



## POLITICAL NEUTRALITY OF THE CIVIL SERVICE



### PROFESSION IN PERSPECTIVE 2009 THEME:

#### “Political Neutrality of the Civil Service: From Theory to Reality”

*“In their quest for legitimacy, democratic regimes find themselves having to balance two values that can be in some tension: fair and non-politically partisan public service delivery and, subject to the law, the responsiveness of public servants to the policies of the current executive.*

*Neutrality, in the sense of political non-partisanship in public administration, is of course a precondition for ensuring that, regardless of their political orientation, citizens are treated fairly and in an equitable manner. Operationally, it is delivered by emphasizing professionalism, merit and competence amongst public servants. These values are important to the level of justice and continuity in public administration – arguably a significant determinant of how much trust citizens place in their system of government. At the same time public servants must be accountable to the government for the effective delivery of its programme, and responsiveness of the administration to the government of the day within the law and the constitution is key to the effectiveness of implementation of government policies.” - OECD Working Paper on Public Governance<sup>1</sup>*

Simply put, effective governance requires an effective and practical distinction to be made between the appropriate activities of the political and administrative spheres. Regardless of the historical or cultural traditions in a given country, a government's effectiveness is largely dependent upon the professionalism and competency of its civil service in impartially executing the work of the state and maintaining its continuity. The form in which this separation between political and administrative spheres is set out varies uniquely from country to country – largely dependent upon the legal framework, traditions and presence of democratic institutions in place.

Individual countries have charted unique courses in an attempt to balance the need for political neutrality, professionalism, and administrative continuity in their civil services, on the one hand, and the political interests and ambitions of the governing party, on the other. In the case of countries in transition, public administration reform necessarily involves a process of depoliticization wherein the civil service is formally separated from the political sphere and thus is able to operate free from direct political interference to consolidate democracy and the rule of law. A key step in this process of transition is that of establishing a professional and impartial civil service that is able to provide permanence throughout the transition process.

However, at the same time this is happening, some of the countries with well-developed civil service traditions have seen a loosening of the attachment to bureaucratic neutrality – wherein there is a

<sup>1</sup> Matheson, A. et al. (2007). “Study on the Political Involvement in Senior Staffing and on the Delineation of Responsibilities Between Ministers and Senior Civil Servants”, *OECD Working Papers on Public Governance 2007/6*, OECD Publishing.

politicization or re-politicization of their bureaucracies. And when SIGMA recently reviewed the status of civil service reform in the countries admitted to the EU in 2004, they found similar re-politicization in several<sup>2</sup>. Such changes in individual countries' civil services have far reaching implications for the relationship between senior civil servants and ministers and for the long term effectiveness of the machinery of government. It would be useful to understand better the costs and benefits of these reversals.

The balance between political and administrative spheres – between professionalism and political sensitivity – is also subject to shifts and adjustments arising from newly emerging trends, either at the level of an individual country or more globally speaking. For instance, the world economic crisis is placing increased pressures on governments and their civil services to respond to financial and other global socio-economic challenges which affect the ability of public administrations to implement policies and deliver services to citizens.

Political and administrative spheres are separate but linked realms. There are key points at which they intersect, divide and often blur. By consequence, there are times when senior civil servants' realities may collide with those of ministers. The issue of accountability is frequently the hot button issue that draws attention to difficulties or uncertainties at this interface.

As leaders of civil services in your respective countries, we propose that we explore the above-noted issues on the basis of three sub-themes:

1. The new competencies required in public administrations of the 21<sup>st</sup> century
2. Trends affecting the relative value placed upon bureaucratic neutrality and political responsiveness in civil services
3. The administrative-political interface and its implications for the accountability of senior bureaucrats

---

<sup>2</sup> Meyer-Sahling, J-H. (2009). "Sustainability of Civil Service Reforms in Central and Eastern Europe Five Years After EU Accession", *SIGMA Paper No. 44*, OECD Publishing. SIGMA Paper available at <http://www.sigmaweb.org>.

## 1. The new competencies required in public administrations of the 21<sup>st</sup> century

Most would agree that the traditional competencies remain valid and relevant for the most part – competencies such as the ability to think critically and analytically, understanding and respect of evidence, subject-matter knowledge, teamwork and interpersonal relations, self-discipline and honesty are not in question. Of interest for our discussions are the emergent requirements.

### Public administration

- Does the improvement of program effectiveness and client responsiveness require senior bureaucrats to be given substantial managerial discretion? To what extent has this been accomplished in your countries without threatening political control? What were the key safeguards?
- Are there significant risks if management discretion is increased in a transitional context where the bureaucracy remains weakly trained and organized? Are there examples where effectiveness and responsiveness improvements have been achieved within a traditional command and control bureaucracy? What kind of institutional measures have been used to bring it about?
- Does “neutrality” have different meanings in a context of broad managerial discretion, on the one hand, and in a bureaucracy constrained by detailed laws and regulations and tight supervision on the other hand?

### Citizen participation

- How important are public consultation skills for bureaucrats charged with improving responsiveness to clients and other stakeholders? How have these activities been managed in your countries to avoid competing or interfering with political activity?

### Media relations and public consultation

- Is it necessary for bureaucrats to become skilled in public communication concerning the programs and policies they administer? How do your governments define and control the boundaries between technocratic and political communications activity?
- Should the balance between the bureaucratic and political roles in public consultation and communication be different in a transition context from what is appropriate in a mature democracy?

