



# Unexplored aspects of bureaucratic autonomy: a state of the field and ways forward

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International Review of  
Administrative Sciences

2014, Vol. 80(2) 239–256

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DOI: 10.1177/0020852314524680

ras.sagepub.com



## Abstract

This article first provides a selective overview of the literature on bureaucratic autonomy and identifies different approaches to this topic. The second section discusses three major sets of open questions, which will be tackled in the contributions to this special issue: the subjective, dynamic and relational nature of autonomy; the complex linkages between tasks, organizational forms, and national path dependencies on the one hand and autonomy and performance on the other hand; and the interplay between autonomy, accountability and democratic legitimacy.

## Keywords

accountability, autonomy, independence, public sector organizations, regulatory agencies

## One concept, different research communities

The concept of bureaucratic autonomy is conventionally used in the public administration literature to characterize the leeway granted to some public sector organizations in the context of agencification and New Public Management reforms. In this special issue, to avoid the conundrum of finding a comprehensive definition of such a multifaceted concept (Verhoest et al., 2004), we specify a minimum common denominator to be considered as the core of bureaucratic autonomy: Autonomy means, above all, to be able to translate one's own preferences into authoritative actions, without external constraints (Maggetti, 2007). This definition is widely applicable and at the same time is consistent with the most sophisticated understandings of bureaucratic autonomy, i.e. Carpenter's conceptualization of

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autonomy as political capacity, forged over time through networks and reputation (Carpenter, 2001b, 2002). As a consequence, the notion of autonomy not only incorporates the implications of a principal–agent relation, but it is also the result of public sector organizations' embeddedness in complex multi-actor configurations that shape their independence and control.

A major part of public organization research has focused on the (relative) autonomy of these public sector organizations called 'agencies' (Pollitt et al., 2001, 2004). In the fields of political science, regulatory studies, public administration and organizational studies, different research communities have dealt with this topic, encompassing a quite substantial number of scholars who build upon each other's work. These research communities partially overlap and do not constitute fully separate research traditions (Flinders, 2009). However, each one relies on a distinctive approach that is quite homogeneous in the way it conceptualizes, operationalizes and studies the phenomenon of bureaucratic autonomy. Three main communities can be identified with respect to their research agendas on bureaucratic autonomy.

### *The study of structural choice, institutional design, 'principals' and 'agents'*

In the 1980s, a number of North American public lawyers pointed to the crisis of the US regulatory state, in the context of the expansion from economic to social regulation, potentially leading to implementation failures and control problems (Moran, 2002). The answer has been to focus on the study of institutional design in order to examine the appropriate mechanisms of control over bureaucracy and autonomous agencies, representing the 'fourth branch of government' (Epstein and O'Halloran, 1999; Moe, 1990). These models are typically operationalized with insights from game theory. For instance, the process of policy execution has been illustrated as a game among legislators, the chief executive and bureaucratic agents to whom authority is delegated, whereby the latter try to maximize their discretion and the former seek opportunities for optimal oversight and control (Calvert et al., 1989). In this vein, Snyder and Weingast studied how elected officials may influence regulation through the appointment of agency leaders (Snyder and Weingast, 2000). Spiller investigated the strategic interactions between agencies and courts using a three-level game (Spiller, 1998). Huber and Shipan showed how elected politicians can steer the policy-making process in a context where electoral laws, the structure of the legal system and the professionalism of the legislature shape bureaucratic autonomy and their relationship with agencies, using a transaction cost approach (Huber and Shipan, 2002). Applications of this approach to parliamentary systems and Western European democracies include work on historical-cultural explanations of the institutional design of regulatory agencies (Yesilkagit and Christensen, 2010) and on the impact of credible commitment and policy complexity on the autonomy of regulators (Elgie and McMenamin, 2005).

