



The Administration of the *Länder*

Ludger Schrapper

1 ADMINISTRATIONS OF THE *LÄNDER* (FEDERAL STATES) IN THE SYSTEM OF GERMAN FEDERALISM

The German federal constitution or Basic Law (*Grundgesetz*) shapes the relationship between state and federal government in the exercise of state functions in the sense of a rule-exception relationship. Article 30 of the Basic Law reads: ‘The exercise of state powers and the fulfilment of state responsibilities is a matter for the *Länder*, unless this *Grundgesetz* does not provide or permit otherwise’. Historically, this rule-exception relationship is based on the fact that the *Länder* legally created the federal power in 1949, not the other way around. In apparent contrast to this, the Basic Law, especially in the area of law enforcement (execution of the law), constitutes a strong interdependence of the federal levels. According to Article 83 of the Basic Law, federal laws are, in principle, not executed by the federal administration but by the state administrations. As a rule,

Rule in everyday life is administration. (Max Weber)

L. Schrapper (✉)
Ministry of School and Education of the Land North Rhine-Westphalia,
Düsseldorf, Germany
e-mail: ludger.schrapper@msb.nrw.de

execution is carried out by the *Länder* ‘on their own behalf’, that is, in principle, free from tight controls and regulating administrative supervision by the federal government. However, the level of control needs to be distinguished. In the execution of federal laws according to Article 84 of the Basic Law, the federal government—with a few exceptions—is only entitled to ensure laws executed by the *Länder* are in accordance with the law. Where the execution is ‘by order’ of the federal government according to Article 85 of the Basic Law, the federal government is only entitled to ensure the appropriateness of execution per Article 85 (4) and—with certain restrictions—issue individual instructions. As an exception to the provisions of Articles 83, 86 and 87 of the Basic Law, the federal administration assigns enforcement powers to the Federation and thus it has the power to establish its own law enforcement agencies, notably the foreign service and authorities for the waterways and shipping, border police and intelligence service. The main agencies at the federal level are the Federal Employment Agency and the social insurance institutions.

The enforcement of the federal laws thus described is carried out at the *Länder* level by administrative bodies (direct state administration) and, above all, by the municipal administrations. It is estimated that around 80 percent of all public tasks are carried out at the municipal level (Grunow 2003). From the federal point of view, however, the direct administrations of the *Länder* and the municipalities are a unit. This is also made clear in Article 84 (1), seventh sentence of the Basic Law: ‘By federal law tasks may not be transferred to municipalities and municipal associations’.

Taking the special form of German federalism, the strong position of the *Länder* executive is justified in relation to both the federal administration and the internal relationship with the local legislature. In contrast to the so-called senate model with more political representation by the federal states, such as in the United States or Switzerland, according to the Basic Law, the *Bundesrat* (Federal Council) is the representative body of the *Länder* governments. Thus, participation in federal legislation becomes a task of their executive, depending solely on their decision-making. The classification of this system, known as ‘executive federalism’ (Münch 2002) or ‘administrative federalism’ (Grunow 2003), is correct (cf. also Kuhlmann and Wollmann 2019), although the political dimension of participation in the *Bundesrat* against the background of the different (party) political majorities and, thus, political-ideological orientations of the *Länder* governments plays a major role.

Another important field of *Länder* cooperation induced by federalism is the permanent structure of so-called minister conferences, the oldest of

which, the *Kultusminister Konferenz* (the Standing Conference of the Ministers of Education and Cultural Affairs), was established in 1948. The heads of the different ministries hold their coordination meetings twice a year, and the chair changes annually. Below the top level, a substructure of permanent working parties prepares the issues together with a close network of *Länder* officials.

