Controlling bureaucracies with fire alarms: policy instruments and cross-country patterns

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ABSTRACT The political control of the bureaucracy is a major theme in public administration scholarship, particularly in delegation theory. There is a wide range of policy instruments suitable for the purpose of control. In practice, however, there are economic and political limitations to deploying the full arsenal of control tools. We explore the implications of the costs of control by examining cross-country patterns of fire alarms. We identify and categorize a set of control instruments and their rationale using accountability typologies. We then code the presence or absence of different instruments by drawing on an original dataset of 14 instruments in a population of 17 European countries. Using configurational analysis, we analyse cross-country patterns. In the conclusions, we reflect on the patterns identified, their implications for controlling bureaucracy in advanced democracies and the literature on administrative traditions. We finally propose how our empirical findings may be extended to further explanatory analyses.

KEY WORDS Accountability; administrative traditions; configurational analysis; delegation; fire alarms; regulatory impact assessment.

INTRODUCTION

Since the 1980s, substantial policy competences have flowed toward agencies and regulators, raising the problems of coping with power dispersion in advanced democracies and the European Union (EU) (Jensen *et al.* 2014). As the editors of the collection put it, for political scientists the first step is to define and carefully operationalize co-ordination and control mechanisms (*Ibid.*), and to use concepts to map variation and patterns.

A classic approach to the identification of control mechanisms is to think in terms of transaction cost politics (Huber and Shipan 2000: 46). Transaction-cost analysis provides the rationale for the adoption of different types of control instruments. Yet, as Huber and Shipan make clear, although there is a rationale for the adoption of control instruments, governments do not adopt them all. There is an element of political cost in adopting a given control tool. Empirically, we see this reflected in the fact that the process of

global circulation of control tools across the Organization for Economic Co-operation and Development (OECD) has not resulted in convergence around a single mix or ecology of instruments (Mahon and McBride 2009). As Jensen *et al.* (2014) argue, variation in cross-national diffusion may depend on particular features of the political systems. Before asking why a given system goes for one mix or another, we have to go back one step and provide a map of cross-country variation based on theory-grounded expectations about different control instruments.

At the outset, we reason that governments can either 'police patrol' the bureaucracy or adopt 'fire alarms' (McCubbins and Schwartz 1984). The latter takes us into the territory of administrative procedures (Stewart 1975), and of provisions that constrain policy drifts by making bureaucracies accountable to an array of interests. According to theory, interests can better detect, prevent and even correct policy drifts without new legislative interventions; at the same time, however, they can change the role of the political principals from policy-makers to ombudsmen (Balla 1998; Lupia and McCubbins 1994; McCubbins *et al.* 1987, 1989; Mulgan 2003). So, differences across countries rest on which interests are enfranchised by the accountability provisions to serve as 'fire alarms', but also on how far such accountability obligations go.

To select and organize empirics, we unfold fire-alarm accountability in two analytical dimensions – accessibility and answerability. Drawing on configurational analysis (Ragin 1987, 2008), we conceptualize them as special combinations of presence/absence of significant administrative devices. We then systematically detect their presence in 17 European countries in 2012. Cases so become empirical instances of provision configurations, which expose cross-country patterns of accountability after logical 'compression' (Elman 2005). We conclude by reflecting on these patterns, and discuss the implications for theory and future explanatory research.

LITERATURE REVIEW AND RESEARCH QUESTIONS

There are a variety of research traditions concerning the relationship between elected principals and bureaucratic agents (Harlow 2006). In transaction cost politics (Hubert and Shipan 2000), political principals face problems of asymmetric information (*Ibid.*: 27) and credible commitment (Moe 1990). In response, governments can adopt instruments to control agency drift according to two different strategies.

Traditional police patrol devices such as hearings, investigations and reviews allow direct monitoring of bureaucratic behaviour. As such, they imply clear and detailed mandates which fit a hierarchical understanding of their relationship, and the centrality of the politicians as policy-makers. Police patrolling, however, frustrates agency expertise in implementation, imposes opportunity costs on the principals, and requires clear and stable policy preferences. Moreover, it leaves principals open to blame for agencies' wrongdoings, which

undermines their willingness to detect and punish – hence the credibility of the whole strategy (Hood 2002; McCubbins *et al.* 1987, 1989).