The principal–agent framework (PA) is usually applied to operationalize the micro-foundations of the relationships between elected politicians and bureaucracies, namely to analyse the mechanisms underlying the rationale of delegating public authority from governments to autonomous agencies and its implications (Pollack, 2002). In essence, the PA model, drawing from the theory of the firm, describes the relationship between a principal and an agent in a structure of delegation where the principal should minimize any possibility of an agent’s shirking, which may derive from asymmetric information (in favour of the agent in charge of implementation), moral hazard (due to the misalignment of the principal’s and the agent’s preferences) and adverse selection (when the quality of the agent’s services are not as expected before delegation). Majone criticized the use of PA models for portraying the functioning of those public sector organizations that display the highest degree of autonomy, that is, independent regulatory agencies (IRAs) that benefit from formal independence from politicians (Majone, 1997, 2001b). According to his argument, the need for credibility, a core element of the official rationale for delegating public authority to independent regulatory agencies, requires that the government’s powers and competencies be substantially transferred to the independent body according to a fiduciary mode of delegation, similar to a ‘trustor–trustee’ relationship.

However, a number of important contributions extended the PA principle by modelling the credibility problem with a broader analytical framework (Bendor and Meirowitz, 2004; Crombez et al., 2006; Gordon and Hafer, 2007; Horn and Shepsle, 1989). In particular, on the one hand, the question of policy expertise was incorporated into the formal study of bureaucratic autonomy. A trade-off was found between the possibility of controlling bureaucracies and the delivery of expertise (Bawn, 1995). At the same time, the endogenous development of policy expertise in the civil service was found to be positively conditioned by the politicization of bureaucracies, creating another dilemma for bureaucratic autonomy (Gailmard and Patty, 2007). Ultimately, it is possible to qualify the credibility problem with the observation that delegation to agencies is expected to be particularly effective when very complex issues are at stake, because agencies retain an informational advantage over the policy process (Callander, 2008). On the other hand, recent empirical research has focused on the politics of delegation including the study of the causes and consequences of the appointment and removal of bureaucrats by their political principal, of how and why agencies develop their sector-specific expertise over time, and of the politics of bureaucratic organization shaping their capacity for effective performance (Moe, 2012). In this vein, Carpenter engaged with the PA model from the reverse angle, that is, by highlighting how bureaucrats can gain autonomy with a process of reputation-building over time, wherein they become active political ‘players’ and eventually may exert considerable political power and shape public policies (Carpenter, 2001a, 2002, 2010).

### *The examination of the establishment, diffusion and independence of regulatory agencies*

Empirical research in comparative political science and public policy analysed the proliferation of independent regulatory agencies across Europe and beyond, in a wide range of sectors: utilities, finance, pharmaceutical, electricity, telecommunications, environmental protection, and so forth (Coen, 2005; Coen and Heritier, 2005; Gilardi, 2002, 2008; Jordana and Levi-Faur, 2004; Levi-Faur, 2004, 2006; Thatcher, 2002a, 2002b; Wonka and Rittberger, 2010; Yesilkagit and van Thiel, 2008). Gilardi examined these phenomena of policy diffusion, suggesting that governments have two distinct types of rational incentives to delegate competencies to IRAs (2002). Governments may decide to tie their own hands in order to create credible commitments that bypass the electoral cycle and to deal with the problem of political uncertainty by securing their political choices for the future. However, he explained, phenomena of delegation are also shaped by non-functional factors. The diffusion of IRAs across Europe followed a sociological process of emulation, where governments adopted such an institutional model, as it was socially valued and represented the 'taken-for-granted' solution to a given problem (Gilardi, 2005). Levi-Faur and Jordana expanded the scope of the regulatory state literature by identifying the phenomenon of agencification as part of a global structural transformation towards a new form of governance beyond the state, that is, regulatory capitalism (Levi-Faur, 2005). The emerging regulatory order, which is characterized by a 'new division of labour between state and society', also implies the proliferation of new technologies of regulation. Accordingly, regulation seems to increase despite efforts in the opposite direction, given that the rationale for the creation of IRAs seems even stronger than the rationale for liberalization and privatization. This new regulatory order is said to be global, as regulatory governance by independent agencies is diffusing worldwide, through both cross-sectoral and cross-national channels (Jordana et al., 2011).

