

Ministerial Advisers and the Politics of Policymaking: bureaucratic permanence and popular control

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Dr Chris Eichbaum, School of Government, Victoria University of Wellington,
Wellington, New Zealand (chris.eichbaum@vuw.ac.nz)

Dr Richard Shaw, Politics Programme, Massey University, Palmerston North, New
Zealand (R.H.Shaw@massey.ac.nz)

Abstract

The advent of Ministerial Advisers of the partisan variety – a third element interposing itself into Westminster's bilateral monopoly – has been acknowledged as a significant development in a number of jurisdictions. While there are commonalities across contexts, the New Zealand experience provides an opportunity to explore the extent to which the advent of Ministerial Advisers is consistent with rational choice accounts of relations between political and administrative actors in executive government. Public administration reform in New Zealand since the mid 1980s – and in particular machinery of government design – was quite explicitly informed by rational choice accounts, and normative Public Choice in particular. This article reflects on the role of Ministerial Advisers in the policymaking process and, on the basis of assessments by a variety of political and policy actors, examines the extent to which the institutional and relational aspects of executive government are indeed consistent with rational choice accounts of the 'politics of policymaking'. The reader is offered a new perspective through which to view the advent, and the contribution of Ministerial Advisers to policymaking in executive government.

Ministerial Advisers and the Politics of Policymaking: bureaucratic permanence and popular control

Introduction¹

The advent of Ministerial Advisers of the partisan variety – a third element interposing itself into Westminster’s bilateral monopoly – has been a significant development in several jurisdictions, including New Zealand, Australia, the United Kingdom and Canada (see Appendix 1). In all but the first the focus has been in large part on the corrosive impact such advisers have had on defining components of the Westminster model, including the capacity and capability of a ‘constitutional bureaucracy with a non-partisan and expert civil service’ (Rhodes and Weller 2005: 7). Much of the literature on the impact of Ministerial Advisers addresses a failure (of political will and/or of institutional design) to appropriately regulate such Advisers (and, by implication, the political principals they serve). Given the unfortunate events associated with such Advisers this focus is understandable, as is the concern to construct institutional arrangements to better protect core Westminster principles and practices.

The objective of this article is to illuminate both the drivers behind the advent of Ministerial Advisers, and the specific nature of their contribution to the policy process, by reference to rational choice accounts of what Peters has referred to as the ‘politics of policymaking’ (1987).² The New Zealand context provides a strong case for viewing relations between political and administrative actors through the lens of rational-choice. More so than in most other jurisdictions, the New Zealand variant of the New Public Management (NPM) – and the public administration and machinery of government reform agenda in particular – drew explicitly on rational choice accounts of bureaucratic behaviour.

Accordingly, it is possible to view the advent of Ministerial Advisers as a function of the recasting of the institutional architecture of public administration according to rational choice design principles. In this light political principals have recourse to ‘third-party’ advisers in mediating their relationships with administrative agents.

Rational choice and public sector reform

[L]arge bureaucracies were unmanageable, ... they were not responsive, ... they were not flexible and ... they tended to be inefficient as well. We found as a new government that we weren’t actually in control of them in any real sense, and that came as a surprise, because as people who believed *in the orthodox theory of the Westminster system* we were confronted at once with the reality that it does not work (Palmer 1988: 1-2; emphasis added).

Former Prime Minister (in 1988, Deputy Prime Minister) Geoffrey Palmer’s observation usefully distils the political diagnosis behind New Zealand’s state sector reforms of the mid to late 1980s and the early 1990s. It was a diagnosis that resulted in a radical and sweeping prescription of institutional reform, the logic of which was informed by a strong *ex ante* theoretical case drawing on the New Institutional Economics (NIE) and, more specifically, public choice, agency theory and transaction

cost economics (see New Zealand Treasury 1987, Scott and Gorringer 1989, Boston *et al.* 1996, Scott 2001).

The increase in both numerical size and influence of Ministerial Advisers can, in part at least, be theoretically derived from the NIE/public choice case. In this view, Advisers comprise part of the institutional remedy to an obdurate bureaucracy that fails, for reasons elaborated in the theoretical argument, to meet the test of responsive competence. Self-serving and opportunistic bureaucratic behaviour is curbed by a move from relational to classical contracting, with recourse to the kinds of incentives and sanctions characteristic of the latter. The bilateral monopoly (and the problems of information asymmetry that come with it) is subjected to the pressures of competition and contestability. And so the Ministerial Adviser becomes a 'purchase adviser' for the political principal: an independent source of advice on the outputs that might be purchased by the principal from administrative agents, and part of the institutional machinery by means of which the performance of agents is monitored on behalf of their principals.

But the tenets of rational choice can be applied to political principals as well as to administrative agents. Assuming for the sake of argument that the latter may be part of the constitutional buffer against the 'Downsian' predations of the former, then we would expect to detect adversarial relationships between officials and Ministerial Advisers: the former would resist attempts by the latter to inappropriately 'funnel' official advice and to limit the prospect of that advice being free, frank and comprehensive.

Whether the offence is committed against Ministers by self-serving officials, or against the 'public interest' by equally self-regarding politicians, the lens of rational choice suggests a useful way of analysing the views of political and administrative actors in executive government.

