

## Conclusion

Citation for published version (APA):

Vanhoonacker, S. M. R. L., Neuhold, C., & Verhey, L. F. M. (2013). Conclusion. In C. Neuhold, S. M. R. L. Vanhoonacker, & L. F. M. Verhey (Eds.), *Civil Servants and Politics: A Delicate Balance* (pp. 231-240). Palgrave. [https://doi.org/10.1057/9781137316813\\_12](https://doi.org/10.1057/9781137316813_12)

**Document status and date:**

Published: 01/01/2013

**DOI:**

[10.1057/9781137316813\\_12](https://doi.org/10.1057/9781137316813_12)

**Document Version:**

Publisher's PDF, also known as Version of record

**Document license:**

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## Conclusion

*Sophie Vanhoonacker, Christine Neuhold and Luc Verhey*

### **Politicisation, a concept with different shades**

The relationship between civil servants and politicians is a fascinating one. Due to their mutual interdependence, both groups are required to cooperate but at the same time there is also a continuous risk of tension and conflict. Politicians might fear being overshadowed by their technical experts while civil servants are wary of being deprived of their professional autonomy. The tension reflects a broader concern in policymaking of the often contradictory demands for both efficiency and legitimacy. For reasons of efficiency it is important that the civil service has a certain degree of independence and detachment of politics. The requirement of democratically legitimate and accountable decision making, however, asks for steering and control from the political level.

While one may argue that it is, as with most things in life, a question of balance, it is far from agreed where the tipping point exactly lays. Different countries formulate divergent answers to what in their eyes is the optimal response to organise this complex interaction. In addition we see that over time, the relationship is sometimes evaluated and reorganised, either due to efforts by politicians to get a better grip on the policymaking and implementation; or on the contrary, by an attempt of the civil service to exploit their professional expertise to steer decisions in their preferred direction. Both developments are seen as undesirable. In the former case, there is the risk that policymaking may be too much driven by ideological and short-term interests. When the civil servants get the upper hand however there is a danger that this may negatively affect democratic legitimacy of policy decisions.

In recent decades the concern has been more about an increased trend towards politicisation rather than about a so-called *Beamtenherrschaft*

or bureaucratic government (Peters and Pierre 2004; see also Peters, Chapter 2 in this volume). Very often however such claims first come from practitioners directly involved in the policy-making process rather than being based on systematic academic research. Secondly it is often unclear what exactly is meant by politicisation: different authors use the term in a variety of meanings and the phenomenon can take on a wide range of shapes. Starting from an earlier definition by Peters and Pierre (2004) of politicisation as 'as the substitution of political criteria for merit-based criteria in the selection, retention, promotion and disciplining of members of the public service', this volume has tried to sharpen our understanding of this phenomenon. It has done so through a comparative mapping of concrete patterns through which a politicised relation between the two groups manifests itself. In an attempt to refine the general term of politicisation and to get a grasp of the different shapes and shades it can take, Peters (Chapter 2, this volume) has in his introductory chapter to this volume made a distinction between 6 different categories (see Table 12.1) going from direct to social politicisation (see Chapter 1). Although he recognises that these categories are not exhaustive we agree with him that they capture to a large extent the possible interaction between civil servants and politicians.

Starting from the above categorisation, the central question addressed in this conclusion is what the different case studies presented in this volume show us about the relationship between politicians and civil servants in Europe at the beginning of the twenty-first century. Has the balance indeed been disturbed and is there, as some claim, a growing attempt of the political level to have an impact on the work of civil servants? If this appears to be the case, what types of patterns can be distinguished and how can the changing relationship be explained? Is this a general trend or are there important variations amongst European countries? To which extent do we see similar developments in the EU institutions, which have developed into central policymaking bodies on the European continent? What do the new developments imply for the effectiveness as well as the legitimacy of public policymaking? How can increasing tensions possibly be addressed?

