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PUBLIC ADMINISTRATION CHANGES AND THE IMPACT OF THE EU: AGENCIFICATION AND DEPOLITICISATION IN CENTRAL AND EASTERN EUROPE

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Comments are welcome

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Abstract

The paper compares the actual patterns of agencification and depoliticisation in Lithuania and explains the extent to which the EU contributed to these changes. Based on the transformational approach and theories of public policy process, our framework for analysis links external factors (including the EU’s influence), internal factors and our dependent variables (changes in public administration and the impact of the EU). Whereas the previous analysis of politicisation and agencification in Central and Eastern Europe was based on survey data or case studies, our research employs (descriptive and inferential) statistical analysis of data on the organisational changes of Lithuanian agencies and political participation of their managers. Furthermore, a longitudinal approach was employed to observe ‘net changes’ by mapping agencification and politicisation throughout the period 1990-2012.

The paper found that the EU made a significant contribution to the establishment of new agencies driven by the exigencies of EU accession, but its impact on the survival of Europeanised agencies was much smaller after enlargement. Changes in the scope of politicisation can be explained by a combination of evolution in the political conditionality of EU membership and wholesale government changes. The differentiated impact of the EU on public administration changes was observed with the management of the Europeanised agencies becoming increasingly professional over time. Overall, the results of our research confirm the stronger and more enduring impact of specific acquis rules in the policy domain compared to the much weaker influence of the EU’s political conditionality. Furthermore, it points to the importance of interactions between domestic actors that realise particular beliefs and pursue certain strategies to understanding institutional and policy changes at domestic level.
Introduction

Theoretical approaches to Europeanisation argue that a goodness of fit between EU and national policies and institutions generates adaptational pressures faced by political and administrative parts of the national systems. Consequently, differences in the level of these pressures, which constitute a necessary but no sufficient condition for change, define the scope of domestic developments.²

We consider that such a ‘EU-centric’ approach, which overestimates the significance of EU-level factors and underestimates that of national factors³, is less appropriate for analysing policy implementation (actual changes) rather than legislative transposition (or formal changes). Also, this approach is not suitable to assessing Europeanisation after enlargement, as well as in the policy areas where the EU institutions do not have an exclusive or shared competence with the EU member states (including public administration where the powers of the EU institutions are very limited). Therefore, it is important to test the explanatory power of alternative theoretical approaches to the study of Europeanisation.

Previous research on Europeanisation in the Central and Eastern European (CEE) countries focused on political, economic and policy changes with less attention paid to public administration developments. Analysis of the EU’s influence on public administration addressed the issues of general institutional performance⁴, professionalisation in CEE civil services⁵ or, more recently, agencification in CEE institutional landscapes⁶. Although in the pre-accession period all EU candidate countries implemented very similar acquis requirements, previous studies found somewhat divergent patterns of politicisation and agencification. Therefore, it is interesting to analyse how the interplay between the EU and various national factors shaped public administration developments in the CEE region throughout 1990-2012.

² If a degree of pressure is high, one can expect a significant change at domestic level. If this pressure is small, the scale of changes is unlikely to be significant. See Risse, T., Cowles, M. G., Caporaso, J., „Europeanization and Domestic Change: Introduction“, Risse, T., Cowles, M. G., Caporaso, J. (eds), Transforming Europe: Europeanization and Domestic Change, Cornell University: Cornell University Press, 2001.
In this article, we selected to analyse the two main trajectories of public administration changes in the context of EU accession: agencification and depoliticisation. If agencification is governed by the EU rules that are part of the acquis, depoliticisation was governed by the EU rules of political conditionality that were discontinued after enlargement in the majority of CEE countries. It is important to compare public administration changes that occurred as a result of the EU’s influence and other factors in these two areas before and after accession.

We aim to describe changes in the politicisation of top managers and agency management, compare them across these public administration issues and explain these developments by ascribing them to the influence of certain external or internal factors. More specifically, it seeks to determine the EU’s impact on Lithuanian public administration. What is the extent to which the EU has contributed to agencification, agency management and civil service depoliticisation? Which institutional constellations and mechanisms have enabled this impact?

This article follows the four principles of an Europeanisation research agenda outlined in the workshop proposal. First, it decouples formal rules from their practical application by focusing on actual changes to public administration (the actual autonomy and control of Lithuanian agencies and de facto politicisation of their managers). Second, although the quantitative methodological approach takes dominance in our research, in line with the mixed methods design quantitative evidence from statistical analysis is complemented with qualitative evidence from case studies and interviews in order to improve the understanding of agencification and depoliticisation in the CEE region.

Third, this article adopts a longitudinal approach to the study of public administration changes in the period 1990-2012. This allows following the ‘bottom-up-down’ approach to Europeanisation, which examines the initial situation before accession to the EU, the intermediate situation during the accession process and the current situation after joining the EU. Also, this makes it possible to connect pre-accession and post-accession developments in a single research exercise.

Fourth, although this article constitutes a single country study, it was sought to compare agencification and depoliticisation changes in Lithuania to those phenomena in other CEE countries that acceded to the EU (in particular in Estonia, Hungary, Bulgaria, Romania, Slovakia, Poland) in order to better disentangle the EU’s influence from CEE-specific factors. This research design allows explaining the Europeanisation of Lithuanian public administration and determining the impact of the EU on these changes based on rigorous methods and reliable

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9 Graziano, P. R., Vink, M. P., “The Europeanization Turn in EU Studies: Beyond Grand Theory”, 47.
empirical evidence.

This article is divided into several parts. After the introduction, the first part elaborates a theoretical framework adapted to the study of Europeanisation in public administration. This part also presents two sets of hypotheses in order to explain agencification and depoliticisation changes. The second part of the article describes and explains these changes and assesses the impact of the EU on these public administration changes. Finally, the article concludes by summarising its main results, assessing their theoretical and empirical implications.

1. Theoretical framework for analysis, hypotheses and methodology

1.1. The main external and internal factors affecting public administration changes

Our framework for analysis is based on the transformational approach that was previously applied in public administration research. According to this approach, the influence of external factors is transformed by various internal factors. At domestic level, transformation means that the EU’s influence depends on how national actors manage to exploit the change opportunities offered by the EU and overcome its constraints. While Europeanisation literature recognises that domestic changes are affected by various mediating factors (e.g. veto players, formal institutions or political and organisational culture), they always act in a hierarchically lower sub-system and depend on a particular adaptation pressure. We argue that domestic factors (or various national actors more specifically) should be more central to explaining post-accession institutional developments. For instance, an actor-centered approach was proposed to explaining the different outcomes of post-accession developments in the CEE region.