The formal aspects of independence are one of the primary dimensions that political principals can control when delegating powers to regulatory authorities. However, some scholars noted that formal independence does not automatically translate into independence in practice. The term 'de facto independence' was introduced by Maggetti to connote the extent of agencies' effective autonomy as they manage their day-to-day regulatory activities (Maggetti, 2007). The level of agencies' de facto independence should be conceived of not only with reference to elected politicians, but also with respect to representatives of the sectors targeted by regulation, which constitute the 'second force' in regulation (Thatcher, 2005). In fact, regulatees have both incentives and resources to reduce the autonomy of agencies, as argued most forcefully by the 'capture theory' of regulation (Pelzman et al., 1989; Stigler, 1971). Therefore, de facto independence can be seen as the combination of two components, namely the (relative) self-determination of agencies' preferences and the (relative) lack of restrictions during their

regulatory activity, both with respect to elected politicians and regulatees (Maggetti 2007, 2009, 2012).

Recent developments in this research agenda primarily relate to the involvement of agencies in regulatory networks and the effect of these networks on the autonomy of agencies (Coen and Thatcher 2008a, 2008b; Eberlein and Grande, 2005; Eberlein and Newman, 2008; Maggetti and Gilardi, 2011). Another emerging set of research questions concerns the interplay between the independence and accountability of regulatory agencies at national and supranational levels (Koop, 2011; Lodge, 2004; Maggetti, 2010; Scott, 2000).

### *The mapping of organizational and perceptual data on autonomy and control*

Another research community with some degree of internal homogeneity, which has studied organizational autonomy in the public sector during the last decade, is to be found in the field of public management and organizational studies. This community predominantly uses survey methodologies to measure perceptual data on organizational autonomy and control in a comparative perspective. The COBRA network (Comparative Public Organization Data Base for Research and Analysis) founded by Geert Bouckaert and Guy Peters and the affiliated COST-funded CRIPO network (Comparative Research into current trends In Public sector Organizations) are two examples of this community (Verhoest et al., 2010). Other scholars can be considered more or less close to this research community by the use of similar methodologies and the pursuit of related research questions (Bogumil and Ebinger, 2008; Egeberg and Trondal, 2009; Wonka and Rittberger, 2010; Yamamoto, 2006).

The COBRA-CRIPO network builds upon a research agenda that approaches organizational autonomy and the way public sector organizations are controlled as multi-dimensional and fundamental features of all public sector organizations, which determine internal behaviour and performance of these organizations (Bouckaert and Peters, 2004). 'Agencies' are conceptualized in a broad way, encompassing different types of public sector organizations with extended autonomy, compared to traditionally controlled ministries and departments. This approach puts a special emphasis on the distinction between formal and de facto autonomy and control, in line with the above-mentioned research community working on regulatory agencies, and on the measurement of autonomy through the self-perception of agency managers (Verhoest et al., 2004; Yesilkagit and van Thiel, 2008). The underlying assumption is that agency managers will act upon the autonomy they perceive to have and the control or influence they perceive to be confronted with, rather than following the formal affiliation of their organization. What is more, autonomy and control are mostly studied as a dyadic relation between agency and its minister and/or parent department. Besides work that seeks to categorize agencies according to their formal characteristics (Bouckaert and Peters, 2004; Bouckaert and Verhoest, 1999; Rolland and Roness, 2010; Van

Thiel, 2011), empirical research points towards cross-national comparison of the autonomy and control of agencies (Verhoest et al., 2012). This stream of research typically attempts to explain autonomy and control by referring to sectoral and organizational factors (Bach and Jann, 2010; Painter and Yee, 2011; Verhoest et al., 2010), while the study of the explanatory power of country-level factors (e.g. politico-administrative regimes) has been rather limited until now. Progress has been made in studying the effects of autonomy and control on performance management and the use of other internal management tools (Lægreid et al., 2006), innovative behaviour and culture (Lægreid et al., 2011), accountability (Verschuere et al., 2006) and performance (Lægreid and Verhoest, 2010).

Recent research on agency autonomy within the public management and administration research communities has begun to explore new research questions and to adopt new approaches. Data gathering expanded towards non-European countries (Painter and Yee, 2011) and towards governmental levels other than central government organizations by examining supranational and local agencies (Barbieri and Ongaro, 2008). The availability of a large number of organizations within multi-country databases allowed researchers to examine how country-level and organizational factors interact in explaining agency autonomy. In order to overcome the limitations of survey data and in the search for a better understanding of the interplay of explanatory factors, more effort is also being increasingly directed to intensive case studies (Demuzere, 2012; Rommel, 2012; Verhoest, 2005; Verschuere, 2009) and longitudinal mapping databases (Lægreid and Verhoest, 2010). Finally, some progress has been made in investigating the involvement of agencies in policy making, as well as the relation between autonomy and trust (Van Thiel and van der Wal, 2010; Van Thiel and Yesilkagit, 2011; Verschuere et al., 2006).

