Original Research Article
Do the institutional constraints on policy performance?

Abstract :

The policy performance is dependent on the institutional constraints of the political systems, considering as the institutional rules substantially generated for policy outcomes in certain policy fields. The analysis of institutional constraints is observed in the EU and OECD states that contains specific elements of the political system. The paper is represented for the minimum configuration analysis of theserestraints on policy performance to toward sustainable development which are interpreted by studying 16 policy fields grouping in terms of economic, social and environmental sustainability.

Key words :*Institutional rules, policy performance, political system.*

1. Introduction

Policy making is always a matter of choice under large constraints, are social, political and material and willingness of electors endorse the public policies and ordinary people to do what policies ask them to do. We can see the constraints on public policy received attention of the world researchers. Typically, Bobrow B. D. (2006) placed the constraints of social and cultural factors on public policy, Quiggin J. (2006) studied the constraints of economic constraints on public policy, while Goodin (2006) given the largest constraint under which public policy operates is the interest possessed of sufficient power to promote the interests in the most indefensible ways, Hay C (2006) identified the constraints of globalisation on public policy, Galston (2006) paid attention to the constraints of political feasibility on public policy, viewing the institutional rules behind the decisions and activities of policy actors as well as the different influences that the institutions exert on policies in the various types of institutions involved and this leads to the operationalization of the institution concept

(Knoepfel et all). On politics, « interests and power » relation defined by Shapiro (1999) and Galston (2006), it is a large constraint related to political systems, also in Immergut (2006) 'the functioning of political institutions on the distribution of votes amongst political parties in elections as well as methods in which institutional rules convert vote shares into distributions of parliamentary seats and shares of governmental power, the decision-making rules for making governmental and legislative decisions'.

We see Lijphart (1984; 1999) divides democracies into two types: majority and consensus democracies. We will need to re-examine the substantial conditions related to political *performance* of *democracies* regardless of whether they are based onthese political system with their public *policy* orientations' (see also *Lijphart* 1999: 301, Schmidt 2002, Bormann 2010, Smith 1996, Immergut 2006).

The most recent research of Immergut (2006) describedthe policy performance depends on the constellations of actors and the power of general institutional rules. The institutional rules and procedures have a large impact on both the politics of policy-making and the implementation of various policy designs, the exact impact of institutional procedures on policy decision-making and the interaction effects of institutional rules with political, social and even historical contexts is still in its infancy (ibib).*Also, both* the *institutional* structures and the individual strategies of policy ... caused by gaps in *rules* led to p*olicy-making has* increasingly become complex (Cerna L, 2013). The impact of institutions on policies and policy-making were tested by Armingeon (2002), and Schmidt (2002), Kume (2006). Also, Goodin and Rein and Moran (2006, p.23) discussed on unspoken « background conditions » constitute further constraints to policy making and thus, 'those most political power and institutional constraints might be of indeterminate examination'.

As that the aim of this paper is to make understanding of the linkage of the policy performance and its dependent institutional constraints of the political systems related to

'background conditions' and 'good governance conditions' and the state of democracy and the rule of law, and sustainable governance, citizen participation …etc decide the substantial conditions which considered as the institutional constraints of public policy. They are measured by including election process, transparency (access to information), conditions of civil rights and political liberties, rule of law.

Choosing the research approach and methodology to the research problem is really difficult because it is not easy to interpret and explain how the institutional constraints of policy performance process. One side is to measure the institutional constraints, on the other side to explain the interaction of institutional constraints on policy performance. The research selected some democracy cases, 'small-N problem' not allows to work on the quantitative perspective. On this comparative perspective, the qualitative comparative analysis (QCA) can help because that the approach and methods are relevant in systematic analysis to the institutional constraints on policy performance (See Rihoux and Ragin 2006).

2. Case specification

For more parsimony, the research considered a broader sample of countries within democracy countries. This will enable us to look for much more diversity in terms of institutional rules for policy performance. In the research, we chose to use data on policy performance of 20 amongst 41 EU and OECD states in which 10 states are strongest at policy performance while 10 states are weakest at policy performance. The decision design helps to provide appropriate data, because the EU and OECD states have been recognised by world researchers in the long term in the view of achieving good policy performance and institutional arrangements.

The quantitative and qualitative data originate from sustainable governance indicators in related politics-policy areas for policy performance and they are scored on the basis of official

statistical sources, in particular those provided by the EU and OECD data sources (https://data.oecd.org/) and UN data (http://data.un.org/DataMartInfo.aspx).

