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THE EXPANSION OF EUROPEAN BUREAUCRACY¹

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Abstract: *Throughout history political building meant also the development of the administration. Descriptions and complaints about bureaucracy in the EU are numerous, but the supra-national bureaucracy is not exactly replicating the national one. Firstly because the European organizations enjoy powers and privileges that no national bureaucracies have, and secondly, it is far too small to directly manage 500 million people.*

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At the international level the need to reform the public system has intensified, most countries have shown this trend, but the most important thing was that the directions of reform were similar everywhere. The main goal of reforms was getting better results and accountability for delivering them.

In the international literature, bureaucracy is seen in various aspects, depending on the definition and content of explanations regarding it's the functions and role in society.

To be able to talk of European bureaucracy, we first need to clarify the conceptual aspects of bureaucracy, subject to which were equally concerned sociologists, political scientists and economists.

RATIONAL BUREAUCRACY

Max Weber is the representative of the theory that regards bureaucracy as being an entity capable of being effective. In order to create a basis for his theory, Weber argues that there are three types of authority: charismatic - great attraction of a leader, traditional - such as the authority of a tribal chief and the rational / legal authority. The latter is both rational and legal when compared to other forms of authority that were essentially irrational and extra-legal and is considered the most efficient of all three (Hughes, 1996, p. 12).

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Weber conceives its own model of bureaucracy, an ideal model that included the following properties:

- Structure of impersonal authority;
- The existence of a hierarchy within a system of careers in areas of specified competences there;
- Free choice based on the achievements resulting from compliance with certain rules;
- Organization is a separate structure, independent from the life of its employees
- Compensation in cash based on clear contracts;
- Discipline and control in the office management.

The main difference between Weber's model and previous models of government is the substitution of "personal" administration with an "impersonal" system based on rules. An organization and its rules are more important than any individual within it. The bureaucratic system should be impersonal in terms of operation and customer relationships (Hughes, 1996, p. 12).

The previous administrative models were based on personal relationships - loyalty to a relative or an employer or to the leader, rather than to the system. Administration was often seen as an arm of the ruling class and politicians rather than of citizens. But in the same time it was an arbitrary administration, unfair, especially to those who were unwilling or unable to engage in political games. The impersonal system provided by Weber, completely eliminates arbitration or at least ideally.

The initial bureaucracy did not contain the motivational aspects, but is assumed by Weber through the notion of Beruf (profession) or vocation. Bureaucratic efficiency cannot be considered simply a function of the formal structure of the office but depends essentially on the goals expressed by the bureaucrats and the means of achieving them.

Weber motivates its model from a historical perspective by comparing modern bureaucracy with other types of government or other authority. Judged in relation to other types of authority modern bureaucracy is more efficient, but that does not mean that modern bureaucracy is efficient in all the fields.

Thus, Weber's assertion that bureaucracy is "capable of the highest degree of efficiency" is not entirely supported by reality. The basic idea is that the transition from a personal relationship to an impersonal one causes the concept that a bureaucrat is the most dedicated person (ethical profession). This could lead to greater efficiency, but does not confer modern bureaucracy an absolute sense of efficiency.

Although government agencies do not appear to be effective in the sense of the Weber model, the relevance of it cannot be affected by the lack of connection between model and reality. As an ideal model, it could direct public sector reform, if it identifies the effectiveness in the functioning mechanism of public authorities.

RIGID BUREAUCRACY

Contrary to Weber's model, the bureaucracy is often characterized as being rigid. Various authors (Smith and Zürcher, Fairchild, Crozier) have characterized bureaucracy as inflexible. Because of the rules and impersonality of the system a rigid hierarchical system inevitably occurs.

In "Inside Bureaucracy" (1967), Anthony Downs has developed a theory of public choice on the bureaucracy in which stiffness is explained in detail. Downs identifies two sources of rigidity in the office, one designated as "normal" and one considered "abnormal". There will always be an increase in stiffness in the office as it increases in age and size. But it may appear an abnormal rigidity when the office enters in a rigid cycle, exemplified by ossification syndrome (Downs, 1967, p. 129).