Table 1 depicts our framework for analysing public administration changes. Agencification and depoliticisation (dependent variables) depend not only on the EU’s influence but also on other factors that are external and internal (actors’ beliefs and resources) in the public administration sub-system. Based on desk research besides the EU’s leverage we identified such external factors as the influence of government changes on the politicisation of CEE civil services and the importance of public administration reforms and fiscal consolidation measures in public administration developments in Europe.

Table 1. Framework for analysing public administration changes: the main external and internal factors

<table>
<thead>
<tr>
<th>Independent variables</th>
<th>Dependent variables</th>
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</thead>
<tbody>
<tr>
<td><strong>External factors</strong></td>
<td></td>
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<td>EU’s influence</td>
<td></td>
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<tr>
<td>Changes of ruling majorities and governments</td>
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<tr>
<td>Public administration reforms and fiscal consolidation measures</td>
<td></td>
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<tr>
<td><strong>Internal factors</strong></td>
<td></td>
</tr>
<tr>
<td>Actors’ beliefs</td>
<td></td>
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<tr>
<td>Resources</td>
<td></td>
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<tr>
<td>Operational strategies</td>
<td></td>
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<tr>
<td>Decisions and their implementation</td>
<td></td>
</tr>
<tr>
<td>Depoliticisation</td>
<td></td>
</tr>
</tbody>
</table>

Source: the authors based on desk research.

Internal factors were derived from public policy studies whose explanatory power in the study of Europeanisation is tested by this article. In contrast to Europeanisation literature whose main recurring themes are EU conditionality, a degree of fit, an adaptation pressure or domestic compliance costs, the public policy approaches emphasise beliefs or resources of public policy actors, which determine their behavioural strategies and public policy decisions in a certain subsystem of public policy.\(^\text{16}\) Also, empirical studies found a strong match between the neo-liberal preferences and attitudes of Lithuanian elites and the neo-liberal positions of such international organisations as the World Bank and IMF that explains social policy changes in Lithuania.\(^\text{17}\)

Beliefs of the political and administrative elite include their attitudes to agencification and depoliticisation, while their resources used to pursue their operational strategies and attain certain changes comprise not only of financial resources but also such resources as formal legal authority to make policy, public opinion, information, mobilisable troops or skilful leadership.\(^\text{18}\) This article analyses how the use of financial and formal resources (the legal framework and agency functions) affected domestic changes. The main unit of analysis in this article is the public administration sub-system that consists of actors from different levels of governance or organisations who are concerned with certain policy or administrative issues and seek to influence decisions and their implementation in that domain.\(^\text{19}\)

Moreover, it is important to assess the main mechanisms of the EU’s influence on public administration changes. These mechanisms include both ‘hard’ and ‘soft’ measures, ranging from ‘gate-keeping’ to EU pre-accession assistance.\(^\text{20}\) The strongest mechanisms of the EU’s leverage (such as the Accession Partnership, Commission’s Regular Reports and negotiations) were exercised during the pre-accession process. They allowed mobilising domestic financial


and non-financial resources, which were required for domestic changes (e.g. for the establishment of new institutions and restructuring the existing ones, approval of new civil service positions or professionalising the existing civil servants).

The pre-accession process should be divided into two periods before and after the start of EU accession negotiations. The EU institutions exercised their highest leverage on institutional changes in the EU candidate countries during the accession negotiations. After the accession of the candidate countries to the EU, the ex ante control of EU institutions was replaced with an ex post type of controls. Although the specific acquis rules continue to be applicable after enlargement, the EU institutions cannot impose the ultimate sanction of withholding EU membership, and financial sanctions take time to impose. Also, although Article 7 of the Lisbon treaty allows sanctioning a member state that does not respect democratic rules by suspending its voting rights, this provision has never been used by the EU institutions. These factors should have attenuated the EU’s ability to affect domestic public administration changes (in agencification and especially depoliticisation that was part of the EU’s political conditionality). Therefore, after enlargement domestic changes should have become more conditional on various national factors.

It is important to emphasise that the EU rules and influence mechanisms are used or even abused by various actors realising their beliefs and pursuing their strategies. For instance, it is possible that unnecessary agencies or positions could have been established in some CEE countries in order to satisfy some political or bureaucratic interests. It also feasible that politically motivated organisational reforms could have been proposed or adopted in CEE public administrations by allegedly following the EU requirements. The interaction of domestic actors with different beliefs and strategies within the same particular policy sub-system may bring conflict situations over particular decisions or their execution.

1.2. Agencification explanations and research hypotheses

Agencification can be described as an increase in the number of agencies as a result of their establishment or other organisational changes (secession, division). De-agencification is the opposite process of reducing the number of agencies through their termination or other organisational changes (merger, absorption). Lithuania is one of the agencification leaders in Europe – it had the largest number (88%) of agencified executive functions in the Western European and Eastern European countries that were included in the comparative study of 21 counties.

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22 Except for Romania and Bulgaria, whose performance continues to be regularly monitored by the European Commission.
Agencification was part of the *acquis*. In its opinion on Lithuania’s application for EU membership and its regular reports on Lithuania’s progress towards accession the European Commission identified particular obstacles to meeting the obligations of EU membership in specific *acquis* areas where the creation of new agencies or the strengthening of the existing ones was often proposed as a policy response. Therefore, in order to meet regulatory requirements of the EU, a number of regulatory agencies with certain autonomy (in such Europeanised domains as competition, telecommunications, energy, water, railways, post, public information, environment, food safety and personal data) were set up or strengthened.  

Agencification was not limited to the areas of EU regulatory policy and extended to the provision of public services and other areas of policy implementation. For example, in order to implement EU-funded programmes in the areas of EU redistributive policies (such as EU cohesion and agricultural policy), new agencies were set up or strengthened in Lithuania.  

Since the specific *acquis* provisions continue to be applicable after accession, one can expect that the EU institutions still yield some influence on agencification in the EU member states after enlargement.

Organisational changes in CEE countries were found to be related to the inconsistent development of public sector organisations in the absence of a clear agency model, which can be associated with public administration politicisation in this region.  

