The role patterns of minister’s personal advisors in politico-administrative dichotomy. Comparative case study of two Estonian ministries.

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Abstract

The relations between politicians and civil servants, especially on the level of decision-making, have been under the constant discussion for at least a century. High level of attention and interest to the topic has developed because of the general recognition of a core role of these two actors in the policy-making process. Historically, there have been developed different patterns and types of interactions between politicians and bureaucrats that can apply and appear in practice, but not necessary, because of important adjunctions and numerous factors of a real life (Aberbach et al., Hood, Page, Peters etc). One of them, that is getting more and more importance, is establishment of advisory bodies at the ministerial cabinets or the individual advisors to the particular minister within the state hierarchy. Whatever institutional arrangement they take (it rather depends on the particular country general institutional arrangement and historical reasons), these institutions can be the third part in a policy-making process in addition to the original two, respectively politicians and bureaucrats. As a result, number of questions arise: what is their role in a politico-administrative dichotomy, whether their performance is making any difference, when it is time to make a decision or, for instance, who is now saying the last word taking decisions? Although the questions of this type are very theoretical and probably do not have exact answers at all, it seems to be essential to try to answer them and many others coming along with the topic, as the starting point of a discussion.

In a general perspective about the advisory body type institutions, we can already find an interesting point to mention. Indeed, the actual position of advisor between the minister and civil servants can assume a “difficult life” for him or her. On the one hand there is a necessity to be loyal to the minister and being “political” in the sense of understanding and implementing “rightly” minister’s or, rather, party strategies. On the other hand there are not less important interactions with civil servants, who supposedly should be implementing decisions in a way “minister desires”. As a result, when we talk about advisors we mean both, extension of political executive and parallel bureaucracy; political and administrative tasks (Pelgrims, 2001).

The general aim of this article is to explore the main roles of ministers’ personal advisors in politico-administrative dichotomy. We concentrated on his/her political and administrative roles; roles in policy formulation and implementing; position in communication process. We see the roles of an advisor as independent, but also as possible supplements to politicians’ and bureaucrats’ ones. There are two ministries, Ministry of Justice and Ministry of Environment, under the exploration, where the authors have held interviews. They form the main empirical data base for analyze. As the methodological instrument authors use a comparative case study method.

The main conclusions are the following: as for the one ministry, advisor is taken as civil servant – her tasks as a mediator, a bridge between politicians and politicians, confirms it. The other advisor’s interactions with civil servants are weak. He is rather keen on giving general political guidelines without active way to control them. However, for both ministries it has been agreed on advisors’ role having more political background information. It is also a common view that the position of minister’s personal advisor is adequate and much needed.

1. Introduction

This paper will focus on the roles of minister’s personal advisors at the central level of governance. We are mainly going to examine a personal advisor’s status and roles within a particular ministry with regard to its impact on politico-administrative relations as well as a decision-making process. It will, however, in some point include a little broader analysis of his/her general role at the central executive level. Thus before to talk about it and also the formal status of personal advisors at the ministers in Estonia and whether it would be appropriate to see them from the institutional point of view, it seems to be reasonable to give a brief overview of Estonian main political and administrative institutions, their emergence and evolution. Thereafter it will be possible to place the advisor’s position to the examined context.

1.1 Estonian institutional structure of governance

Main constitutional institutions of three branches of power – legislative, executive and judicial – their roles and relations toward each other are determined by the Estonian Constitution which was adopted in June 1992. According to it Estonia represents typical liberal democracy with the executive branch politically accountable to the Parliament (Riigikogu). National parliament shares the right of legislative initiative with the Government and has wide range of discretion in amending the technical aspects of draft bills. Parliament also adopts the budget. Elected for the period of 4 years, the Parliament authorizes the candidature of the Prime Minister who then forms the Government. According to the Constitution the Riigikogu possesses the right to express the mistrust towards the Government, to the Prime Minister or individual ministers, through the vote of non-confidence. In the case of vote of non-confidence to the Prime Minister, the whole Cabinet shall resign.
President
The candidature of the Prime Minister is presented for the approval of the Parliament by the Head of the state – President. In Estonia as in many others parliamentary democracies the President has symbolic and mostly representative functions. Formally he or she has the right to refuse to proclaim the law that was previously adopted by the Parliament, but this right is not frequently, or actively, used. President is trying to act above everyday politics and is developing into the institution that represents the public interest and public good in the way and manner that is most legitimate in the eyes of the public (Sootla, 2001).

Government
The current Government as the official institution of top executive authority consists of 14 members and may not comprise more that 15 members as a rule set by the Government of the Republic Act. Ministers are divided between ministers who are the executive heads of the ministries and ministers without portfolio (The Minister of Population and the Minister of Regional Affairs). The Head of the Government is Prime Minister who has the right to appoint ministers or to dissolve them. The Prime Minister himself has no special area of responsibility within the cabinet.

Party system
Estonia is a typical state with a multi-party political system. The system itself is very fragmented (there are 17 parties registered, in addition to those who have been deleted or actually in the process of liquidation.) The number of those political forces who could be considered as potential parties to enter Riigikogu is five to six and the number of parties needed to form the majority coalition is, in most cases, 2-3. With a few words about the in-side structure of Estonian parties it can be said that in addition to the fact that parties are relatively small, not yet well structured and not deeply rooted, local caucus are as a rule inactive with volatile membership.

Normally, because of the fragmentality decrypted above, no party can form the Government alone or even hardly together with another. As a result, the normal situation for Estonia is that three parties form the Government. As an unwritten tradition the chairman of the party who won elections or, in Estonian case, got the most support in the elections, will get the proposal from the President to form the Government. However, there have been examples of minority Governments and the mentioned rule is rather applicable according to the existing political situation – it does apply when there is a silent agreement on Prime Minister candidature between the political elite.