The inherent tendency to expand the office is, according to Downs countered by an opposing force - the effect of deceleration. As the new office matures, its expansion is becoming increasingly difficult due to (Downs, 1967, p. 129):

- The loss of original function
- The increasing hostility from other offices
- The difficulty of maintaining an efficient outcome,
- The internal problems caused by inefficient recruitment of skilled personnel and conflict resolution.

The normal reaction from the office during periods of stagnation in growth is to use various expressions of rigidity in order to maintain the status quo and protect the organization for fear of complete dissolution. The combined effect of these trends towards rigidity is what makes the offices "conservative", which means that larger offices are often closed and that old offices will disappear.

It is unclear however, whether this model of rigidity refers to an abnormal rigidity. Some offices tend to get into a "cycle of rigidity". Cycle theory of bureaucratic rigidity implies that conservative behavior can be so pronounced that the office does not produce any result, so the need for

reorganization or dissolution will arise. According to Downs, the answer to rigidity cycle is the "cycle of reorganization".

BUREAUCRACY AS OFFICIAL DOMINANCE

Peter Berger (1987) said that the conflict between politicians and bureaucrats is endemic to modern society administration. Weber believes that the danger inherent in a bureaucracy is the tendency of bureaucrats to become their own masters.

Due to the increasing complexity of modern society, as well as the role of offices at all levels of government, bureaucracy have increased and have strengthened its powers. Typical of modern societies is bureaucracy penetration in areas of political power.

The decision-making within a government structure is achieved through interaction between offices and private organizations both in terms of public policy and in terms of their implementation. Thus, offices tend to be dependent and interact with other organizations in society and this interaction will induce the independence of offices in relation to governments (Lane, 1995, p. 29).

Interdependence and interaction between public authorities and private organizations will lead to the elaboration of truly functional programs and projects (Richardson and Jordan, 1979, p. 38). Thus, powerful offices enter the political networks that are responsible for the development of various public policies.

The interaction of public and private sectors will strengthen the official dominance in relation with governments but there are risk factors, that Weber called "Satrapenherrschaft"(interest or lobby groups) (Hogwood and Peters, 1985, p. 82).

Development of the third sector between public and private sector is another indicator that the independence of the office may be a prerequisite for beneficial cooperation between the two sectors (Hood and Schuppert, 1987, p. 113).

CHAOTIC BUREAUCRACY

March and Olsen in 1976 and then in 1989 developed a new set of principles for modeling organizational choice. They imagine a model that was applied to public decision making and especially public sector organizations or offices.

The "Garbage Can Model" identifies four main parts of the decision process:

- a) problems;
- b) solutions;
- c) participants;
- d) possibilities.

The model assumes that the result of decisions taken is given by the difference between a) and d) (of the problems and possibilities).

The model identifies trends in the office operations in terms of inefficiency and irrationality that can arise sometimes. He shows how the office functions fail them when they do not know what they want or how to act.

The introduction of "garbage can" model in the study of bureaucracy means eliminating radically the Weberian approach to administration. This shows a more pronounced the trend towards a post-Weberian theory of administration, increasingly rejecting Weber's original model.

BUREAUCRACY AS A BIDDER

Often you can find a high degree of dedication in bureaucrats for the office that they work in, leading ultimately to the establishment of a primary objective in its expansion.

William Niskanen in "Bureaucracy and Representative Government" (1971), has developed a coherent theory derived from the public choice approach for the bureaucratic behavior, that specifies "the extension of the office is a typical feature of bureaucrats. A fundamental characteristic of bureaucratic behavior is the tendency of bureaucrats to maximize the budget of those offices that specialize in providing those services that certain collective organizations want but cannot be offered by the market and that are not prepared to be received from private companies" (Niskanen, 1971).

Niskanen's model does not predict whether office inefficiency can be reduced or eliminated, because the theory is not about the losses of the office but the existence of an excess of demand. Thus the model assumes that if the sponsor has sufficient information, then it will reduce operations of the office until you get social efficiency.

Niskanen points out that orientation towards less bureaucracy and more market operations will result in social efficiency.

