administrative sciences

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From Rhetoric to Implementation: Embedding the Rule of Law in EU Public Administration and Governance

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Abstract

The rule of law, a foundational value of the European Union as enshrined in Article 2 of the Treaty on European Union, faces challenges in implementation due to historical and political factors that have evolved over the past decade, particularly within Member States in the administrative domain. While institutional backsliding in countries like Hungary and Poland has drawn significant political attention, less emphasis has been placed on the role of public administrations in upholding or undermining the rule of law on a day-to-day basis. This paper argues that the sustainability of the rule of law in the EU requires more than legal compliance mechanisms. These alone do not address the underlying administrative and cultural factors necessary for effective implementation. Instead, it requires closer attention to how rule-of-law principles are embedded in the everyday functioning of public administrations. This argument is informed by the authors' systematic examination of recent EU monitoring practices and administrative reform instruments. Adopting a mixed conceptual-empirical methodology, the paper draws on primary data from EU Rule of Law Reports (2020–2024), the EU Justice Scoreboard, the Recovery and Resilience Facility (RRF), and the Technical Support Instrument (TSI), complemented by relevant OECD/SIGMA indicators. Several structural obstacles emerge from the analysis. These include symbolic compliance, whereby organisations adopt formal structures without corresponding behavioural change; weak institutional leadership that fails to drive reform momentum; and the absence of integrated performance metrics, which hampers meaningful accountability. Fragmented ownership of reform agendas, in turn, breeds inconsistency in implementation. These challenges point to the limitations of a technocratic or legalistic approach to rule-of-law governance. Strategic leadership and organisational flexibility emerge from the evidence as preconditions—not merely facilitators—of genuine internalisation, though the relationship is context-dependent. Digitalisation can reinforce these dynamics, yet its contribution depends on whether it is embedded within broader integrity-oriented reforms. The paper advocates for a shift from externalized compliance mechanisms to a model that emphasizes administrative ownership through specific strategies such as developing integrity-based leadership programs and embedding governance practices that prioritize transparency and accountability. It proposes concrete institutional reforms, including performance-linked conditionalities that tie funding to measurable outcomes, ethical leadership academies to train future leaders, integrity audits to ensure accountability, and administrative benchmarking to set clear standards, as tools to foster autonomous, value-driven public institutions capable of adapting to evolving governance challenges while maintaining core democratic values.

Check for updates

Received: 30 September 2025
Revised: 24 January 2026
Accepted: 28 January 2026
Published: 5 February 2026

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Keywords: strategic leadership; organizational agility; public administration reform; EU governance; rule of law implementation

1. Introduction

The rule of law is a cornerstone of the European Union, explicitly recognized in Article 2 of the Treaty on European Union as one of the foundational values upon which the Union is built. Yet a gap persists. Formal rhetoric and substantive implementation remain stubbornly disconnected across Member States (Dawson, 2009). Although the annual Rule of Law Reports provide an overview of the overall situation, they often underestimate deeper political and administrative barriers, limiting their impact to that of a normative soft-pressure mechanism (Kochenov, 2013; Mungiu-Pippidi, 2015). The argument advanced here is that the rule of law must shift from a narrow compliance-monitoring approach to an administratively internalised principle—one that shapes how public organisations are designed, how they operate day-to-day, and how they are led.

The analysis draws on empirical data from the European Commission's Rule of Law Reports (2020–2024), the EU Justice Scoreboard, Recovery and Resilience Plans, and implementation data from the Technical Support Instrument, complemented by relevant OECD/SIGMA indicators (European Commission, Directorate-General for Justice and Consumers, 2024a, 2024b; OECD/SIGMA, 2024). Building on gaps identified in both the legal and public administration literature, the paper addresses three research questions. First, why does the implementation of rule-of-law reforms remain inconsistent across Member States? Second, what role do strategic leadership and organizational agility play in overcoming this stagnation? And third, how can digital transformation and new approaches to strategic management support rule-of-law implementation in daily administrative practice?

These are broad questions—admittedly so. Section 3.3 specifies the indicators and data sources used to make them analytically manageable. The first question is examined through a comparative analysis of formal compliance and administrative integration indicators. The second question is explored through case studies of leadership practices and organizational capacity. The third question assesses digital governance milestones and their linkage to transparency and accountability outcomes.

At its core, the paper contends that the sustainability of the rule of law depends less on legal codification than on whether public administrations absorb its principles into their everyday standards and culture (Pollitt & Bouckaert, 2017; Curtin & Egeberg, 2008). The article brings a public management lens to debates that have been dominated by legal and political scholarship, connecting the literature on rule-of-law backsliding with work on EU governance instruments and administrative reform. It shows how administrative capacity, leadership, and organizational culture mediate the effectiveness of EU rule-of-law tools. The remainder of the article proceeds as follows. Section 2 develops the theoretical framework. Section 3 outlines the methodology and data. Section 4 presents the comparative analysis of selected Member States, and Section 5 discusses implications for EU rule-of-law policy and future research.

2. Theoretical Framework

This section develops the theoretical framework, focusing on how rule-of-law principles become—or fail to become—internalised within public administration. Section 2.1 conceptualises administrative internalisation and distinguishes it from mere formal legal compliance. Section 2.2 traces the stages through which external norms can gradually become embedded in organisational practices, drawing on neo-institutionalist and social

learning perspectives. Section 2.3 turns to pathologies: symbolic compliance, administrative instrumentalism, reform fatigue—patterns that help explain why rule-of-law reforms often remain superficial. Together, these elements form the analytical lens used later to interpret variation in Member States' trajectories.

2.1. Conceptualizing Administrative Internalization

A distinction that existing literature tends to blur lies at the heart of this paper's theoretical contribution: the difference between formal compliance and genuine administrative internalisation of rule-of-law principles. While compliance focuses on adherence to legal requirements and procedural obligations, internalization refers to the embedding of rule-of-law principles within the cognitive frameworks, organizational routines, and cultural practices of public administration (March & Olsen, 2009). The distinction draws on what institutional theorists call the 'logic of appropriateness': compliance becomes self-sustaining only when actors come to see institutional rules as legitimate guides for behaviour, not external constraints to be circumvented when convenient (March & Olsen, 2009; Scott, 2013).

Administrative internalisation operates along three interconnected dimensions, cognitive, structural, and cultural, though these do not always move in tandem. At the cognitive level, the question is whether civil servants come to see legality and accountability as integral to their professional identity, or merely as boxes to tick. Structurally, what matters is how far organisational routines, performance appraisals, audit protocols, and promotion criteria actually encode rule-of-law expectations rather than treating them as afterthoughts. The cultural dimension is perhaps the most elusive. It concerns the gradual emergence of shared assumptions that make bending rules feel professionally illegitimate, regardless of whether anyone is watching (Bevir & Rhodes, 2010; Kettl, 2009). Leadership matters here more than organigrams might suggest. When senior officials consistently model integrity, they help translate formal principles into daily routines and reflexes (Hamoudah et al., 2021).

Neo-institutional theory offers a useful lens here, particularly its account of how external norms gradually become taken-for-granted assumptions within organisations (Powell & DiMaggio, 1991). As Checkel (2005) argues in the context of international institutions, internalization occurs through a process where external norms become taken-for-granted assumptions that guide behaviour even in the absence of external monitoring. For public administration, the implication is clear: rule-of-law principles need to become part of how officials see themselves professionally, not constraints imposed from Brussels or national capitals. Much of the existing rule-of-law literature focuses primarily on legal compliance and institutional design. Less attention has been paid to how such principles are actually internalised within administrative cognition, structures, and culture. By conceptualising administrative internalisation along these three dimensions—and linking it to leadership behaviour—this paper contributes a more fine-grained public administration perspective to debates often framed in predominantly legal or constitutional terms.

