



Universität Potsdam

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## Politicisation of Administration or Bureaucratisation of Politics?

The case of Germany



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## **Politicisation of Administration or Bureaucratisation of Politics? The case of Germany<sup>1</sup>**

‘Organising policy advice’ usually refers to research on the involvement of ‘classic’ external or semi-external actors for policy advice (like ad hoc commissions, advisory councils, think tanks or, more recently, professional management consultants) in government decision making (see e.g. Stone/Denham/Garnett 1998; Christensen 2005; Falk et al. 2006), or on the question of how knowledge transfer from other societal actors and sectors, especially the science sector, can be organized efficiently and effectively (see e.g. Weingart 2001; Schuppert/Vosskuhle 2008). But the picture remains rather biased and incomplete without looking at the civil service itself. In many countries, and especially in Germany, professional civil servants are by far the most important advisors of executive politicians. In Germany, the main task of government departments lies in the field of policy formulation and the preparation of government legislation, and this is the core competence of professional civil servants within the ministerial administration. They develop new programs and new regulations, assess (and dismiss) alternatives and deal with interest groups and external information. And, last not least, they are centrally involved in the coordination and conflict resolution between competing policies, programmes and ministries. Giving policy advice and negotiating policy issues is a core task of the ministerial bureaucracy.

As Hans-Ulrich Derlien has argued, without the ministerial bureaucracy neither the chancellor, the 16 ministries, neither cabinet nor even informal coalition-circles, and of course nothing at the EU-level, would be operational (Derlien 2003: 402), and even Parliament relies heavily on administrative support and advice. Wolfgang Zeh, a long term official of the *Bundestag* and for some years its director, noted that it is, for example, not unusual, in meetings of parliamentary committees, for ministerial officials to outnumber members of Parliament by a factor of two, and they are not just sitting there, but tend to take an active part in the committees deliberations (Zeh 1997; Goetz 1999: 172). The interesting question thus is, whether there are still two distinguishable careers and elites, one political and one administrative, or whether they are gradually merging into one 'political class'.

It is by now almost a truism that in western democracies the scope and complexity of state tasks have increased considerably during the last decades (see e.g. Holzer/May 2005, Fleischer 2010). One consequence of this development is a growing functional differentiation within the political-administrative system along sectoral lines (Mayntz et al. 1988). Policy programs and political decisions are developed in ever more specialized networks of policy experts from public administration (at supra-national, national, regional and local level), Parliament, science, interest groups and NGOs. At the same time we are seeing less functional differentiation along the political-administrative dimension. The Weberian ideal type of a clear-cut differentiation between the role and the tasks of politicians and bureaucrats has been replaced by the notion of blurred boundaries between the sphere of politicians and bureaucrats in the core executive, of a hybridisation of roles, functions and even party affiliations (Aberbach/Putnam/Rockman 1981). But these processes are not at all finished. The questions remains, how these relationships are changing, whether we are perhaps experiencing both a growing politicisation of bureaucracy and a growing bureaucratisation of politics, how these

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<sup>1</sup> This paper was presented at the 5th ECPR General Conference 2009 in Potsdam. We thank Jean-Michel Eyméri-Douzans and the participants of panel 453 (Organizing policy advice) for their helpful comments.

changes can be explained, and how they are influencing the democratic fabric of governmental systems.

For the case of Germany, there is no doubt that we have seen a change in the 'typical' career paths of bureaucrats, but also those of executive politicians in the last decades. While the usual top civil servant in Max Weber's lifetime, and even after the regime shifts after the first and second world wars, had absolved an uninterrupted career in the civil service, this career type lost its dominance during the 20th century (Derlien 1990: 368). Today we find more and more top civil servants, who bring professional experience from other sectors, not least the political sector with them. At the same time, many executive politicians have worked for at least a few years within public administration. Nevertheless, even recent empirical studies dealing with the careers of federal executive politicians and top civil servants in Germany state that the career patterns of these two groups are still clearly differentiated and that inter-sector mobility is still low (Derlien 2003, 2008; Schwanke/Ebinger 2006).

However, in recent times there appear to be many examples, or at least anecdotal evidence, for executive politicians who – before becoming Ministers – have only held top positions within public administration, without ever entering the 'dirty world' of elected politicians, and career politicians, or at least party politicians, becoming executive civil servants without the usual administrative career. Just to give a few illustrations:

- *Frank-Walter Steinmeier*, Federal Minister for Foreign Affairs from 2005 to 2009 and Deputy Chancellor from 2007 to 2009, started his short 'first career' as an academic and his 'second career' within the public service. After working at *Länder* level for several years and rising through the ranks, he became Administrative State Secretary of the Federal Chancellery in 1998 and was appointed Head of the Federal Chancellery one year later. Until running for the office of Federal Chancellor for the Social Democrats in 2009 (and also for the *Bundestag*) he has never held any elective office whatsoever.
- The former Minister for Justice, *Brigitte Zypries*, has also absolved a classic civil service career at the *Länder* level, was Administrative State Secretary of the Federal Ministry of the Interior from 1998-2002 before becoming a Cabinet member (and after that entering the *Bundestag*).
- And also the former Minister of Finance, *Peer Steinbrück*, has an almost 20-year background as civil servant, starting in the office of the Federal Minister of Finance (*Persönlicher Referent*), heading the office of the Minister-President of North-Rhine-Westfalia, becoming Administrative State Secretary in another German *Land*, before becoming Finance Minister there and being an executive politician ever since.
- There are even more examples at *Länder* level– most recently, in July 2009 the Social Democratic Minister of Finance in Rhineland-Palatinate, *Ingolf Deubel*, had to resign. His successor became the Administrative State Secretary of the Ministry of Economic Affairs, *Carsten Kühn* (also a well known Social Democrat). And, to bring matters to a head, a Parliamentarian was appointed as Kühn's successor.
- Also at the federal level we have seen careers like that. *Wolf-Michael Catenhusen* (originally a teacher) was a member of the *Bundestag* for many years, rising to chief whip of his party (*Erster Parlamentarischer Geschäftsführer*), becoming Parliamentary State Secretary in the Ministry of Education and Science after that, and



finally its Administrative State Secretary, a job usually reserved for career civil servants or perhaps outsiders, but not politicians.

- Or finally consider the career of our former President, *Horst Köhler*, who had a distinguished civil service career, starting in the Federal Ministry for Economic Affairs, also going to one of the *Länder*, heading the private office of the Minister-President there, going back to the Federal Ministry of Finance and rising to its Administrative State Secretary, after that becoming head of an association of banks, the IMF and finally being elected Head of State, the first elected office he ever held. But could one really claim, that he has never held a political office before?

Switches between political and administrative positions seem to be quite common in today's politics, or at least not so unusual any longer. Nevertheless, up-to-date empirical studies on this issue are lacking. This paper investigates the presumption, that in recent years top bureaucrats have become more politicised, while at the same time more politicians stem from a bureaucratic background, by looking at the career paths of both. For this purpose, we present new empirical evidence on career patterns of top bureaucrats and executive politicians both at Federal and at *Länder* level. The data was collected from authorized biographies published at the websites of the Federal and *Länder* ministries for all Ministers, Parliamentary State Secretaries (PStS) and Administrative State Secretaries (AStS) who held office in June 2009. Altogether, 380 biographies were analysed.