The following sections build on this selective literature review to identify the three main open questions regarding the study of bureaucratic autonomy, and introduce the contributions to this special issue by showing how they tackle these questions.

### **The first set of open questions: the subjective, dynamic and relational nature of autonomy**

As was argued some time ago, research on the organizational autonomy of public agencies adopts too heterogeneous definitions of autonomy and, at the same time, a too restrictive conceptualization of it (Christensen and Lægreid, 2006; Verhoest et al., 2004). The concept of bureaucratic autonomy should be extended to include all relevant dimensions but, in order to maintain its analytical leverage, it cannot be stretched too much. The development of a more coherent approach to autonomy should also allow researchers to reach a higher level of abstraction, generalization and applicability. As mentioned above, some studies drew inspiration from these and similar considerations by investigating the distinction between the formal and the factual independence of agencies (Maggetti, 2007, 2012; Verhoest et al., 2004;

Yesilkagit and van Thiel, 2008). The study of bureaucratic autonomy requires two additional analytical extensions. First, although recent work by the COBRA network and others acknowledges the perceptual nature of autonomy, most of the current definitions and operationalization of autonomy and independence are imposed by the researchers upon reality. To our knowledge, a genuine in-depth investigation of how bureaucrats, regulators or politicians understand the concepts of autonomy and independence is lacking. If one argues that autonomy and/or independence only affects behaviour when it is perceived to be present, we also need to know how respondents define and construct this concept. The first contribution to this special issue by Carolyn Jackson explores this subjective dimension. It systematizes and expands the concept of regulatory independence through a qualitative analysis of the ways it is understood by different stakeholders, such as agency commissioners, policy departments, citizen advocacy groups and regulatees.

Second, a comprehensive view of bureaucratic autonomy should include other relevant aspects, namely a dynamic perspective and the examination of the relational nature of autonomy in a multi-actor and multi-level context. Therefore, on the one hand, autonomy should be investigated over time, according to changing administrative, political and societal factors. It is worth recognizing that autonomous agencies are the product of an historical trajectory and that they are embedded in institutional structures that were already in place at the time of their creation. These path-dependent features in combination with contextual factors are likely to trigger different processes of institutional change that may have an impact on the organizational form and on the performance of autonomous agencies. On the other hand, the relational nature of autonomy in a multi-actor and multi-level context deserves more attention. Autonomous agencies operate within supra- and transnational, national, regional and sectoral networks in which they interact with other agencies, stakeholders, the public and the media. How do these different actors and networks shape bureaucratic autonomy? There are important recent developments related to this issue. The work of Egeberg and Trondal on multi-level administration investigates the extent to which national agencies are controlled, not only by their own ministers but also (and maybe even more so) by the European Commission and affiliated agencies at the EU level (Egeberg and Trondal, 2009). Similarly the recent work of Wonka and Rittberger studies multi-actor influence on EU agencies' staff (Wonka and Rittberger, 2010). The work on regulatory networks and the way they influence national agencies' actions is very relevant in this regard as well. Yesilkagit and van Thiel developed an horizontal conception of autonomy suggesting that agencies interact with many other actors in the politico-administrative system and with societal actors: pressure groups, interest groups, consultants, public opinion, clients, target groups, the media, and so forth (Yesilkagit, 2011; Yesilkagit and van Thiel, 2008). Most of this recent research is, however, based on surveys with predominantly single-dimensional conceptions of multi-actor influence (i.e. organizational autonomy is measured by multi-actor influence, rather than operationalizing the effect of multi-actor influence on organizational autonomy), an approach that neglects the interactive

dynamics between organizational autonomy and multi-actor influence. The different ways in which public sector organizations themselves can ‘forge’ autonomy in their environment require thus more systematic study (Carpenter, 2001b). In-depth case studies on these dynamics might yield important insights, which are as yet missing in contemporary literature.