The fact that most (67%) organisational changes were implemented by the Lithuanian Governments that came into power after a large change in the parliamentary majority points to the significance of domestic political factors (turnover of governments and their composition) for the (de)agencification process.  

Therefore, it is interesting to assess the stability of Lithuanian agencies, whose establishment or other organisational changes were linked to the EU *acquis* rules, throughout their life cycle (in the context of changing governments and the economic crisis).

The article addresses not only organisational changes but also the management of Lithuanian agencies: their autonomy and control, as well as their informal contacts with politicians. Agencies are controlled on the basis of not only formal and institutionalised arrangements but also through informal and *ad hoc* instruments. The latter instruments may be more widespread in post-communist state administrations characterised by limited government stability, relatively weak party governance and fragmented administrative structures. In order to assess the impact of the EU, this article will compare Europeanised and non-Europeanised agencies: to what extent and how is their management different?

It is hypothesised in this article that through the conditionality of EU membership and ‘hard’ instruments of influence in different *acquis* areas the EU made a significant impact on

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28 Randma-Liiv, Nakrošis, Hajnal, „Public sector organization in Central and Eastern Europe: from agencification to de-agencification”.

agencification (the establishment of new agencies), in particular throughout Lithuania’s accession to the EU. Also, we expect that the survival time of Europeanised agencies is longer than that of non-Europeanised ones because politically or economically motivated strategies of restructuring the former agencies face much higher costs than in the case of the latter agencies.

Moreover, we predict that the EU’s impact on actual agency management was low – their autonomy and control depends on various national factors or resources (such as the existing legal framework or agency functions) rather than the EU’s influence. The exception could be specific sets of regulatory or executive agencies whose performance is related to the implementation of EU regulatory or redistributive policies – they should have a higher degree of autonomy and/or to be subject to a stronger ex post control.

1.3. Politicisation explanations and research hypotheses

Politicisation can be defined as “the substitution of political criteria for merit-based criteria in the selection, retention, promotion and disciplining of members of the public service”. Rewarding loyal political party members and controlling the decision-making process are the two main (and interrelated) factors of political party patronage and politicisation of state administration. In the context of CEE countries, party competition was determined to be a significant factor that drives the process of politicisation. In addition to instability and polarisation of party systems, there are other factors influencing politicisation: “the rules of the game” legitimising party patronage; dense party networks and their building through patronage; as well as insufficient regulation and weak enforcement of the merit principle in state administrations.

Depoliticising the civil service was perceived to be a major reform objective in CEE countries in an attempt to break from the communist past when party bureaucracy was superior over state administration. In its 1997 opinion on Lithuania’s application for EU membership the European Commission noted that the principle of political independence was established in the Lithuanian civil service, but senior positions were not always independent of the influence of political parties. As a professional civil service was established to be a pre-condition for the successful application of the acquis, it was recommended to all candidate countries to professionalise the management of their civil services. It was argued that the achievement of this

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32 Meyer-Sahling, Veen, „Governing the Post-Communist State: Government Alternation and Senior Civil Service Politicization in Central and Eastern Europe“.
34 Goetz, K. H., Wollmann, H., “Governmentalizing Central Executives in Post-Communist Europe: A Four-Country Comparison”.
objective required relying on a career civil service model, while avoiding inappropriate ‘medicines’ of the New Public Management doctrine.\(^{36}\)

Consequently, the Lithuanian Ministry of Public Administration Reforms and Local Authorities delineated a reform objective “to form a corps of professional officials to ensure continuity in the performance of state and municipal institutions, political neutrality, efficiency, publicity, flexibility and high quality of services”.\(^{37}\) The Civil Service Law that was adopted by the Lithuanian parliament in 1999 stated that candidates to the positions of civil servants (including heads of institutions) are recruited on the basis of public competition. However, this legislation also provided for the establishment of political (personal) confidence positions in the Lithuanian civil service.

Previous research emphasised a direct relationship between Europeanisation and civil service depoliticisation.\(^{38}\) However, empirical studies argued that new civil service legislation did not depoliticise the management of top officials in some CEE countries\(^{39}\). In the Lithuanian context, it was suggested that “since the re-establishment of independence the Lithuanian civil service had been politicised for a long time. Politicisation was reduced after the adoption of the new Civil Service Law and during its gradual professionalisation. It was part of the Lithuania’s Europeanisation process”.\(^{40}\) However, this statement was not empirically tested through an empirical analysis that would map politicisation trends in the higher civil service.

It is also necessary to consider the opposite effect that could have possibly occurred during the accession process. By increasing the number of agencies and senior executive positions the agencification process could have provided more opportunities for the incumbent governments to politicise top agency management, notwithstanding the EU rules concerning democracy and the rule of law. Besides, an increasing fragmentation in the institutional framework could have produced a greater need for controlling the decision-making process at agency level through political appointments.

Furthermore, as civil service professionalisation was part of the EU political conditionality that is no longer applied in the majority of the new EU member states in the post-accession period, one may expect that the implementation of such pre-accession commitments may be stopped or even reversed after enlargement.\(^{41}\) On the other hand, through *acquis*-specific provisions the EU institutions continue to safeguard the autonomy of regulatory agencies and control the


performance of executive agencies engaged in the implementation of EU public policies.\textsuperscript{42}

Therefore, as proposed above for the analysis of agencification, it is useful to compare the politicisation of Europeanised and non-Europeanised agencies: to what extent and how are these agency groups similar and different in terms of political appointments? How is the scope of politicisation changing in these agencies over time?

It is hypothesised in this paper that the politicisation of agency heads was decreasing during the first few years of Lithuania’s accession to the EU due to the conditionality of EU membership and ‘hard’ mechanisms of the EU’s influence. However, we expect that the scope of politicisation at a later period (after meeting the Copenhagen political criteria and gaining the EU membership) was starting to increase as a result of the lower EU’s leverage, a fast growth in the scope of top civil service positions until 2008 and regular wholesale changes in governments. Nevertheless, we predict that despite this general trend, heads of the Europeanised agencies and agencies acting in Europeanised policy areas remain less politicised than their non-Europeanised counterparts because of higher politicisation costs in Europeanised policy areas.

