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The transformation of public administration in East Germany
following Unification

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Abstract

Following 1990 the politico-administrative rupture and transformation of German Democratic Republic (GDR) was essentially shaped by the process of German Unification and the GDR's integration into the 'old' Federal Republic. Thus, basic constitutional and institutional issues, such as legal rule (*Rechtsstaat*)-based administration, inclusion in the European Union, were ('exogenously') pre-determined by the GDR's accession to the 'old' Federal Republic. This makes it a 'special case' of post-communist transformation contrasting with the other ex-communist countries in Central Eastern Europe where the fundamental constitutional and institutional issues of their transformation were bound to be settled in conflict-laden and extended political processes. The chapter highlights East Germany's politico-administrative transformation after 1990 in addressing the organisational and personnel dimensions of the remoulding and rebuilding of the administrative structures at the new Länder and local levels. In conclusion the question is raised whether there are lessons which, notwithstanding the particularities of the 'East German case', other countries that face transition or transformation might draw from East Germany's experience.

Key words

Politico-administration transformation

East Germany a 'special case'?

Institution transfer

Personnel transfer/'elite import'

Lessons to learn?

1. The transformation of public administration in East Germany following Unification

In analysing the institutional transformation of post-socialist countries, East Germany has been interpreted to be a ‘special’ case (*‘Sonderfall’*, Wiesenthal 1995: 50). This is because in East Germany the collapse of the communist regime and the system transformation coincided with the process and dynamics of German unification and with the GDR’s integration into the ‘old’ Federal Republic. Hence, East Germany’s transformation was, from the outset, propelled by a triad of exogenous factors, to wit,

- ‘institution transfer’ (Lehmbruch 2000, 14) by extending the constitutional, legal and institutional order of the ‘old’ Federal Republic onto East Germany,
- ‘personnel transfer’ as tens of thousands of West German officials and experts moved temporarily or permanently to East Germany to get involved in the transformation process, and
- ‘financial transfers’ from West German public budgets and social security funds to East Germany.

Institution transfer

The *institution transfer* took off and gained momentum as the politico-administrative structure of the ‘old’ Federal Republic’s ‘ready-made state’ (Rose/Haerpfer 1997) was extended to East Germany. This secular institutional shift set in as early as in spring 1990 when on May 17, 1990 the (for the first time) democratically elected parliament (*Volkskammer*) of the (then still existing) GDR passed a new Municipal Charter that hinged on democratic local self-government. Subsequently in July 1990 the *Volkskammer* decided to re-

establish the five regional States (Länder) which the communist regime had abolished in the early 1950s.

The most spectacular act of institution transfer occurred when, on the basis of the Unification Treaty (*Einigungsvertrag*) which was concluded on August 31, 1990 between the governments of the two German states, the GDR was, by way of ‘accession’ (*Beitritt*), integrated into the ‘old’ Federal Republic (as well as into the European Union) at midnight of October 3. 1990. So, in an unprecedented historic ‘second’ the constitutional and legal order of the ‘old’ Republic was extended to East Germany, while, in the same moment, the GDR ceased to exist as a separate state and its legal world vanished.

Hence, key constitutional parameters (including have been (‘exogenously’) pre-decided during the preparation and with the putting into effect of German (Re-)Unification whereas in the other ex-communist CEE countries basic constitutional and institutional issues (‘nation building’, intergovernmental setting, accession to the EU) had to be (‘endogenously’) settled in conflicts and compromises between political parties and actors in the respective national arena.

Personnel transfer and ‘elite import’ from West to East

The institutional transfer was accompanied and bolstered by a massive personnel transfer and ‘elite import’ from West to East as thousands of West German officials and specialists moved, either temporarily or permanently, to East Germany to assist the organizational and personnel transformation of Land and local administration. In June 1990, that is prior to Unification, the ministers of the interior of the West German Länder decided to provide ‘administrative aide’ (*Verwaltungshilfe*) to the upcoming East German Länder (see Goetz 1993: 451). In a similar vein twinning partnerships (*Städtepartnerschaften*) were arranged between West German and East German municipalities and counties (Wollmann 1996b, 60 et seq.). Until 1993 some 15.000 West German officials rendered

‘administrative aide’ in Land administration and some 4.000 in local authorities by counselling, training and assisting their East German counterparts (Goetz 1993: 452). Moreover, a significant number of West German officials and experts moved to and stayed permanently in East Germany to preferably occupy administrative top or meso level positions. This ‘elite import’ aimed at filling the ‘political and administrative elite vacuum’ (Derlien 1993) which resulted from the resignation or removal (‘purging’) of most of the leading political and administrative functionaries of the communist regime. Thus, from the outset ‘administrative aide’ and ‘elite import’ from West to East proved crucial in advancing the transformation of East Germany’s administration which again differed profoundly from the other ex-communist countries.