The second and third contributions of this special issue elaborate precisely upon the dynamic and relational nature of organizational autonomy. Martino Maggetti shows in his article how autonomous agencies are progressively institutionalized over time, by analysing the historical development and reform of the main regulatory authorities in Switzerland, namely in the financial sector, utilities and competition, from a historical-institutional perspective. In the third contribution, Jan Rommel and Koen Verhoest use in-depth case study evidence on the Flemish energy regulator to explore how interactions and coordination within multi-actor and multi-level regulatory constellations might impact on the autonomy of regulatory agencies vis-à-vis their minister.

### **The second set of open questions: the complex linkages between tasks, organizational forms and national path dependencies on the one hand, and autonomy and performance on the other**

The second step is the study of the interplay of tasks, organizational factors and national path dependencies. The Task Specific Path Dependency perspective as developed by Pollitt et al. (2004) indicates that agency autonomy is related to both tasks and country-level factors. Recent research has indeed shown that tasks, country-level factors and structural-organizational features interact in explaining agency autonomy (Gilardi, 2008; Læg Reid et al., 2008; Verhoest et al., 2010). It remains to be determined which of these sets of factors account the most for agency autonomy, or whether specific configurations of structural-organizational, task-related and country-level factors that influence each other are needed to explain different levels of autonomy and control. The first set of factors refers to the formal structure of agencies. According to this theoretical perspective, formal structure affects organizational behaviour as it defines the positions of actors and the rules determining who will perform a particular task and how this task should be executed (Christensen and Læg Reid, 2007; Egeberg, 1999). Task division between ministers and agency managers is expected to affect de facto autonomy, according to the concept of instrumental rationality, which indicates that rational policy makers design formal structures that allow agencies a predefined level of autonomy. The level of structural disaggregation can be measured by the legal agency type, ranging from departmental agencies without legal identity to agencies with a public law or private law status. The latter are further away from the centre of government and are expected to have more autonomy, a view supported by Egeberg and Trondal (2009), Painter and Yee (2011), but not entirely confirmed



by Bach and Jann (2010), Maggetti (2007), Verhoest et al. (2004) or Yesilkagit and van Thiel (2008). The internal organization of the agency also plays a role. For instance, agencies with 'regional branches' are expected to be more embedded in regional networks, leading to increased autonomy and reduced ministerial oversight, as compared to agencies without a territorial component (a view supported by Læg Reid et al., 2008, but not by Verhoest et al., 2010). Agencies with a governing board are usually more autonomous, because the board can balance the influence of the minister with other interests, e.g. clients and experts (Verhoest et al., 2010, versus Bach, 2010). Thirdly, larger agencies in terms of staff are assumed to have more structural capacity and more autonomy (Egeberg and Trondal, 2009; Verhoest et al., 2010). Larger agencies have more resources for agencies to perform their tasks (Hawkins and Jacoby, 2006; Verschuere, 2006), to build up their expertise and power, and thereby resist controls from superior bodies (Carpenter, 2001b). However, other empirical studies found a negative relation between agency size and autonomy (e.g. Bach, 2010, for German agencies). Therefore, the evidence remains still quite inconclusive about the effects of formal structural-organizational factors on the autonomy of agencies.

Existing empirical studies focusing on how task characteristics affect the autonomy of agencies do not seem to be much more consistent in their results. The task-oriented perspective, to which these studies adhere, emphasizes that organizational forms and practices follow a functional adaptation to the aims and tasks of the organization. Different aims and tasks need specific organizational structures that also enable or constrain what an organization can actually do. Several variables have been identified in this perspective. According to rational choice arguments (cf. principal-agent theory and transaction cost theory), service delivery tasks are more easily measurable and can be autonomized more effectively than other tasks, a view supported by Lonti (2005) and Verhoest et al. (2010), but not by Pollitt et al. (2004). According to credible commitment theories, agencies with regulatory functions will have more autonomy because markets require time-consistent commitments. Politicians cannot deliver such commitments themselves, because of the short-termism of electoral cycles, so they delegate tasks to independent regulators. This argument is supported by many empirical studies (e.g. Gilardi, 2002; Majone, 1997) but not so clearly confirmed by others (e.g. Bach, 2010; Painter and Yee, 2011; and Verhoest et al., 2010). Similarly, agencies in social and welfare policy areas have been found to be less autonomous than in other areas, whereas economic policy fields usually have more autonomy, an argument supported by Gilardi (2002) and Elgie and McMenamin (2005), but not by Verhoest et al. (2010). Another important factor is political salience. It is expected that ministers are inclined to monitor and control the delivery of salient tasks more intensely, implying less autonomy for the agencies involved (supported by Pollitt et al., 2004; but not by Bach, 2010). One indicator of salience is the size of the budget, so that agencies with a large budget should have less autonomy than agencies with a small budget (Pollitt et al., 2004), but empirical research presents mixed findings (Verhoest et al., 2010).

