Paper prepared for the 3rd Transatlantic Dialogue
University of Delaware, Newark
May 31st – June 2nd, 2007

Leading the Leaders?
The German Administrative Elite
Between Politicization and Professionalism

Eckhard Schroeter

Zeppelin University
Department of Public Management
& Governance
Am Seemooser Horn 20
88045 Friedrichshafen / Germany

eschroeter@zeppelin-university.de

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Introduction

This paper sets out to provide an empirical overview over the current state of politicization in the German ministerial administration (for earlier accounts see in particular Mayntz/Derlien 1989, Goetz 1997, 1999, Derlien 2002, Schroeter 2004 and more recently Schwanke / Ebinger 2006). In doing so, its focus is mainly on the federal level of government, however, in view of the significant role that *Lander* administrations play in the decentralized German political system, where appropriate, available information from ministerial departments of the federal states will be included, too. In order to identify developments over time, the analysis seeks – as a rough guide – to cover a time span of the past 30 years or so. In view of the scope of this paper, however, the survey of the literature aims at the 'larger picture', so that the above mentioned portrait will be sketched only in a broad-brush manner.

Conceptually, the following draws on a well-established distinction between various meanings of the term 'politicization' (see for example, Derlien 1985, 1987, 1996, 2002 and Peters and Pierre 2004). To start with, politicization can be understood in terms of the involvement of administrators in genuinely political (however, not necessarily party political) activities. Here, the institutional role of the ministerial bureaucracy in the wider politico-administrative system is at stake. In this sense, the 'functional' or 'institutional' politicization is to be seen as a corollary of the closely intertwined spheres of the 'political' and 'administrative' realms at the ministerial level. More on a micro-sociological level, the role understandings, work-related attitudes and political values of senior bureaucrats have been highlighted as crucial factors in shaping administrative behavior (Aberbach/Putnam/Rockman 1981), so that cultural dispositions or 'attitudinal' politicization deserve our attention, too. Finally, the extent to which party political patronage encroaches on the supposedly 'neutral' or 'impartial' role of public bureaucrats and jeopardizes their professional expertise has been a recurrent theme and source of concern in comparative public administration. Seen from this angle of 'party political politicization', the individual civil servant appears to be the target of partisan mechanisms to control the professional bureaucracy.

The inbuilt tension between the pull towards politicization in all its variants on the one hand and the 'tried and tested' principles of the professional career civil service on the other hand will be the thread running through the following discussion. It will be argued that the political environment of federal ministries forces political roles onto top career civil servants which require both a well developed 'political craftsmanship' (Goetz 1997, 1999) and corresponding role understandings. Seen from this vantage point, 'functional politicization' may live in harmony with civil service professionalism. Looking at the latest changes in federal government in 1998 and 2005, it will be shown that the institutionalized mechanism of political control over ministerial staffing matters through the 'temporary retirement' of higher civil servants continues to offer a relatively mild form of partisan politicization, thus balancing the need for political loyalty and the need for professional expertise.

The Institutional Setting of the Federal Ministerial Bureaucracy

Organizational Structure and Civil Service Rules

The federal ministerial bureaucracy is a predominantly policy-making oriented institution of – in comparative perspective – rather modest size (see for a more detailed analysis Mayntz/Scharpf 1975, Mayntz 1984, Goetz 1999, Schnapp 2004). The total workforce of some 12,500 officials is currently organized into 15 government departments, including the Federal Chancellery. Focusing on members of the 'higher administrative class' (i.e. the highest of four career categories), this number comes down to roughly 5,100 civil servants (ranging from pay grade A13 for university graduates at the start of their professional careers to the rank of *Staatssekretar* or pay grade B11 at the pinnacle of the grading system, see table 1). From this reservoir of higher ministerial posts, the four top ranks in the departmental hierarchy are commonly singled out as elite positions. According to this definition, the size of the 'administrative elite' melts down to some 1,800 leading officials, including – moving upwards in the hierarchy – the heads of sections (*Referate*, pay grade A16/B3), sub-divisions (*Unterabteilungen*, pay grade B6) and divisions (*Abteilungen*, pay grade B9), plus, of course, the state secretaries (*Staatssekretare*, pay grade B11) as the topmost professional civil servants in each government department. The rather smallish sections *(Referate)* – as highly specialized centers of administrative-technical expertise – are the basic operating units of the ministerial organization, whereas the divisional management level is the decisive transfer point in the departmental communication and information channel, thus selectively amplifying or filtering policy proposals on their way up or down the ministerial hierarchy.