2.2. The Process of Institutional Change

How does compliance evolve into internalisation? The process is rarely linear, but drawing on social learning theory and neo-institutionalist scholarship, a multi-stage pattern can be sketched (Checkel, 2005; Johnston, 2001). The first stage involves **external pressure**: rule-of-law frameworks get adopted because EU conditionalities or legal requirements demand it, but compliance remains largely symbolic. Organisational routines barely change. At the second stage, **strategic calculation** kicks in. Organisations start to see instrumental

benefits in rule-of-law practices and begin integrating them—selectively, at first—into their procedures.

The third stage marks a qualitative shift: **normative acceptance**. Here, rule-of-law principles come to be seen as legitimate professional standards. They find their way into training curricula, performance evaluations, organisational self-descriptions. The fourth stage, **deep internalisation**, is reached when these principles become unconscious reference points for decision-making. Compliance becomes self-reinforcing. Institutions acquire a resilience that no longer depends on external monitoring (Finnemore & Sikkink, 1998; Risse et al., 1999).

None of this is automatic. The stages do not unfold in neat sequence, and progress depends on enabling conditions, leadership quality, organisational capacity, civil society pressure, media scrutiny that vary considerably across and within Member States (Meyer-Sahling et al., 2018). Transformational leadership within the civil service can accelerate the process considerably—not through exhortation alone, but by articulating a credible vision of change and, just as importantly, embodying rule-of-law values in everyday conduct. History matters too. Administrative systems carry legacies that shape how readily they absorb new norms (Pierson, 2000; Thelen, 2004). Bureaucracies steeped in rigid formalism may need substantial cultural renovation before value-driven governance can take hold; those with stronger traditions of professionalism and merit-based recruitment tend to have a head start. Administrative systems steeped in formalism may require significant cultural change to embrace value-driven governance, whereas those with traditions of professionalism and meritocracy may internalize norms more readily. Curiously, the literature on rule-of-law backsliding has made little use of such staged models. The framework sketched here adapts social learning and neo-institutionalist insights to the specific context of EU rule-of-law reforms. It offers a lens through which to interpret the divergent national trajectories examined in the empirical sections below.

2.3. Pathologies of Non-Internalization

What happens when internalisation stalls, or never gets off the ground? Several recurring pathologies emerge from the evidence.

Symbolic compliance syndrome. Meyer and Rowan's (1977) classic analysis of ceremonial conformity captures something important here. Organisations adopt rule-of-law structures to signal legitimacy, but operational routines remain untouched. The signs are familiar: integrity units that exist on paper but lack real mandates; strategies that gather dust; training programmes that change no one's behaviour.

Administrative instrumentalism. A second pathology arises when public administration is treated as a neutral conveyor belt for political will, with no independent ethical standing (Peters, 2018). Officials who see themselves this way have little reason to resist pressure for illegal or unethical actions. They also lack the basis on which professional autonomy—and ethical self-regulation—might develop (Goetz & Margetts, 1999).

Reform fatigue and cynicism. Repeated exposure to half-hearted reform initiatives breeds a corrosive cynicism (Cohen, 2022). Officials learn to adapt defensively: tick the boxes, massage the indicators, wait for the next wave to pass. Intrinsic motivation for improvement, fragile to begin with, erodes further with each cycle.

The literature on rule-of-law backsliding has documented legal and political violations in considerable detail. However, these distinctly administrative pathologies and how they interact with EU monitoring have received less systematic attention. Bringing symbolic compliance, administrative instrumentalism, and reform fatigue together in a single framework helps connect legal analyses of rule-of-law erosion with what public management scholarship knows about organisational dysfunction.

3. Materials and Methods

3.1. Research Design and Approach

A preliminary clarification is needed. The paper works with two dimensions of administrative internalisation that are related but analytically distinct (Christensen & Lægreid, 2007; Pollitt & Bouckaert, 2017).

Structural internalisation concerns the formal side: whether rule-of-law principles get written into organisational systems, regulatory procedures, and performance management frameworks. Integrity tools, compliance mechanisms, performance benchmarks—these are its building blocks.

Cultural internalisation runs deeper. It concerns mindsets, professional reflexes, leadership styles. The question here is whether rule-of-law commitments become instinctive reference points in everyday decisions, part of how officials understand their institutional identity not just rules they follow when monitored.

Both dimensions matter, but they tend to move at different speeds. Structural reforms can be legislated and rolled out within a political cycle; cultural change is slower, messier, and depends on sustained investment in leadership development, organisational learning, and this is often underestimated value-based management. This distinction runs through the analysis that follows. It echoes a broader line of public management research that insists on separating changes in formal structures from changes in organisational culture or behaviour—a separation that proves analytically productive here (Christensen & Lægreid, 2007). Examining structure and culture separately allows us to see, for instance, how leadership initiatives or ethics training (cultural levers) interact with new laws or IT systems (structural levers) in embedding the rule of law. Neither alone is sufficient.

The study uses a mixed-methods approach. The combination of qualitative and quantitative indicators is deliberate: formal compliance patterns lend themselves to quantification, but the deeper administrative dynamics at stake here do not.

The research design integrates qualitative comparative techniques with quantitative indicators to assess the gap between formal compliance and administrative internalization of rule-of-law principles. This methodological approach reflects established frameworks in governance studies that seek to combine explanatory breadth with analytical depth (Creswell & Plano Clark, 2018; Tashakkori & Teddlie, 2010). Qualitative tools—case studies, document analysis—help us get at leadership dynamics, organisational behaviours, and the context-specific texture of reform processes. Quantitative data (Justice Scoreboard scores, survey-based integrity indicators) provide cross-country comparability and a check on subjective impressions. In this study, qualitative judgments refer to structured expert assessments extracted from EU monitoring reports, SIGMA reviews, GRECO evaluations and cross-country case studies, focusing on cultural, behavioural and institutional features that cannot be quantified directly. Triangulating these methods helps capture both the *what* and the *why* of implementation gaps. We can identify patterns and then probe them through contextual factors—leadership commitment, administrative flexibility, political interference—that purely quantitative work tends to miss.

To further strengthen the transparency and coherence of the methodological approach, and in line with the reviewers' request for additional figures and tables, Table 1 below presents a structured overview of the sequential steps followed in the study. While the preceding text details the conceptual and analytical foundations of the research design, the table synthesizes these elements into a clear and replicable methodological pathway. This visual framework clarifies how the components of the methodology interact and how the study operationalizes formal compliance, administrative integration, and cultural internalization across the selected Member States. Table 1 synthesises the methodological

steps of the study and is intended to clarify the analytical logic linking formal compliance, administrative integration, and cultural internalisation.

Table 1. Summary of Methodological Steps and Data Sources.

Step	Description	Data Sources	Expected Output
1. Formal Compliance Assessment	Examination of the legal framework, institutional structures, and accountability mechanisms.	EU Rule of Law Reports (2020–2024); EU Justice Scoreboard	Mapping of formal alignment with EU rule-of-law standards.
2. Administrative Integration Analysis	Assessment of the extent to which rule-of-law principles are embedded in procedures, performance systems, and organizational routines.	RRF milestones; Technical Support Instrument; OECD/SIGMA assessments	Measurable findings on day-to-day administrative implementation.
3. Cultural Internalization Assessment	Analysis of values, leadership practices, professional norms, and integrity culture within public administration.	GRECO reports; Index of Public Integrity; Eurobarometer	Qualitative evaluation of integrity culture and institutional autonomy.
4. Cross-Country Comparative Synthesis	Comparative analysis of indicators and patterns across Member States.	CPI 2024; EU Justice Scoreboard	Classification of countries into high, medium, and low performers.
5. Identification of Gap-Creating Mechanisms	Identification of obstacles (symbolic compliance, political influence, bureaucratic inertia).	Combination of all above data sources	Systematization of mechanisms that generate implementation gaps.