EXPANDING BUREAUCRACY

Webster dictionary, lists some of the properties of bureaucracy:

- A group composed of unelected government officials;
- An administrative decision-making group from any large organization;
- Systematic administration characterized by specialization of functions, objective qualifications for office, according to certain fixed rules and a hierarchy of authority;
- A management system characterized by constant fight for positions and power, lack of initiative and flexibility, indifference to human needs or public opinion, and the tendency to leave decisions to be taken by superiors.

Parkinson, Downs and Starbuck have analyzed and concluded that “the constant struggle over positions and power” is typical for the bureaucratic behavior. Hypothesis that bureaucrats maximize their own utility and that personal utility is a function of the office size is a simple one (Lane, 1995, p. 35). Equally simple is the assumption that growth is the essence of organizations, offices included". In fact, all organizations have an inherent tendency to expand. What distinguishes the offices is that they don't have many obstacles to expansion, and restrictions do not act automatically" (Downs, 1967, pp 16-17).

William Starbuck (1983) states that the growth is typical for organizations, because the size determines specific effects: economies of scale, better chances of survival, more resistance to external pressures, more stability and less uncertainty.

Arguably the expansion of the office should not be taken as such. Growth is risky because it can destroy the office.

BUREAUCRACY AS AN INSTRUMENT OF CONTROL

The concept of bureaucracy often involves the notion of concentration and power. Oxford Social Science Dictionary states that: "ideal bureaucracy refers to the principles of organization that find different degrees of expression in a variety of organizations. Its characteristics are: rationality in decision making, impersonality in social relations, routinized tasks and centralized authority."

This feature of offices, to concentrate power, can be interpreted in two ways: either by the tendency to centralize the entire hierarchy of the office - the centralization of the system, or the tendency of centralization may refer to the internal division of authority within the office.

According to the Oxford English Dictionary, a "bureaucrat" is "an official trying to concentrate administrative powers in his office." The result of these internal processes can be considered contrary to the centralized system - independence and irresponsibility of the office.

Gordon Tullock in "The Politics of Bureaucracy" (1965) considers autonomy of the office as a characteristic of modern the bureaucratic behavior and the result of this "bureaucratic free enterprise" is inefficiency, irresponsibility and waste.

BUREAUCRACY AS PUBLIC CHOICE

Representatives of this approach were the economists' adepts of the conservative market concept, Hayek (1944) and Friedman (1980). Two key ideas emerge from their papers:

- It was argued that government bureaucracy essentially restricts individual freedom and power had to be reduced in the name of "choice". The aim here is to reduce the scope of government and bureaucracy.
- Economists have argued that the traditional bureaucratic model structure did not provide equivalent incentives and rewards as good as the market. It is therefore axiomatic, less efficient than market processes (Hughes, p. 142).

These views have led to the development of the public choice theory. Promoters of public choice theory advocated maximizing individual choice on the grounds of individual freedom and efficiency. Public choice theory is essentially the application of micro-economic principles in social and policy areas.

There are two versions of bureaucracy that derive from the public choice theory: first specifies that bureaucratic behavior is affected not only by the public interest but also by private reasons, while for the second there is no notion of public interest.

The second version states that public officials maximize their own interests and that tends to maximize the size of the office.

It is not easy to separate the public interest from personal interest in regards to the motivational foundations in office. If official goals are successfully implemented, then officials will maximize results and there will be no incompatibility (Lane, 1995, p. 52).

According to standard principles of rational behavior, it is assumed that bureaucrats will try to maximize their own utility, thus, they will aim to increase their power, prestige and security as well as their income, using the hierarchical structure for their own needs instead pursuing the goals of the organization. Weber's model was based on the existence of a completely disinterested bureaucrat and motivated by high ideals, such as serving the state.

Public choice theorists agree that individual ambitions can lead to results that are not necessarily in the interest of the organization.

Bureaucratic organizations and markets have different organizational structures and Ostrom sees bureaucratic organizations as being less efficient than the choice made by means of markets. (Ostrom, 1974)

The competition, consumer sovereignty and choice provide opportunities at lower costs, things that are missing in the model of bureaucratic administration.

The arguments used in public choice theory are oriented, clearly, to reduce government and bureaucracy. The alternative offered is greater use of market structures.