A comparison of the staffing levels of federal and *Länder* administrations reflects the above-described central role of *Länder* administrations and their municipalities in law enforcement in the federal system. Around 656,000 federal civil servants work in the public sector (excluding military personnel) compared to more than 3.4 million employees (as of 2017) in both *Länder* and local government. On the other hand, at the federal level, the proportion of employees in the areas of political management and central administration is disproportionately high at 21,000. In addition, 15.7 percent (3300 employees) of the functions are top functions in the so-called grade B (salary range from €95,000 to €180,000). At the level of the *Länder* administrations, this compares with only about 60,000 employees in these areas, including top jobs of 7.1 percent (4300 excluding municipalities). By far the largest proportion of employees in the *Länder* civil service is in education (schools and universities) with around 1,168,800 staff (56 percent), followed by 234,000 officers (11 percent) in the 16 *Länder* police forces (compared to 40,600 federal police).

2 BASIC CONDITIONS FOR THE ADMINISTRATIVE ORGANISATION

In attempting to depict a comparison of the administrations of the German *Länder*, the following conclusion can be drawn: the considerable heterogeneity of the baseline conditions, such as size of the area, the number of inhabitants, the economic or the topographical structure—despite all the differences in terminology and details—is the opposite of a relative homogeneity of administrative structures. This was—and still is—based on the influencing power of the Prussian administrative traditions, which live on in particular through the nationwide, almost standardised, training of civil servants and comparable career patterns. Nevertheless, it cannot be denied that a *Land* like North Rhine-Westphalia with a population of 17.9 million needs, at least partially, different administrative structures to Mecklenburg-Western Pomerania with only 1.6 million inhabitants or

Saarland with 0.99 million. Therefore, almost all of the large territorial states of the Federal Republic have a three-tier system compared with the states of Brandenburg, Mecklenburg-Western Pomerania, Schleswig-Holstein and Saarland, whose administrative structure is organised in two tiers. Niedersachsen (Lower Saxony) is a special case, having abolished its regional middle level, contrary to a long tradition, in 2005. Significant deviations in the administrative structure also result from the distinction between the German so-called territorial states and city-states, which—for Hamburg and Bremen—can only be explained by a long-standing tradition rooted in the Middle Ages. In the case of Berlin, its special status after the end of the Second World War as a territory under the responsibility of all four occupying powers has not changed. In the city-states, state and municipal affairs are carried out by a single administration. In Berlin and Hamburg, due to the size of the cities, with the so-called district administrations in Berlin and the urban district office (*Ortsamt*) in Bremen, there is an additional inner-city administrative level. The city of Bremerhaven is also part of the city-state of Bremen. In addition, in city-states, public authorities are set up as independent bodies of public administration, which can be described as indirect *Länder* administration.

3 BASIC STRUCTURES OF THE ADMINISTRATIONS OF THE *LÄNDER*

The State Organisation Acts of the *Länder* (*Landesorganisationsgesetze*—*LOG*) classify their subjects as legal persons (legal entities). Like natural persons, they have a fundamental legal capacity in the sense of a broad legal capacity to act in all areas of law. In the field of public law, there are three basic types: corporation (*Körperschaft*), institution (*Anstalt*) and foundation (*Stiftung*). The federal and *Länder* governments are categorised as territorial communities (*Gebietskörperschaft*), that is, associations of all people residing in a demarcated area. Legal persons act through their bodies (*Organe*), which are legally constituted units with defined powers. At the top level of the state organisation, these are for the *Länder* the parliament, the *Länder* government as the head of the executive branch and the bodies of the judiciary. Within the executive branch, the authority (*Behörde*) is the standard type of body.

The *Länder* can have their executive tasks performed by their own bodies (authorities). One speaks then of direct *Land* administration.

However, they can also transfer certain tasks to independent legal entities, most of which are municipalities. These bodies of the indirect *Land* administration set up their own budgets and have their own staff.

3.1 *Direct Land Administration*

Where the *Länder* directly execute law and carry out other executive tasks, they act through the authorities and other forms of organisation of the direct state administration. The regulation of the administrative structure is usually reserved for the legislator (cf. Article 77, fourth sentence, *Land* constitution of North Rhine-Westphalia). The establishment of individual organisational units (e.g. authorities) is again a matter of self-organisation of the executive.