Table 1: Top Civil Servants in Government Departments (2001)

Rank	State Secretaries (B11)	Division Heads (B9)	Subdivision Heads (B6)	Section Heads (B3 + A16)
Total	24	106	251	1382

The structural lay-out of the ministerial bureaucracy and the set of regulations governing the senior civil service provide important factors in framing processes of politicization. In this context, the German case shows an interesting degree of ambivalence. On the one hand, the principles of a merit-based professional and tenured career civil service are not only – in keeping with the strong 'state tradition' – well-enshrined in (constitutional) law, but also underpinned by deeply-rooted cultural aspects (such as the prevailing legalist approach towards public administration) and safeguarded by additional institutional barriers to infringements of the traditional principles of an impartial civil service meritocracy. In particular, the law-clad system of personnel management based upon comparatively rigid and detailed civil service regulations acts as an institutional constraint against overt patronage at the expense of professional qualifications (e.g. promotion decisions – as 'administrative acts' – can be challenged and taken before administrative courts). By the same token, the commonly shared background of senior administrators in the legal profession (roughly two-thirds of them hold law degrees, see Derlien 1990a, 1990b, 1996. A more recent survey put the relevant number at 60 per cent, see Schwanke / Ebinger 2006) supposedly fosters this legalist notion of public management. Also, the (independent, but ultimately government controlled) Federal Personnel Commission

(*Bundespersonalausschuss*) acts as a watch-dog to make sure that those civil service standards are in principle also applied in the cases of 'outside' recruitment. Only candidates for the apex of the bureaucratic hierarchy, state secretaries, are exempt from this scrutiny. On the other hand, the system allows for a number of loopholes for patronage and generally accepts party political politicization more widely than we would expect in the light of the Weberian legacy. So, it is widely acknowledged and accepted that political executives have influence over job placement and promotion decisions in their ministries. This holds especially true for the posts state secretaries and division heads (*Ministerialdirektoren*), as well as the political support staff (see below).

The only significant exception to the constitutionally enshrined principles of the professional civil service, however, is the institution of the 'political civil servant', which applies to the top two ranks of the bureaucratic hierarchy and allows ministers to send their top advisers into temporary retirement without any justification needed. This 'political retirement' tradition (which dates back to the early dates of parliamentarization in Prussia after the revolution of 1848, see Kugele 1978) recognizes the right of ministers to dismiss leading staff members if there is any doubt about their basic congeniality with their political masters. Rather than inserting an extra layer of political appointees on top of existing civil service machinery, this model rests on the assumption that the incumbents of the two top rank posts are in principle still career civil servants. At any given time, this group of 'political civil servants' comprises of some 125 top bureaucrats (Derlien 1988). In view of the institutional design and moderate size of this special status group, the German system appears to keep an equal distance from the two more extreme versions of balancing 'professional expertise' and 'party political loyalty' which are typically associated with the Washington, D.C. and Whitehall models (see for a cross-national and historical comparison Derlien 1996).

The Political Habitat of the Ministerial Bureaucrats

Contrary to what the rather traditional Weberian grid of their ministerial organization in which they operate suggests federal higher civil servants populate a much politicized habitat. In view of the blurred boundaries between 'politics' and 'administration' this appears to be a rather trivial observation. In view of the political environment of federal ministries, however, senior civil servants face a particularly challenging range of politico-administrative tasks and functions which require highly developed political skills (see for a similar account Goetz 1997, 1999 and Schröter 2002). It can be argued that a number of gradual changes – related to the roles of political parties and interest groups, the legislature and the federal states in the policy-making process – have resulted in an increasingly politicized job profile for the administrative elite.

