

THE ROLE OF POLITICAL ADVISORS IN EUROPEAN UNION COUNTRIES

Lecturer Ph.D. Razvan VIORESCU

"Stefan cel Mare" University of Suceava, Romania
razvanv@usv.ro

Associate Professor Ph.D. Diego VARELA PEDREIRA
University of A Coruna, Spain
dvarela@udc.es

Abstract:

Political advisors are not an entirely new phenomenon in European countries, but they have been adopted by an increasing number of countries in recent decades, and in countries where they are well established, their numbers have tended to increase. This has led to debate about their purpose, their relationship to ministers and to the civil service, their effectiveness, and the legal and ethical framework within which they should operate. This paper reviews these issues, and considers what lessons may be drawn.

Key Words: political advisor, civil service, public administration, European administrative principles

1. DEFINING "POLITICAL ADVISORS"

Most European political systems also make provision for political advisors to members of the legislature, or at least to its leading members, or to its main political parties. Some countries also make provision for political advisors in regional or municipal government.

Political advisors are best defined in relation to the two groups with whom they work most closely: ministers and civil servants. They are assistants to ministers, to whom they offer advice and support, usually of a political nature. Their appointment is essentially an "appointment of trust", which is personal to the minister and lasts only as long as he holds office. Political advisors can be distinguished from the minister's personal support staff (who in some countries are also non-civil service appointments), who are responsible for schedule-keeping, logistical support and similar matters. The distinctive function of political advisors is to offer advice.

Political advisors differ from regular civil servants in three crucial respects. First, since they are personally nominated by the minister, they are exempt from the usual civil service entry requirements (although sometimes they may previously have served as civil servants). Otherwise, there is rarely any qualification required for appointment as a political advisor. Ministers obviously look for people of competence, although it has to be said that considerations of political affiliation sometimes take precedence over this. Second, they stand outside the normal hierarchy of the ministry. Usually they are responsible only to the minister and take their instructions from him/her. Third, they are exempt from the requirement imposed on civil servants to act with political impartiality; the whole point of a political advisor is, precisely, that he can give politically loaded advice that the minister cannot request of the civil service.

The legal position varies: in some countries, political advisors are treated as a special category of civil servant, whereas in others they are specifically excluded from the ambit of the civil service law; in some their position is uncertain. Poland has extensive regulation, although there are variations between ministries as far as the functions of political advisors are concerned. In Sweden and the United Kingdom, political advisors are a clearly defined, separate category of public employees, but otherwise legislative provision is minimal. Strongly accepted "norms" have sufficed to make the innovation work — although in the United Kingdom in the past decade these norms have proved inadequate and are increasingly supplemented with quasi-legislative arrangements, such as a code of conduct and standard employment contracts. In Portugal and Spain, as the country papers in this publication show, the absence of legislation or norms clearly creates serious difficulties, and as a consequence Spain is moving towards regulation. In France, legislative restrictions are frequently overridden by politically accepted norms of behaviour.

There are three possible models across the European countries:

- Political advisors working alongside a politically neutral civil service (Denmark, Sweden, the United Kingdom): In this system the civil service is usually the dominant element in advising and supporting the minister, and the role of the political adviser is confined to offering a separate stream of political counsel.
- Political advisors working alongside a civil service of which the top tier is also politicised: This creates a more muddled system, as the Spanish country paper shows.
- *Cabinets ministériels* (France, Italy, until recently Belgium), consisting usually of a mixed group of political advisors and civil servants on temporary secondment, who both advise the minister and exercise strong control over the ministry in his/her name: In such systems there is usually some distance between the minister/*cabinet* and the civil servants who make up the remainder of the ministry.

In all of the countries whose experience is reflected in this paper, three basic questions arise when considering the relationship between political advisors and civil servants.

First, whether the political advisor has the right to issue instructions to civil servants: In most countries, he does not, because (a) it would interfere in the civil service chain of command and accountability and expose civil servants to pressures to breach their political neutrality; and (b) the role of an advisor is to advise — in this case specifically to advise the minister — not to command. (Controversy recently arose in the United Kingdom over proposals to allow political advisors to “communicate” ministers’ instructions to civil servants, since there was a fear that political advisors might add their own gloss to those instructions.)

