Post-accession Poland in the EU

– connecting policy co-ordination features to long-term administrative capacity trends

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Summary

The purpose of this paper is to study and describe Poland's policy co-ordination system, demonstrate the decline in Polish administrative capacity over time, and attempt to find and explain institutionality-driven links between the two. For this purpose, three policy co-ordination systems were deconstructed, a mechanism for analysing that data created, and information on Poland's administrative performance was collected. The study finds that some structural features within Poland's hierarchical, amalgamated co-ordination system can foster incentives to suppress the improvement of its own public administration.

Keywords

Poland, EU, Europeanization, policy co-ordination, administrative capacity

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Section I

1. Introduction

The choice to examine the connection between European policy co-ordination systems and the administrative capacity of post-accession EU member states can seem far-fetched. Nonetheless, the importance of studying such a connection should not be underestimated. When treated as part of a single political order, it drives the day-to-day functioning of the EU on two levels, always in constant interaction. On a basic level, policy co-ordination represents the mechanism connected to the policy process in the EU. The administrative capacity of member states represents part of the common European polity, and is the gathering form for separate administrative bodies that together facilitate policy co-ordination between EU institutions and its member states. Thus, in macro terms, it is the intersection of European policy and polity that is studied in this thesis; although this paper will use Poland's example, which will make the study more functional.

It is hardly possible to understand the policy-polity connection without a theoretical context for why policy co-ordination is so important in the European policy co-ordination process. For that reason, policy co-ordination and the role of public administrations will be examined in the European Administrative Space context, which provides guidelines and limitations to forthcoming analysis. Furthermore, the particular relevance of Poland's public administration within the space is unclear unless a historical background to the country's membership in the EU is provided. Therefore, an overview of the Polish EU accession will be necessary.

The ambition in forthcoming parts of this thesis is to study and describe the connection between policy co-ordination and public administration capacity in the EU, especially in the European Administrative Space theoretical context and in the Central- and Eastern European historical context. This will be accomplished by using the example of Poland as a case study. I will attempt to cumulatively build on existing research in this area, thus providing understanding for the interaction between policy co-ordination mechanisms and administrative capacity in Poland, (by extension) in EU's Central- and Eastern European member states, and in the European Administrative Space (EAS).

1.1 Purpose & research question

The application of strict limitations on the theoretical starting point of the research question, as well as limitations on the examined administrative field allowed to build a clear research model that will identify influence factors relevant to the capacity dynamics of public administrations.

The broad Hofmann definition of the EAS allows to examine influence from institutions and member states, rather than the implementation of administrative law (Hofmann 2008: 662). Further, only one measure of public administration performance will be considered – its capacity. To lock down the independent variable further, only factors within Poland's policy co-ordination mechanism were examined. The country's policy co-ordination mechanism itself is, in turn, a product of the administrative reforms undertaken during and after EU accession.

Additionally, the choice to examine the case of Poland specifically is consciously made to serve two purposes: to achieve some degree of generalisation of the research results in regard to current and future EU accession states, and to take into consideration the arguably powerful special interests that Poland invests influence in – the Common Agricultural Policy, the EU's foreign policy towards Russia, and the European Neighborhood Policy (Copsey & Pomorska 2010: 306). The last point is especially significant, because policy norms that are transferred to Poland through policy co-ordination can also cascade from Poland through twinning programmes, for instance to the Ukraine as part of the ENP. The consideration of Poland as a bridge to Ukraine, also in terms of policy co-ordination, opens up opportunities for future cumulative research (Dybczynski 2000: 196-197).

"Coordination refers to the action of, and interaction between, the individual departments, agencies, politicians, and officials, involved in a particular policy area or with respect to an activity or task. It 'implies the bringing into a relationship otherwise disparate activities or events'" (Kassim 2001: 7-8) Effective co-ordination reconciles competing demands "of actors inside and outside government", while with poor co-ordination, "different parts of government may pursue their own interests to the detriment of the whole" (Ibid).

Further, it follows logically that Polish participation in European policy co-ordination is enabled, in part, by the capacity of its public administrations to co-ordinate policy. A low-capacity administration would not be able to pursue its government's interest on the European level, thus failing to inject own preferences into CAP, ENP, or the common foreign policy.

Another trigger to raise interest on this topic was a Sigma report pinpointing a short-term improvement in Polish administrative capacity shortly before its EU accession, but also a regression in capacity in the mid- and long term (Sigma 2009: 79). In theory, the continued conveyance of European standards via policy co-ordination should have brought the Polish administrative capacity closer to the common EAS level, but this has not happened. Could structural features of Poland's policy co-ordination system have had some degree of influence on this misalignment?

The research question is thus formulated as:

> Which features of Poland's policy co-ordination system can be connected to its failure in mid- and long-term administrative capacity building?

1.2 Introduction to the EAS

On a basic theoretical level, the polity and policy of the EU can be understood as a political order, an order which is home to various institutions, the interactions of which with each other and the member states then can be analysed using different methodologies. A key, although abstracted, institution of government within the European political order is the public administration (Olsen 2003: 506). The very usefulness of creating the term "European Administrative Space" (EAS) can thus be thought of as necessary, but is nonetheless disputed. The EAS as a context for research into the workings of European public administration is fluid: it is contextually blurry as it lacks a coherent underpinning model, it allows for different notions depending on the theory used to analyse it (e.g. Olsen's convergence theory or the institutional robustness hypothesis), and its dimensions vary from the descriptive to the normative/programmatic (Olsen 2003: 508). Ultimately, a conceptually whole "European public administration" represents a multi-level co-ordination challenge, where policy co-ordination in itself is a horizontal objective – "ensuring that implementation of objectives demands a constant interaction between policy officials from different sectors and different levels" (Schout and Jordan 2008: 963). Thus, the horisontal objective demands means and measures that are both national and supranational in their nature, as demonstrated by the design of the Cardiff process (Schout and Jordan 2008: 964).

The concept of the European Administrative Space thus attempts to encompass the whole sum of politics, polity, and policy of the institutions and agencies in the multi-level context of European public administration. To understand specific processes of policy co-ordination within the EAS, the co-ordination needs to be followed from the European to the national level, and in a specific context as well as notion, where the dimension of administrative space is clearly defined.

Two definitions of the EAS, differing only in terms of expansiveness, are present in literature on public administration. The broader definition is that the EAS is an "increasing convergence of administrations and administrative practices at the EU level and various member states' administrations to a common European model and the Europeanisation of the member states' administrative structures". The narrower definition describes the EAS as "the coordinated implementation of EU law and the Europeanisation of national administrative law" (Hofmann 2008: 662). Ultimately, the EAS exists in the sense that "national administrations themselves act as the Community administration", implying a shift of perspective from governments tending to their internal matters to "promoting a common interest transcending that of the State […] there is more than a mere convergence of interests: there is a common interest" (Nizzo 2001: 7). Consequently, it is in the common interest of all EU member states to ensure that every other member state's public

administration adheres to common standards and principles. Even a single member state's failure in this aspect has detrimental consequences for the entire union.

1.3 The Polish EU accession in the EAS context

In 2004, Poland and other Visegrád group (the V-4) member states Hungary, Slovakia, and the Czech Republic joined the EU, after 15 years of bilateral negotiations (Hunya and Richter 2011: 77). The four countries joined on equal terms and conditions, thus adding four differently structured public administrations with different cultures, histories, and development paths to the common European administrative space. For Poland, the EU membership has meant having to move from the *summa potestas* of a sovereign state towards a supranational system of shared sovereignty (Hofmann 2008: 663). This has therefore meant having to innovate ways to balance existing national level power structures with the supranational ones in Brussels. In practice, the entrance of Poland into the EAS has meant that its public administration had to undertake reforms for two reasons – the *conditionality*-driven accession process itself, and the following inclusion of its administration into the European *policy process*.