The role of political parties and political leadership: As for the model of executive government, the Federal Republic has a long tradition of coalition government. This political setting adds an extra challenge to the job of senior civil servants who not only have to read the mind of their own minister and that of the Chancellor, but must also factor in the vaguely defined and delicate variable of coalition politics. On top of that, the federal bureaucrats cannot leave the parliamentary opposition parties out of the equation. While forming the opposition in the *Bundestag*, those parties may well have gained the upper hand in the Federal Council *(Bundesrat)* which makes early policy negotiations necessary (see below). In view of a –

comparatively speaking – consensus-oriented political culture and well-entrenched rights of the parliamentary minority (as opposed to the 'winner takes it all' principle in the Anglo-Saxon tradition) opposition parties may in important instances also take advantage of the tendency of 'co-government' between the governmental parliamentary groups and the national opposition. In this working environment, the ability of civil servants to act strategically and sensitively in regard to party politics will certainly be an important asset.

The role of organized interests: The German ministerial bureaucracy can justifiably claim to serve as *the* major focal point for lobbyist work. In fact, representatives of organized interests accord even more political weight to their (formal and informal) contacts with senior government officials than to their working relations with parliamentary institutions, and put federal ministries clearly on top of the list if asked to rank political actors in order of their significance for lobbyists (Sebaldt 2000). Since these close working contacts tend to serve also the interest of the ministerial bureaucracy, which relies on first-hand information and seeks supports for its own policy proposals, a certain 'comradeship' may evolve between senior civil servants and lobbyists which comes close to the capture of individual sections or divisions (see also Benzler 1989). While this preferred pattern of interaction has a distinctive neo-corporatist flavor (given its emphasis on institutionalized contacts with peak associations) and a truly pluralist interest group regime with a great variety of interests and free access even for promotional groups is still fairly rare, it has also been observed that since the 1980s the system of neo-corporatism has eroded considerably and given way to a more pluralistic mode of interest mediation. So, the formalized contacts – most notably the mandatory hearings organized by the federal ministries – now "take place in a much more pluralized political environment than 20 years ago" (Sebaldt 2000: 197). It flows from this that interactions with organized interests tend to become less 'cozy' and take even more 'outward-oriented' and political astute officials.

The role of the legislature: From an American perspective, the Bundestag has been labeled the "most powerful legislature in Europe" (Aberbach, Rockman, Putnam 1981), and the relatively strong parliamentary impact on federal policy-making has also been highlighted in recent accounts of legislative politics in Germany (von Beyme 1997, 2000). Most notably, the sophisticated structure of standing legislative committees – seconded by a highly developed professional support service – left its mark on many enacted pieces of legislation. Closely shadowing the portfolios of the government departments, these parliamentary committees are crucial decision-making bodies and also serve as interfaces between the legislative and executive branches of government. In addition, the assertive role of the majority parties in parliament gives a much more proactive spin to the traditional role of traditional role of parliamentary scrutiny of government legislative proposals (Goetz 1997, Schreckenberger 1994, von Beyme 1997). In fact, parliamentary leaders of the governmental coalition partners have proven to be prime actor on the policy-making stage backed by the parliamentary parties' own infrastructure and personal resources that help to translate their political ambitions to translate into concrete policy proposals. Against this background, well-established channels of communication and information with legislative actors are in the vital interest of ministerial bureaucrats.

The role of the federal states: In regard to the legislative process at the federal level, the federal states seem to be determined to compensate for the steady decline of their individual law-making

powers by pushing their collective competences in the Federal Council (*Bundesrat*) to the full. Effectively acting as a second chamber, the *Bundesrat* – the members of which are routinely senior officials representing the *Lander* executives – has, as a rule, influence over any piece of federal legislation affecting the *Lander* which practically amounts to almost 60 per cent of the bills. Increasingly, this constitutive element of regional representation in a federal system has been strategically used for party political purposes, especially when the federal governing coalition parties do not command of a safe majority in the Federal Council. Having said this, however, it still holds true that many amendment proposals by the *Lander* articulate genuine interests of the federal states, so that the federal cabinet cannot even rest assured that the government bill will be carried by the *Lander* governed by parties of their own political camp. This situation is further complicated by the startling variety of coalition models which has developed in the *Lander* after unification and makes it much more difficult to predict majorities in the Federal Council. Even more time has now to be spent by federal ministerial bureaucrats to prepare 'package deals' and hammer out agreements with potentially dissenting *Lander* executives in order to win the political support for their own policy initiatives.