Due to problems caused by bureaucratic model of public administration in the 1980s and 1990s there was a new management approach in the public sector. The new approach was called in different ways by different authors: "managerialism" (Pollitt, 1990), "new public management" (Hood, 1995), "market-based public administration" (Lan and Rosenbloom, 1992), "paradigm post-bureaucracy" (Barzelay, 1992), "entrepreneurial governance" (Osborne and Gaebler, 1992).

This new approach is characterized by:

- Provide a greater focus on employment outcomes and focus on personal responsibility of officials.
- Staff and more flexible employment conditions.
- Personal and organizational objectives must be clearly defined and delineated so that it is possible to measure results through performance indicators.
- Civil servants who are in leadership positions will be dedicated in terms of government policy rather than being neutral.
- The functioning of government will be market tested.

European organizations have already started to reform some essential components : hiring economists and management personnel and not only administrators, borrowing management techniques from the private sector, reducing the difference between public and private sector in an effort to cut costs and changing the working conditions within the system. Thus an increase in productivity followed.

EUROPEAN BUREAUCRACY

Throughout history political building meant also the development of the administration. Descriptions and complaints about bureaucracy in the EU are numerous, but the supra-national bureaucracy is not exactly replicating the national one. Firstly because the European Commission enjoys powers and privileges that no national bureaucracies have, and secondly, it is far too small to directly manage 500 million people.

The Brussels bureaucracy is largely dependent on the national administration. European administration is multilevel the same as its governance. The interaction between the two national and supranational levels is said to have led to a merger of administrations (Wessels, 1997, p. 170), thus fueling the Weberian thesis on bureaucracy from a particular perspective.

In other words, two aspects should be mentioned:

- First, the starting point of European political construction reminds us of the pre-modern state building- based on some kind of bureaucracy that is " commissarial management ", a term that highlights not only the administrative actions "stricto-senso" but and a political mission: an EU more integrated.
- Second, once the central bureaucracy is established, is often tends to decentralize power to agencies more or less independent for effective governance.

We will address the administrative merger through the commissarial management and the creation of European agencies. We will also address the question to what extent the bureaucracy can create problems for European construction. Commissarial management is problematic in the sense that its purpose is not only to manage a political space, but also encourage and speed up integration.

In his work "Economy and Society" (1973) Max Weber pointed out that bureaucratic power is a crucial factor in building a state. However he was not focused on the question of how countries are built by integrating certain regions, territories and administrations. This was a topic dear to some theorists such as Toqueville, Hintze and Schmidt and a plethora of historians who described how

medieval political decentralization of the state led after centuries to countries increasingly centralized in the pursuit of mixing legal, political, administrative and cultural goals.

At the beginning of the national integration processes, which began in early modern history, political decisions were mainly based on certain aspects: construction and imposing a fiscal system required for coherent foreign and security policy and dismantling barriers that protected provincial markets and specific production sectors. This meant the transformation of political and legal order of the provinces was done either by attracting leaders and administrations in the new order or their military domination.

In search of integration kings rarely relied on their own coercion, calling agents often able to impose local leaders the payment of a tribute to the center of a monarchy. These agents conducted their commissarial activities on behalf of the king. This analogy has obvious limitations; the EU does not have a king nor a monocratic center.

Bureaucracy commissioners' work in complete independence from the integrated regions, the King was delegating commissioners without roots in regions that were going to manage, as it should be in the EU, Commissioners should not represent Member States but European interests. Both would act on behalf of the idea that a new political order does not exist yet. To determine the provincial elites and Member States to move towards the new center, primarily bureaucratic elite is needed.

However, commissarial management will only work if that political order is based on the permissive consensus of the majority. Peace, security and socio-economic modernization ideology form the core of any integration. Relevant arguments must be repeated from time to time to preserve the ideas of integration. In today's Europe, peace argument is less important because the younger generations have not known the horrors of war.

European regulatory agencies

European regulatory agencies are not a new phenomenon in administration, although for Europe we wonder whether we are witnessing an "epidemic" of them. In general, willingness to delegate authority to non-majoritarian institutions, which have public functions but are not accountable to the electorate, seems to grow, due to regulatory requirements, information and coordination.

In order to handle the multitude of agencies created, we can differentiate them according to several criteria.

European Commission in "The operational framework of the European regulatory agencies", makes a simple categorization: executive and regulatory agencies.

