferences as a rule do not have decision-making powers.

Another good example is provided by the **UK** in the context of devolution, where coordination mechanisms were set up by a mix of instruments, some with, others formally without legal force. The Joint Ministerial Committee, consisting of the UK Government and the Scottish, Welsh and Northern Ireland Ministers, was set up in 2013 by a memorandum of understanding among the UK and devolved administrations. The Committee considers non-devolved matters if they have implications for devolved responsibilities and vice versa, and oversees liaison between the UK government and the devolved administrations, albeit in an advisory capacity. Another instrument formally without legal force, a concordat from 2007 (further discussed below in 3.2), sets the reciprocal rights and responsibilities between the UK government and local governments, represented by the Local Government Association. Then, on the level of devolved administrations, legislation sets out the terms of, e.g., the Welsh government's relations with local governments in Wales, as codified by the Government of Wales Act of 2006. The Act sets up a Partnership Council for Wales whose members are Welsh Ministers (or Deputy Welsh Ministers) and members of local authorities in Wales. The Council's role is largely advisory.

Organs set up for vertical collaboration and cooperation across tiers of government can be sector-specific. An example of such a body is **Germany's** IT Planning Council, which was created in the context of the 2006-09 wave of reforms of the country's federal system. The body comprises representatives from both the states and federal government, to develop a comprehensive national strategy of IT standardisation and cooperation (Freigang and Ragnitz 2009). The Council was established by a State treaty, which also lays down the principles of cooperation underlying the use of information technology in the administrations of the federation and the *Länder*, adopted to

implement the relevant provision in the Basic Law (Article 91c). The Council is responsible for steering and coordinating collaborative e-government projects.

Legislation setting up sector-specific coordinating bodies is also very common for structuring horizontal internal collaboration in central government. There is a wealth of such organs in various policy areas in our country sample. For instance, established in 2015 by a royal decree, **Belgium's** National Security Council brings together all relevant actors within the federal government for the purpose of defining and coordinating intelligence and security policy. In **France,** in the field of digitalisation and modernisation of public services, 2015 legislative changes created two Interministerial Directorates, one for Public Transformation (DITP) and another for digital issues and information and communication systems (DINSIC).

In terms of external collaboration, perhaps the most visible and well-established forums are the organs for social dialogue and interest mediation. These bodies again vary from country to country. In our country sample, tripartite bodies are to be found, for instance, in **Belgium**, **Denmark**, **Hungary**, and the **Netherlands**. The **Belgian** Central Economic Council consists of the social partners and its role is to give advice to parliament, the council of ministers, ministers or other federal governmental bodies. **Hungary's** National Economic and Social Council was established by an act of parliament in 2011, replacing the National Interest-mediation Council, which was a tripartite body for government, employers and employees. The Council consists of the representatives of a wide range of governmental and non-governmental organisations, and its role is to advise the government on economic and social policy. The Social and Economic Council of the **Netherlands** is set up by law, but operates independently from the government and is financed by industry. It is tripartite in the sense that it has representatives of employers, employees and independent experts, but lacks state representatives. In **Denmark**, a recently created forum is the Environmental Economic Council, established by law in 2007, and an important addition to the Economic Council, in existence since 1962.

We should also note the legislative acts that establish rules for vertical and horizontal internal

collaboration without establishing a specific body as a forum for interaction. Examples for vertical collaboration include a 2013 **Hungarian** government resolution that sets out the relationship and cooperation between the central administration and regional/sub-national administrative units within the framework for territorial coordination of 2014-2020 EU cohesion policy resources. **Germany's** Joint Rules of Procedure of the Federal Ministries regulates the organization and horizontal collaborative procedures within the German federal ministries, among the ministries and their cooperation with other constitutional bodies. Yet another example comes from the **Dutch** Joint Arrangements Law, which regulates horizontal collaboration on municipal level among local governments.

The types of laws discussed above are strongly related to the organisation of government – particularly national specificities for inter-ministerial cooperation – and the structure of the state, in terms of the number, respective competencies, and interrelationships of tiers of government. For external collaboration, national traditions of interest mediation and social dialogue have a bearing on statutory bodies, and their tasks, for linking government with organized interests.

3.1.4   Frameworks regulating public administration/civil service as a profession

The legal and ethical frameworks of civil service as a profession have important implications for individual civil servants' attitudes towards internal and external collaboration. In terms of the relationship of the civil service/public administration as such and social actors, civil service acts often contain provisions on the rights of labour unions as external partners and stakeholders. The **Norwegian** Act on Civil Service gives influence to labour unions (for civil servants) over the employment rights of civil servants. Civil service acts also determine categories of civil servants, for instance establishing special rights and responsibilities for the top echelons of administrations. The **Estonian** Civil Service Act of 2012 created the Top Civil Service, consisting of around 100 high level officials. Their common competency model, recruitment and selection procedures and development activities form a basis for internal collaboration on the highest non-political level of the civil service. Civil service regulations also often provide for internal collaboration in terms of integrated central services or pooled resources. **Spain**'s Royal Decree 5/2015 revising the Law on the Basic Statute for

Public Employees establishes intra-service mobility and integrated human resource management.

Potentially equally importantly, many countries in our sample have codes of ethics or conduct, either generally for the civil service or in specific documents pertaining to particular categories of officials. These documents have a bearing on how officials (are supposed to) treat the public and subordinates. Reflecting a separation of political vs administrative ethics, the **UK** for instance has both codes for ministers (e.g., Scottish Ministerial Code 2018), including the ethical principle of openness towards the public and a Civil Service Code which outlined standards of behaviour of officials. The ethical framework was introduced by the Local Government Act 2000 outlining procedures for assessing, investigating and adjudicating complaints made against councillors under the code of conduct. With respect to the top tier of officials, **Hungary's** Code of Ethics for the Chamber of Hungarian Government and State Officials has an entire article on collaboration, mandating transparent cooperation with colleagues, public bodies, those directly affected and social groups (Article II/16), whereas **Belgium's** Code of Ethics for Civil Servants of the Federal Government contain more indirect references to collaboration, for instance in provisions on mutual respect and collegiality between civil servants.

While these documents and the civil service codes tend not to require collaboration explicitly (with some exceptions noted above), by setting rewards for high quality service and punishments for misconduct, they influence the compliance with obligations created by other legal sources. Moreover, by setting high ethical standards in service-orientation, openness, and collegiality, they reflect public administration traditions as they evolve, and should positively influence attitudes to collaboration in the civil service.

3.1.5 Legal frameworks of public administration reform: strategic planning, modernization, digitalization, and e-government

Collaborative efforts are often both necessary components and key targets when governments launch ambitious programs or plans for substantial reforms. These often come as 'law packages', since especially in Civil Law systems such change may require new laws as well as revising and

amending existing ones.[7] This is evident in the approaches of **France** and **Spain**, where administrative reforms with ramifications on digitalisation and e-government have been adopted in the context of reform packages as the **French** ADELE and Marianne frameworks. First launched in 2005 and followed by several updates, these aimed to modernise and open up the **French** public administration through extending the use of new digital tools and other means. This implied amendments of, for instance, Law 2000-321 (12th April 2000) on citizens' rights in their relationships with public administrations. Around the same time, a **Spanish** Royal Decree (951/2005) was issued on improving the quality of the general state administration. Recognising that the cooperation of citizens is very important for quality improvement in the public sector, the decree regulates this framework, including service charters and systems for complaints and suggestions. (The required legal changes to implement such programmes may meet resistance. The more recent Programme on public action 2022, launched by the new **French** government in 2017, has met resistance by social partners and is yet to be implemented.)

A raft of legislation was introduced in the ten countries in connection with digitalisation and e-government. One example is the Norwegian Regulations on electronic communication with and within the administration, first introduced in 2004 but changed in its entirety in 2014. The purpose was to facilitate safe and sufficient use of electronic communication within the government and the public sector, and in their communication with users and citizens. The regulation allows for the possibility of setting up a coordinating body for electronic communication and security (although without specifying the body). Recent developments in Germany, on the other hand, exemplify a legal response to a policy problem whereby internal vertical and horizontal collaboration was made mandatory. Responding to complaints about fragmented and/or absent online access for citizens and business to administrative services, the Federal Law to Improve Online Access to Administrative Services was adopted in 2017 to force the federal government and the states (Länder) to connect their online portals to one another and improve access.

---

[7] This does not refer to the way laws are sometimes bundled as outcomes of political bargaining, in which the decisions on different issues are linked to each other (Kardasheva 2009, 21), in the US context known as 'logrolling' (Buchanan and Tullock 1962).

3.1.6 Freedom of information and regulations of participation and consultation

Freedom of information (FoI) does not constitute collaboration as such; at the same time, external collaboration is pre-conditioned by citizens' and non-governmental organisations' ability to inform themselves about government agencies' work. Laws on freedom of information are seen as the cornerstone of government transparency. As the **Norwegian** law, adopted in 1970, stipulates, transparent public administration "strengthens democratic participation, legal safeguards for the individual, confidence in the public authorities and control by the public". While rare in the 1970s, a 'global explosion' of FoI laws has been taking place since the late 1980s, taking the current number up to around 100 (Ackerman and Sandoval-Ballesteros 2006; Michener 2011).

All countries in our sample guarantee the right to information in their constitutions and/or specific laws. Differences lie in the range of exemptions, e.g. whether internal, working documents are public, and with respect to the range of legitimate interests that justify non-disclosure. For instance, in **Denmark**, a 2013 revision of the Law regarding openness in the public administration restricted access to internal work documents through a widely debated and criticized exemption for agencies and other public employees providing 'Service to Ministers' (*ministerbetjening*) in the form of advice and support. In **Netherlands**, the law on penalties and appeal no longer applies to FoI requests. In **Hungary**, a 2013 amendment to the law on freedom of information prevents citizens from submitting requests for an 'overarching, invoice-based,' or 'itemized' information request relating to the 'management of a public authority', thereby granting state institutions with data management responsibilities excessive latitude to reject requests for public information.

On the other hand, new-generation FoI legislation, such as most of the laws in our sample, also oblige authorities to proactively disclose a wide range of information, usually electronically on the organisation's website. The **Spanish** Law 19/2013 on transparency, access to public information and good governance requires that updated information must be published periodically online (article 5.1), in the corresponding electronic portals or websites, in a manner that is clear, structured and comprehensible for those concerned, and preferably in reusable formats. This is in addition to a separate government website (http://transparencia.gob.es/), which provides an overview of

available information. Other examples of laws distinguishing between active and passive (responding to requests) disclosure of information are the **UK** Freedom of Information Act of 2000 and the **Belgian** Federal law of April 11th 1994 on freedom of access and openness of government. A specific and particularly important subset of proactive electronic disclosure is sharing, and opening for comments, of legislative drafts online, as discussed above (3.1.2). Examples include the **Estonian** Draft Information System (available through https://www.osale.ee/) and Home of Citizens Initiatives website (https://rahvaalgatus.ee/) online availability; portals for legislative drafts such as the 'Draft bill' section of the **UK** Parliament's website (https://www.parliament.uk/business/bills-and-legislation/draft-bills/) and **France's** practice digital consultation practice (as referred to below).

Many countries also have legislation addressing specific collaborative practices with the citizens and encouraging public participation. For instance, **France** adopted a Code on relations between the public and public administration in 2016, providing for a number of tools for collaboration and facilitating access to the administration. Open online consultations and co-construction platforms have been introduced to include citizens in the law-making process. A turning point was the Law for a digital Republic adopted in 2015: for the first time, citizens were given the opportunity to comment and thus participate in the process of drafting a law before it is introduced to the Parliament.

3.1.7   Collaboration requirements originating from international sources

Last but not least we should mention codified collaboration requirements that were adopted due to an international legal obligation/undertaking. Here too, a very wide range of legislation can be relevant, particularly EU law as either directly applicable or as influencing/necessitating domestic law-making. For instance, federal countries need to have internal collaboration arrangements to resolve the representation of the state in the EU's decision-making. In **Belgium**'s case, this is the 1994 'Cooperation agreement concluded between the Federal State, the Communities and the Regions on the representation of the Kingdom of **Belgium** within the Council of Ministers of the European Union'. In **Germany**, cooperation between the Federal Government and the Parliament

regarding EU matters is enacted both in the Constitution (Article 23) and in law (Act on Cooperation between the Federal Government and the German Bundestag in Matters concerning the European Union).

Without trying to cover all policy areas where international obligations constitute an important influence, the field of environmental legislation seems particularly significant.[8] In our set of documents, obligations to consult the public arising from the Aarhus Convention of 1998 (to which all countries in our sample are signatories, see UNTC 2018) was transferred, for instance, to **Belgian** domestic legislation as an act of parliament (law concerning the evaluation of certain plan's and programme's consequences for the environment and the consultation of the public during the implementation of the plans and programmes concerning the environment). Another important international undertaking inspiring national legislation is the Open Government Partnership (OGP). The OGP is "a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance" (Open Government Partnership 2018). Signatory countries commit to creating an action plan that needs to be developed with public consultation – thus involving external collaboration arrangements. Some of the commitments of the action plan can be carried out within current legal frameworks, such as the commitment of **Germany** to increase transparency in the area of development policy. Others gain expression in new legislation, such as **Germany**'s 2013 Act to Promote Electronic Government. In other countries, OGP membership itself can be expressed in legislation as in the **Netherland's** Act on Open Government (as well as an Action Plan of the Open Data). Most countries in our sample are members, with the **UK** a founding member. Significantly, **Hungary** withdraw from the OGP following a negative report, showing that the Hungarian government is less than dedicated to government transparency.

However, what is apparent from the majority of these examples is that collaboration on the international level spills over to national legislation (and practice), thereby constituting a strong

---

[8] Environmental scholarship has also been prominent in analyzing collaborative governance arrangements (see Batory and Svensson 2017: 26).

positive influence on codification efforts.

3.2   Encouraging collaboration: Policy documents and guidelines

A comparative analysis of codified norms of collaboration cannot be complete without including the wide range of policy documents that lack legal force, but in various ways foster and encourage collaboration – particularly since some countries are generally less likely to enact laws than others, as noted in Section 1. Moreover, much of the organisational-level regulation of collaborative practices is likely to come from 'soft' documents – i.e. sources that do not provide binding rules but nonetheless come to structure organisational behaviour.

More than a quarter of documents collected for this study fall into the broad category of guidelines and policy papers. They include examples of best practice, government green papers, white papers, strategy papers and programs preceding legislation. (For a full overview of these materials, with summaries of each document, see Batory and Svensson 2018). While the set of documents discussed here by no means is complete, our examples indicate certain patterns (subject to further analysis in Work Package 6 of this project, particularly with respect to digital transformations).

3.2.1   Policy plans and strategies for cohesive administrative approaches

When governments announce comprehensive strategies for reforms or development of the public administration sector this usually has important ramifications for collaborative practices. Collaboration may even be at the core of the reforms. Whether such strategies comprise within-government (internal) coordination and collaboration at horizontal or vertical level and/or revolve around openness and engagement with the public, organized civil society and private sector actors varies.

The launch of reform plans and strategies often coincide with new political, administrative and budgetary cycles at different levels of government. The *presidential and legislative* elections in **France** in 2017 brought Emmanuel Macron into power as president and gave a landslide victory for his party 'La République En Marche' (and a coalition partner). This was followed shortly by the policy

document 'Programme on public action 2022', which was presented as a new attempt to reform the State and its public administration. Such programs may or may not be followed by legislative and administrative changes. Consultation and negotiation periods may significantly alter original plans, sometimes resulting in watered-down legislation that is reduced in scope. This may be the fate of the French plan, which at the time of partner input (March 2018) had met significant resistance. The seven-year planning and budget *cycles of the European Union* is another example that carries special weight in countries that are net-receivers of EU funds. In **Hungary**, it is clear that the 'Strategy for Public Administration and Public Service Development (2014-2020)' has taken the opportunities and limits of EU funding into account, and that this is mirrored in the 'Public Administration and Civil Service Development Operational programme 2014-2020'. At the same time, the strategy drew heavily on a previous modernisation plan, the 'Zoltán Magyary Public Administration Program', demonstrating the intersectional effects of political, administrative and budgetary cycles at different levels.

Sweeping plans of public administration reform sometimes focus on improving coordination and collaboration within government (vertically and horizontally), such as the **Danish** 'Green Paper Proposal for coherence reform', which was launched in 2017. The proposal aims at strengthening the linkages between sectors and levels of public authorities and therefore has a distinct internal collaboration character, despite some passages on citizens and other actors.[9] The Norwegian 'Program for better steering and management in the state 2014-2017' had enhanced coordination between sectors as one of its core pillars. The recently published final report concluded that the program has led to better coordination, but also had a range of recommendations for further improvement. It highlighted the importance of cohesive leadership and the opportunities of digitalisation, including a recommendation to nurture curiosity in how technology can contribute to new practices and innovation (Kommunal- og moderniseringsdepartementet 2018: 45).