Central to the topic of EU accession in general is the concept of *conditionality*. The expansion of the common European administrative space, together with a growing EU, represents a Europeanisation of the public administrations of its new member states. Conclusively, the EU "exerts pressures on the applicant countries", and "the EU's influence on applicants has the added dimensions of *conditionality* and *accession negotiations*". Candidate countries have also had to adopt the *acquis communautaire* in its entirety, with the accession negotiations determining "how much of it should be implemented prior to accession and which parts of the *acquis* will be subject to a transitional period after joining" (Grabbe 2002: 3). As was the case with Poland, three sets of conditions to be fulfilled before membership status could be granted were set in the 1993 Copenhagen criteria; the third set included "the ability to take on the obligations of membership including adherence to the aims of political, economic & monetary union". In essence, these criteria stipulated a need for the reform of the Polish public administration, in order for it to build up quantitative and qualitative capacity to fulfill its future member state responsibilities (European Council 1993). This description arguably supports the notion that alterations of the EAS, and adding new member states to the EU does constitute such an alteration, are important for the entirety of the EU. This applies if the EAS is to be thought of as the product of the public administrations (and their interactions) of the member states (Nizzo 2001: 8).

The examination of the case of Polish accession may not automatically yield results that can be generalised onto other member states outside the CEE regional context, but examining any changes in

the Polish 'part' of the common administrative space also means examining the changing EAS, and the mechanics behind its change, by extension.

The accession incentive upheld by the EU under conditionality is, in its turn, backed by the need for production of technocratic legitimacy in EU's *policy process*. Within the EU, having its legitimacy always questioned, the process of copying organisational structures is a "way of securing legitimacy". The EU's public policy results in "the homogenisation of organisations included in the field as well as new entrants" via two processes – institutional and competitive isomorphism (Radaelli 2000: 27). As a result, the post-accession Polish public administration has had to balance itself between national and supranational power structures, take part in the European policy process, and at the same time be homogenised and molded into the common European administrative space by the European Commission, the Brussels-based policy process, and by isomorphic influence from 'older' member states.

The case in point and the basis for this research paper is that Poland's entry into the EAS has been a forerunner to detrimental changes within its civil administration in the mid- and long-term; not compared to its previous capacity, but measured by the *degree of fit* to existing EAS standards. A Sigma report, having evaluated the administrations of recently accessed member states, classified "Poland, Slovakia and the Czech Republic […] as cases of 'destructive reform reversals'. In all four cases civil service institutions have been eliminated since accession, without the establishment of new frameworks" (Sigma 2009: 7). It is then logical to look at this substandard development in Poland's civil administration in the context of the *policy co-ordination* system through which policy norms would have been communicated from the EU to fuel future reforms in the member state.

Finally, the post-succession Polish public administration represents a case example of a relatively new EU member that has had to reform its public administration in terms of structure to fulfill membership conditions, but also adjust to function as part of the EAS in terms of policy co-ordination. In what significant ways, then, have structural features within its policy co-ordination system influenced Poland's administrative capacity? Or is it possible that the degradation in administrative capacity is happening despite them? The theory and method chapters will attempt to find the solution to these issues stemming from the research question.

1.3.1 Why is administrative capacity important?

The concept of administrative capacity in the context of EAS is a set of principles developed by the EU and Sigma "in an attempt to develop an overall public administration reform policy which could help applicant countries to meet the Copenhagen and Madrid criteria" (Sigma 2009: 11). Sigma assessments measure the degree of fit of civil service systems in candidate countries to "principles of

the European Administrative Space" (Ibid). The principles are divided into four main groups and are "derived from the case law of the European Court of Justice but also from formal and informal exchanges of practices among national bureaucracies of Member States" (Ibid).

It follows that measuring post-accession sustainability of EU member states' civil service reforms – that is, examining their administrative capacity to function in the EAS, is the key to understanding to what degree European expansion and integration is successful. Moreover, Sigma contends that "[the formal and informal exchanges of practices] are assumed to be reflected in the administrative practices of EU Member States" (Ibid). Thus, there is an implicit linkage between administrative capacity and the policy co-ordination mechanisms of EU member states.

1.4 Theory

This paper will utilise one theory and two of its branches to help identify features within Poland's policy co-ordination system that could interact with Poland's administrative capacity building, thus answering the research question, which is descriptive in its nature. At the same time, understanding why some features may be more important than others may depend completely on the theory of choice. Understanding why some features are so important is thus necessary to identify them in the first place. Additionally, the theories used come from different schools of thought, and may complement, overlap, or contradict each other in terms of given explanations. Both will be applied to and tested for validity on the independent variable, which is the descriptive data found in the source material. Now that a research question has been established, a theoretical outlook on the research proposition is needed. The methodology to follow is built upon the notions and concepts found to represent relevant theory.

First, the research process will be characterised by an information-seeking, epistemological approach. It will also focus on qualitative features that can be related to various theories, and not quantitative data. This is due to the nature of the data we hope to find: defining features and qualities of a policy co-ordination process in one case, and previous research that already provides comparative results (graded as sufficient or insufficient administrative capacity) based on quantitative data in the second case. Furthermore, the thought process in this research paper will be an exercise in inductive reasoning. The scope of the data to be examined has already been delimited in the research question to such an extent that inductive logic can be used in the analysis process. Similarly, it can be assumed that institutions as part of the EAS internally follow inductive reasoning, as well as a high degree of rationality (rational logic). That means that the basic assumption underlying this thesis is that Poland's public administration will adhere to (e.g. structural, rule of law) reforms if they conform to its task to effectively take part in European policy co-ordination, or at least attempt to improve its ability to do so.

Further, a selection of theories on European administrative processes will be presented, related internally, and related externally towards the task of this research paper. A choice made early in the research process was to exclude 'social' explanations to the capacitive decline found in Poland. These would require too broad a material base, as well as conducting either historical or comparative studies with other member states to be practical in this format. Instead, purely 'functional' explanations for the behavior of Poland's public administration fit both the available material and the format of research.

On a basic level, the dynamics of Europeanisation, and specifically in cases where "EU policy prescribes a model or a template of how a country should go about putting policy into practice" and where domestic policy already exists, have a *goodness of fit* explanation (Bulmer & Radaelli 2013: 367-368). The argument is institutionalist insofar that it argues that the impact of Europeanisation will produce the most "pronounced effect" when EU policy is somewhat difficult to absorb at the level of domestic institutions – *moderate goodness of fit* (Ibid). Correspondingly, Sigma data identifies the *degree of fit* of European principles of administration to Polish ones (Sigma 2009: 7).

To begin with, a subtype of organisational theory that deals with policy implementation in administrations leads us to *cross-national policy convergence theory*, which can be narrowed down to *policy co-ordination theory*. Looking into features of policy co-ordination will be necessary in identifying the active structural features of transfer processes that would be able to affect the end results of national policy implementation. Then, policy co-ordination needs to be seen in a European theoretical context of *Europeanisation theory*, the dominant *convergence theory* within it, and its single component: *the institutional robustness theory*.

1.4.1 The Institutional Robustness Theory

This theory is supported by the fact that pre-accession elements of public administrations have survived in post-accession member states, but also candidate countries (Ibid). The theory further suggests that member state administrations have rather shown "a willingness and an ability to change, rather than rigidity and insulation" (Olsen 2003: 524). While contending that member states have been able to cope with common challenges in Brussels and on the national level despite their differing approaches to organising public administration, it suggests the following reasons for such flexibility:

  – European involvement "has provided interesting tasks and made administrators more central participants in policy-making" i.e. brought changes likely to harmonise with existing institutional configurations;

– Administrators cope with the changing environments while under influence from existing institutional arrangements;

– Formal structures are maintained, "since it is irrelevant whether rules come from Brussels or national capitals" (Ibid).