1.4. Methodology

Previous research on public administration changes has relied on single-country or few-country studies. Although larger-N studies permit the use of statistical methods in explaining variation on the dependent variable, their use in the Europeanisation studies has been limited.\textsuperscript{43}

This article analyses data from the two main data sets. The first data set (LAOC) provides data on Lithuanian agencies (Government agencies and agencies under the ministers; N = 309) and their organisational changes in the period 1990-2012. The second data set (AHCP) provides data on the career and politicisation of agency managers (N = 314) in the same period. In addition, the 2008 COBRA survey of Lithuanian public sector organisations\textsuperscript{44} (N = 73) provides data on, among other things, the establishment, autonomy and control of Lithuanian agencies. Moreover, we complemented the quantitative data with qualitative evidence from the case studies of Lithuanian agencies that were previously carried out in order gain an in-depth longitudinal perspective of the set-up, autonomy and control and innovative behaviour in Lithuanian public sector organisations.\textsuperscript{45}

A number of variables on agencies and their heads are used in this article. We consider agency

\textsuperscript{42} Nakrošis, V., Martinaitis, Ž. (eds), Lithuanian Agencies and Other Public Sector Organisations: Organisation, Autonomy, Control and Performance, Vilnius: Vilnius University, 2011.


\textsuperscript{45} Nakrošis, V., Martinaitis, Ž. (eds), Lithuanian Agencies and Other Public Sector Organisations: Organisation, Autonomy, Control and Performance, Vilnius: Vilnius University, 2011. This paper refers to the findings of the following case studies: a multiple-agency study of two regulatory agencies (the Communications Regulatory Authority and the Competition Council) and a multiple-agency study of four EU support agencies implementing the Common Agricultural Policy and the EU Cohesion policy (the Lithuanian Agricultural and Food Market Regulation Agency, the National Paying Agency, the European Social Fund Agency and the Central Project Management Agency).
heads to be politicised if they have: (1) served as ministers or held a position of political (personal) confidence in the Lithuanian civil service; (2) stood or been elected to the Lithuanian parliament, a municipal council or the European Parliament; (3) been appointed by a political party as a delegate, observer or member of an electoral commission or the Higher Electoral Commission; (4) been employed by a political party in its structure; and (5) been appointed from an organisation associated with a certain political party. Europeanised agencies are defined as the agencies that fulfil acquis-specific tasks, while the functions of non-Europeanised agencies are not related to the EU rules. Other variables are operationalised in a more extensive report of this research project.

Various tests of descriptive and inferential statistics were applied while analysing the data. In order to assess the strength of associations, we used the test of Chi square (when both dependent and independent variables were categorical), as well as Kendall’s tau_b (nominal by ordinal) and Cramer’s V (nominal by nominal) coefficients. The Mantel-Cox test was also employed in this paper in order to measure equality in survival distribution. A level of significance was set at 0.05 for all statistical tests, which were performed using SPSS 19.

2. Changes in public administration and the EU’s impact: empirical results

2.1. Agencification changes in Lithuania and the EU’s impact

The landscape of Lithuanian agencies experienced fast organisational changes during Lithuania’s accession to the EU. According to the LAOC data set, the number of agencies increased by about 62% (from 111 in 1996 to 173 in 2004) during 1997-2004. Agencification was fastest in the policy areas of environment and defence (where the number of agencies grew by 11 respectively). This was associated with the EU’s influence on a relatively new environment area, while changes in the number of defence agencies was related to Lithuania’s accession to NATO.

The most common type of organisational changes during the pre-accession process was the establishment of new agencies. Various newly established regulatory (such as the State Inspectorate of Inland Waterways Navigation) or executive (such as the National Paying Agency under the Ministry of Agriculture) agencies were mentioned in the European Commission’s progress reports. Results of the Estonian agencification research confirm that the EU’s influence was strongest on regulatory agencies and those exercising the functions of EU financial support administration.

Figure 1. Dynamics in the number of Lithuanian agencies, 1990-2012

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According to the 2008 COBRA survey data, 38.7% of representatives of the Lithuanian public sector organisations stated that the EU had a large influence on their set up or reorganisation (while 32.3% said that the EU had a small influence, and the remaining 29.0% - no influence). As many as 75.0% of the agencies whose managers acknowledged the large EU’s influence are Europeanised in terms of their functions. However, it is possible that a certain part of these agencies (in particular non-Europeanised agencies according to their functions) could have been unnecessarily established by abusing the EU requirements. This is rather likely in the context of a fast and insufficiently controlled agencification, which produced a large fragmentation in the Lithuanian institutional set-up. Other evidence also points to the abuse of the EU leverage: “although the replacement of vice-ministerial posts by career civil service positions in 2002 was partially associated with accession to the EU, it enabled the ruling majority parties to enhance protection of the civil servants loyal to them”.

Public administration reforms, which were initiated by the Lithuanian authorities during the financial crisis due to severe budgetary constraints, reversed the trend of agencification. According to the LAOC data, the number of Lithuanian agencies decreased from 183 in 2010 to 167 in 2012 (about by 9%), pointing to the pattern of de-agencification achieved through agency deaths, mergers and absorptions.

**Figure 2. Survival functions of the Lithuanian agencies (N = 303)**

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The analysis of agency survival shows that the Europeanised agencies have longer life spans: their average survival time is 16.9 years compared to the average survival of all agencies equal to 14.1 years (see Figure 2). The Mantel-Cox test of equality of survival distributions found a statistically significant relationship between these types of agencies by Europeanisation (chi-square = 9.407, significance = 0.02). This difference can be explained by the two following factors. First, the Europeanised agencies that carry out more important functions of the state are usually more resistant to politically or economically motivated organisational reforms. Second, attempts to reorganise the Europeanised agencies face higher costs because of control and possible sanctions from the EU institutions.

For instance, the Labour Party, which joined the current ruling coalition after a wholesale government change in 2012, attempted to reorganise the European Social Fund Agency in order to allegedly force non-loyal agency management out of office. However, the Ministry of Finance (a Managing Authority of the EU structural funds in Lithuania) and the Government Office, which are politically controlled by the Lithuanian Social Democratic Party (the coalition leader), intervened on the grounds that this initiative can create a serious risk for the sound functioning of an EU structural assistance administration system, which could ultimately lead to the
The suspension of payments from the EU budget by the European Commission.\textsuperscript{50} Consequently, this politically motivated organisational change has not been carried out.