Administrative structure
The main body to provide support services to and operate functions of the Government as well of the Prime Minister is State Chancellery (Riigikantselei). It carries the main responsibility to manage the relations between the Government from the one side and the Parliament along with other state institutions (ministries, local governments etc) from the other. All administrative support structures of the Prime Minister are formally units of the State chancellery.

State Chancellery is also in charge of the training of state officials and local government officials. However, personnel management is decentralized in the Estonian public administration. Each ministry or executive agency is responsible for organizing the work of its civil servants within the common framework of the Public Service Act.

1.2 The current political situation in Estonia
Last elections to the National Parliament – Riigikogu - were held in March, 2003. Three parties formed the Government named “3 R”: Res Publica Party (right-conservatives), Reform Party (right-liberals) and People’s Party (Rahvaliit, central-right conservatives). The “new comer” to the political arena was a populist Res Publica Party that gathered most votes within government parties and its chairman Juhan Parts became Head of the Government. Despite the fact that there was one party (Central Party, central-left) which got the same number of votes as Res Publica did (in per sent 28% each), the political situation required Parts to become the Prime Minister. Government lasted until March 2005 when former coalition partners and opposition voted non-confidence to the minister of Justice from Res Publica. Res Publica was replaced by Central Party and the new Prime Minister came from Reform Party. He stays at the office with a relatively high support rates until now.

The given brief overview of the institutional structure of governance in Estonia has formal-legal character and is focused on the factual aspects. There is also a need to look further at the state concerned and this time from a historical perspective. Firstly, it should give better understanding of administrative traditions and their impact on institutions and patterns of behavior, and secondly, provide a link between historical circumstances during transition on the one hand, and specific patterns of state core institutions on other hand. It aims to provide a reader with a generalized and key-points overview that will give a deeper knowledge of the state in order to see and actually understand what is behind the Estonian administrative culture.
2. Estonian administrative culture and its impact on institutions

We will distinguish two periods in Estonian evolution of state institutions: the Soviet era and independence period which started in 1991. We find that these two periods have the most impact on forming current institutional arrangements in Estonia.

The purpose of this distinction is also that during the Soviet period Estonia was ruled and governed by methods that are common to authoritarian or totalitarian rule – this is still having its own impact nowadays and it is the background reason for so many reforms that have been implemented during a decade or two and will still be implemented in the future. The “soviet experience” was so strong that after and from 1991 grand changes needed to be made and they have proceeded until the current moment, including at the same time two types of reforms: normative (constitutional) and positive (concentrated on improving of effectiveness and professionalism).

After being through centuries governed by different states (Sweden, Germany, Denmark, Imperial Russia), it would be true to say that Soviet period was the most essential that has influenced the building of administrative and government institutions. Nevertheless, it should be kept in mind that administrative culture is formed also by the customary attitudes and values of citizens. Hereby the impact of Soviet period is relatively short compared with centuries-long traditions of German accuracy, spruciness and correctness (Roots, 2000). Along with other values, i.e. individualism and independence, they have never been eradicated or even damaged by the soviet rule. It should be also kept in mind, that during Estonia’s first independence period (1920-1940) many features of administrative arrangement were found. In 1991, some of them were tried to restore, but without significant success due to Soviet period influences that forced other types of reform. Shortly, in 1991 Estonia got a administrative culture and a civil service system that can be described as a heritage of former regime despite the fact that civil society values differed from those coming along with Soviet system (Roots, 2000).

2.1 Evolution of civil service system in Estonia

Estonia as a state and its civil service system have a relatively short independent history of evolution. It would be correct to say that present institutional order is the result of the previous administrative orders of the states that have been (over)ruling the state. Estonia itself did not design or shape its administrative order; it was the other states that did it. Repeating the fact already mentioned above, (Soviet) Russia and Germany were those states with the greatest influence to the formation of Estonian current administrative system (Sootla and Roots, 1999: 216).

The civil service system in Soviet Estonia was so atypical that on one hand it causes many difficulties to explain it from the contemporary perspective, and on the other hand it was so much modified later when Estonia got its independence back in 1991. As a result, it can not be taken as a starting point for explaining the current civil service system structure and functioning as there is no formal consistency coming from the Soviet-oriented system. However, we are referring to informal indicators coming along with the Soviet period that seriously influenced the present system: corruption, low image of the state as well as civil service in public, deficit of morality and twisted political culture, unclear and complicated relations between senior officials and politicians etc.

After 1991 there have been many structural changes in civil service system but in Randma’s (2001: 122) opinion the civil service itself stayed clearly unchanged until 2000.

In Estonia the Public Service Act (PSA) came into force on January 1, 1996. Major amendments were adopted in 1999, 2000, and 2001. The act provided a legal framework for the public service, and civil servants; public sector officials now have an independent judicial position. However, there were some conceptual weaknesses in the legal framework and important relations were not regulated by the law.