These points suggest reasons for why Poland's post-accession administrative capacity could have reverted to or below its pre-accession status. The reasons could help explain why long-term capacity increases pushed for by the EU are having difficulties manifesting themselves in Poland's public administration, both in terms of formal structure and routines.

An additional perspective on the subject of research, i.e. the administrative capacity of civil administrations, is the *institutional choice perspective* on the significant functions of administrations; moving from measuring their administrative capacity to instead emphasising the mechanisms behind institution building and the interests behind the building process. This approach could be a step towards future cumulative research on the subject, as it allows for advancement from looking at the Sigma-assessed horizontal administrative capacities of EU member states to attempting to actually examine in-depth the *institutional* quality of these administrations.

1.4.2 The Politics of Institutional Choice Theory

The politics of institutional choice theory applies to EU policy co-ordination structures in CEE member states and argues that the organisational configurations may not follow a logic of rationality in their composition, but instead seek to be of maximum benefit to other stakeholders: political actors (Dimitrova & Toshkov 2007: 977). Effectively, this introduces the notion of politics into research about polity (public administrations) and policy (policy co-ordination), suggesting irrational behavior between polity and policy could be explained by political motivations of external actors – at least in the CEE context. This theory claims two explanations for administrative change: a) "changes in external EU pressure […] can provide an opening for change, and b) "administrative change is most likely to follow the formation of a new government" (Ibid).

As an explanatory framework for the sources of change within CEE institutions, this theory is also valuable for analysis forthcoming in section III. While it has "its roots in rational choice institutionalism", it contends that "institutions are more contingent and susceptible to revision than often thought" and that "institutions are durable because politicians want them to be" (Dimitrova & Toshkov 2007: 963). Most crucially, the theory offers explanations for the macro-level goals exogenous actors like politicians may have when shaping administrations. "Institutional design […] is an instrument used to advance all kinds of exogenous preferences rather than an instrument to solve

policy problems and challenges"; "decisions about the shape and reform of organisations maximise the short-term gains of the decision-makers" (Ibid). In short, the occurrence of political actors "informally" mediating between the polity and policy fields may foster behavior that is irrational for the polity, but rational for the politicians. Any long-term goals of the administrative body, such as an improvement in capacity up to European standards, must somehow benefit particular politicians in such a system. Otherwise, the administrative body's own long-term goals will not be reached.

1.5 Method

The goal of this thesis is to conduct a qualitative case study of Poland's policy co-ordination system and its public administration system, thus seeking possible links to post-accession Poland's substandard administrative capacity. Thus, the method of choice is the case study framework. Within it, the qualitative content analysis method is applied on the material. The search for empirical findings within the material is conducted with the research question in mind, and the findings are gathered to be related to theories within the theoretical frameworks presented above.

The approach that will be taken there follows from the conclusion that if institutional factors important for the EAS context can be identified for one EU member state, it is highly likely that the same factors will play similarly important roles in other member states' policy co-ordination systems. It follows then, that raw-data descriptions of the Polish, German, and British systems can be organised into a point-by-point attribute matrix, where similarities or discrepancies between variables will clearly manifest themselves. Because descriptions of the British and German systems are complete and available in a theoretical EAS context, and the Polish is not, structural factors from available data on those member states were extracted first. Once the significant factors were identified, pinpointing the properties of factors relevant for Poland became a better guided information-seeking process.

The organisation of found data follows a given pattern. Categories of features that exist within all three different policy co-ordination systems, with several features present within each category were pre-defined based on existing research (see Kassim, Maurer & Wessels). This was done to achieve the highest concentration of meaningful data possible, and to avoid stating facts that may be valid but are not fit for further analysis. To consequentially find and organise the composite features into groups (see groups 1-4), generic EAS theory had to be applied already at this stage. Not doing so would have led to less effective data discovery. Findings are summarised in Table 1, found last in section 2.1. These structural features have been identified as important in 'The National Co-ordination of EU Policy, The European Level' (Kassim 2001: 32). They were supplanted with additional analytical dimensions, which this study contributed.

1.6 Material & Selection

All material gathered for this study constitutes two separate sets of data. The first set describes the Polish policy co-ordination system. It also includes descriptions of the German and British systems created by other EAS researchers – this approach helps establish the most important structural features within the Polish system and their relevance to the EAS context. The second set contains World Bank and Sigma[1] reports from a selected time period, which allowed for gathering administrative capacity data about the Polish public administration from both before Poland's EU accession and after it.

A step-by-step presentation of the collected data is provided in section II. The ambition there has been to follow a inverse pyramidal structure, first presenting the available data that passed set selection criteria, and then organising it into a more manageable matrix fit for further analysis.

The two sets of empiric material came from secondary published sources. The first set, containing descriptions of the Polish, German, and British policy co-ordination systems, was the most challenging to put together. One perhaps methodological issue has been that reports and research papers about a member state's policy co-ordination system were (most often) only available from that same member state and in that member state's language. This has meant that in order to complete the first data set, sources written in English, German, and Polish had to be analysed. Additionally, it has proven difficult to find external analysis of national co-ordination systems. There is the possibility that the nationality of the researchers behind this set of data is an issue, as the objectivity behind reported findings may be compromised. Additionally, some reports in this data set had to be translated into English. The very narrow research field for EAS meant that reports in all three languages featured very similar terminology. Finding data describing Poland's policy co-ordination system was complicated by the fact that there is still little written on the subject in any language, and the only primary source, complete reports on the subject were written in Polish.[2] This is also the case for data on other smaller CEE states, making cumulative research in the CEE context difficult when using secondary published sources.

The second set of data comes mostly from Sigma, an initiative funded by the EU to track adherence to European administrative standards in pre- and post-accession states. As such, the sponsor for the collection of this data set may have distorted the favourability of judgements made in Sigma's reports. In fact, the two data sets differ on one major aspect: the policy co-ordination systems are viewed and

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[1] *The Sigma programme is a joint initiative of the Organisation for Economic Co-operation and Development (OECD) and the European Union, principally financed by the EU.*

[2] *I am indebted to Michael Kiszkiel at the Embassy of Sweden in Warsaw and Aleksander Fuksiewicz at Instytut Spraw Publicznych (Institute of Public Affairs, Poland) for assistance in finding and working with the Polish sources.*

described by researchers from within their own member states, while the administrative capacity of member states is analysed by a supranational institution.

The selection of material for this paper was made to follow a predefined set of criteria of fit to the intent of the research question.

For the first data set, selected material had to:

a) describe both the structure and specific features of Poland's and/or a major EU-15 member state's policy co-ordination system;

b) describe national-to-EU level systems;

c) have been written to provide either analysis or a description of said system;

d) have been written after Poland's EU accession, or as recently as possible;

e) whenever possible, provide EAS context for given data.

For the second data set, selected material had to:

a) report on Poland's administrative capacity (or degree of fit to European administrative standards);

b) provide data from at least two points in time, before and after Poland's accession to the EU.

These criteria were used to ensure that analysed material is of maximum benefit to the study and as contemporary with the event of Poland's EU accession as possible to ensure a potential for cumulative research.

1.7 Disposition

The following outlines the remaining sections of this paper. Section II will contain a presentation and organisation of collected data on Poland's policy co-ordination system, and then the changes in Polish administrative capacity through time. Section III will execute analysis of the two data sets in Section II using the theoretical frameworks outlined in Section I. Finally, Section IV will summarise and reflect on the findings of this paper, providing the conclusions. Lastly, the bibliography will supply a full overview of sources used in the paper.