We are postulating that the advent and particular contribution of Ministerial Advisers might be understood as an adaptive institutional response to the malaise of internal, or bureaucratic, capture. The consequences of this may be two-fold (reflecting rational-choice accounts of both bureaucratic and political actors). As regards the former, it might be argued that traditional (pre-reform) institutions of public administration constrained the prospects for appropriately responsive bureaucratic capacity and capability. In essence, this argument suggests bureaucratic capture, and the prospect of bureaucratic resistance to a 'third force' in the politics of policymaking in executive government. Bureaucratic resistance might also be the corollary of attempts by that 'third force' to 'politicise' policymaking institutions and procedures, the premise here being that a constitutional, independent and expert public service – the mandarin – may act as a buffer against short-term electoral expediency.

But to what extent does this theoretically derived account square with empirical explanations offered for the emergence of what, in the United Kingdom at any rate, is routinely referred to as the 'third element' in the executive branch (Wicks 2003)? More specifically, from the point of view of capacity and capability considerations, what have been the implications and consequences of the development of a trilateral relationship between Ministers, permanent officials and Ministerial Advisers?

There is clearly a large measure of imprecision and ambiguity in the use of the terms capacity and capability, with the two terms being blurred and even used interchangeably (see Painter and Pierre 2005; Tiernan and Wanna 2006). We follow Tiernan and Wanna in positing that capacity relates to the structural and organisational endowments within the public sector – both agency level and system

wide – whereas capability relates to the deployment of that capacity in some manifest way. In essence, capability requires the opportunity to realize the endowments of capacity. In the context of this paper, a rational-choice analysis might posit, variously, that the predations of departmentalism would constitute a capability deficit (competence, but not responsive competence); equally, the funneling of advice – perhaps as a result of the interventions of political advisors in the policy process – would also constitute a capability deficit (a failure to satisfy the Westminster ‘public interest’ test in the provision of full and frank advice).

In the following sections of this article, the data gleaned from the Ministers’, officials’ and Advisers’ surveys is examined with reference to the following central question: To what extent do participants’ responses suggest a rational (or public) choice underpinning to interactions between institutional actors?

Elements of theory, commentary, anecdote and popular culture would all suggest that, to some degree at least, executive government will be the site of contested preferences, with the institutional currency one of self-regarding and self-serving behaviour. Accordingly, we might hypothesise that officials will experience Ministerial Advisers as instruments of Ministers’ Downsian predilections. Ministers and their Ministerial Advisers, for their part, may experience officials as being predisposed to departmental agendas (whether of a budget-maximizing or bureau-shaping variety), frustrating rather than advancing the political (as distinct from administrative) agenda.

The view from the bureaucracy

The relevant literature refers to a series of risks that Ministerial Advisers purportedly pose to the Public Service (Edwards 2002; Holland 2002; Keating 2003; King 2003; Maley 2000, 2002; Mountfield 2002; Phillipps 2002; Senate of Australia 2002; Tiernan 2004, 2007; Walter 1986, Weller 2002). Writing in the Australian context, Walter (2006) has noted the asymmetrical advantage political advisers enjoy over public servants by virtue of their institutional proximity to Ministers. In practical terms, political staff are able to come between Ministers and senior officials. This can marginalise the public service and produce what Walter describes as a ‘funnelling’ effect, whereby Advisers work to narrow the range of policy options down to those pre-determined by an ideological agenda. The argument here is that ‘funneling’ may be a consequence of the preferences of politicians (and other political actors) that, while electorally expedient, may fail to meet a Westminster styled ‘public interest’ test (with the mandarin as a buffer against the predations of electoral expediency).

Amongst our participants this very concern was expressed on several occasions. The risk, as one participant put it, is that ‘if an adviser seeks to inject political trade offs too early in the policy development process they can significantly undermine and compromise the robustness of the process and integrity of the outcome’ (086).

To the extent that it occurs, funnelling represents a constraint on the government of the day fully exploiting the capacity offered by its official advisers, and by limiting the potential input from officials, it diminishes overall capability. However, New Zealand officials are split in their perceptions of the extent to which these effects are accruing in Wellington (see Table 1).

Table 1. Ministerial Advisers and funnelling effects³

Item	1	2	3	4	5
Advisers are more influential than they used to be	19%	40.8%	33%	6.7%	0.6%
Advisers make a positive contribution to the policy process	4.9	47.3	37.5	9.2	1.1
Advisers have too much influence in shaping the government's policy agenda	4.4	21.9	47	24	2.7
Advisers try to keep certain items off the policy agenda	8.3	39.2	31.5	18.8	2.2
Advisers do not encourage free and frank advice on the full range of policy options available to government	7.8	27.9	25.1	33.5	5.6

Note: n=184; missing=4. 1=strongly agree; 2=agree; 3=neither agree/disagree; 4=disagree; 5=strongly disagree.

There is general agreement that Ministerial Advisers exercise greater influence now than they might once have, but no clear sense amongst officials that that influence is being exercised to negative effect. Indeed, over 50% of our respondents are of the view that the policy contribution made by Ministerial Advisers is a positive one (and only 10.3% take issue with that proposition). Certainly on some funnelling-related matters – such as whether or not Ministerial Advisers seek to keep certain matters off the policy agenda – there is a view that there is an issue. But on other conduct which would be central to a funnelling strategy – including discouraging the provision of free and frank advice to Ministers, and hindering officials' access to Ministers – officials appear more equivocal about the effects of Ministerial Advisers' behaviour than might be expected.