3.1.1 *Upper Administrative Level*

Beyond the question of whether the direct administration of the *Länder* is structured in two or three tiers (see below), the highest executive level, as in the federal administration, is formed by different ministries, such as the Ministry of Finance and the Ministry of Education and Research. Organisationally, they fall into the category of the highest *Länder* authorities. The appointment of ministers and, thus, the determination of the number of ministries as well as the technical competencies are the responsibility of the minister president of the respective *Land*, who, as head of government, has been given this power. Instead of a federal chancellery, he has a so-called state chancellery (in some *Länder* a ministry of state), which handles the administrative coordination of the other ministries. In the city-states, the heads of state have the title of ‘mayor’ following the urban tradition, and the *Land* governments are referred to as the ‘senate’. In work and function, there are far-reaching parallels between the ministerial administrations of the federation and those of the *Länder*. Central tasks include the drafting of legislation and the political-technical control (supervision) of the subordinate administration. The organisational structure is based predominantly on a so-called line organisation and, according to the German administration tradition, with few personnel in staff functions. In the direction of their ministries, the ministers are supported as political representatives by one—rarely several—state secretary with civil servant status (permanent secretaries). They are so-called political officials and—as an exception to the civil service guarantee of permanent employment status—can be relieved of their duties at any time and put

into temporary retirement if compliance with the political principles of the respective *Land* government is no longer guaranteed. The basic organisational units of the state ministries—again parallel to the federal administration—are the units, which are bundled into departments and, in larger state administrations such as North Rhine-Westphalia, additionally subdivided into sub-departments (groups). Unlike the federal government, the department heads are generally not political officials in the legal sense just described.

With regard to the size relation of ministries as the uppermost administrative level to the respective overall administration, the ministerial administration of the *Länder* is rather disproportionate in comparison to the Federation. An indicator may be the number of top officials in grades B2–B11. The functions from the first management level (head of unit) up to the head of department are assigned these grades throughout. Here, there are approximately 3300 top civil servants in the federal service with an approximate total of 328,000 employees (excluding military personnel) compared with only around 4300 top officials in the *Länder* services with a total of approximately 2,378,000 non-municipal employees. This is due, on the one hand, to the lack of ‘big’ ministries, such as defence and foreign affairs, in the area of the *Länder*. Above all, however, the much stronger orientation of the administrations of the *Länder* towards actual administration is evident here. This is particularly noticeable in the area of school education. For example, in North Rhine-Westphalia, the ratio of supervisory ministerial administration to the total body of staff in the area of school education is 1:500.

In addition to the ministries as the highest state authorities, under the state organisation acts, each *Land* has a higher state authority (*Obere Landesbehörde*). These bodies are directly subordinate to the ministries and do not assume any political leadership tasks, but instead sector-specific tasks that require special expertise. They belong to the upper level of the administrative structure because their territorial jurisdiction covers the entire state territory. As a rule—at least in three-tiered state administrations—they do not have their own administrative base, but in certain cases have supervisory powers over the middle- or lower-level authorities. A typical upper state authority is the state criminal police office with coordination functions as regards combatting crime and special forensic expertise. The same applies to the state environmental agencies with special advisory skills and laboratory capacities. Also worthy of mention are the

personnel and pension offices which manage the salaries and pensions of active and former state employees.

The so-called *Landesbetriebe* (state enterprises) have a similar function to the upper *Land* authorities. As an organisational type, they are a consequence of the theories of New Public Management (NPM) and have had an impact on the administrative organisation since the beginning of the 2000s. They are responsible for providing the administration with marketable services. With regard to their product range they are therefore competing with private enterprises, but in some cases are nevertheless entitled to establish for other public authorities of the state administration an obligation to ‘buy’ their services. The obligation to draw up a business plan, and also to account according to commercial law, is designed to create cost transparency. In state-owned enterprises, for example, the *Länder* are responsible for organising the administration of their real estate or for all tasks relating to road construction and maintenance. More recently, the necessary IT services have been provided by state-owned enterprises.