Section II

2. Data Presentation & Organisation

2.1 Poland's Policy Co-ordination System in the EAS Context

Examining the German and British policy co-ordination systems is an exercise in defining the European Administrative Space horisontally, by using its outliers. The two EU-15 member states are arguably geometric opposites when it comes to approaching European policy co-ordination. The intent of this exercise is to define the structural context in which the Polish policy co-ordination system can be seen, so that the specific features of these national processes (and possibly their links to national civil administrations) may be identified. Spatially defining the positions of Germany and the UK in the EAS also has some value for cumulative research. This is because policy co-ordinationred to Poland as an accession state, especially under conditionality, could have been affected by existing administrative norms in those EU member states.

1.   The <u>policy co-ordination strategies</u> of member states were found to vary by type of co-ordination, degree of centralisation, and contain different co-ordination units in various constellations.

a)   *Types of co-ordination*
      Positive co-ordination implies an active upload of policy preferences to Brussels in an attempt to affect European policy issues, while negative co-ordination rather means most policy is passively downloaded for domestic implementation.

"The positive conception of co-ordination pursued by the UK has important institutional implications […] a strategic co-ordination ambition requires the presence of a central authority possessed of the legitimacy and the appropriate institutional mechanisms to impose solutions when necessary". (Kassim 2004: 49) The United Kingdom thus actively pursues policy uploads in an attempt to change EU policy to better fit its own policy preferences, an ability made possible by the centralised structure of its policy co-ordination system.

"The German European policy-making system suffers from […] 'negative coordination'. These features are associated with strategic timidity, late preference-building and position-taking." (Maurer & Wessels 2004: 102) Without showing much initiative for policy outputs, the German policy co-ordination process essentially lags behind decision-makers in other member states, integrating downloaded policy into itself without voicing its own opinion on policy at the right time. It is important to note how negative co-ordination here is not considered a legitimate policy strategy per se, but rather the result of the absence of a capacity to have one.

Poland's policy co-ordination system is uncoordinated and incomprehensive. Policy is meant to be decided on in KERM, yet KERM lacks institutional power (see *power of co-ordination units*) and prioritises policy deemed to be 'high profile', i.e. policy Poland wants to upload or policy Poland does not want to download (see *degrees of centralisation*). It follows then, that policy that does not fit either of the two categories is either not handled properly or handled too late in the policy cycle to make any difference. The result is mostly negative policy co-ordination, except on some issues, as per Copsey and Pomorska.

b)   *Degrees of centralisation*
        Connected to policy co-ordination strategies and types is the notion of the degree of centralisation of policy co-ordination systems. This analysis of systemic structure attempts to discern whether co-ordination systems are vertically integrated around specific powerful insitutions, somewhere along the way between member state governments and their permanent representations to the EU, or are more decentralised.

"Two factors explain the UK's choice of ambition […] the tradition of a centralised government, informed by the principle of collective cabinet responsibility, and supported by well-entrenched administrative routines that emphasise consultation and co-operation." (Kassim 2004: 49) The UK's ambitiously positive co-ordination strategy on such a broad frontier can thus be explained, in part, by its capacity to carry it out. Kassim's theory is that EU member states will rationally choose to pursue a positive co-ordination strategy, and do so, as long as they are actually able to. The government is described as centralised, and is the sole player within UK's co-ordination system with a realistic ability to directly send policy preferences to Brussels, despite the existence of regional institutional arrangements with some indirect influence on EU policy: the Scottish Executive and the Welsh Assembly. (Ibid)

"The (vertical) division of power between the federal level and that of the Länder leads to a complex system […] a decentralised system of administrative interaction." (Maurer & Wessels 2004: 102) "The characteristics of 'institutional pluralism', 'fragmented decision-making', 'institutional polyphony' or

even 'institutional cannibalism' are very apparent in comparison to […] the United Kingdom. In brief, the powers conferred to the different levels of policy-making are not co-ordinated by a cental agency responsible for formulating one coherent European policy." (Maurer & Wessels 2004: 113) Germany demonstrates a degree of centralisation completely opposed to that of the UK. A division of power exists between the central government and Germany's regions, setting them on equal footing when it comes to European policy co-ordination. The result is that the government and each region attempt positive co-ordination in Brussels completely independent of each other. In practice, this means that Germany's permanent representation to the EU is on equal footing with the Germany's regional representations in Brussels. This reduces the potentially powerful, singular German effort in positive co-ordination into many smaller voices; the resulting effect of this misalignment of ambition and ability is a *de facto* negative co-ordination strategy (Maurer & Wessels 2004: 102).

According to Nowak-Far, the Polish co-ordination system suffers from too high a degree of centralisation. Moreover, the roles of "prime minister, minister of foreign affairs, and President of the Republic of Poland (and their offices)" are "not clearly defined and insufficiently demarcated", allowing them to overstep boundaries (Nowak-Far 2007: 21). Policy passes through UKIE (The Office of the Committee for European Integration), via the responsible ministry (likely ministry for foreign affairs) to committees in the parliament (the *Sejm*) (Nowak-Far 2007: 19). Standpoints on policy issues are pre-agreed upon in the KERM (The European Committee of the Council of Ministers), which should in theory ensure a single stand on which policy preferences to work towards (Nowak-Far 2007: 21). In many ways, this is not the case; intergovernmental policy is prioritised and supragovernmental agreements do not receive due attention (Ibid). Yet decision-making is "excessively centralised" to the KERM, which thus rather deals with high-profile decisions. No lower-level mechanisms to exchange information between ministries and agree on common positions exist (Nowak-Far 2007: 21-22). The resulting degree of centralisation is somewhere in between the UK's and Germany's. On one hand, there is clear vertical steering and no mechanism for devolved or parallel decision-makers, yet parallel decision-making sometimes does take place (see implicit strategy in *power of co-ordination units*). On the other hand, decision-making is centralised and mis-prioritised, which results in passively downloading most European policy for discussion and implementation, as the will to voice opinion on most issues does not exist.

c)   *Co-ordination units*

The administrative units involved in policy co-ordination, and the way their involvement is organised, play an important role in the member states' co-ordination strategy. Depending on which administrative units are involved and their alignment in relation to each other, conclusions about a system's 'attachment' to the governing administration (i.e. degree of politicisation), as well as the hierarchy within it can be made.

In the United Kingdom, essential parts of the co-ordination machinery are the UK Permanent Representation to the EU (UKREP), the Foreign and Commonwealth Office (FCO), and the European secretariat of the Cabinet office (ESCO). (Kassim 2004: 49) Within this "central co-ordinating triangle", every institution plays its own role. While it is difficult to adequately expand on the functions of each body within the limits of this paper, it should be noted that the triangle is highly hierarchical. Despite handling many tasks needed to run the co-ordination process on the periphery, both the FCO and ESCO are subordinate to UKREP's function as the European-level co-ordinator. The two co-ordinate policy on the national level, but cannot communicate it to Brussels directly. (Kassim 2004: 51)

In Germany, the main co-ordination units are the Ministry of Economics (Bundesministerium für Wirtschaft und Technologie, or BMWi), the Ministry of Foreign Affairs (Auswärtiges Amt, or AA), and the Federal Chancellery (Bundeskanzleramt). Notably, the Permanent Representation of Germany to the EU is not an essential policy-maker, acting more in the role of a messenger. Apart from creating the representation, the two policy-making ministries even appointed 57% of the posts within the representation in 1998, leaving the rest to purely 'technical' (technocratic) ministries. (Mauer and Wessels 2004: 105) The hierarchy here rather exists within the permanent representation, where the political affairs personnel from BMWi and AA is a "grade above" the other, 'technical', departments. (Mauer & Wessels 2004: 108)

The main parts of the Polish co-ordination system are KERM, UKIE, the Chancellery (prime minister's office), and the ministries relevant for a specific policy that is treated. Decisions on current policy issues are decided in KERM, and its work is supported by the UKIE (MFA of the Republic of Poland 2010: 1). While KERM has the ability to decide on how to model European policy itself (Ibid), it is not institutionally strong – decisions made in it are *de facto* subject to decisions from the Chancellery, the MFA or other ministries, and even the ruling political party (Nowak-Far 2007: 21).[3]

d)   *The power of co-ordination units*
        Aside from the hierarchical composition of co-ordination units within policy co-ordination systems, an important aspect is the powers they hold. Conclusions about these features are made possible by the previous examination of the capabilities of co-ordination units in different systems.