The paper consists of three parts: In the first part we give a (short) introduction into important characteristics of the German political-administrative system concerning the relation between politics and administration as well as between federal and *Länder* level. In a second part we present the empirical results of our study. Our findings for 2009 are compared with the results of a similar study of Hans-Ulrich Derlien who examined social backgrounds, professional training and career patterns of the federal executive elite between 1949 and 1999 (Derlien 2008)<sup>2</sup> as well as with other recent empirical studies on the political or administrative elite in Germany (Schwanke/Ebinger 2006; Kaiser/Fischer 2008; Gruber 2009; Fleischer 2010). In the last part of this article we discuss the possible changes in career paths of both executive politicians and top civil servants, how they can be explained, and whether this is a sign of a growing politicisation of top civil servants.

## Politics and administration in Germany

Germany is a federal state, consisting of 16 states called *Bundesländer* (in the following short: *Länder*). The federation (*Bund*) as well as the *Länder* are governed by a parliamentary system, i.e. by a cabinet<sup>3</sup> led by the Federal Chancellor (*Bund*) respectively a Minister-President (*Länder*). Both leaders of the respective governments need a parliamentary majority and usually head coalition governments. Each *Land* has a unicameral Parliament, the so called *Landtag*. The principle characteristics of the relationship between the legislature and the executive at *Länder* and at federal level are thus the same. The Parliaments are popularly elected, at federal level for four years and at *Länder* level typically for five years, and the head of government (Chancellor or Minister-President) is chosen by a majority vote among

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<sup>2</sup> We thank Hans-Ulrich Derlien († 2010) for providing a compendium of his codebook. We thank Anna-Maria Heisig and Markus Lubawinski for their assistance in preparing the data for 2009.

<sup>3</sup> In Berlin, Bremen, and Hamburg (the 'city-Länder'), the cabinet is called Senate, the Ministers are called Senators.

members of Parliament. Cabinet members are appointed by the Federal Chancellor respectively by the Minister-President. The federal Parliament is called *Bundestag*. Besides the *Bundestag* there is a representation of *Länder* governments at federal level, called the *Bundesrat*. The *Bundesrat* co-regulates federal law affecting *Länder* competences, and since the *Länder* are responsible for nearly all administrative tasks, has a strong say in all federal legislation.

Public administration in Germany is constructed on three levels: Federation, *Länder* and municipalities. However, only very few administrative tasks are carried out by federal administration. Responsibility for the implementation of federal law lies with the *Länder*, unless it is otherwise defined by the constitution (Basic Law). This is only the case for a few exceptions: civil administration of the military, embassies, the border police, inland waterways, customs and partly tax administration. Because of that, the federal administration lacks an administrative substructure, i.e. intermediate and lower authorities to a large extent (Bach/Jann 2009). While the *Länder* are responsible for the implementation of most laws, the Federation dominates the lawmaking process. Only a few lawmaking competencies remain at the *Länder* level. One institutional consequence of this constitutional division of competencies is that there is an intense vertical coordination between executive politicians and bureaucrats on federal and *Länder* level. In the literature these vertical executive networks are called '*Fachbruderschaften*' (sectoral brotherhoods, Wagener 1979). Because of these characteristics, the political-administrative system of the FRG is often referred to as 'executive federalism' with a high degree of 'joint decision-making' (*Politikverflechtung*) (Scharpf 1988, Benz 1999, Burkhart 2009, Fleischer 2010).

The main interest of this paper lies in the career patterns of executive politicians and top civil servants at *Bundes* and *Länder* level as important actors in the existing system of executive federalism. We restrict our research activities on the executive elite in federal and *Landes* ministerial departments and state chancelleries, because these authorities are the main institutions for preparing new governmental policies and law proposals. Departmental ministries in Germany are characterised by a strict hierarchy and a dominance of linear organisation (see figure 1). These organisational features are fixed due to the constitutional principle of minister responsibility (*Ministerverantwortlichkeit*). According to this rule, Ministers are formally responsible for everything that happens within their ministry and/or within one of the subordinated authorities. In Germany, each ministerial department both at federal and *Länder* level is headed by a single Minister. The number and the policy portfolio of ministries are defined by the head of government, the Chancellor at federal level or the Minister-President at *Länder* level. During the history of the FRG, the number of federal ministries ranged from 13 to 19 (Hustedt/Tiessen: 26), in many *Länder* the number of ministries is much lower (e.g. in the small *Saarland* there are only six ministries at the moment). Despite the fact, that all laws and important policy programs have to pass a cabinet majority (cabinet principle) and that the Federal Chancellor, as stated in the Basic Law, determines and is responsible for the general policy guidelines (*Richtlinienkompetenz*), Ministers in Germany have a much stronger position than in many other countries, and this principle also extends to the *Länder*. Every Minister conducts his ministry and policy domain independently (*Ressortprinzip*). Ministers are thus not subordinate to the head of government and he or she can not instruct them on how to handle specific questions within their ministries' affairs (Hustedt/Tiessen 2006: 24).

Until some decades ago, the Minister usually was the only person within a ministry who could clearly be classified as a politician. Ministers are cabinet members, usually belonging to a political party and often have held top party positions in the past, and most of them are

members of parliament at the time of their appointment, or seek to enter it in the next general election (Kaiser/Fischer 2009: 144). In 1967, a new political position in departmental ministries was introduced, the Parliamentary State Secretary. The PStS is not a civil servant, but a politician – and with few exceptions member of parliament. His main task is to establish a good working relationship between the ministry and parliament. In reality, the tasks of Parliamentary State Secretaries differ from ministry to ministry. Sometimes they are not involved in any administrative action at all and sometimes they have similar tasks as ‘normal’ Administrative State Secretaries (Von Bülow 1991, Hefty 2005), but usually their tasks are rather limited. They are not, as sometimes in other countries, vice-ministers. In the Federal Ministry of Foreign Affairs and in the Chancellery the PStS are called *Staatsminister* and are usually assigned special tasks. Most *Länder* governments do not have Parliamentary State Secretaries. Only in Baden-Württemberg and Bavaria so-called ‘Political State Secretaries’ exist which are *Landtag* politicians and – different from federal PStP – cabinet members. In Mecklenburg-Western Pomerania there is a Parliamentary State Secretary in the state chancellery, who is responsible for women and equality.

While Ministers and PStS are executive politicians (and not civil servants), administrative positions that are high up in the hierarchy of a ministry are usually held by so-called ‘political civil servants’ (*politische Beamte*). Political civil servants serve at the request of their Ministers and can be dismissed at any time without prior reason according to Federal Civil Service Law. The institution of ‘political civil servant’ and the ‘political retirement’ tradition in Germany date back to the middle of the 19<sup>th</sup> century. During this period, in Prussia the ‘life time principle’ for civil servants was introduced. This means that civil servants could no longer be dismissed unless they committed a civil offence. This provision raised the question of how to constrain the power of public administration, especially how to secure a distinct degree of ‘harmony’ between executive politicians and top bureaucrats. Therefore, in 1849 in Prussia, a new ordinance was introduced that contained, beyond others, an enumeration of leading positions within state administration. It was regulated, that civil servants in these positions could be temporarily retired by the King at any time. In the following decades, the position of a ‘political civil servant’ was introduced in many German provinces and, from 1871 on, at central state level (Schunke 1973). Today, at federal level, both Administrative State Secretaries (AStS) and heads of divisions (*Ministerialdirektoren*) are political civil servants. At *Länder* level, usually only the Administrative State Secretaries have a formal status as political civil servants.