The remaining part of the agencification hypotheses concerns the impact of the EU on actual agency management. It is therefore necessary to assess the EU’s influence on agency autonomy and control. According to the results of statistical analysis presented in Table 2, there is no statistically significant relationship between EU-related variables (the EU’s influence on organisational changes in the Lithuanian agencies, EUINFL; types of agency function, EUROPE) on the one hand and the autonomy of agencies (SPA, FA, INSTRU) and their control (EXPOST) on the other. The COBRA data analysis clearly shows that the EU did not have a systemic influence on the actual management of Lithuanian agencies – no specific types of agency autonomy and control emerged as a result of the Europeanisation process.

Table 2. Correlations between the EU’s influence, Europeanisation, agency autonomy and control

<table>
<thead>
<tr>
<th>Kendall’s tau b</th>
<th>EUINFL</th>
<th>Correlation coefficient</th>
<th>SPA</th>
<th>0.085</th>
<th>0.145</th>
<th>-0.070</th>
<th>0.024</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Significance (2-tailed)</td>
<td></td>
<td>0.416</td>
<td>0.251</td>
<td>0.535</td>
<td>0.814</td>
</tr>
<tr>
<td></td>
<td></td>
<td>N</td>
<td></td>
<td>63</td>
<td>54</td>
<td>59</td>
<td>64</td>
</tr>
<tr>
<td>Cramer’s V</td>
<td>EUROPE</td>
<td>Correlation coefficient</td>
<td></td>
<td>0.289</td>
<td>0.241</td>
<td>0.226</td>
<td>0.652</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Significance (2-tailed)</td>
<td></td>
<td>0.384</td>
<td>0.228</td>
<td>0.739</td>
<td>0.344</td>
</tr>
<tr>
<td></td>
<td></td>
<td>N</td>
<td></td>
<td>63</td>
<td>51</td>
<td>54</td>
<td>59</td>
</tr>
</tbody>
</table>

Source: analysis of the COBRA data.

However, the EU had a certain influence on the management of various Lithuanian agency groups. The studies of specific Lithuanian agencies illustrated that the EU affected the autonomy of regulatory agencies and the control of EU support administration agencies. In the absence of a single EU agency model the EU’s leverage translated through various national factors. As a result, special legislative provisions were adopted during the process of legal transposition. For instance, sectoral legislation contains special provisions concerning the appointment of managers and board members for some regulatory agencies, while appropriate government resolutions define special procedures for the management of EU support administration agencies.

If there was no systemic EU’s impact on the Lithuanian agencies, which national factors could explain their management characteristics? The results of statistical analysis in Table 3 show that it is the formal status of agencies and their functions that accounts for variation in their

autonomy and control. A medium strong statistically significant relationship between formal autonomy (FORAUT) and strategic personnel autonomy (SPA) was found. State institutions that are regulated by the Civil Service Law have lower human resource management autonomy. In addition, a weaker but still statistically significant relationship was established between agency functions (FUNC) and strategic personnel autonomy (SPA). Lithuanian regulatory agencies have lower strategic personnel management autonomy (40.0% compared with the average of 29.4% for all agencies) and a higher autonomy concerning the choice of policy instruments (41.7% compared to the average of 28.8% for all agencies). This autonomy mix could be explained by the fact that although sectoral legislation grants policy implementation autonomy to the regulatory agencies, the same provisions of the Civil Service Law are applicable to all types of agencies.

Table 3. Correlation between formal autonomy, agency functions and their actual autonomy and control

<table>
<thead>
<tr>
<th>Kendall's tau_b</th>
<th>FORAUT</th>
<th>SPA</th>
<th>FA</th>
<th>INSTRU</th>
<th>EXPOST</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Correlation coefficient</td>
<td>0.469**</td>
<td>-0.211</td>
<td>-0.089</td>
<td>0.173</td>
</tr>
<tr>
<td></td>
<td>Significance (2-tailed)</td>
<td>0.000</td>
<td>0.112</td>
<td>0.471</td>
<td>0.106</td>
</tr>
<tr>
<td></td>
<td>N</td>
<td>63</td>
<td>51</td>
<td>54</td>
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<table>
<thead>
<tr>
<th>Cramer's V</th>
<th>FUNC</th>
<th>SPA</th>
<th>FA</th>
<th>INSTRU</th>
<th>EXPOST</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Correlation coefficient</td>
<td>0.368*</td>
<td>0.303</td>
<td>-0.326</td>
<td>0.611</td>
</tr>
<tr>
<td></td>
<td>Significance (2-tailed)</td>
<td>0.024</td>
<td>0.128</td>
<td>0.221</td>
<td>0.390</td>
</tr>
<tr>
<td></td>
<td>N</td>
<td>68</td>
<td>54</td>
<td>59</td>
<td>64</td>
</tr>
</tbody>
</table>

Source: analysis of the COBRA data.
Note: ** Correlation is significant at 0.01; * correlation is significant at 0.05.

National factors also explain differences in the actual control of Lithuanian agencies. The COBRA data analysis shows that the Lithuanian agencies are strongly controlled through informal contacts (84.0% versus 16.0% of organisations whose management maintain formal contacts with their political principles). Heads of the regulatory agencies more frequently (93.8% compared with the average of 84.0% for all agencies) maintain informal contacts (by phone, informal meetings, e-mail) with their political masters. Also, heads of the Europeanised agencies more frequently interact with their principles on an informal basis than their non-Europeanised counterparts (91.3% of the former agencies compared to 75.0% of the latter agencies). Although these relationships are not statistically significant, they still indicate the exercise of relatively strong informal control over the groups of agencies that execute politically salient and important functions. Findings of agency-level studies also prove that the control of various agencies is highly dependent on the changing salience of political issues that affects the politicians’ willingness to control agency activities.\(^5\)\(^1\) Frequent informal contacts between

\(^5\) Nakrošis, Martinaitis, Lithuanian Agencies and Other Public Sector Organisations: Organisation, Autonomy, Control and Performance.
politicians and agency managers could be also related to close political connections inside the executive elite – the following part of this article examines the issue of CEO depoliticisation.