Four stages of data consolidation were followed to ensure the valid and reliable data which were done by SGI team (see http://www.sgi-network.org/2016/). For each SGI's survey, individual countries are evaluated by two (or more) leading experts.The experts' questionnaire work is supported by eight coordinators under the supervision of SGI Advisory Board. First, these data were collected in a multiphase process of survey and validation. Then, the raw data were reviewed and examined by experts. Third, the data were reviewed through first and second experts' evaluations and qualitative complements (texts), with an eye to achieving consistency of texts and scores by regional coordinators who determine the actual scores for all indicators in their country groups. In a fourth stage, there was a two-day regional-coordinator conference, at which the regional coordinators collectively discussed all qualitative assessments as well as all numerical ratings, and adjusted them if necessary. Such stages provide very robust and validated data. In order to ensure the comparability of quantitative and qualitative data, all quantitative indicators contained in the indices were standardized through a process of linear transformation onto a scale ranging from 1 to 10.

In addition, the SGI allows detailed retrieval of the original data as well as the results of the survey at each level of aggregation from the highest aggregation level, at which the three indices are formed, down to the level of individual indicators. This allows users to engage more deeply with topics of personal interest, create country rankings for single indicators, apply their own aggregation rules and even create entirely new indicators. Thanks to this combination of quantitative indicators with qualitative expert assessments, the SGI itemized ranking results are accompanied by in-depth country reports on the 41 EU and OECD states examined. This combination of systematic (numerical) scores and of in-depth country reports

also comprising qualitative information is a very appropriate setting to apply the QCA method.

3. Model specification

Norris (2011) examines the link between the policy performance of the government for 'understanding the influence of policy performance on citizens 'satisfaction with democracy'. Another good governance with World Bank indicators designed by Kaufman, Kray and Mastruzzi 2010) links to the policy performance. Further, we also adopt the perspective of a causal relationship between political institutions and policy outcomes (Torsten P. et Guido T. (2002-2003), Pablo S., Ernesto S., Mariano T. (2003); Besley and Timothy and Anne C. (2003); Immergut (2006) ; Takeshi K. (2010); Eileen F. and Gaia N. (2012) . The impact of political institutions on policy outcomes has recently gained much attention in the literature. Many theoretical and empirical researches have shown how government institutional rules shape policy outcomes; for instance Lizzeri et Persico (2001), Persson et Tabellini (1999, 2000), and Milesi-Ferretti, Perotti and Rostagno (2002) analyze the impact of rules on public policies. Furthermore, the logic of appropriateness (March and Olsen 2006) on settings of democratic governance institutions such as 'the polity is a configuration of formally organised institutions that defines the settings within which governance and policy making take place' and institutions can allocate resources and empower and constrain actors differently and make them more or less capable of acting accordance to prescribed rules'.

Based on these premises, we assume that the policy performance are shaped and influenced by configurations of institutional rules, in particular in terms of election process, transparency (access to information), civil rights and political liberties, rule of law. The model has been developed under these conditions with data of the SGI's survey measured these conditions in detail through the Democracy Index.

Outcome variable is the policy performance (POLPE)

Policy performance is measured by a set of indicators which including the regulatory policy (see Kirkpatrick and Parker, 2012; Coglianese, 2012). The Policy Performance allows focus on reforms of key policy areas for each country to achieve sustainable policy outcomes. The success of OECD and EU states in a variety of policy areas that must be taken into account in seeking to develop robust, high-performing, long-lasting economic, socio-political and environmental systems, not to mention high levels of social participation. Accordance to SGI's survey, Policy Performance Index measures the performance of these selected 20 EU and OECD states surveyed in terms of three core dimensions of sustainable policy performance such as economic, social and environmental policies. In this survey, a total of 16 individual policy areas are used with policy outcomes captured by means of a wide range of quantitative and qualitative data with the contribution of individual countries in promoting sustainable development at the international level.

Following QCA conventions, the outcome variable *POLPE* received the value=1 if the 'level of policy performance is evaluated higher than the threshold. On the opposite, the outcome variable receives the value=0 if it is fallen below the threshold. It is very strong theoretical and empirical reason to put the threshold of the outcome may range between 4.35 – 7.99 (see table 2). After testing, it was more natural to accept the threshold at 5.28.

Defining condition variables

Condition 1: Election process (ELEC)

In the literature, the quality of election process depends on the candidacy procedure, media access of candidates, voting and registration rights, party financing, popular decision making (Lipset and Rokkan 1967, Lijphart 1994, Norris 1997). The election process is responded by five questions in SGI's survey. First, everyone has equal opportunity to become a candidate for election. The registration of candidates and parties may be subject to restrictions only

when in accordance with law and if deemed reasonably necessary in a democratic society. This includes protecting the interests of national security or public order, public health or morals, or protecting the rights and freedoms of others. It measured by the registration of candidates and parties may be subject to restrictions only when in accordance with law and if deemed reasonably necessary in a democratic society. This includes protecting the interests of national security or public order, public health or morals, or protecting the rights and freedoms of others. Second, to what extent do candidates and parties have fair access to the media and other means of communication? It measured by every candidate for election and every political party has equal opportunity of access to the media and other means of communication, which allows them to present their political views and to communicate with the voters. Access to the media may not be restricted or refused on grounds of race, colour, gender, language, religion, political or other opinions, national or social origin, property, birth or other status.