Consistently, several civil service system reform programs and concepts have been developed. For example, the government that took office in 1999 had public administration reforms at the top of its agenda, and went on to develop a new and more comprehensive and coordinated Program for Public Administration Reform, which was adopted by the government in April 2001. Among the central principles were a legitimate and fair administration, openness and transparency, protecting the rights of individuals, efficiency and effectiveness, and the subsidiarity principle. The concrete reforms included: Local government reform, optimizing functional divisions and co-operation, budget reform and strengthening financial management and internal audit, developing a citizen oriented public administration, and developing the civil service. The civil service reform focused on determining the scope of the civil service, reviewing recruitment policies and the selection system, training, reorganization of the pay system and motivation mechanisms, and on developing human resource management. The principles were those of professionalism, political neutrality, merit, and transparency, but also performance and contract regulation. The recruitment and promotion processes that were established in the Estonian civil service came close to a Weberian ideal with recruitment by public competition and selection based on merit (Randma, 1999). Changes continue also in 2004, when a new public administration development conception was adopted by Government of Republic. This time “flexible management, more competent civil servants and more result-oriented motivation system” were the key-words (State Chancellery).
By now a civil service development is thus still under permanent construction and neither of mentioned conceptions were approved by Parliament. Reform is not complete yet and there are still many efforts to be made. Problems in implementing planned actions is caused by political instability and by the fact that there is no clear understanding of what type of civil service Estonia really needs. For example, the Civil Service Act of 1995 refers both to career and open civil service systems and there are features of both in, but on the base of the Act the open civil service system has emerged in the end. The general tendency to open system is also emphasized by for example Bossaert: “The ability to use one or another model is in close relation to the traditions of the state, type of thinking, culture and institutional order. Estonia is a country with most open career civil service system in European Union”. (Bossaert, 2002: 19, 37).

There has been a slow, but steady increase in the number of public servants throughout the late 1990s despite the declared intention of the governments to downsize. The number of civil servants rose from 19,977 in 1997 to a maximum of 20,472 in 2000 (Ministry of Finance, 2004). Then the government succeeded in breaking the curve, and by the end of 2003, the number of civil servants was down to 18,998 (Ministry of Finance, 2004). The privatization program continued throughout the 1990s as the government privatized a large part of the industrial sector, utilities and infrastructure companies and initiated land reforms. Despite the high level of privatization, the Estonian government launched still further privatization with the 2001 reform program, which focused on transferring the functions that were not inherent to the central administration to the private and third sector, thereby further reducing the state (State Chancellery, 2001).

Estonian civil service is also characterized by already mentioned decentralization in a term of personnel management. It gives an impression that in the process of decentralization the co-coordinative roles were also distributed and not only vertically, but also horizontally. The actual problem is not in tasks distribution, but rather in a fact that no concrete institution is given resources nor obligations as well as formal responsibility to coordinate civil service area. However, it is much better to reform something where there are clear institutional order and coordinative mechanisms.

2.2 The role of the state in society (state versus civil society centered)

During the soviet period state meant for the Estonians foreign rule (Moscow’s commandments), foreign traditions, language and values. It led to overall negative attitude toward the state, it’s administration and civil servants. In addition there was a very big gap between ordinary people and “people in power”. As a result state stayed apart from the society, it was considered as something above the citizens, not coming from their initiative. Also, if we consider the state to defend national interest or to mediate them, in soviet period it is hard to find these features were true for the Estonians. Independent Estonia’s heritage from Soviet Russia is a clear separation of state (public) and civil society (individual) spheres. Individuals are in service of the state, not state in their service.

During the transition period some attitudes have changed. For example, it is believed that state is to defend national interests. In everyday life many people still experience so called “learnt helplessness syndrome” when all goods and bads derive from the state; people are looking for someone to blame and it is generally the state (as an institution without concrete faces). People hope that someone (so the state) is to come and give them what they want (Roots, 2000). As a result, in the eyes of the ordinary citizens, state power is relatively strong: state is good or bad, but everyone acknowledges its right for existence. Estonian society can be called state-centered as hopes, expectations etc toward the state are strong. State has an authority to dissolve the conflict and to guide people’s life. Shortly, state has uncontested legitimacy to act in its role to express common interests.

The last developments show a tendency toward “minimum” state. It means less bureaucracy, less state power. Such slogans are a bit populist as above, we have indicated that Estonian civil service system is not numerous, the main accent is made to the professionalism. So the state core source of authority is not overwhelming centralized bureaucracy. It is rather representative bodies like parties, Parliament etc from where the power of the state is emerging. Slogans of “minimum state” rather express a wish to bring a state closer to the citizens, as a gap between those two stays. The former then confirms once again that state and civil society spheres are separated and need to be in closer cooperation.

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1 - For example one of the slogans of Res Publica party during elections campaign was „less state“. Also a liberal reform party carries an ideology of “there should be as less state as it is possible, and as much as it is needed”.

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2.3 Egalitarianism versus hierarchy
We find that Estonian society is based on egalitarianism. There are no such a priori formal advantages of origins of birth or wealth that give an individual more access for a better job or whatsoever. The principal thing that really counts are individual’s personal abilities. All individuals must be treated equally and state should guarantee it through, for example, common education. There is equal starting position to everyone. However, some hierarchy presents, but it is a result of a process, where differences are achieved thanks to individual talents. For example, referring to civil service system, there are base-, medium- and senior civil servants. The higher is the position of a person, the more access to amenities he/she will potentially have. Nevertheless, no one is forbidden to get higher post, the only condition within Estonian position-based open system is professionalism and knowledge (Randma, 1999).

As the Estonian public service is a post-based system, progress in a career ladder can be (and in several cases has been) very fast. As the Estonian public service is very small with only three basic categories of posts, the possibilities for promotion are limited. Although most state institutions would like to promote from inside the organisation, they often lack qualified candidates and have to recruit from outside the organisation. Criteria for promotion differ from one organization to another, but they are mostly based on previous performance, communication and leadership skills, commitment and formal qualifications (Randma, 1999).