Finally, as administrative organisations with *Land*-wide competence, the *Einrichtungen* (institutions) should be mentioned. In contrast to state authorities, they perform public tasks in the internal relationship of the administration. These may be tasks in the field of staff training as provided by the administrative colleges of the *Länder*. Typical state institutions also include public archives or institutes charged with development of school-specific programmes or with scientific-technical specialised tasks.

3.1.2 *Regional Meso Level*

Below the level of the ministerial administration, it is possible to differentiate between two structural models according to whether there is a regionally located central authority between the state level and the municipal level. With the exception of the state of Lower Saxony, all large and populous German states have a meso-level administrative district. It coordinates the various actors at the local level in their district and, moreover, directly performs those administrative tasks which require a certain concentration of technical or legal expertise. The traditional rule type of a regional mid-authority is the administrative district authority, which is also called the *Bezirksregierung* (regional government) or *Regierungspräsidium* (Regional Commissioner’s Office). It draws on the Prussian administrative tradition of the early nineteenth century and is characterised by a bundling—and thus coordination—of numerous administrative tasks in one authority. In terms of supervision, a ‘general

representation of the state government' is established for the various regions of the *Land* (cf. Article 8 (1) of the State Organisation Act (*Landesorganisationsgesetz*—LOG) of North Rhine-Westphalia, NRW). The bundling authority avoids the establishment of special administrations ranging from the highest department (ministry) down to the local level, which bring with them the dangers of a technical-mental 'pillarisation', a hampered reconciliation of interests by deficient communication structures and a lack of regional networking (Schrapper 1994; Bogumil and Ebinger 2008). Because of the bundling effects described above, the organisational model is also described as the concentrated three-stage principle (Bogumil 2007; Reiners 2010). Despite their mature organisational development, the administrative district authorities have been the subject of structural reforms like almost no other area of state administration (cf. Chap. 16).

The structuring in administrative districts with the *Bezirksregierung* as administrative body can be found in North Rhine-Westphalia, Bavaria, Baden-Württemberg and Hesse. The population in these districts varies from over 1 million in the more rural areas of Bavaria (Upper Palatinate, Upper Franconia and Lower Bavaria) to 5.3 million in the conurbation Rhine/Ruhr in North Rhine-Westphalia (Düsseldorf and Cologne). The tasks are defined by the categories of 'order' (e.g. traffic and air supervision, disaster control, building supervision and food supervision), 'allowance' (e.g. support programmes for economic policy, urban planning, culture and sport), 'approval' (environmental and occupational safety, goods and passenger transport) and 'regional planning' (Bogumil 2007). In addition, the administrative district authorities are usually responsible for the legal and financial supervision of local authorities. Worth mentioning is the subsidiary competence of the district governments for all state administration tasks that are not explicitly assigned to other authorities (cf. Section 8 (3) LOG NRW). In view of new short-term enforcement tasks emerging (e.g. in the field of genetic engineering), this subsidiary role has repeatedly proven its necessity.

In addition to the traditional concept of the concentrated three-stage principle described above, hybrids of the model of the regional bundling authority can be found in the states of Rhineland-Palatinate and in the three (East) German ('new') *Länder* of Saxony, Saxony-Anhalt and Thuringia. In 2000, Rhineland-Palatinate bundled together its three intermediate authorities (the administrative districts of Koblenz, Neustadt and Trier) not only regionally, but also functionally. This was done due to their small size, which is slightly below average in comparison with the

Federation (e.g. the Trier district has 500,000 inhabitants). The authorities were reorganised and replaced by the Supervision and Services Directorate and two Structural and Approval Directorates. In fact, the directorates act in part as bundling authorities because they are anchored in the structure of the state administration, that is, only sectorally. After German unification in 1990, the (East) German *Land* of Thuringia decided directly for a state-wide concentrated intermediate level with a so-called State Administration Office as ‘functional equivalent’ (Bogumil and Ebinger 2008), whereas Saxony and Saxony-Anhalt have since gone through dissolving their earlier established administrative districts (cf. Chap. 16).