Third, to what extent do all citizens have the opportunity to exercise their right of participation in national elections? It measured by to participate in national elections, every adult citizen must have the right to access an effective, impartial and non-discriminatory procedure for voting and voter registration. Voting rights also apply to convicts and citizens without a permanent residence in the country. No eligible citizen shall be denied the right to vote or disqualified from registration as a voter, otherwise than in accordance with objectively verifiable criteria prescribed by law, and provided that such measures are consistent with the State's obligations under international law. Every individual who is denied the right to vote or to be registered as a voter shall be entitled to appeal to a jurisdiction competent to review such decisions and to correct errors promptly and effectively. Every voter has the right of equal and effective access to a polling station or alternative voting method, including a feasible absentee voting option. The way in which voter registration is organized, the location of polling

stations, and the date and time frame of voting do not constitute disincentives to voting for specific groups in society.

Fourth, to what extent is private and public party financing and electoral campaign financing transparency, effectively monitored and in case of infringement of rules subject to proportionate and dissuasive sanction? It refers to the obligations of the receiving parties and entities connected with political parties to keep proper books and accounts, to specify the nature and value of donations received and publish accounts regularly. It also includes an assessment of how effectively funding of political parties and electoral campaigns is supervised or monitored by an independent body such as electoral or parliamentary commission, anti-corruption body, audit institution etc. with checking, investigative, sanction and regulatory powers and infringements are sanctioned by taking into account administrative, civil and criminal liability.

Fifth, do citizens have the opportunity to take binding political decisions when they want to do so? It examines whether citizens have the legal right to propose and take binding decisions on matters of importance to them, as well as the effective opportunity to act on this right. Forms of decision-making include popular initiatives and referendums conducted at different levels of government such as local or municipal, regional or state, national or federal government. Popular decision-making may be restricted to a few issues of interest or it may cover an extensive range of issues being of concern to citizens.

Following QCA conventions, the ELEC variable can receive the value=1 if it is higher than the threshold; on the opposite, this variable can receive the value=0 if it is fallen below the threshold. There is a very strong theoretical or empirical reason to locate the threshold between 4.2 and 9. From the operation, we accepted the threshold at 6.6 in practice.

Condition 2: Access to Information (ACCIN).

There are some questions which replied for a consideration of access to information (see Newman 2002). The access to information reflected the transparency is responded by three questions in SGI's survey: First, to what extent are the media independent from government? It asks to what extent is the media subject to government influence and the influence of actors associated with the government. It focuses both on media regulation and government intervention. The rules and practice of supervision can guarantee sufficient independence for publicly owned media. Privately owned media is subject to licensing and regulatory regimes that ensure independence from government.

Second, to what extent are the media characterized by an ownership structure that ensures a pluralism of opinions? It does not assume that the predominance of either private or public ownership guarantees a pluralism of opinions. Rather, the underlying assumption is that a diversified ownership structure is likely to best represent the views and positions existing in society.

Third, to what extent can citizens obtain official information? To assess the accessibility of government information by an examination on (i) whether a freedom of information act exists or equivalent legal regulations exist, (ii) to what extent do the rules restrict access to information such as exemptions, deadlines for responding to requests and justify these restrictions, and (iii) whether mechanisms for appeal and oversight exist to enforce citizens' right to access information such as administrative review, court review, ombudsman, commission.

Following QCA conventions, the **ACCIN** variable can receive the value=1 if it is higher than the threshold; on the opposite, this variable can receive the value=0 if it is fallen below the threshold. There is a very strong theoretical or empirical reason to locate the threshold between 4 and 10. From operation, we accepted the threshold at 7.15 in practice.

Condition 3: Civil rights and political liberties (CRPL).

The civil rights and political liberties are important for the policy performance (Isham et all). Two questions in SGI's survey: First, to what extent does the state respect and protect civil rights and how effectively are citizens protected by courts against infringements of their rights? Civil rights contain and limit the exercise of state power by the rule of law. Independent courts guarantee legal protection of life, freedom and property as well as protection against illegitimate arrest, exile, terror, torture or unjustifiable intervention into personal life, both on behalf of the state and on behalf of private and individual actors. Equal access to the law and equal treatment by the law are both basic civil rights and also necessities to enforce civil rights.

Second, to what extent does the state concede and protect political liberties? Political liberties constitute an independent sphere of democracy and are a prerequisite of political and civil society. They aim at the possibility of the formulation, the presentation and the equal consideration of citizens' preferences and are embodied in the codification and unlimited validity of every individual's right to speak, think, assemble, organize, worship, or petition without government (or even private) interference or restraints.