2.4 Individualism (as liberalism) versus corporatism (as collectivism)
The principal issue here is the role of a citizen in a primary community. In Estonia, individual interests are protected by community, whereas those individual interests are submitted to a community purposes (for what one gets a protection). Corporatism, determined like interest groups’ and state’s interaction, serves to elaborate coordinated policy. Priority lies in interests’ consensus, not in rivalry between different ones. It should be added, that as state has strong legitimate and authority power, it is mostly its initiative to involve civil society structures into decision-making process. State is concerned to be citizens’ wealth guarantor, and so they wait it from it. At the same time individual wealth’s guarantee is a state duty and a purpose of its function. It can be assumed that because of Estonia is a small state, the corporative culture is highly presented. For example, Estonian public service was established as an open position-based system with only few restrictions for entering the service (Civil Service Act, 1995). This has led to an extensive mobility between private and public sector employment. But there are only few institutionalized links between society and the state administration. A study made by Norgaard and Winding (2005) shows, that when asked in 2001 about how concerned interested were incorporated or consulted in the decision-making processes, 44 percent indicated that there could be informal forums, whereas only 26 percent answered that there were institutional forums for discussion and cooperation. This shows that corporatist structures are very weak in Estonia. It comes closer to the contractual – or at least Scandinavian – tradition with a clearer separation between the state administration and organizations in society” (Norgaard and Winding, 2005).

2.5 Process-Result and Tradition-Convention-Rule
Two dimensions in some extent refer to decision-making process. On the tradition-convention-rule dimension we will find Estonia as a typical country governed by the rule. Estonia is a country where rules, norms and regulations coordinate and organize individuals’ life; they are codified and formulated by experts (Roots, 2000). Codes of rules are formal, rationality oriented and they get their legitimacy through formulation and publication by authorities. Generally, these norms are not a subject of interpretation but they are made to be followed strictly and forthrightly. All mentioned above is a result of strong German law culture tradition in Estonian society and its legal system. However, when the normative base is built on a principle of formal rationality but at the same time one of the features of administrative culture is result-oriented as it is in Estonia, then legislation and implementation of normative system is somewhat problematic. It is especially seen when decision-making process is highly politicized and unstable, where some particular social groups have more access and power to make a decision. The more unbalanced decisions are the more subjective are interpretations. Soviet period is a clear example of how, on one side, highly regulated and bureaucratic the norms were, and on the other side, how they could be politically and subjectively interpreted.

After 1991, due to rapid reforms, many legal acts and norms were not co-coordinated or just missed. So civil servants find it hard to resolve the possible problems using only general regulations as many things are just not in there. Shortly, where strong law-obeyed traditions are present, there should be well-developed legal system. In Estonia, we have the first one, but not the second. It should be more freedom of interpretation in that case, but at the same time it leads to subjective norms’ interpretation.

Just to conclude in short our previous observations, we summarize in key-words: Estonia is a state with strong rules’ and norms’ traditions, state oriented, where the state has a strong power, also of civic initiative.
(institutionalization of state authorities and civil society cooperation derives from regulations which formed by state authorities); process oriented; egalitarian; state with professional and not numerous civil service.

3. Politico-administrative relations at core support structures

From the formal or legal point of view there is not so much evidence concerning the relationship between politicians and civil servants. The principal legal acts which overview it in some point are Constitution, Civil Service Act and Republic of the Government Act.

Concentrating ourselves to the level of executive and its support structures, we will find in Constitution a definition of a Government only by its administrative functions as a top of administration (art. 86). Important note to remember is that in Estonia a term Cabinet refers to unofficial meetings of Ministers and heads of its support structures. Cabinet meetings play a significant role in policy coordinating and formulation. Government has besides other obligations a duty to submit draft legislation to the Parliament, at the same time such a definition as “policy formulating” or just “policy” is missing in Estonian legislation (Sootla, 2001). The politico-administrative dichotomy is also not clearly, if at all, set in legislation. The specific roles of politicians and bureaucrats are not defined and have so far therefore largely been shaped ad hoc. Thus, among the central goals of the reforms was to redefine the roles of politicians and civil servants (Norgaard&Winding: 2005). There have been intense fluctuations – towards politicization at one time and towards neutrality at another (Sootla, 2001).

According to the Public Service Act some posts can be filled by way of political appointments. The Public Service Act introduced a distinction between career civil servants and state servants appointed by parliament and president and those working for politicians during their term in office. The former for example are those personal advisors to the ministers who are our main topic. Hence there are neutral civil servants and politicized state servants. Furthermore, politicization has been more pronounced towards the top as higher officials, who can be appointed politically, are involved in policy-making and have close working relationships with ministers. There is still a very wide scope for administrative discretion within the framework of the law. But in order to ensure the legality of the administration, the judiciary is charged with controlling the use of administrative discretion (Randma, 1999).

Above briefly mentioned fact of neutral professionalism of Estonian civil servants is widely true despite the fact there is a lot of politicization at the top. Civil servants try to insure their neutrality by following formal rules and laws. In some point, it causes problems as bureaucrats prefer to be uninvolved in the sense of being not responsive. The so-called “policy ownership” is not present in the system as a value. In Estonia, the attitude of many civil servants is that they implement policy, but not form it. The latter is the responsibility of politicians. For example, the Code of Ethics of Public Service requires public servants to follow the legitimate will of politicians (Randma, 1999).

Constitution requires impartiality and professional independence of public servants. A special reference is made regarding the State Audit Office (§ 132), the Legal Chancellor (§ 139) and the courts (§ 146). For others, Public Service Act imposes a restriction in § 70 on political party membership, where state officials, except advisers and assistants to the Chairman and Deputy Chairmen of the Riigikogu, advisers and consultants to factions of the Riigikogu, and advisers and assistants to the Prime Minister and ministers are not permitted to belong to the permanent directing body or permanent control or audit body of a political party. It also requires in § 59 that a public servant perform his/her duties in an accurate, timely and conscientious manner and without self-interest. The duties of a public servant are determined by laws, regulations and job descriptions, and by other legislation (Randma, 1999).