Alternatively, legislators can enfranchise third parties to monitor the decisions of the bureaucracy and ring the alarm in case of drift. These provisions can expose the agency to the same pressures that principals' face when the relevant legislation was enacted, while 'stacking the deck' in favour of some constituency of concern to the principals. They can even provide an 'autopilot' to implementation when the agency's preferences are forced to change together with those of the 'enfranchised' constituencies (Lupia and McCubbins 1994; McCubbins *et al.* 1989). These tools work to the extent that the principal's preferences coincide with those of the enfranchised interests – thus fitting the idea of politicians as reactive servants of the affected constituencies (McCubbins *et al.* 1989, 1999). Fire alarms recognize the political relevance of implementation, constrain and reinforce the legitimacy of administrative behaviour, and guarantee that policy goods of interest are delivered even when political preferences are uncertain or mandates unclear, while sheltering the principals from blame. At the same time, the autopilot design may also provide opportunities for policy capture and reversal (Balla 1998). In short, the actual performance of fire alarm controls depends on how enfranchisement – that is, accountability rights and obligations – are designed and mixed (Carpenter and Moss 2013; Mulgan 2003; West 2004).

Unfortunately, the field is dominated by research on individual instruments. Analysis of administrative procedure acts (APA) is the bedrock of this literature (Baum 2007; De Figueiredo and Vanden Bergh 2004; McCubbins *et al.* 1999) – especially of regulators' obligations to publish their plans and to give reasons for their choices (Shapiro 1988). A second strand of research concerns the adoption of freedom of information laws and associated participation rights, transparency and consultation obligations (Bignami 2004). A third group of studies is concerned with judicial review and the role of courts in regulatory policy (Galera 2010). Finally, there is a body of work on the role of economics in the preparation of legislation – a form of *ex ante* control of rule-making that covers different usages of cost–benefit analysis and regulatory impact assessment (De Francesco *et al.* 2012; Radaelli 2010; Shapiro and Morrall 2012). This literature has produced a fine-grained knowledge about individual instruments, but at the expense of the bigger picture. This leads to our research questions:

(1) What are the conceptual categories that assist us in the systematic identification and operationalization of fire alarm controls?
(2) How do fire alarms control packages vary across countries?
(3) What does cross-national variation tell us about the core question of governing the bureaucracy?

ANALYTICAL FRAMEWORK AND DATA

Fire-alarm provisions limit policy drift in the post-legislative phase by making agencies accountable to enfranchised constituencies. This basically means that

such provisions give the agency an informational obligation to some relevant external *accountee* (Bovens 2005; Mulgan 2003).

Empirically, informational obligations can vary along two main dimensions. First, information about the agency operations can be made *accessible* to different degrees. Indeed, access can be given either to the information alone that the agency wants to disclose, or to all of the information it produces; either before or after the agency decision has passed; either with or without the rights to comment on it and be answered. Second, agency obligations to *answer* can vary meaningfully in the real world. Agencies may be required to answer for the procedures they follow when deciding, rather than for the material reasons that informed their decisions; and they may be questioned by courts, special interests, experts and the general public.

Each of these differences has consequences. When agencies have already taken a decision, the fire alarm becomes the tool of last resort, with interests confined to the role of 'detectors'. Detectors' signals of drift can be sent only after the agency defines a new policy equilibrium that principals may find it too costly to correct. Also, such signals are biased by design, as each enfranchised interest is sensitive to drifts from its narrow concerns – so that the more homogeneous the accountees, the easier for the agency to please them and the more likely the capture. For interests to become 'effectors', they have to be involved in an exchange of substantial information with the agency during rule-making – which increases policy effectiveness the more separate the 'accountability vectors' are (Carpenter and Moss 2013; Majone 2009). If general interests and the public are set as fully answerable effectors, the agency will be more responsive and the policy outcome more legitimate (Shapiro 1988) – although it may fall pretty far from the equilibrium point defined by the legislators.

We consider *accessibility* to vary according to the presence or absence of explicit:

(a) obligations for the rule-maker to notify that a decision has been made – or, in a stronger form, that a decision has been drafted but not yet passed;
(b) provisions for comments to be given on a regulatory proposal before it is passed, and the corresponding obligations for the regulator;
(c) enforceable rights of access to administrative information, and whether these rights are extended to any citizen regardless of their being able to demonstrate a legitimate direct interest in a given regulatory decision.

Following the same logic, *answerability* is defined by the presence or absence of explicit:

(d) provisions for a pre-legal material review to be made on the contents of a regulation, rather than for an abstract review concerned with the coherence of the proposal to the existing legal system;
(e) obligations imposed on regulators to account for the correctness of the procedures followed, rather than to explain the substantial reasons underlying the specific content of the rule;

(f)   provisions to supplement rule-making with explanatory notes, and the degree of publicity these notes shall be given;
(g)   obligations to support new policy proposals with robust evidence base, typically a system for regulatory impact assessment (RIA), in some countries extended to both agency regulation and legislative proposals made by the executive.