Likewise, the 2016 **French** 'Interministerial Action Plan for Relations between Public Services' may

---

[9] New forms of participatory governance have developed at the local level in **Denmark**, but there is little evidence that they follow guidelines by central government (see Meilvang et al 2018).

ultimately aim at improving services for users of public services, but revolves around increasing collaboration and knowledge transfer between public agencies in order to achieve that. The **Hungarian** documents related to broader reform of the state sector emphasize internal collaboration for the sake of increasing efficiency, whereas external collaboration either for policy design or service delivery appears sparingly and in more general terms. On the other hand, the **French** National action plan for a transparent and collaborative public action, developed within the Open Government Partnership, is an example of a far-reaching strategy focusing mainly on external collaboration.

However, typically such 'grand' policy plans and strategies comprise *both internal and external collaboration*. Recent policy papers produced by the Region of Flanders of **Belgium** all address both internal and external collaboration, and it is clear that these are seen to be part of the same package. For instance, the 2017 'Open and Agile Government' paper states that the government will work as a network organization and central to the governments functioning is a culture of collaboration. The government is seen as a network player that fulfils a facilitating and inspiring role. The 'Simplification Shock' program of **France** aims at streamlining and facilitating administrative procedures for companies and citizens in order to develop the dialogue between public administration and the public. External collaboration in the form of trust-based relations with companies and citizens is also in focus.

Looking at the extent to which *information technology and digitalization (ICT)* has been incorporated in national frameworks encouraging collaboration, we find it especially prominent in **French** and **Estonian** documents. Given **Estonia's** reputation as a leader in e-governance, this will not come as a surprise to many. In **France**, internal and external collaboration practices have been developed as part of an effort to foster the mainstreaming of online tools within the public sector. For instance, the 'Programme on public action 2022' (see above) was presented as a new attempt to reform the State and public administration including the specific task to develop broad digital and traditional consultations in order to mobilize **French** society around the renewal of the public sector.

3.2.2 Policy plans and guidance on digital transformations

Similar to the type of documents covered in the previous section, governments may also announce comprehensive strategies specifically dedicated to digital reforms of public administration with intended or unintended effects on collaborative practices. While many European governments have developed such strategies on e-government, e-participation and digital transformation in the past decade, the examples from **Spain** and **France** in our document collection are especially noteworthy. The Spanish 'Digital Transformation Plan for the General Administration and Public Agencies (ICT Strategy 2015-2020)' was presented together with a legislative package, in the context of the European Commission's strategy for the Digital Single Market and the Digital Agenda for Spain. The document repeatedly calls for more within-government collaboration, e.g., "Coordination and collaboration are fundamental to ensure the provision of quality public services"; "the search for synergies" is a "fundamental principle" for which "strong collaboration is needed" (see page 28 and 36). The **French** program 'Project for an electronic government 2004-2007 ADELE' was launched together with 'The Marianne Charter' on modernizing public service with the aim to make it more citizen-oriented. Both documents had a profound effect on later administrative reform documents, and in 2016, the 'New Marianne referential framework' modified the previous document to meet user expectations in terms of online services better.

In **Norway**, the comprehensive white paper 'Digital Agenda Norway – ICT for a simpler everyday life and increased productivity' presented to parliament in 2015-2016 is currently being followed up by the Norwegian Agency for Public Management and eGovernment (Difi). More specific instructions and guidance is offered by the Norwegian Digitalization Guidelines, published annually since 2009. The guidelines are a compilation of administrative orders and recommendations for digitalization in the public sector. Importantly, they also instruct administration to take privacy into account that has bearing on how data can be shared in collaborative arrangements. Another example of this type of document is the **Dutch** 'Guidance to the General Data Protection Regulation', one of many brought about by the recent change in EU regulation in the area of data protection, a development also mentioned in the Norwegian document.

3.2.3 Guidance for civil servants for the engagement of citizens

Government agencies issue numerous guidance documents to help officials understand how they should live up to the rules and norms of their organizations and wider public service ideals. Increasingly, *openness and participatory mechanisms* are part of such ideals.

The **Dutch** 'Code for Good Public Governance: principles of proper public administration' was issued by the Ministry of the Interior in 2009 to explain how public servants should behave towards citizens in the light of case law, the General Administrative Law Act and good practice. It lists 'participation' as one of seven key principles officials should adhere to, understood as an expectation to listen and appropriately respond to public concerns. In other words, the code promotes dialogue for better policy design and service delivery for citizens. In the case of **Estonia, t**he previous section (3.1.4) already highlighted the importance of the 'Guidelines for Development of Legislative Policy until 2018', adopted in 2011 and the 'Rules for Good Legislative Practice and Legislative Drafting'. In addition to these there is a guidance document, 'Good Engagement Practices' (issued in 2011 and replacing a previous version) which seeks to harmonize the principles of engagement with citizens and external actors through 7 main principles, which place great importance on the clarity of goals, openness of relationships, and dedication to goals. Although the use of passive engagement methods (e.g. sharing information through the information systems) is already widespread, the use of active engagement methods is currently used in only around one third of ministries, according to the Ministry of Justice.

The other new EU member state in the sample, **Hungary**, has been less active in this area, but the Office for National Economic Planning issued a document in 2012 with advice and ideas for how to carry out societal consultations. (**Hungary** also has a code for the top tier of civil servants, see section 2.1.4.) In the **UK**, where the binding legal framework is weak, non-binding codes, guidelines and policy papers have a distinct focus on the external dimension, in particular how to engage outside stakeholders and contracting. Of these, the 'Consultation Principles' is the most important. It was introduced in July 2012 as part of the Government's drive to increase transparency and improve engagement with key groups, replacing the 2008 Code of Practice on Consultations that, in turn,

replaced the previous version of the Code from 2000. Among others, it advises the use of clear language in consultation documents and to consult only on issues that are genuinely undecided to reduce the risk of 'consultation fatigue'.

The use of *Information and Communication Technology* is a common thread in these types of non-binding documents. The previously mentioned **Estonian** 'Good Engagement Practices' takes for granted that consultations involve ICT and point to which systems should be used, whereas the **UK** Consultation Principles encourages the use of digital tools in general. Such guidance towards engagement behaviour may also be derived from the type of large-scale policy strategies discussed in the previous sub-section (3.2.1). The **French** 'Programme on public action 2022' sets the task to develop broad digital and physical consultations in order to involve the public. While previous **French** strategic policy documents have had substantive elements of asking citizens as users about services in what seems to be a NPM-inspired paradigm, the new paper puts more emphasis on consultations as spaces for policy innovation and design.

3.2.4   Guidance on contractual engagements with public and private organizations

New Public Management reforms have had profound impact on administrative thinking and practice in many, if not most, European countries (Hammerschmid et al 2016), which created a need for extensive regulatory activity in the area of public procurement and contracting. This, in turn, has created a need for explanatory documents for the 'ordinary public servant'. For instance, important guidance documents for public-private collaborative relations in the **Netherlands** are so called 'model agreements' available for both DBFM (O) (Design, Build, Finance, Maintain, Operate) and DBFM only types of contracting. The **UK** Central Government developed guidelines for English local governments in 2006 ('Structures for Service Delivery Partnerships: Technical Notes'). Largely applicable also to Welsh and Scottish local governments, they provide an overview of the principal structures available for service delivery partnerships.

These contractual relationships have also occurred with increasing frequency among public organizations, creating the need for guidance for collaboration within the public sector on

contracting. In **Norway**, the Guidelines for Collaboration in the Public Sector of 2017 by the Ministry of Trade, Industry and Fisheries aim to clarify new laws and regulations on public procurement. There are no preceding documents of these particular guidelines, which were adopted against a background of procurement regulations being seen as too detailed and too complicated. In the **UK**, another set, in which local governments were advised, accompanied the previously mentioned technical notes on how they could collaborate with each other ('Structures for Collaboration and Shared Services: Technical Notes 2006'). More recently, pushed also by EU legislation, there has also been need for guidance on cooperation with other public bodies. In 2016, the Crown Commercial Service (the 2016 *Guidance on public-public contracts*) issued a specific set of guidelines referring to contracts between authorities within the public sector.

3.3. Commonalities and differences across the country cases

Based on the analysis of codified legal rules and guidance, a number of commonalities and differences can be deduced from the overall corpus of documents. In the following, first, the general themes and connotations of collaboration are reviewed (3.3.1); then a short section offers some observations about the development trajectories that the overall corpus of codes reveal (3.3.2).

3.3.1 General themes and connotations of collaboration in the analysed documents

A review of existing literature, grey literature reports and survey with TROPICO partners (see Batory and Svensson 2017: 16-20) demonstrated considerable diversity in interpretations of collaborative governance across the ten counties – in fact even translating the term is often fraught with difficulties. Importantly, collaboration is associated with different public administration reforms. The Danish *samarbejde* (collaboration/cooperation) is seen to be eroding due to NPM reforms, and an important objective of post-NPM reforms is therefore to bring *samarbejde* back in. In **France**, collaborative governance is mainly referred to as *gouvernement ouvert* (open government) in relation to the issues of *modernisation de l'Etat* (literally state modernization or public administration modernization) and *simplification*, after a reform launched by President Hollande. The analysis of legal and policy documents in this section revealed similar diversity in terms of the

focus of the documents. First, in the **UK**, **Estonia,** and **Norway** there are central guidelines on consultation and/or collaboration, examples being the UK C*onsultation Principles*, the Estonian *Good Engagement Practices,* and the Norwegian *Guidelines for collaboration in the public sector.* On the other hand, collaboration in **France**, **Denmark** and **Hungary** has been contextualised with reference to overall public administration reform. The most important ways to encourage collaboration in **France** has been through broad strategic visions and programs such as the 'Simplification Shock, the Marianne referential framework' and the 'Programme on Public Action', ultimately seeking gains in both efficiency and the quality of the citizen's experience through various measures, often focusing on e-government (e.g. the *ADELE* project plan 2004-2007).

In **Denmark** the Green Paper 'Proposal for coherence reform', released by the Ministry of Finance in April 2017 aims to reduce so-called 'silo thinking' in particular with regards to vulnerable/marginalized citizens by creating better coherence and stronger connections between different sectors (horizontal) and public authorities (vertical), which can include the use of co-creation tools with citizens. This has been inspired by a critique of NPM, in particular the identified limitations of market-based solutions and resulting calls for a turn towards New Public Governance and Public Value Management, and consequently also deeper collaboration across the public sector and with businesses, civil society and citizens, as well as openness, transparency and democratization as guiding principles of this transformation.

In **Hungary**, public administration reform has been closely linked with the availability of European Union funding, which is visible in 'Public Administration and Public Service Development Strategy, 2014-2020' and the EU-funding document 'Public Administration and Civil Service Development Operational programme 2014-2020'. Finally, in some countries (e.g. **Belgium**, the **Netherlands**, and the **UK),** laws, regulations and advisory documents regarding contracting out procedures enabling public-private partnerships or citizen co-creation are fundamental for collaborative government structures.

In order to supplement these findings from the qualitative reading of the documents, the results of

https://www.government.nl/topics/public-private-partnership-ppp-in-central-government/documents/directives/2012/03/28/model-dbfm-agreement-directorate-general-waterways-and-public-works-2012a computer-assisted text analysis (CATA) are included below. This is a useful method to quantify and visualize text corpora in reliable and replicable ways, and was used for this purpose also in the Literature and report review (Batory and Svensson 2017). CATA is particularly helpful for uncovering and mapping out broader patterns of topics in large amounts of text. In this case, it was used to quantify the existence of certain concepts of interest as well as the broader institutional context in which they are embedded (Berg 2001). The web application Voyant Tools provides a variety of CATA tools (Sinclair and Rockwell 2016), which enabled, first, the visualization of word frequencies as word clouds and second, the comparison of the text corpus across the country cases in order to detect significant differences in themes emphasised.[10]

The first step was to derive a graphic representation of the context in which collaboration is codified. For this purpose, a collocation analysis of the corpus of texts was conducted. The results are depicted in Figure 3.1 and 3.2. Not surprisingly, the visualization shows the centrality and dominance of words that are foundational to codes of collaboration. Thus, *public, government, law* and *information* are dominant and closely interlinked. However, Figure 3.2 also shows that government and administration is still somewhat decoupled from the debate on data and freedom of information in this area.

Figure 2:   *CATA word cloud results*

Figure 3.1: Most frequent words in Codes of Collaboration based on expert English-language summaries.	*Figure 3.2: Collocation Analysis of Codes of Collaboration based on expert English-language summaries.*

---

[10] For the analysis we used summaries of each document (see Batory and Svensson 2018 for these summaries). The original documents could not used since many of them were available only in national languages (not English).
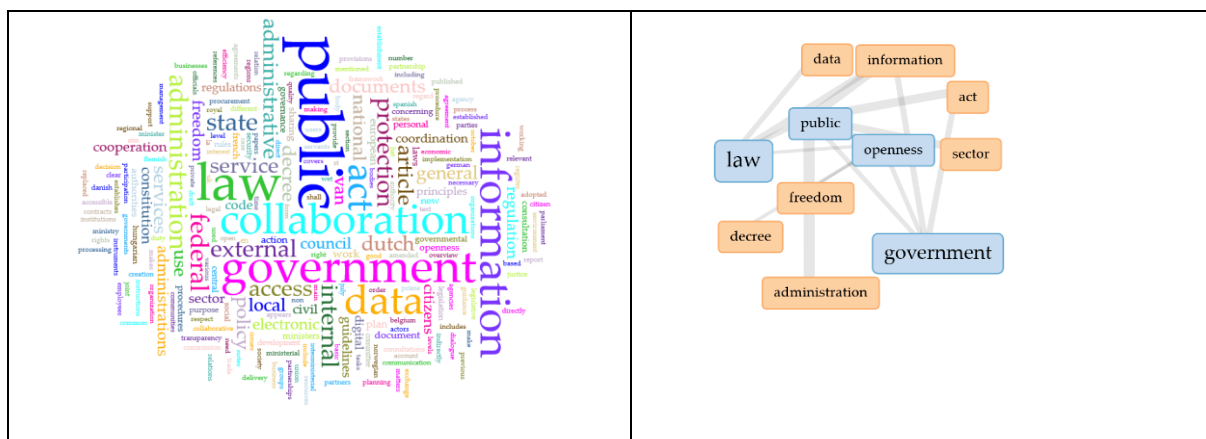
As second step, an analysis of distinctive words was undertaken. This tool acknowledges core words as similar, but also reveals distinctive words of each country compared to the rest of the corpus. This can capture specific themes in the codification of collaboration in each country.

Table 2:   *CATA distinctive words analysis (compared to the rest of the corpus). Country themes**

Period	Distinctive words (compared to the rest)
Hungary	legislation, territorial, societal, importance, fundamental, direct, comments
Estonia https://voyant-tools.org/?corpus=2c3cbc4c9b5c7cf2c4f19c7e1a1b2079	Engagement, drafting, updating, reporting, stated, draft, institutions, legislative, preparation, approval
Netherlands	municipality, building, waterway, voluntarily, joining, entrepreneurs, decide, procurement, act, works, tendering, publicly
Germany	Federal, *länder*, dataport, Saxony, treaty, city, free
Belgium	federal, register, crossroads, bank, integrator, health, governmental, vision
Spain	Administrations, autonomous, activity, improvement, decree, plan, techniques, develops, charters, actions, establishes, royal
France	action, interministerial, secretariat, plan, administrations, programme, modernization, relations, public, aiming, users
Norway	digitalization, procurement, relating, archival, manual, act, letter archive, instruction, circular, regulations, guidance, require
Denmark	revision, bill, proposal, coherence, planning law, freedom of information
UK	Welsh, concordat, notes, contracts, structures,

	local, ministers, reflect, technical, ministerial, delivery, Scottish, partnering, interpretation, freedom of information, standards

*Words denoting the county's name (e.g. France, French) were removed, as well as original language words derived from title of original documents (e.g. Hungarian word *és* for 'and')

When reading the results it is important to remember that the documents were selected by country experts, and may therefore reflect different professional interests as well as divergent themes and connotations of collaboration. That said, the analysis of distinctive words confirms the focus on central state administration and modernization in **France** and **Spain**, which we highlighted earlier. It also draws attention to what seems to be a broader societal and sectoral interpretation of collaboration in the **Netherlands**, **Belgium**, and **Estonia**. In **Germany** and **Belgium**, the vertical dimension of collaboration is also apparent, in line with the federal structures of these states (and the vertical dimension is also important in the **UK**). In the case of **Hungary**, a pattern is difficult to discern.

We can also draw some conclusions about where the focus of codes of collaboration lie: external or internal collaboration, or a combination of both. The latter would imply a comprehensive approach to the many instances where these lines are increasingly blurred (Wright 2000). Our sample indicates that the two realms are still largely separately treated (44% of sources are dedicated to internal collaboration, and 25% to external) but indeed a third of documents (31%) cover aspects of both (albeit often implicitly). While we do not have time-series data for this, there are two indications that there might be a shift towards a more comprehensive approach. First, there is significant legislative and administrative activity in the collection that is of recent years, and second, a comparison with the overview of 'grey literature' in the area of collaboration (Batory and Svensson 2017: 14) shows a different distribution. Policy- and practitioner oriented or produced research (think tank, research institute and government reports) focus more attention on external collaboration, which may be the step before codification takes place.