Following QCA conventions, the **CRPL** variable can receive the value=1 if it is higher than the threshold; on the opposite, this variable can receive the value=0 if it is fallen below the threshold. There is a very strong theoretical or empirical reason to locate the threshold between 4 and 9.3. From operation, we accepted the threshold at 6.65 in practice.

Table 1: Specification of model

	Variables	*Coded*
Outcome variable	*Policy performance*	*EFs*
Condition variables	*Election Process*	*ELEC*
	Access to Information	*ACCIN*
	Civil rights and political liberties	*CRPL*
	Rule of law	*RULA*

Condition 4: Rule of law (RULA).

The rule of law plays the important role in quality democracy and related good governance (Belton, Tamahana, Schmidt 2002). It is also vital in assessing sustainable governance, because the rule of law and citizens' ability to participate in political processes are essential to ensuring a political system's good performance and long-term stability. This developed fully opportunities for political participation must be in place if a society is to achieve high levels of participatory justice. Indeed, the rule of law of democracy in a society must be high if it is to sustain pluralism in the processes that build and shape public will and opinions such as input legitimacy, as well as in the policy formulation and decision-making processes that accommodate the interests and needs of a broad spectrum of stakeholders in society throughput legitimacy, while ultimately transforming these processes into concrete and efficacious actions such as output legitimacy. The rule of law are therefore fundamental to preventing the systematic exclusion or neglect of social groups or individuals, enabling all members of a society to participate in shaping opinions and building the will to reform. When managing the inherent conflicts underlying sustainable policy goals, it is particularly important to prevent the systematic exclusion of any group, thus following the principle of equal opportunity. The legitimacy of a political system rests upon its ability to provide appropriate oversight of decision-makers' activities, opportunities for democratic participation, protection of civil rights and legal certainty. Citizens' consent to and trust in a political system will depend heavily on the condition. Moreover, democratic participation and oversight are essential in enabling concrete learning and adaptation processes, as well as the capacity for change. In SGI terms, a rigorous observation of the rule of law is vital to achieving sustainability in the sense of long-term systemic viability. Four questions in SGI's survey:

First, to what extent do government and administration act on the basis of and in accordance with legal provisions to provide legal certainty? It assesses the extent to which executive actions are predictable. Second, to what extent do independent courts control whether government and administration act in conformity with the law? It examines how well the courts can review actions taken and norms adopted by the executive. To provide effective control, courts need to pursue their own reasoning free from the influence of incumbent governments, powerful groups or individuals. This requires a differentiated organization of the legal system, including legal education, jurisprudence, regulated appointment of the judiciary, rational proceedings, professionalism, and channels of appeal and court administration. Third, to what extent does the process of appointing such as supreme or constitutional court of justice guarantee the independence of the judiciary? It regards supreme or constitutional courts' sufficient independence from political influence as a prerequisite of a functioning democratic system. The appointment process is a crucial factor which determines judiciary independence. The prospect of politically "neutral" justices increases accordingly with greater majority requirements and with the necessity of cooperation between involved bodies. A cooperative appointment process requires at least two involved democratically legitimized institutions. Their representative character gives them the legitimacy for autonomous nomination or elective powers. In an exclusive appointment process, a single body has the right to appoint justices irrespective of veto points; whereas in cooperative procedures with qualified majorities independence of the court is best secured. Answering the question take also into account whether the process is formally transparent and adequately covered by public media. If any country does not have a supreme or constitutional court, evaluate the appointment process of the appellate court that is responsible for citizens' appeals against decisions of the government.

Fourth, to what extent are public officeholders prevented from abusing their position for private interests? It addresses how the state and society prevent public servants and politicians from accepting bribes by applying mechanisms to guarantee the integrity of officeholders: auditing of state spending, regulation of party financing, citizen and media access to information, accountability of officeholders including asset declarations, conflict of interest rules, codes of conduct; transparent public procurement systems; effective prosecution of corruption.

Following QCA conventions, the **RULA** variable can receive the value=1 if it is higher than the threshold; on the opposite, this variable can receive the value=0 if it is fallen below the threshold. There is a very strong theoretical or empirical reason to locate the threshold between 3.3 and 9.8. From operation, we accepted the threshold at 6.55 in practice.

Table 2 presents the raw data, with the outcome variable and the four condition variables – i.e. the data before the dichotomization procedure.

