

Special Issue

Back to Bureaucracy? The Advent of the Neo-Weberian State in Germany

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In this contribution, the emergence of the neo-Weberian state (NWS) is analyzed with regard to German public administration. Drawing on the concept of a governance space, which consists of a hierarchy, markets, and networks, we distinguish between four empirical manifestations of the NWS, namely, the NWS as (1) come back of the public/re-municipalization; (2) re-hierarchization; (3) de-agencification; (4) de-escalation in performance management. These movements can, on the one hand, be interpreted as a (partial) reversal of New Public Management (NPM) approaches and a “swinging back of the pendulum” (see Kuhlmann & Wollmann, 2019) toward public and classical Weberian principles (e.g., hierarchy, regulation, institutional re-aggregation). This reversal re-strengthened the hierarchy within the overall governance space to the detriment of, but without completely replacing, market mechanisms and networks. NPM’s failure to deliver what it promised and its inappropriateness as a response to more recent challenges connected to crises and wicked problems have engendered a partial return of the public and a move away from the economization logic of NPM. On the other hand, post-NPM reversals and managerial de-escalation gave rise to hybrid models that merge NPM and classic Weberian administration. While some well-functioning combinations of NPM and Weberianism exist, the hybridization of “old” and “neo” elements has also provoked ambivalent and negative assessments regarding the actual functioning of the NWS in Germany. Our analysis suggests that the NWS is only partially suitable as a model for reform and future administrative modernization, largely depending on the context surrounding reform and implementation practices.

1. Introduction

The traditional model of public administration in Germany constitutes a case par excellence for an ideal-type Weberian bureaucracy. It is well-known for its deeply rooted legalist tradition embedded in the *Rechtsstaat* culture and a Weberian state model (Sommermann, 2021). Against this background, it has often served as a reference frame for public administration in the OECD region and many transition countries (Fuhr et al., 2018; Kuhlmann, Proeller, et al., 2021). The federal structure and pronouncedly decentralized institutional setting with the powerful position of *Länder* and strong local governments are considered guarantees of stability, lawfulness, and protection against arbitrariness. Policymaking follows the principle of “administrative federalism,” which stipulates that the federal government is responsible mainly for policy formulation, whereas *Länder* engage mostly in policy implementation (see Kuhlmann & Wollmann, 2019, p. 90 et seq.). According to the constitution, there is an overall requirement to collaborate across levels and jurisdictions to guarantee unity across the federation (see Kuhlmann, Proeller, et al., 2021). *Länder* and local governments are in charge of implementing most federal legislation as well as most EU regulations, while the federal government can operate its own administrative offices at the regional and local levels

but only in areas specified in the Federal Constitution (e.g., customs, finance, water and shipping, defense, and labor). About 11 percent of the entire workforce in the public sector are federal personnel, 50 percent are employed by *Länder*, 30 percent work at the local government levels, and 8 percent work in social security (Bogumil & Jann, 2020, p. 134).

Given the historical events during the Third Reich, the federal structure in Germany was consciously designed to erect an institutional barrier against the potential hierarchical dominance of a powerful central government. However, German federalism increasingly exhibits elements of unitarization and centralization (with decreasing competitive federal characteristics). The federal level has undergone a substantial centralization of legislation, while *Länder* have retained only marginal legislative powers (but most administrative competencies). This development should not be misunderstood as a comprehensive strengthening of hierarchical control within the overall federal “governance space” (see Bouckaert, 2023, p. 24). Rather, German cooperative federalism is characterized by pronounced vertical and horizontal coordination, thus intensifying intergovernmental and inter-administrative relations (see Laffin et al., 2024; Oehlert & Kuhlmann, 2024), aimed at achieving equivalent living conditions but often leading to decision-making deadlocks and so-called entanglement

traps. Over the past decades, the traditional profile of German public administration has been noticeably remolded through reforms and modernization. These initiatives have been directed at adapting administrative structures and procedures to new challenges and crisis-related pressures, such as fiscal and economic crises, increased citizens' demands, demographic changes, and novel policy problems. From the 1990s onwards, the new public management (NPM) paradigm served as the predominant conceptual and normative frame for public sector modernization in Germany, but more recent periods have witnessed public authorities significantly shifting away from NPM-type reforms to what has been labeled post-NPM and the neo-Weberian state (NWS) (see Kuhlmann & Bogumil, 2019; Pollitt & Bouckaert, 2017). This shift has also included various attempts at the digital transformation of public administration (Kuhlmann & Marienfeldt, 2023).

In consideration of the abovementioned issues, we analyze the emergence of the NWS with regard to German public administration. We concentrate on the institutional reality and empirical indications of this trend, leaving aside the more normative debate about the NWS as a reform concept. On the basis of the idea of a governance space, which consists of a hierarchy, markets, and networks (see Bouckaert, 2023, p. 24), we make a distinction between four empirical manifestations of the NWS, namely, the NWS as (1) come back of the public/re-municipalization, (2) re-hierarchization, (3) de-agencification, and (4) de-escalation in performance management. These movements can be interpreted as a (partial) reversal of NPM approaches and a "swinging back of the pendulum" (see Kuhlmann & Wollmann, 2019) toward public and classical Weberian principles (e.g., hierarchy, regulation, institutional re-aggregation). This reversal re-strengthened the hierarchy within the overall governance space to the detriment of, but without completely replacing, market mechanisms and networks. Given the NPM's failure to deliver what it promised and its unsuitability as a response to more recent challenges connected to crises and wicked problems, a partial return of the public and a move away from the economization logic of NPM have occurred. At the same time, post-NPM reversals and de-escalation in performance management brought forth hybrid models that merge NPM and classic Weberian administration.

Our analysis of various waves of reforms is aimed at uncovering the extent to which the German administrative system has diverged, over the last decades, from classical Weberian bureaucracy and transitioned into a hybrid system where elements of the old model and NPM are hybridized to form an NWS model. With pertinent research as basis, we scrutinize whether and how key characteristics of the Weberian model have been integrated with new components, thus amalgamating the predominant Weberian administration and NPM principles. Another issue addressed here is the degree to which a shift from the ideal-type Weberian bureaucracy over NPM and "other-than-NPM" reforms to the NWS has taken shape and what consequences have resulted from these changes in terms of the function-

ing of German public administration. Put differently, has the NWS proved to be the "best of all worlds?"

We categorize the reforms of interest according to the three dimensions of the governance space (cf. Bouckaert, 2023, p. 24): markets, hierarchies, and networks. Although NPM-inspired reforms are located primarily in the market dimension of the governance space, NWS-orientated reforms address (deliberately or randomly) at least two dimensions, thereby tending toward the middle of the multidimensional governance space. This analysis centers predominantly on the market and hierarchy dimensions as well as their interrelations.