The *Länder* of Brandenburg, Mecklenburg-Western Pomerania, Saarland and Schleswig-Holstein completely dispense with a middle level of the state administration. At least in terms of number of inhabitants, they belong to the smallest territorial states. The typical functions of a regional administrative level are not required against the background of a municipal area structure with a clearly below average number of rural and urban districts (districts and independent cities). This is particularly evident in the state of Mecklenburg-Western Pomerania, which has taken several reform steps to divide its territory into only six large so-called *Kreise* (counties) and two county-free cities (Rostock and Schwerin). The representation of municipal administration in the area is expected to reach its limits here. In contrast to this, despite its considerable size, the state of Brandenburg also has a two-tier administrative structure with as many as 14 counties and 4 county-free cities. Here, the need for a coordinating intermediate or regional administrative level cannot be completely ruled out.

3.1.3 *Lower State Authorities*

The fulfilment of public tasks by the administration at the local or regional-local level takes place within a dual administrative structure. A distinction needs to be made between state-owned ‘lower’ authorities, which are subordinate to the service and technical supervision of a state intermediate authority, or, more rarely, to an upper or even to the highest state authority. The vast majority of public duties, on the other hand, are performed by the municipal authorities as indirect state administration (see above). This is due to their constitutional special status described above, according to which—from a federal law perspective—they are part of the state administration, but also have a right guaranteed by the federal constitution to

self-govern their own affairs, that is, those of the local community. In this area, the municipal authorities are only subject to legal supervision of the *Land*. As a third category of public tasks, in addition to the original state tasks (e.g. police or financial administration) and ‘own affairs’, those tasks are to be mentioned where the *Länder* reserve a broader supervisory right, which includes the expediency of task fulfilment.

In this case, a distinction is made between the different municipal traditions of the *Länder* according to whether these ‘transferred’ tasks (dualistic model), insofar as legally dogmatic, are comparable to the so-called Order Management laid down in Article 85 of the Basic Law or whether a monistic model is used, according to which municipal authorities basically only perform municipal tasks, which in certain cases, especially in the area of security, are legally defined as so-called ‘compulsory tasks to be performed according to instructions’ and thus subject to greater control.

The difference described above will result in direct consequences for the organisation of the authorities. In the dualistic model with the legal concept of the so-called delegated *Wirkungskreis* (realm of influence), the tasks performed by certain local authorities (*Landräte*—county administrators, and *Oberbürgermeister*—lord mayors) retain their state character; they remain *Land* tasks. As a result, the bodies of the counties and city districts act as ‘lower land administrative authorities’ (cf. Section 8 (1) LOG Brandenburg: ‘General lower *Land* authorities are the county administrators and lord mayors’). Here they are subject to unrestricted specialist supervision by the upper and intermediate *Land* authorities and not only to legal supervision, as in their ‘own affairs’. In addition, there are some requirements of the *Land* for the authorities.

The concept of the delegated realm of influence can be found mainly in the southern and eastern German states, whereas for north-western Germany, especially North Rhine-Westphalia, the monistic task concept is relevant. This, in turn, requires an organisational differentiation according to whether public tasks can be performed as municipal mandatory tasks (according to instructions) or whether they are originally federal tasks that require comprehensive control powers of intermediate or upper *Land* authorities (usually in the field of internal security and disaster control). In these cases, the superior authorities can access the administrative head of a county (*Landrat*—county administrator) or, in some cases that of a county-free city (*Oberbürgermeister*—lord mayor), who is then fully subject to the authority of the higher authorities, in this sense ‘borrowed

administration'. Legally, the district administrator (or the lord mayor) acts as the 'lower state administrative authority'.

The state-owned lower authorities are part of the direct state administration. In the majority of *Länder* these are typically the tax offices; in *Länder* with delegated realm of influence, these are the police service agencies or the school inspectorate. The tasks performed have a clear, definable territorial reference and therefore justify the establishment of locally based units.