Table 2: Indicators of selected 20 EU and OECD states of SGI's survey in the year 2016

ID	ELECP	ASSIN	CRPL	RULA	OUTCOME (POLPE)
Bulgaria	6.8	5.3	6.3	4.8	5.18
Chile	5.6	6.7	6.3	7.5	5.17
Croatia	6.6	5.7	5.7	5.8	5.08
Cyprus	5.8	5.7	7.3	6	4.82
Denmark	8.2	9	8.7	9.8	7.79
Estonia	7.8	9.3	8.7	7.5	6.99
Finland	9	10	9.3	8.3	7.41
Germany	8.8	8.7	8.7	9	7.29
Greece	7.2	7	7	6.5	4.35
Hungary	4.2	4	5	3.3	5.19
Italy	7.6	7	7.3	7	5.34
Lithuania	8.4	8.3	8	7.8	6.8
Luxembourg	8	7	8.3	8	6.99
Mexico	7	6.7	4.7	5	4.72
Norway	7.8	9.3	9.3	9.3	7.74
Romania	5.4	4.3	5.7	5	5.18
Sweden	8.6	9.3	9.3	9.5	7.99

Switzerland	8.2	9.3	8.7	8.3	7.62
Turkey	4.6	4.3	4	4	4.85
United Kingdom	6.8	7.3	7.3	8	6.91

(Source: Result of SGI's survey, see http://www.sgi-network.org/2016/)

4. Models analysis

The data are processed with the TOSMANA software, a specialized tool to analyze cross-case regularities in Small- and Intermediate-N Analysis in Cronqvist (2005) Rihoux (2006, 2008, 2011), Rihoux and B. & De Meur, G. (2009). By means of Boolean algebra, dichotomized variables can be processed which results in a formula explaining the outcome by a combination of variable conditions. We chose csQCA instead of mvQCA or fsQCA because we are looking for major analytical contrasts & also strive to achieve strong parsimony through the analysis.

The truth table (table 3) with four crisp-set (i.e., dichotomous) in causal conditions which were hypothesized as variable conditions which set a configuration to the possible outcomes in a policy performance of sustainable development policy demonstrated through 20 country cases represented for OECD and EU. In terms of data analysis, across these cases, under SGI's survey translated into Boolean variables with expected multiple conjuncture forms of causality linking the four conditions and the outcome variable of policy performance level.

The csQCA produces the minimal configurations of conditions for the outcome using algorithm "MultiValue TopDown" on Boolean algebra. These cases are observed in reality were minimized using this algorithm. The configurations governing the patterns were simplified, under those configurations that were theoretically possible but which were not fully observed in 20 country cases (so-called 'logical cases') were included in the minimization. In principle, the inclusion of logical cases generalized the explanatory patterns that are suggested by the observed cases. In the analysis, with four dichotomous causal conditions, there are theoretically 2^4 (2^k) = 16 possible combinations of conditions.

Minimization of "policy performance" outcome

Table 3: Truth table of Boolean Configurations with four causal conditions on the policy performance outcome

ID	ELEC	ACCIN	CRPL	RULA	POLPE
Bulgaria,Mexico	1	0	0	0	0
Chile	0	0	0	1	0
Croatia,Hungary,Romania,Turkey	0	0	0	0	0
Cyprus	0	0	1	0	0
Denmark,Estonia,Finland,Germany, Lithuania,Norway,Sweden, Switzerland,United Kingdom	1	1	1	1	1
Greece	1	0	1	0	0
Italy,Luxembourg	1	0	1	1	1

Minimizing value the [1] Configurations (Without Logical Remainders)

TOSMANA software minimize the [1] configurations without including non-observed cases (without logical remainders). In the Boolean minimization, the reduction of configurations given by truth table above reveals a clear pattern of the policy performance outcome. We obtained the following minimal formula:

ELECP{1} * CRPL{1} * RULA{1}

(Denmark,Estonia,Finland,Germany,Lithuania,Norway,Sweden,Switzerland,United

Kingdom+Italy,Luxembourg)

The formula combines three conditions linked with the '1' outcome value. The "descriptive" formula could be read that the '1' outcome (good policy performance) is observed as follows: in countries that combined the conditions of good election process and high level of civil rights and political liberties, high level of Rule of law.

We re-write the formula as follows (Formula 1):

ELECP{1} * CRPL{1} * RULA{1} → good policy performance (Denmark, Estonia,

Finland, Germany, Lithuania, Norway, Sweden, Switzerland, United Kingdom+ Italy,

Luxembourg)

This minimal formula corresponds to 11 countries: (Denmark, Estonia, Finland, Germany, Lithuania, Norway, Sweden, Switzerland, United Kingdom+ Italy, Luxembourg). These countries share the same configuration; and Italy, Luxembourg separately. The formula is complex with 3 conditions. Only a small measure of parsimony has been achieved at this time. We continued to next procedure below.

Minimizing value the [0] Configurations (Without Logical Remainders)

We perform again the minimisation procedure, changed to [0] configurations and also without including some non-observed cases. We received the following minimal formulas:

ACCIN{0} * RULA{0} +	ELECP{0} * ACCIN{0} * CRPL{0}
(Bulgaria,Mexico+Croatia,Hungary,Romania, Turkey+Cyprus+Greece)	(Chile+Croatia,Hungary,Romania,Turkey)

By QCA conventions, there are two terms with complex configurations. The csQCA provides us with two paths to the [0] outcome 'weak policy performance'. The first path corresponds to 08 countries (Bulgaria,Mexico +Croatia,Hungary ,Romania, Turkey + Cyprus + Greece) sharing the same configuration ACCIN{0} * RULA{0} .