Funnelling is one possible outcome of a broader phenomenon about which a good deal of concern has been expressed in the scholarship. Indeed, perhaps more than any other, it is the threat of the politicisation of the public service that most exercises those wary of the effects of Ministerial Advisers. We have explored the nature of politicisation in the New Zealand context, from both theoretical and empirical stances, elsewhere (Eichbaum and Shaw 2007), and remain unconvinced that Ministerial Advisers pose a significant danger to the impartiality of the New Zealand Public Service. However, we are of the view that there are distinct capacity and capability risks associated with the *marginalisation* – as distinct from the *politicisation* – of the Public Service.

Briefly, as is the case *vis a vis* funnelling, the argument is that if Ministerial Advisers successfully constrain the capacity of public servants to contribute to debates about policy, aggregate capability will be reduced. By shielding Ministers from the public service, for instance, or by privileging partisan imperatives in the crafting of advice, the introduction of the Ministerial Adviser variable into the capability equation may to some extent represent a failure to fully exploit and capture the

benefits of core public service capacity. That would suggest a form of capacity displacement, or the non-realisation of public service capacity, such that overall government (and governance) capability is compromised.

Table 2 (below) contains officials' responses to items regarding conduct on the part of Ministerial Advisers which is consistent with efforts to marginalise public servants. And again, those who are of the view that Ministerial Advisers are a threat to officials' access to Ministers tend to be in the minority. Most respondents are disinclined to accept that Advisers exercise little or no influence over their access to Ministers whatsoever, but most also stop short of indicating that Advisers seek actively to hamper that access.

Table 2. Ministerial Advisers and the marginalisation of officials

Item	1	2	3	4	5
Advisers have little or no bearing on officials' access to Ministers	2.2%	18.7%	20.9%	44%	14.3%
Advisers hinder officials' access to Ministers	1.7	20.7	39.1	35.8	2.8
Advisers prevent departmental advice from reaching Ministers	2.3	13.1	35.8	43.2	5.7

Note: n=182; missing=6. 1=strongly agree; 2=agree; 3=neither agree/disagree; 4=disagree; 5=strongly disagree.

In fact, the data contain some interesting and perhaps unexpected observations on the nature of the relationship between Ministerial Advisers and officials. One of these is the view – widely held amongst New Zealand's senior officials, as it turns out – that Ministerial Advisers often add value to, rather than detract from the rigour of the policy process.

In part, this reflects the perception that Ministerial Advisers provide a (healthy and appropriate) element of contestability into policy formulation. Advisers enhance the policy process by broadening the advice base, increasing Ministers' options, testing officials' advice, and democratising processes by providing an additional point of entry for external policy actors. In Australia that case has been made by Peter Shergold, who has suggested that:

[t]here is nothing in the Westminster tradition that suggests that public servants should have a monopoly in the advice going to government: indeed, from a democratic perspective there is everything to be gained by a contestable environment, in which the well-honed policy skills and experience of public servants are challenged by alternative perspectives from within and outside government (2005: 6).

There is certainly a view in New Zealand that what masquerades as contestability is really little more than partisan interference. In one official's opinion, when Advisers are 'too involved (and therefore directional) in the early stages of policy development ... [this] [h]inders the consideration of all possible options/solutions' (180). Another noted that the contribution by one Adviser of what officials felt was 'subjective and

non-empirical comment and advice’ had ‘degraded the department’s advice in the eyes of Ministers’ (185).

Equally, however, there is support for Shergold’s position. Many of our respondents found nothing objectionable, or threatening, in engaging in policy contests with their partisan colleagues. As one put it, from time to time Advisers do ‘impede’ officials’ work, ‘[b]ut only in the sense that their advice was contrary to ours, resulting in the Minister choosing an alternative approach – which seems entirely legitimate!’ (096; original punctuation).

Table 3. Relations between officials and Ministerial Advisers: the views of officials

#	Statement	1	2	3	4	5
1	relationships between Advisers and public servants are generally positive	3.4%	63.1%	24.6%	8.9%	0%
2	Advisers are a legitimate feature of executive government	7.1	70.1	17.9	3.8	1.1
3	Advisers are more influential now than they used to be	19	40.8	33	6.7	0.6
4	Advisers make a positive contribution to the policy process	4.9	47.3	37.5	9.2	1.1
5	Advisers have too much influence in shaping the government’s policy agenda	4.4	21.9	47	24	2.7
6	Advisers try to keep certain items off the policy agenda	8.3	39.2	31.5	18.8	2.2
7	Advisers, through their actions, constitute a risk to the political neutrality of the public service	6.1	24	33.5	32.4	3.9
8	Advisers do not encourage free and frank advice on the full range of policy options available to government	7.8	27.9	25.1	33.5	5.6
9	Advisers have little or no bearing on officials’ access to ministers	2.2	18.7	20.9	44	14.3
10	Advisers sometimes exceed their delegated authority	6.8	43.8	43.8	5.7	0
11	Advisers hinder officials’ access to ministers	1.7	20.7	39.1	35.8	2.8
12	Advisers prevent departmental advice from reaching ministers	2.3	13.1	35.8	43.2	5.7