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[3] *A 2010 law change transferred UKIE competencies to the Ministry of Foreign Affairs, but this change has not yet been examined in published research at the time of writing.*

Entities within the United Kingdom's policy co-ordination mechanism effectively only administer the European policy cycle, and are not responsible for producing policy content. While the UKREP is the sole connection point between the UK government (Whitehall) and the EU, it commands no policy powers on its own. Its powers are strictly limited to the participation in EU's policy process on behalf of the United Kingdom: uploading policy from Whitehall and downloading policy from Brussels while representing national interests.

Units in the German mechanism are responsible for the strategic dimension of policy co-ordination, ensuring that policy that benefits Germany is adopted on the EU level, and vice versa. Similarly to the UK, these are also not responsible for producing policy content. In the German case, political and apolitical ministries compete for placement within the permanent representation to take control of its policy strategy. Nevertheless, no administrative units taking part in policy co-ordination have any responsibility with regard to policy content.

In Poland, KERM and UKIE would be the most powerful co-ordination units (aside from the Chancellery and the MFA) because of their mission to build strategy for Poland's EU participation and reach national consensus on policy issues. Aside from their institutional weakness, there exists an unofficial 'implicit [co-ordination] strategy', which can let political decisions take precedence via informal channels; this has the effect of "frequently changing policy priorities towards the EU" (Nowak-Far 2007: 21). As a result, political offices have the most power to decide co-ordination priorities, while technocratic offices play more of a consulting role.

2.   The <u>effectiveness vs. efficiency</u> measure weighs the administrative efficiency of policy co-ordination mechanisms against their effectiveness in strategically influencing policy, with potentially beneficial results for their member state on the EU level. Here, the Wright definition of 'policy effectiveness' is used, i.e. the "overall ability of a member state to influence EU policymaking" (Kassim 2004*b*: 38)

a)   Administrative efficiency
The UK's administrative efficiency is arguably high. As previously shown, there is a clear division of labor between its co-ordination units, which allows the co-ordination mechanism to efficiently take part in the European policy cycle. The co-ordination system shows a high degree of centralisation. Additionally, the "system for the co-ordination of European policy is similar to the machinery for managing domestic policy", which has also enabled sharing of administrative practices between the European and domestic systems. (Kassim 2004: 69-70)

The German administrative efficiency is low in the EAS context. Germany's low degree of centralisation within its policy co-ordination system divides its contribution to the European policy process into many smaller ones. This means that the country's co-ordination effort is also difficult to co-ordinate within itself. As shown earlier, there is no clear division of labor between co-ordination units, with ministries and administrative bodies performing overlapping tasks and even competing with each other about influence within the co-ordination process (Mauer & Wessels 2004: 115-117).

Polish decision-making is too centralised to work efficiently (Grosse 2003: 7-8). The importance of policy issues is politically determined, and less important policy is handled insufficiently well (or not handled on time) instead of being delegated to lower-level polities. Additionally, the quality of administrative staff is too low to achieve efficiency. The ministries lack the skills to "create problem-solving groups", there is a lack of synergies, procedures are "too formalised", there is a lack of staff equipped to deal with European policy issues, the "degree of Europeanisation within ministries is low" (Nowak-Far 2007: 22). These issues point to a low administrative capacity and insufficient administrative reform within Polish co-ordination polities. Reforms initiated by successive governments "have been fragmented and short-sighted, and were discontinued upon election of the next government" (Grosse 2003: 8). Conclusively, excessive politicisation has delivered low administrative capacity. Capacity was so low 2004-2006 that Poland lacked enough trained officials to properly absorb EU cohesion funding (Grosse 2003: 3).

b)   *Policy effectiveness*

The UK's ability to constructively influence policy, shaping EU policy outcomes according to domestic policy preferences, however, is low. While administratively efficient, the co-ordination system falls victim to the political message it carries (i.e. preoccupation with sovereignty); as established earlier, the UKREP acts only as a messenger and does not produce policy preferences by itself (Kassim 2004: 69).

Germany approaches policy co-ordination as a decentralised federal state, and the co-ordination process is based on a national division of power between regions (*the Länder*) and the capital. The co-ordination process is competitively disadvantaged, with lowered efficiency, in the sense that the country's public administration has a very high capacity for uploading and downloading policy to and from Brussels, but the process itself is disorganised due to the national-local duality where the '*Länder*' can bypass the German government and participate in the policy process directly on the European level (see *Nebenaußenpolitik*) (Mauer and Wessels 2004: 115-116). Still, the co-ordination process can be called effective, because the transferred policy favors European convergence and policy harmonisation, something that achieves results on the European level – and pushing for pro-European policy has many allies in negotiations (Mauer and Wessels 2004: 124).

The Polish system can't be said to effectively influence policy on the European level. It approaches co-ordination as a centralised state, but the problematic administrative efficiency of its institutions and its frequently changing policy preferences do not allow it to effectively express itself. In fact, the "political frailty of successive cabinets" allowed segments of the bureaucracy to "gain the upper hand" and feud within the public service apparatus over policy issues (Grosse 2003: 8). On its self-identified core issues like 'eastern policy' and common foreign policy, Poland has "lacked the capacity, but not the will to exercise power in the EU" (Copsey & Pomorska 2010: 321-322).

3.   The political actions executed through member states' policy co-ordination mechanisms can be categorised into various <u>European dimensions</u> of activity: the *policy* and *polity* dimensions, the *political* dimension, and the *spatial* dimension. This classification relies on the Borrás/Jacobsson analytical framework (Borrás and Jacobsson 2004: 185-186).

a)   *<u>The political dimension</u>*
        Delimiting the political dimension of a policy co-ordination system allows for examining the politics that permeate through it.

The UK's hierarchical and positive policy co-ordination system arguably only carries the politics that arrive from its government; for decades, this has been Euroscepticism and a cautious attitude towards supragovernmental decision-making. The political dimension is turned against Europeanisation to such an extent that UKREP's own advice on political issues is sometimes ignored by its government (Kassim 2004: 68-69).

The pluralistic and decentralised German system nonetheless works in "broad, but not exclusively utilitarian pro-European consensus". Despite administrative bottlenecks and inefficiencies, this system delivers policy and works under the aegis of a singular political message (Mauer and Wessels 2004: 124).

On the political level, the Polish system appears to "mechanically" accept EU's demands for institutional reform, while party politics do still take precedence at the expense of professional civil servants, sometimes delaying European programmes (Grosse 2003: 5). Consequently, national politics are in part to blame for Poland's inconsequential approach to working with the EU. The key political will to have Poland lead in the field of 'eastern policy' is constant, and "does not vary following general elections" (Copsey & Pomorska 2010: 312-313). Conclusively, Poland's most prioritised political ambitions are consistent through time and strive towards tighter European integration (in e.g.

energy and foreign policy). However, in the majority of cases, the political message changes with successive governments.

b)   *The polity dimension*

The polities are the forms of and processes within individual entities (here) in policy co-ordination mechanisms. Individual institutions often have different properties and traditions.