Concerning the role of civil servants in policy-making, there are no specific provisions in Estonian legislation about policy advice. These functions may be assigned to officials as professional responsibilities (through legal Acts, job descriptions or service-related orders). Often officials have working relationships with different interest groups (such as trade unions) and different political parties through parliamentary committees and expert commissions, which is considered as joint decision-making, with the participation of both politicians and officials (Randma, 1999).

Further we will concentrate on the category of public servants, where personal advisor’s and assistants to the ministers belong; their status and his/her roles between politicians and administration as a minister’s supportive institution within a ministry.

2 - Another organ which is a main one when it is a time to dissolve conflicts is Coalition Council.
3.1 General structure of minister’s advisor’s position

**Formal standing**

In Estonia, the formal position of minister’s adviser is regulated, as the position of civil servants, by Public Service Act. It makes the advisor’s position to be part of a state bureaucratic administration and it applies most of the regulations to adviser that apply to other civil servants. The most significant difference between minister’s adviser and other civil servants in formal terms is the fixed term of service – minister’s adviser is appointed to the post and leaves the office with the minister. Another significant difference between minister’s adviser and other senior civil servants concerns the way they are appointed to the post – as a rule senior officials come into office through open competition but ministers advisers are solely appointed by party or minister.

Minister’s adviser is not only formally civil servant, it is also very often required that he or she would act as one. On the other side, adviser has to be loyal to the minister and follow strictly political guidance. The field of action of an adviser can therefore be described as an overlap of politics and administration.

Although the Estonian Public Service Act does not directly define the number of advisers per minister, it has become usual for a minister to have maximum two or three advisers who form minister’s political back-up team. This number is comparable also with other European countries. As opposite examples France and United States can be brought out where the number of politically appointed civil servants is much higher. The difference is rooted in historical and traditional evolution of civil service system. With politically appointed civil servants there is an attempt to bind into integrated picture political intentions and administration (Peters 2001: 88).

Today, most of the ministers in Estonia have two advisors, they subordinate directly to the minister, though there are some cases known when it is allowed also for the secretary general to give tasks to the advisor in order to allocate the resources more effectively. Two advisors within one ministry have different responsibilities; the distinction can be brought out most clearly when we look at the main directions of communication of an advisor. Usually, one of the advisors can be described as a party’s advisor who helps the minister on political issues and acts as a communication bridge with the party and he/she is also the one to communicate with the public when needed. The other advisor is active on ministerial and policy issues; he/she is competent, loyal and helps the minister on issues that require deeper understanding on ministerial issues. The latter advisor is also the one whose position is examined in this article.

4. General framework and advisors’ roles’ configurations

At first, we are going to develop the general, theoretical framework. We concentrate on advisor’s political and administrative roles; roles in policy formulation and implementing; position in communication process. We see an advisor’s roles as independent, but also as possible supplements to politicians’ and bureaucrats’ once. According to the two main dimensions of a) advisor’s functions in policy formulation and implementing and b) position in communication process, four theoretical roles’ configurations have been developed. The third dimension of political and administrative roles serves rather as an essential contribution to the previous once in a term of a supplement to the general context showing advisor’s functions fluctuation to more or less political or administrative in dependence on those functions in, accordingly, policy formulation and implementing and communication process.

**Roles in policy formulation and implementing** are determined by the advisor’s ability and delegated authority to control and guide the work of administration. It also comprises the power to make bureaucrats change the policy in a desired way as well as give them orders to do those changes. In no matter how professional and competent advisor can be, it is not possible to actually take under control everything. Rather, it would be clearer to distinguish here how far advisor’s knowledge of particular policy goes and how much does she/he concerns to have all background information. On one hand, we can observe very general and cursory inspection; however it will also allow implementing political agenda on administrative level. On the other hand, the advisor’s control power can reach very far: he/she makes very carefully acquaintance with ministry policies, prepared draft acts etc. It gives more power to, for example, to filter information and so refers to policy formulation in an active way. Two perspectives of a general guidance or active policy formulation are also in somewhat dependence on advisor’s own perception of him/her to be more or less political and also minister’s will.

**Position in communication process** refers to the advisor’s functions as a bridge between politicians and bureaucrats. We can also call it in-between, mediator, moderator, third force etc. The difference lies in whom mediator the advisor is: more minister’s one – so it is much need for the minister’s politics to be „sold“ for the bureaucrats – or, civil servants’ one – in this case the accent is made to bring a feedback from administration to the minister for a better policy formulation. Position in communication process is also much determined by the fact how intensive the communication is: does it end with just a formal correction of some
technical issues, or, tries to prevent possible misunderstandings and conflicts. In short, is it reactive or proactive?
Together, two dimensions give four theoretical models, or advisor’s roles’ configurations. As all ideal
typologies, those should be taking accordingly.

Advisor’s roles’ configurations

![Diagram of Advisor’s roles’ configurations]

I **Expansive** roles’ pattern comprises strong political and administrative powers of policy formulation and implementation from the one side and active position in communication process from the other. It requires advisor to be minister’s and bureaucrats’ mutual viewpoints communicator, at the same time to have far-reaching self-acting area due to careful knowledge and professional competence.

II **Over-carrying**. This type of advisor does not have intentions to control the work of administration; the latter together with active political agenda implementing is done by other channels, so in this function advisor is not much needed. However, through active role in communication process he/she takes a responsibility to bring politicians and bureaucrats together and forward to them both statements.

III **Guiding**. Nevertheless a strong potential to control the work of administration, advisor is rather satisfied with a general guidance and advice giving. She or he is not actively involved to everyday business of administration; the accent is made to the final result which is a subject to be changed according to advisor’s view. Communication is passive and starts from the end, where and when bureaucrats’ policy results need to be corrected.