The third set of factors, pointing to country-level explanations, refer to the 'environmental-institutional context' perspective which predicts that agencies in some countries will be more autonomous than in other countries, due to country-specific path dependencies related to the politico-administrative culture and legal-administrative traditions (Schedler and Proeller, 2007; Thatcher and Stone Sweet, 2002; Yesilkagit, 2004). Countries with a *Rechtsstaat* tradition are said to opt for traditional bureaucratic control systems, characterized by low de facto autonomy, whereas states based on common law tradition will place more value on independence and entrepreneurialism (Pollitt and Bouckaert, 2004). Cultural arguments can be found in Hofstede's study of the dimensions of societal culture (Hofstede and Hofstede, 2001). With respect to administrative traditions, Yesilkagit and Christensen (2010) found that countries that have a long-standing tradition of delegating authority will create new agencies more easily. Others have pointed to the role of actor constellations and veto points in influencing and constraining agency decisions (Huber and Shipan, 2002; Huber et al., 2001). Therefore, more autonomous agencies are expected to be found in countries with strong corporatist traditions and high levels of policy conflict (e.g. multi-party coalition cabinets versus single party majoritarian cabinets as supported by Moe, 1990, but not by Yesilkagit and Christensen, 2010, and Verhoest et al., 2010); with high levels of political uncertainty (i.e. short cabinet lifespans); strong dominance of executive government over parliament (Strom et al., 2003); dominant cabinet composition, where service delivery is highly centralized at the national level (compared to states where local governments are more involved), a view supported by Huber and Shipan (2002) but not by Verhoest et al. (2010); and a tradition of politicization of senior civil servants.

This short review of the studies of the effect of structural-organizational, task-related and country-level factors on agency autonomy, even though not exhaustive, clearly shows that in all three sets of studies empirical results are to some extent inconclusive. We can presume that this is probably because structural, task-related and country-level variables not only interact with each other but they can also comprise 'equifinal' causal recipes for agencies' autonomy: different configurations of variables are associated with specific levels of bureaucratic autonomy. This argument could also be extended to the effect of autonomy on organizational performance. Empirical evidence of such effects is also rather patchy and empirical studies present mixed results. For example, two reviews found inconclusive effects of formal or de facto autonomy on performance (Verhoest and Læg Reid, 2010; Verhoest et al., 2004). This calls for more research into the articulation of structural, task-related and country-level factors on the one hand and the autonomy and performance of public sector organizations on the other hand.

This special issue includes two papers that make some progress in studying these respective sets of factors and in assessing their explanatory value. Sandra Van Thiel and Kutsal Yesilkagit focus on agencies' tasks, by developing new conceptual and methodological tools to measure the impact of various tasks on the establishment and on the autonomy of agencies. The contribution by Tobias Bach investigates the

respective role of task-related factors, organizational factors and country-level factors in explaining agency autonomy with respect to personnel management in Germany and Norway.