The traditions prevalent within UK polities are those of centralised government and the principle of collective responsibility. The administrative routines "emphasise consultation and co-operation" (Kassim 2004: 48). A division of labour between the polities involved in policy co-ordination builds on "teamwork, consultation, and information-sharing" (Kassim 2004: 70). At the same time, the polities are defined by center/club dynamics, i.e. personnel is often hired from Whitehall (Kassim 2004: 56) and thus moves in a closed cycle, while the administrative culture is that of "a common purpose" and hierarchical (Kassim 2004: 60).

German EU policy-making and thus its polities have received multiple labels from different scholars; "institutional pluralism", "fragmented decision-making", "institutional polyphony", and "institutional cannibalism" (Maurer & Wessels 2004: 113). In fact, because every polity involved in the co-ordination process can halt a decision from being made (ministerial authority or *Ressortprinzip*), a mechanism where the Chancellor office can impose guidance has been necessitated (Ibid).

Polish polities, aside from being administratively underequipped to handle European policy, have not developed a culture of problem mediation or consultation on any level below the heads of ministries (see *degrees of centralisation*). They are also relatively new. UKIE was established in 1996 and reformed in 2004, as it went from supporting Poland's European integration to participating in the European policy cycle (MoFA of the Republic of Poland 2010: 1). KERM was established in 2004 to co-ordinate European policy (MoFA of the Republic of Poland 2010: 1). The gap in Europeanisation between these specialised polities and Polish ministries or the Chancellery is likely to remain significant without broad administrative reform, so that "appropriate relations between politicians and civil servants" can be established (Grosse 2003: 8).

c)   *The policy dimension*

The policy dimension encompasses the kinds of policy that the co-ordination systems of different EU member states attempt to pass at the European level, in terms of positive co-ordination. This dimension also includes the kinds of policy that the co-ordinating polities attempt to stop from being passed down to their member state, as in negative co-ordination.

The UK pursues an ambitious, broad positive co-ordination policy as it attempts to "advance or at least protect" its interests in different policy areas (Kassim 2004: 49). As exemplified earlier, the United Kingdom's distrust of supragovernmentalism and eurosceptical politics stems from its government's politics, and the vertical integration between UKREP and Whitehall means that policy tightly follows politics.

Germany's policy dimension is complicated by the decentralised nature of its policy-making. Policy co-ordination is ministry-controlled, the *Länder* compete in policy production, and there is "no central agency responsible for formulating one coherent European policy, overarching the specific interests of ministries" (Maurer & Wessels 2004: 112). The result is a less ambitious system than that of the UK; interests in every policy area cannot be advanced or protected, if only because no institution to orchestrate such an effort exists.

Poland pursues pro-European, ambitious and positive co-ordination policy when its core interests are concerned (see political *dimension*). It is also in the Polish interest to integrate European law and administrative practices, as it has created the UKIE and KERM to support integration and absorb cohesion funds. Yet, Polish policy is not firmly pro-European on every issue. Even on the supragovernmental level, it sometimes follows national politics, such as in the case of the veto on the 2006 Partnership and Co-operation Agreement with Russia (Copsey & Pomorska 2010: 313).

d)   *Spatial dimensions*

The spatial dimension is a concept which attempts to help judge in which directions policy co-ordination systems are designed to work (or aren't, but do). The flat space between EU member state governments and the European Union's institutions encompasses the vertical and horizontal axes. The full breadth of policy issues, which are co-ordinated between the EU and its member states, can be seen as horizontal. Member states that align themselves with each other in negotiations also do so on the horizontal axis. Alignment or non-alignment on the vertical axis occurs between a member state and its co-ordination units; between the units and the EU; or between all three.

By looking at the other EU dimensions, one could argue that the UK pursues an 'offensive' co-ordination horizontally and a 'defensive' one vertically. United Kingdom's polities consult with each other to defend Whitehall's political interests in the EU (see polity dimension). Desk officers also develop ties with "their opposite numbers in other member states and in the European Commission, as well as with the members of European Parliament committees" (Kassim 2004: 57). This practice can be seen as horizontal alliance-building to "muster support for the UK position" and gather information (Ibid). That combined with positive policy co-ordination makes for an 'offensive' strategy.

The German disarray in terms of policy in its European policy-making system reflects in both horizontal and vertical fragmentation, yet the vertical division of power is constitutionalised (Maurer & Wessels 2004: 102). Even without a central decision-maker, the vertical division of power between the federal level and the *Länder* results in an "interconnectedness" (*Politikverfluchtung*) (Maurer & Wessels 2004: 111). Additionally, a "horizontal division of influence between different ministries and institutions at each level" can be observed (Ibid). In negotiations, German public servants interact and integrate vertically with institutions and committees from other member states (Maurer & Wessels 2004: 105). Despite a high grade of vertical and horizontal pluralism, polities in the German system are aligned with each other (i.e. federal level to ministry/*Länder*/representation level) and with the EU (negative co-ordination) in the vertical dimension. It works to build consensus between its own ministries and with other member states on the horizontal axis.

For Poland, horizontal alliance building has been a necessity to pass policy relating to the Eastern Partnership to the European level (Copsey & Pomorska 2010: 313). For instance, Eastern Partnership's creation was presented as a Polish-Swedish proposal, which had also received high-level German backing (Ibid). Likewise, when advocating future EU membership for Ukraine, Poland tries to co-operate with the Visegrad group, the Baltic states, Scandinavian states, and the UK (Copsey & Pomorska 2010: 314) The practice of alliance building is thus issue-based. On the vertical axis, Poland tends to integrate European policy into its administrative practices and laws sooner or later (see *policy dimension*).

4.   The <u>co-ordination dimensions</u> reflect different ways in which co-ordination mechanisms can be understood. The cognitive dimension examines how a EU member state's co-ordination system can be perceived; how does it actually work, whose interests are ultimately represented? The normative dimension examines the way the system is meant to be perceived; why, in theory, does it exist, and what is it supposed to do? In the normative dimension, the age of a representation can matter, or rather "the degree of institutionalisation implied by age" (Kassim 2004*b*: 32).

a)   *The cognitive dimension*

The United Kingdom's policy co-ordination system is centralised and hierarchically subservient to Whitehall in terms of decision-making. The system does not manufacture policy content, but solely transmits Whitehall's (see co-ordination strategy).   However, the UKREP also channels private interests, like business and other groups (Kassim 2004: 47, 65-66).

The German system makes extensive use of informal interactions. As an overarching body to formally co-ordinate policy does not exist within the system, the 'interconnectedness' effect is accomplished via "an extensive and intensive network of formal and informal interactions" (Maurer & Wessels 2004: 122). Aside from making informal communication necessary within its own system, German interests are promoted by informal contacts between the country's permanent representation and the EC/EP, as well as interest groups (Maurer & Wessels 2004: 119). Some staff even act as ministry lobbyists in the EU (Ibid). It can be argued that because the German system downloads policy, and is unskilled at altering policy outcomes (see policy EU dimension), the informal interaction mostly results in policy learning.