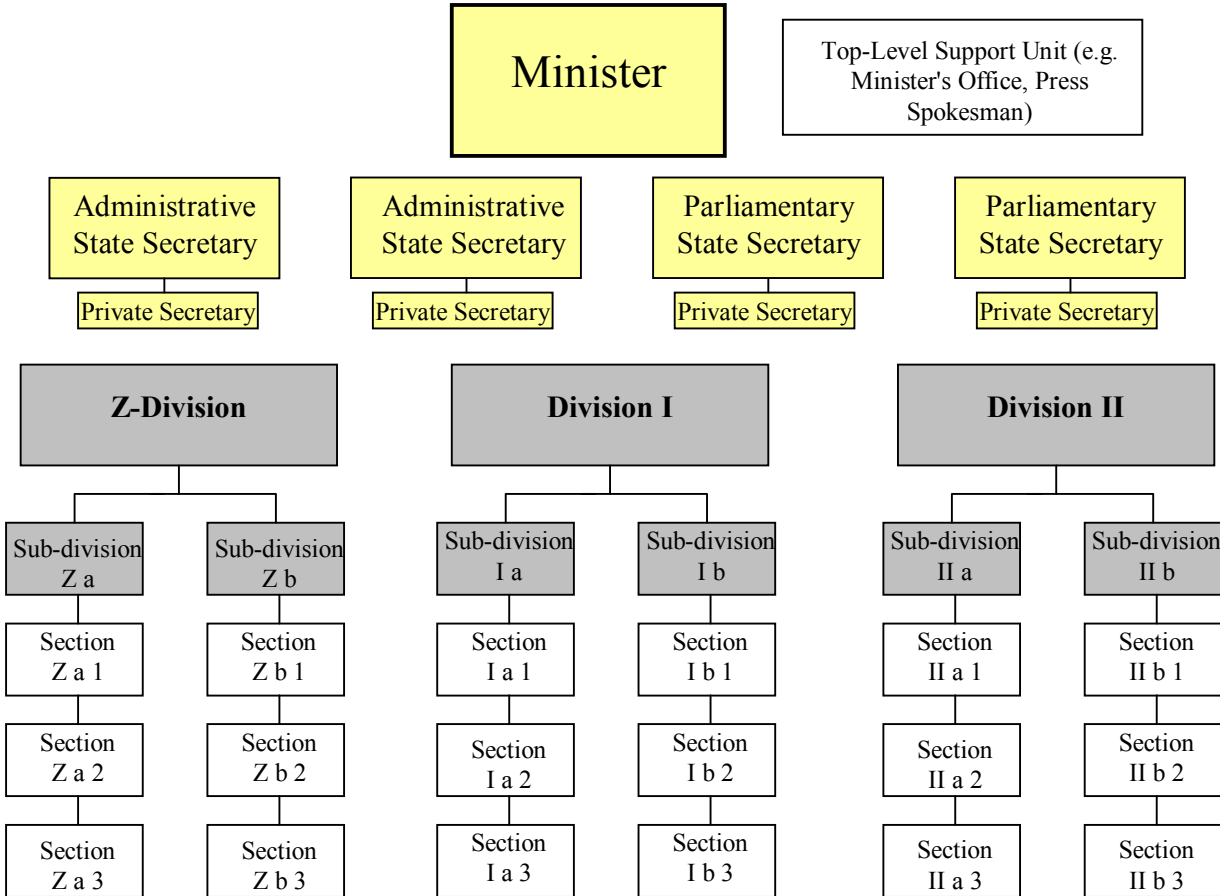
With regard to their internal organisation (in detail see Busse 1997; Goetz 2007; Jann/Bogumil 2009; Hustedt 2009), ministries at federal and *Länder* level are quite similar. The Minister leads the ministry, he or she is usually supported by one Administrative State Secretary (in large ministries up to three), who is the official head of the ministry and its employees (*Amtschef*), and at Federal level as well as in Baden-Württemberg and Bavaria by some Parliamentary State Secretaries. Based on their portfolio, ministries are divided into several divisions (*Abteilungen*). Usually, there is one division with responsibility for cross-cutting issues such as financing and staff (the so-called *Z-Abteilung*). The total number of the other divisions differs from ministry to ministry. At federal level, the Federal Ministry for Economic Cooperation and Development has only three divisions, while the Ministry of Finance has ten. Divisions consist of sub-divisions (*Unterabteilungen*, at the Federal Chancellery the sub-divisions are named *Gruppen*), sub-divisions are divided into even smaller units, the sections (*Referate*). Sections are often very small, it is not unusual that a *Referat* consists of only two or three desk officers. Outside the line organisation, most ministries have a top-level support and communications unit (consisting of e.g. the Minister’s office, sections for cabinet and parliamentary affairs, for international affairs, press and public

relations, speech-writers etc.), and it has been argued that in recent years the dominance of sections in policy formation and coordination, as described by Mayntz/Scharpf in 1975, has gradually declined, in favour of these political support units (Goetz 2007).

To sum up:

- Traditionally Ministers both at the federal and *Länder* level are career politicians and usually members of parliament (if not already when appointed, then at the next election).
- Also Parliamentary State Secretaries (PStS), which are only to be found at the federal level and in three *Länder*, are career politicians, and they usually have to be members of the respective parliament. Both Ministers and PStS are not civil servants. They automatically lose their job when the government changes.
- Administrative State Secretaries (AStS, Permanent Secretaries in the anglo-saxon world) are the official heads of all ministries, they are civil servants, and at least until recently most of them have been career civil servants, slowly rising to the top of an administrative career. They keep their positions after elections and the change of government.
- But both at the federal and *Länder* level these top administrators are 'political civil servants', i.e. they can be put on temporary retirement at any time without any reason given (at federal level AStS and heads of divisions, at *Länder*-level only AStS).

Figure 1: Internal organisation of federal ministries in Germany



Despite the fact that only a small number of all civil servants in government ministries are formally 'political civil servants' (at the Federal level about 150 of all in all 17.500 employees in federal ministries, i.e. less than one percent), observers often speak about a high degree of politicisation of civil servants in the German executive league. Traditionally, Germany tolerates a rather comprehensive politicisation of its civil service. All civil servants may, for example, be members of political parties, may run for parliamentary seats and in some ministries there are even organized groups of different parties for the employees (called ironically *Betriebskampfgruppen*).

The term politicisation of government bureaucracies of course reflects different aspects. Commonly, studies differ between functional politicisation, role understanding and party politicisation (Derlien 1996: 149; Rouban 2003; Schröter 2004). Functional politicisation refers to the active involvement of bureaucrats in political decision-making processes. Role understanding refers to the subjective role perception of civil servants. Party politicisation maps the percentage of civil servants who are members or sympathetic to a particular political party and deals with the role of party loyalty in recruitment practices for top positions within public administration. Empirical studies have shown an increase of party politicisation within the administrative elite at federal level (Derlien/Mayntz 1989) as well as at *Länder* level (Schröter 2004: 71), especially in the 1970ies and 1980ies. It has also been shown that the role perception of the political and administrative executive elite is ever more converging (Derlien 2003; Schwanke/Ebinger 2006). The degree of functional politicisation within government administration has always been high, and increased still more over the last decades (Schröter 2004: 76).

Nevertheless, at least until the end of the 20<sup>th</sup> century, there was a clear distinction between the career patterns of executive politicians and top civil servants in Germany. 'Mixed carriers' as politician and (later or before) as top bureaucrat were rather unusual. Despite a convergence of role perceptions and functions, career patterns did not seem to intertwine. But the question is, whether this is still true, whether there may be differences between the federal and the *Länder*-level, and how these two levels interact in this respect? While we have known about hybridisation of functions, role understandings, and even party affiliation between politicians and civil servants in Germany for quite some time (since the seminal study of Aberbach/Putnam/Rockmann 1981 and it's several replications), we do know very little about the possible hybridisation of careers and it's effects.