While recognising that this study is far from exhaustive and only examines a limited number of case studies, it nevertheless brings some interesting findings. A first observation is that in almost all cases the relationship between the executive and their administration is *under pressure and subject to change*. The different chapters identify a wide variety of both internal as well as external factors playing a role. This includes the introduction of New Public Management (NPM) (Woodhouse;

Table 12.1 Different categories of politicisation (Peters 2013)

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Direct politicisation	This relates to the very direct attempts to have political loyalists occupy positions.
Professional politicisation	This concerns public officials who are political loyalists but at the same time are also professionals who are the products of a professional career system.
Redundant politicisation	This refers to redundant structures created by a government to monitor the actions of the career employees. Examples include ministerial <i>cabinets</i> and special advisors.
Anticipatory politicisation	This refers to a situation whereby civil servants on their own initiative choose to leave their positions when there is a change of government.
Dual politicisation	This refers to a situation where besides the political executive also the President or parliament attempts to control the bureaucracy by placing their own nominees in positions of power with the aim to exercise control over policy.
Social politicisation	This refers to the (indirect) influence of social actors (such as industry and trade unions) over the career success of civil servants.

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Van Thiel); internationalisation (Verhey); the increasing attention to incidents and the tendency to look for scapegoats (Verhey); the blurring of constitutional rules about political accountability (Verhey; Woodhouse); as well as the fragmentation of the executive as a result of agencification (Verhey; Woodhouse; Van Thiel). All these developments have added to the complexity of the relationship, often leading to a distortion in the division of tasks, confusion about the rules of the game, blurring of boundaries and reduced trust between both parties. The trend towards more transparency furthermore makes that the broader public is more aware of the tensions.

While the context is similar for most of the players studied, the effect and response to the pressure varies widely. An important factor here is *historical path dependency*. With the exception of Hungary and Slovakia where there was an explicit political will and mandate for a *tabula rasa*, a clear break with the communist past, all other EU member states introduce the changes within an existing system. The traditional picture of the UK with its strong emphasis on impartiality on one side of the spectrum, and Germany characterised by the political nominations

of professionals amongst the upper ranks on the other side, remains largely intact. In none of the countries is there a major overhaul of the system. Even in Central and Eastern Europe characterised by a strong desire for a radical change and a commitment to adjust the principles of a European administrative space, it proves hard to do away with past habits and to move towards a system based on the principles of neutrality and professionalism.

The weight of the past however does not mean that the system is static. Especially in the *UK and the Netherlands*, with an important impact of *NPM*, there is a clear trend towards an increased emphasis on managerial skills, at the detriment of expertise knowledge. This has led to an increasing reliance on 'outsiders' who now account for 25% of the senior staff in the UK and 11% in the Netherlands. The *NPM* approach also affected the biggest European-level administration. Under the leadership of Commissioner Neil Kinnock (1999–2004), the *European Commission* undertook a major reform initiative, putting more emphasis on output and 'management by objectives'. The administrative system of the European Parliament (EP) has also undergone incremental change rather than a complete overhaul. Because the EP was only directly elected in 1979, this provided for considerable independence for the staff of the General Secretariat (Neunreither 2006). Members of the EP (MEPs) had to become familiar with the functioning of the EU and with policy issues after they took up their office full-time. Nevertheless, civil servants still have considerable room for discretion and influence, albeit under the steer of their political masters (Romanyshyn and Neuhold, Chapter 11 in this volume).

*Germany and France* with their long traditions of political bureaucracy (Germany) and cabinets (France) seem to have been more immune to new trends in public administration and the chapters by Battis (Chapter 9) and Baron (Chapter 7) point to continuity rather than change.

Not surprisingly the most radical changes have taken place in Central and Eastern Europe.

The case studies on Hungary and Slovakia illustrate how as part of their transition into modern democracies, both countries have, with different rates of success – tried to move towards a professional civil service, including a clear division between the political and administrative level.

## **Comparing different European experiences**

The question of interest for this study is what the above-mentioned changes mean for the relations between political officeholders and their

administration. Do we indeed see an increased trend towards *politicisation*, and if so, which type of politicisation?

However limited our number of cases studies may be, it is clear that there is far from being a general and unidirectional trend. Germany and France, the two countries where traditionally politicised civil servants have occupied an important role as bridge between the political and administrative level, continue on the same track. Battis shows how in *Germany* with its long tradition of a political bureaucracy at the higher levels, politically appointed officials are widely accepted and fulfil a legitimising function. They provide the guarantee that the civil service takes changing public preferences into account. This positive perception can also be explained by the fact that besides having a party card, these political appointees are also professionals with a long-time experience in the administration. Battis' chapter (Chapter 9) shows that that *professional politicisation* in Germany continues to be important but there are no obvious signs that politicisation is increasing. Under the grand coalition of 2005–2009, there was even question of diminished party membership amongst high-level officials.