13	it is appropriate for Advisers to be drawn from the public service, and to return there on leaving a minister's office	9.3	38.5	23.6	21.4	7.1
14	Advisers facilitate interest group engagement with the policy process	3.9	38.3	43.9	12.2	1.7
15	Advisers add value to the policy process under coalition and/or minority government conditions	7.3	45.3	40.2	5.6	1.7
16	Advisers play a positive role in facilitating relations between coalition partners	8.9	38.5	49.7	1.7	1.1
17	Advisers play a positive role in facilitating relations between governments and their parliamentary support parties	5.6	37.3	53.7	2.8	0.6
18	there should be a limit placed on the overall number of Advisers	7.8	27.9	45.3	17.9	1.1
19	Parliament should control the number of Advisers	5.7	17.6	44.9	26.7	5.1
20	there should be a special Code of Conduct for Advisers	27.6	53.6	14.4	4.4	0
21	a Code of Conduct for Advisers should be provided for in statute	6.7	12.8	38.3	33.3	8.9

Note: n=188. 1=strongly agree; 2=agree; 3=neither agree/disagree; 4=disagree; 5=strongly disagree. For economy of space, we have used 'Advisers' rather than 'Ministerial Advisers'.

Table 3 sets out the pattern of responses to a series of statements regarding the relationship between officials and Ministerial Advisers. On balance those responses suggest a climate that is more benign than adversarial. This is not to detract from the fact that a significant number of respondents identify risks attendant upon the advent of the third element in executive policymaking. But the risks are perceived as in the realm of the potential, rather than having been experienced in the actual processes of policymaking by respondents. Indeed, in responses to a separate question, nearly 73% of respondents to the officials survey characterised their relationships with Ministerial Advisers as 'generally positive'.

In addition, while some respondents regard Ministerial Advisers as an obstacle between themselves and Ministers, others see a legitimate conduit which permits an explicit distinction to be drawn between the political and administrative dimensions of a Minister's role. In so doing, Advisers can take the potential political 'heat' off officials, allowing them to focus on the provision of free and frank advice. One respondent suggested that, far from politicising the public service, the effect of Ministerial Advisers was 'the reverse. They free us much more than would otherwise be the case from being drawn into the political process' (096).

There are indications, too, that Advisers not only help clarify Ministers' wishes for officials, but that the reverse also occurs: i.e. that officials test the feasibility of ideas with Advisers before putting them in papers to Ministers. In other words, Ministerial Advisers 'provide a necessary 'brokering' role as well as a 'risk' lens back to departments' (181). On one hand, this gives the Ministerial Adviser a potential veto over policy options (which Walter would probably note as a funnelling moment). But it may also constitute a more effective and efficient use of 'official' capacity, and accordingly result in improved governmental capability.

The following response from a departmental Chief Executive captures the reasons given by many of the nearly 60% of our respondents who regard Ministerial Advisers as a welcome addition to the policy landscape in New Zealand:

I was initially sceptical about the position of Ministerial Adviser for all the usual reasons; e.g. they would not be impartial, they would exercise or attempt to exercise too much influence, that there would be confusion between their role and that of officials in departments, and that it would be difficult to speak frankly to them. On balance, however, over time I think they have a role and can be useful in providing a political perspective about policy issues which one often needs to know. They can often provide a perspective on how a Minister views the conventional policy advice he or she is getting from departmental officials (160).

From responses of this order it might be inferred that, by reducing the risk of political contamination and assisting officials establish Ministers' legitimate expectations, the capacity of the Public Service might, in certain respects, be enhanced by Ministerial Advisers.

Ministers and the quest for responsive competence

In the context of this research our principal interest is in those Ministers who have in the past or continue to use Ministerial Advisers.⁴ In the case of governments since 1999 the default arrangement has been that all Ministers have had recourse to staff of this kind; indeed one would be justified in the view that this has been a conscious policy decision on the part of the Prime Minister and the Cabinet.

Prior to the formation of the 1999 Labour-led coalition Government, however, the decision on whether or not to employ Ministerial Advisers was a matter for individual Ministers, and it is interesting to note the views of a number of our respondents who chose not to do so. Former National Party Minister (and former Chairman of the OECD Round Table on Sustainable Development) the Rt Hon Simon Upton commented that:

I always used a seconded staff member from the ministries for which, for the time being, I was responsible. I was always very clear about the particular attributes and qualifications I was after, but inevitably had to leave the choice to the Chief Executive. At no stage did I entertain any paranoias that such seconded staff were anything other than fully motivated to assist me – whether in dealing with the public service or with the world beyond it. But I can't see any *prima facie* reason why an outsider would not have been able to be equally helpful.

If I had a one line view on the matter I would, on balance, be inclined to the view that using seconded staff is a good way for Ministers to force themselves to respect the neutrality and independence of the public service. That might seem paradoxical, but I suspect that more pressure is placed on political appointees to do things than might be asked of a public servant ... I rather like the idea of a professional public service that

provides free and frank advice, while elected people are left to apply their philosophical/ideological prisms to that advice.