Financial transfer

Finally, another key factor was the huge *financial transfer* from West to East. Amounting, since the early 1990s, to some 75 billion US dollars annually this enormous flow of resources largely supported and promoted East Germany’s transformation which again has no parallel in the other ex-communist CEE countries.

However, the overall assessment that East Germany’s politico-administrative transformation was predominantly driven by exogenous factors needs to be qualified on a number of scores.

First, there was no single West German model that would have been transferred to the East. Instead, the Federal Republic’s political and administrative system is, at all levels and most sectors, characterised by a significant degree of institutional differentiation and variability so that the repertoire of institutional solutions on which East Germany’s institution building could draw was diverse and varied, to begin with. Moreover the West German officials and experts who came temporarily or permanently to East Germany carried with them, in their conceptual and mental ‘luggage’, the typically diverse institutional and

organizational solutions of their ‘native’ Land or local authority (see Goetz 1993: 452, Derlien 1993: 329, Schimanke 2001: 181).

Second, the newly elected East German Land parliaments and local government councils as the relevant political decision-making bodies were occupied entirely by East Germans (Wollmann 1996a, 1996b: 77) who were politically poised and ready to take the pertinent political and institutional decisions in their own hands. So, notwithstanding the significant ‘exogenous’ influence, East German decision-makers were (‘endogenously’) guided by their specific ‘East German’ preferences, interests and goals.

Consequently institution building in the East German Länder and local authorities has unfolded in organisational forms that range from (exogenously inspired) blueprint-type institutional imitation to (endogenously induced) adaptation and self-development (*Eigenentwicklung*, ‘autochthonous development’, Lehmbruch 2000: 14) and (even) innovation (see Wollmann 1996a, 1996b, Kuhlmann 2003: 307 et seq.). As East Germany’s institutional transformation took place in a spectacular simultaneity of dismantling the GDR’s state structure, of remoulding existing structures and building new politico-administrative institutions this secular process bore traces of what Joseph Schumpeter, alluding to the elementary forces of capitalism, called ‘creative destruction’ (*‘schöpferische Zerstörung’*, Schumpeter 1942).

The following account will at first address the organisational dimension of East Germany’s politico-administrative transformation and subsequently its personnel side.

2 Organisational transformation.

2.1. *Transformation of the GDR's State economy: The activities of the Treuhandanstalt, THA (Trust Agency)*

Since under the communist regime and doctrine the GDR State essentially owned and operated most the economy sector the latter's liquidation and restructuring was, from the outset, a prime goal and task of East Germany's adaptation and integration into the 'old' Federal Republic's politico-economic system (see Czada 1996, Seibel 1992, 2011, Wiesenthal 1995, 58). As early as on March 1, 1990 the (reform-communist) GDR government decided to establish a *Treuhandanstalt*, THA (Trust Agency) designed to revamp the state economy while basically still holding on to State ownership. Shortly later, on June 17, 1990, the democratically elected GDR parliament (*Volkskammer*) adopted a new Trust Agency Act (*Treuhandgesetz*) which, in a conspicuous shift, mandated the THA to privatise the GDR's state economy. Finally, in August 1990, anticipating the imminent Unification, the THA was turned into an agency whose centralist organisational structure appeared somewhat ironically tailored on the GDR's previous centralized economic regime (Seibel 2011: 110). As the *Treuhandanstalt* was accountable to the federal government and acted largely independent of the new Länder governments it was called a "a second East German government" (Czada 1996: 99) or even "a powerful second national government" (as former Chancellor Helmut Schmidt put it, quoted by Czada *ibid.*, 94).