*France* continues to be the typical example of *redundant politicisation* with a key role for ministerial cabinets, composed of political loyalists. As in Germany their members are generally recruited from the senior civil service, meaning that they combine both political and professional competences and that they perfectly know the ins and outs of the administrative machinery. Upon termination of appointment, they can return to their original administration. Also here the role of cabinets is generally seen as positive. Their intermediary role allows them to make the permanent staff more conscious of changing political priorities. At the same time they also serve as a buffer, allowing the permanent officials to stick to the key value of neutrality.

The pictures sketched for the United Kingdom and the Netherlands are less clear-cut. The original expectation that NPM with its increased focus on managerial skills rather than professional expertise would lead to more clear and sharper dividing lines between the political and administrative level did not materialise. In *the Netherlands* the fact that top civil servants now run their departments in a more business-like and pro-active way, and interact more regularly with interest groups and the broader public seems even to have triggered a blurring of boundaries. Although it raises new questions of accountability, it might have had the positive effect that the administration becomes more sensitive and responsive to political demands. Pure partisan nominations continue however to be exceptional in the Dutch public service.

The long-standing tradition of consensualism whereby different parties have to cooperate in order to come to decisions makes ministers open to nominations of high-level officials with a different party affiliation. But this does not mean that candidates' viewpoints are not taken into account. Van Thiel is very nuanced in her conclusions: managerialism certainly has had an impact in terms of mobility and legal status but it did not reduce the civil service to a merely technical role; at the highest level of the civil service political allegiance continues to play a role in order to achieve that civil servants are responsive to the political priorities of their masters.

Also in the *UK*, with far-going public service reforms as from the mid-1980s onwards, there have been widespread concerns about the future role of core values such as neutrality and objectivity. Under pressure of civil service unions and parliamentary committees, a variety of new legislative documents such as the 1996 Civil Service Code, the 1997 Ministerial Code and the Code of Conduct for Special Advisors (2007; 2009) have been adopted. While all these texts strongly emphasise the continuing centrality of the traditional values, Woodhouse is careful not to draw hasty and overoptimistic conclusions: the changing context is due to have an impact upon their translation into action. At this moment it however still too early to tell that this impact is precisely. She does not exclude that over time the changing culture and practices triggered by NPM may open up the British system for a form of redundant politicisation.

In the case of the *European Commission* the picture emerging from the analysis conducted by Bauer and Ege is more straightforward. The authors show, how as a result of the Kinnock reforms, merit criteria have gained further ground in the recruitment and promotion of Commission officials. Party affiliation hardly plays a role in the appointment procedure at the highest levels of the administration and even nationality is of limited weight. This however does not imply a lack of political responsiveness. Senior Commission officials are very well aware of the political character of their work and are highly committed to integrate the political guidelines and decisions of the College of Commissioners into their daily work. At the same time the results of the surveys also show that they define their job in the first place as one of problem solving and brokerage between different interests rather than pushing for particular ideological solutions.

When studying the interplay between political and administrative levels within the European Parliament, the authors come to different

observations. Based on empirical evidence of a particular stage of the ordinary legislative procedure, the Conciliation Committee negotiations, the respective civil servants can claim politicised competence (Gailmard and Patty 2007). First, civil servants are not detached spectators in conciliation negotiations, but have their own preferences for policy solutions. Second, civil servants enjoy permanent status and protected job tenure, which induces them to acquire policy expertise. Last but not least there is a 'demand' for politicised competence from the legislators. The analysis thus demonstrates that the types of politicisation conceptualised by Peters also apply to the European Parliament's bureaucracy (see Chapter 1). Indeed, the model of 'politicised competence' echoes the concept of *professional politicisation*, which shares the idea of officials acting as policy experts eclipsing, however, their loyalties to political parties (Romanyshyn and Neuhold, Chapter 11 in this volume).