### Transitional versus mature democracies

- Are there major differences between the competencies required in mature democracies versus those required in countries that are struggling to develop and consolidate democratic institutions after decades of non-democratic rule?
- If there are different competencies needed in transition countries, can it be argued that some of them can only be obtained, or more readily obtained, through political or patronage appointments than through civil service processes?

## 2. Trends affecting the relative value placed upon bureaucratic neutrality and political responsiveness in civil services

### Transparency

- If the emergence of internet technologies and 24-hour news broadcasting has significantly increased the pressures for governments to be responsive, is it your experience that the pressure has fallen mostly on politicians? Or, on bureaucracies? Or, equally on both?

### Fiscal austerity

Have your governments responded to pressures to reduce budget deficits and spending by giving greater management discretion and flexibility to the bureaucracy or by tightening the top-down controls? Is it possible to evaluate the outcome of the strategy adopted in your country?

### Citizens as clients

- Have you found that the general public in your country places a higher value on the fairness and honesty with which public services are provided? Or, are speed and effectiveness felt to be paramount?

### Globalization

Has the increase in the number and complexity of international linkages under globalization affected mostly the bureaucracies of your countries? Or, mostly the political level? Or, both equally?

- Do you feel that your country's future success in the globalised world will be assured by the sophistication of political and business elites or will it depend more on the knowledge and abilities of bureaucrats? What specific new competencies is your government trying to recruit for this purpose?

### Politicization of civil service

- In responding to the above trends, to what extent has your government increased the proportion of political appointments to public service positions? Or, conversely, has it reduced them? What kind of institutional (e.g. legal) changes were made to bring this about? Have safeguards been introduced to permit civil service careers to flourish? Have safeguards been necessary to ensure continuity after electoral turnovers?
- Beyond the area of political appointments, have there been other effects on the political neutrality of the civil service in your countries brought about by the above-noted trends?
- How has your civil service institution adjusted/shifted in light of these external drivers and trends? And, what implications has this had for your role as the leader of your civil service institution?

- How can civil service leaders ensure that their organizations continue to meet the evolving politics of interest within their given countries and globally?

### 3. The administrative-political interface and its implications for the accountability of senior bureaucrats

Not even the most highly developed civil service systems can claim unblemished neutrality or a “pure” merit system. For example, it was the United Kingdom that coined the term “old boys’ network” to describe an important avenue of entry to civil service. In France, the prerogatives and privileges of the so-called ENArques are acknowledged and even celebrated. And in United States, the famous hundred day honeymoon of a new President is heavily occupied with selecting and recruiting thousands of political appointees to take up posts in the administration.

Yet, in spite of anomalies, most countries, including the three cited above, maintain the principle and practice of separating political and administrative work. Laws, institutions, rules and procedures are designed by each country to meet their needs and to serve their specific version of the principle.

During this session, it is hoped that senior civil service leaders will have an opportunity to discuss how senior bureaucrats skillfully traverse the borders between the two worlds – administrative and political - and avoid collisions.

#### Defining the boundaries

- Is there a settled model in your country of where the administrative-political boundaries lie? Does your government define the boundaries in laws and regulations? Have the boundaries changed much in the past decade? Have the changes been carefully defined and implemented? Or, have they been gradual and informal? Have they been widely debated? Is there broad consensus among political parties? Are the changes understood by the general public? Does the general public care?
- If your government is one that experiences significant numbers of appointments to, and exits from, the public administration based on political criteria, what measures exist to ensure these individuals serve the national interest rather than more narrowly-defined partisan interests? Do they rely entirely on formal safeguards such as laws and codes of conduct? On transparency? Or, is the cultural context the principle factor?

#### Differing patterns of political involvement

- Political/ patronage appointments are generally thought of as bringing people from the private, academic or non-profit sector into civil service. However, in some countries there is an established revolving door pattern of individuals moving from the public administration into the political or business worlds and often back into the bureaucracy. Could representatives of such countries describe what legal and administrative arrangements are considered necessary to discipline this process?

- Whether with straightforward political entries or with the revolving door, what measures are taken to motivate career civil servants who are unable to aspire to key posts because of it? Is this approach seen as significantly affecting the overall professional quality of the career service?
- Whatever the method of entry of non-career officials, can it be said that the onus for public responsiveness, consultation and communication falls mainly on the politically appointed officials?
- Is the accountability clear in these circumstances? Are the career civil servants taken “off the hook” in these matters?
- Does the presence of large numbers of non-career appointees in administration, or the appointment process itself, create significant political controversy? Is the controversy likely to be strong enough and sustained enough to lead to further changes?

Are there any general lessons to be learned?

- Based upon your experience, what approaches are effective in avoiding collisions and addressing conflict between administrative and political spheres?
- How have new technologies and the spread of information through new media affected the visibility of senior bureaucrats, and by extension, their public accountability?
- What are the main benefits and drawbacks observed with the politicized and/or revolving door systems? Does the political appointments process enable the recruitment of special skills (such as public communications or international trade and business knowhow) more readily than the civil service procedure permits?
- Does the public service command real respect among the general public in your countries? And does the general public differentiate between political appointees and career civil servants in expressing an opinion?