### **Converging career patterns of executive politicians and top civil servants?**

In this section we will try to present new empirical evidence that will give some insights regarding to changes in career patterns of the political and administrative executive elite. Based on this data, we argue that the growing politicisation of bureaucrats in Germany is mirrored in an increasing inter-sector mobility between politics and administration and a tendency toward a hybridisation of career patterns of executive politicians and top civil servants.

The data was collected from authorized biographies published at the websites of Federal and *Länder* ministries for all Ministers, Parliamentary State Secretaries (PStS) and Administrative State Secretaries (AStS) who held office in June 2009. In total, 380 biographies were analysed. Our data set enables a systematic comparison of the career patterns of actual positions holders within the executive elite at federal and at *Länder* level. While the results

for the federal level can additionally be compared with the comprehensive empirical material collected by Derlien for the federal executive elite 1949-1999, there is no comparable data set for the *Länder* level available. Therefore, developments over time can only be shown for the federal level.

### Federal level

At the time of our inquiry (June 2009), at federal level 69 Ministers, Parliamentary State Secretaries and Administrative State Secretaries were in charge. Before looking at their careers, we present some more general information about social and educational characteristics:

- Gender: Only 22% of these elite positions were held by women. In terms of gender, there is a considerable difference between political and administrative positions: Seven out of fifteen Ministers (including the chancellor *Angela Merkel*) and eight out of thirty Parliamentary State Secretaries are female, but only one out of 24 Administrative State Secretaries is a woman<sup>4</sup>. While there has been a considerable increase in the percentage of women in leading political positions during the last decades (Kinzig 2007; Derlien 2008: 297), there has been only very little change in the administrative top positions. Political careers are obviously more easily accessible for women, whilst female top civil servants still are an exception.
- Regional origin: Setting aside the under-representation of women - especially in the administrative elite - in terms of social structural characteristics another fact is remarkable: Only 7% of all federal elite members come from the Eastern part of Germany, the former GDR. As for gender, the under-representation again is much higher amongst administrative mandarins than amongst politicians: Not a single Administrative State Secretary has been socialised in East-Germany. According to the regional origin from different *Bundesländer*, it is striking that (still) more than one fourth (28%) of the federal political and administrative elite come from North-Rhine Westphalia, which of course was the home of the old federal capital Bonn. Taking into consideration that North-Rhine Westphalia and the territory of the former GDR have approximately the same total population, it becomes apparent that the distortion in terms of regional representation in the executive elite is quite high.
- Education: As might be expected, the political and administrative elite in Berlin 2009 possesses a very high degree of formal education. Except for one individual, all of them have a university education, 28% were awarded doctoral degrees. A doctoral degree is very common amongst Ministers and Administrative State Secretaries (almost half of them own a doctoral degree), but much more seldom amongst Parliamentary State Secretaries (8% have a doctoral degree). As for the subjects studied, the dominance of jurists (in the past often referred to as a ‘monopoly of jurists’, in German: *Juristenmonopol*) seems to be decreasing compared to what former studies have shown. While the percentage of jurists in the executive elite for the time period 1949-99 was at an average of 55%, it was at 37% in 1999 (at the beginning of the first government period of Chancellor Schröder, Derlien 2008: 302) and is still at a similar level now (36% in 2009). Apart from law, social science (22%)

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<sup>4</sup> The first female AStS at federal level was Gabriele Wülker (1957-59, Ministry of Family Affairs and Youth), in total there were only seven female AStS in federal ministries since 1949 (Fleischer 2010).

and economics (13%) are also common fields of study. In the area of executive politicians, social scientists tie almost level with jurists: 18% are jurists, 16% are social scientists and 14% have studied both subjects. In contrast to some other Western countries, no specific place of study exists for the education of Germany's future political and administrative elite, such as the famous *École Nationale d'Administration* (ENA) in France, for example. The data shows, that not even a set of popular or frequently preferred universities exists. Members of the federal elite in Germany have studied at many different universities all over the country, even though the recent strive for creating 'elite universities' may change that.

But what about the occupational careers of executive politicians and top bureaucrats before reaching their current office? Nearly half (45.5%) of federal executive politicians (Ministers and Parliamentary State Secretaries) in 2009 have worked as civil servants in public administration at some point of their career: 13.5% have worked in public administration for a time period between one and five years, 16% between five and ten years and the remaining 16% for more than ten years (see figure 3). These figures show that work experience in the civil service is quite common amongst federal executive politicians. But, the data also show a remarkable difference between Ministers and Parliamentary State Secretaries in respect of the hierarchical positions they have held during their employment in public administration. While none of the Parliamentary State Secretaries has ever been Administrative State Secretary or head of a division in a federal or a *Länder* ministry, several federal Ministers have been top bureaucrats before becoming politicians: 13% of current federal Ministers have formerly been Administrative State Secretaries at federal level and 20% of them have been Administrative State Secretaries at *Länder* level.

With regard to career types (see table 1), our data support the findings of several other empirical studies (see e.g. Gruber 2009: 255) that pure 'career politicians' are rather seldom (16%). Most executive politicians have pursued other professions before becoming full-time politicians, most of them in public administration (25% of the careers of federal executive politicians 2009 can be categorised as 'mixed civil service and political career'), in science/education (18%), in associations, interest groups or foundations (11%) or in freelancer professions (11%, mostly as lawyers).

While many federal executive politicians have professional experience as civil servants, the switching between sectors is not as common the other way round. Nearly 80% of the current Administrative State Secretaries in federal ministries have never worked in the political sector<sup>5</sup> (see figure 3). Nevertheless, 5 out of 24 Administrative State Secretaries have worked in the political sector in the past, most of them between seven and twelve years, three of them in leading party positions. Although all civil servants in Germany may run for parliamentary seats, this is rather unusual in practice. None of the current Administrative State Secretaries at federal level in 2009 has ever held elective office (a *Bundestag* or *Landtag* mandate) while at least one fifth of them has worked in the political sector earlier in their career. Work experience in the political sector is not uncommon, but – and this is important – at least at the federal level usually not as an elected politician.

Still, most Administrative State Secretaries in federal ministries have absolved one or several steps in the classic administrative career ladder: 37.5% of them have worked as heads of section in a federal ministry, 46% are previous heads of divisions, 25% were Administrative

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<sup>5</sup> Work experience in the political sector includes full-time elected offices (member of *Landtag*, *Bundestag* or European Parliament) as well as non-elected offices in the legislature or in political parties (e.g. staff members of members of parliament).

State Secretaries at *Länder* level in the past and 25% have repeatedly been appointed as Administrative State Secretary at federal level. Immediately prior to being appointed, most of them have worked in leading positions in federal ministries<sup>6</sup> (50%) or as heads of non-ministerial federal agencies or state owned companies (17%). 8% are recruited directly from top civil servant positions at *Länder* level and 17% are external recruitments. A longitudinal analysis by Julia Fleischer showed some changes regarding the previous positions of AStS at federal level in Germany: From approx. 300 post holders since 1949, an average of 91% held executive offices prior their appointment. The percentage of external recruitments ranges from 0% (cabinets of Adenauer II, IV and V, Erhard I, Brandt II, Schmidt I and III, Kohl I) to 33% (Schröder I). Even if external recruitments are still much rarer than recruitments from executive offices, it is remarkable that more AStS were recruited externally since the middle of the 1980ies than in the years before (Fleischer 2010).