The criteria or indicators for the success or failure of reforms are the extent and scope of reform implementation (institutional changes) and the more far-reaching, but also unintended, effects of these reforms, particularly on governance, coordination, and control as well as gains/losses in the efficiency and effectiveness of task provision (performance/outcome changes) (for details see Kuhlmann & Wollmann, 2019, p. 55 et seq.).

In what follows, we first recapitulate the predominant trends typifying administrative modernization in Germany over the last decades, with a focus on NPM reforms (Section 2) as well as NPM failures, Weberian legacies, and "other-than-NPM" reforms (Section 3). We also inquire into the advent of the NWS on the grounds of four trends: comeback of the public, re-hierarchization, de-agencification, and de-escalation in performance management (Section 4). Furthermore, we address the crisis-related challenges confronting German public administration to illuminate a new tendency toward increased state intervention, re-regulation, and over-bureaucratization—a phenomenon that we refer to as over-Weberianization (Section 5). Finally, we present the conclusions that we have drawn and our outlook for the future (Section 6).

2. NPM-Driven Modernization Trends

From the beginning of the 1990s onwards, NPM—in the German version of the New Steering Model (NSM)—has increasingly gained importance as a reform concept, specifically at the local level of government. However, in contrast to the international NPM paradigm, the German NSM is more strongly directed toward the internal modernization of procedures and management tools in administration, strongly shaped by the concept of performance measurement/performance management (see Ebinger et al., 2018; Kuhlmann & Marienfeldt, 2023, p. 320 et seq.; Kuhlmann, 2021, p. 118 et seq.). The German NSM refrains from proclaiming privatization, market liberalization, and outsourcing as core principles of reform. This orientation is intended to achieve cross-party support for reform and avoid ideology-driven, polarizing state-versus-market debates. The occurrence of privatization and market liberalization in Germany during the time frame at which NPM discourse proliferated is more attributable to EU market liberalization, a neoliberal political climate, and municipal austerity policies. Another distinguishing feature of the German NSM is the bottom-up development and implementation of reform, which starts at the municipal level and (in an at-

tenuated intensity) diffuses to *Länder* and the federal government. This approach also contrasts with those of many other countries, especially unitary ones (e.g., the UK).

Although the emphasis of the NSM is largely on the internal NPM dimension, public sector reform in Germany is also directed toward the privatization, marketization, and commercialization of public services (the external NPM dimension). In addition, public companies are increasingly organized under private law, which particularly affects local governments (Friedländer et al., 2021). On the one hand, NPM-inspired public sector reforms weaken the principle of hierarchic control within the governance space (Bouckaert, 2023). On the other hand, they contribute to market mechanisms gaining further ground through privatization and marketization. Furthermore, network elements are promoted, particularly in the form of intermunicipal benchmarking circles and task transfers from public to nonprofit providers (e.g., in the care sector).

2.1. Internal NPM

With regard to the internal NPM dimension, covered by the NSM concept, the instruments of performance management and performance comparison have been introduced to public administration (Proeller & Siegel, 2021). These reform concepts have made their entry typically in a bottom-up manner, starting at the local level, then taken up by *Länder*, and finally, to a lesser degree, at the federal level. In their attempt to move from the traditional rule-oriented and input-based Weberian model to performance orientation and managerialism, German local governments began to define products and performance indicators to compile product catalogues and collect performance data. In general, the customer-oriented and structural reform elements of the NSM are preferred over performance management approaches (Proeller & Siegel, 2021, p. 398). With respect to the latter, the most widely implemented measures have been new budgeting systems, particularly lump sum budgeting, which is, however, predominantly used as a tool for cost-cutting management rather than performance improvement. Contract management (control via performance agreements), by contrast, has gained little ground in practice, particularly regarding the contracts between politics and administration (Kuhlmann et al., 2008).

While the NSM reforms in German local governments unfolded in an entirely voluntary manner, the reform of municipal financial management, which was conceptually built on the NSM approach, was prescribed by (*Länder*) law and was thus no longer voluntary. The seminal decision made during the conference held by the ministers of interior of all *Länder* in 2003 paved the way for a far-reaching, legally binding local administrative reform directed at “new municipal financial management” (see Proeller & Siegel, 2021, p. 402). The key elements of this reform were the shift from cost- to accrual-based accounting using double-entry bookkeeping, a change in structure of the local budget toward output-oriented categories, the so-called product budget, and performance budgeting. Mainly resulting from the new legislation, performance-oriented reforms significantly increased in Germany. By 2010, therefore, almost

90 percent of all local governments in North Rhine-Westphalia had defined products or implemented product catalogues (see Bogumil, 2017, p. 125). Until 2017, about 7,000 local governments in Germany (corresponding to 60 percent of all local governments) had changed to accrual accounting (Proeller & Siegel, 2021, p. 403), which had been wholly implemented in only 12.7 percent of local governments in 2005 (Kuhlmann et al., 2008).

As another field of performance management in German public administration, performance comparison and benchmarking should also be mentioned. Again, starting at the local level, benchmarking clubs were initiated in the 1990s, aimed at inter-organizational comparisons of administrative processes, structures, and performance (see Schuster, 2003). Although fluctuations in participants have occurred over time and still only a minority of German local governments have been involved, by 2016, the Municipal Association for Administrative Management (KGSt) had organized 1436 benchmarking clubs, many of which were permanently using comparative data (Bandemer, 2019, p. 672). In 2023, approximately 51 active KGSt benchmarking clubs were operating in more than 20 local task areas. Hence, these voluntary networks have shown considerable robustness and continued to attract German local governments. Aside from voluntary benchmarking clubs, new mandatory forms of performance comparisons have more recently been initiated as part of *Länder* governments’ auditing activities vis-à-vis their local governments. These exercises, however, are not linked to any formal sanctions, punishments for poor performers, or rewards for good ones because the audits are primarily supposed to enable guided learning processes through benchmarking rather than sanction certain performance results. Even so, intra-federal competition and performance comparison have seen minimal progress beyond the local level, some special agencies, and universities (CHE ranking).

The NSM movement has been interpreted by some as a necessary part of ongoing change and learning. Benchmarking clubs have been regarded by many local governments as welcome opportunities for intermunicipal exchange, learning, and concept transfer as well as appropriate instruments with which to determine one’s own position relative to peers (Bandemer, 2019, p. 673; Kuhlmann & Bogumil, 2019). Comparative auditing has also functioned well as an early warning mechanism and information tool for audited administrative entities. Finally, the discourse on reform has contributed to a gradual and incremental change in public management, control, and leadership practices (Proeller & Siegel, 2021, p. 401).