3.2 *Indirect Land Government*

As a matter of principle, according to their own degree of state autonomy, the *Länder* decide to what extent they delegate the execution of public tasks to independent agencies. However, there is a significant exception here. In the case of local or municipal authorities (counties and cities), Article 28 (2) of the Basic Law as federal constitution already guarantees their right to 'regulate all matters of the local community on their own responsibility within the limits prescribed by the law'. However, the qualification of a public task as a 'local matter' is neither selectively changeable nor unchangeable for *Länder* legislation over time because the local references of a matter can change with its social, economic or technical framework (Federal Constitutional Court 2014). But the legislator has to observe a vital core area of self-government and even a 'priority of jurisdiction' of the local authorities (cf. Ruge, Chap. 5).

Other important representatives of the indirect state administration are the universities, which employ 22 percent of the *Länder* personnel. This applies regardless of their affiliation to a territorial state or city-state. Their status, unlike that of a local authority, is not constitutionally anchored. The provisions of freedom of scholarship under Article 5 (3) of the Basic Law define this as such. Also worth mentioning are the self-governing institutions of professional bodies such as the chambers of industry and commerce as well as the chambers of crafts and chambers of the 'liberal professions', such as lawyers, auditors, doctors and so on. In addition to the management of their own affairs, individual state tasks for execution are also delegated to them.

4 PERSONNEL STRUCTURE AND ADMINISTRATIVE CULTURE

As mentioned at the outset, the central role of the *Länder* in executing law in the federal system is reflected in the size of their administrative staff. As already stated, a distinction must be made between the bodies of direct and indirect state administration, in particular local authorities (counties and cities).

Of the already mentioned more than 3.4 million employees (as of 2017) in these areas, 2,387,000 employees and thus 50.1 percent of the total civil service in Germany (4,179,000, including social security and military personnel) account for the direct state administration. This mainly reflects the responsibility of the *Länder* for school and university education. Consequently, there are approximately 1,170,000 employees working in these areas, that is, 28 percent of the total civil service in Germany. Another consequence of this responsibility is the significantly disproportionate share of women in the administrations of the *Länder* compared with the federal administration, namely 57 percent compared to the federal administration with 29 percent. This, in turn, results in a noticeably higher proportion of part-time employees of around 32 percent (of which 45 percent are female), compared to 11 percent in the federal administration.

Differences in the range of tasks carried out by the federal administration and the administrations of the *Länder* are also reflected in the remuneration structure, which, in turn, allows conclusions to be drawn about the qualifications of the staff and the hierarchy of functions. As already mentioned in this context, there is a disproportionate share of top functions in the federal area in relation to the total number of employees (excluding military personnel) of 10.1 percent compared with 0.18 percent in the administrations of the *Länder*. By contrast, the percentage of staff in the middle segment of the *Länder* (civil service grades A11–A13 and salary levels EG11–EG13 for non-civil servants) is clearly disproportionate—40 percent of the total number of employees compared to 15.6 percent in the federal administration (including military personnel and social insurance). The main reason for this, as already mentioned, is the importance of the education sector for the *Länder*; the vast majority of teachers are assigned grades A12 and A13. In addition, the employees in these categories of general administration form the functional group of the administrative work and thus the backbone of a management that

tends to be oriented towards enforcement rather than management and control.

With regard to age of staff, there is a relative over-proportional ageing of the civil service compared to the private sector (Schrapper 2013). When comparing the administrations of federal and *Länder* governments, there are no significant differences. The proportion of the age group ‘60 plus’ (the statutory pension age will be raised in intermediate steps to 67 years by 2031) is 8.8 percent of the total staff in the federal administration and 11.5 percent in the state administrations. For staff below the age of 30 (Federation 24.4 percent; *Länder* 13 percent), the difference is explained by the high proportion of regular soldiers serving for a fixed period with ratings, identifiable by the relatively low remuneration levels. In the area of this functional level, 9.2 percent of the employees work in the federal government and only 0.2 percent in the *Länder*.