3.2. Data Sources and Case Selection

The empirical analysis draws on multiple data sources covering the period 2020–2024, including the European Commission's annual Rule of Law Reports, the EU Justice Scoreboard, and implementation data from the Recovery and Resilience Facility (RRF) and Technical Support Instrument (TSI) (European Commission, Directorate-General for Justice and Consumers, 2024a, 2024b). These primary sources are complemented by comparative governance indicators from OECD/SIGMA monitoring reports, the Global Integrity Public Integrity Index, Eurobarometer surveys on institutional trust, and GRECO evaluations under the Council of Europe (OECD/SIGMA, 2024; Global Integrity, 2022; GRECO—Group of States Against Corruption, 2024; European Commission, Directorate-General for Communication, 2024a).

The RRF milestones, TSI-supported reforms and OECD/SIGMA Public Administration Principles were systematically reviewed and synthesised to inform the comparative assessment presented in Tables 1 and 2. Together, this data captures both formal compliance measures (laws passed, institutions created) and aspects of administrative performance and integrity culture (e.g., survey measures of public trust in government, incidence of corruption, bureaucratic quality indices). RRF milestones, TSI-supported reforms and OECD/SIGMA public administration assessments are therefore used to contextualise the country patterns reported in Table 1, rather than as standalone quantitative indicators.

Table 2. EU Rule of Law Performance—Key Member States (2024).

Country	CPI Score 2024 [1]	RoL Report Assessment [2]	Public Trust (%) [3]	EU Response	Key Pattern
Denmark	90	Positive developments	78	Best practice model	High internalization
Estonia	76	Strong performance	72	Digital leader	Tech-enabled success
Germany	75	Generally positive	65	Limited monitoring	Declining but stable
Croatia	50	Mixed progress	45	Enhanced monitoring	Formalistic compliance
Poland	54	Serious concerns	35	RRF conditionality	Systematic erosion
Hungary	42	Serious concerns	32	Budget conditionality	Institutional capture

[1] (Transparency International, 2024). [2] (European Commission, 2024). [3] (European Commission, Directorate-General for Communication, 2024b). Note: Information from the EU Rule of Law Reports, the EU Justice Scoreboard, RRF and TSI implementation documents and OECD/SIGMA assessments is used to interpret and contextualise the country patterns, but these instruments are not presented as separate indicators in the table. Also, CPI scores are taken from Transparency International's Corruption Perceptions Index 2024 (Transparency International, 2024). Perceived judicial independence and trust data are based on Eurobarometer and Flash Eurobarometer 540, reported alongside the 2024 Rule of Law Report (European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, 2024).

The inclusion of RRF and TSI data is particularly noteworthy, as these instruments link EU funding and technical assistance to institutional reforms—some of which involve **digital transformation** (for example, milestones on e-governance, digital justice systems, or transparency portals). By examining the progress on such milestones, we indirectly assess how **technology and innovation** are being employed to support rule-of-law objectives. Likewise, OECD/SIGMA reports provide insight into **public administration agility and capacity**, by evaluating areas like civil service adaptability, regulatory quality, and public service delivery improvements.

The study employs purposeful sampling to select representative Member States reflecting different legal traditions, EU accession periods, and rule-of-law performance trajectories (Gerring, 2007). Member States were grouped into three performance categories drawing on the indicators reported in Table 1, namely CPI scores and perceived judicial independence. **High-performing** countries (Estonia, Netherlands, Germany) combine relatively low perceived corruption with high or stable levels of judicial independence; **medium-performing** countries (Croatia, Italy, Greece) occupy intermediate positions on these indicators; and **low-performing countries** (Hungary, Poland, Romania) exhibit higher perceived corruption and weaker or deteriorating judicial independence. This typology allows analysis of a spectrum from the best cases to the worst cases. For each case, evidence is gathered on both structural reforms (legal changes, new institutions, digital governance initiatives) and cultural shifts (leadership changes, values training, public trust levels), enabling a holistic assessment of rule-of-law internalization. The "EU response" column in Table 1 is based on a qualitative coding of European Commission documents, including the country chapters of the Rule of Law Reports, RRF and TSI implementation decisions and relevant communications. Countries were classified according to the predominant type of intervention from 2020–2024 (e.g., best practice model, enhanced monitoring, RRF conditionality, budget conditionality).

3.3. Analytical Framework and Limitations

Rule-of-law implementation is operationalized along three dimensions: **formal compliance** reflected in legal frameworks and institutional structures; **administrative integration** measuring embedded in daily practices and performance systems; and **cultural internalization** assessed through value-based leadership and ethical governance norms (Bevir & Rhodes, 2010). Methodologically, the study combines conceptual analysis with a desk-based comparative analysis of secondary data and a structured review of EU and

international monitoring reports. The study applies structured, focused comparison to analyse the same variables across cases, combining within-case analysis to trace causal mechanisms with cross-case comparison to identify patterns of success and failure (George & Bennett, 2005). Concretely, for each country we systematically examine: (i) the existence and legal mandate of an anti-corruption agency or equivalent body (formal compliance), (ii) available evidence on the prosecution of corruption cases and respect for procedural fairness in public service delivery (administrative integration), and (iii) qualitative judgments from reports and academic studies on whether a culture of integrity is present (cultural internalisation). We also pay attention to contextual factors such as government turnover, EU pressure, or economic conditions that might affect these dimensions.

Several limitations must be acknowledged. Reliance on official EU reports may **underestimate implementation gaps** due to diplomatic sensitivities, while limited availability of standardized administrative performance data constrains cross-national comparison. The interpretive nature of evaluating cultural internalization and the difficulty of establishing direct causal links between EU instruments and administrative outcomes represent additional analytical challenges. Furthermore, emerging aspects like **organizational agility** or the impact of **digital tools** on internalization are hard to quantify with existing data, although qualitatively, we consider these where relevant (for example, noting if an administration's response to new challenges is flexible or if e-governance reforms accompany rule-of-law efforts). To address these limitations, the research employs triangulation across diverse sources and indicators, combining quantitative metrics with qualitative assessments anchored in academic literature and expert evaluations. By cross-verifying information (e.g., checking whether survey perceptions of corruption align with actual enforcement statistics or published expert assessments), we aim to mitigate biases of any single source. AI-assisted tools were used solely for language editing and formatting support. All conceptual development, data analysis, and interpretation reflect the authors' original work. The authors take full responsibility for the content and accuracy of the manuscript.

Ultimately, while the methodology provides a comprehensive view, it cannot capture every nuance. Some factors—such as informal networks or sudden political shifts—lie outside our formal framework but may critically influence outcomes. The analysis is therefore careful to interpret findings in context and suggest areas for further research to supplement the broad approach taken here (e.g., more finely grained studies on leadership styles or the role of AI in monitoring compliance)

4. Results

4.1. Current EU Rule-of-Law Monitoring Framework

The European Union has developed a multi-instrumental framework to monitor and support the rule of law, yet these tools remain fragmented and lack integration with broader administrative reform strategies (Kochenov, 2013; Bárd & Pech, 2019). The annual Rule of Law Reports, published since 2020, cover justice systems, anti-corruption frameworks, media pluralism, and institutional checks and balances. While representing a significant soft law mechanism intended to provide transparency and exert reputational pressure, their impact has been limited by cautious language that softens critical assessments to avoid diplomatic escalation (Sedelmeier, 2016).