Finally, we also sought to map trends in codification activity by analysing the information on the trajectories of the documents provided by the TROPICO country experts. Overall, the documents in

the collection were dated from year 1967 to year 2018 (see Table 3.2). Half of the documents were adopted in the past five years and three-quarters in the last ten years. The laws and administrative instructions were somewhat older than the policy papers and guidelines. This is natural, since it was important to include up-to-date developments which is often (first) manifested in strategic documents.

Figure 3:   Year of adoption of analysed documents
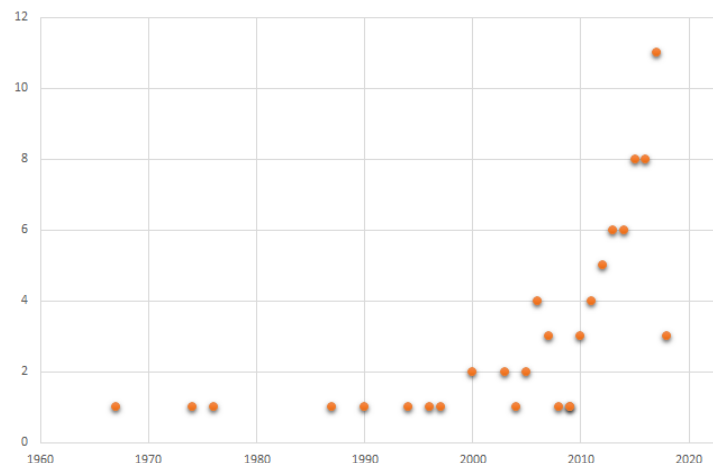
As in most policy activity, it is rare to start from scratch, and most documents therefore could be directly traced back to earlier or similar versions. However, there is also some variation across countries. In **Hungary**, high legislative activity followed the change in government 2010, which is reflected also in the area of internal and external collaboration. Recent high activity in **Estonia** may be attributed to actions taken after consultations with international actors, whereas **Spanish** and **French** recent activity are linked to general public administration reforms by recent governments. Taken together the analysis of trajectories demonstrates that there is significant current codification activity across the sample with relation to core areas of collaboration, but it is driven by different concerns across countries.

3.3.2 Concluding remarks

To conclude, we can offer a few observations about similarities and differences in codes of collaboration across countries, based on the comparative analysis of 119 documents forming the basic codified rules underpinning internal and external cooperation in the ten EU member states. Starting with similarities, we can conclude that collaboration is relatively under-regulated in most of

the EU countries studied, despite an uptick in regulatory activity in recent years. To a significant degree, collaboration is regulated by administrative orders or guidelines. However, even there, many codes remain on a relatively general level, stating the principle of collaboration without going into specific requirements. Collaboration with societal partners or citizens is often framed as a principle for seeking public input, or it can be inferred from the notion of popular sovereignty.

There are also commonalities in where (what type of legal source) collaboration is regulated. Most of the countries in our sample imply rather than explicitly prescribe collaboration in the constitution and, to the extent that collaboration can be inferred, it tends to be connected to constitutional principles such as the division of powers, the division of competences across vertical levels of (federal) states, and citizens' rights vis-à-vis government. Procedural law, either on law-making or on the administrative procedure, is an area where almost all countries have binding requirements for cooperation with non-governmental actors (e.g., consultations with citizens and stakeholders in law-making in countries where the legislative procedure is regulated in details) as well as for administrative agencies to cooperate with one another in order to effectively serve clients and users. A large body of law on collaboration is situated in legislative acts establishing various coordinating bodies, and in long-standing regulation of public administration/civil service as a profession, particularly in terms of ethical guidelines. Finally, the transfer or transposition of international legal/EU law requirements into national legislation is also an important source of influence.

Concerning differences, there is variation across the country sample in terms of connotations, themes and trajectories. Some of these differences may be attributed to administrative tradition. For instance, the common law tradition (exemplified by the UK) as opposed to civil/roman law tradition, focuses more on judicial than legislative decisions for rule-making. However, a more significant influence is from waves of public administration reform, digitalisation, and a visible trend towards (more) open government.

Chapter 4: Patterns of collaboration in comparative perspective: The role of institutional conditions

As Hughes (2012: 190) comments, collaboration is "quite alien to normal bureaucratic practice" – and this indeed rings true when we think about the classic, Weberian notion of public administration in which central values are hierarchy, stability and a close following of procedure. However, times have changed, partly as NPM and post-NPM reforms transformed public administration itself, and partly because not collaborating is a luxury contemporary governments can ill afford. "As demands for the creation of public value outpace governments' capacity to deliver it unaided – in healthcare, education, environmental preservation, employment and social welfare, and even security – the collaborative impulse intensifies" (Donahue and Zeckhauser 2006: 522). However, while we can be reasonably certain that governments and bureaucracies are more collaborative today than that was the case in earlier times, we have insufficient knowledge of where, why and to what extent collaboration actually takes place.

The objective of this report was to take a first step towards answering these questions, to be further investigated by other work packages, by taking stock of the institutional conditions shaping and enabling collaboration in and by governments in Europe, with a specific focus on regulatory frameworks. Specifically, the report comparatively analysed legal frameworks of collaboration in ten selected European countries, representing five different administrative-legal traditions, in the context of macro-institutional conditions. In line with a broad institutionalist approach, we assume that institutions do not determine specific outcomes of collaborative practices, but "provide a stimulating, restricting or enabling context" for individual or organizational action (Knill 1998: 3).

The aim of this concluding section is to revisit the research objectives stated in the Introduction in light of our findings. To recap, these were, on the one hand, to evaluate the broad institutional conditions that may facilitate or inhibit collaboration, and on the other, to provide one of the first systematic and comprehensive assessments of 'codes of collaboration' in the European context. In this latter respect, we sought to map the extent to which (legal) requirements to collaborate are in place, and what status these requirements have; comparatively analyse the nature of the legal

infrastructure in terms of scope and content, with the aim of identifying where law and other written rules are concentrated; and finally pinpoint the broader trends that underpinned the transformation in various country contexts. This broadly corresponds to the where, to what extent, and why questions posed above. The analysis was guided by a framework interlinking broad institutional conditions (enablers and obstacles) with the role played by the rapid development of ICT and data sharing regimes as well as a normative shift towards open government, with the aim to identify similarities and differences in patterns of collaboration regarding status, scope, content and changes over time.

A fairly evident finding of this report, which is nonetheless worth pointing out, is that institutional conditions indeed matter for structuring the opportunities for, and obstacles in the way of, collaboration both within government and by government. We have established patterns of collaboration that are *associated with* broad institutional factors, and are able to substantiate a claim that overlapping but not identical sets of conditions shape internal collaboration on the one hand and external on the other. The structure of the state, the system of government, administrative traditions, and embeddedness in inter/supranational fora are relevant conditions for the former, and, in addition, the structure of interest-mediation and freedom of information and participation regimes for the latter. However, the comparative analysis in Section 2 also established that these institutional conditions do not necessarily have a *linear causal impact*, in the sense that the presence of a factor would always prompt the same change, or even change in the same direction, in each case. For instance, while greater complexity in state structure (e.g., more tiers of government, or parallel administrations on regional level in federal countries) results in stronger pressure for internal vertical and horizontal cooperation (a causal link), there is no uniform pattern in our sample as to how states handled this pressure, because responses have been mediated by a wide range of other influences, some institutional (structure), some relating to actor preferences (agency; the latter entirely outside the scope of our analysis).

Similarly, administrative traditions continue to have impact on how the state and bureaucracy is viewed in a broader societal context, for instance in terms of the Rechtstaat/public interest

distinction, but these traditions have been modified, and added to, by NPM and post-NPM reforms, resulting in hybridization and high context-specificity. This means that a Common Law country such as the UK can share important characteristics (e.g. public interest and NPM features) with Scandinavian countries, the Netherlands and Estonia, although they have started with very different administrative traditions.

Thus, a direct link (a causal chain) between administrative tradition and patterns of formal rules for collaboration cannot be established. Other factors, such as shrinking public resources in many countries - although not an institutional condition per se, but an important element of various public administration reforms – may also give rise to contradictory pressures for governments: one the one hand, to substitute public funding by relying on co-production with external partners (an impetus for external collaboration), and on the other, decreasing ability (and perhaps willingness) to support external partners in taking up the new roles required of them, as suggested for instance by the British experience.

Finally, some sources of influences do drive changes in one direction, but likely through a variety of causal mechanisms (which we did not investigate). This concerns the influence of the EU and to a lesser extent other international organisations, all of which seem to facilitate the spread of collaborative practices. To use a counter-factual, it would be difficult to establish circumstances in which policy transfer from, and within, the EU would result in less collaboration. On the contrary, the EU's system of governance both directly prescribes requirements for collaboration and enables the same, for instance by deeply embedding member states in governance networks (and on the level of individual civil servants, epistemic communities) and formal structures established for cooperation.

To turn to the dynamic aspect of our analytical framework, some remarks are in order about the sources of a transformation towards (more) collaborative governance. *Technological* development is clearly a driver, in the sense of the ICT revolution both necessitating and enabling enhanced collaboration. Government agencies cannot individually utilise the benefits of digitalisation in

isolation from other agencies that would rely on the same systems. In other words, there is a strong functional pressure to align systems within the entire governmental sector, and this pressure is addressed by developing cooperation and collaboration mechanisms. At the same time, whatever impetus for collaboration arises, it is clearly easier to act on it given ICT and digital methods speeding up information exchange and co-working. This is not only true within government, but also for interactions with citizens and stakeholders, be that in providing services (e.g., e-government platforms), securing input (e-participation methods) or co-production. The other major driver is more *ideational* than material, in that legitimacy is increasingly tied with notions of government openness and transparency. Simply put, citizens in contemporary liberal democracies are less and less likely to put up with decisions made in the corridors of power, hidden from public scrutiny and shielded from popular input, and this translates into normative pressures for external collaboration. Indeed, it is noteworthy that it is in the only country in our sample, Hungary, where the government's declared objective is to build an *illiberal* democracy, that this ideational driver has no observable impact and in fact earlier (already not particularly high) levels of government openness have further deteriorated.

At the same time, it should be noted that in our sample of ten countries, macro-institutional conditions that are often assumed to be relatively stable have in fact also been subject to change, and thus provided impetuses for transformations in collaborative practices. This applies even to 'static' conditions such as the structure of the state. Indeed, among the ten countries several provide clear examples of a vertical redistribution of power from the centre to sub-state levels (Belgium's transformation into a federal state; asymmetric devolution in the UK; or decentralisation in France, particularly to regions) or strong pressure to achieve the same (Basque and Catalan autonomy/secessionism in Spain). Each time competencies shift from one level to another, new collaborative arrangements have to be developed on that level, both horizontally (internally among sub-state administrations and externally with new sets of stakeholders) and vertically (reflecting new responsibilities and tasks). Similarly, changes in the structure of interest mediation and social dialogue have knock-on effects on the range of stakeholders invited or allowed to feed into the policy-process in continental European welfare states, thus changing the dimensions and

parameters of external collaboration particularly in the area of social and industrial policy.

Many of these broader tendencies, and the impact of institutional conditions, can also be captured in patterns of codified rules for collaboration (codes of collaboration), and in this respect the analysis in section 2 and section 3 intersects. Codified rules of collaboration in law are concentrated in procedural framework legislation, statutory requirements for consultative bodies; the legislation on civil service as a profession; freedom of information laws and laws requiring public participation; and finally EU/international legal instruments. (Requirements to collaborate can also be inferred from constitutions). The bulk of administrative guidance concerns policy and strategic planning; digital transformation action plans; and citizen engagement and contracting out guidance.

Some – but not all – of these concentrations/thematic foci of codes of collaboration correspond to the institutional conditions discussed above. For instance, the structure of the state is the underlying cause for many constitutional rules pertaining to collaboration within government. The vertical distribution of competences in the state as well as the organisation of government horizontally gave rise to legislation establishing bodies for vertical and/or horizontal coordination. Procedural legal acts serve as broad frameworks for external collaboration; in the case of laws on the legislative process, by explicitly requiring the involvement of particular stakeholders or the citizens; and in the case of public administration acts, by setting the parameters of administrative action affecting citizens as clients and users of public services. Civil service regulation and codes of ethics codify normative standards embodied in administrative traditions, and are therefore relevant for both internal and external collaboration. Moreover, as mentioned before, the EU is a direct influence in that collaboration requirements from EU law have become part of national legislation.

In our country cases, the most significant drivers (digitalisation, ICT, shift to open government) are often not manifested in law individually but are rather bundled together, most notably in public administration reform, enacted as reform packages or reflected in administrative guidance tied to reforms (including, for instance, regulation and guidance on PPPs, contracting out, and simplification, much of which is rooted in NPM). This is also to say that the national connotations of

collaboration vary reflecting the context and major aims of reforms. For instance, in France, collaboration is tied with the notion of modernisation and simplification, both motivated by technological change and a desire to improve citizens' experience of government. In Norway, digitalisation seems to be the leading theme. In the UK, the thrust of change is tied in with devolution, in Germany and Belgium it is related to the interconnections of levels of government, and in Hungary it relates to the absorption of EU development funds. Having said this, differences across the countries in our dataset are not pronounced (divergence is better observed in the level of codification, which goes back to whether legal traditions include a comprehensive codification ambition, as discussed above).

As pointed out in the introduction, a comparative analysis of codified rules alone is insufficient for providing a full picture. This is partly because, as we have established, collaboration is relatively under-regulated in most countries, and to the extent that it is, a significant proportion of codification is in administrative orders or guidelines. By 'under-regulation' we do not mean that more regulation is required, merely that for various reasons codification has not kept pace with the practice of collaboration – either because in some countries (notably the UK) legal traditions do not require written rules for all aspects of governmental activity, or because, as in Scandinavia, collaborative practices predate contemporary understandings of collaborative governance. Moreover, our data set was limited in terms of jurisdictions (country cases), levels (covering only central national level, with some exceptions) and scope (specific policy areas).

All of this points to avenues for further research, particularly with respect to mapping collaborative frameworks on both EU and sub-national level as well as across policy areas to establish whether the nature of the issue at stake matters for shaping collaboration in and by governments. We also believe that scholarship should further engage with the normative assumptions underlying particular participatory and collaborative governance arrangements. Finally, further work is clearly needed in uncovering collaborative government *practices*. Fortunately, however, this report is only the first step in comprehensively mapping collaborative governance in the TROPICO project, and upcoming work-packages will complement the information presented here.

References

Acerete, Basilio, Mar Gasca, Anne Stafford and Pamela Stapleton. 2015. "A Comparative Policy Analysis of Healthcare PPPs: Examining Evidence from Two Spanish Regions from an International Perspective." *Journal of Comparative Policy Analysis: Research and Practice* 17 (5): 502–518.

Ackerman, John M. and Irma E. Sandoval-Ballesteros. 2006. "The global explosion of freedom of information laws." *Administrative Law Review* 58 (1): 85–130.

Ágh, Attila, Jürgen Dieringer and Frank Bönker. 2017. "Hungary Report." *Sustainable Governance Indicators. Bertelsmann Foundation.* Available at: http://www.sgi-network.org/docs/2017/country/SGI2017_UK.pdf

Alberti, Éva, Ágnes Czibik, Mihály Fazekas, Jenő Gyenese, Elvíra Herczog, Bálint Szalai, Klára Ungár, István János Tóth and Johannes Wachs. 2015. *Impact Assessments Public Consultation and Legislation in Hungary 2011-2014*. Budapest: Corruption Research Center.

Almond, Gabriel Abraham and Sidney Verba. 2015. *The Civic Culture: Political Attitudes and Democracy in Five Nations*. Princeton University Press.

Alonso, Jose M. and Judith Clifton. 2013. "Public Sector Reform in Spain: Views and Experiences from Senior Executives". *COCOPS Research Report Collection*. Available at: http://www.cocops.eu/publications/research-reports

Amsler, Lisa Blomgren. 2016. "Collaborative Governance: Integrating Management, Politics, and Law." *Public Administration Review* 76 (5): 700–711.

Andrews, Rhys, James Downe and Valeria Guarneros-Meza. 2013. "Public Sector Reform in the UK: Views and Experiences from Senior Executives." *COCOPS Research Report Collection*. Available at: http://www.cocops.eu/wp-content/uploads/2013/06/UK_WP3-Country-Report.pdf

Andrews, Rhys, Philippe Bezes, Garhard Hammerschmid and Steven Van de Walle. 2016. "Conclusion: A Kaleidoscope of Administrative Reforms in Europe." In Gerhard Hammerschmid, Steven Van de Walle, Rhys Andrews and Philippe Bezes (eds.) *Public Administration Reforms in Europe: The View from the Top*. Edward Elgar: Cheltenham. Page 273-280.

Bakonyi, Eszter 2011. *To trust or not to trust? Trust Towards Democratic Institutions in Central and Eastern Europe after the Regime Change in 1989-1990 – with a Special Focus on Hungary*. Corvinus University Budapest Faculty of Social Sciences School for Sociology Doctoral Studies.