### **The third set of open questions: the interplay between autonomy, accountability and democratic legitimacy**

Another set of open questions concerns the relation between autonomy, accountability and democratic legitimacy. These questions emerged in the context of the discussion about the so-called democratic deficit of the regulatory state (Majone, 1999; Scott, 2000), which derives from the consideration that delegation to autonomous agencies constitutes a qualitatively different step in the chain of democratic delegation – from voters, to parliament, to government, to ministers, to administration – because autonomous agencies, and in particular independent regulatory agencies, are not directly accountable to voters or to elected officials (Gilardi, 2008). It has been observed that as a consequence of agencification, the role of elected representatives is becoming less relevant, in favour of influence connected to specialized experts (Papadopoulos, 2003) and that the significance of democratic participation is undermined by the decision of delegating public authority to independent bodies (Lodge, 2004). In order to compensate for this deficit, it was expected that the legitimacy of autonomous agencies would come from their high credibility and efficiency, based on the assumption that they are more proficient in producing qualitatively better policy output than democratic institutions (Maggetti, 2010). Nevertheless, two major drawbacks are challenging this form of legitimacy. The first question is about empirical evidence: There is still no clear-cut evidence concerning the superior performance of autonomous agencies (Maggetti, 2012). Moreover, it is not even certain that a deficit of ‘inputs legitimacy’ could be perfectly compensated for thanks to the ‘better’ quality of the outcomes. Indeed, ex-post legitimacy can hardly be conceptually separated from input legitimacy because the positive evaluation of results by political actors depends primarily on the previous agreement about the existence and the framing of a specific problem, which is rare in practice, and because scientific expertise and political interests are often intertwined and difficult to disentangle (Papadopoulos and Benz, 2006).

The legitimization dilemma could be tackled by providing new standards of legitimacy that are appropriate for autonomous agencies (Majone, 1999, 2001a, 2001b; Sosay, 2006). This point opens up the discussion about the accountability arrangements that are suitable for autonomous agencies as a possible solution to the democratic deficit. Accordingly, it is crucial to identify and assess the instruments, channels and practices for making agencies accountable to their political ‘principals’. There exist a variety of accountability mechanisms that need to be explored in order to reconstruct the accountability regimes in which agencies are embedded and to judge their implications. The question whether it is possible to find an appropriate system of controls, which could help agencies to reduce the legitimacy problem derived from their democratic deficit while preserving their

autonomy, is still open. It is therefore necessary to explore what types of accountability mechanisms are applied in practice, which ones are the most important, and how do they interact with the autonomy of agencies. The last contribution to this special issue addresses precisely these points. Jan Biela and Yannis Papadopoulos develop a conceptual framework to examine the specific accountability regimes in which autonomous agencies are enmeshed. To this end, they scrutinize agency accountability in both *de jure* and *de facto* terms.

### **Summary of the special issue and ways forward**

To sum up, this special issue deals with three sets of open questions to push forward the research agenda on bureaucratic autonomy. First, the concept of bureaucratic autonomy is expanded by taking into account its subjective, dynamic and relational nature. Accordingly, Jackson shows that stakeholders understand independence as encompassing both behavioural qualities and structural arrangements and underscores that actors may value different criteria and even shape different dimensions of independence. Maggetti argues that the prevalent modes of institutional change leading to the establishment of independent regulatory agencies are 'layering' (the growth of new arrangements along new lines) and 'displacement' (the emergence of exogenous institutional forms). This finding implies that the dynamics of agencification are quite different from the general trend towards liberalization. Rommel and Verhoest call for the development of a new 'relational perspective' on agency autonomy. Their results indicate that the actor constellation in which agencies are embedded has a positive effect on the extent to which the parent minister involves the regulator in policy-making processes; while at the same time these relationships reduce agencies' operational policy autonomy.

Second, the linkages between tasks, organizational forms and national path dependencies, on the one hand, and autonomy and performance, on the other hand, are examined. Van Thiel and Yesilkagit refine the operationalization of task-related variables and show that their effects on agency autonomy and control are quite indirect. The formal autonomy and size of budget of an agency are more decisive than task in explaining agency autonomy and control. Second, the empirical analysis of Bach suggests that there is a relatively limited effect of task characteristics and a clear effect of formal structure on *de facto* autonomy.

The third theme concerns the study of the interplay between autonomy, accountability and democracy. Biela and Papadopoulos develop an innovative approach to the study of accountability, using the concept of accountability regime, to operationalize the relations between agencies and their accountability fora, which must be evaluated at political, operational and managerial levels. These are not the last words on bureaucratic autonomy, but we hope they might constitute a step forward towards a more comprehensive study of agencies' autonomy.

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