2.2. External NPM

Turning to the external NPM dimension, Germany has been labeled an “eager outperformer” (Deckwirth, 2008, p. 87) of European liberalization requirements since the mid-1990s, as Telekom and the postal system were converted into stock market-listed companies, while the railroad system was corporatized but remained completely in public (state) ownership. Triggered by EU regulations, financial constraints and ideologically driven market orien-

tation privatization policies further gained ground in Germany. Overall, the privatization programs of the 1990s and related liberalization laws that were adopted with considerable parliamentary majorities in the field of telecommunications, postal services, railways, and energy went far beyond what had been envisaged at the beginning of the *Kohl* era in the 1980s (Deckwirth, 2008, p. 68). Privatization-friendly policies also continued after subsequent changes in government, including the coalitions under Chancellors *Schröder* and *Merkel*. While privatization revenues in the overall public budget totaled 1.9 billion DM in 1970 and some 4.4 billion DM in 1980, they rose to about 31 billion DM in 1995 and reached a peak of almost 53 billion DM in 1998 (Röber, 2009). One might argue, therefore, that during this period and at least at the national level, Germany has come close to a “market-radical” NPM modernizer typical of the reform trajectory of Anglo-Saxon countries (Pollitt & Bouckaert, 2017). Against this backdrop, Germany would fall under the country group of “minimizers” (see Kuhlmann & Wollmann, 2019).

Furthermore, the management of public utilities (water, sewage, waste, public transport, energy), has come under pressure since the 1990s; this has traditionally been a local government task in Germany, and related activities have normally been carried out by the city works department (*Stadtwerke*) (see Wollmann et al., 2010, p. 177). The local budget crisis prompted many local governments to outsource or privatize service provision. By the late 2000s, about 50 percent of municipal employees were working in outsourced municipal companies (Grossi & Reichard, 2008, p. 604). Numerous local initiatives have also sold shares (asset privatization). In the meantime, about 40 percent of municipally owned enterprises have been co-owned by private shareholders, with the municipalities typically owning the majority of shares (Grossi & Reichard, 2016, p. 302). In the sector of social services, as well, the market share of private sector commercial providers has significantly risen to about 40 percent (by 2011), while that of the municipalities has dropped to almost zero, with NGOs (traditionally the dominant players) still serving some 55 percent of the market (see Bönker et al., 2016). In the field of long-term (domiciliary) care, around 63 percent of providers have been commercial institutions. In the hospital sector, where both local governments and *Länder* have traditionally played a key role as service providers, a dramatic and ongoing wave of privatization and marketization has taken place (see Hassenteufel & Klenk, 2014). No other European country has privatized (local) public hospitals to such an extent as Germany does (Schulten & Böhlke, 2009, pp. 24, 97)—with extensive consequences for patients and public employees. At the beginning of the privatization movement in 1991, about 46 percent of German hospitals were publicly owned and only 15 percent were of private ownership, but in 2015, these proportions changed to 30 and 36 percent, respectively (Statista, 2017).

3. NPM Failures, Weberian Legacies, and “Other-than-NPM” Reforms

NPM-guided reform movements, austerity policies, and financial cutback measures have produced some significant changes in the German administrative system. The public sector has not only shrunk quantitatively but also become sectorally and organizationally more fragmented. The public employment quota dropped from 12.2 percent (in 1995) to 10.6 percent (in 2015). Today, Germany ranks lower than many other OECD countries (e.g., Sweden with 28.6 percent in 2015, France with 21.4 percent, Italy with 13.6 percent, the United Kingdom with 16.4 percent; see Kuhlmann & Wollmann, 2019). The Weberian-style hierarchical steering carried out by the core administration has decreased, while contracted-out and privatized service areas have come to constitute a formation of private or para-municipal “satellites” (see Kuhlmann, 2009, p. 167). These developments have led to a rise in management and control problems, transaction costs, and transparency deficits throughout. Privatization, de-regulation, and outsourcing have engendered not only precarious steering problems but also quality losses and service cuts in certain sectors (e.g., health and care services). Most studies have come to the conclusion that in providing public utilities, public enterprises are on par with, if not superior to, private sector providers (for a broad overview, see Mühlkamp, 2013, p. 19). Taking in addition the transaction costs of outsourced service provision into account (costs of monitoring, contract management, etc.), the balance sheet becomes even more favorable for public/municipal sector provision, not to mention the negative welfare effects of privatized service provision (cherry picking, race to the bottom, degradation of employment conditions, etc.) and the positive impacts (social, ecological, etc. concerns) of public/municipal provision (see Florio, 2004, p. 341). In this respect, the neo-liberal mantra “private is better than public” has lost credibility, while the public sector has gained a (positive) reappraisal and revival.

Nevertheless, our analysis also reveals that despite comprehensive NPM/NSM reform attempts and discourses, a paradigm shift from the traditional Weberian bureaucratic model to NPM has yet to take place in Germany (Kuhlmann et al., 2008). The impacts of performance-oriented management reforms and benchmarking have remained limited. For instance, the product catalogues that have been composed elaborately and which much effort by many local governments have rarely been used for steering purposes. “Product budgets” continue to be of a largely informational character and disregard a systematic link between performance information and financial appropriation (Proeller & Siegel, 2021, p. 407). Furthermore, a considerable number of municipalities have withdrawn from voluntary benchmarking clubs (Kuhlmann, 2004) because they consider the time and effort put into these activities as exceeding the benefits thereof. To date, performance objectives and indicators have been of negligible relevance in local budget deliberations and control systems (Proeller & Siegel, 2021, p. 406). Only 5 percent of local governments report the use of performance information in managing expenses and ser-

vices at the operational level, and even less (3 percent) employ it for political decision-making (see Weiß & Schubert, 2020, p. 17). Clear and challenging performance targets are the exception, input orientation continues to dominate, and measurable indicators are rare. Politicians normally refrain from using the performance information of municipal budgets because they regard it as irrelevant to their work (Jethon & Reichard, 2021, p. 157). Recent (legally binding) financial management reforms have been assessed as having no significant effect on local management cultures and political decision-making (Proeller & Siegel, 2021, p. 407).

Administrative sciences generally recognize that within the classical Continental European rule-of-law culture, the NPM measures inspired by private companies meet a less fertile ground than that encountered in Anglo-Saxon countries. The reasons are manifold and include inter alia a more clear-cut separation between the public and the private (legal) spheres, a highly legalist rule-of-law culture in public administration (in contrast to the public interest culture in Anglo-Saxon countries), and, in general, a historically deeply rooted Weberian imprint in administrative practice and behavior. Administrative action is more pronouncedly guided by legal provisions and rule-bound law application, which raises compatibility problems with private sector-like reform tools, such as management techniques, output orientation, and performance measurement. At the federal level, for instance, financial management reform and the shift to accrual accounting systems have never been an issue. NSM-inspired performance-oriented reform activities have been pursued less intensely at the *Länder* level (with Baden-Württemberg, the three city-states, and public universities as major exceptions) and reluctantly adopted, if at all, at the federal level (with the notable exception of the Federal Employment Agency) (see Proeller & Siegel, 2021, p. 398 et seq.). Hence, the German federal government has been assessed as remaining a highly legalistic administrative system where management tools are less frequently used than in most other European countries (Hammerschmid & Oprisor, 2016, p. 69). With respect to the NPM-inspired model of “agencification” (see Kuhlmann & Wollmann, 2019, p. 264 et seq.), German administration is regarded as less “agencifiable” due to the already decentralized implementation structures in the country (Wollmann, 1996), thereby rendering agencification as nearly irrelevant to Germany. Thus, little pressure to remold public administration has been perceived.