In the second term, this second path corresponds to 05 countries (Chile+Croatia,Hungary, Romania, Turkey) sharing the same configuration ELECP{0} * ACCIN{0} * CRPL{0}. We have : ELECP{0} * ACCIN{0} * CRPL{0} → weak policy performance (Chile+Croatia,Hungary, Romania, Turkey) (formula 2).

We chose the first term : ACCIN{0} * RULA{0} → weak policy performance (Bulgaria,Mexico + Croatia, Hungary, Romania, Turkey+Cyprus+Greece) (formula 3).

Minimizing value the [1] Configurations (With Logical Remainders)

Two formulas above are still complex. For more parsimony, the minimization of the configurations needs to be included non observed cases – Logical Remainders. This inclusion makes simpler a Boolean Expression "simplifying assumption", the usefulness of logical remainders is quite straight forward to express cases in a simpler way, it suffices to express

them as part of broader zone (see Rihoux, 2008, 2011) by helping one combination could cover some configurations. By running again minimization procedure with logical remainders, we received the minimal formulas:

ELECP{1}RULA{1}
(Denmark,Estonia,Finland,Germany,Lithuania,Norway,Sweden,Switzerland,United Kingdom+Italy,Luxembourg)

CRPL{1}RULA{1}
(Denmark,Estonia,Finland,Germany,Lithuania,Norway,Sweden,Switzerland,United Kingdom+Italy,Luxembourg)

We re-write them as follows :

ELECP{1}RULA{1} → good policy performance (formula 4)

CRPL{1}RULA{1} → good policy performance (formula 5)

Two formulas with the same countries such as : (Denmark, Estonia, Finland, Germany, Lithuania, Norway, Sweden, Switzerland,United Kingdom+Italy,Luxembourg). We obtain a list of these simplifying assumptions from the software and lay them out in the report of the analysis :

1. ELECP{1}ACCIN{0}CRPL{0}RULA{1}
2. ELECP{1}ACCIN{1}CRPL{0}RULA{1}
3. ELECP{0}ACCIN{0}CRPL{1}RULA{1}
4. ELECP{0}ACCIN{1}CRPL{1}RULA{1}

Minimizing value the [0] Configurations (With Logical Remainders)

The minimization procedure of the (0) configurations was run again, we obtain the following formulas:

ELECP{0} +	RULA{0}
(Chile+Croatia,Hungary,Romania,Turkey+Cyprus)	(Bulgaria,Mexico+Croatia,Hungary,Romania,Turkey+Cyprus+Greece)

CRPL{0} +	RULA{0}

(Bulgaria,Mexico+Chile+Croatia,Hungary ,Romania,Turkey)	(Bulgaria,Mexico+Croatia,Hungary,Romania,Tur key+Cyprus+Greece)

Based on the case information of (Bulgaria,Mexico + Croatia,Hungary, Romania,Turkey + Cyprus + Greece), we chose the second line, we can re-write as follows (formula 6):

CRPL{0} + RULA{0} → 'weak policy performance'

(Bulgaria,Mexico+Chile+Croatia, (Bulgaria,Mexico+Croatia,Hungary,

Hungary,Romania,Turkey) Romania,Turkey+Cyprus+Greece)

It can be read as follows :

- *In 07 countries: Bulgaria,Mexico+Chile+Croatia, Hungary,Romania,Turkey, the low level of civil rights and political liberties explains the 'weak policy performance'.*

Or

- *In 08 countries: Bulgaria,Mexico+Croatia,Hungary, Romania,Turkey+ Cyprus + Greece , the low level of rule of law explains the weak policy performance (see item 3. Model specification).*

Here we can see there are 02 alternative paths leading toward to the outcome 'weak policy performance'. The 06 country cases (Bulgaria,Mexico and Croatia,Hungary, Romania,Turkey) both paths are valid in the analysis. On the case's knowledge, we can see that the country cases Cyprus+Greece are more appropriate. It means that the second path is chosen as: RULA{0} → 'weak policy performance'. Comparing this formula with the formula 2, more substantial parsimony than formula 3 thanks to the « simplifying assumptions » made by the TOSMANA regarding some of the logical remainders. We can also obtain a list of these simplifying assumptions and put them out in the report of the analysis.