And this from former National Party Minister and current National Party shadow Minister, Dr the Hon Lockwood Smith:

Apart from my Senior Private Secretary and Press Secretary, all other staff came from government departments. I believed that a Minister's office should not be unduly partisan – a Minister should act in the interests of all New Zealanders.

There were then, within our respondents, individuals who might be termed 'Westminster traditionalists'. For these, in respect of policy and operational matters, the bilateral monopoly worked well and recourse was not taken to the services of Ministerial Advisers.

But over three-quarters of our respondents *had* employed Ministerial Advisers. Responses to a series of questions using Likert-scale response categories indicate a positive assessment of the contribution of Ministerial Advisers to the policy process (over 90% recording a measure of agreement), and little support for the view that Advisers of this kind constitute a risk to the political neutrality of the public service (80% indicating some measure of disagreement with this proposition).

When asked why they had chosen to include a Ministerial Adviser on their staff, respondents offered views of the following kind:

[They provided] independent advice (i.e. non departmental) (08);

I employed only one as I felt the Ministry concerned were not fully supportive of the Government's policies in that ... portfolio (17);

My Ministerial Advisers acted as a check and balance on the advice I received, and where appropriate would advise that I get another opinion. Also, the Adviser helped negotiations with officials over policy options (21).

And when invited to comment on the impact a Ministerial Adviser may have had on the relationship a Minister enjoyed with officials, ministerial respondents offered assessments such as:

Wise officials knew that the Advisers would likely understand my stance on issues, and this could help officials make faster progress (03);

Officials generally prefer unimpeded advice to Ministers. A capable and knowledgeable Adviser will force officials to lift their game and provide better (i.e. less departmental agenda) advice (08);

My time was much more efficiently used on the more important policy issues, as the Adviser could negotiate out the trivia. Also timelines and deadlines were more easily achieved (21).

Responses like these suggest that for a number of our respondents Ministerial Advisers represented a check against the predations of departmentalism, which is consistent with the rational choice thesis that administrative agents may be inclined to give a higher weighting to their departmental agenda than to that of their political principal(s).

This is further supported by the responses to questions that invited Ministers to (a) rank the frequency with which Ministerial Advisers undertook a range of potential activities, and (b) assess the importance Ministers attached to the various dimensions of the Ministerial Adviser's role, particularly relating to the policy process and engagement with officials. Concerning (a), Ministers indicated that the most frequent activity was participating in meetings between the Minister and his or her officials. This was followed by conveying and or clarifying ministerial wishes to officials, attending meetings with external interest groups, and assisting with questions in the House and Written Parliamentary Questions. Reading officials' advice before it reached the Minister's desk, meeting with Advisers from other Ministers' offices, meeting with officials to develop and/or implement policy, assisting with responses to Official Information Act requests, and assisting with coalition consultations and or management were other frequent tasks.

Conversely, such matters as writing speeches, working on press statements and/or government publications, and engaging with office-holders from the Minister's party were ranked at the lower end of the scale – as was representing the Minister at meetings with ministerial colleagues.

This pattern is also in evidence in Ministers' assessments of the importance of different aspects of the Adviser's role as it relates to the policy process and engagement with officials. Assessments indicate that relatively higher importance was attached to 'conveying/clarifying the Minister's wishes for officials', 'scrutinising advice from officials', 'testing the political ramifications of advice from officials and others' and 'monitoring policy implementation'. A relatively lower ranking was given to 'assisting with the development and/or implementation of accountability arrangements'.

In the absence of the sort of contribution provided by a Ministerial Adviser, these findings suggest that a relationship between Minister and officials characterised by a bilateral monopoly simply fails to meet the needs of the former. While this is consistent with a public choice analysis, the advent of the third element in executive relationships has resulted in a new institutional 'settlement' that allows ministerial principals to better test, and where appropriate contest, the advice provided from their administrative agents.

But it is noteworthy that the value added by Ministerial Advisers is in terms of the policy process (agenda management, providing for contestable advice, and providing independent monitoring and evaluation capacity), *not* in terms of the formal contractual arrangements that are a defining element of the New Zealand variant of the NPM. In this sense the formal accountability arrangements have not in and of themselves provided a remedy to the perceived weaknesses of the pre-reform system of public administration and management, and in particular the predations of departmentalism. One of the institutional innovations suggested by the NIE prescription was that Ministers might usefully have greater recourse to political staffs. But rather than standing back from the policy process as 'purchase and monitoring Advisers', it is clear that Ministerial Advisers in the New Zealand context are engaged more directly with that process and are viewed as providing additional policy capacity and capability, not simply as adjuncts to a more refined set of purchase and monitoring (accountability) arrangements.

Ministers were also invited to comment on why the number of Ministerial Advisers had increased over the course of the past 15 years. Some were quite explicit in identifying capacity deficits on the part of the public service. One noted that: '[t]here is a greater need for contestable policy advice as issues have become more complex.

Policy advice from officials tended to be single-focused and rarely provided realistic (as opposed to ‘straw men’) alternatives’ (04).

Not unexpectedly the move to MMP featured prominently as a driver of the increase in Ministerial Advisers. As one Minister put it, these days Ministers require recourse to Advisers ‘[b]ecause of the complexity of post-MMP government [and] [b]ecause post MMP government is more party political and sensitive to political wins and losses’ (21), while another pointed out that ‘[t]he advent of MMP requires greater political management between parties’ (24).