The literature highlights how the credibility of the enfranchising prescriptions strongly depends on their enforcement. Hence, we focus on legal prescriptions alone, as they make negligence liable. This also suggests an important caveat: the more fire alarms rest on effective informal and customary practices, the more our data suffer from bias.

We gathered the above data for 17 countries in 2012. We have considered a population that is relatively homogeneous in terms of being exposed to transnational socialization and other sources of diffusion and policy convergence (Pal 2012) but still display variability on key dimensions such as administrative traditions, management reforms, legal origin, regulatory policy instruments (De Francesco *et al.* 2012).

Each country case can hence be represented as a special configuration of presence or absence of the discriminating provisions, as in Table 1.

The coding operationalizes two opposite ideal-types. The first, in which all the devices are formally present for making a system fully accessible and answerable, scores 1 on each provision, and qualifies a completely accountable administration by fire alarms. In such a '*fully accountable*' ideal-type, the institutionalized delegation of control to third parties is the highest – indicating a preference for an administration directly responsive to interests as much as at risk of capture.

Its opposite, where none of the listed devices are formally laid down, displays 0 scores alone, and indicates an administrative process totally insulated from third parties by design. In such a '*fully insulated*' ideal-type, there is no external accountee and control is direct, via police patrol devices. As Table 1 makes clear, these two ideal types do not correspond to any actual case in our population; nevertheless, they provide a useful guide for the following analysis (Goertz 2006; Ragin 1987).

ANALYSIS AND FINDINGS

As already noted, while no case is really lacking in fire alarms, none has adopted the complete set of devices that would make its administrative systems totally accountable – although Sweden, the Netherlands and Portugal display fully accessible administrative systems. A plot of our population by basic indexes of accessibility and answerability (calculated as the ratio of the number of present provisions out of their possible number; Figure 1) also shows that formal devices for accessibility are preferred to those for answerability. This is especially true for Denmark and Slovakia, in the bottom-right corner, but all

Table 1 Cases by discriminating provisions

	Accessibility							Answerability						
Country	notif_ decision	notif_ proposal	comments	feedback	FOI_ enforceability	FOI_ universality	ajr_pre- material	ajr_pre- abstract	justify_ procedure	justify_ content	reason_ notes	reason_ public	RIA_ system	RIA_ exttension
AUT	1	1	1	0	0	1	0	1	1	1	1	0	0	0
BEL	0	0	0	0	0	1	1	0	0	0	0	1	0	0
CZE	1	0	0	0	1	1	0	1	0	0	0	0	1	1
DEU	1	1	1	0	1	1	0	1	1	1	1	0	1	0
DNK	1	1	1	0	1	1	1	0	0	1	0	0	1	0
ESP	1	1	1	1	0	0	1	1	1	1	0	1	0	0
FIN	1	0	1	0	1	1	1	0	0	1	1	1	1	0
FRA	1	0	0	0	1	1	1	1	0	0	0	1	0	1
GRC	0	0	1	0	1	1	0	0	1	1	1	0	1	0
IRL	0	0	0	0	1	1	1	0	0	0	0	1	1	1
ITA	1	1	1	0	1	0	0	1	0	1	1	0	1	0
NLD	1	1	1	1	1	1	1	0	0	1	1	1	0	0
PLD	1	0	0	0	1	1	1	1	1	1	0	0	1	0
PRT	1	1	1	1	1	1	1	1	1	1	0	0	0	1
SLK	1	1	1	0	1	1	0	1	1	0	0	0	0	0
SWE	1	1	1	1	1	1	1	0	1	1	1	1	1	0
UK	0	0	0	0	0	1	1	0	0	0	0	0	1	1

Note: See Online Appendix 1 for details of coding and variable weighting.
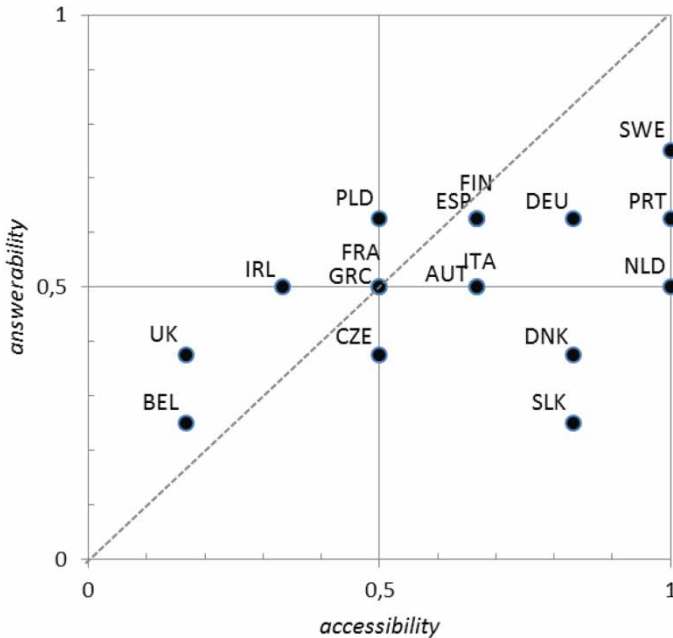
Figure 1 Cases by accessibility and answerability indexes