Functional Politicization: Political Hotbeds of the Administrative Elite

While the factors discussed above have a bearing on shaping the job profiles of senior civil servants generally, certain positions particularly expose ministerial bureaucrats to the 'political heat' and place higher emphasis on the political skills as opposed to the technical expertise of staff members. It has been shown that those categories of jobs tend also to be crucial phases in a civil servant's career if they reach for the most upper reaches of the ministerial bureaucracy. In his investigation of the workings of the higher civil service, Goetz (1997) has identified the following 'training grounds for acquiring political craft':

Secondment to the Federal Chancellery

Despite the inherently conflicting organizing rationales of the 'chancellor principle' and the 'departmental principle', there is good reason to name the type of executive government 'chancellor government' (Niclauss 2000, p. 69). Arguably, the relative strength of the Chancellery stands and falls with the Chancellor's capacity to provide leadership to the cabinet, to control his own party and to mobilize support from the majority parties in parliament. After earlier fruitless attempts, the Chancellery has over time occupied a much more pivotal role in coordinating the activities of individual ministries and preparing the government's guidelines, although the recently inaugurated grand coalition tends to strengthen the centrifugal forces in the cabinet at the expense of the Chancellor's leadership capacity (Goetz 1997, Busse 1994, Berry 1989). It has been continually expanding since the 1950s and today employs a staff of about 450 (see also Muller-Rommel 1994). The policy units of the Chancellery or either 'mirror sections' (*Spiegelreferate*) which shadow the policy fields of individual ministries, or 'cross-sectional sections' (*Querschnittsreferate*) the responsibilities of which cut deliberately across several ministries, e.g. the unit dealing with relations between the federation and the *Lander*.

Whereas regular careers in the ministerial bureaucracy are typically confined to the murals of just one government department, the Federal Chancellery relies heavily on transferees from the

ministries, thus offering the only institutionalized system of personnel rotation. In doing so, the Chancellery provides an invaluable opportunity for aspiring 'high-flyers', who are often just on the verge of being promoted to section head rank, to put their specialized expertise in wider perspective. Of course, this holds especially true for staff of cross-cutting policy sections. What distinguishes the new job profile of the transferees from their previous work experience, however, is that they now have to 'read between the lines' to evaluate the political ramifications of departmental policy initiatives and assess possible inconsistencies with other policy measures. In their new role as members of *the* 'central' staff organization of the federal government, the seconded civil servants also have to develop a great deal of micro-political skills and informal contact networks in order to extract as much information as possible from the line departments they shadow, to effectively act as the Chancellor's 'early-warning' system and to persuade line departments to bring their policy stance in closer alignment with the Chancellor's guidelines. What also elevates these staff members over their departmental counterparts of similar rank is that their contact networks tend to include a much greater share of political actors or state secretaries.

Political Support Units

When confronted with the permanent bureaucracy German political executives, too, may suffer from the 'loneliness of the short-distance runner'. Cabinet ministers are given, however, an ostensibly free hand to pick and choose their immediate support staff (see Goetz 1997). As a rule, this political support team consists of a personal assistant, the Minister's Office, the Office for Cabinet and Parliamentary Affairs and the Press- and Information Office (for a general overview of support staff see Schimanke 1982, Wagner/Rueckwardt 1982 Mester-Gruner 1987). Despite their critical role in assisting the minister to run the department and, in particular, in connecting him or her with other cabinet members, parliamentarians or political parties, these political support units – even if integrated in a so-called '*Leitungsstab*' - still differ in size and function considerably from French- or Belgian-style *cabinets*. They have not grown into a 'counter-bureaucracy' which provides specific expertise and engages in interest mediation and policy development; nor do they serve as training grounds for young politicians *in spe* or as a hidden (government-financed) machinery of a political party (see for the Belgian and French cases, for example, Brans/Hondeghem 1999 and Rouban 1999). While it has been argued that the German ministerial organization has witnessed a "pronounced trend towards larger and more powerful political support units", so that "line officials have to learn to live with more assertive support staff" (Goetz 1999: 149), one still seems to be on fairly safe ground to assume – more in line with the conventional interpretation of the functional division of labor with federal ministries – that political support units take generally a more outward looking perspective rather than overseeing the internal departmental workings.