Under West German leadership, initially most prominently under the former CEO of Hoesch *Detlev Rohwedder* (who was murdered on April 13, 1991 by the terrorist Red Army Fraction, RAF) the THA's mission was defined to (in this preferential order) privatise, restructure or liquidate the GDR's State economy. Consequently from the outset the THA was responsible for more than

8.500 state-owned enterprises with some 4 million employees which made THA the world's largest industrial enterprise (Czada 1996: 93). At the same time, it also took over 2.4 million hectares of agricultural land and large-scale public housing assets.

As the federal government decided that the THA was to wind up its mandate by the end of 1994 the latter acted under great time pressure. By 1994 about half of the 6.545 enterprises were (entirely or partially) 'privatised', often after restructuring them in order to make them 'fit' for privatisation. 310 were transferred to local authorities. 3718 enterprises were liquidated. Besides, the so called 'small privatization' was directed at some 25.000 State-owned entities, such as shops, restaurants, hotel, pharmacies, book shops and cinemas. In total, two thirds of the workforce lost their jobs entailing mass unemployment.

On January 1, 1995 the THA was transformed and organisationally restructured into a new political body called 'Federal Agency for Special Tasks related to Unification' and into several smaller administrative units (see Czada 1996: 114).

The THA and its activities have evoked more discussions and controversies than any other field and sector of the GDR's transformation.

In assessing the role and impact of the THA in the economic transformation opposing views and positions have been put forward (for a recent overview see Goschler/Böick 2017). On the one side, it is argued that, having to cope with the unprecedented challenges posed by the collapse of the GDR's State economy, the THA has achieved, by and large, respectable results. On the other, in highlighting the high unemployment and de-industrialization ascribed to the activities of the THA and the sell-out of the GDR's assets to West German and foreign investors the judgement has been devastating, including the scathing critic of East Germany having been 'colonized' (*'kolonisiert'*. Dümcke/ Vilmar 1996).

2.2 Transformation of the GDR's State and administration

The GDR's state was, typically of the (post-Stalinist) 'socialist' State model, marked by the dual structure of the intertwined State and Communist Party apparatus which, by 1990, was made up of some 1.000 administrative units with some 2.1 million functionaries and employees. This 'dual' structure and its strict hierarchical control comprised all tiers (central, meso and local) of public administration and, under the doctrine of so called 'democratic centralism', ruled out any autonomy of lower levels (Goetz 1993: 448). 14 meso level administrative districts (*Bezirke*) were installed which, modelled on the (regional) *oblasti* in the Soviet Union, served as the regional backbone of centralist Party and State rule. In formally retaining the traditional two-tier local government structure the (191) counties (*Kreise*) and (27) 'county-free' cities were turned into (centrally directed and controlled) local level State units while the some 7.000 ('within county') municipalities played a minimal administrative role.

Following German Unification, the historic task to restructure the defunct GDR State was confronted with the triple challenge of either liquidating part of the 'inherited' administrative structures, or of retaining and remoulding them into a new organisational architecture or of creating new ones.

2.2.1. Central government level

Under the distribution formula spelt out in the Unification Treaty about some 200 of 1.000 administrative units of the defunct GDR's state fell to the Federation. This applied in particular to most of the GDR's (primarily Berlin-based) central administration (ministries, central agencies) (Goetz 1993: 451). If not 'liquidated' institutional and personnel segments came under federal responsibility. Moreover in some administrative areas new federal institutions were created in the East German Länder, especially regional and local offices of the Federal Labour Market Administration (Wollmann 1996b: 65 et seq.).

2.2.2 Länder level

The five new East German Länder (*Mecklenburg-West Pomerania, Brandenburg, Saxony-Anhalt, Saxony and Thuringia*) came into existence on the date of the election of the new Länder parliaments on October 14, 1990.

