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Introduction

It is increasingly argued in the literature that public services in Western democracies have become more responsive and even politicized in recent decades (Savoie 2008, 2010; Sausman and Locke 2004; Peters and Pierre 2004; Norman 2003; Dwivedi and Gow 1999). Public servants, it is claimed, must now as a matter of their regular responsibilities to superiors and political masters pay greater attention to the political implications of their work than ever before. Likewise, politicians are exerting more pressure on public bureaucracies to support partisan and political preferences through the creation of external policy advisory committees, use of external consultants and task forces, independent advisors and lobbyists (Savoie 2010: 158–160). From this perspective, public services are regarded as obstacles to the preferences of political parties attempting to effect change, in essence miring progress in red tape or the long view. Although some scholars attribute these changes to New Public Management, and getting government out of the way of economic progress, this argument does not explain fully the purported shifts in human resource processes, regulatory systems, internal management and control structures, and oversight and accountability systems, to name a few aspects of public administration.

The ongoing debate about the appropriate role of the public service in navigating shifts in merit-based or neutral competence responsibilities versus responsive competencies necessitates that scholars and practitioners alike consider implications for traditional notions of the politics/administrative dichotomy, public service leadership, and the nature of institutional oversight. As uncertain and malleable as the relationship between public servants and political masters may be, however, protagonists on both sides of the debate seem to accept that lines can be crossed. Nevertheless, exactly where the line should be drawn remains a contentious and politically charged question that also produces widely differing assessments of the longer-term implications, benefits and dangers of responsiveness for the Westminster system of parliamentary democracy. Although some would have us believe it is of little significance, others, including the Supreme Court of Canada, have confirmed that the convention of political neutrality is central to the principle of responsible government (Rasmussen and Julliet 2008: 125).
In this chapter, we will discuss the changing relationship between ministers and public servants and consider the implication of these shifts for leadership within the public service. There is a declining state of trust and confidence between elected leaders, who are expected to be partisan, and public servants, whose role in a modern and professional public service is based on principles of merit, a non-partisan conceptualization of public good, and a longer-term view of public policy aims. The chapter highlights the resulting tensions between these two branches of the state and examines the broader implications of continued centralization of power within the executive branch and particularly the Prime Minister’s Office (PMO). We also examine the effects of these shifts in power on the role of MPs and consider the implications for parliamentary democracy. We conclude that there has been a decline in the value placed by political masters on a traditional merit-based and professional public service in favour of greater responsiveness to political directives. Although our comments draw mainly on the experience of the Canadian Westminster system of government, we believe our assessment can be extended to other jurisdictions.

Changing nature of the politics/administrative dichotomy

Traditionally, academics and students of public management have understood and been taught the value of an impartial, objective, and politically neutral public service. According to Westminster government, public servants must maintain “appropriate” distance and independence from their political masters at all times. This is to preserve their ability to offer sound policy advice to any government that holds office, regardless of its partisan banner. As Kernaghan and Langford (2014) note, “Political neutrality is a constitutional convention whereby public servants should avoid activities that are likely to impair, or seem to impair, their political impartiality or the political impartiality of the public service” (p. 91). This convention has been a central feature of the constitution since Confederation and has featured in numerous legal cases, codes and laws ever since. Political neutrality and anonymity are central tenets of individual ministerial responsibility as an organizing function of responsible government.

To provide neutral and competent policy advice, often cited as the capacity to “speak truth to power,” is thought to be a fundamental role of the public service (Page 2012: 1–26; Canada Privy Council Office 1996). This is clearly a fine line to tread, as Kernaghan and Langford (2014) acknowledge. On the one hand, in exercising their discretion to make decisions, public servants must “strive to reflect or anticipate the wishes of political superiors” (Kernaghan and Langford 2014: 68). However, in making recommendations public servants should set forth a range of alternatives rather than a single or favoured option and, presumably, be prepared to disagree with a minister’s preferred choice of action. The agency enjoyed by public servants enables and, to some extent, necessitates the development of their own sense of the public good, which may of course differ from their minister’s interpretation of public good. The key area of disagreement may well be the degree to which partisan interests are included in calculations of public good and the importance attached to short- versus long-term outcomes.