In view of the relaxed selection procedures for support unit staff and the political nature of these recruitment decisions, the support units have proven to be major points of entry for outsiders (professional journalists in the case of press officers, but mainly staff from the political parties and their parliamentary groups) into the top administrative ranks. While not all of them may stand up to the scrutiny of the Federal Personnel Commission, they can still be offered job contracts as public employees, thus bypassing the stricter civil service regulations. In spite of this loophole for lateral entry, the ministerial ranks still provide the largest recruitment pool for

political support staff. For many of the personal assistants or heads of support units, this career stage will serve as an important stepping stone, if not catapult, on their way towards the most senior positions as closer investigations into the administrative elite have shown: roughly one third of the division heads usually served in those functions earlier in their careers (Goetz 1997, Otremba 1999, for senior civil careers in detail see Derlien 1990a, 1990b). Rather than being caged in the narrowly defined confines of a departmental section, the job profile of support staff so close to the 'political heat' exposes those officials to a broad variety of subject matters and relates them to a contact network well beyond the departmental boundaries, in fact reaching out to senior representatives of both 'chambers' of the legislature, political parties and federal states. It is just this external orientation that gives those leading staff members an objective advantage over their fellow competitors for higher posts, although, to be sure, their – more often than not – swift career advancement may in some cases also be interpreted as a reward for loyal service to the leading (party) political executive.

Service for Parliamentary Parties

One of the most outstanding features of the prevailing career patterns of the German administrative elite is that those patterns also frequently include work for one of the parliamentary parties (for the staff of parliamentary parties see more generally Jekewitz 1995). Probably no other 'path to the top' is better suited to illustrate both the extent to which the upper reaches of the ministerial bureaucracy are functionally enmeshed in the workings of the parliamentary system of government and the wide gulf between recruitment and selection practices in what used to be traditional 'Anglo-Saxon' systems and the German model. Rather than paying a special premium on temporary outside experience in the business world or directly hiring private sector management experts to civil service ranks or advisor posts, German political executives apparently snub at the new public management creed and value the proximity to the political decision-making arenas. In order not to trick oneself, one should be quick to recognize, of course, that generally politicians will be attracted to both sides of the medal: On the one hand, civil servants who opt for this career move declare publicly their party political allegiance, thus setting their names on an unwritten 'transfer list' for the occasion that 'loyal' staff should be in need. On the other hand, the high degree of 'political craftsmanship' (Goetz 1997) acquired from first-hand working experience with leading policy experts and functionaries of parliamentary party groups as well as the personal network of contacts with MPs, party leaders, and lobbyists, has a strong professional appeal to executive politicians.

Presumably, there are about 70 or 80 higher civil servants on unpaid leave from ministerial departments serving as support staff for parliamentary parties in the *Bundestag* at any given time. The majority of them are well-established officials in their mid-career stage (probably heading a section) who will not return to their departments before they have completed a two to four year stint. As our comparison over time shows, the overall pattern of the distribution among parliamentary parties, seconding departments, and ranks in the bureaucratic hierarchy remains generally stable. So, the Foreign, Interior, Finance and Economics Ministries continue to provide the largest supply for those positions. A notable difference between the data gathered before and after the 1998 government change relates to the number of civil servants opting for the Social Democratic Party in the *Bundestag*, both in absolute terms and in comparison to the CDU/CSU-parliamentary party. Apparently, the ministerial career prospects

for outspoken followers of the Social Democratic Party improved while the parliamentary party provided still an attractive option for disappointed or frustrated top administrators with a Conservative leaning who saw their wings clipped under the new political leadership. As this example indicates, the practice of granting leave for service with parliamentary parties not only offers an invaluable training ground for political 'on-the-job-learning', but also provides additional access to the ministerial bureaucracy for opposition parties.

Cultural Patterns: Role Understandings and Attitudes

Given this considerable functional politicization of civil servant's roles, the question opens up whether top officials in ministerial bureaucracies are adequately equipped for their politicized job profiles. In this context, we are less concerned with the formal qualifications and expert knowledge higher civil servants may (or may not) bring with them, rather it is the prevailing pattern of cultural dispositions that deserves our attention. For our purpose, 'administrative culture' is understood as set of dominant beliefs, attitudes, and role understandings among civil servants (Schröter 1992, 1995, Schröter/Röber 1997). These orientations are seen as major factors in shaping administrative behavior. Also, it has become part and parcel of the conventional wisdom of sociologically-oriented organizational research that for the effective functioning of a given system, an adequate administrative culture – in congruence with the functional requirements – is an important precondition. The by now well-established strand of (often comparative) research on cultural dispositions of higher civil servants has produced a rich body of empirical evidence on which the following discussion heavily relies (see most importantly Putnam 1973, Aberbach/Putnam/Rockman 1981, Derlien 1988, Aberbach et al. 1990, Derlien 1994).