Batory, Agnes and Andrew Cartwright. 2011. "Re- visiting the Partnership Principle in Cohesion Policy: The Role of Civil Society Organizations in Structural Funds Monitoring." *Journal of Common Market Studies* 49: 697-717.

Batory, Agnes. 2012. "The national coordination of EU policy in Hungary: Patterns of continuity and change." *Public Administration* 90: 922-936.

Batory, Agnes, Andrew Cartwright and Diane Stone (eds.). 2018. *Policy Experiments, Failures and Innovations: Beyond Accession in Central and Eastern Europe.* Cheltenham: Edward Elgar.

Batory, Agnes and Sara Svensson. 2017. "TROPICO Deliverable 2.1. Literature and report review. Funded by the Horizon 2020 Framework Programme of the European Union Grant Agreement No. 726840." *TROPICO Website*. Available at http://tropico-project.eu/work-packages/

Batory, Agnes and Sara Svensson. 2018. *TROPICO Deliverable 2.2. Codes of Collaboration.* Funded by the Horizon 2020 Framework Programme of the European Union Grant Agreement No. 726840. *TROPICO Website.* Available at http://tropico-project.eu/work-packages/

Berg, Bruce L. 2001. *Qualitative Research Methods for the Social Sciences. 4th Ed.* Boston: AllYn and Bacon.

Bezes, Philippe and Gilles Jeannot. 2013. "Public Sector Reform in France: Views and Experiences from Senior Executives". *COCOPS Research Report Collection.* Available at: http://www.cocops.eu/publications/research-reports

Binderkrantz, Anne Skorkjær, Christiansen, Peter Munk and Helene Helboe Pedersen. 2014. "A Privileged Position? The Influence of Business Interests in Government Consultations". *Journal of Public Administration Research and Theory*, 24 (4): 879-896.

Bingham, Lisa Blomgren, Tina Nabatchi and Rosemary O'Leary. 2005. "The New Governance: Practices and Processes for Stakeholder and Citizen Participation in the Work of Government." *Public Administration Review* 65 (5): 547–558.

Bingham, Lisa Blomgren. 2010. "The Next Generation of Administrative Law: Building the Legal Infrastructure for Collaborative Governance". *Wisconsin Law Review* 297.

Bingham, Lisa and Rosemary O'Leary (eds.). 2015. *Big Ideas in Collaborative Public Management.* London: Routledge.

Bohle, Dorothee and Béla Greskovits. 2012. *Capitalist diversity on Europe's periphery.* Ithaca: Cornell University Press.

Bouckaert, Gerhard and Steven Van de Walle. 2003. "Comparing Measures of Citizen Trust and User Satisfaction as Indicators of "Good Governance": Difficulties in Linking Trust and Satisfaction Indicators." *International Review of Administrative Sciences,* 69(2): 329-343.

Buchanan, James and Gordon Tullock. 1962. *The Calculus of Dissent.* Ann Arbor: University Of Michigan Press.

Bundesministerium der Finanzen (BMF). 2017. Kommunalwirtschaft der Zukunft – Aufbruch in die 4 neue Daseinsvorsorge. Rede des Bundesfinanzministers „Zur Finanzierung kommunaler Aufgaben" bei der VKU-Verbandstagung 2017, Berlin. [Municipal economy of the future – Speech of the Ministry of Finance "On Finance Municipal tasks"]. *Federal Ministry of Finance.* Available at: http://www.bundesfinanzministerium.de/Content/DE/Reden/2017/2017-03-15-vku-tagung.html

Bundesministerium des Innern (BMI) (ed.). 2002. "Moderner Staat – Moderne Verwaltung [Modern State – Modern Administration]". *Federal Ministry of the Interior.* Available at: https://www.bmfsfj.de/blob/84362/f92734d9f57ce4c18d63320de68f45aa/moderner-staat-*gesetzesfolgen-data.pdf*

Busch, Andreas, Iain Begg and Nils C. Bandelow. 2017. "UK report - Sustainable Governance Indicators 2017". *Bertelsmann Foundation.* Available at: http://www.sgi-network.org/docs/2017/country/SGI2017_UK.pdf

Cabinet Office. 2016 UK Open Government National Action Plan 2016-18, Cabinet Office: London.

Castanheira, Micael, Benoît Rihoux and Nils C. Bandelow. 2017. "Belgium Report. Sustainable Governance Indicators 2017". *Bertelsmann Foundation.* Available at: http://www.sgi-network.org/2017/Downloads

Christensen, Tom. 2003. "Narrative of Norwegian Governance: Elaborating the Strong State." *Public Administration* 81(1):163-190.

Christensen, Tom, and Per Lægreid. 2001. "New Public Management: The Effects of Contractualism and Devolution on Political Control." *Public Management Review* 3 (1): 73–94.

Christensen, Tom, and Per Lægreid. 2006. "Whole-of-government approach to public sector reform."
 Public Administration Review, 67(6): 1059–1066.

Christensen, Tom and Per Lægreid. 2007. *Transcending new public management. The transformation of public sector reforms*. Aldershot: Ashgate.

Christensen, Tom and Per Lægreid. 2008a. "NPM and beyond— leadership, demography and culture." *International Journal of Administrative Sciences* 74(1): 5–21.

Christensen, Tom and Per Lægreid. 2008b. "The Challenge of Coordination in Central Government Organizations: The Norwegian Case." *Public Organization Review* 8: 97–116.

Christiansen, Peter Munk. 2005. *Hvem skriver lovene? Interesseorganisationer og politiske beslutninger – Magtudredningen [Who writes the laws? Interest organizations and political decisions. Commissioned report on Power]*. Århus: Aarhus Universitetsforlag

Christiansen, Peter Munk. 2016. "Waning Light? Civil Society, Interest Groups, and Public Policies in the Nordic Countries". In Veggeland, N. (Ed.) *The Current Nordic Welfare State Model*. Nova Science: 43-62.

Council of Europe - Conference of INGOs. 2017. "Civil participation in the decision-making process: Fact finding visit in Hungary 20-22 November 2016." *Council of Europe Website.* Available at: https://rm.coe.int/report-visit-of-the-conference-of-ingos-to-hungary-final/1680728497

Csink, Lóránt, Balázs Schanda, and András Zs.Varga. 2012. *The Basic Law of Hungary: A First Commentary*. Dublin: Clarus Press.

De Vries, Michiel S. 2000. "The Rise and Fall of Decentralization: A Comparative Analysis of Arguments and Practices in European Countries." *European Journal of Political Research* 38 (2): 193–224.

Denters, Bas, Oscar van Heffen, Jan Huisman, and Pieter-Jan Klok (eds). 2003. *The rise of interactive governance and quasi-markets*. Dordrecht: Kluwer Academic Press.

Diamond, Janet and Siv Vangen. 2016. "Coping with austerity: innovation via collaboration or retreat to the known?" *Public Money and Management* 37 (1): 47-54.

Donahue, John D. and Richard J. Zeckhauser. 2006. Public-private collaboration. In Michael Moran, Martin Rein, and Robert E. Goodin (eds.), *The Oxford Handbook of Public Policy*. Oxford: Oxford University Press. Page 496-525.

Downe, James, Rhys Andrews and Valeria Guarneros-Meza, G. 2016. "Public Administration in the UK, in Public Administration Reforms in Europe: The View from the Top" In Gerhard Hammerschmid, Steven Van de Walle, Rhys Andrews and Philippe Bezes (eds.), *Public Administration Reforms in Europe: The View from the Top*, Edward Elgar: Cheltenham. Page 173-184.

Edelenbos, Jurian and R. Monnikhof (eds.). 2001. *Local interactive policy development*. Utrecht: Lemma.

Edelenbos, Jurian and Erik-Hans Klijn. 2006. "Managing stakeholder involvement in decision-making: a comparative analysis of six interactive processes in The Netherlands." *Journal of Public Administration Research and Theory* 16(3): 417-446.

Elston, Thomas, Muiris MacCarthaigh, and Koen Verhoest. 2018a. "How austerity makes public sector organizations collaborate". *LSE Blog*. Available at: http://blogs.lse.ac.uk/politicsandpolicy/how-austerity-makes-public-sector-organisations-collaborate/

Elston, Thomas, Muiris MacCarthaigh, and Koen Verhoest. 2018b. "Collaborative cost-cutting: productive efficiency as an interdependency between public organizations." *Public Management Review*. Published online 20 Feb 2018, forthcoming in print.

European Commission. 2017a. "Press release: 'Stop Brussels': European Commission responds to Hungarian national consultation." *European Commission*. Available at: https://ec.europa.eu/commission/publications/stop-brussels-european-commission-responds-hungarian-national-consultation_en

European Commission. 2017b. "Umfrage in Deutschland zum Vertrauen in die Regierung 2017 [Opinion Survey in Germany on Trust in the Government]". In: *Standard Eurobarometer 88*, Table 50. Available at: http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2143

Finnis, John. 2016. 'Natural Law Theories'. In Edward N Zalta (ed.), *The Stanford Encyclopedia of Philosophy (Winter 2016 edition)*. Available at: https://plato.stanford.edu/archives/win2016/entries/natural-law-theories/>.

Freigang, Dirk and Joachim Ragnitz. 2009. Die Ergebnisse der Föderalismusreform II und die Bewertung der Verschuldungsgrenze. Ifo Dresden Berichte, 16(3): 17-23.

Gall, Lydia. 2017. "Hungary Begins a New Official Hate Campaign" *Human Rights Watch Website*. Available at: https://www.hrw.org/news/2017/09/29/hungary-begins-new-official-hate-campaign

Galligan, Denis J. and Daniel M. Smilov. 1999. *Administrative Law in Central and Eastern Europe*, 1996-1998. Central European University Press: Oxford.

Gavison, Ruth. 2002. "What Belongs in a Constitution?" *Constitutional Political Economy* 13(1): 89-105.

Ginsburg, Tom. 2010. "Written constitutions and the administrative state. On the constitutional character of administrative law." In Susan Rose-Ackermann and Tom Ginsburg (eds.) *Comparative administrative law*. Cheltenham: Edward Elgar. Page 117-127.

Graham, Cosmo. 2000. *Regulating public utilities: A legal and constitutional approach*. Oxford: Hart Publishing.

Grasse, Alexander. 2011. "Federalism in Germany". In Reimun Seidelmann (ed.), *The New Germany*, Baden-Baden: Nomos: 239-268.

Greskovits, Bela and Jason Wittberg. 2016. *Civil Society and Democratic Consolidation in Hungary in the 1990s and 2000s*. Unpublished manuscript. Available at: http://www.jasonwittenberg.org/wp-content/uploads/2016/02/Greskovits_Wittenberg_Civil-Society_Democratic_Consolidation_Feb_2016_final_draft.pdf

Greve, Carsten and Niels Ejersbo. 2016. "Denmark: towards the Neo-Weberian State in the digital era." In Gerhard Hammerschmid, Steven Van de Walle, Rhys Andrews, and Philippe Bezes (eds.)

Public Administration Reforms in Europe: The View from the Top. Cheltenham: Edward Elgar. Page 119-128.

Hajnal, György. 2013. "Public Sector Reform in Hungary: Views and Experiences from Senior Executives". COCOPS Research Report Collection. Available at: http://www.cocops.eu/publications/research-reports

Hall, Peter and David Soskice. 2001. *Varieties of capitalism: the institutional foundations of comparative advantage*. Oxford: Oxford University Press.

Hammerschmid, Gerhard, Steven Van de Walle, Rhys Andrews, Anja Goernitz, Anca Oprisor and Vid Štimac. 2013. "Public Administration Reform in Europe – Views and Experiences from Senior Executives in 10 Countries". *COCOPS Research Report Collection.* Available at: http://www.cocops.eu/publications/research-reports

Hammerschmid, Gerhard, Steven Van de Walle, Rhys Andrews and Philippe Bezes. 2016. *Public Administration Reforms in Europe: The View from the Top*. Cheltenham: Edward Elgar.

Hammerschmid, Gerhard and Anca Oprisor. 2016. "German public administration: incremental reform and a difficult terrain for management ideas and instruments." In Gerhard Hammerschmid, Steven Van de Walle, Rhys Andrews, and Philippe Bezes (eds.), *Public Administration reforms in Europe – the view from the top*. Cheltenham: Edward Elgar. Page 63-72.

Hansard Society. 2017. "Audit of Political Engagement 14." *Hansard Society Website*. Available at: https://assets.ctfassets.net/rdwvqctnt75b/29mtXLpqqslyiMa24QqUa4/157873def28828c1764bea7098bba28a/report_audit-of-political-engagement-14.pdf

Hendriks, Frank and T. Toonen. 2000. *Polder politics.* Cheltenham: Edgar Elgar.

Higdem, Ulla and and Aksel Hagen. 2014. *Regionalism in Norway. Assembly of European Regions Study on Regionalism.* Lillehammer University College. Available at http://aer-www.ameos.net/fileadmin/user_upload/Commissions/InstitutionalAffairs/Academic_pole/ReportNorway.pdf

HM Government. 2011. *Open Public Services White Paper*. London: HM Government.

Hood, Christopher. 1991. "A Public Management for all Seasons?" *Public Administration* 69(1): 3-19.

Hood, Christopher. 2007. "What happens when transparency meets blame-avoidance?" *Public Management Review* 9(2): 191-210.

Hooghe, Liesbet and Gary Marks. 2001. *Multi-level Governance and European Integration.* Oxford: Rowman & Littlefield.

Hooghe, Liesbet, Ryan Bakker, Anna Brigevich, Catherine De Vries, Erica Edwards, Gary Marks, Jan Rovny, Marco Steenbergen and Milada Vachudova. 2010. "Reliability and validity of the 2002 and 2006 Chapel Hill expert surveys on party positioning." *European Journal of Political Research* 49(5): 687-703.

Hoppe, Robert, Jaap Woldendorp and Nils C. Bandelow. 2017. "Netherlands Report. Sustainable Governance Indicators 2017." *Bertelsmann Foundation.* Available at: http://www.sgi network.org/docs/2017/country/SGI2017_Netherlands.pdf

Hughes, Owen E. 2003. *Public Management & Administration. Third edition.* New York: Palgrave Macmillan.

Hughes, Owen E. 2012. *Public Management & Administration. Fourth edition.* New York: Palgrave Macmillan.

HVG. 2017. "Bayer szerint egy millio vonult a bekemeneten [According to Bayer one million joined the peace march]". *HVG Website.* Available at: http://hvg.hu/itthon/20170926_Bayer_Zsolt_Bekemenet

Inglehart, Ronald. 1988. "The Renaissance of Political Culture." *American Political Science Review* 82(4): 1203–1230.

Jeannot, Gilles. 2010. "Sélection et parcours des directeurs régionaux des services déconcentrés techniques [Selection and trajectories of regional directors for decentralized services]" *Sociologies pratiques* (2): 97-111.

Jeannot, Gillese. 2013. "Le dialogue social dans les mairies entre subordination nationale et vitalité locale [Social dialogues in local governments: A balancing act between national regulations and local vitality]", *La Revue de l'IRES*, 79 (4): 65-83.

Jilke, Sebastian, Steven Van de Walle, and Roxanne van Delft. 2013. "Public Sector Reform in the Netherlands: Views and Experiences from Senior Executives". *COCOPS Research Report Collection.* Available at: http://www.cocops.eu/wp-content/uploads/2013/06/Netherlands_WP3-Country-Report.pdf.

Kassim, Hussein, Guy Peters and Vincent Wright. 2000. *The National Co-ordination of EU Policy: The Domestic Level.* Oxford: Oxford University Press.

Kardasheva, Raya. 2009. "Legislative package deals in EU decision-making: 1999 -2007." *London School of Economics and Political Science Dissertation Collection.* Available at: http://etheses.lse.ac.uk/33/

Klijn, Erik-Hans and Jan Koppenjan. 2000. "Politicians and interactive decision-making: Institutional spoilsports or playmakers." *Public Administration* 78: 365–87.

Knill, Christopher. 1998. "European Policies: The Impact of National Administrative Traditions." *Journal of Public Policy* 18(1): 1-28.

Knudsen, Tim. 2007. *Fra folkestyre til markedsdemokrati – Dansk demokratihistorie efter 1973* [From people's government to market democracy – the history of Danish democracy after 1973]. København: Akademisk forlag.

Kommunal- og moderniseringsdepartementet. 2018. *Program for bedre styring og ledelse i staten. Erfaringsrapport* [Program for better steering and leadership of the state. Report on experiences and lessons learned]. Available at: https://nettsteder.regjeringen.no/bedrestyringogledelse/files/2018/04/Program-for-bedre-styring-og-ledelse-sluttrapport-endelig.pdf

Koppenjan, Joop, A. Ringeling and R.HA. te Velde (eds.). 1987. *Beleidsvorming in Nederland [*Policy making in the Netherlands*]*. 's-Gravenhage: Vuga.

Kuhlman, Sabine and Hellmut Wollmann. 2014. *Introduction to Comparative Public Administration: Administrative Systems and Reforms in Europe.* Cheltenham: Edward Elgar.