Today, governments are accused of ignoring the fundamental importance of public service neutrality. Rather than keeping their distance, governments are said to be encouraging and, in some cases, even demanding recognition of political preferences, even from its most senior public servants. The tension between the neutral competence model and the political responsiveness model is long documented and not at all exclusive to Canada. Writing in 1956 and from an American perspective, Herbert Kaufman observed that historically, public service institutions in the US had been organized in accordance with three different and sometimes conflicting principles: representativeness, neutral competence, and executive leadership (Kaufman 1956, 1057).
The changing roles of politicians and public servants

Kaufman acknowledged that despite its democratic credentials, the representative model carries with it some negative implications. For example, elected officials are understandably sensitive to political realities and considerations. However, an emphasis on short-term political goals does not always make for the best policy outcomes, as it can undermine the pursuit of long-term policy objectives, and even compromise the public good. The neutral competence paradigm accepts this reality and places value on an independent, non-partisan public service that can tender impartial, long-term and competent advice. Unfortunately, an empowered public service can become fragmented, unfocused and unresponsive. Bureaucrats dispersed in each department can acquire tunnel vision by focusing on their own goals and fostering relationships with agents in their specific mandates. In such a situation, it is difficult for governments to develop broad, horizontal yet integrated policies and programmes. When there are too many heads, there is a need for centralization. The executive leadership model, premised on the Hamiltonian ideal type, values a single, central authority to combat fragmentation and to coordinate the entire public service in accordance with the government’s policy goals (Kaufman 1956: 1057–1063). In the American context, the President’s Office is the obvious national and central institution. In the Westminster context, executive power is firmly concentrated in the hands of the prime minister federally, and in the hands of premiers provincially (Savoie 1999).

Kaufman explains how each of the three systems can be seen as a reaction to the weaknesses of the other systems, part of the so-called checks and balances. Each offers an answer or counterweight to the other systems’ shortcomings. He demonstrates how each of the three different models gained popularity at different times in history for different reasons, which suggests that external political imperatives can affect normative assumptions about the role of the public service best seen perhaps as simultaneous cycles with any one in priority at any given time. When applied to the present day, and to the ongoing debate about the purpose and independence of the Westminster public service, Kaufman’s observations challenge us to question whether the neutral competence model, which values policy expertise and objectivity above all else, is still prominent or in decline. Moreover, is it possible, in the Westminster context, to conceive of an argument in favour of a public service politically responsive to partisan preferences? Could political responsiveness in the bureaucracy add value? Are there times when there is a public good argument for political responsiveness in the public service?

A rational manifestation of political self-interest would be to ensure that state institutions work in favour of, or become more responsive to, those who hold power. Consequently, for Peters and Pierre, this could lead to the rise of politicization of the public service referred to as “the substitution of political criteria for merit-based criteria in the selection, retention, promotion, rewards, and disciplining of members of the public service” (Peters and Pierre 2004: 2). Although this definition refers to a particular form of politicization, the key operative concept in our view is the “substitution of political criteria for merit-based criteria,” wherever that may apply. In Western democracies, it is contended that the intent of politicization more broadly is to advance political control over bureaucratic and other functions of government and create the conditions whereby partisan considerations and advantage can be maximized.

Role of the public service and leadership

Westminster constitutions (both written and unwritten) invest the executive powers of government in the Crown. Such powers are exercised on the advice of ministers who are held to account by the elected representatives of the citizenry. The public service acts as agents of the executive branch and carries out the programmes and services decided upon by the Crown
on the advice of its ministers, who are members of the Privy Council of Canada. The way in which such executive powers are exercised is dependent on the preferences of ministers. The point is that the role of public services can be regarded as independent, professional, and non-partisan, or it can be considered at the other extreme to be responsive to the political and/or partisan interests of the government of the day. There is room between these possibilities for other relational forms and the appropriate role is to a large extent a matter for interpretation and debate. As indicated previously, however, there appears to be a shift toward responsive public services in Westminster countries, which has implications for how bureaucratic leaders exercise their responsibilities.

As in other countries the extent, causes, implications and appropriateness of responsive government have become topics of significant debate in recent years. In addition to the scholarly and pioneering work of Savoie (2010, 2008), Aucoin (2012, 2008, 2006), Kernaghan and Langford (2014), and Bakvis and Jarvis (2012), a recent report by Heintzman (2014) has further intensified and polarized views on the topic in Canada, for example, and other Westminster countries alike. Like the Tait Report (1996) in Canada almost two decades earlier, Heintzman (2014), and Kernaghan and Langford (2014: 253) stress the importance of the values of neutrality and merit. They call for a new moral contract or charter of public service between the bureaucracy and the government-of-the-day. Although clear rules governing these relationships are always important, they believe that the need for an ethical charter is more critical today for a public service that has been “neglected,” “devalued” and has seen its neutrality “abused.”