Under to the Unification Treaty about 800 of 1.000, that is, the lion's share of the GDR's state administration (counting some 1.6 million employees) fell under the responsibility of the five new Länder (see Goetz 1993: 451 et seq., Wollmann 1996b: 80 et seq., König 1997: 226 et seq.). So each Land government, hardly was it formed in October 1990, was confronted with the challenge of setting up its own ministerial offices and staffs from scratch and of creating a new architecture of its entire administration. Thus, Land ministries, the Prime Minister's Office, other central level non-ministerial offices as well as the Land Court of Audit had to be created *ab ovo* in each Land (Goetz 1993: 452). With regard to the lower levels of their administration the new Land governments faced the decision as to whether to liquidate the administrative units 'inherited' from the GDR State or to retain and fit them into a new organisational architecture. In the pursuit of this task "often the ruins of the former administrative structure with its personnel and material equipment became a quarry for the new administrative units" (Ruckriegel 1994, see Wollmann 1996b: 86).

From the outset the question took centre stage as to whether the GDR's meso-level administrative districts (*Bezirke*) should be dissolved or retained and transformed into meso level administrative districts in line with those traditionally (albeit increasingly contested) in place in most West German Länder where they are in charge primarily of coordination and supervision functions (see Schapper, chapter 4 in this volume). The controversy about this issue was fuelled by the widely shared recollection of the ominous role that under the communist regime the districts had played as the regional strongholds

of its centralist Party and State rule. It was largely due this ominous recollection that in the Länder of *Mecklenburg West Pomerania* and of *Brandenburg* the parliaments decided to abolish the meso level – thus choosing a two-tiered architecture of Land administration made up of the central and the local government levels. By contrast in the Länder of *Saxony* and of *Saxony-Anhalt* it was decided to retain the GDR's meso level and turn it into meso administrative districts (*Regierungsbezirke*) in line with their respective West German partner Land (see Kuhlmann & Wollmann 2019: 94).

2.2.3 Local level

The (191) counties (*Kreise*) and (some 7.500) municipalities (*Städte. Gemeinden*) were the only political and administrative structure that institutionally survived the disappearance of the GDR State. Tellingly, since early 1990 when the GRD central government increasingly slid into agony and until early 1991 when the new Länder governments became operational it fell almost solely to the local authorities to bear the brunt of the secular political, institutional and socio-economic system change. In the same vein, they were, from the beginning, confronted with the task of fundamentally remoulding the organisational and personnel structure left behind by the GDR's centralist State.

Manifesting the radical departure from the communist regime's unitary and centralist state model the democratically elected GDR parliament (*Volkskammer*) on March 13, 1990 adopted a new Municipal Charter (*Kommunalverfassung*) thus essentially restoring the concept of local self-government (*kommunale Selbstverwaltung*) (Kuhlmann & Wollmann 2019: 96 et seq., see Ruge & Ritger, Chapter 5, in this volume;). In accordance with the 'dual task' model entrenched in the German tradition the local authorities are in charge of carrying out 'genuine' local self-government tasks that basically follow from the traditional general competence clause, on the one hand, and

‘delegated’ (*‘übertragene’*) tasks which are transferred to them by the State, on the other (see Kuhlmann & Wollmann 2019: 161 et seq.).

Internal organisation

In restructuring their administration the East German local authorities, strongly drew on organisational designs and practical experience which were transmitted to them, in the frame of ‘administrative aide’ (*Verwaltungshilfe*), by their West German counterparts and advisers. A crucial role in this played the Communal Joint Office for Administrative Management (*Kommunale Gemeinschaftsstelle für Verwaltungsmanagement*, KGSt), a local government-funded non-profit consultancy organisation which has since long acquired high reputation and influence in the field of administrative re-organisation. It should be noted that since the early 1990s *KGSt* abandoned its previous advocacy of the ‘Weberian’ administrative model and shifted to propagate a New Public Management (NPM)-inspired ‘managerialist’ New Steering Model (*Neues Steuerungsmodell*, NSM) (see Kuhlmann & Wollman 2019: 284 seq.). However when it came, after 1990, to the administrative restructuring in the East German local authorities *KGSt* conspicuously recommended to do this on the basis of the (traditional) ‘Weberian’ legal rule-bound hierarchical model. Consequentially, in contrast to their West German counterparts the East German local authorities initially exhibited considerable restraint (Wollmann 1996a: 156; Kuhlmann et al. 2008: 856)).