The Polish policy co-ordination system both manufactures policy content and facilitates participation in the policy cycle (see *power of co-ordination units*). Its hierarchical structure is not strictly followed, as both formal and informal connectors between politics and policy exist (see *power of co-ordination units*). Political steering of policy co-ordination is inconsistent, administrative reforms ineffective, and administrative capacity insufficient (see *administrative efficiency*). The system's few policy uploads to the EU can be considered results of policy learning, and were in part made possible by informal diplomacy in Brussels (Copsey & Pomorska 2010: 317).

b) *The normative dimension*

The UKREP was established as a delegation (UKDEL) to the European Coal and Steel Community in 1955. At EEC's creation the mission became a representation, and after EEC accession UKREP's status was upgraded to "play the leading role in Brussels"; it kept accountability to the FCO (Kassim 2004: 53).

The origin of Germany's European representation was the establishment of a '*Länder* Observer' as an agreement part of the Treaty of Rome in 1956; it had extremely limited staffing and functionality until 1990 (Maurer & Wessels 2004: 116).

Poland's UKIE has existed since 1996 to co-ordinate ministries and institutions involved in Poland's integration into the EU. In 2004, it was reformed to participate in the creation of EU law, implement it, prepare for Council presidency, and perform other tasks. KERM was created in 2004 as a place where European policy issues could be discussed and where issues with Poland's integration could be settled (see *polity dimension*).

Table 1. Structurally significant features of three policy co-ordination systems			
	United Kingdom	Germany	Poland
Co-ordination strategy			
Type of co-ordination	Positive	Negative	Mostly negative
Degree of centralisation	High	Low	High
Co-ordination units	UKREP ESCO FCO → hierarchically organised system, clear vertical structure	Ministry of Economics Ministry of Foreign Affairs Federal Chancellery → ministry-controlled decentralised system	KERM, UKIE Chancellery= pol. party MFA & ministries → hierarchical system with formal + informal political steering
Power of co-ordination units	Responsible for policy cycle, not policy content	Responsible for strategic dimension, not policy content	Responsible for cycle and content, lack institutional power
Effectiveness vs. efficiency			
Policy effectiveness	Low	High	Mostly low
Administrative efficiency	High	Low	Low
EU dimensions			
Politics	Euroscepticism, intergovernmentalism	Pro-European consensus	Pro-European on key issues, otherwise incoherent
Polity	Governance patterns defined by center/club dynamics; Consultation & co-operation tradition	Characterised by a high number of veto players; Guidance by Chancellor	No tradition of co-operation or problem solving, inexperienced, underequipped
Policy	Avoid political integration, defend interests	Policies often incoherent	Accept political integration, move interests to EU level
Spatial dimensions	Vertical defence, horisontal offence (centralised)	Vertical alignment, horisontal consensus building (pluralistic)	Vertical alignment, horisontal consensus building (centralised)
Co-ordination dimensions			
Cognitive dimension	Represents Whitehall + private interests	Formal + informal process: policy-learning	Formal + informal process, policy learning
Normative dimension	Built to represent UK in Coal and Steel Union	Part of the agreements of the Treaty of Rome	Created to facilitate integration, reformed at accession

2.2 Poland's administrative capacity

Both the World Bank (2006) and the Sigma (2009) studies came to several common conclusions:

a) Changing administrations has been difficult;
b) Governments tended to follow old paths, e.g. repoliticising the civil service;
c) The degree of institutionalisation for new reforms has been shallow.

Additionally, Dimitrova's predictions (2002) were an extraordinary match to the results of these studies. As predicted, there was no reform continuity after accession, administrations were repoliticised, reforms were reversed, and administrative performance/capacity has been low.

2.2.1 Dimitrova: 2 years before Poland's EU accession

A Dimitrova report from 2002 expands on the emergence of the administrative capacity requirement for new EU member states on several important points. First, it is concluded that governance within the EU indeed differs from EU's 'governance by enlargement'. The latter method aims to overcome post-communist political systems by restructuring them: steering is accomplished via institution-building, the relationship between the EU and a prospective member is made hierarchical and asymmetrical, and the governance style leading up to accession is conditionality-driven (Dimitrova 2002: 176). Second, the report states that the administrative capacity requirement grew out of the effort to specify Copenhagen criteria, and expanded in scope; "Since 1997, the EU enlargement governance has required the strengthening of 'the institutional and administrative capacity of the candidates'" (Dimitrova 2002: 178-179). So, the EU made the creation of new administrative structures required for accession, yet had no tools to "judge the quality of an administration" (Ibid). Third, it is said that post-communist states have weak bureaucracies, are unable to separate bureaucracy and politics, and would need a sufficiently coherent and well-defined EU model to adjust to (Dimitrova 2002: 180). Upon examining evidence of reform in several states, Dimitrova found that Poland, despite having negotiated for membership status since 2000, still had a legal framework for civil service from 1982 and last reformed in 1996 (Dimitrova 2002: 183). Her conclusion was that enlargement governance in CEE states has failed to take domestic preferences into account and thus no consensus on reforms could be reached (Dimitrova 2002: 186). The following points can be taken away from the report's conclusions:

a) New reforms and institutions are not stable;

b) The bureaucracy criterion within Sigma principles is not sufficiently specified;

c) EU enlargement governance does not lead to successful institution building;

d) Reforms may be contested with any successive change of government;

e) Institution building fails to take the preferences of political actors into account.

2.2.2 World Bank: 2 years after Poland's EU accession

A 2006 World Bank paper reported on the direction of administrative development after several CEE states had joined the EU. The report found the following:

a) There are "symptoms of […] the lack of an adequately skilled and sufficiently experienced civil service" (World Bank 2006: 7);

b) Key features of administrative performance are 'policy' (strategic planning and policy co-ordination) and 'people' (relationship between politics and administration);

c) As of 2006, CEE administrative capacity was strong on EU issues, had weakening co-ordination systems, a return of politicisation was observed, and reversal of some reforms was observed (World Bank 2006: 15, et. al)

2.2.3 Sigma: 5 years after Poland's EU accession

A 2009 Sigma report examined the fate of conditionality-driven civil service reforms, the extent to which CEE states have continued said reforms post-succession, and looked into the degree of fit of CEE civil service systems to European principles of administration. It found the following:

a) Poland has suffered from destructive reform reversal (Sigma 2009: 71, 74);

b) Its fit with European principles of administration is medium to low;

c) Low level of institutionalisation: formal rules fit European principles better than real practices, albeit the gap between formal rules and real practices has shrunk (Sigma 2009: 68-71);

d) Attitudes of civil servants towards European principles of administrations are ambiguous (Sigma 2009: 69).

Section III

3.1 Analysis: The Institutional Robustness Theory

Several parts of this theory can be applied to the gathered data. The intent is to check how the theory holds for Poland as part of the EAS and judge its explanatory power.

The basic observation in Olsen's institutional robustness theory is that institutions in both EU member states and accession candidates willingly reform to fit the European model, yet retain some form of structural national identity, and the two are not mutually exclusive. It is questionable whether this model of administrative convergence can be observed in the case of Poland.

First, in Poland's case the administrative reforms have hardly been willingly executed. Institution building has dragged on until 1996 and 2004 respectively to create polities capable of participating in the European policy process (see UKIE and KERM). Successive governments have sometimes stalled progress on administrative reform, as a result even halting behind most other CEE states – low fit to European principles of administration (Sigma 2009: 71). Even if one attributes slow reforms and lagging performance to excess politicisation and lack of experts, there is still the fact that Polish bureaucrats do not identify with European administrative values (Ibid). Second, as the thesis suggests, Poland really has created an 'amalgamated' administration. The hierarchical structure of its government has not changed after succession, neither has the tradition of co-ordinating decisions on a high executive level, between ministry heads. In 'perfect convergence', the member state would not have kept the ability of political offices to dictate policy, either, yet this is still the case. The Polish system also fits the description of "a still fluid amalgam of inherited, imported and domestically developed institutional arrangements" (Olsen 2001: 521). In part this too is true, administrators from the *ancient régime* have either remained active or were reinstated by political decision, yet they have been placed in completely new co-ordination polities. The need for UKIE and KERM as administrative structures was imported at EU accession, yet they function in the Polish system, both formally and informally.