IV **Observing**. The work of the ministry is mostly done without intervening of an advisor; information which administration needs about political intentions is got from anywhere else (directly minister or chancellor). The ministry’s role is strong enough to control bureaucracy him/herself where needed as well as to give political guidelines. Advisor is rather in a function of minister’s personal assistant.

5. **Empirical study description and data analysis**

This article is based on an empirical study conducted in Estonian ministries in autumn 2005. Specially designed interviews were held in order to investigate the role of minister’s personal advisor. Two ministries were involved: Ministry of Justice and Ministry of Environment. Among interviewees there were two chancellors, senior civil servants ( Heads of department) and ministers’ personal advisors (one from both ministries). There was also a study of documents concerning responsibilities of ministerial staff and the work order in the ministry that contributed a valuable data for understanding the advisor’s formal position inside the ministry. So, now we are turning to the empirical evidence analyses based on previously developed theoretical framework.

5.1. **Competence and functions**

Both interviewed advisors are with a university degree to allow them to feel competent at their post even though one of the advisors does not actually have relevant educational background in the field the ministry is responsible (environment). They see their position to be valuable because of the professional experience and knowledge they can obtain doing this job. These are more worthy than the sacrifice of neutrality they make. It means that being in service of a particular minister is being associated with a particular party as well as concrete party politics. Nevertheless, one of the advisors does not see any problem in this respect, as at the same time the other emphasizes that due to such associations many doors in civil service career can be closed.
However, both agreed that they have been chosen for this post (by minister himself or by the proposition of a party’s secretary-general) not for the political loyalty but conversely, for their professional background. The commonly used practice in European states is that politically appointed persons are not integrated into the general structure of a ministry and they constitute a separate unit or department. In this respect Estonia constitutes a difference with the fact that advisers form usually a part of the ministry’s board. Personal adviser is accountable directly and only to the minister. Firstly, it is to diminish possible position-based formal and informal power of an advisor that he or she could have within a normal ministry department and, secondly, it leaves a possibility for the minister to use his advisors where it is required according to the current need (Peters 2001: 88). Although advisors do not have subordinates, it has become normal in some ministries for them to be allowed to give ad hoc tasks to highest ranks of civil service at the ministry. The most overall understanding about advisor’s functions can be developed on the basis of the position manuals. These state that advisor has to prepare minister’s meetings in essence, gather information and materials, propose opinions, compile articles and speeches and implement many other ad hoc tasks. The missions of the support unit and competence requirements are not formally constituted and they form on an ad hoc basis. Advisor belonging to the board of the ministry is according to the formal rank the person with a smallest amount of power, though he/she also formally is a senior civil servant. The first impression about advisors’ functions gives a formal list of duties and responsibilities that is very comparable to the ones of an apolitical civil servant. It is quite general and, as a result, for both ministries it gave a range of similar functions for the advisor like: preparations of minister’s meetings, conferences and consultations, opinions reporting, providing minister with essential information, speeches and articles writing, lots of ad hoc duties etc. Essential difference between two advisors is that Ministry of environment (ME) advisor is doing all of just mentioned things in all areas that can be described as horizontal responsibility. The advisor of Ministry of Justice (MJ) is only committed to legal policy area and he therefore can be said to have a narrowed-functional responsibility. According to the opinions of advisors themselves, the advisor’s function can be more or less described as a list of certain activities. They both have a responsibility for preparation of government’s cabinet meetings, coordination inside and outside the ministry, gathering information, doing analysis, communicating with bureaucrats. The special roles of ME’s advisor is according to her own and chancellor’s opinion: to hold active the topics that are important for fulfilling the coalition agreement, initiate discussions (this allows her to influence agenda-setting in the ministry). ME’s advisor formulates her main duty – „to bring together different views and opinions, mediate information, communicate and negotiate.“ At the MJ there are fairly different views on advisor’s role, more emphasis has been put on expert knowledge of the adviser.

5.2 Relations in policy process

Position on an axis of communication

Advisor also has a meaningful role to play in the communication processes directed to administration. At MJ the communication process is formalized and administrative hierarchy is mostly strictly followed, advisor does not get involved in bureaucrat’s work; problems requiring solutions are brought to a board meeting. At the same time at the ME the role of the advisor in a communication process is much wider and stronger. On the one hand, political opinions are brought to bureaucrats through her and on the other she is also an information-resource who helps civil servants to solve problems without getting the ministry’s board involved. The communication directed from bureaucrats to minister also runs through minister’s advisor at the ME; advisor also was described as a mediator who contributes to problem solving and conflict management and balances the interests between politicians and bureaucrats. One of the bureaucrats said that “although civil servants can discuss different issues among themselves, minister’s advisor is needed to take the concerns and opinions to the political level.” Bureaucrats also saw that sometimes the advisor is the one to collect different opinions among ministry’s specialists and to form one and comprehensive position to be presented to the minister. According to line civil servants advisor is not so much a source of expertise or a policy maker himself though it is important for him to be competent – advisor’s main role from civil servants view is to coordinate, to communicate, to mediate and to filtrate.

In the field of communication, some specific dimensions and differentiation were brought out about the advisor in comparison with other civil servants: advisor has trustworthy relations with the minister, he has a direct access to the minister, a possibility for himself bring up new topics to ministry to work on and also to choose a moment for that – civil servants normally lack this power, they are given orders to be fulfilled. Also was mentioned that advisor has to know the whole ministry and the functions and responsibilities of different departments.
Political and administrative roles

The position of minister’s advisor does not belong historically neither to the side of politicians nor civil servants. It still has been a part of the governmental system for quite a long time now. The roots for the emergence of the position are closely knit with the development of the roles and duties of politicians and civil servants. This study showed that there is no common understanding among interviewees whether to see him or her as a political or administrative actor. Actually advisor can also be seen buffer that helps to protect the minister not to be run over by bureaucrats’ demands and on the other hand to prevent the politicization of the civil service.