Ministerial Advisers’ views

Providing Capacity

Both Ministers and senior officials identify a demand for new capacity in the management of both political relationships and the broader policy process. We were curious, then, about the extent to which Ministerial Advisers see themselves as meeting those (and/or other) needs in the new environment.

We asked respondents to indicate the frequency with which they undertook a series of activities. The most frequently executed tasks tend to occur within the core political executive. So, over two thirds of respondents (68.7%) meet with members of the Prime Minister’s staff frequently or very frequently, and 78.1% both regularly accompany their Minister to meetings with other Ministers, and meet with other Ministerial Advisers. Moreover, 59.4% of respondents assist with coalition consultation and/or management matters on a more or less regular basis.

Ministerial Advisers also engage in various activities which straddle the boundaries of the executive and legislative branches. In part, this conduct goes to issues of executive accountability. Virtually all Ministerial Advisers (96.9%) prepare their Minister for Question Time in the House, and assist with responses to Written Parliamentary Questions. Many (78.2%) also respond to Official Information Act requests (which are frequently lodged by non-government MPs).

Meeting another of the capacity gaps identified by Ministers and officials also consumes a good deal of Ministerial Advisers’ time. Well over two thirds (78.2%) of our respondents interact with either Members of Parliament or political staff from parliamentary support parties on at least an occasional basis, and 43.8% of them do so on a frequent or very frequent basis.

Interactions with officials comprise a sizeable portion of Ministerial Advisers’ work. Some 90.6% of respondents convey and/or clarify their Minister’s wishes to officials on a frequent or very frequent basis. Interestingly, perhaps – in the context of the case that Ministerial Advisers constitute an alternative source of policy advice – rather fewer (50.1%) meet with officials to develop and/or implement policy on a regular basis. But that need not constitute evidence of a disengagement from policymaking, as 93.8% of respondents regularly attend meetings Ministers have with officials, and only slightly fewer (87.5%) read and comment on officials’ advice before it reaches the Minister’s desk.

It comes as no surprise, then, that 90.6% of respondents cited political negotiation skills as an important skill, with 43.8% ranking it as the *most* important attribute a Ministerial Adviser should have.

Relations with officials

These data tend to bear out Ministers’ and officials’ assessments of both the nature of the capacity and capability shortfalls – particularly under MMP – and the degree to

which Ministerial Advisers can and are filling them. They also confirm one other feature of the executive landscape: the relatively healthy state of affairs between political and public service advisers (see Table 4).

Table 4. Ministerial Advisers on officials

Item	1	2	3	4	5
Officials are selective in the advice they tender	9.4%	43.8%	12.5%	31.3%	3.1%
Officials are insufficiently responsive to governments' priorities	3.1	37.5	28.1	21.9	9.4
Officials assert departmental priorities at the expense of governments' agendas	9.4	43.8	12.5	31.3	3.1
Officials generally try to facilitate Ministers' policy objectives	12.5	75	6.3	6.3	0

Note: n=32. 1=strongly agree; 2=agree; 3=neither agree/disagree; 4=disagree; 5=strongly disagree.

To a certain extent, Ministerial Advisers' assessments of officials point in two directions. On one hand – and as per the orthodox rational choice account of bureaucracy – there is some unease regarding certain aspects of the motives and conduct of officials. Just on 40% of Ministerial Advisers felt more or less strongly that officials are not sufficiently responsive to the policy priorities of the government of the day (there is a slightly higher tendency for Advisers to Labour Ministers to feel this way), and over half (53.2%) agreed or strongly agreed both that officials are selective in the advice they tender to Ministers, and that they tend to assert departmental priorities at the expense of the policy agenda of the government of the day.

But on the more specific issue of the state of relations between officials and Ministerial Advisers, the latter are, in the main, as positive in their assessment as are their departmental counterparts. Ministerial Advisers overwhelmingly agreed with the proposition that relationships between Advisers and officials are mostly positive (not one respondent disputed this, and only 6.3% neither agreed nor disagreed with the statement). Nearly half (46.9%) were of the view that officials understand the role of Ministerial Advisers, and even more (59.4%) agreed or strongly agreed that officials generally respect Advisers' contributions.

Clearly, not all respondents were upbeat on the matter, with one noting that while '[s]enior officials understood [my role], many lower down ones simply don't get it. They would often do things to get [me] into trouble' (14). On the whole, however, the following responses typify Ministerial Advisers' assessments of the tenor of relations with public servants:

My relationships were always positive, because I helped them get their job done – i.e. helped them get policy passed, helped them understand what their Minister wanted and

how what they were working on fits with the wider government picture. Mutual respect is key (08).

There is a healthy tension between Ministerial Advisers and officials. Officials need to recognise that Ministers are entitled to have and receive advice from sources other than government departments – it all adds to the comprehensive development of policy and its implementation. Government [is] not just about policy but also about political management (26).

Both responses suggest a measure of complementarity in the respective roles of Ministerial Advisers and public servants. But the reference to the ‘wider government picture’ also draws attention to what appears to be a central characteristic of the Ministerial Adviser’s role: the co-ordination of whole-of-government activities. Fully 87% of respondents indicated that they are employed to provide advice across a number of portfolios. Moreover, whereas only 18.8% described themselves as a policy specialist (i.e. with competencies in a specific policy domain), 62.5% of respondents regarded themselves as policy generalists. As one explained, ‘one of the most important requirements of the position is to know when to intervene in the policy process and when not to. Too much knowledge in one area or in a limited number makes this more difficult to do’ (10).