On the top of it under the Municipal Asset Act of July, 6 1990 and the Unification Treaty of August 31, 1990 a myriad of (social, cultural, health etc.) organisations that until then were operated under the responsibility of the GDR State and its State Economy-operated were transferred (‘communalized’) to the local authorities. As a result the number of local government employees virtually ‘exploded’ (skyrocketed, for instance in county-free cities, within

weeks from 5.000 to 50.000). (For the task of the local authorities to reduce their ‘overstaffed’ personnel see below).

In institutional terms, in the face of this avalanche of institutions and personnel the local authorities chose to either organisationally integrate them into in their ‘core’ administration or to ‘outsource’ them in the ‘corporatised’ form of organisationally as well as legally separate municipal organisations or companies (usually as limited companies or stock companies) (see Schafer et al, chapter 13 in this volume).

Territorial reforms and functional reforms

Immediately after the formation of the new Länder in October 1990 their governments and parliaments turned to territorially redraw (upscale) the counties whose size (averaging 80.000 inhabitants) was considered to seriously impair their administrative capacity (see Wollmann 2010, Kuhlmann & Wollmann 2019: 203 et seq., also Bogumil/Kuhlmann chapter 12 in this volume). Moreover territorial county reforms aimed at preparing the ground for follow-up ‘functional reforms’, that is, for transferring (decentralizing or deconcentrating) further administrative functions from Land administration to local authorities (see Kuhlmann & Wollmann 2019, 175, Bogumil & Kuhlmann chapter 12 in this volume).

3. Personnel sector

In the GDR’s ‘cadre administration’ (König 1992, 153 et seq.) tailored on the Soviet Union’s model the executive and administrative leadership positions were occupied by a *nomenklaturist* elite the members of which were directly appointed by and subject to the Communist Party. By the same token, in the recruitment and staffing of personnel the loyalty and obedience to the Party was given priority over professional qualification (Goetz 1993) which fostered what was pointedly called “politicized incompetence” (Derlien 1993: 324). The

GDR's state sector counted some 1.100 administrative units with a total of some 2.1 million functionaries and employees. In addition, the ubiquitous State Security Service, Stasi, comprised some 85.000 official and 180.000 'unofficial' collaborators (Derlien 1993: 325).

'Elite change' and 'purging'

The radical transformation of the GDR's personnel sector (see also Reichard & Schröter, chapter 7 in this volume) took place on two tracks.

For one, a policy was pursued of ridding ('purging') the personnel of those who had been, to a degree deemed politically unacceptable, involved in the Communist regime and particularly in its ominous State Security Service, *Stasi*. According to the Unification Treaty of August 31, 1990 public employees could be dismissed for "having collaborated" (in official or unofficial capacity) with the *Stasi* or for having "violated principles of humanity or rule of law" (Goetz 1993: 460, Derlien 1993: 326). By federal law of December 1991 the (federal) Stasi Records Agency (informally dubbed 'Gauck Agency', *Gauck Behörde* after its first director) was established with the mandate, upon request by federal or Länder authorities, to scrutinize public employees and to identify those possibly falling under the 'purging' verdict. By mid-1995 the 'Gauck Agency' was requested to scrutinize some 1.3 million public employees of whom some 10 percent were identified as 'purging'-relevant and about 1 percent (that is, in total, some 1.300 persons) were finally dismissed (see Derlien 1997: 277) ¹. While the number of finally 'sanctioned' cases appears relatively small the institutionalized scrutiny process proved to be a sort of sword of Damocles hanging over the entire process of personnel transformation.

Second, an almost complete elite change in the administrative ranks took place as the holders of higher positions of the communist regime were almost

¹ For more data and references see Wollmann 1996b, 97 for references).

completely ousted and replaced by ‘elite import’ from the West or by the recruitment and appointment of East German personnel.

At the Länder level the build-up of the new Land ministries and central level agencies was marked by a sizable ‘elite import’ (Derlien 1993: 328) from West German partner Länder as a significant number of executive and administrative leadership positions in Land administration were occupied by West German ‘transferees’. For instance, initially three of five East German prime ministers, all State secretaries, four of five justice ministers, the majority of economics and finance ministers as well as up to three quarters of the department heads and section heads in Land ministries were West Germans (Derlien 1993: 328, Wollmann 1996b: 79 et seq.). However, administrative top positions were taken over also by East Germans, albeit as a rule in less important ministries and often in lower echelons. This applied to administrative “newcomers” who had no previous experience in public administration proper, but came from (meanwhile ‘liquidated’) economic enterprises or scientific institutions. It held true also for East German administrative ‘oldtimers’ who were previously employed in technically oriented administrative segments, particularly in district or central level administration, and resumed new positions in qualificationally akin ministries or agencies (e.g. environment, health) (Schimanke 2001, 180).