Lægreid, Per, Tiina Randma-Liiv, Lise H. Rykkja and Külli Sarapuu. 2013. "The governance of social cohesion: innovative coordination practices in public management". *COCOPS Research Report Collection.* Available at: http://www.cocops.eu/

Lægreid, Per, Åsta Dyrnes Nordø and Lise H. Rykkja. 2013. "Public Sector Reform in Norway: Views and Experiences from Senior Executives". *COCOPS Research Report Collection.* Available at: http://www.cocops.eu/publications/research-reports

Lægreid, Per and Lise H. Rykkja. 2015. "Organizing for 'Wicked Problems' – Analyzing Coordination Arrangements in Two Policy Areas: Internal Security and the Welfare Administration." *International Journal of Public Sector Management* 28 (6):475–93.

La Porta, Rafael, Florencio Lopez-De Silanes and Andrei Schleifer. 2008. "The Economic Consequences of Legal Origins." *Journal of Economic Literature* 46(2): 285-332.

La Porta, Rafael, Florencio Lopez-De Silanes, Andrei Schleifer and Robert Vishny. 1999. "The Quality of Government." *Journal of Law, Economics & Organization* 15(1): 222-279.

Laursen, Sustain Finn, Torben M. Andersen and Detlef Jahn. 2017. "Denmark Report. Sustainable Governance Indicators 2017". Bertelsmann Foundation. Available at: http://www.sgi-network.org/2017/Downloads

Libbe, Jens, and Stefanie Hanke, and Maic Verbücheln. 2011. *Rekommunalisierung. Eine Bestandsaufnahme* [Re-municipalization – an inventory] . Berlin: Deutsches Institut für Urbanistik.

Lijphart, Arend. 1984. *Democracies: patterns of majoritarian and consensus government in twenty-one countries.* New Haven: Yale University Press.

Lijphart, Arend. 1998. "Consensus and Consensus Democracy: Cultural, Structural, Functional and Rational-choice Explanations." *Scandinavian Political Studies*, 21 (2): 99 –108.

Lijphart, Arend. 1999. *Patterns of Democracy: Government Forms and Performance in Thirty-six Countries.* New Haven, CT: Yale University Press

March, James G., and Johan P. Olsen. 1989. *Rediscovering Institutions: The Organizational Basis of Politics.* New York: Free Press.

Martí, Caridad, Sonia Royo and Basilio Acerete. 2012, "The Effect of New Legislation on the Disclosure of Performance Indicators: The Case of Spanish Local Governments." *International Journal of Public Administration* 35 (13): 873-885.

Medve-Bálint, Gergő and Zsolt Boda. 2014. "Ki szegényebb, jobban bízik? Az anyagi helyzet, a gazdasági fejlettség és a jövedelmi egyenlőtlenségek hatása az intézményi bizalomra Kelet-Közép-Európában [The poorer, the more trusting? The impact of material situation, the econonomic development and the income inquality on institutional trust in Central and Eastern Europe]". *Socio.hu ESS különszám.* 2014/4.

Meilvang, Marie Leth, Hjalmar Bang Carlsen and Anders Blok. 2018. "Methods of engagement: On civic participation formats as composition devices in urban planning." *European Journal of Cultural and Political Sociology* 5(1-2): 12-4.

Mény, Yves, Henrik Uterwedde and Reimut Zohlnhöfer .2017. "France Report. Sustainable Governance Indicators 2017". *Bertelsmann Foundation*. Available at: http://www.sgi-network.org/2017/Downloads

Meyer-Sahling, Jan-Hinrik and Kutsal Yesilkagit. 2011. "Differential Legacy Effects: Three Propositions on the Impact of Administrative Traditions on Public Administration Reform in Europe East and West." *Journal of European Public Policy* 18(2): 311-322.

Meyer-Sahling, Jan-Hinrik. 2011. "The Durability of EU Civil Service Policy in Central and Eastern Europe after Accession." *Governance* 24: 231–260.

Meyer-Sahling, Jan-Hinrik and Tim Veen. 2012. "Governing the post-communist state: government alternation and senior civil service politicisation in Central and Eastern Europe." *East European Politics* 28 (1): 4-22

Michener, Greg. 2011. "FOI Laws around the world". *Journal of Democracy* 22(2): 145-159.

Molina, Ignacio, Oriol Homs and César Colino. 2017. "Spain Report. Sustainable Governance Indicators 2017". Bertelsmann Foundation. Available at: http://www.sgi-network.org/2017/Downloads

Mortensen, Peter B. 2016. "Agencification and Blame Shifting: evaluating a neglected side of public sector reforms." *Public Administration* 94(3): 630-646.

National Economic and Social Council (NESC). 2017. *Annual Report for 2016*. Available at: http://www.kormany.hu/download/c/fd/f0000/NGTT%20%C3%A9ves%20jelent%C3%A9s%202016_v.pdf.

OECD. 2017. *OECD Government at a Glance 2017. OECD Digital Government Indicator*. Available at: http://www.oecd.org/gov/govataglance.htm

Olsen, Johan P. 2007. *Europe in Search of Political Order: An Institutional Perspective on Unity/Diversity, Citizens/their Helpers, Democratic Design/Historical Drift, and the Co-Existence of Orders,* Oxford: Oxford University Press

Olsen, Johan P. 2010. *Governance through Institution building*. Oxford: Oxford University Press.

Open Government Partnership. 2018. "About OGP." *OPG website*. Available at: https://www.opengovpartnership.org

Overman, Sjors and Sandra van Thiel. 2016. "Agencification and Public Sector Performance: A systematic comparison in 20 countries." *Public Management Review* 18 (4): 611-635.

Painter, Martin and B. Guy Peters (eds.). 2010. *Tradition and Public Administration*. Basingstoke: Palgrave Macmillan.

Panozzo, Fabrizio. 2000., "Management by decree. Paradoxes in the reform of the Italian public sector." *Scandinavian Journal of Management* 16(4): 357-373.

Peters, B. Guy, Jon Pierre, and Desmond S. King. 2005. "The Politics of Path Dependency: Political Conflict in Historical Institutionalism." *The Journal of Politics* 67(4): 1275-1300.

Pharr, Susan J. and Robert Putnam (eds.). 2000. *Disaffected Democracies: What's Troubling the Trilateral Countries?* Princeton, NJ: Princeton Univ. Press.

Pierson, Paul. 2000. "Increasing Returns, Path Dependence, and the Study of Politics." *American Political Science Review* 94(1): 251–66.

Pierson, Paul and Theda Skocpol. 2002. "Historical Institutionalism in Contemporary Political Science." In I. Katznelson and H. V. Milner (eds.) *Political Science: The State of the Discipline*, New York: Norton. Page 445–488.

Pollitt, Christopher and Geert Bouckaert. 2011. *Public management reform: a comparative analysis - into the age of austerity. 3rd edition*. Oxford: Oxford University Press.

Pollitt, Christopher and Geert Bouckaert. 2017. *Public management reform: a comparative analysis - into the age of austerity.4th edition*. Oxford: Oxford University Press.

Putnam, Robert D., Robert Leonardi and Raffaella Y. Nanetti. 1988. "Institutional Performance and Political Culture: Some Puzzles about the Power of the Past." *Governance* 1(3): 221–42.

Randma-Liiv, Tiina, Annika Uudelepp and Külli Sarapuu. 2015. "From Network to Hierarchy: the Evolution of the Estonian Senior Civil Service Development System." *International Review of Administrative Sciences* 81(2): 373-391.

Randma-Liiv, Tiina and Riin Savi. 2016. "Managing the public sector under fiscal stress". In: G. Hammerschmid, S. Van de Walle, R. Andrews, P. Bezes (Ed.). *Public Administration Reforms in Europe: The View from the Top*. Edward Elgar Publishing. Page 231–243.

Reiss, Dorit Rubinstein. 2010. "Administrative agencies as creators of administrative law norms: evidence from the UK, France and Sweden". In Susan Rose-Ackermann, and Tom Ginsburg (eds.) *Comparative administrative law*. Cheltenham: Edward Elgar. Page 319-332.

Reynolds, Thomas H and Arnold A Flores (eds.) 1989. *Foreign Law: Current Sources of Codes and Basic Legislation in Jurisdictions of the World*. Littleton: FB Rothman.

Rommetvedt, Hilmar, Gunnar Thesen, Per Munk Christiansen and Asbjørn Sonne Nørgaard. 2012. "Coping with corporatism in decline and the revival of parliament: Interest group lobbyism in Denmark and Norway, 1980-2005." *Comparative Political Studies* 46(4): 457-485.

Royo, Sonia, Ana Yetano and Basilio Acerete. (2011). "Citizen Participation in German and Spanish Local Governments. A Comparative Study." *International Journal of Public Administration* 34(3): 139-150.

Rüb, Friedbert, Friedrich Heinemann, Tom Ulbricht and Reimut Zohlnhöfer. 2017. "Germany Report. Sustainable Governance Indicators 2017". *Bertelsmann Foundation*. Available at: http://www.sgi-network.org/2017/Downloads

Sarapuu, Külli 2012. "Administrative Structure in Times of Changes: The Development of Estonian Ministries and Government Agencies 1990–2010." *International Journal of Public Administration*, 35(12): 808–819.

Savi, Riin and Merlilin Metsma. 2013. "Public Sector Reform in Estonia: Views and Experiences from Senior Executives." *COCOPS Research Report Collection*. Available at http://www.cocops.eu/publications/research-reports

Schwertsik, Andreas Roland. 2013. *IT-Governance als Teil der organisationalen Governance. Ausgestaltung der IT-Entscheidungsrechte am Beispiel der öffentlichen Verwaltung* [IT governance in organizational governance – How IT decision rights are designed in public administration] . Wiesbaden: Springer.

Scott, William Richard. 2012, *Institutions and Organisations*, Thousand Oaks: Sage.

Sinclair, Stefan and Geoffrey Rockwell. 2016. "Voyant Tools." Available at: http://www.voyant-tools.org/?corpus=f03598117bbf616e7520a82e07d2e63c&stopList=keywords-ebf61af05baa887d254e0b3e2576b417&whiteList=&view=Cirrus.

Sitter, Nick and Kjell Eliassen. 2004. "The Quiet European: Norway's Quasi-Membership of the European Union." In Paul Magnette (ed.) *La grande Europe*. Bruxelles: Éditions de l'Université de Bruxelles, 2004.

Sitter, Nick and Ulf Sverdrup. 2017. "Surviving Brexit: twelve lessons from Norway." *TransCrisis Project Blog*. Available at: https://www.transcrisis.eu/surviving-brexit-twelve-lessons-from-norway/

Sitter, Nick, Agnes Batory, Andrea Krizsan and Viola Zentai. 2017. "Backsliding in the area of constitutional safeguards and independent institutions, corruption control, and generally equality and minorities." *TransCrisis Project Blog*. Available at: http://www.transcrisis.eu/wp-content/uploads/2017/05/D6.2-Backsliding-in-area-of-constitutional-safeguards-and-independent-institutions-corruption-control-and-general-equality-and-minorities-1.pdf

Skelcher, Chris, Erik-Hans Klijn, Daniel Kubler, Eva Sorensen and Helen Sullivan. 2011. "Explaining the Democratic Anchorage of Governance Networks: Evidence from Four European Countries." *Administrative Theory & Praxis* 33(1): 7-38.

Stafford, Anne, Acerete, Basilio and Pamela Stapleton. 2010. "Making concessions: Political, commercial and regulatory tensions in accounting for European roads PPPs." *Accounting and Business Research* 40(5): 473-493.

Stoker, Gary. 2010. "The rise of political disenchantment." In: Hay C (ed.) *New Directions in Political Science: Responding to the Challenges of an Interdependent World.* Basingstoke: Palgrave Macmillan. Page 43–63.

Sverdrup, Ulf, Stein Ringen and Detlef Jahn. 2017. "Norway Report. Sustainable Governance Indicators 2017". *Bertelsmann Foundation.* Available at: http://www.sgi-network.org/2017/Downloads

Svensson, Sara. 2015. "The Bordered World of Cross-border Cooperation: The Determinants of Local Government Contact Networks within Euroregions." *Regional & Federal Studies* 25(3): 277-295.

Szalai, Julia and Sara Svensson. (2017). *Contested forms of solidarity: an overview of civil society organisations in Hungary and their impact on policy and the social economy.* Center for Policy Studies Working Paper Series 2018/1. Budapest: Center for Policy Studies, Central European University.

Tatham, Michael Robert. 2015. "Regional Voices in the European Union: Sub-national influence in multi-level politics." *International Studies Quarterly* 59(2): 387-400.

Thatcher, Mark. 2002. "Regulation after Delegation: Independent regulatory agencies in Europe." *Journal of European Public Policy* 9(6): 954-972.

Thijs, Nick, Gerhard Hammerschmid and Enora Palaric. 2018. *A comparative overview of public administration characteristics and performance in EU28.* European Commission, Directorate-General for Employment, Social Affairs and Inclusion.

Toots, Anu Allan Sikk and Detlef Jahn. 2017. "Estonia Report. Sustainable Governance Indicators 2017." *Bertelsmann Foundation.* Available at: http://www.sgi-network.org/2017/Downloads

Tõnnisson, Kristiina and Tiina Randma-Liiv. 2008. "Public Management Reforms: Estonia." In: Gert Bouckaert, Jan Nemec, V. Nakrosis, Gyorgy Hajnal and Kristiina Tõnnisson (eds.) *Public Management Reforms in Central and Eastern Europe.* Bratislava: NISPA (Network of Institutes and Schools of Public administration in Central Eastern Europe). 93–118.

Transparency International. 2011. *Corruption in the UK: Overview and Policy Recommendations,* Transparency International: London.

UN E-Government Survey. 2016. *The E-Government Development Index.* Available at: https://publicadministration.un.org/egovkb/en-us/reports/un-e-government-survey-2016

UNTC (United Nations Treaty Collection) 2018. "Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters". Aarhus, Denmark, 25 June 1998. *United Nations Treaty Collection.* Available at: https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVII-13&chapter=27&clang=_en#1

Van den Berg, J.T.J, and Henk A.A. Molleman 1975. *Crisis in de Nederlandse Politiek* [Crisis in Dutch Politics]. Den Haag: Samson.

Van Dooren Wouter. 2017a. *Public administration characteristics in Belgium.* Report for the EUPACK Project, funded by the European Commission DG EMPL

Van Dooren Wouter. 2017b. *Report on Public Administration Reform Trends and Reform Dynamics in Belgium.* Report for the EUPACK Project, funded by the European Commission DG EMPL.

Van Putten, Jan (Ed.). (1980). *Haagse machten; verslag van een politicologisch onderzoek naar de totstandkoming van acht regeringsmaatregelen* [The power in Hague: a research into eight government measures]. 's-Gravenhage: Vuga.

Van de Walle, Gerhard Hammerschmid, Rhys Andrews and Philippe Bezes. 2016. Introduction: Public Administration Reforms in Europe. In Hammerschmid, Gerhard, Steven Van de Walle, Rhys Andrews and Philippe Bezes. 2016. *Public Administration Reforms in Europe: The View from the Top*. Cheltenham: Edward Elgar. Page 1-11.

Verhoest, Koen, Sara Demuzere and Jan Rommel (2012). Belgium and its Regions. In: Koen Verhoest, Sandra Van Thiel, Geert Bouckaert, and Per Lægreid (eds.) *Government agencies: practices and lessons from 30 countries*. Basingstoke: Palgrave Macmillan. Page 84-97.

Wegweiser Research & Strategy and Hertie School of Governance. 2017. "Public Services Survey 'Zukunftspanel Staat & Verwaltung'". Available at: https://www.hertie-school.org/en/zukunftspanel/

Willett, Joanie and Arianna Giovannini. 2014. "The Uneven Path of UK Devolution: Top-Down vs. Bottom-Up Regionalism in England – Cornwall and the North-East Compared." *Political Studies* 62(2): 343-360.

Worthy, Ben and Robert Hazell. 2017. "Disruptive, Dynamic and Democratic? Ten Years of FoI in the UK." *Parliamentary Affairs* 70(1): 22-42.

Wright, Vincent. 1994. "Reshaping the State: The Implications for Public Administration." *West European Politics* 17(3): 102-137.

Wright, Vincent. 2000. "Blurring the Public-Private Divide". In B. Guy Peters and Donald J Savoie (eds.) *Governance in the Twenty-first Century*. Montreal: McGill-Queen University Press. Page 155-177.

Yesilkagit, Kutsal. 2010. "The Future of Administrative Tradition: Tradition as Ideas and Structure." In Martin Painter and B. Guy Peters (eds.) *Tradition and Public Administration*. Basingstoke: Palgrave Macmillan. Page 145-163.