Irrespective of the advisor’s political membership to a party, civil servants tend to see him more as a politician, one of them said: “Advisor is the implementer of party politics who help the minister on political questions and preferences.” Advisors themselves have an opposite view though they admit having both political and administrative responsibilities, one of them commented: “I feel that I am a bureaucrat who is a subject to Public Service Act and the norms laid down there. I fill my duties in my sphere as any other bureaucrat.” The political side of the advisor’s work is seen as inevitable by a high civil servant: “Ministry is led by a politician; every bureaucrat gets involved with politics day by day.” At the ministry of Justice where the organizational system of the ministry more resembles the organization of classical bureaucracy the roles of political and administrative side are seen more separate and the advisor is seen clearly as a member of politicized support unit, the general secretary of MJ says that minister’s advisor is a politicized bureaucrat; and if a civil servant politicizes he/she becomes of the politicians.

Both interviewed advisors believed that they were selected to fill the post not because of their political affiliations but because of their competence. Their views differentiated on the impact that their current career choice can have in the future. One of them thought that many doors in civil service can remain closed in the future because of working on this partly political position but the other believed that advisors positions can be even a good platform for entering “the normal civil service”, he also mentioned a former advisor who became a head of department at the ministry.

Role in policy formulation and implementing

The developments of modern government have led to the fact that advisor mainly acts as a diminisher of minister’s workload. Advisor has usually no specific guidelines for work and responsibilities, his/her duties form mostly on an ad hoc basis. Advisor has to be competent in the field that concerns ministry’s inner organization and responsibilities. This means that advisor himself rarely has a possibility to influence the policy formulation and implementation but he’s the one to help the minister to fulfill the goals.

In comparison with other civil servants there is one significant factor that gives the advisor better tools to take part in formulating and implementing policies, it is advisor’s better knowledge on political deals and back-curtain decisions. One of the bureaucrats said: “Advisor always knows more that the claims to know; he can present ministry’s opinions, negotiate and communicate outside the ministry – line bureaucrat has no such power to do that.”

Advisor’s position is a balance between politics and administration, one of the bureaucrats described it so: “Advisor does something that an ordinary civil servant cannot do, he gives a political perspective to the whole work we are doing, he sees farther than the legal aspects. If we didn’t have an advisor at the ministry we would have to ask political appraisals from the minister.”

If there would be no advisor at the ministry

We already have brought out some aspects that make the advisor’s position valuable either to politicians or administrators. Surely, advisor is a helping hand and head for the minister who diminishes the work load of the minister a lot, advisor carries many routine and technical tasks in order to “let the minister think and deal with strategic things” as one interviewees put it. ME’s civil servants thought that without advisor there would be no one who could initiate the formulation of coherent ministry’s policies.

Political communication was also seen as one of the important duties of an advisor, one of the administrators said that a line civil servant should not be responsible for promoting ministry’s policies and politics behind it. According to advisors’ own view, apolitical civil service apparatus could also do most of the work that they are doing, only the smaller, political side of the work would be left to the minister to implement.

5.3 Analysis of transitional changes

The ministers’ personal advisors have always existed, but their role and status have developed and changed. In the beginning of the independence period a mistrust of politicians toward civil service was very high, so ministers needed someone personally to rely on. One of the solutions to this problem was politicization, another one – personal advisors and, later, a position of so called vice-minister. In Estonia, both solutions were used. However, the first one has always a negative impact and outcome, where both politicians and civil servants suffered. In addition, it could and somehow has created a negative attitude within a society toward the
state and its civil service system, so the state image was damaged. As a result, it was understandable to invest to some other solutions. So, personal advisors not only stayed, but their status and functions got more institutionalized position.

During 1990s there was no clearness at all of what exactly advisors do at the ministry, what is their position in hierarchy and what are their functions, they interacted with rest of administration at a minimum level and served as ministers’ trusted personnel, not as in-add value to the work of the ministry. Nowadays most of the civil servants are aware of the advisors’ duties and even find this position to be much needed. The retribution of duties between advisor and administration, as well as minister, is much clearer. It contributes to better organization of work at the ministry.

Another “between administration and minister” position of vice-minister was introduced in the eve of millennium and is also quite important in politico-administrative relations in Estonia. The vice-minister often has more professional knowledge that line ministry administration. For example they may be former enterprise or hospital directors etc. A vice-minister does not have to belong to high-echelons of the party as ministers usually do, in a fact he/she even does not have to be a party member. Because vice-minister’s functions are mostly representative, their position can be described still and definitely more than advisor’s position to be political. In addition, a vice-minister office-term ends when minister resigns. How does vice-minister position in Estonia influence politico-administrative relations stays here without an answer, because the field and the position have not been studied yet.

5.4 Nature of the role

The nature of the advisors role can be described as depending on the point of view, interacting, helping and having a potential for influencing the policy formulation and implementation. We did not find any significant signs that would mark a threat of this position to permanent civil service. Maybe it is because Estonian civil service system is not corporatist but it can be rather assumed that there is actually no threat like that. Line civil servants see advisors to be positive actors who contribute to the ministry and to the work of minister and also bureaucrats.

The contribution and impact of advisers to the quality of the policy making process is quite low because they have tasks that are more urgent and there probably would not be much time for just one person to get into details with policy issues.

6. Two different advisors’ roles’ configurations

Based on the general framework and four possible advisors’ roles’ configurations as well as empirical data there have been two different roles’ patterns emerged. They illustrate how different can the advisor’s role be even if from a purely formal point of view they suppose to be more or less similar. It is also quiet understandable that real life types of roles’ configurations do not perfectly fit into the theoretical framework.