cases lay under or on the bisector except for Poland, Ireland, Belgium and UK. The last two cases also are the ones which rely less on formal provisions for accountability via fire alarms, as indicated by their position in the bottom-left corner; and are opposed to Sweden, Portugal, Germany, Spain and Finland in the top-right, where accessibility and accountability indexes score higher. Indexes also generate some puzzling results: Spain and Finland share the same values, as well as Greece and France, and Austria and Italy.

Algebraic syntheses, however, shade the qualitative differences among cases – which also make the identity of cases questionable. For qualitative differences to be taken into account, a different strategy is needed that focuses on the configuration of devices instead of on their simple addition (Ragin 1987).

Compressing to superconditions

Given the 14 provisions in our analysis, the overall typology can be thought as a 14-dimensional space; in which each country's exact position is given by the value it scores on every provision (Barton 1955) as in Table 2. The result is a little fertile 'individualization' of each country as a *sui generis* case (Berg-Schlosser and De Meur 2009). Indeed, the analytical complexity can be reduced to cluster cases together into few, yet meaningful, groups. Such reduction is obtained by 'compression' (Elman 2005).

Table 2   Cases by superconditions

country	Accessibility			Answerability			
	notifying	commenting	freeing	reviewing	justifying	wide	assessing
AUT	1	1	1	0	1	0	0
BEL	0	0	1	1	0	1	0
CZE	0	0	1	0	0	0	1
DEU	1	1	1	0	1	0	1
DNK	1	1	1	1	1	0	1
ESP	1	1	0	1	1	1	0
FIN	0	1	1	1	1	1	1
FRA	0	0	1	1	0	1	0
GRC	0	1	1	0	1	0	1
IRL	0	0	1	1	0	1	1
ITA	1	1	0	0	1	0	1
NLD	1	1	1	1	1	1	0
PLD	0	0	1	1	1	0	1
PRT	1	1	1	1	1	0	0
SLK	1	1	1	0	0	0	0
SWE	1	1	1	1	1	1	1
UK	0	0	1	1	0	0	1

Compression is an especially delicate operation, as it already implies a classi-fication effort – namely, the one 'as a result of which different combinations fall into one class' (Lazarsfeld and Barton 1951: 173). For parsimonious typologies to emerge, reduction ought to be driven by the meaning that configurations – or special parts of them – acquire in the light of the driving ideal-types. The original provisions can then be logically merged into 'superconditions' (Berg-Schlosser and De Meur 2009), thus compressing the analytical space.

Compression works to: (a) find those variables that 'express essentially the same underlying characteristic or have their effects in the same direction' (Barton 1955: 46); (b) identify every configuration (type) resulting from the combination of the presence and absence of each variable; and (c) assign to each type a 'crisp score' according to its logical proximity to one of the theor-etical poles (Ragin 2000: Rhioux and Ragin 2009).

We therefore consider our 14 variables by dimension, and compress each meaningful match into a supercondition, as follows.[1]

Accessibility

The analysis of accessibility investigates the degree to which agency operations are made accessible to interests as detectors or effectors.

(1) <notifying>

First, a decision can be notified after it has been taken (*notify_decision*), or while it is in the making (*notify_proposal*). The combination of presence and absence of the two notifications hence generate four types, as follows:

- the type where no kind of notification is due scores 0, and refers to cases where such information is equally customary or dependent on the style of the gov-ernment (UK, BEL, GRC, IRL);
- the type where both notifications are present and enforceable scores 1, and characterize cases where interests are given the opportunity to mobilize both at the beginning and at the end of the rulemaking (NLD, DNK, SWE, ITA, AUT, DEU, PRT, ESP, SLK);
- the one where the decision only has to be notified when it has been taken (PLD, FRA, FIN, CZE) lies next to the 0-accessibility pole, as it enfranchises late detectors alone, which still leaves the agency the opportunity to drift;
- the type where information is due that there is a proposal of a new rule, but not that a rule has passed, is given 1 as the timing would give accountees the opportunity to become effectors. Yet, the type is unobserved as no case matches this configuration.