Annex 1: Institutional conditions impacting collaboration (country profiles)

Belgium[11]

Through a series of state reforms, *the structure of the state* in Belgium has been transformed from unitary to federal, enshrined in the constitution since 1993. The two key constituents of the Belgian federal state can be interpreted to belong to different *legal-administrative traditions*, Roman-French (Napoleonic) and Roman-Germanic, with Wallonia more characterized by an interventionist, centralized approach to state and society (Napoleonic tradition) whereas the Flemish region has an integrated 'organicist' approach (Painter and Peters 2010: 20). In the process of federalization, competences have been transferred to the regions and communities, resulting in a fragmented policy landscape (Van Dooren 2017b). Recently, there have been rare calls for a re-federalization of some policies, but the political likelihood of such changes is weak. The sequence of state reforms hollowed out the federal state by transferring not only political competences but also parts of the administration to the regions, and the frequency of structural changes have made coordination and collaboration within the federal government a challenge. Moreover, as pointed out by the assessment underlying the Bertelsmann Foundation Sustainable Governance Indicators, funding has not always followed the devolvement of functions (Castanheira et al 2017).

Public administration reforms have been induced by other motivations and processes. NPM inspired reforms took hold from the late 1990s, but not all governments supported them, and in the mid-2000s a more pragmatic and process-oriented focus (such as introducing central complaint handling of excessive administrative burdens) came to the fore. In addition, saving and austerity became key themes in the wake of the financial crisis (Van Dooren 2017b). An example of a recent program is the 'Redesign' program, which scrutinizes a range of administrative functions including service delivery. While the reform packages have often been implemented, it is questionable whether the hoped-for outcomes have always materialized (Castanheira et al 2017).

---

[11] Koen Verhoest and Chesney Callens, with support from Jan Boon, Tom Langbroek, Joachim Vandergraesen and Wouter Van Dooren, provided extensive input for this country profile.

The *organization of the government* is not optimal for long-term strategic planning. Each ministry relies on senior advisors and experts, but most are appointed as political staff to the minister which are recruited politically, which means loss of knowledge if election results lead to change of government. The practice of broad coalition governments generates needs for collaboration, which does not always work out in practice (Castanheira et al 2017). The Prime Minister Office has a unit that coordinates policy (the most important issues) together with a deputy prime minister delegated by a party in the coalition that does not hold the prime ministerial post. This is further strengthened by processes of collegial endorsement in the cabinet and budgetary supervision by the Ministry of Finance. This yields a favourable evaluation in the Sustainable Governance Indicator, but as pointed out by Van Dooren 2017, the de facto situation of inter-ministerial coordination is more nuanced: 'true collaboration towards shared goals is more difficult. The coalition agreement separates out the portfolios of the ministers and the main projects for each party. Inter-ministerial coordination is mainly making sure that no one trespasses his or her portfolio or goes against the coalition agreement. Proper collaboration, where efforts of departments are brought together to obtain a predefined goal, is something we see too little of. This is an issue at all tiers of government' (Van Dooren 2017a).

As mentioned above, the federalization process has led to fragmentation and there is a need to strengthen vertical (multi-level) collaboration, which is currently weak. Nevertheless, some mechanisms provide some level of coordination. Most importantly, the main ministers of the different governments are represented and regularly meet at the Committee for Concertation (in French 'le Comité de concertation'). Decisions are taken by consensus. There is also a system of committees to coordinate positions for EU policies, as well as a coordination arrangement for budget and account issues in the context of the European Semester. At sectoral level, there are sometimes formal or informal platforms for coordination and collaboration. For example, the different energy regulators meet in an informal coordination platform (FORBEG). The federal and regional actors involved in inspections for social fraud have cooperation agreements and meetings. On complex issues like sustainable development and climate change, there are intergovernmental negotiations and coordination efforts, but often progress is slow and negotiations are conflictual, like in the

current negotiations about the climate change mitigation goals. A recent development is the creation of interfederal or interregional agencies, such as Viapass for road charging or the UNIA interfederal center for combating discrimination. They coordinate and implement a particular policy for multiple governments that have competencies in the policy area.

The *structure of interest-mediation* is neo-corporatist, which means extensive consultation with privileged stakeholders (employee and employer organizations). The practice of consultations has also taken hold outside labour-related issues. Recently (2017) the government has tried to reduce the inclusion of trade unions in policy-making around socioeconomic issues (Castanheira et al 2017). At the same time, demand has risen for a more participatory way of social dialogue (Van Dooren 2017a). Besides the forms of institutionalized consultation and collaboration mentioned above, one can notice increasing efforts to find new ways of co-creation and co-production in policies and services with societal actors and citizens. City governments are at the forefront, but also the federal and regional governments are becoming more active. Such co-creation examples can be found at the level of policies, but also at the level of service innovation. Co-creation for service innovation is often facilitated by innovation labs, which are gradually emerging at local level. Recently, the federal government has also established such innovation labs. However, these are recent developments and not part of regular procedures. A recent example for innovation at the federal level is a project concerning the simplification of rules and bureaucracy for parents with a disabled child.

Information and Communication Technology (ICT) and digitalization have been important drivers and components in public administration reforms since the mid-2000s, when the e-government practice of Belgium was seen as international best practice (Van Dooren 2017). More recently, given the previously mentioned difficulties in vertical collaboration, success was more sporadic. Change in the field of e-government has been incremental, but punctuated with significant reforms (e.g. e-Health). Both in the field of social security and health, the intergovernmental e-government initiatives have achieved good results, but sometimes without the inclusion of all relevant public stakeholders. The right to access information (*freedom of information regime*) has developed through legislative steps that are partially fragmented.

Denmark[12]

Within the Roman-Scandinavian *tradition* to which Denmark belongs (Painter and Peters 2010), the legal system is based on comprehensive statutory laws, the state has a legal basis and civil servants are professionalized with high status. The *state structure* is unitary, but with strong elements of decentralization, especially to local governments that have high levels of autonomy and broad competences. Denmark is a member of a wide range of *international* organizations, and has often been able to project more influence in transnational networks than would be warranted by its size alone (e.g., the discourse around 'flexisecurity'). It pursued a NPM-agenda from the 1980s, but has recently moved on to post-NPM ('Neo-Weberianism', see Pollitt and Bouckaert 2011, and digitalization-led reforms, see Greve and Ejersbo 2016: 119-121).

The *organization of the state* at national government level is considered very efficient. Its executive capacity was ranked top of the class in the 2017 edition of the Sustainable Governance Indicator (Laursen et al. 2017). Every year, the cabinet meets once or twice for two-day long seminars in which government developments are discussed with the purpose of harmonization and coordination. The government is steered by a small Prime Minister's Office of only about 70 staff, with officials from the sectoral ministries being seconded to the Prime Minister's Office to assist with sectoral reviews. There is a specific coordination committee, which meets weekly, but coordination also takes place through other committees (Laursen et al 2017).

Similarly to other Scandinavian countries, the Danish corporatist tradition of stakeholder involvement, often labelled 'neo-corporatism', has its origins in the social class formation of peasants, urban workers and urban industries in the 19th and 20th century which gradually turned into mass movements as well as key social and political actors (Christiansen 2016). In the first half of the 20th century, through ad hoc 'learning-by-doing' practices, the interest groups, developed close relations and collaborative engagements with political and administrative actors in a number of policy areas After World War II the establishment of commissions, committees and councils to integrate interest groups in policy-making thus became the *comme il faut* (Christiansen 2016: 46-

---

[12] Peter Triantafillou and Magnus Paulsen Hansen provided extensive input for this country profile.

47). Up to around the 1990s the Danish institutionalization of external involvement of stakeholders was characterized as 'neo-corporatist' in terms of **the structure of interest-mediation**. The corporatist setting peaked around 1975, the year with the highest-ever number of public committees and commissions in which interest groups were represented (Christiansen 2016: 48). Since then the number of preparatory committees with representation of interest groups has dropped from 220 in 1980 to as few as 14 in 2010 (Binderkrantz et al. 2014: 127). The decline of such committees illustrate that although interest organizations still play a part, they are often involved in a much later stage of policy formation, e.g. through administrative consultations. Following similar trends in the other Scandinavian countries, this development has been underpinned by several factors (Christiansen 2016: 49-55):

1) Reforms (since the mid-1970s) came with costly implications for interest groups, resulting in interest groups not being willing to participate and/or not being invited. The consensus underpinning the post-war era is no longer reachable on key reform paths, most notably welfare state transformations;

2) The relationship between voters, interest groups and political parties has been loosened;

3) A 'mediafication' of the political process has made mass media the most important channel for political communication.[13]

These changes have resulted in a substantially different role for the state, which is now exercising a more strategic and selective involvement of external stakeholders, for instance in the Economic Council. The ministers and the public administration increasingly seek the support from interest groups only if it is strategically convenient, that is if they can enhance the possibilities for a bill to pass in parliament and/or if they can contribute to the realization of the bill (Christiansen 2005: 275). This development has led scholars to abandon the (neo) corporatist label and instead characterize the current Danish setting as a type of 'privileged pluralism' (Binderkrantz et al.: 2014: 218-20). Firstly, mediatisation has increased pluralism by giving organizations that are capable of feeding the media with relevant stories access to communication with the public and the power. Secondly, certain "privileged" organizations, such as the big business organizations, unions and

---

[13] Along with the decline of corporatism Rommetvedt et al. (2012) document a "revival of parliament" *vis à vis* both interest groups and government (compare Knudsen 2007: 163).

institutional organizations, are still (although to a lesser degree) consulted in the preparatory work. Thirdly, the contact between interest groups (both 'identity' groups, environmental organizations and corporatist groups such as the business organizations) and parliament/political parties have increased substantially. In an international comparison, this 'privileged pluralism' is evaluated very favourably with respect to social consultations and the habit to involve external actors (Laursen et al 2017).

In this generally positive environment, regulatory development is not always uncontested. An area of contestation has been the *freedom of information regime*. Since the so-called 'Openness commission' in 2010 published its report and recommendations for revising the 'Law regards openness in the public administration' the issue has been heavily debated. At the same time, Denmark is doing well in the area of *digitalization*, scoring relatively high internationally albeit not in the top of the TROPICO country sample (OECD 2017; United Nations E-government survey 2016).

Estonia[14]

Estonia is a small country with a unitary *state structure*. It belongs to the Roman/Central and Eastern European *administrative tradition* (Meyer-Sahling and Yesilkagit 2011), with a civil law system combined with heavy influence by Roman-Germanic administrative traditions modified by legacies of communism as well as different transition trajectories.

As described in detail in the COCOPS project, "since regaining independence from the Soviet Union in 1991 Estonia has pursued a radical *reform* strategy for building up a democratic state as the state structures inherited from the soviet time were neither adequate nor appropriate for democratic governance. From the early 1990s rapid and fundamental reforms in legal, political, social and economic orders have been carried out to overcome the legacy of the previous system" (Savi and Metsma 2013: 8). These reforms had a neo-liberal market-oriented focus, which included privatization of key societal services such as emergency medical aid. This transition coincided with New Public Management sentiments perhaps being at its height in many Western countries, which therefore also left its mark on Estonia (Tõnnisson and Randma-Liiv 2008). However, it should be noted that the more specific public administration reforms were less coherent. The strategic framework for administrative reforms has largely been missing, and individual public sector institutions have modernized the administrative practices as they saw fit. Several overwhelming "horizontal" reforms have been initiated by individual ministries rather than being part of a larger politically agreed framework.

Estonia has continued to nurture strong links with international partners and is strongly embedded in **international contexts**. A recent and significant example of this openness to policy transfer is the OECD report *Estonia: Towards a Single Government Approach*. The report was published in 2011 and had been commissioned by the Estonian government. Based on the report, the Cabinet of Ministers approved the action plan for the implementation of the OECD Public Governance Review. With the action plan, the coordination and cooperation issues in fragmented public administration became acknowledged on the governmental level. As a result, one of the aims of the action plan was to

---

[14] Tiina Randma-Liiv and Agne Vabamäe provided extensive parts of this country profile.

implement the idea of whole-of-government with different instruments. The action plan included measures with relation to the determination of clear responsibility for priority horizontal initiatives and topics, strengthening or launching of inter-ministerial cooperation groups in horizontal fields and the harmonisation of ministry structures.

Thus, the plan contained key themes concerning the *organization of the government* at central national level and showed the clear external influence on getting internal collaboration and coordination on the government agenda. The implementation of the plan was tasked to the Government Office, but has so far fallen short of expectations. Both the international ranking tool the Sustainable Governance Index and OECD have criticized continuing deficits with regards to policy coherence and inter-ministerial cooperation (Toots et al 2017). In general, the Estonian administrative structure can be characterized as a segmented system that relies on strong ministries supervising their areas of governance regarding both policy and structure. Although the eleven ministries are small, they represent strong administrative actors that have considerable leverage over the issues belonging to their domain (Sarapuu 2012). Key central coordination functions are shared between the Government Office, the Ministry of Finance, the Ministry of Justice, and to some extent the Ministry of Economic Affairs and Communication. There have been minor changes with shifting coordination functions between these ministries, most importantly, by consolidating major responsibilities for public administration reform into the Ministry of Finance during the past ten years. Since 2015 general elections, the Ministry of Finance has a second minister responsible for public administration reform. However, the current Estonian institutional framework does not ensure the fulfilment of the functions that the central coordinator is expected to perform. The central coordinating unit in the system only enjoys limited coordinating powers and is constrained by limited financial and human resources. The existing horizontal coordination instruments are mostly based on network-type cooperation and in that way reinforce the central role of the ministries as decision-makers (Randma-Liiv et al, 2015). Two structural initiatives are worth mentioning. First, since 2015 Estonia for the first time has a supplementary position of Minister of Public Administration in charge of pushing and implementing public administration reform. Second, in 2010, the Government Office established a special unit for the professional

development of around 100 top civil servants under the direct supervision of the Secretary of State—the Centre of Excellence for Top Civil Servants (CETCS). Although the potential of the Top Civil Service for internal collaboration is remarkable, it was not developed with internal collaboration in mind, and thus its actual influence on collaboration is marginal (Randma-Liiv et al. 2015).

Estonia has actively used e-participation tools to try *increase trust* in the institutions of representative democracy. For instance, in 2013, Estonia experimented with a post-Parliamentary democracy tool directed towards external collaboration, the People's Assembly (Rahvakogu). It consisted of an online platform for crowdsourcing proposals to amend Estonia's electoral laws, political party law, and other issues related to the future of democracy in Estonia. 15 such proposals were selected and presented to the parliament, three adopted, and several more have by 2016 been partly implemented or re-defined as commitments in the government coalition program. However, the People's Assembly remained a one-off event. As the organizers admitted, the exercise failed to achieve its main goal to increase trust.

In general, Estonia is well known for its activity for the *Information and Communication Technology and Digitalization* agenda, and often this is linked to an effort to increase *societal dialogue*. These include three key ICT measures. The e-participation portal Osale.ee was launched in 2007 as a one-stop e-participation platform with the goal of allowing the government to consult citizens on legislative drafts and enabling citizens to propose their ideas to the government. The Information System (EIS) was introduced as the official platform for inter-institutional coordination of legislative drafts in 2011. Finally, the portal rahvaalgatus.ee, available since 2015, enables the general public to raise issues, deliberate and develop ideas on legislative proposals, and to submit citizen initiatives to the Parliament. These initiatives shows that the government values external collaboration. At the same time, when looking at the practical implementation of these and other initiatives, there are several problems: disillusionment among participants (only very rarely have proposals been taken into account), underdeveloped civil society, and poorly institutionalized interest groups unable to professionally participate in the policy-making process. Inter-linked with this e-participation agenda are efforts to improve access to information (*freedom of information*) through digital means.

Social dialogue has been evaluated favourably internationally, primarily due to improvements resulting from codification of collaboration in the guiding document 'Good Engagement Practices'. However, although a broad range of actors have the opportunity to be involved in the initial phase of legislation, in the final stage preference is often given to some particular advocacy organizations, which hints at remains of neo-corporatist *structures of interest-mediation* (Toots et al 2017).

France[15]

The *structure of the state* in France is unitary and, thanks to a series of reforms strengthening particularly the regional level since the 1980s, decentralized. It is firmly rooted in a Roman-French *legal-administrative tradition*, with a strong legal basis for a state, an interventionist approach to state and society relations, and with senior civil servants enjoying very high status, especially those who have undergone elite training through a small set of schools (Painter and Peters 2010). In addition to memberships of the usual large international organizations, it leads or takes part in a number of *transnational policy networks* for French-speaking countries, which can serve as venues for potential policy transfer.[16]

The French public administration has more often than not been noted for its lack of *reform*, and have been called frozen, stalled or a laggard. These epithets have primarily been given due to perceived lack of influence of the New Public Management ideas. However, as argued by Bezes and Jeannot based on research in the COCOPS project, this is partly misleading, since there have been substantive incremental reform starting in the 1980s. (Bezes and Jeannot 2013). Often this has happened within specific ministries such as those of Public Work, Health or Education, where diverse sets of managerial tools have developed and/or experimented with (Jeannot 2010; Jeannot 2013). "Considering the overall series of sequences of administrative reforms, there is no doubt that the French trajectory of reforms has been influenced by key politico-administrative components of the French bureaucracy" (Bezes and Jeannot 2013: 10). Those components have mediated *external influences*.