The countries in this volume that undoubtedly have been facing the most serious challenges in terms of readdressing the balance between the political and administrative level are *Hungary and Slovakia*. The attempt to move away from a spoils system whereby processes of recruitment and promotion were in the hands of the communist party to an institutionalised merit system has been a difficult and time-consuming process with mitigated results. Staroňová and Gajduschek point to the lack of an overall reform blueprint, constant changes in direction, the lack of respect for legal regulations, a poorly coordinated HR system, and high turnover of the badly paid staff. Part of the problem is directly linked to the transformation process itself. In search of people they could trust, the first post-communist governments have appointed their own staff. With every regime change there is a need for their replacement. The result of the above developments is an increasingly widespread form of *direct politicisation*, and even patronage. Also cabinets and political advisors play an increasingly important role (*redundant politicisation*). A further interesting finding of this chapter is that the non-merit practices in the two countries not necessarily equal the use of political criteria for selection. Personal loyalty and trust play an equally if not a more important role than party membership.

## Lessons learned

Following the rather divergent pictures that have emerged from the different chapters, the question arises what we can conclude more

broadly about the evolving relationship between politicians and civil servants. Do we see a confirmation of the broadly shared intuition of increased politicisation and if so, what have been the effects on politico-administrative relations? Is the permanent and neutral character of the public service under threat? What are the implications for the accountability in public policymaking?

A first conclusion of this research is that, with the exception of Hungary and Slovakia, one can definitely *not discern a general trend towards direct politicisation*. Direct attempts to nominate political loyalists at key positions remain the exception. Even in a country like Germany where there is a long tradition of patronage, preference is given to loyalists who are at the same time also career professionals. In Hungary and Slovakia, where after a failed attempt to establish a neutral and professional civil service, there is a new trend to use non-merit criteria; it is however not necessarily political affiliation but considerations like personal trust that weigh heavily when appointing new staff.

Secondly, the comparative overview shows that in places like France and Germany where there has been a long tradition of respectively *redundant and professional politicisation*, the relationship between politicians and civil servants is relatively stable. In both cases the appointment of political loyalists at the highest levels of the public service is seen as an asset rather than as a problem. One could say that the systems of these countries are relatively well prepared for the general demand for a more responsive public service and that as a result there is less pressure for change. 'Undoing' the existing politicisation and moving to a system with a more rigid distinction between the two levels would not be seen as progress but as a step backward.

The most far-reaching changes have been taking place in the UK and the Netherlands. The NPM reforms in the predominantly Weberian British and Dutch public service have been shaking up these two systems where neutrality and permanence of the civil service have traditionally been sacred. Both countries now have a substantial number of (sometimes non-permanent) 'managerial' staff at the highest levels. Closely interacting with the political level, they are highly responsive to political demands. As such this does not necessarily have to be a negative development, since such an increased attention to politics enhances the legitimacy of the policy making process. The backlash however is that it has led to the blurring of boundaries, has reduced neutrality, and has caused civil servants to start to perform political roles. In that sense

the relatively 'young' politicisation in the UK and the Netherlands has proven to be more problematic than the well-established politicisation characterising the French and German public service.

Research on politico-administrative relations in the European institutions still has a long way to go, especially when it comes to the European Parliament. It concerns relatively young bureaucracies without a clear and longstanding tradition where civil servants have to work under different conditions than their colleagues at the national level. It is however interesting to note that the questions facing these supranational bodies are to a large extent the same as at the national level. The delicate balancing act between democratic and merit values is further complicated by the requirement for a geographical balance whereby all member states are sufficiently represented.

Our final remark relates to the concept of politicisation itself. As Peters remarked in Chapter 2, it is a phenomenon that can take many different shapes. Each form has its own advantages and pitfalls and what is acceptable also strongly depends on the domestic context. This does not mean that anything goes. At the core of every well-functioning system is a delicate balance between professionalism and responsiveness to political demands. While politically nominated civil servants may be important in fulfilling a bridging function between the political and administrative level, it remains important to maintain clear boundaries guaranteeing that both politicians and the public service can each play their respective role.

As a result politicisation as such is not incompatible with the traditional idea of the separation of politics and the civil service. On the contrary, as Peters rightly points out, the concept of politicisation helps us to realise that 'while it is important that the civil service be highly competent, it may also be important that those civil servants also be interested in the success of the government'. Therefore it is not enough that civil servants are professional experts; they also must be capable of translating their knowledge into a politically acceptable outcome. In this specific way all civil servants have to be 'politicised'. But politicisation of the civil service has its limits. It all boils down to searching for the right balance between high-level professionalism and political responsiveness. In practice this is hard to achieve. Above all the result will depend on the readiness of all parties to understand and to respect the different roles politicians and civil servants have to play.

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