In part, this cross-portfolio *modus operandi* may reflect some of the imperatives stemming from the institutional fragmentation which was a consequence of the first generation of New Zealand’s state sector reforms (see Boston and Eichbaum 2005). For one thing, the separation of Ministers’ ownership and purchase interests, and of the purchaser and provider roles within departments and agencies, created a demand for non-public service advice on Ministers’ purchase activities. With other innovations, such as the introduction of budgeting on the basis of outputs (and, more recently, outcomes), these developments may partially explain the frequency with which Ministerial Advisers help Ministers to develop and/or implement accountability arrangements (37.6% do so either frequently or very frequently, and a further 31.3% do so occasionally), and assist them with Budget-related matters (87.5% do so on at least an occasional basis).

The data suggest, too, that many Ministerial Advisers see their role (and/or their accountabilities) as involving a significant level of engagement with the Prime Minister’s Office. One approached this issue by indicating that an Adviser must have the ‘ability to understand party policy and party values; ability to ensure the Minister acts in accordance with party policy; ability to balance the PM’s policy objectives, requirements and views with those of the Minister’ (10). While that comment may be read as suggesting that an Adviser’s Minister enjoys primacy, it also acknowledges the centrality of the Prime Minister and her Office to the Adviser’s operating environment.

In this respect, Ministerial Advisers constitute an institutional response to the ‘bargaining uncertainty’ (Dickinson 2003) which confronts New Zealand Prime Ministers. The term describes the inability of political actors to reliably predict the outcome of bargaining exchanges with other actors (Dickinson 2003: 28). In the current New Zealand context, it neatly captures the challenges variously associated with knitting together and managing a multi-party administration, and with making legislative progress from a position of relative parliamentary uncertainty.

And it helps to make sense of the Ministerial Adviser’s role. Prime Ministers who lead coalition minority administrations must consistently bargain with other political actors in order to achieve political and policy outcomes. Ministerial Advisers play an

important role in fostering and negotiating the requisite executive, legislative and policy coalitions. Notwithstanding that individual Ministerial Advisers are appointed by their Ministers, as a collective resource Advisers are deployed to manage the risks associated with multi-party and/or minority governments, and to facilitate the knitting together of disparate policy positions into a single government agenda.

That function extends beyond the political executive. Under MMP bargaining uncertainty rears its head on a regular basis, and in a variety of contexts. Many respondents in the officials' survey noted the challenges contemporary administrations face in stewarding their legislation through the House. The same point was made by Ministerial Advisers, a significant percentage of whom drew attention to the importance of that aspect of their role which involves running the political touchlines. As one respondent explained:

The role is bigger than simply the policy – [we] have to take into account the political management aspects of policy, which can assist in the policy actually garnering sufficient support in order to be implemented. I was often able to ensure we dealt with third party interest groups in the development of policy – something not always able to be achieved by government departments. These groups liked dealing directly with the Minister's office (26).

A risk to officials?

As noted above, one of the risks Ministerial Advisers are thought to pose to the public service, and to governmental capability more generally, is that of 'funnelling'. Responses to the Ministerial Advisers' survey suggest that opportunities for this frequently present themselves. When upwards of 90% or so of Ministerial Advisers report that they frequently or very frequently convey Ministers' wishes to officials, attend Ministers' meetings with officials, and process officials' advice before it reaches the Minister, then at the very least the potential for funnelling must be entertained.

That said, we are cautious of drawing firm conclusions from these data, for while the institutional preconditions for Ministerial Advisers to engage in funnelling exist, we cannot safely infer from that terribly much as regards the substance or outcomes of Advisers' encounters with officials. It may well be that Advisers approach them as opportunities in which to constrain officials. But it is equally plausible to frame these interactions as exchanges which, by facilitating the alignment of public service capacity with Ministers' preferences, enhance aggregate governmental capability.

Indeed, the latter interpretation is more consistent with our data than the former. It receives support from those officials who regard interactions with Ministerial Advisers as useful opportunities to clarify Ministers' wishes and priorities (see above). And that a significant proportion of Ministerial Advisers reflected positively on officials' approach to policy-making does not suggest an environment in which Advisers feel compelled to shield Ministers from officials' advice. As one Chief Executive put matters:

I think Advisers help the public service to be more impartial. We can give the political advice, or the politics of the situation. We can suggest options or alternatives to Ministers that public servants probably should not, or feel they cannot. Often, I found this combination – of political and departmental advice – of real value. So did my Ministers (10; original emphasis).

Conclusion

On balance the New Zealand evidence suggests an emerging equilibrium in what is a triangular relationship between Ministers, officials, and Ministerial Advisers. The drivers behind the growth in the number and influence of Ministerial Advisers in the New Zealand context are, in part, unique to New Zealand, but in other respects common to a number of jurisdictions – Australia included. To some degree its institutional particulars (especially those associated with the advent of MMP) may explain the relative equanimity that exists between political and public service advisers, but beyond that we have no firm evidence that there is anything intrinsic to the New Zealand arrangements that has, to date at least, prevented a New Zealand equivalent of ‘the children overboard’ affair.