Internal and external collaboration practices have developed along the implementation of online-based tools and *information and communication technology (ICTs)* within the public sector. In addition, they are embedded within large state reform programmes, more often than not launched after presidential elections that constitute political windows of opportunity for the government to carry out path-breaking reforms. Specifically, collaboration practices have developed along two

---

[15] Claire Dupuy and Marine Trichet provided significant parts of this section.
[16] To name just one example, REFRAM is a network for regulatory agencies in French-speaking countries in the media sector, see http://www.refram.org/

major waves of State reform: the 2004 French General Review of Public Policies (RGPP) and the 2012 effort to 'modernize' policy-making. The notion of reform of the state has been a longstanding public debate. In the 1990's, state reform was thought of as redefining state's missions. In the early 2000's, state reform was framed in relation to two distinct objectives: adapting public administrations to the evolution of society and to economic needs, and simplifying administrative procedures and making them more transparent, open and accessible. Making public spending more efficient was in the background of all reform attempts

An important change in the *organization of government* was the 2006 creation of the General Directorate for State Modernisation (DGME) following the merger of several public entities, in charge of carrying out the General Review of Public Policies (RGPP) and aimed at coordinating, helping and assisting public administrations at the inter-ministerial level. Following the 2012 reform and in line with the 'modernisation of public action' reform objective, several units were created or modified. The General Secretariat for the Modernisation of Public Action (SGMAP) was created in 2012 and included both the Interministerial direction for Public action's modernisation (former DGME) and the interministerial directorate for state's information and communication systems (DISIC). The DISIC was later merged with another unit to become the inter-ministerial directorate for digital issues, state information and communication systems in charge of coordinating information systems. Simultaneously, the DIMAP was modified and became the inter-ministerial Directorate for Public Transformations. This shows that inter-ministerial coordination bodies and missions were strengthened, resulting in the development of internal collaboration practices. Overall responsibility for coordination lies with the Prime Minister's Office and the President's Office, where coordination takes place at the levels of civil servant, meetings chaired by the secretary general and by the prime minister himself/herself. The level of inter-ministerial coordination is high and well functioning in international and European comparison (Thijs et al 2018: 34). At the same time, while efficient, it often lacked transparency due to the prominent role played by civil servants in 'old boys networks' (Mény et al 2017).

External collaboration, on the other hand, is much weaker. Although France has strong trade unions,

the venues that structure *interest-mediation* are often characterized by both formality and *distrust* making it hard for real collaborative processes and results to occur. Social dialogues through consultations have been rare or low functioning. The international Sustainable Governance Index therefore gives a low score for social consultation, even though the country experts behind the assessment acknowledge that there has been positive change in this area in recent years (Mény et al 2017). The progressive development is often closely interlinked with *digitalization*. For instance, the Law for a digital Republic of 2016, was the first time citizens had the opportunity to give their opinion on a law before it was introduced to the Parliament. Based on these contributions, the proposal was modified by the Council of State in 2015 and published on the internet platform Republique Numerique.

Germany[17]

The *state structure* of Germany is federal, with strong states (*Länder*) and layers of government at the local level. It is given the name to the (Roman)'Germanic' *administrative tradition*, which is characterized by having a legal basis for the state, a civil law legal system, civil servants with high status that often have legal training and having an 'organicist' approach to state and society.

As a wealthy large country, Germany has weight on the *international scene*, but is also heavily influenced by global trends. In 2014, Germany signed the G8 open data charter and subsequently incrementally expanded its initiatives in this area. This commitment created some external pressure to meet international standards of transparency and data sharing. Germany was obliged to develop a national action plan (NAP) entailing the assignment of coordinators for open data in the ministerial departments of the federal government and the agreement concerning the involvement of civil society organizations in the planning process. In the following years, the open data portal (GovData) was launched and the Federal Ministry of Interior declared Germany's accession to the Open Government Partnership Initiative in 2016. So far the implementation is progressing and the first concrete steps have been taken (Bundesministerium des Innern 2002: 78; Open Government Partnership 2018).

Similarly, there have been several EU regulatory frameworks that triggered developments towards more open and transparent government in Germany. Secrecy (*Amtsgeheimnis*) has been a defining characteristic of the traditional German civil service system (anchored in the Basic Law, the German Constitution) and is still quite prevalent in the administrative *culture*. This has, however, started to change a decade ago when freedom of information laws have been adopted at the federal level and in many federal states in response to EU legislation prescribing such changes. The federal Freedom of Information Act of 2006 enabled new collaborative arrangements for, among others, data sharing between different levels of government. The EU "PSI Directive" (Directive on the re-use of Public Sector Information entered into force in 2003) is seen as highly important for promoting the usability of open data in Germany and collaboration in terms of the reuse of public data (D

---

[17] Andrea Costa, Gerhard Hammerschmid, Maike Rackwitz and Kai Wegrich provided significant parts of this section.

2013/37/EU). The EU regulatory developments have also played an important role in triggering e-government initiatives such as the more recent online access law approved in 2017.

The *organization of government* is efficient, with Germany scoring well in executive capacity in the Sustainable Governance Index (Rüb et al 2017). Nonetheless, inter-ministerial coordination is relatively weak. The Chancellery is organized into six directorates and while it coordinates well with respect to EU and international affairs, coordination of national policies is mostly done through negotiations between government parties (via the Coalition Committee) or upon the initiative of individual ministers (Rüb et al 2017). There have been significant *reforms* with respect to vertical internal collaboration, including constitutional amendments towards a new balance of coordination and responsibilities between federal government and the states. Federalism Reform I aimed at the allocation of legislative competences to federal governments and states, whereas Federalism Reform II on financial relations focused on enhanced administrative cooperation. Apart from a far-reaching constitutional debt brake along with a limited bailout arrangement for fiscally troubled states, the constitutional amendments also introduced an IT planning council (Article 91c), a body comprising representatives from both the states and federal government, to develop a comprehensive national strategy of IT standardisation and cooperation (Freigang and Ragnitz 2009). External crises such as the refugee crisis and terror attacks also increased the willingness for intergovernmental cooperation between states and federal government, e.g. the first time development of a joint government-wide database for registration of asylum seekers.

Within the German neo-corporatist welfare-state system, close cooperation between different societal actors (state, employer and employee representations, welfare organizations, public and private institutions) has a long linage with well-established *structures for interest-mediation and societal dialogue*. Concerning collaboration with citizens and the private sector, several trends can be observed. Budgetary pressure limited local government scope of action and led to increasing privatisation- and outsourcing activities. However, in the last decade this trend may have been reversed, as seen for instance in referenda to prevent privatization of public utilities and discussions on, and implementations of, re-municipalization of utility companies (Bundesministerum der Finanzen 2017; Libbe et al. 2011). However, whether this means a permanent paradigm shift is yet to

be seen.

Germany does not have any mechanism for an integrated reporting on overall performance of public administration nor a comprehensive reporting on *public administration reform*. Rather, a myriad of individual reports on the various reform projects and in some rare cases, even external evaluations exist. In addition, Germany, unlike many other countries, did not see any "Center of Government" strengthening reforms. The National Government Program for each legislative period and respective implementation reports published by the Ministry of Interior (e.g. the government program "Digitale Verwaltung 2020") offer some kind of overview of changes e.g. of internal coordination, but are not all-encompassing. Referring to the corresponding evaluation report (Bundesministerium der Finanzen 2017: 17), the currently existing internal coordination can only be regarded as a starting point. In fact, more coordinated management is required and often regarded as a key requirement for speeding up *digitalisation and e-government*.

A major reason why the internal coordination of the German administration is highly fragmented is that the competencies are distributed across levels, local authorities and departments. As a result, decisions on IT are mainly decoupled from each other. According to the annual nationwide survey of public authorities 'Zukunftspanel 2017' key reasons for the slow progress is a lack of inter-administrative cooperation in order to find joint solutions, high costs and, simultaneously, a shortage of funding, scepticism towards innovation and insufficient steering within the federal system. At the time of writing (spring 2018) most states and local governments have their own IT structure and solutions with only rather limited coordination and cooperation between (Wegweiser Research & Strategy and Hertie School of Governance 2017). Consequently, new forms of collaboration between IT and other departments are necessary, but will barely succeed within traditional structures. Authorities need to learn to think and work via process chains and share knowledge and infrastructure with others. (Schwertsik 2013).

While *norms in the administration and society* seem to be changing towards a less hierarchical understanding of the state and valuing participation and co-production more, according to large

survey of senior officials' attitudes there is a discrepancy between federal programs' intention and citizens' perception. Most reforms are seen as top-down with only limited public involvement aiming at cost-cutting rather than service improvement (Hammerschmid and Oprisor 2016: 66-72.) Other (changing) norms that may play a role for how collaborative governance develops include declining trust in the government (European Commission 2017b: 50) combined with scepticism towards the private sector to run public entities (anti-privatization) and increasingly popular right-wing populist parties. Debates on migration and the, sometimes perceived as interlinked, issue of terrorism have led to pressure for more information and collaboration among institutions (Grasse 2011: 245). This has already led to changes in federal law, e.g. on the cooperation between federation and states in criminal police matters.

Hungary

The *state structure* of Hungary is unitary and has over the past years been increasingly centralized. There are three tiers of government, but local and regional governments have much of their competences reduced. It belongs to the Roman/Central and Eastern European *administrative tradition* (Meyer-Sahling and Yesilkagit 2011; Kuhlmann and Wollmann 2014), having a civil law legal system combined with an administrative tradition heavily influenced by Roman-Germanic traditions (through Habsburg rule) modified by legacies of communism as well as different transition trajectories.

Public administration reform after the negotiated transition to democracy focused on decentralization of power and competences to the country's more than 3,000 local governments. However, paradoxically, this went hand in hand with strengthening and building up a new system of state representation at the regional and local level, making Hungary to some extent similar to the French system (Kuhlmann and Wollmann 2014: 92-93). This as well as other reforms were significantly influenced by *external actors and international trends*. In the pre-accession period, the EU had a major impact on public administration reform more broadly, due to the interpretation by the European Commission of certain civil service benchmarks as covered by (political) conditionality. OECD SIGMA also provided a lot of expertise, for instance by developing 'baselines' for assessing administrative reform in pre-accession countries which the Commission then took into account when monitoring candidate countries' progress towards membership (Meyer-Sahling 2011). Most of these aimed to push accession countries towards the development of professional, non-political civil service more in the direction of classic Weberian administration than in the direction of NPM style managerialism, which CEE countries were not deemed ready for (Meyer-Sahling 2011). In a large European survey of senior civil servants in 2013 the Hungarian respondents' profile was rather similar to that of Germany, 'emphasizing results, expertise and efficiency, and underplaying cooperation and the representation of societal interests', indicating a neo-Weberian attitude set deriving from the legalistic and German-influenced tradition of Hungarian public administration (Hajnal 2013).

Up to 2010, reform trajectories were characterized by 'reorientation and ambivalence' rather than a straightforward continuation of previous (pre-accession) trends (Hajnal 2013). Since the national-populist Fidesz came to power in 2010, Hungary has actively sought to become more independent from foreign actors, even though the EU and EU actors continue to have a significant impact. This is party though the provision of financial resources under cohesion policy. In the Public Administration and Public Service Development Operational Programme (2014-2000), the EU provides almost 800 million Euros for modernizing the state, lessen administrative burden on businesses and improve competitiveness.

Despite the Hungarian governments increasing Euroscepticism and reluctance to be subject to international influence, norms of collaboration and open government seem to have taken hold among civil servants. In the previously mentioned 2013 survey, senior civil servants in Hungary viewed most statements about collaboration as positive, although as pointed out by the author of the study this perhaps demonstrates an awareness that this is the expected answer rather than a reflection of engrained values. (Hajnal 2013). In international comparison, citizens are sceptical or highly distrustful of political parties and the government, but somewhat more trusting towards public administration at the local level (Bakonyi 2011). Contrary to the situation in Western Europe, low-income citizens tend to be more trusting than those with higher income (Medve-Balint and Boda 2014).

Since the change in government in 2010, Hungary has become a heavily centralized state-centred country (OECD 2017). Centralisation has detectable in many policy areas, in some cases to extreme levels. One example was the creation of a single agency (the Klebelsberg Center) for maintaining all public schools in Hungary, which were transferred from local government maintenance to this central structure. Notably, centralisation has not resulted in corresponding gains in executive capacity, where the country ranks poorly in international comparison (Agh et al 2017). One of the first pledges of the Fidesz government was to 'wage a war on bureaucracy', portrayed as expensive, inefficient, and out of touch, and consequently the government declared a general drive of deregulation.

The *organization of the government* has been subject to significant change in the same period. The government merged ministries to create large 'super-ministries' comprising several portfolios, e.g. the Ministry of Human Resources responsible for health, education and social integration; or the (later split) Ministry of Justice and Public Administration. This has led to intra-ministerial coordination being a more urgent issue than inter-ministerial coordination, which is generally, evaluated favourably (Agh et al 2017: 22). Before 2010, the main responsibility for coordination among the ministries/sectoral policy bodies was with the Prime Minister Office (PMO). The PMO, itself the size of a ministry, served both as central coordinating apparatus and as the office of the Prime Minister himself. After 2010, this responsibility was given to the Ministry of Justice and Public Administration, only to be moved back again after the elections in 2014, as the responsibility of the Minister of State for Public Administration. The Prime Minister himself (so far a woman never held this position) has a strong role in the execution and coordination of power, and has been compared with a 'chancellor' (Kuhlmann and Wollmann 2014:92). External collaboration of the central government was coordinated from the Ministry for Human Capacities until the 2018 elections.

Concerning the *structure of interest-mediation and social dialogue*, this has never been at the centre of Hungarian policy-making. One important forum for consultation is the National Economic and Social Council (NESC), established by Act XCIII of 2011, replacing the National Interest Mediation Council, a tripartite body for interest mediation with the participation of government, trade unions, and employers' organisations, which had stronger powers than its successor. The NESC has a wider membership – interest representations, churches, representatives of science and the arts - but only consultative powers and limited impact. The Council met only three times in 2016, for instance (NESC 2017).

External collaboration has been limited in other respects too. Civil society is divided into a well-funded government-friendly (or at least not critical) sector and one that is or is perceived as oppositional (e.g. Greskovits and Wittberg 2016, Szalai and Svensson 2017). While the former enjoys easy access to policy-makers, the latter has been largely excluded from external collaboration. The

government has also sought to weaken critical voices such as human rights NGOs through various administrative and legislative means. This includes investigating NGOs distributing or receiving Norway grants under the EEA agreement in 2013 and 2014, and legislation against 'foreign-funded NGOs' in 2016 and 2017. The local level may constitute the last remaining arena for collaborative governance, e.g. in the form of consultations or joint planning in villages, towns and Budapest districts. Notably, the Fidesz government considers the so-called National Consultations as the main instrument for popular input into policy-making. The Consultations – there have been several – involve questionnaires, with highly prejudicial questions, mailed to Hungarian citizens and collected online. One recent example (2017) is the "Stop Brussels" national consultation which the European Commission felt compelled to refute, stating that 'Several of the claims and allegations made in the consultation are factually incorrect or highly misleading' (European Commission 2017a). Human Rights Watch labelled the latest consultation about the "Soros Plan" an 'official hate campaign' (Gall 2017).

The Netherlands[18]

The Netherlands belongs to the Roman-Germanic *administrative tradition*, which is characterized by having a legal basis for the state, a civil law legal system, civil servants with high status that often have legal training and having an 'organicist' approach to state and society. It has a decentralized unitary *state structure* composed of three layers. Much policy implementation are handled by local governments or has been delegated to executive agencies (Jilke et al 2013). While the latter is more of a recent phenomenon, decentralization has old roots. At least since the beginning of the 17th century on the Netherlands was characterized by a strong decentralized administrative structure. It was a republic comprised of various provinces, which had relatively strong powers compared to the situation in most other European countries, and practices of relative religious tolerance.

As famously observed by Lijphart (1984), Dutch *political culture* is consociational and consensual (Jilke et al 2013). The Netherlands was traditionally a pillarised society with Socialist, Protestant, Catholic, Liberal pillars, each having its own organizational structures (political parties, intermediate organizations, like broad cast organizations, schools, hospitals and housing associations) operating relatively separately from the others (Lijphart 1984). Strong elite leadership was combined with associationalism, which is densely organized social life within the pillars. Implementation was left to the societal organizations in each of the pillars, which were closely affiliated with the political parties. Clearly, this system needed a lot of negotiations and acceptance of differences to function. This system of pillarised decision-making, which according to Lijphart emerged at the beginning of the 19th century, lasted until the end of the 1960s. Since then the Netherlands has witnessed a strong secularization process, where the traditional pillars have lost their meaning and polarization has increased (Hendriks & Toonen 2000). The expansion of the welfare state in the sixties and seventies resulted in groups of actors who specialize in particular sectors entering the decision-making process (Koppenjan et al 1987; Van den Berg and Molleman 1975; Van Putten 1980). This created knowledge and resource interdependencies between public, private and semi-private actors. In addition, there has been a growing need for integrated solutions for problems across sectors. The result has been a more complex form of decision-making, which can be said to go beyond the

---

[18] Diana Sisto, Erik Hans Klijn and Vidar Stevens provided parts of this section.

traditional structure of interest-mediation (neo-corporatism) and consultative *social dialogues* also beyond strictly labour-related issues (for instance about climate policy). The increasing importance of governance networks is also shown by the growing number of interactive decision-making processes in Dutch municipalities, and occasionally at national level from the late nineties and beyond (Denters et al 2003; Edelenbos and Monninkhof 2001). Here, stakeholders are invited to participate in the decision-making process in an early phase before solutions are developed (Edelenbos and Klijn 2006; Klijn and Koppenjan 2000). An example of an innovative tool is the 'The Right to Challenge Initiative', which allows local municipalities to make citizens responsible for the design, execution and maintenance of a policy or service if citizens come up with proposals in which they show that they can do a better and cheaper job than the municipality. These kind of initiatives are promoted through the use of ICT tools. Based on an assessment of seven comparative indicators, Netherlands was recently ranked among the top 20 % of EU countries in digitalization and service delivery (Thijs et al 2018:48).