The EU Justice Scoreboard provides quantitative benchmarking of national justice systems through indicators such as case clearance rates, duration of proceedings, and perceived judicial independence. However, it fails to capture informal dynamics such as political interference in appointments or pressure on judicial bodies, while lacking integration with broader public governance indicators (Jakab & Kirchmair, 2021). The European Semester process includes occasional Country-Specific Recommendations on justice and

anti-corruption reforms, but these recommendations are often framed in economic terms, limiting their transformative potential (Zeitlin & Vanhercke, 2018).

The Recovery and Resilience Facility constitutes a paradigm shift by linking EU funding to institutional milestones, including rule-of-law dimensions such as judicial reform and digital transparency. Yet many milestones are assessed based on procedural fulfilment rather than outcomes, enabling formal compliance without substantive institutional change (European Commission, 2023). The Technical Support Instrument offers technical assistance for reforms including digital justice, transparency, and integrity frameworks, but evaluations indicate a tendency to prioritize technical fixes over long-term governance culture change (OECD/SIGMA, 2023). Overall, existing EU instruments tend to emphasize **legal compliance** and capacity-building in a segmented way, without fully addressing how to instil underlying **values** or adapt administrations to evolving challenges. There is scant focus on fostering **strategic leadership** in national administrations or improving their **agility** to implement reforms—aspects which lie beyond the remit of current monitoring but are critical for success. The result is a toolbox that identifies symptoms but struggles to induce the deep internal changes needed for sustainable rule-of-law adherence.

4.2. The Implementation Gap: Empirical Evidence

Despite formal commitments to rule-of-law principles, many EU Member States exhibit persistent gaps between legal-institutional alignment and practical implementation. Mungiu-Pippidi (2016) calls this **administrative formalism**: the adoption of legal frameworks as symbolic obligations rather than mechanisms for institutional transformation. The gap is reinforced by absent effective internal accountability, disrupted administrative continuity due to politicization, and limited organizational autonomy of public bodies that lack capacity or culture to operate as value-driven institutions (European Court of Auditors, 2022). In practice, it means that laws on the books and new agencies often coexist with continued patronage, discretionary abuse, or inaction in face of violations.

Comparative analysis reveals distinct implementation trajectories across Member States. **Poland** offers a clear example. Political subordination of the judiciary, coupled with legislative centralization, has eroded public confidence and triggered EU conditionality mechanisms. RRF funds have been frozen. The numbers tell their own story: a CPI score of **53**, perceived judicial independence at just **28%** (Table 2).

Hungary is further down the same road. Judicial institutions remain formally intact but substantively vulnerable to political control. The European Commission has raised repeated concerns about corruption and the lack of effective independent oversight (Kochenov & Bárd, 2020). Performance indicators, CPI of **41**, judicial independence at **41%**, reflect this deterioration (Table 2). Together, these cases illustrate how political capture at the top translates into administrative erosion below.

Croatia presents an intermediate—and in some ways more puzzling—profile. Formally, it complies with most RRF milestones. Substantively, questions remain. The numbers (CPI: **47**; judicial independence: **23%**) place it between the high and low performers (Table 2). Integrity infrastructure remains limited, and institutional change appears procedurally complete but functionally weak. Enhanced EU monitoring has followed (European Commission, Directorate-General for Communication, 2024b; Transparency International, 2024; European Commission Daily News 13/06/2024, 2024). In such contexts, rule-of-law reforms are implemented as projects on paper. Everyday administrative behaviours—petty corruption, opaque decision-making—change slowly, if at all. A contributing factor is the inertia of bureaucratic systems. Where **organizational agility** is low, administrations struggle to translate new regulations into new routines. This is especially true when resources or incentives for change are lacking. Thus, **rigid hierarchical structures** and siloed processes

can exacerbate the implementation gap by resisting adaptation and learning. The Croatian case underscores that compliance checklists alone do not guarantee real change unless accompanied by adaptive management and genuine ownership by civil servants.

High-performing Member States such as Denmark, Estonia and Germany form the benchmark cluster in the comparative design. While Denmark and Estonia are not discussed in detail, they provide the contextual reference points for understanding how sustained rule-of-law internalization operates in practice. Germany is used here as the illustrative high-performing case due to the availability of rich administrative evidence and its relevance as a large federal system. Germany offers a contrast. Perceived independence is high, institutional trust broad, reliance on external conditionalities limited. What explains the difference? Internalized administrative norms, professional meritocracy, legalism, accountability, appear to produce long-term compliance without continuous external pressure. German public administration, with its entrenched Rechtsstaat tradition and robust rule-bound civil service, demonstrates resilience in upholding rule-of-law principles, even amid political shifts. This internalization has been supported by a strong administrative leadership ethos and an iterative approach to reform: continuous improvement of processes, incorporation of new technologies like digital case management in courts. It reflects a form of organizational agility within a stable legal framework. This case confirms that when the rule of law is part of bureaucratic DNA, states can achieve both consistency and adaptability—adjusting to new societal needs (e.g., digitization, anti-corruption norms) while preserving core values. Table 2 synthesises the comparative performance profile of the selected Member States across the key indicators used in this study, namely CPI scores, Rule of Law Report assessments, perceived judicial independence, and the predominant type of EU response. This overview provides the empirical foundation for the analysis of gap-creating mechanisms that follows. Table 2 synthesises the comparative performance profile of selected Member States across the key indicators used in this study: CPI scores, Rule of Law Report assessments, perceived judicial independence, and predominant EU response. It serves as an analytical reference point rather than a purely descriptive ranking and is interpreted in conjunction with qualitative evidence discussed in subsequent sections.

While Table 2 presents the comparative performance profile of the selected Member States, Table 3 complements this picture by summarising the main mechanisms through which formal compliance may or may not translate into effective rule-of-law implementation.

Table 3. Gap-Creating Mechanisms [1].

Mechanism	Impact/Effects	Primary Manifestation & Examples
Administrative formalism	High—slows performance and innovation	Countries with a **Rechtsstaat** tradition tend to follow rigid formal procedures, which often conflict with result-oriented reforms. (European Commission, 2012)
Political subordination	High—undermines judicial independence	Poland's 2020 "muzzle law" politicised disciplinary proceedings against judges, removing the role of independent bodies and leading to political subordination of the judiciary (Gajda-Roszczynialska & Markiewicz, 2020)
Lack of internal accountability	High—reinforces corruption and non-compliance	The SIGMA Principles stress that public administrations must implement clear internal and external accountability mechanisms and strong oversight bodies to protect citizens' rights. (OECD, 2023)

Table 3. *Cont.*

Mechanism	Impact/Effects	Primary Manifestation & Examples
Administrative discontinuity	Moderate—reduces policy coherence	In Greece, frequent changes of ministers and legislation lead to political and administrative discontinuity, hindering long-term implementation of education reforms. (Saiti, 2013)
Limited organisational autonomy	Moderate—increases political influence	The OECD report Creating a Culture of Independence notes that regulatory independence requires transparency, financial autonomy, clear division of powers and an organisational culture of independence; formal independence alone is insufficient. (OECD, 2017)
Bureaucratic inertia	High—hinders reform and innovation	A public administration trends report indicates that reform is not just a technological challenge but an organisational one: bureaucratic inertia, rigid hierarchies and risk-averse cultures are common barriers to innovation. (VASS, 2025)

[1] Table 3 is a qualitative explanatory table and does not include percentages or numerical distributions.

The analysis identifies several persistent gap-creating mechanisms across EU Member States. Administrative formalism is widespread, political subordination, though less common has a severe impact on rule-of-law erosion, and bureaucratic inertia significantly hinders reform implementation. Building on the country-level patterns identified in Table 2, Table 3 shifts the analytical focus from outcomes to mechanisms. It synthesises the key structural and cultural obstacles that explain why formal compliance does not automatically translate into substantive rule-of-law implementation. These mechanisms were identified through a systematic review of the EU Rule of Law Reports, OECD/SIGMA assessments, and the relevant academic literature, and are illustrated with concrete examples from the Member States under study.