(2) <commenting>

The second and related procedural point is whether accountees are given the right to comment (*commenting*), and to be answered (*feedback*). Together, the two provisions again generate the types:

- where enforceable rights are recognized neither to comment nor to be answered (UK, PLD, BEL, FRA, IRL, CZE), so is given a score of 0;
- where the public can comment and be answered (NLD, SWE, PRT, ESP), which scores 1;
- where the public is given the right to comment while the administrative body has no related obligation to answer (DNK, ITA, AUT, DEU, GRC, FIN, SLK), which is still assumed to lie next to the 'full accessibility' pole, as even though the administrative bodies do not really engage a dialogue with the affected interests, comments imply that drift can be avoided if there is a meaningful mobilization;
- the other mixed type is empirically empty and given a 0 score as, in such a nonsensical case, interests would be allowed to comment on something they had never been noticed.

(3) <*free*>

The third super-condition revolves around whether there is a formal, enforceable right to access administrative information freely (*FOI_enforceability*), and whether such right is entitled to every citizen (*FOI_universality*). Without this, the agency can *de facto* maintain a veil of secrecy on a given case, even if there are customary practices of access. Therefore:

- the case where the right of information is both legally enforceable and universal scores 1, as the configuration fully enfranchises interests; it also is the most crowded (NLD, DNK, SWE, PLD, FRA, DEU, GRC, IRL, PRT, FIN, CZE, SLK);
- the opposite case, where the right of information is neither recognized nor enforceable, scores 0 and has only Spain;
- the type where the right is given a legal basis but is not universally enforceable (ITA) may rather prove a Catch-22 situation, as individuals cannot access administrative information unless they demonstrate their legitimate interest in it: yet, if there is no general access a citizen may not even be aware of their legitimate interest. This situation favours insiders only, hence is given a 0 score;
- the type where the right of access is not given a legal basis, but is recognized to every citizen (UK, AUT, BEL) is assumed to favour interest accessibility, hence is given a crisp value of 1.

Answerability

The second dimension focuses on the many vectors of answerability as formal obligations to the administrative agencies. The model assumes that distinct professional and societal vectors compel administrative accountors to consider substantial concerns which may be at odds with the preferences of the political principal. Hence, few procedural answerability vectors (0 pole) insulate administration and strengthen direct political control, while many substantial vectors (1 pole) open administrative decisions to accountees' concerns.

(4) *<reviewing>*

The pre-legal judicial review can be material, if driven by a viability concern related to key affected interests (*ajr_pre-material*); or abstract, if revolves around the consistency of agency decisions with legal principles (*ajr_pre-abstract*). The latter mostly maintains agency decisions under the influence of elected politicians, while the former is sensitive to societal concerns. The combination of presence and absence of the two again generates four types:

- the one where no review is made (GRC) embodies the idea of the totally insulated administration where the political principal also is the only accountee, hence is given a score of 0;
- the mixed type where the material review is made but not the abstract (BEL, UK, NLD, DNK, FIN, IRL, SWE) is given score 1, as here societal concerns are considered;
- where the two reviews exist (ESP, PRT, FRA, PLD), the type does not make clear which of the concerns would prevail in case of conflict, or the degree to which a proposal's content may change in response to the claims of the affected interests; however, the societal position is represented and consequently the system is expected to be answerable (1 score);
- where there is only abstract review, the type only leaves room for political concerns: hence the score of 0 that places the related cases (SLK, CZE, DEU, ITA, AUT) next to the insulated state administration.

(5) *<justifying>*

Formal provisions may make the administrative bodies answerable for the procedure they follow (*justify_procedure*), or for the reasons underlying their decisions and behaviour (*justify_content*). The combination generates the following types:

- the one where no answerability obligation is formalized (UK, BEL, FRA, IRL, CZE). This type either characterizes those cases whose administrative processes are led by customs, or closed systems where the burden of proof about the correctness of the administrative behaviour is not systematically laid on the agency itself – but is verified by more traditional practices such as inspections, which may feed into informational asymmetry and leave administrative operation non-answerable. The score is that of the insulated system pole, i.e., 0;
- on the opposite, the one where agencies formally required to be transparent in both procedures and reasons (SWE, PLD, AUT, DEU, GRC, PRT, ESP) scores 1;
- the mixed type, where there is only transparency on procedures (SLK) is assumed to behave like the pure 0 type and given a score of 0;
- the one where the substantive reasons alone have to be given publicly (NLD, DNK, ITA, FIN) is considered answerable instead, hence given a score of 1.