Conceptually, most of the research findings revolve around the seminal – empirically derived – typology introduced by Aberbach, Putnam, and Rockman (1981) in their path-breaking work on administrative elites. The authors started from the assumption that the degree of a bureaucracy's responsiveness to its social and political environment depends largely on the beliefs and understandings of the bureaucrats themselves. Briefly summarized, their model identifies the ideal types of the 'classical bureaucrat' and of the 'political bureaucrats', which constitute the polar ends of a wide-ranging continuum. Whereas the 'classical bureaucrat' can be characterized as rule- or procedure-oriented, the 'political bureaucrat' directs his or her activities according to political and social problems or programs. While the former operates within a monistic conception of the public interest, the latter has a much more pluralistic outlook, recognizing the need to take account of political influences on policy-making and accepting the role of institutions such as parties and pressure groups. More importantly, political bureaucrats do not restrict themselves to a purely executive role but take on an active role in policy-making, for example, by initiating, formulating, and coordinating policy proposals and by building political support for them or by brokering conflicting interests. Classical or technocratic bureaucrats, on the other hand, are inclined to rank technical criteria higher than political criteria in decision making and view politicians at best as intruders in the administrative sphere.

Contrary to what the still-cultivated (and in the light of the 'lawyers' monopoly', understandably so) heritage of the law-abiding civil servant of the Weberian mould may suggest, the prevailing cultural patterns among the federal (and *Lander*) administrative elites lend

convincing support for the hypothesis that the stereotypical top administrator in the Bonn or Berlin ministries has chosen a moderate version of the 'political bureaucrat' as a role model.

Whether the upper crust of the ministerial administration is to be classified as a group of predominantly reactive or proactive bureaucrats depends crucially on their respective contributions to the policy-making process and on their evaluation of the political environment in which they operate. The question whether senior ministerial bureaucrats accept for themselves the political side of their job typically serves as a litmus test in this regard. As the available data illustrate the vast majority of respondents from federal and *Lander* ministerial departments not only accept this component as an integral part of their profession, but seem to hold this dimension of their work in particular high esteem (Derlien 1988, Derlien 1994, Schroeter/Roeber 1997). In fact, more than three-fourths of the surveyed elite officials liked this aspect of their job profile without qualification (and broadly comparable studies in the early and mid-1990s rendered similar results for Bonn and *Lander* officials). Interestingly, this unqualified support for the 'political gray area' has gone up from an already high level of 45 per cent as revealed by the 1970 survey (Derlien 1994). Additional hints pointing at a politically open-minded role understanding of German higher civil servants comes from responses to questions concerning their job satisfaction and notion of the policy-making process. So, the lion's share of the interviewees treasures the sphere of political bargaining and compromise since it contributes significantly to their career satisfaction. Furthermore, they are inclined to see a legitimate role for themselves in this gray area, and look at government policies as a joint product of elected politicians and appointed bureaucrats.

Concerning the principal motives of leading government officials for taking on and maintaining a public service career, it is evident that 'being interested in matters of policy and politics', 'having an impact on shaping society', and 'exerting influence in the state apparatus' are among the most salient motivations (Derlien 1994, see also Schroeter/Roeber 1997). In line with the findings discussed above, the major thrust of civil servant's job motivations appear to have shifted over time from more inward-looking organizational aspects of the job to explicitly power- and policy-oriented role components. More fundamentally, the investigations into the bureaucrats' thinking about their functions provide another clue that tunes in nicely with the general tenor of the evidence so far. So, the overwhelming majority of the elite stratum accepts for themselves a brokering and mediating role in their administrative capacities. In particular, they stress the need to transmit political directives into the lower echelons of the bureaucratic apparatus or to bridge the gap between public administration and the outside world by maintaining effective links with other societal and economic actors. Against this background, it does not come as a surprise to see that only a small minority – barely more than ten per cent according to the data sets – of top bureaucrats endorse a strictly legalistic interpretation of the administrative process by agreeing to the questionnaire item that 'a senior official should limit his (or her) activity to the precise application of the law' (Derlien 1988, 1994, Schroeter/Roeber 1997). On the contrary, there seems to be a comprehensive consensus among the administrative elite that "it is at least as important for a public manager to have a talent for politics as it is to have any special management or technical subject skills' – some 86 per cent of the sample members agreed (Mayntz/Derlien 1989, Derlien 1994).