Table 1: Career types by elite group in %

	n	UCSC	DCSC	Ext	MSCP	MSCE	MPE	PPC
<b>Ministers</b>								
1949-1999 F	174	0.6	0	-	16.1		83.3	
1999 F	18	0	0	-	16.7		83.3	
2009 F	15	0	0	0	26.7	0	53.3	20
2009 L	153	0.7	0.7	7.5	29.9	11	37.4	17.7
<b>PStS</b>								
1949-1999 F	142	0	0	-	18.3		79.6	
1999 F	26	0	0	-	19.2		69.2	
2009 F	30	0	0	0	24.1	0	62.1	13.8
2009 L	15	0	0	7.1	42.9	0	35.6	14.3
<b>AStS</b>								
1949-1999 F	229	41.5	13.5	-	41		1.7	
1999 F	22	18.2	9.1	-	54.5		9.1	
2009 F	24	29	25	17	12	17	0	0
2009 L	143	25.2	9.2	15.2	20.6	15.4	9.2	4.6

UCSC: uninterrupted civil service career

DCSC: deferred civil service career

E: External career (less than five years in the political or administrative sector)

MSCP: Mixed civil service and political career (less than 5 years not in the political or administrative sector)

MSCE: Mixed civil service and external career (less than 5 years not in the administrative sector or the respective external sector)

MPE: Mixed political and external career (less than 5 years not in the political sector or the respective external sector)

PPC: Pure political career

F: Federal level

L: *Länder* level

Source: Own data for 2009. The data for 1949-99 and for 1999 are taken from Derlien 2008: 309.

Comparing our data with the empirical inquiry of Derlien (2008) regarding the career types of the political and administrative elite at federal level in the time period 1949-1999, with respect to our research question the following findings should be stressed (see table 1):

<sup>6</sup> A longitudinal analysis by Julia Fleischer shows that in most federal Cabinets since 1949 the number of candidates recruited from other federal ministries has been lower than the number of candidates who became AStS in their 'home' ministry (Fleischer 2010).



- Amongst the administrative elite at federal level (Administrative State Secretaries), uninterrupted civil service careers have become less frequent since 1949. In the last decade, only about one fourth of all federal AStS belonged to this career type.
- A growing number of AStS has experience in political offices, but at the federal level usually not as elected members of parliament, but as professionals working for parties and/or parliaments.
- Nevertheless, still a majority of federal Administrative State Secretaries has absolved a rather ‘classical’ civil service career, even if many of them did not start this career directly after finishing their studies, but worked in another sector for a few years (less than five years in another sector before joining the public administration: ‘deferred civil service career’).
- While there is only little change in the career patterns of Administrative State Secretaries, the data shows that an increasing part of executive politicians has professional experience as a civil servant within public administration.

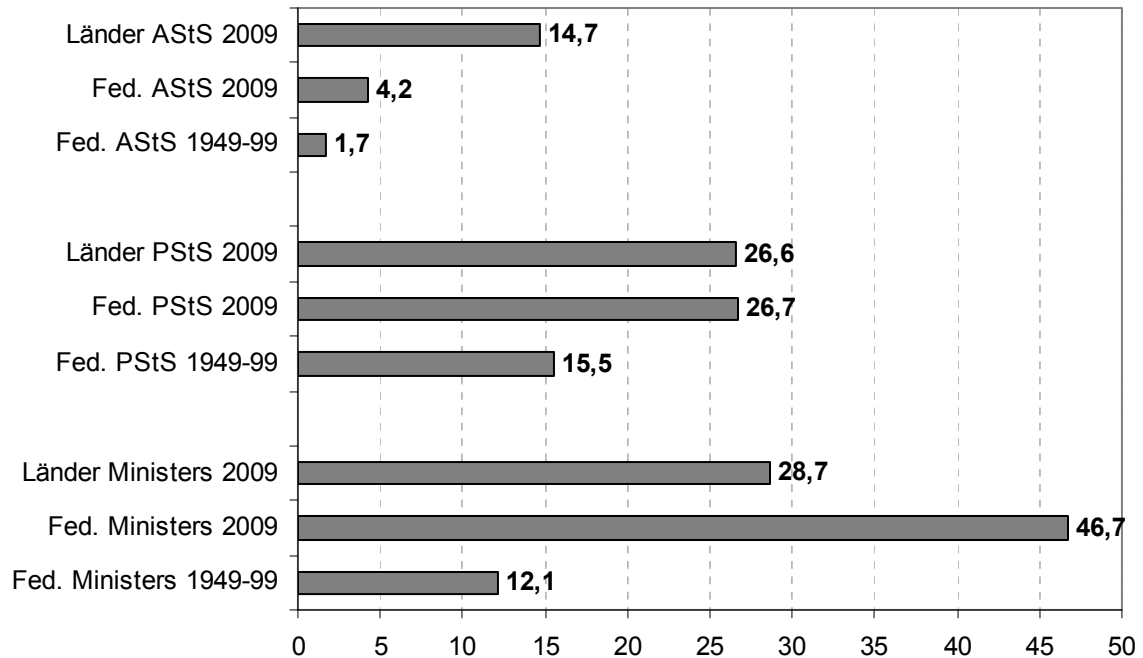
### Länder level

For the *Länder* level, we analysed a total of 311 biographies. Again first some general characteristics:

- Gender: As for gender equity, the total percentage of women in the elite positions under study is similar to the federal level (22.2% women at *Länder* level). There are some differences between East and West – the total percentage of women in the elite positions under study in the Eastern *Bundesländer* is slightly lower (17.6%) than in their Western counterparts. While the difference between political and administrative elite positions regarding to gender representation at federal level is large, the results for the *Länder* level are less diverging: 28.7% of all Ministers, 26.6% of all Parliamentary State Secretaries (only in Bavaria and *Baden-Württemberg*) and 14.7% of all Administrative State Secretaries in the German *Bundesländer* are female. Even though the percentage of female top bureaucrats at *Länder* level is considerably higher than at Federal level, the under-representation of women in the administrative elite is still substantial (see figure 2).
- Regional origin: Contrary to the federal level, the representation of East Germans in the elite positions at *Länder* level corresponds approximately to their share of the population. 19.1% of political and administrative top positions are staffed with East Germans. But again the percentage of East Germans in political positions (24.2%) is twice as high as in administrative top positions (12.7%), pointing towards much more permeable political than administrative careers.
- Education: Not very surprisingly, also the political and administrative elite at *Länder* level is characterised by a very high degree of formal education. Most of them have completed university or college training (92.8%/5.7%). 31.2% have even done a doctorate. Amongst all elite groups under study (Ministers, PStS, AStS), the percentage of jurists is a little higher at *Länder* level than at federal level. As at federal level, the percentage of jurists is highest amongst Administrative State Secretaries and lowest amongst Parliamentary State Secretaries. Amongst top bureaucrats at *Länder* level (AStS), both social scientist and economists are less frequent than at federal level, even compared to the time period 1949-

99 (see table 2). Instead, a considerable part of *Länder* AStS has studied humanities (14.5%), probably reflecting the importance of science and education at *Länder* level.

Figure 2: Percentage of woman in elite positions in Germany



Source: Own data for 2009. The data for 1949-99 and for 1999 are taken from Derlien 2008: 297.