Modernization activities have also been implemented largely in line with Weberian principles. These “other-than-NPM” reforms (see Bouckaert & Kuhlmann, 2016, p. 2) tend to be underlain by endogenous country-logic rather than the normative narrative of a global NPM agenda. In Germany, these “alternative,” endogenously driven reforms particularly regard intergovernmental and structural reforms as well as territorial and functional reforms, including de-/re-centralization (see Kuhlmann & Bogumil, 2021). They are fully consistent with Weberian principles and do not challenge traditional bureaucratic features of administrative organization; they might even contribute to strengthening such bureaucracy. Since the beginning of the

new century, then, all German *Länder* have strived to streamline, trim, and (partly) concentrate their administrations, albeit with different priorities and instruments. Approaches include the merging of special-purpose authorities at the state government (*Länder*) level, the dismantling of meso-level state authorities, the decentralization of state tasks to local governments, and the rescaling of local governments’ territorial boundaries. In fact, the reforms have been aimed at reshuffling, improving, and strengthening the functionalities of Weberian administration at the subnational level. While the territorial reforms referred to a rescaling of counties’ and/or municipalities’ territorial boundaries (Ebinger et al., 2018; Kuhlmann & Wollmann, 2019, p. 199ff.), functional reforms related to the reassignment of tasks and responsibilities between existing administrative units and levels (centralization/decentralization, concentration/deconcentration). Finally, administrative structures have been re-organized, that is, by way of physically dissolving or merging administrative units. The heterogeneity of structural, functional, and territorial reforms across German *Länder* has led to increasing differences in institutional settings, task portfolios, and organizational frameworks within administrative federalism at the *Länder* and local levels. Overall, in most *Länder*, the reforms have contributed to enhancing the functionality, institutional robustness, and organizational capacities of subnational bureaucracy in Germany—without questioning the Weberian-type features of administration.

4. Toward the NWS: Reversals, Comebacks, and Hybrids

The obvious failures and dysfunctionalities of radical managerialism and pure market-type mechanisms in public administration have prompted a trend of reversal toward a partial comeback of the Weberian model or at least a new combination of elements of different ideal-type PA models (Weberian PA, NPM, network-based models) (see Bouckaert, 2023). Furthermore, major (poly-)crises, particularly the global financial crisis of 2008 with subsequent austerity policies and the pandemic crisis of 2020 to 2022, have served as critical junctures in the German (and international) reform debate. “NPM? No thanks – we want bureaucracy!,” as provocatively put forward by Hellström and Ramberg (2024), appears to be the rationale of some organizational entrepreneurs in public administration for moving the pendulum toward the Weberian model. Different measures have been applied, such as the re-integration of (formerly outsourced) administrative units or agencies into the core administration, the re-municipalization of (formerly privatized) companies, or the re-hierarchization of the administration (after previous decentralization). All these measures advance the divergence from a narrow economization logic toward regaining political control over public service delivery. The recently observed rehabilitation of the state and (re)turn to the public, accompanied by re-regulation, re-municipalization, and re-insourcing, have also been interpreted as a kind of pendulum swing. According to this view, certain reform phases and thematic cycles fit into wave-like, longer-term historical developments that

are characterized by pendulum swings, that is, the rise and fall of institutional reform concepts and models (Kuhlmann & Wollmann, 2019; Wollmann, 2016). From this perspective, the problem- and crisis-driven adaptation of institutional reform strategies and the partial return to the status quo ante (Weberian model) after learning from NPM failures can also be seen as an indicator of administrative resilience. Overall, drivers were recalibrated within the governance space (see Bouckaert, 2023), resulting in a resurgence of hierarchy, while market-type elements weakened. However, network-type mechanisms have remained pronounced hitherto, which is evident in the continuation of intermunicipal performance comparisons, as well as in the collaborative relationships between public and civil society actors, particularly in the management of major crisis (e.g., refugee integration) (see Oehlert & Kuhlmann, 2024).

Comparative studies on administrative reforms in Europe have shown that combinations and fusions of classical-bureaucratic Weberian and neo/NPM elements can be found primarily in Continental European and Nordic countries (Kuhlmann, 2009, p. 324; Kuhlmann & Wollmann, 2019) because the NPM reform doctrine was implemented less comprehensively in these regions than in the Anglo-Saxon context. In these countries, reform instruments often had to be adapted to less NPM-compatible contextual conditions, which required adaptation and translation efforts. The legalistic control of administration that dominates German public administration has been combined with new elements of managerialism, such as performance measurement, benchmarking, cost accounting, and performance budgeting (Kuhlmann & Bogumil, 2019). The result is a new composite of classical Weberian administrative principles of legal and regulatory orientation, hierarchical control, and public task fulfilment on the one hand and NPM-related reform elements on the other. This hybridization has turned out to be successful in some cases yet dysfunctional in others.

In this light, the concept of the NWS was defined by Pollitt and Bouckaert (2017, p. 121 et seq.) as an empirical description of the form of NPM specific (moderate) to Continental European and Nordic countries, in contrast to the (radical) Anglo-Saxon NPM approaches. However, it is now also increasingly being used as a normative reform model, which is assumed to lead to a fruitful combination and synergy of classical Weberian elements, such as hierarchy, on the one hand and “neo-NPM elements” on the other (Byrkjeflot et al., 2018), along with additional components of a networked-type PA model (“New Public Governance”) (see Bouckaert, 2023, p. 32). It was claimed that the “NWS (...) will ensure the three core functions of a ‘whole of government’ strategy within a ‘whole of society’ context: inclusive and equitable service delivery, resilient crises governance, and effective innovation for government and society” (Bouckaert, 2023, p. 13; Pollitt & Bouckaert, 2017, p. 121 et seq.). [Table 1](#) summarizes major old Weberian and neo elements.

Drawing on these lines of thought, we provide more empirical evidence about the reality of the NWS in German

public administration, including achievements as well as dysfunctions of hybridization, in the succeeding sections.