Likewise, Bourgault and Dunn (2014) recently completed a major comparative study of federal and provincial deputy ministers in Canada, and argue that their traditional responsibilities of guardians, gurus, managers and leaders change over time, each one waxing and waning as priorities and preferences of government decision-makers shift. They maintain that each of these traditional responsibilities or archetypes carries certain importance, but the current emphasis appears to be on leadership that pays attention to “corporate issues, emphasizes corporate human resources planning, engages in succession planning, monitors employee engagement, and generally is sensitive to the issue of government as ‘employer of choice’” (2014: 436). In this regard, leadership is taking the corporate management view, thereby protecting their institutions, and therefore, struggling to balance leadership with that corporate management. For them, deputy ministers must manage their four archetypical roles, and balance accordingly between them especially under times of stress.

These views are fiercely contested by other academics and former public servants, including Ruth Hubbard (a former Canadian deputy minister) and Gilles Paquet who, in responding to Heintzman (also a former deputy minister), maintain that the current Canadian government is no different from any other she has served, and that being able to “integrate the wishes of the elected government with the best advice about how to translate them constructively into legal and implementable actions is the essential part of the job” (Hubbard and Paquet 2014). Hubbard argues that assuring the competencies of public servants is a more pressing issue than a renewed moral or ethical charter, and that responsiveness and collaboration between the political and administrative branches is both healthy and desirable. The challenge, of course, is that developing competencies can be time-bound, whereas charting a moral contract takes the long view.

Despite the disagreement over roles, there appears to be some common ground on the effects of responsive leadership. Hubbard and Paquet conclude that there have been some troubling effects of responsiveness with respect to the roles and relationships between public servants and ministers in today’s changing power dynamics. For them, senior public servants have essentially been reduced to implementers of policy directions rather than a full participant in the thinking behind such larger policy decisions. They argue that:
[M]any in the senior executive ranks are in denial when it comes to the pathologies of their life world. These Panglossian defenders of the present Canadian federal public administration are not friends of the federal public service, but their worst enemies. Their denials of flagrant problems can only lead to further deterioration, and perhaps ultimately to the fading away of an institution that has served Canadians well, but is, at present, in distress.

(Hubbard and Paquet 2014: 115)

In the process of aggregating their conversations with several senior federal public servants, they noted unflattering qualities that defined the distress noted, including decline of open critical thinking, lack of gumption, willful blindness in the face of mental prisons and neuroses, incapacity and/or unwillingness to take the initiative, impatience with contextual issues, and focus on operational details, cognitive dissonance, the presence of latent fear, moral vacancy, crippling epistemologies, risk aversion and fear of experimentation, failure to understand systems, reluctance to admit that experts must learn, [and] disinterest in the face of new perspectives difficult to understand.

(Hubbard and Paquet 2014: 118)

This is clearly an indictment of the state of leadership in the senior ranks of the federal public service, attributed in large part to conservative governments in Canada, Australia and elsewhere with a history of mistrust of their public services.

Savoie (2013) in his latest book, Whatever Happened to the Music Teacher?, echoes Hubbard and Paquet’s view, making the argument that several recent Canadian federal public service reforms are based on the faulty belief that “[g]overnment bureaucracy was the villain, and weak management practices were the problem” (p. 129). For him, the true villain is what he refers to as the naïve assumptions of politicians, lobbyists, consultants, and government advisors that private sector management is the repair to all inefficiencies and ineffective programmes (i.e., new public management), coupled with the weakness and timidity of senior public servants in particular to come forward and question decisions. For Savoie and others, these public servants lack the courage, imagination or critical thinking to defend their merit-based profession against the rise of new public governance (Peters 2010: 36–51). They despair that senior public servant judgement has failed to withstand such weak political assertions, which will ultimately mean an erosion of public service expertise in areas such as policy planning, programming and oversight (Savoie 2013: 240; Peters 2010: 36–51).