Table 2: Subjects of study by elite groups

	law	law and social sciences	social sciences	economics	others
<b>Ministers</b>					
1949-99 F	40.1	-	18.0		41.9
1999 F	16.7	-	33.3		50
2009 F	20.0	20.0	6.7	6.7	46.6
2009 L	34.2	3.4	8.7	7.4	46.3
<b>PStS</b>					
1949-99 F	28.9	-	21.8		49.3
1999 F	11.5	-	38.5		50
2009 F	17.2	10.3	24.1	13.8	34.6
2009 L	21.4	14.3	14.3	21.3	28.7
<b>AStS</b>					
1949-99 F	54.7	-	23.3		22
1999 F	42.9	-	33.3		23.8
2009 F	43.5	0	30.5	17.4	8.6
2009 L	46.4	2.2	10.9	8.7	31.8

F: Federal level

L: *Länder* level

Source: Own data for 2009. The data for 1949-99 and for 1999 are taken from Derlien 2008: 302.

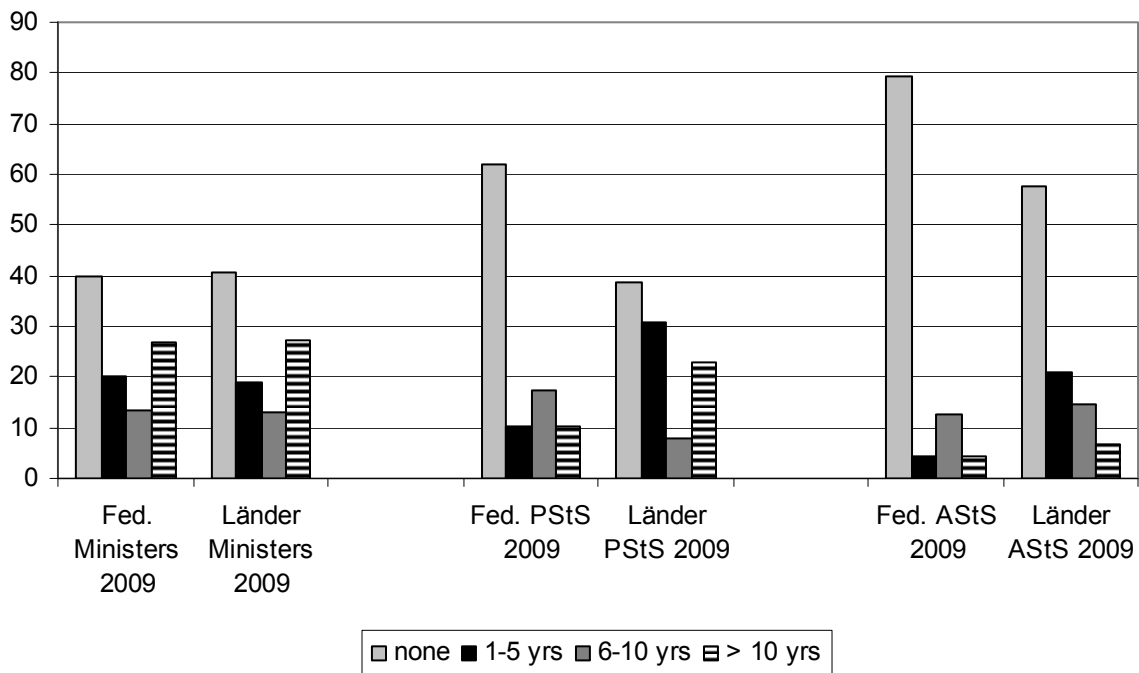
Regarding career patterns, the main result for the federal level was that professional experience within public administration becomes more important for executive politicians. Because of the characteristics of our federal system as described in the first part of this paper (particularly executive federalism and the disempowerment of the *Landtage*), it could be assumed that this tendency is even more apparent for the *Bundesländer*. Our data confirms this assumption.

Directly prior to their appointment as Minister in the actual *Länder* government ('pre-position'), 30% of these executive politicians have been members of the *Landtag* and another 4.6% have held a parliamentary seat in the *Bundestag*. 24.7% have already worked as *Land* Minister in the recent governmental period. 14.1% are externally recruited ('outsiders'), 5.3% come from the local level. But at least 11.3% have been Administrative State Secretaries at *Länder* level directly before becoming Minister and 4.7% have held other positions within the *Länder* administration (see figure 4 for the total percentage of recruitments from other sectors than the administrative). If you look one more step back in the career ladder, at the 'pre-pre-position' of *Länder* Ministers, the percentage of full-time politicians is decreasing (18.2% members of *Landtag*, 4.6% members of *Bundestag*, 13.4% *Land* Ministers), while the percentage of professionals outside politics and administration goes up considerably (23.3%). Also the percentage of civil servants (18.8) at *Land* level and positions holders at local level (8.6%) is higher than on the 'pre-position'.

Looking at the whole occupational career of *Länder* Ministers, it can be seen that 59% of them have work experience as civil servants in public administration (see figure 3): 19% have worked in public administration for a time period of one to five years, 13% between six and ten years and the remaining 27% for more than ten years. These figures show that long-term professional experience in public administration is very common amongst executive politicians in the German *Bundesländer*. And – this really has to be underlined – 24% of all *Land* Ministers in Germany in 2009, that is one quarter, have formerly been Administrative State Secretaries at *Länder* level.

To sum up, our data does not only show that professional experience in public administration is even more important for executive politicians at *Länder* level than at federal level, but that many Ministers have held top bureaucratic positions in the course of their career and even have moved from an administrative position as AStS directly to a political position as minister. This strongly supports our theses of increasingly blurring boundaries between the career patterns of politicians and bureaucrats at the core of executives and of growing inter-sector mobility, in at least one direction.

Figure 3: Work experience in the administrative sector (Ministers, PStS) respectively the political sector (AStS) by elite groups



But what does the data tell us about the opposite direction? Are these AStS, who become Ministers, really career administrators, or do they have crossed lines before? How many *Länder* top bureaucrats gained professional experience in politics before becoming Administrative State Secretary? While still nearly 80% of the current Administrative State Secretaries in federal ministries have never worked directly in the political sphere, this is true for a far smaller part of *Länder* AStS (57.5%). Experience in the political sector seems to be more common amongst *Länder* bureaucrats than amongst their counterparts at federal level (see figure 3). 20.9% of all *Länder* AStS under study have worked in the political sector for a time period of one to five years, 14.8% between six and ten years and 6.8% for more than ten years. 36% of them have even held a leading political position, either within a political party, in the *Landtag* or in local governments. In a few exceptions, Administrative State Secretaries have even been Ministers in the past (1.4%).