4.1. The NWS as Comeback of the Public

The return of the public observed since the beginning of the new millennium represents a significant NWS trend in Germany, at least in some sectors (e.g., energy, public utilities). This return has been accompanied by re-regulation, re-municipalization, asset buybacks, and the insourcing of public services, particularly at the municipal level. It was also triggered and propelled by multiple factors, such as a noticeable change in politico-cultural values in favor of public service provision (as evidenced by local referenda), the growing political and financial interests of local authorities to regain control over public utilities, and the crucial role increasingly assigned to municipal companies as key actors in *Energiewende* (“energy transition”) in the generation and supply of renewable energy. Furthermore, a growing number of local referenda have rejected the privatization of public services and facilities (for an overview see Mehr Demokratie, 2012, p. 42 et seq.). However, the extent and intensity of this swinging back of the pendulum varies considerably across administrative levels and sectors. For example, it has been predicted for the national level in Germany that the “decline of the entrepreneurial state (...) is likely to be permanent” (Mayer, 2006, p. 279), but at the municipal level, the balance between public and private providers has obviously shifted back (e.g., in the utility sector) in favor of the former (Röber, 2009). Municipal utilities in Germany, which initially lost ground to the private Big Four energy companies (e.g., EON, RWE, and Vattenfall) in the course of privatization and outsourcing, have regained significant operational strength in recent years. There has been an increase in grid buybacks, the termination of concession agreements, and re-insourcing, as also reflected in the rising market shares of German municipal energy suppliers (Bönker et al., 2016; Wollmann, 2016). The German *Stadtwerke* (“multi-utility city works”) learned not only to hold their ground but also to strengthen their positions in local energy markets. Moreover, local authorities founded new municipal energy companies or bought back previously sold assets and grids. They also opted to forgo a renegotiation of expiring concession contracts and instead regained facilities. In 2010, 700 of 1372 municipal utility agencies actively supplied energy, and one-third of them serviced electricity production, thereby adding up to around 10 percent of the country’s entire electricity generation (see VKU, 2009). In a 2011 survey, one-third of all local governments stated that re-municipalization in the area of energy supply was planned, but only 2 percent indicated their intention to pursue further (partial) privatization (see Institut für den öffentlichen Sektor, 2011, p. 6 et seq.). The large majority (94 percent) welcomed re-municipalization as a chance to retain or regain local-level influence and control over local energy provision (ibid., p. 8). In the domain of waste management, where approximately 54 percent of German municipalities had outsourced services (Opphard et al., 2010), many privatization measures and contracts with private sector actors have been undone

Table 1. Weberian and Neo Elements of Public Administration

Old Weberian elements	Neo elements
<ul style="list-style-type: none"> • Central role of the state in solving new complex problems • Important role of representative democracy for legitimization • Importance of administrative law in relations between the state and citizens • Ensuring equal treatment, legal certainty, and control of state actions • Civil service with specific regulations (work cond., etc.) 	<ul style="list-style-type: none"> • Citizen-centered external orientation of employees • Introduction of a new professional quality and service culture • New forms of consultation and direct citizen participation • Stronger focus on results in resource management rather than solely compliance with rules • Professionalization of public service: public servants not only legal experts but also professional managers

Source: Own compilation based on Pollitt and Bouckaert (2017)

as well (Verbuecheln, 2009). Nevertheless, these developments must not be interpreted as an all-encompassing convergence across sectors. With regard to re-municipalization alone, clear differences exist between fields of activity (e.g., more re-municipalization in the energy and water sectors but continuously more privatization in the hospital sector) (see Klenk & Reiter, 2015).

4.2. The NWS as Re-Hierarchization

In German local governments, the problematic effects of the NSM reform have arisen from the attempt pursued in some pioneering authorities to decentralize resource competencies, abolish levels of hierarchy, and strengthen service units acting as quasi-autonomous agencies or “result centers” without establishing appropriate control systems and central steering mechanisms. From the (at least partial) abolishment of hierarchical subordination and levels of hierarchy, a “management vacuum” emerged with awkward consequences for steering and decision-making (see Kuhlmann et al., 2008). As a reaction to the unintended consequences of NSM modernization, some administrations have taken back significant elements of the reform, which seemingly indicates the “re-Weberianization” of German local government after 10 years of NSM experimentation (Kuhlmann & Bogumil, 2019).

The dominance of the NSM movement for more than a decade has left discernible traces. Administrations have become more citizen- and customer-oriented, performance and efficiency have played a greater role in governance, and managerial ideas have changed practices and behaviors. One-stop shops and various performance management techniques have contributed to increased results orientation and cost awareness in administrations. The NPM-guided idea of a (more or less feasible) concept transfer from the private to the public sector has remained in the institutional memory of administrations. Overall, however, the picture is ambivalent. Evaluations of the various reform developments have brought to light many problems and negative effects that attest to existing incompatibilities between Weberian administration and NPM (Kuhlmann et al., 2008; Kuhlmann & Bogumil, 2019). Numerous NSM/NPM measures have been initiated, some of them successfully while others resulting in NPM reversals or NPM ruins. In sum, no paradigm shift from the Weberian model to NPM has emerged. Instead, there is a new and multifaceted com-

ination of old (Weberian) and new (NPM and governance) principles, which varies across levels, sectors, and jurisdictions. A noticeable re-orientation toward Weberian administration can be observed, particularly in administrations that have most extensively experimented with NPM elements. For instance, in NSM-pioneering municipalities, the reaction to the unintended adverse effects of the reform was either that the new structures and procedures were deliberately scaled back, which sometimes resulted in organizational NSM ruins, or that employees returned to old routines in their daily work, sidelining new NSM tools and practicing a “subversion” of the reform process. Many former NSM municipalities have been subject to a trend toward re-centralization and re-hierarchization, to which, in addition to recognized NPM dysfunctions, the worsening financial crisis has particularly made a significant contribution. As a result, they have moved away from the pure form of NSM modernization and are therefore likely to be in a better position to remedy the negative effects of the reform, which should be interpreted as an important learning effect. Overall, this has led to a partial return to the Weberian model of hierarchical and rule-governed administration, without, of course, all NSM reform elements being eliminated.

4.3. The NWS as De-Agencification

Agencification has been not only one of the most extensively publicized NPM reforms but also one of the most heavily criticized. Although the term “agency” has become common parlance, some authors also refer to these organizations as quangos (quasi-autonomous nongovernmental organizations), pointing to the fact that, while citizens perceive these organizations to belong to “the government,” they operate largely independently of government bureaucracy, consequently turning, at least in large part, into a quangocracy (see Van Thiel, 2019, p. 522). Given Germany’s scattered institutional structure with already existing numerous semiautonomous units, agencification was pursued with less intensity and momentum than, for instance, in the UK (Cingolani & Fazekas, 2020, p. 551). However, the number of institutions at the federal level that are classifiable as “agencies” has also increased since the post-war period (for empirical data, see Bach & Jann, 2010, p. 457 et seq.). In contrast to the NPM-driven agencification in other countries, that in Germany veered from a centralized re-

form policy or a particular government decision. Due to the high discretionary powers that ministers enjoyed in organizational matters, German agencification resulted from isolated ministerial initiatives and most frequently occurred as a shift from *unmittelbare Bundesverwaltung* (“direct administration”) to *mittelbare Bundesverwaltung* (“indirect administration”) (ibid.; Cingolani & Fazekas, 2020, p. 551). Taking only the federal level into account and leaving the manifold organizational forms at the subnational levels aside, as of 2018, a total of 18 different types of nonministerial organizations have been identified, some of which enjoy considerable degrees of autonomy (see Fleischer, 2021, p. 70). In total, roughly 90 federal agencies employ more than 90 percent of the federal administrative workforce (Bach, 2010), but few have regulatory functions and even fewer are involved in service delivery, which is basically a subnational task. Federal agencies predominantly provide policy advice, expertise, and support functions.