The Ministry of Justice advisor’s roles’ configuration – Guiding

The advisor’s control over the work of bureaucracy is weak, but not because of a lack of a competence, but because he/she does not deep too much into the policy issues elaborated in the ministry. So the policy advice comes mainly from civil service as it is their trusty responsibility (exception is made only when political interests are clearly involved). In normal cases, however, it is commonly agreed and it has been developed so that advisor’s general and cursory coordination is enough for the policy coordination and political agenda implementing. It has been referred to the advisor’s political expert role, so the ability to put political intentions into policy issues (on administrative level), but again, more in a general context of coordination. Just the way of how ministry work is organized has its impact also on advisor’s functions.

The communication between the advisor and rest of the civil servants is also weak and is expressed mainly on the level of a technical or procedure details correction. Such a role as a mediator (to feel and prevent possible conflicts) is absent. There is also no big meaning to talk about advisor’s role as a balance-point between politicians and bureaucrats. Rather at the Ministry of Justice this role is carried by chancellor, partly because formal hierarchy rules and directions are followed.

Finally we can conclude that advisor stays away from interests’ balancing process, negotiations and conciliation are done on the level of board meetings. Inside the ministry things are done without advisor, he or she starts to act in the end of the process, so coordinates further on the level of Government and National Parliament.

The Ministry of Environment advisor’s roles’ configuration – Over-carrying

Because of advisor in this ministry checks most of the documentation, involvement in a policy formulation and implementing as well as the control-ability over administration enlarges significantly. Indeed she often asks a civil servant to make things differently done, but it is only to achieve internal quality and far away to be
always a political concern. Political agenda formulation and implementing mechanism is in somewhat different than it is in MJ. A consensus over the issues is achieved through active communication, where advisor plays important, central role. She stands between minister and civil service and brings on the table both opinions. It is considered very important for the civil servants in their everyday work to have someone to ask about political or board’s intentions informally and get quickly the answer. Through the advisor it is always possible to specify some unclear points.

Advisor’s role is proactive: thanks to intensive communication she sees much and tries to resolve the conflicts before they emerge. For the ME it can be concluded that advisor is as a bridge and a point of balance. Also comparing with MJ, here the actions of advisor are inside-forwarded (not outside toward Parliament or Government); advisor has significant contribution to the internal work of the ministry. She is actively involved in ministry’s policy formulation, even if she mostly wants to diminish her role simply to bringing together two actors’ (minister-administration). It seems to be reasonable as much dictated with functions’ distribution between different actors.

**Conclusion**

The general aim of this article was to explore the main roles of ministers’ personal advisors in politico-administrative dichotomy. We concentrated on his/her political and administrative roles; roles in policy formulation and implementing; position in communication process. There, we analyzed personal advisor as a politician and as a civil servant, referring to the fact that the actual position of advisor between the minister and civil servant can assume a “difficult life” for him or her. On the one hand there is a necessity to be loyal to the minister and being “political” in the sense of understanding and implementing “rightly” minister’s or, rather, party strategies. On the other hand are not less important interactions with civil servants, who supposedly should be implementing decisions in a way “minister desires”. As a result, when we talk about advisors we mean both extension of political executive and parallel bureaucracy, political and administrative functions implementing, so how does he feel more or less politician or civil servant.

Our empirical analyze is based on several interviews held in Estonian ministries. There are two ministries, Ministry of Justice and Ministry of Environment, under the exploration. Generally, we can conclude that personal advisor’s role remains a lot to be minister’s assistant and trusted person. However, advisor is working for the good of whole ministry. The main conclusions are the following: as for the one ministry, advisor is taken as civil servant – her tasks as a mediator, a bridge for politicians and politicians, confirms it. The other advisor’s interactions with civil servants are weak. He is rather keen on giving general political guidelines without active way to control them. However, for both ministries it has been agreed on advisors’ role having more political background information. It is also a common view, that such position as minister’s personal advisor is adequate and much needed.

The main named reasons for ministers’ personal advisors existence were minister’s surcharge diminishing, ideological competence coming along with his/her advice because of political information background, as well as in Ministry of Environment the mediator and “bridge” roles were highly evaluated. The author’s position about advisors’ status is positive. We also find that current number of advisors per minister is reasonable. Taking into consideration Estonian civil service features like professionalism and neutrality, there should be someone between politicians and administrations to balance a process of policy making (here we talk about ministry level). We find that special advisors can be those co-coordinators, nevertheless not every of them carry such roles. It is still much space toward institutionalization and elaboration on advisors’ position.

Still, we can not to forget that if there is a redistribution of politicians’ and bureaucrats’ roles, some new models of interactions will emerge. For example in this article we have revealed that in Ministry of Justice the old way where chancellor has a main responsibility of mediating interests and resolving conflicts remains to work, but in Ministry of Environment it is the advisor, who took over these roles from chancellor. We rather will not make any certain conclusions about how have the advisors’ position changed politico-administrative balance, however we see a clear tendency toward such institution inculcation into administration general system.

We regret, but have a good starting point to explore others, in this article stayed without proper analyze, topics such as, for example, ministry traditional hierarchy question. In ministry hierarchy advisors are always placed into so called staff bureaucracy, senior top officials’ status. They have relatively strong power to tell vice-chancellors what to do. Secondly, minister advisors do not have any mandate (authorization) to make politics (politicians do as the y get it from citizens in elections), nevertheless they have big power to influence decisions and decision making process. The question of responsibility, whether political or administrative, arises. Is there any responsibility at all if he/she play only mediator role? Also, how does advisors’ position possible reflect vice-minister position?
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