In more general terms, the exhibited political attitudes and values of the surveyed federal and *Lander* administrators show only very few traces of technocratic or apolitical understandings of the political process as measured by the prevalent response patterns to questions concerning

the role of party influences on political and societal conflicts or their assessment of the proper role of technical considerations versus political factors in policy-making. In comparative perspective (see Aberbach et al. 1990), the 'tolerance of politics' shown by (West) German sample members[1] surprisingly even surpasses that of the traditionally politically open-minded American federal bureaucrats (perhaps reflecting the relatively calm political seas surrounding the German ministries if compared to the rough waters of the more adversarial policy style in Washington, DC).

Putting together the various pieces of the mosaic laid out above, we arrive at a portrait that shows the archetypical top administrator as a political bureaucrat or 'policy facilitator' (Campbell and Naulls, 1987), who manages decision and implementation processes alike and who keeps open the lines of communication between various segments of the policy arena, whereas the contours of the reactive classical bureaucrat who retreats to his or her technocratic expert role in public administration have largely faded away. One should be quick to point to the fact, however, that this attitudinal politicization falls short of an amalgamation of bureaucratic and political roles in the German higher ministerial bureaucracy (Mayntz/Derlien 1989, Derlien 1994). Rather, senior officials clearly contrast their self-images with that of politicians and still tend to subscribe almost unanimously to the roles models of an 'implementor' and 'expert', whereas the role model of a 'party politician' is greeted with resentment (see also Schroeter/Roeber 1997). Admittedly, none of the reviewed survey studies was particularly geared to shed light on explicitly managerial role understandings and work-related attitudes. Also, we lack more recent interview data which capture the slow, but steady advent of new public management oriented reform measures since the mid- and late-1990s. In this context, however, the available data show, if anything, even a diminished role of managerial thinking in civil servants' job understandings since the planning and budget-reform oriented phase of the early 1970s.

[1] It should be noted in passing that after German unification research into cultural dispositions of higher civil servants socialized in East Germany has shown a distinct cultural trait inasmuch as members of the Eastern sample a greater distance towards politics and were inclined to adopt for themselves a more reactive role understanding.

The Party-Political Dimension of Politicization

Party Membership in the Higher Civil Service

From what the available survey data tell us, the number of party members in the higher echelons of the (West) German civil service has been on a constant rise (from a British perspective, however, the German case appeared to be a 'party book' administration as early as in the mid-1970s, see Dyson 1977). While there is only patchy evidence available for the period of time before 1970, the findings suggest that party membership started in the formative years of the Federal Republic from a relatively low base. In fact, even among the group of the highest-ranking officials (permanent state secretaries) the percentage of declared party members between 1949 and 1969 was as low as 18 per cent (von Beyme 1971: 103, 1974, see Derlien 1985). After the first change of the major governing party in 1969, party politicization apparently sharply increased at the federal government level (see for the following data Mayntz/Derlien 1989, Derlien 1994). However, the responses from sample members (which included division, sub-division and section heads) in 1970 still revealed a rather modestly sized group of members (28 per cent). In 1972, a different sample design (which tilted the balance more in favor of the more senior positions, namely including state secretaries of state and excluding section heads) produced a result of 37 per cent party members in federal ministerial departments. When a comparable sample group was interviewed in 1981, the percentage of members increased significantly to some 52 per cent. Finally, in 1987, an even more comprehensive survey (including officeholders from the top four ranks of the departmental hierarchy) showed that the number of non-members dwindled further. However, no less than 57 per cent of the respondents declared themselves as official party-affiliates. This high level of party affiliation among top bureaucrats – with percentages hitting the 60 per cent mark – was confirmed in more recent national elite survey (Bürklin et al. 1999).[2]