The criticism raised against agencification refers inter alia to the balance of autonomy and political control (Lapuente et al., 2020), the amplification of centrifugal forces within national executive divisions (Bach et al., 2015), the dilution of accountability and democratic control, organizational fragmentation impairing a “whole-of-government” philosophy and, finally, (assumed) efficiency losses resulting from functional downscaling and de-bundling. In the post-NPM phase, agencification was revisited and revised by many governments, which points to a certain revival of Weberian principles (hierarchical re-integration), a re-emphasis of “whole-of-government” ideas, and a strengthening of the multipurpose model instead of the (NPM-driven) single-purpose organizational model. In Germany, de-agencification at the federal level of government has primarily occurred as the selective consolidation and policy-/task-specific integration of administrative units, particularly following the financial crisis of 2008, which was revealed as a major trigger of this post-NPM movement (Sześciło, 2022). This movement is further illustrated through the following examples:

- Sectoral consolidation as an extension of the scope of functions performed by key agencies (the integration of tax and customs administration)
- Horizontal consolidation as a merger of competition authorities with sectoral regulators
- Horizontal consolidation as an amalgamation of inspectorates
- Horizontal consolidation as shared support service arrangements

Hence, the post-NPM trend of organizational re-integration and re-aggregation is also evident in Germany, although in a more selective and sector-specific manner than in a comprehensive way (as in the UK and Ireland). One of the most prominent examples of organizational and functional consolidation at the federal level represents the *Bundesnetzagentur* as a multisectoral “super-regulator” with jurisdiction over the electricity, telecommunications, gas, post, and railway sectors. This merger of various sectoral regulators can be seen as a prime example of the global

shift from single-function regulatory bodies to multifunctional agencies (Sześciło, 2022, p. 1002). Other examples are the consolidation of inspectorates, as was carried out in the food safety system following the BSE crisis in the late 1990s (ibid.), and mergers of field offices in tax administration (e.g., the reduction of tax field offices in the Land of North-Rhine Westphalia by eight from 2007 to 2015 and in Lower Saxony from 16 to 8 by way of mergers) (see Gabriel & Röhrs, 2017, p. 43). Finally, several consolidation measures were implemented with the objective of setting up shared service provision to “enhance the delivery of back-office services for the government by integrating their provision under the single roof of an agency serving other agencies” (ibid., p. 1006). This applies, for instance, to the *Bundesverwaltungsamt*, which has, since 2010, acted as a shared service provider to other federal administrations or to various IT service providers, such as *Dataport*, which is a multi-*Länder* public body providing digital services to the administrations of six German *Länder* and one intermunicipal cooperation.

4.4. The NWS as De-Escalation in Performance Management

In Germany, from 1997 onwards, moderate steps toward performance-related pay (PRP) for the status group of civil servants (*Beamte*) have been taken, supplementing the traditional principle of seniority (i.e., promotion according to seniority) by performance-related elements. The possibility of receiving performance bonuses as one-off payments in addition to incentive payments was introduced. Today, bonus eligibility is limited to 15 percent of the civil servants employed in an organizational entity and individual bonuses must not exceed 7 percent of the annual salary. In addition, no more than 0.3 percent of overall personnel expenses are allowed for use as bonus payments (Proeller & Siegel, 2021, p. 386).

PRP was also extended to federal and local government employees (*Angestellte*) beginning in 2007. It represented a variable payment in addition to the basic salary and included a payment amount of 1 percent of the fixed monthly salary of the previous year, with a target amount of 8 percent (Article 18, Section 2 TVöD). Although a considerable number of authorities at the federal and local government levels made use of performance bonuses, the outcomes were mixed and partly disillusioning (Proeller & Siegel, 2021, p. 387). In general, the acceptance of payment differences in German public service continues to be low, and the PRP schemes introduced thus far have proved inappropriate tools of HRM. Minimal performance payments have been distributed broadly among all local employees (Schmidt et al., 2011) and, in most cases, PRP has not been actively implemented as a human resource strategy (Jörges-Süß & Süß, 2011). The principle of indiscriminate distribution of such bonuses means that many employees (on average, 77 percent of them in local authorities and between 93 and 100 percent at the federal level) received only a minimal extra, thus casting doubt on any incentive effects. Additionally, the management of incentive payments appeared to scarcely hinge on actual performance (measurement),

as the evaluation systems were generally very approximate and prevented differentiation (90 percent of federal authorities considered only three to four performance levels). A link to previously defined targets was rarely made. For example, a mere 5 percent of federal offices associated performance incentives with target agreements (Stellermann et al., 2009, p. 23). Studies about PRP schemes in German county councils and cities (21 surveyed units) have shown that more than 90 percent of employees received at least some performance pay and that the percentage of those who received the best performance ratings was very high (Wenzel et al., 2019). In general, PRP largely lacked acceptance among employees and had almost no effect on motivation and incentivization (Proeller & Siegel, 2021, p. 387). In view of limited or even negative impacts and growing criticism, PRP was abolished at the federal level in 2009 and has been no longer compulsory at the *Länder* level since 2014.

While “PRP in the public sector is showing no tendency to abate internationally” (see Larsson et al., 2022, p. 46), as evidenced inter alia by examples in the UK and Sweden, this principle has gained limited acceptance in Continental European countries, with their traditional carrier systems and closed civil service models. In the German public sector, PRP systems continue to be extensively criticized and have been abolished in some cases. Instead of more motivated staff members and effective new payment schemes, NPM ruins and dysfunctional performance rules have emerged, leading to organizational subversion and even absurdity. Moreover, various empirical studies have indicated strong doubt as to the actual motivational effects of monetary performance incentives, thus leaving incentive-oriented payment systems vulnerable to mounting criticism (see Demmke, 2009; Jacobsen & Andersen, 2014; Proeller et al., 2016).

More generally, the transplantation of performance mechanisms into the existing Weberian context of public administration has induced defensive reactions and unintended effects. In Germany, considerable resistance has met efforts to make performance information transparent and accessible, use key performance indicators as bases for decision-making, and compare performance across jurisdictions, particularly at the *Länder* and federal levels (see Kuhlmann & Bogumil, 2019). The transaction costs of performance measurement and comparison are regarded as disproportionately high, without a concrete benefit being apparent to stakeholders. Performance indicators are used not for management but as window dressing to the outside world. In this respect, it is hardly surprising that many of these reform projects have been cancelled and that a trend of de-escalation in performance management has arisen.