4.3. Successful Models of Internalization

Empirical analysis reveals that successful rule-of-law internalization requires embedding principles within everyday administrative practices, structures, and values rather than relying solely on legal frameworks (Pollitt & Bouckaert, 2017). This process involves developing a **value-based leadership orientation**, translating legal principles into internal operating procedures and performance benchmarks, and cultivating institutional memory that persists beyond individual leadership changes (Curtin & Egeberg, 2008). High-performing cases share certain features, though they combine them differently. Leadership that sets an ethical tone matters, but so does an organisational culture open to innovation and accountability. Investment in modern tools and skills helps, provided it serves integrity rather than mere efficiency.

Estonia exemplifies successful technology-enabled internalization, ranking among the top performers in the UN E-Government Survey 2024 (Table 4), through its comprehensive digital governance framework. The X-Road platform ensures interoperability and data integrity across government systems, while the once-only principle reduces bureaucratic burden *and* maintains audit trails. This technological infrastructure supports a broader cultural transformation characterized by leadership commitment to digital governance, generational change with tech-savvy civil servants embracing transparency, and public

engagement through e-participation platforms (Margetts & Naumann, 2017). Estonia shows that technology and culture change can reinforce each other—but only if leadership and institutional design point in the same direction (GovCX Journal, 2025). Notably, Estonian public administration has also begun exploring **AI-enabled tools**, for instance, predictive analytics to flag anomalies in public procurement—which further enhance oversight and efficiency. These digital transformations did not occur in isolation: they were championed by strategic leaders who framed e-governance as a means to uphold integrity and service quality, thereby aligning tech initiatives with rule-of-law values. The result is a public sector where digital sophistication and integrity pull together rather than against each other, with features like real-time transparency portals and integrated financial management systems reducing opportunities for corruption while improving citizen experience.

The Netherlands illustrates a trust-based governance model where a high-trust society maintains the rule of law through informal mechanisms and deeply rooted cultural norms (Bovens & Wille, 2017; Aristovnik et al., 2022). High levels of social trust, administrative professionalism and integrity are supported by political and administrative leadership styles that prioritize integrity and trust (Lasthuizen et al., 2025). The consultation culture ensures broad stakeholder participation in decision-making, while consensual processes reduce conflicts and build buy-in. Independent agencies balance autonomy with accountability, supported by a professional civil service with strong ethical traditions and career protection. Transparent policy-making through extensive consultation and impact assessment builds public confidence, while regular performance monitoring by institutions like the Court of Audit maintains institutional accountability. Crucially, Dutch administrative practice benefits from **strategic agility** in policy development—the ability to form cross-sector coalitions and adapt policies through pilot projects and evaluations—which allows continuous improvement without threatening core legal standards. Rather than strict top-down control, Dutch governance relies on horizontal coordination and shared values, which internalize rule-of-law principles such as fairness and due process as unwritten rules of the game. Leadership in this context is often distributed: public managers act as facilitators and consensus-builders, ensuring that policies and their implementation respect legal norms and public values (Lasthuizen et al., 2025). This model highlights that internalization can take a less formal path, emerging from social capital and leadership styles that prioritize integrity and trust.

Other notable examples include **Denmark** or **Sweden**, where low levels of corruption and high bureaucratic professionalism are maintained through social norms and administrative education that emphasize impartiality (often dubbed a "culture of legality") (UN DESA/IASIA Global Task Force, 2024; OECD, 2019). Though not detailed here, such cases reiterate that the rule of law flourishes when institutions are imbued with a sense of mission and responsibility that goes beyond compliance—a mission often cultivated by visionary leaders and sustained by an agile, learning-oriented bureaucracy.

Table 4 complements the preceding qualitative analysis by presenting a structured overview of successful internalisation models. It highlights how high-performing Member States have leveraged digital transformation not merely as a technical upgrade but as a vehicle for embedding rule-of-law values, transparency, accountability, and citizen participation—into everyday administrative practice.

These digital governance models demonstrate how technological innovation, when properly integrated with rule-of-law principles, can achieve both efficiency and accountability (Table 4). The success factors include robust digital identity systems, mandatory digital channels for universal use, and strong alignment with EU digital transition principles supported by targeted funding mechanisms.

Table 4. Examples of Successful Internalization through Digital Governance.

Country	Model/Approach	Key Innovations & Characteristics
Estonia [1]	Integrated digital state: since the late 1990s the government has invested in digital identity and interoperability	1. Robust digital identity system and X-Road platform enabling secure data exchange among 450+ public and private entities. 2. The "once-only" principle reduces data duplication as citizens do not need to resubmit information. 3. Advanced proactive services (e.g., automatic child benefits) and Bürokratt programme for AI-powered digital assistants.
Denmark [2]	Digital-first & participatory model: the government applies mandatory digital channels to achieve universal use	1. Ranks first in the UN E-Government Survey 2024; Estonia and the Netherlands also in top ten. 2. UN DESA report: Denmark, Estonia, Finland, Netherlands, Germany incorporate EU digital-transition principles into national strategies leveraging EU & national funding. 3. MitID digital identity system; borger.dk and borgerforslag.dk portals enhance citizen participation in legislation.
Sweden [3]	Data-driven public sector: long-standing commitment to transparency and multi-channel services	1. OECD Digital Government Review: Sweden as leader in e-government and citizen connectivity; multi-channel services ensure long-term citizen benefits. 2. Recommendations: more investment in digital openness, user participation, and stronger data governance culture.
Netherlands [4]	Alignment with EU digital principles and targeted funding	1. UN E-Government Survey: Top EU countries including the Netherlands align EU digital-transition principles with national strategies using EU & national funding for digital excellence. 2. The Netherlands listed among the top ten in digital government rankings with emphasis on open data and participatory tools.

[1] (GovCX Journal, 2025). [2] (Wray, 2024). [3] (OECD, 2019). [4] (Digital Government, 2025).

4.4. Mechanisms and Enabling Conditions

Successful internalization operates through specific mechanisms that transform abstract legal principles into concrete organizational behaviours. Professional socialisation is one such mechanism. Training programmes treat legality as a core competency, not an add-on lay groundwork. Mentoring transmits ethical standards in ways manuals cannot. Cross-departmental exchanges spread working practices that might otherwise stay siloed. Together, these reshape how officials think about their roles (March & Olsen, 2009). For example, regular ethics training and dialogue in the civil service can instil a shared understanding that concepts like *impartiality* or *legality* are fundamental to professional identity, not just boxes to tick. Peer learning networks, possibly supported by EU instruments, further reinforce these norms by allowing reform champions in one institution to inspire others.

Structural integration mechanisms include performance management systems incorporating rule-of-law indicators alongside efficiency metrics, decision-making protocols requiring legal compliance checks and ethical impact assessments, and internal audit functions monitoring adherence to integrity standards (Hood, 1991; Behn, 2001). For instance, a ministry might integrate not only financial and output targets into its annual evaluation, but also measures like adherence to public procurement rules, the number of whistleblower reports handled, or audit findings of regulatory compliance. By formally rewarding de-

partments (or managers) for upholding rule-of-law criteria, administrations signal that these values are part of what constitutes good performance. Additionally, new **digital tools**—such as case management systems with built-in legality checks or AI-based analytics for detecting irregularities—can act as structural supports for integrity, although they must be used carefully and transparently.