The advent of Ministerial Advisers in New Zealand is not solely a response to the imperatives of the New Zealand variant of the NPM. Neither can it be entirely explained as one of the clutch of new political relationships that characterise political life under proportional representation. Consistent with Weller’s analysis of the systemic challenges facing the institution of cabinet government (Weller 2003), there is a sense amongst our respondents that policy-making is simply more difficult these days than it once was. Intractable policy problems, a more intrusive media that operates in real time (and no longer with the luxury of print-media lead times), exponential increases in the amount of information policy-makers must absorb and master, and a more demanding and discerning public are amongst the characteristics of a contemporary policy environment which places Ministers under increasing pressure.

It may be, too, that what Hughes (2003) calls the paradigm shift from public administration to public management, has also been a factor in the trend. That is, there may be little or no call for partisan advice in a regime which emphasises the routine administration of procedures and rules. However, in an age in which Ministers are increasingly expected to deliver results – but in which, paradoxically, trends in IT and globalisation, the decentralisation of much delivery and decision-making, and the pressure to devolve delivery and/or decision-making to local and regional government and to the not-for-profit sector are reducing governments’ leverage over outcomes – there may be a greater call for such advice and assistance. In short, the transition from government to governance has brought with it consequential changes in the capacity and capability requirements of Ministers both individually and collectively.

In 1987 Peters posed a question of some enduring relevance: ‘How can we devise an arrangement which preserves both the values of popular control through the electoral process and the permanence, expertise and non-partisan nature of the civil service?’ (1987: 277). Three decades later we might recast the question as: ‘What are the capacity and capability requirements attendant upon arrangements which preserve popular control and a constitutionally independent, non partisan and expert public or civil service?’

The New Zealand experience suggests that those requirements demand capacity and capability additional to, and qualitatively different from that provided by the permanent public service. Our research suggests that, without the third element in the political and administrative equation, the ministerial requirement of responsive competence may not be appropriately realised. This may in turn suggest the emergence of a healthy equilibrium in which officials provide the institutional skepticism, and Ministers and their political Advisers provide the testing and contesting against political realities. But it may also

suggest that, notwithstanding New Zealand's public administration and management reforms of the past 15 years, there is still a tendency towards departmentalism, and that the search for an enduring institutional settlement between the imperatives of popular political control and a constitutionally independent and politically neutral public service remains an elusive one.

Appendix 1. Numbers of Ministerial Advisers in New Zealand (1998-2006)

Designation	1998	2000	2002	2004	2006
Adviser/Senior Adviser	0	11	19	26	27
Executive assistant	15	16	10	10	3
Press Secretary/ Media Assistant	24	21	22	23	23
Total	39	48	51	59	53

Note: While the line of demarcation between the administrative and the political is indistinct at best, Ministerial Advisers/senior Advisers, executive assistants, and press/media staff tend to engage in political functions. Data from prior to 1998 are not available in this form.

Notes

- ¹ The authors acknowledge the comments of two anonymous referees, and the assistance of the Marsden Fund, administered by the Royal Society of New Zealand, whose support has been central to this work. They wish to note, too, the assistance extended by the New Zealand State Services Commissioner, Dr Mark Prebble; Jeanette Schollum of the State Services Commission; Bruce Anderson and Helen Coffey of the Leadership Development Centre; and Michelle Brokenshire, of Executive Government Support.
- ² The article draws on the assessments of Ministers (past and present), senior public servants, and Ministerial Advisers (past and present). The method of choice with all three groups has been a postal questionnaire, supplemented by the use of more informal methods, and the observations of one of the authors as a former Ministerial staffer. The usual caveats apply to the use of methods of this kind. That said, we have been conscious of the need to elicit information on how actors have been able to negotiate, shape and reshape particular institutional configurations given the fluid and contingent nature of the environment in which they operate. The officials' survey was administered in early 2005. Officials from 20 government departments and the New Zealand Police agreed to participate, and the questionnaire was distributed to 546 senior public servants. Completed questionnaires were received from 188 respondents (a response rate of 34.4%). The Ministers' (65 surveys distributed; response rate to date 41.5%) and Advisers' (70 surveys distributed; response rate to date 43%) surveys were administered in early and mid-2006.
- ³ The items in Tables 1 and 2 are taken from a Likert-scale designed to probe officials' overall disposition to Ministerial Advisers. The composite measure comprised 21 items. The mean score of 61.5/105 (along with a skewness statistic of -1.722 and a Kurtosis value of 4.680) suggests respondents were reasonably well disposed towards their partisan counterparts. Only 13.9% of cases registered an aggregate score of 52 or less.
- ⁴ The population of Ministers invited to participate in this research is all Ministers (including Prime Ministers) who have held warrants in the period since the first MMP election in 1996, a total of 67 individuals in total. For the purposes of this article substantive responses have been coded and analysed for 22 respondents, of whom 10 are Ministers (past or present) who continue to sit in the House of Representatives. Thirteen of the 22 substantive responses came from individuals with more than five years experience in the Ministry.

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Ministerial advisers and the politics of policy-making: Bureaucratic permanence and popular control

Eichbaum C

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