At the local government level, too, on the heels of the (voluntary or forced) exodus of the Communist party-appointed (‘*nomenklaturist*’) position-holders, a new generation of local leaders has succeeded. Most of them were administrative ‘newcomers’ without previous practice in municipal administration and often with an professional and occupational background in engineering and natural science, many coming from management and technical functions in (meanwhile dissolved) state economy companies². Some were administrative ‘old-timers’ previously employed in local administration, often with a technical background as well.

² For detailed data see Wollmann 1996b, 124 table 9

Interestingly, different from the Länder level only few West Germans have assumed leading position in local administration. The fact that the East German ‘new local administrative elite’, be they newcomers or old-timers, predominantly have an educational and occupational background in engineering and other technical trades makes for an intriguing difference from their West German counterparts among whom a legal or quasi legal background prevails (Wollmann 2002: 170)³.

It should be highlighted that the ‘elite import’ (from West to East) as well the scrutiny (‘purging’) procedure are noticeable elements of East Germany’s transformation which sets it apart from the other ex-communist CEE countries⁴ and is another aspect of its ‘special case’ profile.

Reduction of personnel

As aforementioned, after 1990 the newly formed five Länder and the local authorities were confronted with the challenge of reducing an ‘oversized’ workforce ‘inherited’ from the defunct GRD state. As of June 30, 1991 the personnel of the new Länder totalled some 634.000 employees which amounted to a personnel density of 39 per 1.000 inhabitants compared to 29,50 in the West German Länder (Wollmann 1996b: 98). Between 1991 and 1999 they cut their personnel by 16.24 percent arriving at a personnel density of about 30 employees per 1.000 and hereby narrowing the gap to their West German counterparts (see Jann 2001: 114 table 1).

As a result of the myriad of institutions and personnel that after 1990 were transferred (‘communalised’) to the local authorities their workforce doubled in size (per capita) compared to their West German counterparts (Wollmann 2002: 168 table 5). Since the early 1990s, the number of East German local government employees has been drastically reduced and has, by the end of the 1990s, been

³ For detailed data see Wollmann 1996b, 125, table 10).

⁴ With the exception of post-communist Czechoslovakia where, for the limited duration of three years, a comparable ‘purging (called ‘lustration’) procedure was put in place.

almost halved from some 660.000 in 1990 to some 340.000 in 1999 (see *ibid.* table, Jann 2001, 114 table) which came close to the per capita personnel size in their West German counterparts.

Vocational training and qualification of administrative personnel

Applying the complex legal system transferred ‘from West to East’ and coping with the multiple administrative tasks following Unification posed unprecedented challenges to the East German administrative personnel - administrative as well as ‘old timers’, in Land as well as local administration.

In order to prepare and qualify the administrative staffs to master these difficulties a huge campaign of vocational training was launched. Funded by the federal government and the West German Länder crash courses were organised and offered that involved thousands of Land and local government employees (see Wollmann 1996b: 130. However, amidst the operational turmoil and urgency, often hardly time was available to adequately attend and such vocational training and qualification courses. Consequently “learning by doing” and “training on the job” came to prevail,

There are strong indications that East German administrative personnel have learned, by and large, remarkably fast to cope with the new legal world and task load. This was plausibly demonstrated, for instance, in a study on the implementation of the federal building law which constitutes a particularly complicated piece of legislation: After an initial period in which the legal provisions appear to have in part been ‘ignored’ by local practitioners, their implementation and application has apparently soon arrived at largely matching the practice and standard in West German local authorities (see Wollmann 2002: 171, Kuhlmann 2003, 2004).