(6) <*wide*>

APA obligations may or not require agencies to provide reasons detailed in written notes (*reason_notes*), and notes addressed or not to the general public (*reason_public*). Again, we generate four types:

- where the agencies are required to detail to the public (NLD, SWE, FIN), the type follows the 'answerable system' rationale and is given a score of 1;
- if none of the two obligations are in formal rules (UK, DNK, PLD, PRT, CZE, SLK), the type scores 0;
- the obligation to detail, but not to the wide public, features cases similar to the insulated model, and score 0 (ITA, AUT, DEU, GRC);
- the type where the agencies are required to give their reason to the public, although not in detail (BEL, FRA, IRL, ESP), is still deemed to lie near to the answerability pole, and consequently it scores 1.

(7) <*assessing*>

The fully fledged professional answerability embodied by RIA requires the policy instrument to be run systematically across policy sectors (*RIA_extension*) and by a properly developed organizational system (*RIA_system*). The combination of the two generates the four types below:

- where the system is not developed and analytical techniques not applied (NLD, AUT, BEL, ESP, SLK), agencies do not follow evidence-based policy: their decisions may still be checked but according to the logic of political answerability. Consequently, the type is insulated and scores 0;
- the type where the RIA system is developed and widely applied (UK, IRL, CZE) gets a 1 score;
- a strong system, although used sporadically (DNK, SWE, PLD, ITA, DEU, GRC, FIN), may blur the relevance of political preferences, and is given a score of 1;
- a widely adopted tool by a scarcely developed system (FRA, PRT) is a symbolic exercise, hence is given a score of 0.

Together, these compressions then generate a new dataset with seven super-conditions – three operationalizing accessibility and four rendering answerability (Table 2).

Exposing cross-country patterns

Now that we have obtained these super-conditions, we can explore the new dataset with two Venn diagrams.[2] Let us first consider Figure 2, the answerability diagram. The diagram has four super-conditions that mirror the accountability vectors relevant for fire alarms. The super-condition about impact assessment (*assessing*) is based on economic evidence and cost–benefit analysis in rulemaking, which indicates answerability to experts (i.e., economists, social scientists, regulatory analysts) and, by extension, to interests that may not be properly represented in society, such as the preferences of new generations as reflected in
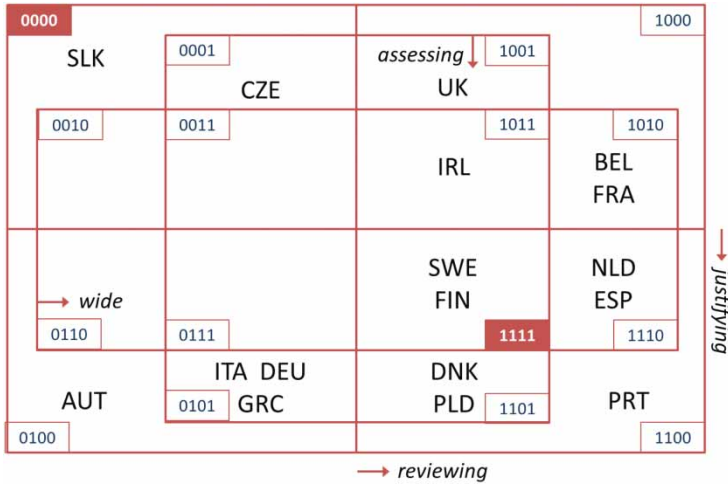
Figure 2 Venn diagram for answerability

the discount rate used in RIA. The super-condition *reviewing* is indicative of answerability to the affected interests. By contrast, the super-condition *wide* points towards answerability to the general public. Finally, the absence of the super-condition *justifying* takes us back to situations where only procedural mechanisms of answerability operate.

Let us explore the diagram starting from the bottom region. Here lie those types formally committed to provide substantive justifications for their decisions. In polar type 1111 (Sweden and Finland), not only is answerability substantial but also owing to each of our possible accountees: unrepresented interests *via* experts; immediately affected interests; general public. Control by fire alarms is the highest, as well as the bureaucracy's direct responsibility for delivery.

Type 1110, qualifying the Netherlands and Spain, displays broad substantial devices but excludes answerability to experts. Social groups and the general public are the agents' relevant direct accountees: which, on the one hand, indicates social viability as upmost concern in the design of fire alarms, and on the other suggests the reliance of political principals on mobilized individual or collective interests alone for keeping administration on the track of effectiveness. As far as the distribution of mobilized interests matches those channelled by vote, this accessibility mix may provide minorities with further opportunities for voice.

Type 1101 (Poland and Denmark) maintains substantial obligations toward affected interests but, in contrast to the type above, has strong answerability to experts whilst the vector to the general public is weak. Here, agents are required to justify their decisions to selected interests and by economic evidence and cost–benefit analysis. If we assume that the concerns of the experts point to

mid- to long-term sustainability whereas pressure by interest groups pushes towards the short-term, these vectors may oppose each other, arguably leaving political principals to arbitrate. The absence of direct answerability to the general public also indicates that the control mix actually operationalizes the political principals as the proper upholder of general public interest.