Cultural transformation occurs through **leadership exemplification**, where senior officials model ethical behaviour, and **narrative building** that frames the rule of law as essential to professional identity and national values. Recognition systems that reward integrity and transparency (e.g., civil service awards for ethical innovation or courageous adherence to rules under pressure) also reinforce cultural norms. Storytelling—celebrating successful reforms or whistleblowers, publicly addressing failures—creates a narrative that upholding the rule of law is heroic and normatively expected. Over time, such cultural reinforcement makes deviant behaviour (like bending rules for expediency) socially unacceptable within the bureaucracy.

Certain enabling conditions prove decisive. Leadership quality tops the list—not leadership in the generic sense, but leaders with both a vision for change and a commitment to institutional stewardship (Meyer-Sahling et al., 2018). Without committed, courageous leaders who prioritize integrity (even at personal or political cost), reforms often falter at the first sign of resistance. Investing in **strategic leadership** development (through leadership academies or executive training focusing on ethics and change management) can yield a cadre of senior officials capable of driving internalization.

Organizational features such as professional autonomy (a merit-based civil service insulated from undue political meddling) and continuous learning mechanisms (feedback loops, innovation labs, staff exchanges) are also important. An agile organization—one that can rapidly learn from mistakes and adapt procedures—is better able to integrate new rule-of-law practices than a rigid one. Agility, in this context, means the administration can update its guidelines, retrain staff, or reallocate resources when evidence shows a certain approach is not working, all while keeping its fundamental commitments to legality. For example, if a new digital complaint system reveals more instances of maladministration, an agile institution will respond by strengthening oversight or training rather than ignoring the data.

Environmental factors including **civil society engagement** and **media freedom** provide external accountability and support. An active civil society and independent media can pressure administrations to address rule-of-law issues and can supplement oversight (e.g., NGOs monitoring procurement or human rights in administration). EU **technical support** and peer networks (like TAIEX, Twinning projects, or the Communities of Practice under the OECD) are another enabling factor, as they diffuse knowledge of what works and provide resources for experimentation. The presence or absence of these conditions often determines the success of internalization efforts across different national contexts. For instance, in environments where political leadership is hostile to rule-of-law reforms, even capable bureaucrats will struggle; conversely, in settings with strong leadership and societal demand for integrity, even a modest reform can gain traction and snowball.

The upshot is this: administrative internalisation is not one thing but many. It blends **structural changes** (rules, systems, technologies) with **cultural shifts** (values, expectations, behaviours), underpinned by supportive **leadership and institutional agility**. The specific mechanisms and conditions highlighted above form a toolkit for reformers and policymakers aiming to move from rhetoric to implementation. They suggest that durable change is possible when reforms engage not only the mind (rules and incentives) but also the heart (beliefs and values) of public administration.

5. Discussion

5.1. Strategic Reorientation of EU Rule-of-Law Policy

The stubborn gap between commitments on paper and practice on the ground calls for a rethink of EU rule-of-law strategy. Current approaches, primarily focused on legal compliance monitoring, must evolve toward administrative internalization frameworks that integrate governance culture, leadership ethics, and institutional performance (Schimmelfennig & Sedelmeier, 2005). Technocratic assessments are not enough. What is needed are frameworks that engage the institutional and cultural substrata of governance. Successful implementation, after all, depends as much on how administrators behave as on what statutes prescribe (Pollitt & Bouckaert, 2017).

The challenge becomes particularly acute when examining the divergent experiences across Member States. While some countries demonstrate effective internalization of rule-of-law principles, others exhibit what Mungiu-Pippidi (2016) characterizes as "administrative formalism" the adoption of legal frameworks as symbolic obligations rather than mechanisms for institutional transformation. This phenomenon is reinforced by absent effective internal accountability, disrupted administrative continuity due to politicization, and limited organizational autonomy of public bodies that lack capacity or culture to operate as value-driven institutions (European Court of Auditors, 2022).

EU oversight would benefit from transitioning beyond checklist-based assessments toward an organizational development perspective, asking how Member States build capacity, motivate ethical behavior, and sustain improvements over time. Current EU instruments remain fragmented and uncoordinated, with each providing partial insights while operating in isolation (Bárd & Pech, 2019). This fragmentation is further compounded by the limited transparency in EU decision-making processes, where institutional actors often prioritize maintaining a "space to think" over public accountability (Hillebrandt & Novak, 2016). The result is gaps in monitoring and incoherent reform trajectories that limit transformative potential.

What might an integrated approach look like? It would synthesize compliance reports, performance audits, and citizen trust indicators within a unified institutional quality framework. This framework should draw on insights from New Public Management literature regarding performance measurement (Hood, 1991) while incorporating newer perspectives from public value theory (Symes, 1999). Technical Support Instrument interventions should be linked directly to rule-of-law assessment findings to enable tailored administrative reforms that address specific governance deficits identified through comprehensive diagnostic processes.

In concrete terms, this means building public-value indicators into EU monitoring, going beyond what Bovens and 't Hart (2016) call 'tick-box accountability' to capture whether administrations actually deliver. Rather than focusing solely on formal compliance, the EU should measure citizen trust in government, user satisfaction with public services, and business perceptions of regulatory fairness. Research demonstrates that these outcome measures correlate strongly with deeper rule-of-law internalization (Rothstein & Teorell, 2008). By focusing on outcomes that matter to society, the strategy ensures that rule-of-law reforms translate into tangible improvements in people's lives, such as quicker justice, fair treatment by authorities, and reduced corruption.

The importance of public value orientation extends beyond measurement to legitimacy. As Bozeman (2007) argues, public administration derives its democratic legitimacy not merely from following procedures but from delivering outcomes that serve the public interest. Emphasizing public value also makes the case for rule-of-law reforms more politically palatable, as it demonstrates concrete benefits for citizens and businesses rather than

abstract norm implementation, thereby countering narratives that portray EU oversight as bureaucratic interference (Kelemen, 2017).

Performance-based conditionalities represent a crucial evolution from static milestone assessments toward dynamic mechanisms focused on qualitative institutional outcomes. Rather than formal deliverables such as submitting strategies or passing laws, conditionalities should assess behavioural change indicators, measuring actual shifts in administrative practice, stakeholder satisfaction, and institutional resilience (Schimmelfennig & Scholtz, 2008). Policy implementation research has long emphasised that the 'how' of reform often matters more than the 'what' (Hirshberg, 1974).

For instance, instead of merely requiring an anti-corruption strategy, the conditionality could be a demonstrated increase in corruption reporting and follow-up actions, or evidence that public procurement processes have become more transparent to bidders. Such measures would incorporate insights from behavioural economics about the importance of changing incentive structures rather than simply providing information (Thaler & Sunstein, 2008). These approaches require transparent and participatory assessment mechanisms involving not only the Commission but also peer review from international bodies and civil society organizations, creating what Kaufman and Howard (2015) term "accountability networks".

Implementation of this reoriented strategy must acknowledge significant political and institutional challenges. Reforms such as **integrity-based leadership programs** or **national ethics academies** require sustained political commitment and substantial investment in human capital development, often spanning electoral cycles (Christensen & Lægreid, 2007). **Performance-based conditionalities** may encounter resistance from Member States with fragile administrative capacities or strong political opposition to external oversight, particularly in contexts where rule-of-law backsliding has created vested interests in maintaining opaque systems (Pech & Scheppele, 2017).

There is also a risk of *"ethics-washing"* where integrity tools are adopted superficially without genuine organizational change, paralleling broader concerns about *"policy decoupling"* in international relations literature (Meyer & Rowan, 1977). The challenge of measuring behavioural change rather than formal compliance creates opportunities for strategic manipulation by actors seeking to satisfy external requirements while maintaining problematic practices.

To address these risks, a staged reform approach is recommended, drawing on insights from organizational change management literature about the importance of sequencing and building momentum (Kotter, 1995). In the short term, existing instruments like the Recovery and Resilience Facility and Technical Support Instrument should be strengthened with more outcome-sensitive indicators and better integration across EU tools. This involves developing what Bouckaert and Peters (2002) call *"joined-up government"* approaches that coordinate different policy instruments toward common objectives.