5. Crisis Challenges: Over-Weberianization?

The NPM decline has been triggered and accelerated primarily by recent crises and newly emerging wicked problems (e.g., climate crises, energy transition). As it turns out, the NPM model does not provide appropriate responses to poly- and perma-crises situations and novel policy problems. The COVID-19 crisis, for instance, triggered a debate

about strengthening the public sector in Germany. As a consequence, there seemed to be a revaluation of the public good and public services, taking into account that public authorities, specifically (local) public health service providers and the well-equipped hospital system, proved to be key factors of pandemic management (see Bouckaert et al., 2020; Kuhlmann, 2020). Over the course of the crisis, therefore, these public service providers were granted additional capacities. Conversely, in the process of crisis mitigation, the German federal government intervened in the shareholder structure of large companies, such as *Lufthansa*, which was seriously affected by the crisis and meant to be protected from a hostile takeover by foreign investors by way of introducing a federal control stock and convertible bonds.

Furthermore, with the temporal suspension of many fundamental rights during the pandemic containment phase, a conspicuous rearing up of the strong interventionist state and bureaucratic over-perfection could be perceived in Germany. Bureaucratic hierarchies and silos took over the lead in handling the crisis, and traditional patterns of control, enforcement, prohibition, and punishment were evocative of a (temporal) comeback of the “Leviathan” (Bouckaert, 2022, p. 28; Kuhlmann, Bouckaert, et al., 2021; Kuhlmann, Hellström, et al., 2021). Over the course of the pandemic, several hundred executive orders, directives, and ordinances have been passed by *Länder*, leaving aside local governments directives (*Allgemeinverfügungen*). The corona-crisis has thus undoubtedly been a prime age for German (subnational) bureaucracy, and the “corona regulations” introduced by *Länder* and local bureaucrats have significantly contributed to increasing regulatory density and complexity, bureaucratization, and over-regulation. The country has witnessed an emergence of what can properly be termed the corona regulation era. Federal states and local bureaucrats, in their attempts to respond, only augmented regulatory complexity. This bureaucracy boom, in turn, caused communication gaps, fostering uncertainty among the population. Therefore, over the course of the crisis, an increasing number of critical voices lamented the overly complex and frequently contradictory character of these fast-changing rules, which have partly proved to be unimplementable or even useless in practice.

The pandemic likewise led to a temporal surge in centralization in the German politico-administrative system (see Kuhlmann et al., 2024; Kuhlmann & Franzke, 2022). First, the Federal Ministry of Health (BMG) and other federal ministries received additional ordinance rights during the pandemic for them to be able to react quickly to challenges within the public health system without having to seek consent from *Länder* and the *Bundesrat*. Second, the role of the Robert Koch Institute as a higher federal authority subordinated to the BMG was strengthened. Third, the federal legislator standardized pandemic measures, peaking with the law of 22 April 2021 (the “Federal Emergency Brake”). With this law, nationwide measures were provided for the first time to be implemented by counties and county-free cities under specific circumstances (the so-called infection incidence was used as a uniform, albeit

highly contested - measure of pandemic severity). The Federal Emergency Brake was in force until 30 June 2021. Thus, the German intergovernmental system shifted toward more centralization, hierarchization, regulation, and bureaucratic control when the crisis was at its worst and containment was tightened. However, considering the viability of subnational governments in Germany and their experiences in managing crises, it is striking that the appropriate response to regionally varying pandemic challenges was seen in more centralization toward the federal executive. In the early periods of the crisis, the up-scaling of pandemic decision-making to the federal level was seen as a necessity in an unpredictable situation by many, but later on, concerns were raised about the appropriateness of the executive decision-making and the effectiveness of the centrally agreed regulations with national scope. As regards the federal government's extended powers during the pandemic, public support clearly declined from March, when almost 80% were in favor of such an upgrade, to April 2020 when this support had almost halved and shrunk to roughly 40% (see Juhl et al., 2020, p. 6).

Finally, as a result of the government's crisis mitigation strategies but also in response to new policy pressures and wicked problems (e.g., climate change, the energy crisis, and migration), bureaucratic burdens, red tape and compliance costs resulting from new (federal) regulations have recently peaked. The inclination of the Weberian state to solve new problems by creating new rules and regulations is obviously unbowed. In this context, reference should be made to the decisive role of administrative jurisdiction in Germany, which works toward a reinforcement of the classical Weberian model and a strengthening of hierarchy in the governance space (see Bouckaert, 2023, p. 24). On the one hand, the decision-making practice of administrative courts triggers legislation marked by regulatory density, detailed rules, and little room for discretion in the implementation process. The result is a bureaucratizing effect, as regulations tend to leave hardly any leeway for unbureaucratic action. On the other hand, the enforcement administration also follows a hesitant, overly rule-oriented (i.e., bureaucratic) practice for fear of legal actions of annulment and overturning court decisions. Overall, this leads to a reinforcement of classic Weberian elements or even to over-Weberianization, both in legislation and in administrative enforcement.

The compliance costs resulting from new federal regulations, laws, and ordinances have risen steadily over the years and in considerable amounts. Compliance costs are defined as all the expenses incurred by businesses, public administration, and citizens as they comply with federal laws and regulations. This includes not only direct financial costs but also the time and effort required to meet legal requirements, such as reporting obligations, documentation, and administrative procedures. The aim is to capture the full economic burden that regulatory compliance imposes on all affected parties (see Statistisches Bundesamt/NKR, 2018). For citizens, businesses, and the administration, this cost increased significantly between 2022 and 2023 and is now higher than the total costs of the last

10 years combined. It is true that the increase in compliance costs between 2015 and 2020—at least for the economy—temporarily slowed down, which is not least due to systematic bureaucracy relief measures (e.g., the introduction of a “one in, one out” rule for new federal regulations, several bureaucracy relief acts). However, a sharp increase in compliance costs has been observed since 2021, with annual compliance costs reaching a new all-time high of €26.8 billion in 2023 (see NKR, 2023). The one-off compliance costs arising from the first-time implementation of newly introduced requirements have also massively increased. Across all three groups of norm addressees (citizens, businesses, and public authorities), one-off costs have ballooned to around €45.8 billion. It is therefore higher than the total one-off burden between 2011 and 2022 (around €41 billion). One-off compliance costs are felt primarily by citizens (at around €20.8 billion) and businesses (at around €21 billion). However, the administration is also affected, as the one-off compliance costs in 2023 were around eight times higher than in the previous year (then around €492 million) (NKR, 2023). These figures reflect the widespread assessment that things are becoming overly bureaucratic in Germany. At the same time, it must be taken into account that a government that aims to influence societal developments more intensely and intervene into society more visibly, as is the case with the current government majority in Germany (consisting of social democrats, liberals, and greens), will inevitably face growing regulatory density and spiking compliance costs.