Italy, Germany and Greece are instances of Type 0101, where answerability is substantial and owing to experts alone – which suggests a concern for policy and/or international credibility. The absence of formalized societal vectors to affected interests and general public indicates the enduring centrality of the political principal in administration, which experts may hardly counterbalance from a position of plain 'detector'. As much as agents are insensitive to experts' blame, Type 0101 may equal Type 0100 (Austria), where substantial accountability is due, yet formally to no special accountor. The result is a highly symbolic design, from the perspective of fire alarms.

Let us now move to the top region of the Venn diagram. Here, administrative decisions need to be explained, but in procedural terms, rather than substantially. We expect justifications to be less relevant substantially – and this should affect the capacity of societal accountees to be automatically informed about agency drift from their concerns. Further, this situation suggests that the substance of decision is a matter restricted to the interplay of bureaucratic agents and political principals, and of informal relationships with special interests – something which may not be really compensated in the accessibility dimension.

In this region, type 0000 (made true by Slovakia) lacks any kind of devices for answerability. The type explicitly does not recognize any accountee – but, implicitly, political principals. Type 0001 (Czech Republic) only makes agencies answerable *via* experts: so, political control seems partially corrected by those fire alarms which only enhance the credibility of the rulemaking.

Similar but more pluralist conditions are found in the type 1001 (UK) where, apart from experts, affected interests are also considered as effectors via pre-legal review on the content of the rule-making. Type 1011 (Ireland) adds the public vector to the previous model, although with reduced effectiveness as citizens are addressed notes about the procedure only. In Type 1010 (Belgium and France) again the vectors of answerability enfranchise special interests on contents and the public on the procedure, while the anchor to experts is weak: thus, it seems a variation on the theme of politically controlled legislation cautiously open to those fire alarms alone that can secure domestic viability.

Answerability, however, provides 'detectors' alone. It established obligations to consider the preferences of some accountee when taking decisions, but it does not commit regulators to any meaningful policy consequence. For fire alarms to be effective we ought to introduce instruments which give accountees the timely knowledge they need about the rule-making to mobilize properly and see their concerns considered. This is what the accessibility dimension operationalizes (Figure 3).
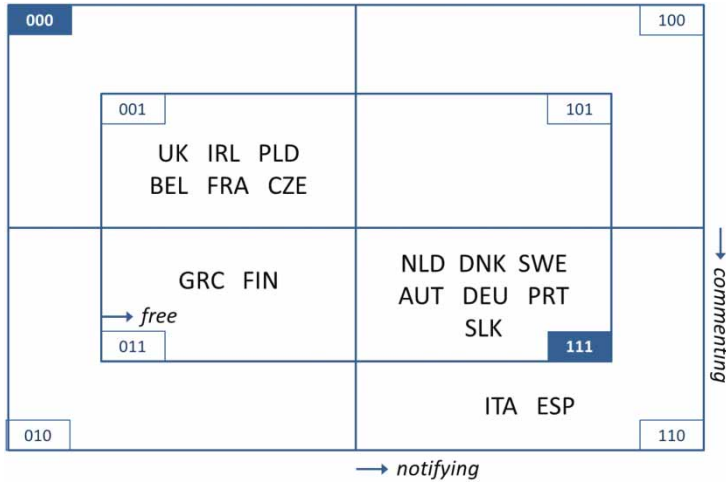
Figure 3 Venn diagram: cases distribution by accessibility

Let us start from the 111 region inside the diagram. The procedures in this type are the closest we can imagine to the ideal-type of a formally accessible administrative system: agencies are fully open to the scrutiny of interests, and responsive to their concerns. Interestingly enough, it also is the most crowded configuration. The opposite type 000 portrays administrative systems where scrutiny is only possible via the mediation of the political principal: a logically possible case, but empirically empty.

In Type 001 (UK, IRL, PLD, BEL, FRA, CZE), freedom of information is provided, but nothing else. Citizens have the right to scrutinize the administration, but are neither notified of decisions nor formally given a say on them, which excludes them from rule-making. The type thus formally recognizes detectors alone, and maintains the centrality of political principals as mediators between citizens' voice and the administrative process.

Type 011 (Greece and Finland) displays formalized provisions for access to information, and to comment and feedback, but does not oblige the regulator to notify that a decision has either been drafted or made. Certainly, more in-depth qualitative work is necessary to understand the logic behind type 011, but again we can infer a preference for a control strategy which allows public inspection of the delivery package and exposes agencies to their voice, yet leaves the timing of accessibility to evaluations of political opportunity, or to customs. The mix suggests the relevance of other, direct, strategies for bureaucratic control from political principals.

