Governance of digital administration from a multi-level perspective

The German case or how mismatching coordination between federal levels slows down the digital transformation.

Moritz Heuberger, University of Potsdam

The digital transformation of public administration is not only a highly and publicly discussed topic (Pias 2019) but it also receives an increasing importance in administrative reform literature (Castelnovo und Sorrentino 2018; Kuhlmann und Bogumil 2019; Mergel 2019). The link between adopted new technologies in public administration and the necessary change of the institutional design can be identified as a research gap (Dawes 2008, S. 91). The specific research interest of this study is the governance of such a large reform program as the digitalization of public administration in the very special context of decentral-federal states. Several institutional challenges are related with the introduction of a policy aiming at standardization and consolidation in a decentral-federal system. Unlike Estonia, Germany – as the example for decentral-federal administrative systems in comparative literature (Kuhlmann und Wollmann 2019) – is not known for a successful digitalization of public administration. When it comes to digital public services, Germany ranks 25 out of 29 in Europe (European Commission 2019), provoking the question why Germany as economically strong and politically stable as it is, presents such an unsatisfying outcome of its efforts to digitalize its public administration? Introducing the "law for online access" (Online-Zugangs-Gesetz; OZG) in 2017, the federal government initiated an agenda which should be coordinated federally to ensure the digitalization of the 575 administrative services until 2022. But how do we ensure a liable and committed participation of not only the federal government but also of the 16 Länder governments? How can we ensure an effective, efficient and legitimate coordination across administrative levels? These are open questions leading to the key research interest of this article: *The governance of the digital transformation as a project of standardization in a federal state with the tendency of decentralization.* Evidently, contrary tendencies tend to lead to a scenario where institutional change is not only highly complex but also very difficult to coordinate. Governance, as defined by Kooiman as: "All those interactive arrangements in which public as well as private actors participate aimed at solving societal problems, or creating societal opportunities, and attending to the institutions within which these governing activities take place." (Kooiman 1999, S. 70). Governance of digitalization of the public administration in the federal state therefore indicates the arrangement of federal/Länder governments addressing the challenge to digitally transform their administrations with the help of (common/shared) institutions.

Introducing digital public services requires from the very beginning a well-functioning interaction in the back-office, which means connected digital registries, data exchange standards and a consolidated service infrastructure. To set these measurements in place successfully across public offices, coordination and agreement of the implementing actors (both horizontal and vertical) are needed. At the same time a federal multi-level governance

system doesn't allow central standards which will be adopted by all actors. A proper institutional setting is needed to decide and coordinate the collective action. This study gives a descriptive overview of the institutional setting between the federal government and the 16 state governments (Länder) and then analyzes the setting and the changes that take place, consulting institutional policy literature to explain the recent developments. Based on a descriptive illustration of the constellation of actors in the cross-level introduction of a digital administration, the following research question will be addressed: **What can explain the institutional design of multi-level governance of digital administration in the federal state?**

To address this question the study is empirically grounded on a document analysis of relevant laws, regulations and protocols on the one hand and eleven qualitative interviews with crucial actors, selected diversely across functions, federal levels and regionality on the other. To explain the observed developments and to contribute to the theoretical debate, the article combines branches of institutionalism and policy evaluation.

Castelnovo, Walter, und Maddalena Sorrentino. 2018. The digital government imperative: a context-aware perspective. *Public Management Review* 20(5):709–725. DOI: https://doi.org/10.1080/14719037.2017.1305693.

Dawes, Sharon S. 2008. The Evolution and Continuing Challenges of E-Governance. *Public Administration Review* 68(1):86–102. DOI: https://doi.org/10.1111/j.1540-6210.2008.00981.x.

European Commission. 2019. *2019 DESI Report: Digital Public Sercices*. Brussels: European Commission abrufbar unter: https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=59975, Zugegriffen: 8.8.2019.

Kooiman, Jan. 1999. Social-Political Governance: Overview, reflections and design. *Public Management: An International Journal of Research and Theory* 1(1):67–92. DOI: https://doi.org/10.1080/14719037800000005.

Kuhlmann, Sabine, und Jörg Bogumil. 2019. The Digitalization of Local Public Services: Evidence from the German Case (forthcoming). In *The future of local self-government. Challenges for local democracy and administration.*, Hrsg. Jochen Franzke, Sabine Kuhlmann, Tomas Bergström, und Ellen Wayenberg, London: Palgrave.

Kuhlmann, Sabine, und Hellmut Wollmann. 2019. *Introduction to comparative public administration: administrative systems and reform in Europe* 2nd edition. Cheltenham: Edward Elgar.

Mergel, Ines. 2019. Digitale Transformation als Reformvorhaben der deutschen öffentlichen Verwaltung. *der moderne staat – Zeitschrift für Public Policy, Recht und Management* 12(1–2019):162–171. DOI: https://doi.org/10.3224/dms.v12i1.09.

Pias, Claus. 2019. Fortschritt der Moderne: Die Digitalisierung gibt es nicht. *Frankfurter Allgemeine Zeitung*. abrufbar unter: https://www.faz.net/1.6308732, Zugegriffen: 15.8.2019.