1. ELECP{0}ACCIN{1}CRPL{0}RULA{0}
2. ELECP{0}ACCIN{1}CRPL{0}RULA{1}

3. ELECP{0}ACCIN{1}CRPL{1}RULA{0}
4. ELECP{1}ACCIN{0}CRPL{0}RULA{1}
5. ELECP{1}ACCIN{1}CRPL{0}RULA{0}
6. ELECP{1}ACCIN{1}CRPL{0}RULA{1}
7. **ELECP{1}ACCIN{1}CRPL{1}RULA{0}**

5. Synthesis

From formula 1 & 4 & 5, we can interpret that three variable conditions ELECP{1} * CRPL{1} * RULA{1} are important to generate the positive outcome 'policy performance'. As the theory informed (see section 2), we focus on key link between key combinations of these conditions and the outcome 'good policy performance'. The formula 4 & 5 ELECP{1}RULA{1} or CRPL{1}RULA{1} → 'good policy performance' described by these country cases [Denmark, Estonia, Finland, Germany, Lithuania, Norway, Sweden, Switzerland,United Kingdom+Italy, Luxembourg]. It can interpret that the combination of good election process and rule of law conditions can produce positive outcome of 'policy performance' or the combination of civil rights and political liberties and rule of law conditions can produce positive outcome of 'policy performance'. In a case knowledge, the performance of socio-economics and environment policies is very good in these countries [Sweden, Denmark and Norway and Switzerland]. Backing to the variable conditions in these countries, the civil rights and legality are core values in governance of these countries. Democracy functions well in these countries, where governance features strong credibility and transparency. Democratic governance remains deeply institutionalized and of very high quality in Sweden. Evidenced that the constitution has a chapter devoted to human rights and legal security is an essential guideline for the public administration including freedom of speech, freedom of association and freedom of assembly. Consequently, these countries have high ranking as the most egalitarian societies in the world.

The legal framework is deeply engrained and the rule of law brought with values of legal security, due process, transparency and impartiality remain key norms in these countries. The corruption at the state level remains extremely unusual and "regulatory systems safeguarding transparency and accountability, coupled with an overall administrative culture that strongly forbids corrupt behaviour, prevent corruption". As that we chose the formula 5, CRPL{1}RULA{1} $\rightarrow$ 'good policy performance', it means that the combination of positive civil rights and political liberties and rule of law can produce good outcome of 'policy performance'.

From formula 3, ACCIN{0} * RULA{0} $\rightarrow$ weak policy performance (Bulgaria,Mexico + Croatia, Hungary, Romania, Turkey+Cyprus+Greece), we can see the ACCIN{0} * RULA{0} are important conditions to generate the negative policy performance. In formula 6, we have to choose between two terms : CRPL{0} + RULA{0} $\rightarrow$ 'weak policy performance'. From case knowledge, we chose the second term RULA{0} $\rightarrow$ 'weak policy performance' [Bulgaria, Mexico + Croatia, Hungary, Romania,Turkey+Cyprus+Greece]. It can interpret that the low level condition of rule of law will produce the weak policy performance. In these countries, the performance of socio-economics and environment policies is not so good, consequently the socio-economics conditions of these countries are not sustainable. The rule of law ranks in low level condition, for example in Greece, the state administration operates on the basis of a legal formalism and a complexity of legislation that is extensive, numerous and sometimes contradictory, specially the public officeholders are not efficiently prevented from exploiting their offices for private gain, but things changed in the period under review. Other case such as Mexico, the court decisions are less independent at the lower level, however, where there is significant local variance and where judges are often sympathetic to the dominant ruling party and there are severe and persistent corruption problems in Mexico.

6. Conclusions

In the EU and OECD states, it assumed that the policy performance depends on four institutional arrangements such as election process, access to information, civil rights and political liberties, rule of law. As a result of the systematic analysis, we can conclude that the good policy performance can be generated from the combination of positive civil rights and political liberties and rule of law. On the other words, the configuration of conditions civil rights and political liberties and rule of law will produce the positive outcome 'good policy performance'. It is also interesting that oppositely in a form of "un-symmetry" of the weak condition of rule of law will lead to negative 'policy performance'.

Back to the research problem, the institutional constraints of policy performance under political institutions (Immergut 2006) and 'background conditions' (Goodin and Rein and Moran 2006) and good governance institutions of logic appropriateness (March and Olsen 2006 and 2008) if the institutions are favourable to promote civil rights and political liberties and rule of law in the democracy conditions, we will have very good public policy performance as if the institutions are not favourable to rule of law condition will lead to weak policy performance.

Even the institutional constraints become important conditions that clarified by this systematic case analysis, but the research never forget other constraints such as social and materials, sometimes self-interest and technology become the most constraints on policy performance discussed as largest constraints by Goodin (2006). That is a reason to call for an expansion of the research on these constraints.

References

1. Armingeon K. 2002. *The effects of negotiation democracy: A comparative analysis.* European Journal of Political Research 41: 81–105, 2002.