In the medium term, administrative performance benchmarks linked to integrity and transparency outcomes should be established, creating what March and Olsen (200) describe as *"institutional accountability"* mechanisms. These benchmarks should be developed through collaborative processes involving national administrations, civil society, and international experts to ensure legitimacy and feasibility. In the long term, investment in leadership development and cultural change through dedicated EU-supported initiatives and peer-learning platforms becomes essential, recognizing that deep institutional change requires generational shifts in administrative culture (Selznick, 1957).

Reforms must be tailored to local contexts, incrementally building on small wins and evidence of what works, rather than attempting one-size-fits-all solutions. This approach aligns with literature on adaptive management that emphasizes learning-by-doing and

iterative improvement (Folke et al., 2005). The EU's role should be to facilitate experimentation, knowledge sharing, and scaling of successful innovations rather than imposing uniform models that may not fit diverse national contexts.

5.2. Institutional Innovation and Leadership Development

Sustainable implementation hinges on administrative leaders who care about integrity and have the resilience to defend it when politically inconvenient. The concept of *"administrative leadership"* extends beyond traditional notions of political leadership to cover what Larry Terry (D'Aunno, 1997) describes as *"administrative statesmanship"*—the capacity of career civil servants to serve the public interest while navigating political pressures. The EU should invest in developing a new generation of public leaders who understand the rule of law not as an abstract legal principle but as a professional and ethical responsibility embedded in daily administrative practice.

Research on public sector leadership emphasizes the crucial role of values-based leadership in creating ethical organizational cultures (Van Wart, 2003). Leadership development programmes are one vehicle. They should cover administrative ethics and conflict-of-interest management, certainly, but also institutional foresight: the capacity to anticipate how today's decisions shape tomorrow's constraints. Such programs should draw on established frameworks for high-performing civil service leadership, particularly the OECD's work on public sector leadership competencies, which underlines the need for leaders who can drive change and uphold integrity simultaneously (Gerson, 2020).

The development of administrative leadership capacity requires systematic attention to what Benington and Moore (2011) call *"public value leadership"*—the ability to create public value through collaborative action across organizational and sectoral boundaries. By equipping senior civil servants with skills in change management, strategic communication, and ethical decision-making, governments can create internal champions for rule-of-law reforms who not only comply with directives but actively promote values and motivate their organizations to follow. This approach recognizes that sustainable reform depends on internal commitment rather than external coercion (Kelman, 2005).

Leadership development should address the specific challenges of operating in complex, multi-level governance systems characteristic of the EU context. As Bauer and Trondal (2015) demonstrate, European administrative space creates unique coordination challenges that require leaders capable of managing both vertical (EU-national) and horizontal (cross-sectoral) relationships. Training programs should include modules on European governance, multi-level accountability, and cross-border administrative cooperation to prepare leaders for these complex environments.

Integrity officers and ethics units must be institutionalized across ministries and public bodies with real mandates, visibility, and resources rather than as symbolic structures (OECD, 2020). The establishment of these positions represents what DiMaggio and Powell (1983) would characterize as *"normative institutionalization"*—the creation of professional roles and standards that shape organizational behaviour. These positions require protected status ensuring independence from political pressure, drawing on literature about institutional design for accountability agencies (Bovens, 2007).

Standardized qualifications including legal knowledge and ethics training should be developed, creating what Abbott (1988) calls *"professional jurisdiction"* for integrity specialists. Career pathways creating progression opportunities within the integrity profession help establish long-term career incentives for ethical behaviour, addressing concerns raised by Thompson (1987) about the career costs of ethical behaviour in public service. Professional networks facilitating knowledge sharing and peer support can strengthen the integrity profession while maintaining standards across different national contexts.

A European network of Chief Integrity Officers could help—not as a talking shop, but as a space where practitioners compare notes on what actually works. Such networks would operate similarly to existing professional associations for public managers, creating communities of practice that facilitate learning and standard-setting (Wenger, 1998). This ties into organizational agility concepts by ensuring that integrity units function not as static watchdogs but as advisors who help organizations quickly adapt processes when vulnerabilities are identified. This study seeks to contribute to the literature by providing a public management perspective on rule-of-law implementation, while also acknowledging the limitations of existing data and monitoring instruments. Although the analysis offers comparative insights, further research, particularly at the organisational level, would help refine understanding of how internalisation processes unfold in practice.

The EU should evolve from compliance monitor to strategic enabler, shifting emphasis from oversight mechanisms toward capacity-building, institutional trust, and administrative culture development. This transformation reflects broader trends in public management toward what S. P. Osborne (2006) calls *"new public governance"*—collaborative approaches that emphasize networks and partnerships rather than hierarchical control. The shift involves fostering peer-to-peer cooperation among administrations through exchange programs and mentoring, leveraging instruments such as TAIEX, Twinning, and the Technical Support Instrument to support cultural transformation rather than just technical deliverables.

Peer-to-peer learning mechanisms should draw on research demonstrating the effectiveness of horizontal knowledge transfer in public sector reform (Dolowitz & Marsh, 2002). These approaches work particularly well when they involve practitioners sharing experiences about common challenges rather than experts delivering abstract training. Exchange programs should be designed to create lasting professional relationships that continue beyond formal program periods, building what Coleman (1988) describes as *"social capital"* within the European administrative space.

The EU should encourage Member States to co-create reform agendas with civil society engagement to ensure domestic ownership rather than external imposition (Sedelmeier, 2011; Grabbe, 2006). This approach recognizes insights from democratization literature about the importance of domestic constituencies for sustainable institutional change (MacEwan, 1988). Civil society organizations can serve multiple functions: monitoring implementation, providing feedback on service delivery, and creating social pressure for continued reform.

Institutional innovation should focus on making public administration more flexible and responsive while maintaining accountability. This involves addressing what Kaufman and Howard (2015) identified as the fundamental tension between accountability and responsiveness in public administration. Simplifying overly rigid rules that hinder officials who exercise discretion in service of integrity represents one approach, however clear ethical guidelines and accountability must accompany any increased flexibility.

The COVID-19 crisis demonstrated that administrations could cut red tape and innovate through measures like remote work and rapid procurement while still respecting fundamental norms (Aristovnik et al., 2023). These experiences provide natural experiments in administrative agility that can inform broader reform efforts. The challenge is institutionalizing this flexibility while preventing it from undermining rule-of-law principles, requiring what Thompson (1987) calls "structured discretion"—frameworks that guide professional judgment without eliminating it.

Administrative agility should be understood not as reducing rules but as creating more intelligent rule systems that can adapt to circumstances while maintaining core values. This aligns with Dworkin's (1977) concept of "integrity" in legal systems—the idea

that legal systems should be coherent and principled while remaining responsive to new circumstances. Public administration systems need similar qualities: principled flexibility that maintains ethical standards while enabling innovation and adaptation.

5.3. Comparison with Related Studies

How do these findings relate to existing scholarship? The picture is mixed: some results confirm what others have found, while others push the analysis further. Four streams of literature are particularly relevant.

Convergence with Mungiu-Pippidi's governance research: Our finding, that formal compliance does not guarantee effective implementation strongly aligns with Mungiu-Pippidi's (2015) distinction between "achievers" and "non-achievers" in corruption control. Her work demonstrates that legal frameworks are necessary but insufficient conditions for good governance—a conclusion that our administrative-focused analysis reinforces. However, while Mungiu-Pippidi emphasises broad societal factors (civil society strength, media independence), our framework identifies specific administrative mechanisms (symbolic compliance, reform fatigue) that mediate between formal rules and outcomes, providing more granular diagnostic tools.