Second, whether a demarcation of functions between the two categories of staff is needed: Where the boundary is drawn between them is a secondary (although important) issue; the essential requirement is that there should be a boundary that is understood and respected by both groups. (The author’s experience of working with eastern European countries is that a misunderstanding each other’s role and the absence of such a boundary and working relationship usually lie at the heart of frictions between political advisors and civil servants).

Third, whether the two groups can develop a good working relationship that allows the crossing of that boundary without compromising the role of either group: This applies particularly to the role that each should play in policy formulation. In some countries, there is a tendency to confine civil servants to a more legal and technical role; amongst the country studies that follow, that tendency comes out most clearly in the study from Portugal .

In a number of Eastern European countries this has been taken to an extreme, due to a tendency to equate “policy” with “politics” and to exclude the civil service from both. This is not, on the whole, a constructive tendency. It causes the burden of policy -making to fall on a small number of political advisors, who consequently become overburdened, while the civil service is underused by being confined to tasks of administration and implementation.

2. RECRUITMENT AND ROLE OF POLITICAL ADVISORS

The rule in most European countries, however, seems to be that most ministers are allowed one, two or three advisors, with the common exception of the prime minister, who is often allowed a larger number. Regulations setting a limit on the number of advisors seem rare, although the reasons vary greatly between countries. In the United Kingdom, the government resists the imposition of any limit, which has allowed an expansion to some 25 advisors in the Prime Minister’s Office and 10 in the Ministry of Finance, although in most ministries only two advisors remains the norm. In Denmark, on the contrary, the government has resisted recommendations from an external commission to set a limit of two or three advisors, since the government wants to preserve the existing limit of one per minister. In *cabinet* systems the figures are much higher: limits exist in France and are routinely ignored. Spain has an oddly asymmetrical arrangement, with between 4 and 11 in most ministries, but 69 in the Prime Minister’s Office and 106 in the Ministry of Public Administration.

In reality, the main restriction on the number of advisors appears to be public tolerance rather than legislation. In Poland, criticism has led to restrictions, and in Spain and the United Kingdom it seems to have braked the expansion of numbers. The number of political advisors can also be affected by more general criticisms of the administrative system; attempted reforms in Belgium and Italy have been the consequence of public scandals over wider issues of administrative failure or corruption.

By definition, a political advisor will be expected to have strong political affinities with the minister for whom he works. This does not necessarily mean that he must be a member of the minister's party — although usually that is the case — but the advisor must be sufficiently in tune with the minister's views to ensure that the advice provided accords with the minister's general political outlook and values.

The practice, occasionally encountered, of appointing a political advisor from one party in the coalition to "keep an eye" on a minister from another coalition party is inherently unstable and usually leads to tension and destructive dynamics.

Within these limitations, there are three main types of advisor: the expert, the generalist, and the press aide. The experts are usually in the minority. They are recruited because of their knowledge or experience of a particular issue of importance to the minister. They usually have a relevant professional background or academic specialisation, and are often in the middle or at the end of their career. They will tend, within the ministry, to focus fairly narrowly on these areas, although they are commonly asked to "take an interest" in other areas as well. (In many countries of Eastern Europe, a common phenomenon in recent years has been a relatively high proportion of expert advisors, brought in to compensate to some extent for a deficiency of policy-making capacity in the evolving civil service).

Since the selection of political advisors is personal to each minister, recruitment is often unsystematic and random, almost always undertaken through informal political contacts. It seems to be rare for political parties to try to identify potential advisors for their ministers, although on occasion a party employee may be suggested as a candidate. It is usually left to ministers themselves and, one can assume, ministers prefer to keep control over their selection.