A comparative review of agency autonomy and control of CEE countries (Croatia, Estonia, Hungary, Lithuania, Romania and Slovakia) indicated that a formal agency status is one of the key factors explaining considerable variation in their (financial and human resource) autonomy.\(^{52}\) This corroborates the finding of this single-country study that agency autonomy and control is a result of national factors (rather than the EU’s influence). A comparative analysis of Lithuanian and Romanian agencies, which was based on the joint COBRA database, demonstrated that the Lithuanian agencies are relatively more autonomous, but more controlled in terms of performance results and informal contacts. This illustrates that public management reforms in the context of EU accession made a difference on actual agency management: “the earlier start, more extensive scope, and more intense implementation of the Lithuanian reform initiatives can explain cross-country differences in the \textit{ex post} control and steering of its government agencies”.\(^{53}\)

2.2. Depoliticisation changes in Lithuania and the EU’s impact

The substance of Lithuanian civil service legislation and its adoption time was linked to the influence of the EU. It was decided to expedite the adoption of a still unfinished draft Civil Service Law in the Lithuanian parliament during the preparation of Commission’s 1999 Regular Report in order to increase the possibility that Lithuania will be invited to start negotiations on EU membership.\(^{54}\) The sanction of a delayed EU membership became less probable when in its 1999 Report the European Commission declared that Lithuania met the Copenhagen political criteria, which allowed starting formal negotiations on the conditions of EU membership in the beginning of 2000.

This article analyses data on the actual politicisation of heads of the Lithuanian government agencies and agencies under the ministries. The number of these agency heads, which were involved in the activities of political parties, was about 19.1% throughout 1990-2013. Heads of the government agencies were more politicised (28.4%) than heads of the agencies under the ministries (16.4%). This difference is related to more frequent political appointments of the former managers.

\textbf{Figure 3. Politicisation of heads of the Lithuanian agencies, 1990-2013}

\(^{52}\) Randma-Liiv, T., Nakrošis, V., Hajnal, G., “Public Sector Organization in Central and Eastern Europe: from Agencification to De-agencification”.


A more in-depth analysis of the AHCP data does not point to depoliticisation of the Lithuanian higher civil service during the pre-accession process. If the scope of politicisation tended to decrease during the first years of accession (up to 1999 when Lithuania adopted the Civil Service Law and was invited to start negotiations on EU membership), it began growing in the subsequent years. As shown in Figure 3, the scope of politicisation was 16.3% in 1996 (before the start of accession), but it fluctuated during the accession process and reached its highest point in 2003 at the level of 23.5%. After joining the EU, the level of politicisation started gradually decreasing until it reached 18.1% in 2012. The dynamics of politicisation in the Hungarian higher civil service is also in line with the depoliticisation trend during the same period: the country’s leadership was initially politicised as a result of changing national governments, but subsequently politicisation stabilised at a quite high level.\textsuperscript{55}

In Lithuania, the largest number of politicised agency managers (21.6%) was appointed and the smallest number of such managers (16.2%) was dismissed during the pre-accession period of 1997-2004, compared with the periods of 1990-1996 and 2005-2013. Since accession to the EU was characterised by a fast expansion in the number of agencies and, respectively, of agency heads, these results suggest that agencification was abused for politicising the Lithuanian civil service, in spite of new civil service legislation. Such a politicisation mechanism was also observed in Poland throughout 2001-2006, when “the creation of new quangos, which were

staffed by party loyalists, was a means of increasing the number of appointments available for the governing party.\textsuperscript{56}

There is considerable variation in the level of politicisation according to more or less Europeanised policy areas. The majority of the Europeanised policy areas were less politicised compared to the average (19,1%), except the policy areas assigned to the Ministry of Social Security and Labour (40,7%), the Ministry of Energy (33,3%) and the Ministry of Agriculture (22,7%). Most of the non-Europeanised policy areas were more politicised compared to the average, except for the Ministry of National Defence whose agency managers were not engaged in political activities. Also, there is considerable variation within these policy areas. For example, most politicised heads from the policy areas managed by the Ministry of Social Security and Labour and the Ministry of Agriculture were employed in the non-Europeanised agencies.

Politicalisation studies in other CEE countries provide similar evidence on politicisation differences across policy areas or types of public sector organisations. For instance, there is relatively weak evidence of party patronage in the Bulgarian organisations that are subject to substantial external control (such as financial institutions) and much stronger evidence in the organisations that are free of external controls (such as in cultural policy and welfare policy).\textsuperscript{57} This can be imputed to the EU’s influence, which constrains patronage opportunities in more Europeanised policy areas.

Furthermore, it is necessary to compare the politicisation of CEOs in charge of the Europeanised and non-Europeanised agencies. This analysis shows that the Europeanised agencies employed fewer politically affiliated senior executives compared to the non-Europeanised ones (12,8% of the former versus 24,4% of the latter). The relationship between these groups of agencies became statistically significant when agencies in the de-politicised policy area assigned to the Ministry of National Defence were coded as Europeanised (or Euroatlantised). The test of Chi square indicated a statistically significant association between the two categorical variables (Chi square value of 6,314, p = 0,012, N = 293).

A comparison of the agency groups at three different points of time reveals interesting differences in the politicisation process. Whereas politicisation of these groups was almost the same in 1996, a certain difference emerged in 2004, when the non-Europeanised agencies became more politicised. However, this difference became statistically significant only for 2012, when politicisation of the Europeanised agencies dropped to 9,1% (see Table 4 below).

<p>| Table 4. Dynamics in the politicisation of heads of the Europeanised and non-Europeanised agencies, % |
|----------------------------------|----------------------------------|----------------------------------|----------------------------------|</p>
<table>
<thead>
<tr>
<th><strong>Scope of politicisation</strong></th>
<th><strong>1996 (initial situation)</strong></th>
<th><strong>2004 (intermediate situation)</strong></th>
<th><strong>2012 (final situation)</strong></th>
</tr>
</thead>
</table>


Politicisation of heads of Europeanised agencies

<table>
<thead>
<tr>
<th>Politicisation of heads of Europeanised agencies</th>
<th>15.8</th>
<th>16.7</th>
<th>9.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Politicisation of heads of non-Europeanised agencies</td>
<td>16.7</td>
<td>27.3</td>
<td>26.0</td>
</tr>
</tbody>
</table>
| Chi square Group differences not statistically significant | Group differences statistically significant | Group differences statistically significant (value of 4.517, p = 0.034)
| Total politicisation of all agency heads | 16.3 (N = 47) | 22.1 (N = 86) | 18.1 (N = 94) |

Source: analysis of the AHCP data.