According to Gill, building leadership brand is essential to the survival of organizations in dynamic times, which is “the collective leadership capacity of an organization and the sum total of leadership behaviour across all organizational functions and all hierarchical levels” (Gill 2011: 377). Leadership brand is a distinctive form of leadership that engages stakeholders, especially employees, and requires a leadership strategy around matters of vision, purpose, values, strategy, empowerment, and engagement. Ultimately, organizations should be recognizable for the manner in which these are practised: its leadership brand.

This view of leadership is much closer to the view that the role of the public service does not exist merely to serve the government of the day but to mediate and accommodate various power interests and policy horizons through an open and informed process of engagement. It is also specifically this type of role that Savoie fears will be lost through a return to a pre-merit system that favours consultants, party insiders, or hired guns and potentially distances citizens from the policy-making conversation (Savoie 2010: 162).
Whether proponents believe that responsive or neutral competence is the appropriate model, there appears to be some agreement that public service competencies are shifting, that the role of public services must change accordingly, and that required leadership is sorely lacking in the public service. To be responsive and loyal public servants is not a sufficient response to changing dynamics between public servants and ministers. There is a strong case for “gumption,” “taking the initiative,” and seeing the long view that ministers appear reluctant to acknowledge or promote. Acknowledging there is a problem with leadership may be the first step toward a debate on the appropriate role of public services, and in this context the Canadian “Blueprint 2020” initiative reflects growing recognition of the challenges that lie ahead.

Role of parliament and oversight

As power continues to be vested in the executive, this model is shifting to one in which disempowered members of parliament work to support the leader, understanding that their own political survival is largely dependent on that of the political leadership. This reduces both the visionary and the scrutiny aspects of parliament. For the public service, this means that power is further concentrated in the executive branch.

Westminster systems of parliamentary government are prone to concentrated power, perhaps in large part because the formal system of checks and balances present in the American congressional system, for instance, is absent in the Westminster context. The checks on power are less formal and, therefore, more easily ignored or silenced. Under the Canadian interpretation of the Westminster system, power is even more concentrated than is the case for Australia, New Zealand, and the United Kingdom. A number of factors contribute to this: although the theory of responsible government states that the government must maintain the confidence of the majority of members in the House of Commons in order to govern legitimately, the reality is that it is the government that holds the balance of power, not the other way around. MPs virtually always vote according to the party line and espouse the party platform in committees; there is little evidence of independence, autonomy or a willingness to depart from the party’s position to act as a true delegate for one’s constituency. Floor crossings occur on occasion, but only so that an MP can join another political party that is equally disciplined in its approach. Party leaders maintain MPs’ loyalty through a carrot-and-stick approach. Leaders, especially the prime minister, can offer MPs their preferred positions in committees, cabinet or shadow cabinet in exchange for their continued support. Or, they can withhold these rewards from those MPs who have too much of an independent streak (Aucoin, Jarvis, and Turnbull 2011: 12–17).

The prime minister also has a variety of tools with which to maintain a grasp on power. They select all chairs of all committees that are chaired by a government MP. They determine the agenda of the House of Commons, and in many jurisdictions schedule opposition days, during which the opposition parties are able to take control instead. The prime minister, as well as all party leaders, commonly has the power to approve candidates to run under the party’s banner. This issue has been the subject of many proposals for reform, including in Canada a scheme to remove party leaders’ power to approve (read: veto) candidates for the party who have been nominated by local constituency associations.

This results in political parties that are made up of MPs who will toe the party line in exchange for the promise of promotion. Further, because the primary duty of the MP is to support the party’s platform rather than to represent constituents, and the resources that MPs have to scrutinize pale in comparison with those on the government side, the function of MPs is understood to be more tactical than principled. As Robert Asselin notes, MPs on committees “often lack the technical knowledge and expertise to effectively challenge senior officials who come to testify
before them” (Asselin 2014: 11). Both MPs’ offices and committees themselves are understaffed, which renders MPs unable to perform the important scrutiny function with effectiveness. So, instead, MPs often engage in low politics by hurling insults at one another, in the legislature and through negative advertising. This further entrenches the concentration of power by ensuring that government bills enjoy trouble-free passage through the parliamentary process.