2. Bobrow B. D. 2006. Social and cultural factors : Constraining and enabling. *Constraints on public policy. The Oxford Handbook of Public Policy, 2006, pp 572-586.*

3. Bormann 2010. Patterns of Democracy and Its Critics. *Centre for Comparative and International Studies, ETH Zurich and University of Zurich.*

4. Cerna L .2013. The Nature of Policy Change and Implementation: A Review of Different Theoretical Approaches. *OECD publication in 2013.*

5. Coglianese 2012. Evaluating the impact of regulation policy. *OECD Expert Paper No. 1, August 2012.*

6. Galston A. W. 2006. Political feasibility : Interests and power. *The Oxford Handbook of Public Policy, 2006 pp.543-555.*

7. Goodin et all 2006. The public and its policies. *The Oxford Handbook of Public Policy, 2006 pp.3-37.*

8. Hay C 2006. Globalisation and public policy. *The Oxford Handbook of Public Policy, 2006 pp.587-602*

9. Goodin and Rein and Moran 2006. *'The public and its policies'*. The Oxford Handbook of Public Policy.

10. Immergut M. E. 2006. Institutional constraints on public policy. *The Oxford Handbook of public policy.*

11. Immergut, E. M. and Kume, I. 2006. Crises of Governance: Institutions and the Politics of Change in Japan and Europe (Special Issue). Governance, 19.

12. Isham J, Kaufmann D, and Lant H. Pritchett 1997. Civil Liberties, Democracy, and the Performance of Government Projects. *The World Bank Economic review. Vol 11. No.2.*

13. Kaufman, Kray and Mastruzzi 2010. *The Worldwide Governance Indicators: Methodology and Analytical Issues.* World Bank indicators 2010.

14. Kirkpatrick and Parker 2012. The economic impact of regulatory policy: A literature review of quantitative evidence. *OECD Expert Paper No. 3, August 2012.*

15. Knoepfel et all 2007. Institutional rules. *Public policy analysis. The policy press-2007*DOI:10.1332/ policy press/ 9781861349071.003.0005.

16. Lijphart A, 1999. *Pattern of Democracy: Government Forms and Performance in Thirty-Six Countries*. New Haven And London: Yale University Press: 9-31.

17. Lipset, S.M. and S. Rokkan 1967. *Party Systems and Voter Alignments.* New York: Free Press.

18. Lijphart, A. 1994. *Electoral Systems and Party Systems.* Oxford: Oxford University Press.

19. March and Olsen 2006. The logic of appropriateness. *The Oxford Handbook of Public Policy, 2006, pp 689 - 705.*

20. Milesi-Ferretti, Perotti and Rostagno 2002. *Election systems and public spending.* The Quarterly Journal of Economics, May 2002.

21. Norris 1997 Choosing Electoral Systems: Proportional, Majoritarian and Mixed Systems. *International Political Science Review / Revue internationale de science politique*, Vol. 18, No. 3, Jul., 1997, pp. 297-312.

22. Newman L. 2002. *Access to information: A key to democracy.* The Carter Centre. Nov. 2002. pp. 15-29.

23. Pablo T. S., Stein E. and Tommasi M. 2003. *Political Institutions, Policymaking Processes, and Policy Outcomes an intertemporal transactions framework.* Latin American Research Network (Inter-American Development Bank).

24. Persson T† Tabellini G. 2002. *Political Institutions and Policy Outcomes: What are the Stylized Facts?* IIES, Stockholm University; London School of Economics; CEPR; NBER.

25. Persson T† Tabellini G 2003. *Constitutional Rules and Fiscal Policy Outcomes*. IIES, Stockholm University; London School of Economics; CEPR; NBER. ‡IGIER, Bocconi University; CEPR; Ces-Ifo.

26. Rihoux, B. & De Meur, G. 2009. Crisp-set Qualitative Comparative Analysis (csQCA). pp. 33-68 *In:* RIHOUX, B. & RAGIN, C. C. (eds.) *Configurational comparative methods. Qualitative Comparative Analysis (QCA) and related techniques.* Thousand Oaks and London: Sage.

27. Schmidt M G 2002. Political performance and types of democracy: Findings from comparative studies. *European Journal of Political Research 41: 147–163, 2002.*

28. Shapiro I., 1999. Enough of deliberation: Politics is about interests and power, in *Deliberative Politics: Essays on Democracy and Disagreement, ed. by Stephen Macedo (Oxford University Press, 1999), pp. 28-38.*

29. Schmidt 2002. Political performance and types of democracy: Findings from comparative studies. *European Journal of Political Research 41: 147–163, 2002*

30. Smith 1996. Diversionary foreign policy in democratic systems. *International studies quarterly (1996), 40, 133-153.*

31. Quiggin J. 2006, Economic constraints on public policy. *Constraints on public policy. The Oxford Handbook of Public Policy, 2006 - pp 529-542.*