In some countries such a posting may form part of a longer-term political career; in France one or several spells as a ministerial advisor or *cabinet* member is a more or less essential stage in the upward progress of a politician or senior civil servant, while in Great Britain a growing proportion of members of parliament and ministers have previously served as political advisors (including, at the time of writing, the Foreign Minister and the Leader of the Opposition). Being a political advisor seems to have become a profession only in *cabinet* systems, such as in France, where promotion to *cabinet* membership is effectively the main pass key to political promotion for civil servants (see the section on *cabinets* below). In Belgium, until recent changes, studies show that members of ministerial *cabinets* tended to remain in post longer than the ministers they served, becoming as a consequence a more durable influence on the policy areas in which they were working than the ministers themselves. Ireland shows a different variant on this pattern, where the development of funding for opposition parties has created a "revolving-door" pattern, in which political advisors whose ministers have lost an election take up party posts and then become ministerial advisors again when electoral fortunes change.

3. COMPETENCES

Regulations governing the work of political advisors — where they exist — seem to concentrate mainly on their formal legal status and line of accountability, and they do not often seek to define what the advisor will do. This definition of functions is left to the minister to determine. In practice, the following is a list of functions that a political advisor might be asked to undertake:

- Relations with the party — with party officials, parliamentarians, regional and municipal councillors, party supporters, and possibly political parties in other countries: By definition, this is an area in which civil servants are usually prohibited from supporting the minister.

- Relations with other ministers: Any effective government will have an efficient system for inter-ministerial co-ordination on policy-making and administrative issues, which usually will be operated by civil servants. However, there will be party matters on which civil servants cannot work, and there may be issues of such political sensitivity that the minister will prefer to have them handled by someone he/she trusts very closely.
 - Advice on current issues: The minister will want to discuss, and have advice on, immediate pressing political issues — very often on something in that day's media headlines.
 - Commentary on proposals prepared by civil servants in the ministry.
 - Relations with the party's supporters in the legislature: This function involves briefing these supporters on the minister's proposals and prompting them to make helpful interventions in debates or to ask the minister favourable questions.
 - Helping the minister to prepare for public appearances — debates in parliament, appearances before committees of the legislature, major speeches or media interviews: Ministers find this easier to do with someone they know well and trust politically.
 - Briefing the minister on government proposals outside his responsibilities: The minister may attend meetings of the government or of ministerial committees in which some issues will not affect the interests of his/her ministry but on which he/she may, as a member of the collective government, wish to express an opinion. Since such an intervention is likely to be political in nature, the minister is likely to turn to his/her political advisors for assistance.
 - Proposing their own new policy ideas or "working up" ideas by the minister for new initiatives: Civil servants are often cautious and keen to protect their minister from treading on controversial ground. Political advisors, in contrast, can suggest ideas that civil servants might dismiss as outlandish.
 - Acting as informal emissary to outside groups: This task involves contacts with influential party supporters, pressure groups, friendly academic organisations or think tanks, business leaders or trade unionists.

4. RELATIONS WITH THE CIVIL SERVICE

As stated above, the roles of civil servants and political advisors and their assessment of a given situation may differ; these differences, together with the perception by civil servants that political advisors have too prominent a role, may well be a source of tensions.

To some extent it is conditioned by the overall relationship between the political class and the civil service. The *cabinet* systems of France, Belgium and Italy, in which the *cabinets* have in varying degrees usurped the functions exercised in other countries by the senior civil service, contain the potential for similar frictions, although this varies between ministries, depending on the *modus operandi* of each cabinet. In Denmark, Spain, Sweden and the United Kingdom, where the civil service has long been accorded a significant policy/tactical role and where the function of political advisors has been more restricted, co-operation has been much easier. Indeed, the United Kingdom (as described in the study), since the great expansion of political advisors in the late 1990s, gives an oddly mixed picture, with accounts of serious clashes between political advisors and civil servants in some ministries and the simultaneous development of a much closer working relationship between the two, where they work together on the elaboration of policy proposals. Such a relationship does not exist even in Sweden.