The locus of power in the parliamentary system is the Prime Minister’s Office (PMO), which consists of a group of political advisers who are appointed by the prime minister on the basis of their qualifications as analysts, strategists, writers, and communicators. Although the public service has never had a monopoly on good advice, it is increasingly the case that the prime minister and cabinet are more dependent on advice coming from their own political staffers or advisors (Yong and Hazel 2014). The public service is often seen as too large, slow, bureaucratic, and set in its own ways to respond to today’s fast-paced environment, in which the 24/7 news cycle demands immediate responses to the issues that arise, even those that are complex, multifaceted and thus require a longer term focus.

Public servants under this perspective are regarded as being in the way of progress leading to recent innovations to curtail existing public service oversight, or quicken the pace of public service decision-making at the expense of evidence collection and appropriate analysis. Tactics such as the use of omnibus bills to pass budgets are designed to clear away unwanted public service or parliamentary oversight into areas such as transportation safety, environmental assessment, and economic development. When public services raise concerns around these issues, public programmes and public servants are regarded as standing in the way of the government agenda. If parliament does not have the tools to check the power of governments through effective and professional public services, then parliament itself is weakened. Again, the exercise of public service leadership becomes even more important.

Notwithstanding such concerns, a bill was introduced into Canada’s parliament in February 2014 that calls upon public servants working in positions associated with parliament to declare their political colours with the stated objective of ensuring fairness in the rulings of these agents. No other federal departments are expected to make such declarations, and it has been argued in the media that the bill is entirely vindictive as some agents of parliament have done their jobs and taken the federal government to task on questionable decisions and transactions. Not seen in Canada in recent years, these agents have appeared before parliamentary committees vigorously fighting the bill on a number of grounds, including the fact that such behaviour is already addressed in foundational legislation governing the public service, and that no evidence has been given by the Conservative government that supports claims of biased or partisan rulings by such agents. The fact that such bills are being introduced into parliament suggests a preference on the part of political leaders: public servants, including those responsible for exercising effective parliamentary oversight, are expected to provide loyal and unquestioned service to the government or risk being maligned as politically biased, and thereby discredited and undermined in the process.

Conclusion

Overall, we conclude there is evidence of a decline in the value placed by political masters on a traditional merit-based and professional public service, and a corresponding change in the role and importance of the public sector, particularly in relation to political staff. Although this trend has been postulated for several decades, concerns about the pace of change have intensified. This has produced a notable theme in the public administration literature, and it is one of concern about expediency over evidence, politics over management, loyalty over reasoned...
argument, and political priorities over process and outcomes. None of this is new, of course, but what has taken decades to create in terms of merit-based bureaucracy is beginning to show signs of tension and strain as the Westminster system attempts to adapt to the changing balance of power between political and bureaucratic agents and institutions.

Political trust in the public service is seen to be in decline at least since the 1970s. Several examples can be seen over time that attempt to provide or extend political advantage for the party in power. For example, centralizing tactics are and remain a common feature of contemporary governing. What has changed, however, is that some politicians openly display a transparent and unhealthy disdain for the public service, the evidence and policy rationale they provide, and the due process that is intended to safeguard the public good. In the process public servants complain of being marginalised, while government scientists complain of being muzzled when attempting to share research findings with the media and the public. Simultaneously, public service anonymity is no longer assured with ministers increasingly willing to shift responsibility from themselves onto unelected bureaucrats, managers and watchdogs when politically expedient to do so. While this trend has attracted the attention of scholars and other commentators, its nuanced and technical nature has evoked little if any reaction on the part of citizens suggesting that it will continue unabated for the foreseeable future.

Although governments and leaders come and go and the administrative–political divide will continue to evolve, it is the institutionalization of these trends that will have longer-term importance for our systems of government. We are beginning to see legislation that overtly undermines merit, a professional public service, and due process in the name of efficiency, the economy, or greater economization of resources. As with public servants, the power and influence of MPs has steadily declined as a result of the centralization of executive power over several decades. As a result, their role has changed from one that includes scrutiny and oversight of the executive to one primarily concerned with championing the party leader, attacking opponents, and spinning the message.

In outlining trends in the roles of politicians and public servants, the chapter has illustrated that they are two parts of the same phenomenon arising out of the shifting balance of power within our political system. For example, politicization is primarily about control and influence by the political centre over the various branches of the state. As a consequence, we should not be surprised to see the diminishing of important checks and balances within our political systems. Although arguments can and will be made in favour of the concentration of state power, the chapter has endeavoured to demonstrate that it is not without consequences for diluting institutional safeguards that are in place precisely to ensure the functioning of a healthy democracy.

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