

Abstracts

Introduction to the special issue on quango's

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The number of (semi)-autonomous public bodies (or: quasi-non governmental-organisations (quango's)) in the Dutch public sector is increasing. This raises several questions: how do these quango's fit into the state-organisation; what are the effects of quangocratization on the steering capacities of the state; and other questions of quango-performances related to their clients. The answers on these questions depend on the academic angle or discipline that is used as a tool for description, analysis and judgement. Empirical research from a legal, an economic and a public administration view is discussed on its contribution to clarify and answer these questions.

Quangocratization and the primacy of politics: The British executive agency

J. de Ridder

Since the appearance, ten years ago, of the Ibbs-report (*Improving management in government: The next steps*) the British Civil Service has undergone a radical change in its structure, in its functioning and in its relations with its political and societal environment. This paper examines the experience, focussing on a number of issues that have an analogue in the Dutch debate on civil service reform. A major issue is the modification of political control under changing institutional conditions. The British experience shows that, contrary to a commonly held view, ministerial responsibility does not necessarily have to be curtailed in order to gain an 'arm's length' relation between politicians and civil servants.

Quangocratization in the Netherlands?

S. van Thiel, F. Leeuw and H. Flap

The execution of public tasks in various policy areas is increasingly transferred by central government to quasi-autonomous non-gouvernemental organisations (quangos). This phenomenon is labelled 'quangocratization'. Using data collected by the Netherlands Court of Audit, it is shown to what extent quangocratization is occurring in the Netherlands. Moreover, attention is paid to the accountability of quangos. Lack of information on the performance of quangos implies that there is no support yet for the assumption that quangocratization will lead to a more efficient and effective performance.

Quangocratization in local government: Without regulations and untransparent

S.E. Zijlstra

Autonomous public bodies are entities which are entrusted with a part of the executive power, and which are neither directly elected, nor subject to scrutiny by elected bodies through the mechanism of political responsibility. Autonomous public bodies not only exist at the level of central government, but also at the municipal level. However, legal research has hitherto mainly focused on autonomous public bodies at the central government level.

The municipal commission (article 82 of the Municipal Act) is the organizational form for municipal autonomous public bodies. In spite of the possibilities for the use of municipal commissions as autonomous public bodies, private organizations are far more popular with municipal authorities. This is very unfortunate, considering the democratic *Rechtsstaat* objections which can be raised against this practice. It is also unfortunate because of the more practical legal uncertainties surrounding the use of civil law organizations in the public administration. It is therefore necessary that municipalities end this practice and focus their attention on public law organizations (municipal commissions). Furthermore, administrative courts, as well as supervisory authorities on higher administrative levels (provinces and the central government), should guard the norms of the Local Authorities Act on the choice between public law and civil law organizations more strenuously than they have until now.