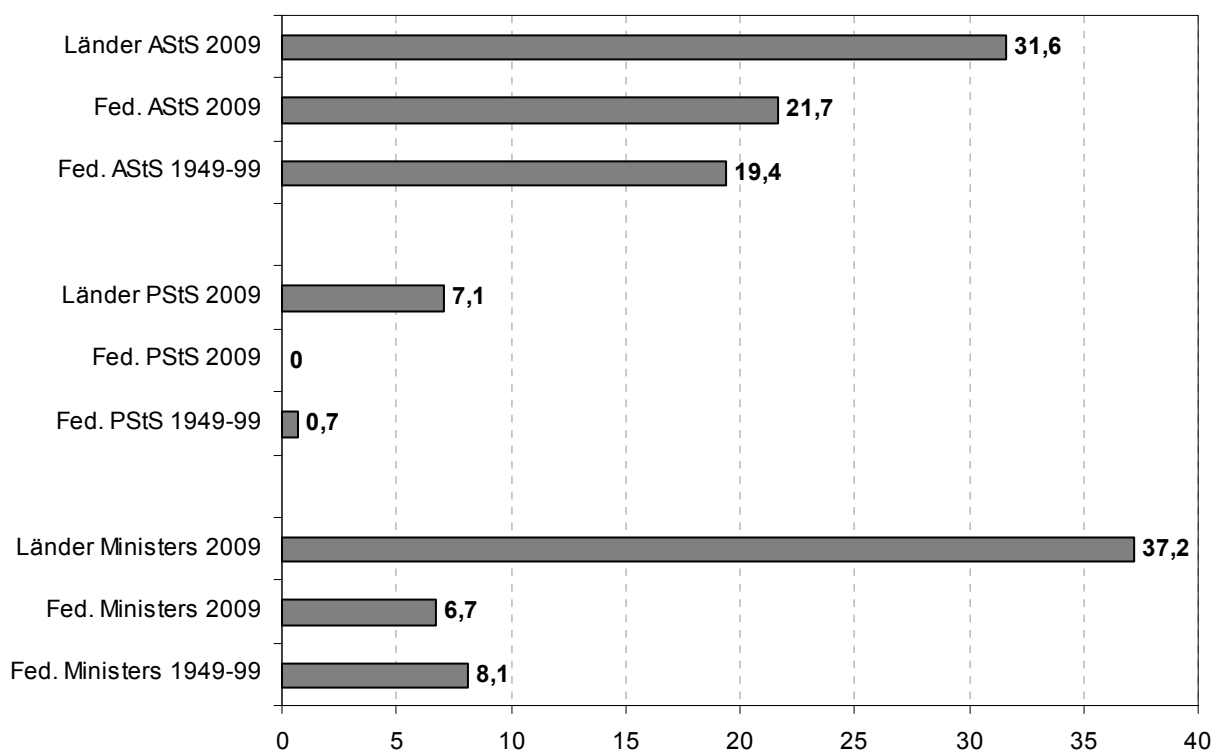
Nevertheless, a large part of Administrative State Secretaries of the German *Bundesländer* has absolved one or several steps in the classic administrative career ladder: 31.4% are previous heads of divisions of a *Länder* ministry and 27% have repeatedly been appointed as Administrative State Secretary at *Länder* level. There are also some ‘level switchers’ from the federal to the *Länder* level (1.4% have former been head of division and 5.8% have been head of section in a federal ministry). While it is quite common to switch from a top administrative position at *Länder* level to one at federal level, level switchers from federal to *Länder* level usually don’t come from the top positions, but rather from the top-middle management (head of section, head of sub-division) of the federal ministries. Immediately prior to being appointed Administrative State Secretary at *Länder* level, most of them have worked in leading positions in ministries (51%) or in non-ministerial agencies (6.6%) of a *Bundesland*. Only 2.2% are recruited directly from the federal level, 5.2% from the local level and 15.4% are external recruitments. Compared to the ‘pre-positions’ of federal Administrative State Secretaries, it is striking that a much higher percentage of *Länder* AStS has been recruited from another sector than the civil service (see figure 4).

One more important difference has to be highlighted: 16.1% of all AStS at *Länder* level have been members of Parliament (mostly *Landtag*) immediately prior to being appointed Administrative State Secretary. There is no empirical evidence of this kind of inter-sector mobility at Federal level, while it seems to be at least not unusual at *Länder* level. A further indication of a higher ‘politicisation’ in terms of career patterns at the *Länder* level (compared to the federal level) is given by the percentage of AStS who have obtained a parliamentary seat at some point of their occupational career. While none of the federal Administrative State Secretaries under study has ever held a *Bundestag* or a *Landtag* mandate and only 4.2% of them have held office at the local level, in total 29.6% of the AStS at *Länder* level have once been elected politicians. For 1% of them the highest mandate was a *Bundestag* seat, for 17% of them a *Landtag* seat and for 12% of them a seat in an elected representation at local level.

Comparing the proportional distribution of career types at *Länder* and federal level, some differences can be recognised (see table 1):

- First, careers of executive politicians at *Länder* level – even more often than at federal level – can be classified as a ‘mixed civil service and political career’ (which means that the person under study has worked for several years in both sectors and less than five years in neither the political nor in the administrative sector).
- Second, amongst Administrative State Secretaries classic administrative careers (both the ‘uninterrupted civil service career’ and the ‘deferred civil service career’) are less frequent at *Länder* than at federal level.
- Third, a remarkable percentage of Administrative State Secretaries at *Länder* level belong to the type ‘mixed political and external career’ (9.2%) and ‘pure political career’ (4.6%). Both results point to a higher ‘visible politicisation’ of top bureaucrats at *Länder* level than at federal level where no one of the current AStS belongs to these two career types.

Figure 4: Change of sectors regarding to 'pre-position' (in %)



Source: Own data for 2009. The data for 1949-99 and for 1999 are taken from Derlien 2008: 308.

### Summary and discussion of the empirical results

Based on our data, a 'visible politicisation' of bureaucracy mirrored by the appointment of politicians for top positions in the civil service can be shown for the *Länder* level, but not for the federal level:

- One sixth of all ASSts at *Länder* level have been members of parliament (mostly *Landtag*) immediately prior to being appointed Administrative State Secretary.
- Nearly one third of the ASSts at *Länder* level have once upon a time held elective political office.
- No ASSts at federal level has been member of parliament immediately prior to being appointed.
- None of the current federal Administrative State Secretaries has ever held a *Bundestag* or a *Landtag* mandate (even though we have seen examples of that earlier) and only one of them has held elective office at local level.
- Nevertheless, also for ASSts at federal level professional experience in the political sphere is not unusual – but in a more indirect mode. At least one fifth of federal ASSts has worked in the political sector earlier in their career as professionals for political parties or for the parliament.

At the same time a substantial 'bureaucratisation of politics' can be shown for both the federal and the *Länder* level, even if it is higher at *Länder* level:

- Both politicians and top civil servants often possess work experience in the other sector. The percentage of executive politicians and top civil servants with cross-sector work experience is considerably higher at *Länder* level than at federal level.
- Work experience in the civil service seems to be more important for executive politicians than direct work experience as elected politicians for administrative mandarins: About 60% of federal and *Länder* Ministers as well as of *Länder* PStS and at least 38% of federal PStS have been civil servants.
- Many executive politicians have held top bureaucratic positions earlier in their career: 13% of federal ministers have formerly been AStS at federal level and 20% of them have been AStS at *Länder* level. About a quarter of all *Länder* Ministers have formerly been AStS in *Länder* ministries.
- For executive politicians a change of sectors compared to their previous position is neither at federal nor at *Länder* level an unknown phenomenon, but it is much more common at *Länder* level: 27.1% of all *Länder* Ministers, but only 2.2% of all current federal executive politicians had a 'pre-position' in the public service.

To sum up, our empirical findings support the theses that the growing politicisation of bureaucrats in Germany is mirrored in an increasing inter-sector mobility between politics and administration and a tendency toward a hybridisation of career patterns of executive politicians and - to a lower extent – of top civil servants. This is particularly obvious for the *Länder* level, while the results for the federal level are more ambiguous, but even there we see more politicians with an administrative background (see table 1 'career types by elite group').