Olsen argues that member states cope with common challenges in Brussels and on the national level despite differing administrational arrangements because a) administrators are now in the center of policy-making, changes harmonise with existing systems; b) administrators cope with the change in

environment under influence from pre-existing institutional arragements; c) structures are maintained, it doesn't matter where the rules come from (Brussels or capital).

While the addition of UKIE and KERM to the Polish administrative structure is hardly invasive for the rest of the system, they both lack institutional power. Thus, administrators in these structures are hardly in the "center" of the process and the heads of ministries still decide on top issues; administrators can be ignored and sit on weak mandates which are easily bypassed. This arrangement might harmonise with Poland's hierarchic, mainly horisontal system, but evidently does not harmonise well with achieving results in the EU.

In Poland, constantly changing political actors have a strong influence on other polities, and it is under this influence that administrators experienced change towards the European system of administration. This point rather explains why Polish administrative capacity is low than why reform should not be so difficult. As multiple sources pointed out (e.g. Sigma), the high degree of politicisation within a co-ordination system likely hinders reform and contributes to insecurity by juggling both administrators and formal/informal decision-making channels.

Finally, it is true that Germany's, the UK's, and Poland's administrative structures hardly changed upon accession, apart from the addition of new polities into existing systems. However, it is given that administrative practices should in fact change upon accession, to provide adequate capacity for handling new policy. In Poland's case, the institutional change from running European integration polities to instead running policy co-ordination polities has been reflected in name only, and not in the actual capacity of its administrators. The institutional robustness theory thus explains somewhat how institutional structures affected change in Polish administrative capacity, but institutional properties other than structure likely have better explanatory power there.

3.2 Analysis: The Politics of Institutional Choice Theory

The politics of institutional choice theory states that organisational configurations of policy co-ordination systems follow political interests (better for powerful stakeholders) and not rational logic (better for administrative effectiveness). This is likely true for all three examined co-ordination systems from this perspective. The Polish system allows political stakeholders to override all policy-making via both formal and informal channels, and this naturally does not benefit the effectiveness or rationality of Polish policy outputs. The German system is decentralised because regional stockholders

need it to be, not because it improves effectiveness (the other way around). The UK's vertical system is so set up to avoid giving influence to regional institutions, although it also happens to be effective. The notion of politics in policy-making is supremely important to understand the Polish case, especially as several researchers named politics the reason for failure to improve administrative capacity.

If informal mediation between polity and policy fields can foster behavior that is irrational for the polity, but rational for politicians, then this theory has great explaining power for the failure of Polish administrative capacity. Assuming that Polish politicians have no interest in a horisontally comprehensive European co-ordination, like the UK's, then they have little need to improve existing capacity from the current level. If political control over policy co-ordination is a bigger priority for politicians than the co-ordination system's capacity, then it is rational for successive Polish governments to replace technocratic bureaucrats with political appointees. This would explain both the lack of progress and the regression in administrative capacity. An additional explaining factor may be the development of UKIE as an integration mechanism first and a co-ordination mechanism later. From a political point of view, it could be irrational to improve the UKIE's capacity further if it already helps download policy and absorb funds to a satisfactory degree. On the few issues where Poland does upload policy, it can be done through informal channels and intergovernmental diplomacy. This approach would allow creating 'political victories' (e.g. the creation of Eastern Neighborhood) without losing political points to the administration. With these rationales, administrative change would occur on par with political change, like elections, or because of external pressure, like EU integration. Both explanations fit the Polish case very well. Dimitrova's theory that politicians will overlook the interests of administrative polities in favor of short-term gain holds especially well in the Polish system, where political offices are part of the co-ordination system, yet are the only polities which do not have to follow clear boundaries for their influence.

Institutional choice theory can also help explain Polish and Central Eastern European 'shallowness' of institutionalism for their 'new' European co-ordination polities. From the perspective of political office-holders, it can be beneficial to not grant real institutional power to policy co-ordinators, may it be rationalised by defending the national interest, attempting to reduce participation in the European policy cycle, financial considerations, or a number of other reasons. Following this reasoning, co-ordination polities will not be able to challenge the political hierarchy if their administrative capacity is low or if their decisions have no institutional power behind them. Since institutional power is directly connected to administrative capacity – one enables the other – both may be suppressed. Centralised and highly politicised, the post-communist CEE states like Poland thus have a hierarchy that provides certain incentives to not improve administrative capacity in their institutions. A possible exit out of this vicious cycle is the formation of pro-European consensus on the political level in a

member state. For example, the highly pro-European Germany has every incentive to improve its capacity to work with European policy, because the political 'profits' from successful co-ordination are communalised.

Section IV

4. Summary and conclusive analysis

The deconstruction of three policy co-ordination systems into their building blocks has made it possible to apply institutional theory to both their parts and their wholes. With data on Polish administrative capacity from three different points in time laid out, a negative tendency in its capacity, and the possible causes for it, were demonstrated over time.

The structural features of Poland's policy co-ordination system most connected to its failure to improve administrative capacity are its *vertical hierarchy*, its *degree of centralisation*, and its *degree of politicisation*. In the political dimension, the political consensus in the country also plays an important role. As per the institutional robustness theory, the hierarchy of Poland's polities has not been altered after its accession, creating an amalgamated system of interconnected polities. Other than to confirm this fact, the robustness theory does not explain the issue of administrative capacity not developing positively after EU accession.

The politics of institutional choice theory introduces a rationality-driven explanation to that phenomenon. It is of course irrational for a co-ordination polity not to strive to improve its capacity and efficiency, but this is also not the case in Poland. The UKIE and KERM polities exist in a *hierarchical*, *centralised*, *politicised* system. These three factors lock administrators into a cycle where ambitious co-ordination performance is neither asked for nor facilitated. In fact, a political player such as the Chancellery may find it rational to informally co-ordinate policy on some issues itself, and leave little thought to lesser-prioritised policy. The same political rationality trap in an amalgamated polity structure may exist in other post-communist systems in the EEC and other candidate countries. Poland's polities can escape from this rationality trap when or if its political parties reach a pro-European consensus: gains from successful positive co-ordination will be communalised while succeeding governments will have fewer reasons to re-politicise the bureaucracy. If this happens, political interests will match administrative interests, and only then will capacity-enchancing policy begin working. Otherwise, administrative polities remain inconvenient checks on political power.

Inductive reasoning, internal to polities, proved to be a flawed model in the case of understanding Poland's administrative polities' lack of capacity building. Perhaps it is because the structure of Poland's policy co-ordination system favors political will over the will of administrative polities, and does not clearly delimit political influence, that policy measures do not improve administrative capacity are introduced at all. This could partially explain why although the EU, Poland as a whole, and Polish administrative polities would benefit from improved capacity, Polish policy has not set out to further that goal.

There is not a complete causality connecting the prioritisation of political interests over administrative ones and the lack of development in Poland's administrative capacity. Other theories, for instance ones not relying on vertical models, may offer social explanations to the research question. Additionally, the goodness of fit between European institutions (and by extention their administrative capacity standards) and Poland's should theoretically have improved in due time, following the amalgamation of its older institutions with new ones. As fit has not improved, but worsened or stagnated as per Sigma's data, it can be assumed that EU's adaptational pressure will rise higher with time and necessitate domestic change in Polish institutions. If this is the case, administrative capacity can eventually be expected to improve regardless of political incentives for administrative reform.

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