Extension of Europeanisation scholarship: Schimmelfennig and Sedelmeier's (2005) influential work on Europeanisation emphasises conditionality as the primary mechanism of norm transfer. Our findings suggest an important qualification: conditionality without accompanying investment in administrative capacity and leadership development produce only superficial compliance. This echoes Sedelmeier's (2011) later observation about post-accession compliance decline but extends it by specifying the administrative pathologies (instrumentalism, cynicism) that explain why conditionality effects fade. The staged internalisation model developed here provides a framework for understanding when conditionality succeeds and when it fails.

Complementarity with legal-constitutional analysis: Pech and Scheppele's (2017) work on "autocratic legalism" and Kelemen's (2017) analysis of "authoritarian equilibrium" provide essential accounts of how rule-of-law erosion occurs through constitutional manipulation. Our administrative focus complements this legal-constitutional perspective by demonstrating that erosion operates not only through dramatic constitutional changes but also through gradual shifts in everyday administrative practice. The pathologies identified in Section 2.3, particularly administrative instrumentalism, help explain how formally unchanged institutions can be hollowed out from within. This multi-level perspective (constitutional + administrative) provides a more complete picture of backsliding dynamics.

Tension with New Public Management approaches: Our findings stand in some tension with New Public Management (NPM) literature that prioritises efficiency and performance measurement (Hood, 1991; D. Osborne & Gaebler, 1992). While NPM-inspired reforms have been widely adopted across EU Member States, our analysis suggests that rule-of-law values require specific institutional protections that may conflict with pure performance optimisation. Estonia's success—combining digital efficiency with strong rule-of-law performance—suggests these tensions can be managed but requires conscious design choices that NPM frameworks do not automatically provide. This aligns with Pollitt and Bouckaert's (2017) observation that public value considerations must temper efficiency-focused reforms.

6. Conclusions

6.1. Theoretical and Empirical Contributions

The rule of law faces a stubborn implementation problem in the EU, where formal commitment to principles enshrined in Article 2 TEU has not translated into consistent

administrative practice across Member States. The persistent gap between rhetoric and implementation reflects deeper institutional and cultural obstacles that cannot be addressed through legal compliance mechanisms alone.

What does the analysis add? Three things, at least. The conceptual distinction between formal compliance and administrative internalization provides an analytical framework for explaining why reforms succeed or fail beyond legal and institutional design factors. This distinction builds on March and Olsen's work on the "logic of appropriateness" by specifying how norms become embedded in administrative practice.

The multi-stage model of internalization offers insights into mechanisms through which institutional change occurs, from externally induced adjustments to deeply ingrained norms. This model contributes to broader institutionalist literature by specifying the micro-mechanisms through which macro-level institutional change occurs. The identification of pathologies such as symbolic compliance syndrome and administrative instrumentalism provides diagnostic tools for implementation failures.

Empirically, the comparative analysis reveals that sustainable rule of law depends more on institutional capacity and political will for internalization than on formal rule-setting. Countries like Estonia and the Netherlands demonstrate that embedded administrative norms create self-reinforcing cycles of compliance and institutional trust, while cases like Hungary and Poland illustrate how the rule of law can be systematically undermined through administrative capture although the formal legal frameworks remaining intact.

6.2. Policy Implications for European Integration

The findings have significant implications for EU policy toward Member States that extend beyond technical adjustments to current mechanisms. Current strategies emphasizing legal compliance and external monitoring have proven insufficient for addressing systematic violations or promoting deep institutional change. Instead, the EU must embrace approaches focused on administrative internalization that address governance culture, leadership ethics, and institutional performance in integrated ways.

The implication is a reorientation: away from the assumption that correct rules plus monitoring will suffice, and toward the harder work of reshaping how administrations actually function. Sustainable change requires not only new rules but new reflexes—shifts in organisational culture and individual values that outlast any single monitoring cycle.

The policy shift requires fundamental reconsideration of conditionality mechanisms, moving from procedural milestone assessment toward performance-based evaluation focusing on qualitative institutional outcomes. Technical support instruments should prioritize cultural transformation and capacity building rather than quick technical fixes.

6.3. Future Research Directions

This study opens several avenues for future research that could deepen understanding of rule-of-law implementation. Longitudinal studies tracking internalization processes over extended periods could provide crucial insights into the sustainability of reforms and factors enabling institutional resilience. Most existing research on European governance focuses on relatively short time periods, making it difficult to assess whether changes represent durable transformation or temporary adaptation to external pressure.

Micro-level ethnographic studies of administrative behaviour could illuminate mechanisms through which cultural change occurs within public organizations. Such studies might reveal the subtle ways peer influence, informal norms, and organizational routines either support or undermine formal rules.

The intersection of rule-of-law implementation with emerging technologies represents another fertile area for future research. As governments increasingly adopt artificial intelli-

gence and big data analytics, research should examine how these tools can be harnessed to strengthen legality and accountability, and what safeguards are needed to forestall new rule-of-law issues.

6.4. Final Reflections: From Rhetoric to Reality

Moving from rhetoric to reality is not mainly a technical or legal challenge. It demands, first, an institutional literacy, a feel for how organisations actually work. It demands a willingness to see reform from the vantage point of those expected to implement it. And it demands political courage, since genuine internalisation often unsettles vested interests. These are not qualities that EU governance currently prioritises.

The EU faces a choice. It can continue relying on external pressure and compliance monitoring an approach that has shown its limits. Or it can embrace the more challenging path: supporting the internal transformation of public administration. The evidence presented in this analysis suggests that only approaches focused on administrative internalization and those that build the underlying capacities, values, and leadership in public institutions can ensure the long-term sustainability of the rule of law as a lived reality rather than a mere formal commitment.

If the EU and its Member States can muster the strategic leadership to pursue this course, cultivating organizational agility, learning from experience, and leveraging digital innovations responsibly, then the rhetoric of the rule of law may gradually become something closer to reality. The gap will not close overnight. But it can narrow.

Author Contributions: Conceptualization, D.K., D.T. and P.B.; methodology, D.T., D.T. and P.B.; software, D.T.; validation, D.T.; formal analysis, D.T.; investigation, D.T.; resources, D.T.; data curation, D.T.; writing—original draft preparation, D.T.; writing—review and editing, D.K. and D.T.; visualization, P.B.; supervision, D.K.; project administration, D.T. All authors have read and agreed to the published version of the manuscript.

Funding: This research received no external funding.

Institutional Review Board Statement: Not applicable.

Informed Consent Statement: Not applicable.

Data Availability Statement: All data supporting the reported results are available in the references cited within this study.

Acknowledgments: An earlier version of this paper was peer-reviewed and presented at the European Group for Public Administration (EGPA) 2025 Annual Conference in Glasgow (26–29 August 2025), within the "EU Administration and Multilevel Governance" track. The authors are grateful for the feedback received from session participants and discussants, which contributed to the further development of the manuscript's analytical framework. This conference presentation, documented in the conference program, demonstrates the independent scholarly development of the work prior to the current journal submission. In accordance with MDPI's transparency guidelines and in response to reviewer feedback, the authors provide the following detailed disclosure. AI-assisted tools were used exclusively for: (a) language editing and proofreading to improve clarity, and (b) formatting assistance for tables and reference lists. No AI tools were used for idea generation, conceptual development, research design, data collection, analysis, interpretation, or formulation of arguments. The theoretical contributions of this manuscript—including the conceptual distinction between formal compliance and administrative internalization, the multi-stage model of norm embedding, and the identification of implementation pathologies—represent original scholarly work developed through the authors' sustained engagement with the academic literature. The authors retain full responsibility for all content, originality, and accuracy.

Conflicts of Interest: The authors declare no conflicts of interest.

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