In sum, the pendulum has partially swung back even beyond the NWS toward something we can call over-Weberianization. While NPM might not be an appropriate response to acute crises challenges and new policy problems, the excessive reaction of an “invasive state” toward over-bureaucratization, over-regulation, and (temporal) over-centralization (over-Weberianization) might not be a promising future either. The NWS appears to offer a good balance between these two extremes, yet it has penetrated into practice only to a limited extent with respect to the management of major crisis and responses to wicked policy problems.

6. Conclusions: The NWS as the Best of All Worlds?

In Germany, no radical NPM reform of the public sector, as was characteristic of the United Kingdom (similar to New Zealand), occurred. Instead, traditional (Weberian) elements were retained and combined with certain NPM components so that hybrid structures emerged, some of which represented fruitful new combinations, whereas others exhibited considerable dysfunctions. These dysfunctions can be attributed partly to compatibilities between Weberian and “neo-elements,” which are particularly virulent in classical Continental European administration (Kuhlmann, 2009, p. 324). Such administration has considerably struggled, not only in Germany, with a misfit of legalistic and managerial control resulting, in some cases, in performance losses. Failures and misfits have been starting points for new reform measures, adaptations, and learning

processes constituting “long-wave reforms,” which tend to be more stable and sustainable than radical policy changes and reversals (as known, for instance, in British administration).

The German version of the NWS encompasses the development of hybrid structures in which managerial and Weberian administration merge in new ways with varying degrees of functionality. The NWS, in its Continental European variant, combines economic-managerial concepts with a Weberian administrative culture, characterized by the rule of law, which in part led to synergies but in many cases also to incompatibilities. The NWS resulting from NPM reversals and adjustments was initiated as a response to the failures, unintended consequences, and negative effects of previous NPM reforms. Furthermore, “other-than-NPM” reforms have been launched by subnational administrations (intergovernmental, structural reforms, territorial and functional reforms), although these have never noticeably challenged Weberian principles and instead contributing to their reinforcement. Finally, for Germany, a historic peak in bureaucratic burdens, compliance costs, and red tape has been registered. Against this backdrop, the Weberian legacy of legalist steering and predominance of rule-bound law application has obviously not only survived but also strengthened and intensified in the course of the (poly)crisis.

German administrations at different levels of government have witnessed a partial return of public ownership, attempts at re-municipalizing services, and, in some cases, even a tendency toward over-regulation, over-bureaucratization, and, as it were, “over-Weberianization,” which particularly applied to phases of acute crises. In many authorities, we have observed approaches at re-hierarchization and de-agencification, and performance management mechanisms have been attenuated, adjusted, and de-escalated. Post-NPM reversals and managerial de-escalation gave rise to hybrid models merging NPM and classic Weberian administration. These developments suggest that, strongly differing between sectors, the pendulum has swung back from NPM-driven transformations to post-NPM (Wollmann et al., 2010), with the NWS emerging as a hybrid model. The problem and crisis-driven adaptation of institutional reform strategies leading to this swing without returning to the position *ex ante* attests to a significant learning curve and to German administration’s institutional resilience. There has, by no means, been an overall departure from the Weberian model. Administrative action still largely consists of executing legal acts and implementing laws, complying with rules, hierarchical subordination, and chains of command. However, new performance-, efficiency- and output-orientated as well as customer- and management-related elements have been added in the course of the NPM reforms, which have been linked to existing classical bureaucratic structures. As a result, organizational practices, role perceptions, routines, and behaviors in German administration have changed.

Nevertheless, some well-functioning combinations of NPM and Weberianism exist. NPM reversals, such as the re-integration of administrative units or agencies into the core

administration, the re-municipalization of (previously privatized) companies, or the re-hierarchization of the administration (after previous decentralization) have contributed to regaining political control over service delivery and management. In the domain of citizen and customer orientation, as well, hybrid structures have proved effective, as can be seen in the combination of customer-friendly local one-stop-shops with existing patterns of legalistic administration. Thus, hybridity, as a key characteristic of the NWS, might engender successful combinations of NPM and classic Weberian administration in some domains (Pollitt & Bouckaert, 2017), and the NWS implies the potential to strengthen political steering capacities, democratic control, and quality in public service provision.

Even so, the hybridization of old and new elements has also provoked ambivalent and negative assessments regarding the actual functioning of the NWS in Germany (Kuhlmann & Bogumil, 2019). Empirical findings have shown that the amalgamation of NPM and Weberian administration often leads to dysfunctions and unintended effects, as the complementarity of Weberian and managerial administration has typically been limited. One of the reasons why the new combination proved to be problematic is that traditional forms of administration (hierarchical coordination, rule-oriented decision-making, top-down steering) were often weakened even as new ones or a mixture of both had yet to work (economic incentives, decentralized structures, performance mechanisms). Internal decentralization and organizational disaggregation, for instance, were frequently implemented without ensuring necessary feedback loops, reporting, and monitoring mechanisms. The NPM-driven orientation toward competition typically failed to materialize, which, in conjunction with outsourcing and privatization, led to the fragmentation of local self-government. New management techniques, such as PRP systems, control tools, and accounting procedures, were only formally implemented while utilized by public servants in the traditional (hierarchical Weberian) sense.

In line with the optimistic interpretation of the NWS, the example of the German administration has uncovered a number of encouraging results. Today, there is, for instance, a stronger focus on results and performance in public administration while maintaining high standards of legal correctness, professionalism, and rule-bound administrative action. However, the analysis of the various reform developments has also brought to light many problems and pitfalls that point to existing incompatibilities between Weberian administration and NPM. In this respect, the normatively formulated question of whether the hybridization of Weberian and neo elements will prove to be the best of all worlds or fail must be reframed. Whether the NWS works or fails is ultimately not a normative and general question but an empirical and differentiated one that also requires a comparison of different administrative models. Simply looking at reform models, instruments, and concepts is insufficient; instead, the actual implementation of reforms, the given implementation conditions, and the actions of actors must be considered, which are of decisive

importance in the causal relationship between reform concepts and reform outcomes.

As to reform practices and future administrative reforms, the NWS is only partially suitable as a model, largely depending on the context surrounding reform and implementation practices. Against this background, reformers and policymakers should use the NWS more as an analytical construct (and less as a model for reform), which can help to typify specific reform developments and compare different institutional mixtures of NPM and Weberianism. Another important task is for reformers to bear in mind that concept transfers, whether from different spheres of action (between market and state) or from different country contexts (e.g., from the Anglo-Saxon to the Continental European context), generally leads to new institutional creations and amalgamations of old and new, thereby

influencing the effectiveness of reform instruments and also potentially counteracting them. Nonetheless, this does not mean that such transfers are impossible or that the development of guiding principles, in the sense of NPM, is pointless for administrative reforms. On the contrary, they often have an important initial and mobilizing function in innovation processes in administration. Still, reformers should be aware that neither a 1:1 implementation of such guiding principles and ideal models is realistic, nor is a copy-and-paste from one country context to another promising. Risks of incompatibilities and reform rejection should be taken into account and, if necessary, anticipated when designing and implementing reforms in different contexts.

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