Potential difficulties in the relationship are legion. At one extreme — alleged in the Portugal study — but fairly rare is the illegal political interference in administrative decisions. More common are difficulties rooted in a difference in outlook. Political advisors are usually more interested in short-term results, officials in long-term consequences. Political advisors are in a hurry; civil servants can afford to give more time to thought. Political advisors have an eye on the electoral dimension, civil servants much less so. Political advisors are apt to be more innovative; civil servants are more cautious, partly by nature, partly because they have to live with the consequences. In addition, beyond question, the introduction of political advisors into a system of

decision-making complicates the already complex process of getting a decision out of the government machine.

Overall, however, civil servants in Europe seem to have become habituated to the idea of political advisors. Their appointment has not resulted in the politicisation of the civil service. (Indeed, although the number of OECD countries with political advisors has increased, and the number of political advisors in those countries has risen, a recent OECD survey suggests that in most countries the trend has been towards less political control of the civil service. Political advisors have not, on the whole, supplanted civil servants as the main source of policy advice to the minister. As time has passed, they have become an accepted part of the system. It is true that they challenge the monopoly of civil service advice to ministers. However, they are one of the numerous challenges that have arisen in recent decades to the supremacy of the traditional Weberian civil service. The challenge to civil service monopoly of policy advice is paralleled by challenges to the adequacy of civil services in many areas, including economic management, service delivery and the bureaucracy's management of itself. Challenge and contestability have become part of the toolkit of public sector modernisation, and there is no reason for policy formulation to be exempt from these pressures. Indeed, politicians seem to welcome and demand multiple channels of policy advice; political advisors are only one manifestation of this trend and, beyond question, they add to policy advice a political dimension that civil servants are disqualified from offering. The more thoughtful civil servants realise that this added dimension strengthens rather than weakens policy-making (or, at least, increases ministers' satisfaction with the policy-making process).

Second, the existence of political advisors can shield civil servants from demands to carry out party political tasks for ministers. In the absence of political advisors, ministers are likely to ask civil servants to assist them with issues that fall outside the civil service boundaries of neutrality, such as helping with preparations for a party meeting, drafting letters to party officials, or brokering agreements between coalition parties. Political advisors were introduced in Denmark in the late 1990s precisely because civil servants were being drawn quite deeply into political work. It was common, for example, for civil servants to attend political party meetings, and they were drawn into inter-party brokering on coalition issues. Pressure from the *Folketing* (the Danish Parliament) led to the creation of a separate cadre of political advisors to undertake such duties.

More generally, the political advisor will obtain the best co-operation from the civil service in just the same way as one gets the best co-operation from anyone: by politeness, professionalism and consideration.

The political advisor who is arrogant or aggressive will simply alienate people whose co-operation he needs. This is asking for trouble, since a civil service that wants to make an advisor's life difficult can do so, in defiance of the minister.

The foregoing seems to imply that success or failure in the relationship is largely in the hands of the political advisor. Beyond question, there is an equal obligation on civil servants to work collaboratively with political advisors, and the common experience across EU countries is that civil servants do co-operate (although there will always be a few awkward personalities who regard political appointees as a personal affront). As a former British political advisor (who in his time had clashed with civil servants) said in a parliamentary debate, "everything depends on the personality, expertise, strength and integrity of the political advisor and developing a healthy, honest, professional relationship with permanent officials and ministers".

5. CONCLUSIONS

It is extremely difficult to assess the effectiveness of political advisors. Impact on policy is always difficult to discern. There are occasions on which an advisor can point to a particular decision and claim credit for a decisive influence, but these incidents are rare. More often, when the political advisor thinks he has achieved something, he may find that he was pushing on a door that was already opening, or that his advice simply coincided with advice coming from elsewhere. Another possible measure of effectiveness is ministerial satisfaction. This is difficult to gauge, not

least because a minister is unlikely to admit publicly that he has made a bad appointment. Perhaps the best indicator of success is survival. A high proportion of innovations in the machinery of government do not last long. Political advisors, as a species, are a relatively recent innovation in most countries and have usually endured where they have been tried.

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