Italy and Spain belong to type 110. This looks like a 'Catch-22' situation. Notification and comment are present, but there is no right of free access to administrative information. Here, citizens first must demonstrate a specific interest that is affected by a regulation to access information: but without

such information they cannot even be aware of their interest. The only groups who could exert these rights hence are 'administrative insiders', who would not need them anyway. Accessibility in type 110 is most likely symbolic, *de facto* restating the relevance of political preferences in rule-making.

Types 101 and 100 are especially telling 'logical remainders', i.e., unobserved configurations. They indicate that there are no cases in our population where strong obligations to notify are present but the comment cycle is not – no matter the free access to administrative acts. This implies a comprehensible lack of reasons for establishing a duty to notify decisions without a matching obligation to hear from citizens and answer. The reverse is not true, however, as Greece and Finland in type 011 indicate. The 'notice-and-comment' cycle hence seems the fire alarm provision whose diffusion can be ascribed to mimetic responses to international fads more than to actual problem-driven designs.

DISCUSSION AND CONCLUSIONS

This contribution has argued that one way to cope with power dispersion is to draw on fire alarm systems. The other, more direct approach is police patrol. While the latter is the more obvious and traditional form of control, it can be blunt. We have explored the logic behind fire alarms, considering a wide range of instruments. We have uncovered cross-country patterns by using theoretically grounded concepts that can be operationalized. One assumption we made in concept formation is that control by fire alarms is attractive to politicians but it carries cost; thus, hardly all the logically possible fire alarms will be activated.

In the end, governments will choose on the basis of their preferences for a more or less deep accountability to a wider or narrower array of accountees. Accountability via fire alarms has thus been conceptualized as the accessibility of interests to the rule-making, and agency answerability to them. Our findings on cross-country variations suggest that all political principals have granted some form of accessibility; beyond this, different strategies appear at work beneath the deployment of fire alarms. This stands in contrast to the notion that the EU and the OECD are formidable platforms for policy transfer, and that ideas and paradigms have diffused administrative tools across countries. Diffusion is clustered, and there is definitively no convergence.

These findings are at odds with the tabloid version of new public management and neo-liberal ideas that dominate public policy across countries: these ideas may be persistent, but the actual choices of governments differ markedly. Also, such variation in fire alarms hardly support the thesis that European administrations cluster in special 'families' (Castles 1999) or traditions (Peters 2008). This map, however, stresses the need to analyse consolidated typologies with empirical rigor (though see Obinger and Wagschal [2001]). For example, beyond the two null configurations and four where only a single country is found, there are only two types were *some* members of a single Castleian

administrative family are found (and in these cases we must set the new Eastern European democracies to one side). Indeed, in 10 of the remaining 20 types, we find complex combinations of countries from three or four families (plus Eastern European states). This underlines the need to analyse consolidated typologies with empirical rigor (though see Obinger and Wagschal [2001]).

With this respect, our findings contribute to the field methodologically, empirically and theoretically. Methodologically, we have developed explanatory typologies by logical compression of the property space. Our indexing procedure shows how to proceed rigorously in key analytical steps in explanatory typologies.

Theoretically, our framework addresses the issue of administrative control by fire alarms from the perspective of accountability, so moving beyond the analysis of single administrative procedural instruments to make sense of instrument mixes instead. Configurations of provisions thus come to represent different types of accessibility and answerability of the rule-making.

Empirically, our cartographic infrastructure provides the background for explicit explanatory analyses. One could run our data against a given outcome, a possible question being whether our super-conditions are necessary and sufficient to system performance such as competitiveness or trust. Another option is to proceed by qualitative analysis of individual cases, matching our findings with data on the implementation of the different rights, instruments, and obligations. In this connection, much remains to be investigated on the relationship between procedure and substance – individual case studies on implementation have much to say on this. Indeed, our findings focused on the presence and absence of legal outputs only, which may be different from their implementation. Also, we coded the last available information, regardless of when each provision was introduced, and in which sequence. More fundamentally, we have assumed that low fire alarms imply direct political control, yet not proven it; and casted a blind spot on informal accessibility from corruption and clientelism (Piattoni 2001). For theorists of democracy, the real question is whether there is a trade-off between controlling with the instruments of administrative law and controlling via corruption and clientelism – essentially, a trade-off between rule of law and illegal practice. To all these questions, our map and types can nevertheless provide either the *explanandum* or the *explanans*.

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NOTES

1 The Online Appendix 1, available on the Taylor & Francis website, contains summary tables for each of the seven super-conditions.
2 For an explanation of how to read these diagrams, see the Online Appendix 1.

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