In addition to the professional self-image, the personnel structure of the administrations gives rise to the distinct character of the administrative culture prevailing there. In a differentiated administration such as the *Land* administration, however, subdivided subcultures obviously exist, for example, in the areas of school, police, justice and general services. To identify a definable ‘culture of state administration’ is virtually impossible. Drawing a comparison between the *Länder* administrations and with the federal government, there are hardly any significant differences to be found in the various sectors. The professional self-conception of the general administration in federal and *Länder* governments in the upper-intermediate service is characterised by a high proportion of civil servants with similar educational backgrounds from specific administrative colleges (Wiegand-Hoffmeister 2011). Accordingly, career changes between administrations are in legal and practical terms not a problem. In spite of the distribution of more legislative competences in the field of remuneration to the *Länder* by the constitutional reform in 2006, this is still helped by a (still) fairly uniform remuneration structure nationwide. However, the tendency here is clearly towards increasing spreading, which could prove to be an obstacle to mobility in the future and could, therefore, also be the cause of increasing partitioning (Battis 2009). Salaries already differ by up to 10 percent in the various salary levels between the federal government and the *Länder*, and also between the *Länder* themselves, where there is a north-south divide.

For the group of university-trained civil servants (higher service) in the general administration, a factual monopoly of jurists is still a characteristic

feature of the German administrative culture and tradition (Bull 2018; Hebler 2008). Whether this results in consequences for the habitus of the administration or even its willingness to reform is a controversial subject of administrative research (Hammerschmidt et al. 2010; Kroll et al. 2012).

5 LESSONS LEARNED

5.1 *Structural Reforms: More than a Political Playground?*

The history of administrative reforms in the administrations of the Länder is, above all, a history of administrative structural reforms (for the process of ‘communalisation’ cf. Kuhlmann and Wollmann 2019). From a critical perspective, this is primarily due to the fact that the intervention in structures serves politically plausible expectations (cost reduction and de-bureaucratisation or ‘slim state’) and avoids more conflict-laden mission-critical decisions (Grotz et al. 2017). For example, the abolition of public authorities—reduced by 66 percent in the period from 1992 to 2014—did not lead to a proportional reduction in staff numbers. An additional factor is that interference in the structure and staffing levels in the central policy fields of education and homeland security with their large bodies of personnel would not be conveyable in political terms.

The main object of interventions in the structure were the administrative district authorities as central or regional bundling authorities. Again, one could assume a superior motive. Thus, the structure of the highest level of administration of the ministries follows immediately obvious political premises and, of course, changes in the cycle of electoral periods and the resulting change of government; the interventions are shallow and involve less structures than responsibilities. Regional bundling authorities are sufficiently complex entities with purely administrative functions. In the large and populous West German *Länder*, the district governments are firmly anchored as the regional authority of the meso level; only Lower Saxony forms a counter model, but one beset with virulent problems (see Chap. 16).

5.2 *Prepared for the Future? Digitalisation as a Major Challenge*

In comparison to the more endogenous reform drivers described above, such as the situation of public budgets, the current and future dominant driver for reforms in the process of organisation, and possibly also for the organisational structure of the state administration, is digitalisation. Systemically anchored obstacles such as the ‘friction losses of federalism’ (Martini 2017) or a traditional, overly complex administrative culture designed for decentralised and clearly defined responsibilities as well as administrative secrecy (Hagen and Lühr 2019) are considered as causes of incompatibilities. In this difficult reform environment, the federal government has already laid down the foundations for further development with the passing of the eGovernment Act (EGovG) in 2013 and the Online Access Act (OZG) in 2017, which in part required an amendment to Article 91c (5) of the Basic Law due to the cross-level portal network. The federal, state and local authorities are committed to making all their administrative services available via a nationwide access platform by the end of 2022. As a result, not only will business processes have to be IT-capable, but the professionalism as well as the attitude of employees and executives will have to be further developed (Winners 2019).

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