Another distinction similar to the earlier was made by Chiti (2000, pp. 309-342): information agencies responsible for collecting and disseminating information and management and executive agencies.

The most complete typology is made by Gerardine and Petit (2004, p. 4), suggesting a more sophisticated differentiation, namely:

- implementing agencies as OHIM, CVPO, EMEA, and ECMA;
- observation agencies as EEA, EMCDDA, EUMC and EFSA, whose function is to collect, process and disseminate information;
- cooperation agencies as CEDEFOP, EUROFUND and EUOSHA that have been established with the task of providing a framework for social dialogue and exchange of expertise;
- executive agencies like ERA, ETF, operating as subcontractors of the European Commission with limited discretionary powers for the management of Community programs;
- agencies such as EMSA, EASA and ENISA which were founded to ensure the safety of economic activities.

Given the diversity in terms of functions, organization and powers we cannot speak of an EU regulatory model. Almost all agencies were created to conduct the activities clearly stated in the articles of association, all have legal personality and their primary function is to support the political process by providing information. But these agencies differ considerably in terms of organizational, financial autonomy and their accountability to European citizens.

But what role has this composed' administration "on the European administrative area?

First, the complex and diverse organization of regulatory agencies confirms the existence of multiple principles (being only indirectly accountable to the European citizen) in EU governance.

Second, the lack of clear procedural rules and conditions for their establishment, constrain the European citizen's right to decide what part of the authority will be transferred to agencies.

Thirdly, given that clear delineation of policy areas is difficult, the creation of agencies could increase competition between regulatory agencies and between agencies and the Commission. Besides the positive effects of competition, it can create unanticipated consequences such as avoiding certain responsibilities.

Fourth, who decides in what area to set up agencies? Some policy areas can benefit from preferential treatment being released from political control and benefiting from expert management.

In the age of more and more agencies we find some justification for their establishment:

- Efficiency argument: removing agencies from the direct control of ministers giving them autonomy and responsibility for regulatory activities, while remaining accountable to European citizens, will increase efficiency;
- Capacity argument: create an agency eases the work of central administration that can focus only on key issues;
- Epistemological argument: given the increasing number of administrative activities, the central government also needs additional expertise. This ensures that political decisions are taken in an efficient manner;
- Confidence and isolation argument: all political institutions are more or less regarded by ordinary people as "food areas" for politicians, thus they do not benefit from the full support the population. Objectively managing policies may help to win the lost confidence, since agencies increase the credibility of policy by taking certain key functions from political manipulation;
- Legitimacy argument: an efficient management increases the overall level of political legitimacy.

Also, well known are the counterarguments to the benefits of agencies:

- Fragmentation argument: the central administration capacity would be reduced by increasing disintegration and structural devolution of organizations leading to increased vertical and horizontal coordination problems;
- Non-independence argument: in practice, agency boards consist of representatives of states political parties and politicians;
- Responsibility argument: it applies in particular to independent agencies. The question is: How can we ensure that independence is not used for the implementation of policies and measures that contravene the European common good? Given the large number of agencies, lack of responsibility will increase, because effective control requires strengthening the central bodies of the EU;
- The deficit argument: the establishment of non-majoritarian institutions has undermined the possibility of political representatives to be responsible, and due to lack of time they will implement the policies suggested by the agencies.

Although there are many counterarguments, we believe that they can be addressed through: clear objectives for the respective agencies, setting up procedures in appointing boards to increase transparency, giving legal rights for ECJ oversight and parliamentary oversight of the agencies.

It seems that in the future we will be confronted with an increasing number of agencies in order to have more efficient EU governance. We are therefore facing a supranational state which withdraws slowly from the functions of redistribution or, as the euro-pessimists say, we are faced with a "nanny state".

In the EU, Europeans are prepared to tolerate the devolution of powers to the supranational level in the name of solving certain problems.

We do not know if they are aware of the multitude of existing agencies and the institutional diversity in which they operate. Access and accountability would be improved by reporting the agencies to the European and National Parliaments to control and punish errors.

So, there is nothing wrong with the creation of agencies as long as they are created according to treaties, and the activities and procedures they carry out are controlled by representative institutions of the Union, mainly by the Parliament.

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