Therefore, it is possible to claim that the Europeanised (or Euroatlantised) policy areas and agencies are less politicised. More specifically, the results of our statistical analysis point to politicisation of the non-Europeanised agencies during the accession process, whereas that of the Europeanised agencies started declining after Lithuania gained membership in the EU. Politicised managers of the Europeanised were frequently dismissed due to misconduct in office or after undertaking voluntary moves to the private sector. Also, stabilisation of the Lithuanian agency landscape and a lack of new CEO positions limited politicisation opportunities in the post-membership period.

Unlike the survival of agencies (see section 2.1.), heads of the Europeanised and non-Europeanised agencies do not differ significantly in terms of their life span – their survival is close to the average (7,635 years). Whereas the Europeanised agencies have somewhat longer life spans, this is not true for their managers whose careers are affected by various factors. Since heads of the Europeanised agencies are relatively less politicised and, respectively, more professional than their peers in the non-Europeanised agencies, they have more employment opportunities outside the civil service. The AHCP data indicate their moves to international organisations (including the EU institutions), other institutions from the governmental, public or private sectors.

The main factor that explains the survival of agency managers is their workplace. The survival time of heads of more unstable governmental agencies amounts to 5.5 years, whereas that of heads of more stable agencies under the ministries is 8.4 years (compared to the average of 7.7 years). The Mantel-Cox test for the different types of agencies revealed a statistically significant relationship (chi-square = 5.428, p = 0.020) between these agency groups. This is associated with organisational reforms, which are more frequently carried out in the case of governmental agencies, and structural politicisation of their managers.

Overall, these results point to the gradual emergence of two different agency groups. The case studies of Lithuanian agencies confirm that that the Europeanised agencies (such the Central Project Management Agency, an EU structural support administration agency) are quite
innovative and professionally managed\textsuperscript{58}, unlike such non-Europeanised and strongly politicised government agencies as the Department of Physical Education and Sports, which was assigned to competence of the Ministry of the Interior, or such ministerial agencies as the Department of Youth Affairs controlled by the Ministry of Social Security and Labour.\textsuperscript{59}

Are there any other factors that explain the change and politicisation of agency managers? First, it is competition between the Lithuanian political parties and their blocs, associated changes of the parliamentary ruling majorities and corresponding government changes. Most of the Lithuanian agency heads were appointed and dismissed by the governments that came into power after large changes in the parliamentary majority (in particular during the political terms of Governments No. 8 and 15, which reorganised government agencies).\textsuperscript{60} There was a sudden rise in the scope of politicisation from 2001, when Government No. 12 came into office following a major change in the parliamentary majority. The ruling Lithuanian Social Democratic Party appointed party members from its large network of loyal candidates to new positions of agency heads, whose number was rapidly increasing during the ongoing agencification process.

A gradual decline in the scope of politicisation from 2003 can be imputed to slowing agencification and greater government stability. Although the 2008 wholesale government change increased structural politicisation through the replacement of career top management positions with those of political appointees, there was no significant \textit{de facto} politicisation during the term of Government No. 15. The variable of wholesale government changes was also significant in explaining politicisation of ministerial leadership in several CEE countries (Estonia, Latvia, Lithuania, Hungary, the Czech Republic, Slovakia, Poland, Slovenia).\textsuperscript{61}

Second, one should note the importance of sufficiently strong politicians’ beliefs in the exercise of political patronage. The 2000 survey of 53 Lithuanian ministers from the main ministries indicated that over 80\% of respondents agreed that ministers themselves should appoint civil servants. A more in-depth analysis of the two time periods (before and after 1996) identified a slight change in the ministers’ attitude: about 78\% of the ministers who held office after 1996 supported the exercise of these powers compared to as much as 94\% of ministers who headed the ministries before 1996.\textsuperscript{62} These changes in the beliefs of politicians coincided with the increasing professionalism of the Lithuanian civil service. According to the AHCP data, the scope of politicisation during these periods decreased from about 22\% in 1996 to about 16\% in 2000. More recent data on politicisation beliefs are not available in Lithuania. Academic

\textsuperscript{58} Nakrošis, V., Vijeikis, D., Polka, T., “EU Support Agencies in Lithuania”, Nakrošis, V., Martinaitis, Ž. (eds.), \textit{Lithuanian Agencies and Other Public Sector Organisations: Organisation, Autonomy, Control and Performance}.

\textsuperscript{59} Bogušinskaite, I., Nakrošis, V., „Lietuvos Vyriausybės įstaigų ir įstaigų prie ministerijų vadovų kaita ir politizacija”, \textit{Politologija}, 2014, 2.

\textsuperscript{60} Ibid.

\textsuperscript{61} Meyer-Sahling, J.-H., Veen, T., “Governing the Post-Communist State: Government Alternation and Senior Civil Service Politicisation in Central and Eastern Europe”.

research on politicians’ beliefs in other CEE countries obtained very similar results. For instance, 77% of Slovenian political officials agreed to the statement that “ministers must have the ultimate say in the selection of a candidate”, while 62% of them admitted that “appointments of administrative managers are predominantly political and prearranged”. Therefore, this finding is likely to generalisable to the rest of CEE countries.

Empirical and theoretical conclusions of the research

Our research results largely confirmed the set of a gencification hypothesis. The EU made a significant impact on the establishment of new agencies, but its impact on the survival of the Europeanised agencies within the Lithuanian institutional set-up was somewhat weaker. Whereas the EU’s impact on organisational birth was determined by the exigencies of EU membership, the impact on their survival is associated with the higher costs of reorganising Europeanised organisations due to the control of EU institutions and their potential sanctions, as well as due to the importance of professionally executing core functions of the state. The legal status of Lithuanian agencies was determined by national factors (the formal framework and executed functions) rather than by the EU’s influence.

Although the EU yielded no systemic impact on the actual management of Lithuanian agencies, we observed a considerable impact of the EU on the most Europeanised agencies. However, this impact was not uniform – regulatory agencies gained higher autonomy, unlike executive agencies whose performance is controlled by the EU institutions on the ex post basis. The management of Lithuanian agencies is best explained by such internal factors as the formal status of agencies and their functions, whereas the informal control of these organisations is related to the salience of political issues on the Lithuanian political agenda.