But our analysis also gives some hints that the relationship between political and administrative careers in Germany may be even more complicated and mixed than our data suggest. We have to distinguish different work experiences in the political sphere:

- First of all there are top-bureaucrats who have been elected politicians before joining the administration. They are still rare at top-administrative positions at the federal level, but are much more common at the *Länder* level (type A).
- Secondly, there are bureaucrats with work experience in political offices, i.e. working for political parties, but especially for members of parliament or parliamentary groups. Here we can see a significant number of top-bureaucrats who have gained this kind of experience during some time of their careers, both at the federal and the *Länder* level. Actually, we have to distinguish also here two types:
  - For one there are career-bureaucrats who leave their administrative home department for some time to work in the political sphere, thus "nailing their political colours to the mast", as Klaus Goetz (1997) put it. These are bureaucrats who gain political experience, before joining the administration again (type B1).
  - But we also see some officials, who have only worked for a party or parliamentary group, before joining the administration. They are political professionals, who gain administrative experience rather late in life (type B2).

- And finally, we have administrators, who stay within public administration, but early on in their careers join offices with a high political profile, i.e. becoming personal assistants to ministers or state secretaries (*Persönliche Referenten*, private secretaries), or working for political support units of ministers (type C).

All three (or four) types gain valuable political experiences which help them in their career, both towards a position as top-bureaucrat (as is more common), but also perhaps towards a top-political career as minister. There is in our view no doubt that all four types of mixed political and administrative careers have in Germany become more common in the last decades, both at the federal level, but also especially at the *Länder* level, where administrative experience seems particularly crucial, even though we have no comparative data for this level.

It is obvious that politicisation of administration, but also a kind of bureaucratisation of politics, in Germany goes way beyond the formal politicisation of 'political civil servants' (*politische Beamte*), and also the informal role perceptions and overlapping functions of both spheres. And it also goes much deeper than party politicisation. Many of these bureaucrats who gain political experience and reach top positions, and of course nearly all them who seek political office, are members of political parties (even though some of them may join a party rather late in their career). But this is certainly not why most of them get appointed. Membership of political parties is so widespread within German ministries that party affiliation is, if at all, very rarely the main reason behind a career to the top. There are far too many members of parties to choose from. It is much more what Klaus Goetz has named 'acquiring political craft' (Goetz 1997, 1999), which lies behind the careers of most top-bureaucrats. One variable (party membership) is manifestly insufficient to understand and to explain the complex relationship between bureaucrats and politicians in Germany.

As Goetz has argued, in Germany ministers enjoy a high degree of discretion and few effective restraints in deciding on promotions and even on hiring, and the more senior the position to be filled, the more discretion they can exercise. But the influence of ministers goes beyond that:

"Few would deny that, in addition to 'political officials' and leading positions in support units, there are posts in every ministry that the political leadership prefers to see filled by officials whose party-political sympathies are not in doubt. These posts will often include the personnel sections and also the sections dealing with policy principles and development. Even where a minister may be inclined to disregard political affinities altogether, loyal party supporters amongst his staff may well remind him of their existence." (Goetz 1997)

And also the recruitment of outsiders (*Seiteneinsteiger*) is common practice in the German senior bureaucracy. The favoured route of entry leads not only to the top positions, but to the political-support units, and chief recruitment reservoirs include the above mentioned personnel of the national parties and their regional suborganisations, but especially staff employed by the parliamentary parties, which is again very often on leave from their administrative positions. Thus "there is a fairly steady stream of outsiders into the higher Federal service, many of whom eventually reach top positions" (Goetz 1999: 160), and ever more there are mixed careers.

Crucial for this is the importance of 'political craft', both for politicians and administrators. Again in the words of Klaus Goetz:



"Political craft involves, in particular, the ability to assess the likely political implications and ramifications of policy proposals; to consider a specific issue within the broader context of the governments' programme; to anticipate and, where necessary, to influence or even manipulate the reactions of other actors in the policy-making process, notably other ministries, Parliament, subnational governments, and organized interests; and to design processes that maximize the chances for the realization of ministers' substantial objectives" (Goetz 1999: 148).

This kind of political craft is not only important and crucial for Ministers and parties, but also for ministries and policy sectors. If a ministry is interested in promoting its own policies and agendas, it must also be interested in nurturing this kind of political craft among its employees and officials. And this requires to create continuous opportunities for bureaucrats to interact with politicians and the outside world, not to interfere and restrict these interactions, since the exercise of political craft requires, amongst other things, "that senior officials are able to draw on personal networks of information and communication that extend beyond their own ministry" (Goetz 1999: 149f). In Germany this means that bureaucrats and politicians develop close personal relationships of trust, usually supported through a common political outlook.

Going back to our initial observation about a growing functional differentiation and professionalisation along policy sectors, and a loss of differentiation between politics and administration, this makes sense. We are observing not only a politicisation of bureaucracies, and a corresponding bureaucratisation of politics, but a common professionalisation of both spheres. In order to enhance policies not only professional, sectoral expertise is necessary, the traditional expertise of bureaucracy, but also political craft is indispensable. Both politicians and bureaucrats therefore have to share and develop their policy expertise, but both also have to develop political skills and knowledge. In the traditional image of hybridisation, politicians have still been first of all generalists and representatives of parties and interests, while bureaucrats have been seen as managers and specialists for certain policy areas. But if politicians want to control the policy specialists, with their superior knowledge and information, they need specialised policy experience and expertise, and if specialised bureaucrats want to strengthen their policy goals, or the goals of their organisations, they need political skills and experiences, and both need networks of information and communication which extends beyond their own sphere. Political parties therefore need individuals, who have both professional policy and political experience and contacts, as do bureaucracies and policy sectors or networks.

In Germany, the dividing line between political executives and civil servants is much less strict than in many other countries. There is in the ministerial administration no "preoccupation with a firm role differentiation and tight boundaries between the political and the administrative executives" (Goetz 2007: 170). This is not a totally new development, but has a long tradition. But it seems that the dividing line is becoming ever more blurred. Particularly at the *Länder* level also the differentiation between political and administrative top careers seems to disappear. The reason for this is not quite clear, but one explanation could be that there are far fewer political administrators of the B and C type there, than at the federal level, so type A (and also type B2) become common here.

Of course, there are dangers in these developments. These dangers do not so much lie in simple party political patronage, since a personnel policy based principally on patronage, and not an expertise, diminishes the quality of bureaucratic advice. Ministers who rely on advisors selected solely on their political allegiance, without specialized policy and politics expertise, will not see their policies go very far, both at the federal and *Länder* level. Still, too much

reliance on political skills may hurt the morale of ordinary bureaucrats, and may devalue policy expertise. But on the other hand there may also be a real danger that elected politicians are gradually replaced by high-skilled bureaucrats, without any direct contact to voters and local party organisations throughout their career. Also this does not look like an imminent danger in Germany, as our figures show, but there are some tendencies.

But when studying the ever changing relationship between politics and administration it makes sense, at least in our view, not only trying to understand the rising influence of politics and political expertise, but also the strengthening of bureaucratic and policy skills. The danger is not only that parties control policy making, ignoring or sidestepping policy expertise, but also that bureaucratic and sectoral policy expertise controls parties and parliaments, dominating agenda setting and policy formation. As quite often, these two dimensions are probably not organised along a single dimension, they do not represent a 'zero-sum game', but both probably develop somewhat independently. The growing emphasis on the interface between politics and administration in all kinds of systems and the strengthening of politics, also in systems with no tradition of partisanship in bureaucratic positions, suggests that it is, indeed, functional considerations and requirements, rather than simple party patronage, which accounts for these developments (cf. Goetz 1999). We need stronger, better informed and connected politicians in our ministries, and also stronger bureaucrats and policy experts. And we need a better understanding about how these two roles gradually change, converge and develop.

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