A major lever and driver for this fast pace of adaptation and qualification plausibly lay in the ‘disciplining’, if not ‘compelling’ effect which the newly established administrative courts (*Verwaltungsgerichte*) exerted on the administrative

personnel and their performance. The administrative courts played a crucial role in ensuring that the administrative practice be guided by the rule of law (*Rechtsstaat*) and thus sealing the secular break from the previous regime in which public administration acted, bordering ‘legal nihilism’, essentially under the sway of the Communist Party. Moreover and noteworthy the newly created administrative courts and their judges and their judges most of whom were West German ‘transferees’ (see Wollmann 1996b: 100 et seq.) unfolded an advisory and ‘pedagogic’ function in the interaction and exchange with their ‘clients’ (see Kuhlmann 2003: 202 et seq.),

Besides, in dealing with the turbulence and intricacies of the transformation process, the East German administrative personnel also exhibited the disposition to seek ‘pragmatic’ and ‘ad hoc’ solutions. Such pragmatism arguably draws on the collective experience which the East Germans at large were prone to make under the communist regime when, vis-à-vis the endemic bottlenecks, supply gaps and malfunctions of the socialist system and economy, they learned to improvise and to ‘find ways out’ in what in hindsight was pointedly called a ‘chaos competence’ (Marz 1992 quoted in Wollmann 1996b, 144, see also Schimanke 2001: 180 et seq., Kuhlmann 2003, 2004).

3. Concluding remarks

In conclusion a somewhat ambivalent summary should be proposed.

On the one hand, East Germany’s transformation in Land as well as local administration has proceeded remarkably fast and has, after some 10 years, attained an institutional format and a performance profile coming, by and large, close to their West German counterparts (see Jann 2001: 105). The essential reason for this ‘fast track’ of East Germany’s politico-administrative transformation plausibly is that it was embedded in the process of German (Re-) Unification and driven by East Germany’s integration into the ‘old’ Federal

Republic. Thus, basic institutional decisions (such as, the introduction of the Länder, of local self-government, of rule of law/*Rechtsstaat*-guided public administration, but also the inclusion in the European Union) were pre-determined and ‘foregone conclusions’ by the GDR’s accession (*Beitritt*) the ‘old’ Federal Republic, spectacularly at midnight of October 3, 1990. By contrast, in the other ex-communist CEE countries the basic decisions of their politico-administration transformation (nation-building, intergovernmental architecture, accession to the EU etc.) were the result of often protracted political conflicts and compromises (see Wollmann 2019).

On the other hand, the “fast track” of East Germany’s transformation has had noticeably negative consequences. As it was, from the outset, strongly driven by ‘exogenous’ factors and actors, in particular by the triad of institution, personnel and financial transfers, East Germany’s transformation came to be perceived and criticized as ‘externally determined’ and even as ‘colonisation’ (*Kolonisierung*) (Dümcke/Vilmar 1996). Particularly the *Treuhandanstalt* that had the time-limited triple mandate to restructure, liquidate or ‘privatise’ the GDR’s State economy has been reproached of having inflicted lasting political ‘traumata’ on East Germans in the wake of persisting de-industrialization and unemployment

4. Lessons learned

Before finally addressing the question whether and which lessons might be drawn from the ‘East German case’ by countries that find themselves in political and socio-economic transition or transformation a note of caution should be struck. The singularity of conditions under which East Germany’s transformation took place needs to be kept in mind in order to forestall ‘hasty’ conclusions. Bearing this caveat in mind the following suggestions can arguably be put forward.

- The basic decisions on the organisational (central, meso and local level) architecture should be made as early as possible in the transformation or transition process in order to relieve the decision-making process from these basic organizational issues and to proceed to tackling and resolving other urgent problems of the ongoing development.
- The build-up of a competent, effective, efficient and trustworthy public administration should be given prime importance as an indispensable (sine qua non) condition for coping with these urgent problems.
- For this purpose the introduction and consolidation of a rule of law-bound ('Weberian'), politically independent and non-partisan public administration is absolutely essential as well..
- By the same token the establishment of independent administrative courts with qualified administrative judges is of utmost importance as guardians of judicial review on the activities of the public administration and its compliance with the rule of law (*Rechtsstaat*).
- The recruitment and employment of professionally qualified, politically non-partisan and immune-to-corruption public personnel is crucially important as well. In order to ensure high professional (and ethical) standards of the future public personnel appropriate educational and vocational training facilities and programs need to be put in place.

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