The evidence about the emergence of governance networks in the Netherlands, taken over the longer term, suggests that the network character of decision-making increases as does the involvement of additional actors. Thus, an already consociational democratic and political system of the Netherlands slowly converts itself to something of which we cannot yet see the whole contour, but could be considered a network democracy (see Skelcher et al 2011 for this argument).

While *public administration reform* often simply means central government offloading ever more tasks to local government, some NPM ideas of efficiency have been influential in recent decades, such as results-oriented budgeting and performance measurement. However, general anti-government or anti-state sentiment never took hold (Jilke et al 2013; Pollitt and Bouckaert 2011:291-294).

The *organization of the state* at the national central level consists of relatively strong line ministries staffed with career civil servants, and the previously mentioned executive agencies. The Prime Minister's Office, on the other hand, is comparatively weak making it less able to act strategically

than in other countries (Hoppe et al 2017). It has a coordinating role, but does not evaluate proposals. Key actors linked to the Prime Minister are the Ministry of General Affairs and the Scientific Council of Government Policy. The transnational context of being an EU member and part of the Eurozone (especially 'the European Semester') have pushed the prime minister and the Minister of Finance to take more of a leading role with relation to economic and fiscal policies (Hoppe et al 2017).

Norway[19]

Norway's *state structure* is unitary and decentralized. The relative autonomy of local governments is a key characteristic of the country in both administrative and political terms.[20] Even though the regional tier has been historically largely an arena of state administration, elected regional decision-making bodies also have significant power (Higdem and Hagen 2014). Notably, inter-municipal cooperation is common. In part this may be due to what some have seen as too small municipalities (leading to an ongoing and much-debated consolidation reform) and the connected issue of many policy problems spanning across more than one administrative area (see the importance of 'wicked problems' as an inducer of coordination in Lægreid et al 2015). Significant inter-municipal cooperation also takes place across the Norwegian-Swedish border (Svensson 2015). While lacking formal membership, Norway can be seen as a 'quasi-member' of the European Union through the European Economic Area (Sitter and Eliassen 2004). As Sitter and Sverdrup (2017) argue, the need to coordinate with EU structures in different policy sectors is at least as high as for full EU members. Norway is also an active member of other major international organizations, notably having had an outsized influence in relation to its size in the areas of energy (due to oil reserves) and peace and security (e.g. NATO membership, Nobel peace prize).

The Scandinavian *administrative tradition* family to which Norway belongs is characterized by having a legal basis for the state and civil (Roman) law, combined a professional and nonpoliticized civil service (Painters and Peter 2010:20). Its political culture is consensus-oriented and strongly influenced by collectivistic and egalitarian values (Lægreid, Dyrnes Nordø and Rykkja 2013). Historically, individualism and efficiency has been valued less than Rechtstaatsvalues and quality (Christensen 2003 cited in Lægreid, Dyrnes Nordø and Rykkja 2013). NPM ideas have been present Norway since the 1980s, but the country has been a 'reluctant reformer'. This can partly be explained by lack of need: a public administration that functioned quite well and a strong economy meant that there was no immediate pressure for reform (Christensen and Lægreid 2001; Lægreid, Dyrnes Nordø and Rykkja 2013).

---

[19] Lise H. Rykkja, Per Lægreid, Line M. Sørsdal and Jonas Lund-Tønnesen provided input for this section.
[20] Perhaps paradoxically, this may have developed due to the absence of regulation of vertical coordination between administrative levels in the constitution (Batory and Svensson 2018: 21).

The *organization of the state* at central level is efficient in terms of generating results, and executive capacity is high, as seen by its top-rank in the international Sustainable Governance Index. The Office of the Prime Minister is a key actor for the coordination of policies, whereas strategic planning over the longer term is rather led by the Ministry of Finance. Norway's governments are usually coalition governments, which requires strong coordination and collaboration mechanisms (Sverdrup et al 2017).

Norway's central government is dominated by 'strong sectoral ministries and relatively weak supra-ministries with coordination responsibilities across ministerial areas' (Lægreid Dyrnes Nordø and Rykkja 2013: 8; Christensen 2003). Central government agencies also play an important role in governing activities (Lægreid, Dyrnes Nordø and Rykkja 2013). A key actor for internal collaboration by coordinating activities and aligning policies is the Office of the Prime Minister, generally seen as highly skilled and competent. This becomes especially important when line ministries disagree. As pointed out in the international Sustainable Governance Index ranking, "It is able to and often does return materials to departments for further elaboration, and frequently works directly with departments on draft proposals" (Sverdrup et al 2017: 26).

Its *structure of interest-mediation*, Norway has neo-corporatist features with strong traditions of including employee and employer organizations in policy-making, and of broad consultations of policy proposals. However, recently it has been criticized for decreased time frames for such consultations due to efficiency demands. Despite that, it gets a full score for social consultation in the international ranking Sustainable Governance Index (Sverdrup et al 2017). Freedom of Information practices have developed quickly, not only due to legislation but also because of information and communication technology developments. While there have been debates about the accessibility of internal working documents (as opposed to final decision documents), it is far easier to access public documents than before, which is especially due to the fact that most public documents are now easily available online. Among new tools being developed, the database 'eInnsyn' can be highlighted. This resulted from a partnership between the central government

through the Agency for Public Management and eGovernment and the City of Oslo. In the database it is possible to search and request access to public documents that have not been published.

Spain[21]

The Spanish *state structure* is unitary but strongly regionalized, which shows characteristics common to other European countries that belong to a *public administration tradition* grounded in administrative law and influenced by the French legal model. In these countries (also referred to as 'Napoleonic', see Painter and Peters 2010), which have a very legalistic culture and highly bureaucratic structures; regulation plays a fundamental role in the operation of public entities and in public sector reforms. This has often been referred to as 'management by law' or 'management by decree' (Panozzo 2000).

This approach is not always effective when it comes to *public sector reforms* (see e.g., Martí et al. 2012), particularly when enforcement mechanisms are weak or non-existent. That said, the Spanish public sector has gone through major reforms since its transition from authoritarian regime to democracy while basic government structures have remained the same (Alonso and Clifton 2013). In the 1980s and 1990s, the most important was transformation from a unitary to a highly regionalized, or even semi-federal, state. In this process, not only were the regional governments strengthened, but local governments got more powers and competences too. Perhaps indicating both path-dependency and socialization, the regions reproduced the Napoleonic features when developing its own bureaucracies (Alonso and Clifton 2013). In the 1990s, the very concept of 'reform' was exchanged for the concept of 'modernization' with significant NPM components.

The financial crisis of 2008 and its aftermath has shaped much of the Spanish development in the last decade, with austerity being the catalyser for change in the public sector (Alonso and Clifton 2013). The influence of *external international influences* from the EU is clear as regards e-government developments. Transparency assessments (e.g., those carried out by the NGO Transparency International Spain) have also created pressures for the disclosure of public

---

[21] Lourdes Torres, Vicente Pina, Sonia Royo and Jaime García provided parts of this section.

information through the Internet. An example of this is how the Spanish Tax Agency has become an example of good e-government practice in terms of external collaboration, data sharing and use of ICT used to make it easier for citizens and organizations to fulfil their tax duties, even though the entire *digitalization* of public administration has not progressed that far (see e.g. UN Survey 2016 in section 3.2) At the same time the legislated rights to *access to information* and documents have met with difficulties in implementation. Recent research (yet unpublished) carried out by the Spanish TROPICO team shows that not all public sector entities are fulfilling the legal requirements. For example, some Spanish state-owned enterprises do not have a website or they disclose only limited information. The information contained in the Transparency Portal is still incomplete (e.g., as regards state-owned enterprises, annual accounts and audit reports are included, but information about senior managers' remuneration is not published).

The *organization of government* has been relatively stable, but the executive capacity of government continues to be ranked low in international comparison such as the Bertelsmann Foundation Sustainable Governance Indicators. One interpretation can be that austerity and political certainty has prevented rather than kick-started change in this area. (Molina et al 2017). That said, the specific capacity of inter-ministerial coordination is relatively high, with close teamwork between the Prime Minister's Office and the Ministry of the Presidency as key for coordination (Molina et al 2017). The organization of coordination and collaboration is more problematic further away from the central political power. A survey of senior civil servants in European countries in 2013 depicted the Spanish public sector as highly fragmented (Alonso and Clifton 2013, p. 19-20; Thijs et al 2018:34). Among respondents, only 16.1% perceived the collaboration between government bodies, private and voluntary sector stakeholders as good. Similarly low proportions praised the collaboration between national and local/regional government bodies (17.7%), between national government bodies (16.9%), and even lower were satisfied with collaboration between national and supranational bodies or international organizations (6.2%) and between national government bodies from different policy areas (6.3%). Other countries' executives evaluated coordination quality much more favourably in all cases, particularly as regards collaboration between government bodies (Alonso and Clifton 2013, p. 20). In the context of this survey, when senior executives in Spain were

asked about the overall evolution of public administration in the last five years, they assessed developments more critically than in other countries (Hammerschmid et al. 2013).

There are few efficient *structures of interest-mediation and social dialogue* for policy design. While the government in recent years have tried to consult more with employee and employer organizations, it is up to ministries and especially the preference of the minister leading it to shape the extent of consultations. This leads to marked differences between different sectors. The structures for collaboration in service delivery appear efficient, driven by progressive entrepreneurship in the fields of public auditing and public procurement by for instance Spanish General State Comptroller and the Spanish Court of Auditors with regards to using public procurement rules to prompt collaboration with external actors. Spain was an early user of private finance for public projects; especially through concessions in the roads sector (see Stafford et al. 2010). The toll road programme began in 1967 with the publication of a plan (Programa de Autopistas Nacionales de Peaje 1968-1979; National Programme of Toll Highways 1968-1979) to construct 3,160km of new highways. This was earlier than in the UK and the rest of the EU, perhaps because of the lack of public funds to build toll roads. Spain has also been an international leader in using a model of PPP in healthcare that integrates the provision of clinical services in a contract with the private sector to finance, construct and operate hospital buildings (Acerete et al. 2015). This model is referred to in the literature as the 'Alzira model', after the name of the Valencian town in which the first such hospital was located in 1999. The Valencia region was followed by the Madrid region in 2007. Legal changes driven by the Ministry of Health were necessary to enable the policy to be implemented, firstly to enable the separation of financing, purchasing and provision of health services, and then to enable the private sector to be involved in the provision of free and universal public healthcare. Some regional governments have also enacted their own legislation.

Concerning other institutionalized resources shaping collaboration or drivers for collaboration, they vary notably from one type of collaboration to the other. For example, research on PPPs in Spain (Stafford et al. 2010; Acerete et al. 2015) suggests that an important driver has been the lack of resources. However, research on citizen participation in Spanish local governments indicates that the lack of resources is a barrier (Royo et al. 2011).

United Kingdom[22]

The UK is the primary representative of the Anglo-Saxon *administrative tradition*, which operates within a common law framework based on evolving case law rather than statutory codification, lacks a legal basis for the state, has a pluralist approach to the relation between state and society, a neutral, generalist and permanent civil service, and values of limited government (Painters and Peter 2010: 20). The *structure of the state* in the UK is unitary (devolved) and centralized. A process of asymmetrical devolution in recent decades has given the governments of Scotland and Wales substantial powers, but the trend for local governments and regional governance in England is less clear (Willett and Giovannini 2014, see also section 2).

The UK is strongly *embedded in international contexts*, although this may change given the decision for the country to exit the European Union. The UK is a founding and active member of the Open Government Partnership. The UK's third Open Government National Action Plan (2016-2018) sets out 13 commitments in line with the Open Government Partnership values of access to information, civic participation, public accountability, and technology and innovation. It states that 'open government is a better government because it is more accountable and responsive to people, receptive to new ideas and better able to implement them, and best placed to capitalise on the talents, expertise and energy of citizens, civil society and businesses to create a better, stronger society for all' (Cabinet Office 2016). In general, the UK government has strongly advocated an 'Open Public Services' agenda which aims to place clear, accessible information about service quality and outcomes in the hands of individuals (HM Government 2011).

The *organization of the state* at its highest (national government) level is centralized and efficient in international comparison. The Cabinet Office and its Economic and Domestic Secretariat, the Parliamentary Business and Legislation Secretariat, and the Treasury play important roles in inter-ministerial coordination. Notably, the Economic and Domestic Secretariat oversees a specific Implementation Unit with Implementation Task Forces consisting of well-networked civil servants with substantive policy expertise. They are responsible for coordination between the politically

---

[22] James Downe and Benedetta Bellò provided a significant part of this section.

appointed ministers and public officials (Busch et al 2017:33-34). Further away from power, lower down in the hierarchy of ministries and agencies, senior civil servants report less use of collaborative tools for coordination than in other European countries (see Downe et al. 2016).

The UK has been a strong advocate for New Public Management and have been at the forefront of NPM inspired *public administration reforms*. The large majority of reform trends (such as focusing on outcomes and results, downsizing, contracting out and use of partnerships) are seen by UK civil servants as more important than for civil servants in other European countries (Downe et al. 2016). However, it should be noted that restructuring and reform of the public sector has been on the agenda for more than 50 years, and has become somewhat of a 'perennial topic of political debate' (Andrews et al 2013, referring to Pollitt and Bouckaert 2011). In later years, cost-saving and austerity has been at the forefront, and while it is not clear whether this has been guided by any vision of overall administrative change (Andrews et al 2013), the austerity measures targeted at the public sector in the UK look set to continue and have the potential to stretch public services to breaking point.

For a long time, there was somewhat of a dearth of *structures for interest mediation and societal dialogue* in the UK compared with other countries. It lacked almost any neo-corporatist features, offering few venues for dialogues between the parts of the labour market, and there was little uptake of citizens' knowledge and resources for policy design and service resources. However, there has been significant development in this area over the past decade, which is manifested across government sectors and levels as public consultations, 'policy labs' and stakeholder involvement in impact assessments. There is also a multi-partner forum labelled the 'Compact' instituted to 'govern' civil society (Busch et al 2017:33-34). Moreover, there is a tradition of engagement with Members of Parliament, which has been expanded to be more institutionally inclusive via the introduction of the e-petition tool, making the UK score highest within the TROPICO sample in the United Nations e-government index (United Nations 2017). In general, *digitalization* is at a high level according to the same survey.

With relation to the double effects of NPM and austerity-driven public administration reform and change outlined above, it is likely that there will be more rhetoric around introducing new models of service delivery where services can be co-produced, and more power devolved to community and voluntary organizations. This rhetoric includes fashionable terms such as 'nudging' people to change, co-production, choice and public service mutual organizations, but whatever term, it will need to be scaled-up very quickly. In addition, more effort needs to be placed on reducing demand and investing in prevention. However, it should be noted that the capacity of civil society organizations to play an active role in the co-production of services is unclear since they have also suffered from significant cuts in state funding.

This can be seen in relation to concerns about declining *trust* in public institutions over the past 20 years, with levels of trust often lowest for political representatives (Bouckaert and Van de Walle 2003). Moreover, the public does not think that Parliament is doing a good job for them. Less than a third of people were satisfied with the way that Parliament works. These findings are amplified when we look at particular social groups, as knowledge of and engagement with Parliament are lowest among less affluent and younger groups (Hansard Society 2017: 5). In addition, a report concluded that corruption in the UK is a greater problem than is realised (especially in the areas of prisons, political parties, parliament and sport) and there needs to be a better response (Transparency International 2011). These trends have become a source of anxiety to governments, concerned that low levels of trust may be bound up with falling democratic participation, and *norms* encompassing reduced willingness on the part of citizens to get engaged in other civic activities and wider problems of governmental legitimacy (Pharr and Putnam 2000; Stoker 2010).

The *Freedom of Information and Data Protection Acts* that were introduced in 2000 were significant mechanisms to further improve transparency and open up government to the public. Research on the impact of the Freedom of Information Act concludes that it has met its 'core' objectives, making central government more transparent and accountable. For example, we now know much more about a vast range of subjects from nuclear convoys to ministerial gifts, and from parking fines to councillors' expenses. The most high-profile example of freedom of information

requests making politicians accountable was the 2009 MPs' expenses scandal that helped trigger MPs stepping down and resignations. However, the Act has not improved decision-making, public understanding, participation or trust (Worthy and Hazell 2017), although there are a wide range of factors that influence trust and the fault for this cannot be laid solely at the door of Freedom of Information.