Empirical evidence also enabled us to largely confirm the set of politicisation hypotheses. Although the scope of politicisation decreased during the first few years of Lithuania’s accession to the EU due to the political conditionality of EU membership and ‘hard’ influence mechanisms, in the following period (after meeting the Copenhagen political criteria and starting negotiations on EU membership) we observed a higher level of politicisation, which started declining again after enlargement. Therefore, the initial achievements of EU accession were not sustained in Lithuania because the lower EU’s influence was extenuated by unfavourable political developments at domestic level. A growing politicisation during the accession process was also observed in other CEE countries (Hungary and Poland).

Our research indicated that the heads of Lithuanian agencies were less politicised in the Europeanised policy areas (with similar results obtained in Bulgaria). Despite a new wave of politicisation in Lithuanian public administration, the politicisation of heads from the Europeanised agencies did not change much and started dropping after Lithuania’s accession to the EU. Therefore, what actually occurred in this country is not a professionalisation of the

whole higher civil service, but a gradual depoliticisation of the Europeanised agencies from 2003.

Statistical analysis allowed identifying the gradual emergence of the two different Lithuanian agency groups: more politicised agencies that operate in more politically sensitive policy areas and more professionalised agencies that fulfil their tasks in the Europeanised policy areas. The continued differentiation of these agency groups can lead to different outcomes of the adopted EU rules after enlargement, when formal and informal rules largely align (the outcome of institutionalisation) in the case of the Europeanised agencies but parallel informal rules are followed more frequently in the case of the non-Europeanised agencies (the outcome of ‘empty shells’ in Dimitrova’s terms). This development is associated with the higher costs of politicisation in the Europeanised agencies not only due to the control of EU institutions and their possible sanctions but also owing to the higher importance of their functions, which requires the appointment of more professional top managers. This conclusion is similar to the recent results of research on the impact of EU networks, which argued that the involvement of national agencies in EU policy-making increases their policy-making role, making it more difficult for parent ministries to monitor and control their performance.

Also, our paper revealed that the observed changes in agencification and depoliticisation were interrelated. The agencification process involving the establishment of new agencies and senior executive positions created more favourable conditions for politicising the higher civil service, while the application of specific acquis provisions for some Lithuanian agencies not only affected their actual control practices but also constrained opportunities for politically motivated organisational changes. Therefore, it was worth linking the two different trajectories of public administration change in a single research project.

The results of our research are broadly in line with the previous findings that since 2004 the EU’s political impacts in the new EU member states have been limited. For instance, the EU has been largely unsuccessful in fighting corruption in Romania and Bulgaria, despite the annual monitoring of these countries’ performance by the European Commission and the possibility of sanctions. However, a more nuanced analysis revealed the gradual depoliticisation of the Europeanised agencies after Lithuania’s accession to the EU in 2004. This differentiated impact of the EU is associated with the application of specific acquis rules rather than a ‘lock-in’ of pre-accession institutional changes after enlargement.

Our research also illustrated that in the EU had a stronger impact on agency management (institutional) than depoliticisation (political) changes in Lithuania. After accession the EU institutions continued to affect the performance of Lithuanian regulatory and executive agencies

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involved in the implementation of certain EU policies, but its impact was no longer systemic as in the pre-accession period. Also, these institutional changes largely occurred through the policy domain, where domestic legislation should be harmonised with the *acquis* or specific EU rules should be directly applied (with sanctions possible in the absence of compliance). Overall, these results confirm the stronger and enduring impact of specific *acquis* rules on public administration changes in the new EU member states compared to the weaker influence of the EU’s political conditionality. In this background, it is not surprising that new legislative initiatives have been recently proposed by the European Commission in order to enhance its powers to monitor and sanction EU member states that breach fundamental EU rules and the rule of law at domestic level.

Our research results, which were found to be similar to agencification and politicisation trends in other CEE countries, should be quite generalisable in the EU member states from the CEE region that acceded to the EU in 2004, 2007 or 2013. However, one should be cautious about external validity of our conclusions in other post-communist countries (including those from Western Balkans) marked by significant differences not only in the EU’s influence but also in their domestic political and policy developments. Therefore, it would be useful to assess cross-country differences and similarities in the impact of the EU on public administration changes by undertaking comparative research in the future.

In theoretical terms, a degree of mismatch and the resulting adaptation pressure, which constitute the main assumptions of Europeanisation literature, could not explain domestic changes and the EU’s impact on agencification and depoliticisation in Lithuania. For instance, although the adoption of the 1999 Civil Service Law increased Lithuania’s match with the EU requirements, subsequently intensive and reverse changes occurred in the civil service area - the appointment of agency managers became more politicised as a result of national factors. Also, the Lithuanian agency landscape, where a good deal of fit with the EU requirements was achieved after the country’s accession to the EU, became subject to a fast and intensive de-agencification as a result of public administration reforms and fiscal consolidation measures adopted during the recent economic crisis. Overall, a low adaptational pressure from the EU does not necessarily imply a lack of domestic changes and vice versa.

Our research indicated that the EU’s impact was particularly significant in the initial years of accession when the conditionality of EU membership was especially strong. However, in the following years of accession Lithuanian politicians were able to exercise greater party patronage due to the weakening of the EU’s influence and ongoing wholesale government changes that increased incentives of the incumbent governments to politicise the higher civil service. Although these results are line with the incentives-based explanation of Europeanisation, other research results indicate that agencification and depoliticisation changes cannot be solely attributed the political and even *acquis*-specific conditionality of the EU and associated domestic compliance costs. For instance, the increasing professionalisation of Lithuanian top managers in the Europeanised agencies after enlargement is driven by the interplay of various external and internal factors.

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69 Epstein, R.A, Sedelmeier, U., “Beyond conditionality: international institutions in postcommunist Europe after enlargement.”
internal factors in the public administration sub-system, as provided in the transformational approach. Interactions of domestic actors that realise particular beliefs and pursue certain strategies are important to understanding why and how certain EU controls or sanctions are used or abused within the specific policy sub-system.\textsuperscript{70}

\textsuperscript{70} It is interesting that the same political actors can pursue different strategies at different points of time, depending on specific political circumstances and changing policy beliefs. For instance, we found that the Lithuanian Social Democratic Party under the leadership of A. Brazauskas exploited the ongoing agencification process by politicising the Lithuanian agencies in 2001-2003, but the same party under the leadership of A. Butkevičius resisted a politically motivated reorganisation initiative of another political party in 2013.
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