It does not come as a surprise to recognize a clear rank effect from the data sets: the closer to the center of political gravity one moves, the higher the share of party members among officeholders becomes. At the pinnacle of the bureaucratic hierarchy, some 70 per cent of the state secretaries declared their party membership in the 1987 survey (that percentage changed to even 75 per cent in 2005, see Schwanke / Ebinger 2006). Among the division heads almost 65 per cent were avowed party members at this point in time (and 60 per cent in 2005). Further down the departmental pecking order, one in two sub-division and section heads had a (formal) party political affiliation in 1987 and roughly every third in 2005 (Derlien 1994, Schwanke / Ebinger 2006).

As we would expect, the distribution of membership affiliations along the party political spectrum tends – at least broadly and allowing for a certain time lag – to reflect the electoral success of the political parties. Consequently, members of the ruling coalition parties by far outnumber their opponents defeated in parliamentary elections (in 1981, under Chancellor Helmut Schmidt (SPD), roughly 60 per cent of the declared party members identified themselves as SPD-members, while during the chancellorship of Helmut Kohl (CDU) in 1987, 64 per cent of the party affiliates outed their CDU-membership). In view of the above time series, however, it is

[2] However, it is also true that most civil servants limit their partisan activity to paying membership dues. Only a small minority of some 10 per cent of the surveyed sample members holds party political offices or act as functionnaires at the local or regional level.

worth wile noting that at any point in time, members of the opposition parties continued to serve the government of the day in senior administrative positions, including the rank of division head (Derlien 1994).

By and large, the contours of the general picture presented so far seem to overlap with the patterns of party politicization emerging from studies of the *Land* administrations. In fact, the ministerial departments at the federal state level appear to have experienced a similar, if not even more pronounced development as regards party membership of leading civil servants. Judging from survey data gathered between 1989 and 1995, some 40 per cent of the senior administrators in *Land* bureaucracies are on the membership lists of political parties (Herbert 1989, Schroeter 1992, Damskis/Moeller 1997: 83-4). As a closer look at the findings for individual hierarchical levels reveals, the share of party members among division heads – who are in contrast to the federal level not considered 'political civil servants' – is (at least) on par with the results for the federal government level (ranging between 55 and 65 per cent; see Steinkemper 1974, Damskis/Moeller 1997). In view of strong regional party dominance, the governing parties seem to have an even tighter grip on the administrative elite in the *Lander* as the available data illustrate (e.g. in the federal state of Saxony 81 per cent of party members are affiliated to the governing CDU, whereas in Brandenburg 74 per cent have a SPD party book; Damskis/Moeller 1997: 87).

Changes in Government and Party Political Patronage

Looking back at the first fifty years of the Federal Republic, federal governments have enjoyed a remarkable stability, thus dividing (West) Germany's post-war history into a first policy era of Christian Democratic chancellors (from 1949 to 1969), followed by 13 years under a Social Democratic leadership, before a centre-right coalition led by Chancellor Helmut Kohl regained political control in 1982. It was not before the 1998 general elections that the political pendulum swung back in favor of the political left and brought the Red-Green coalition under Chancellor Gerhard Schröder into office. In 2005, the general elections – prompted by a strategically used 'vote of confidence' initiated by the sitting chancellor - resulted in a Grand Coalition of the the two major parties headed by Angela Merkel, the Christian Democratic Chancellor. How did those government changes impact on the composition of the federal administrative elite (see for a comprehensive treatment of this question for the cases of 1969 and 1982 see Derlien 1984, 1988, Otremba 1999 for the 1998/99 change and for the most recent data Schwanke / Ebinger 2006)?

In 1998, the incoming government had a total of 136 senior administrative posts designated for 'political civil servants' (24 state secretaries and 112 division heads) at its disposal in order to bring the upper echelons of the ministerial bureaucracy closer in line with the new political thinking (for the following data see most notably Otremba 1999). In particular, the new cabinet members had to decide how to deal with the incumbent officials (22 state secretaries and 103 division heads), whereas the remaining positions were already vacant. In roughly 57 per cent of the cases, the officeholders (16 secretaries of state and 55 division heads) were dismissed and sent to temporary retirement within a short transitional period after the Schroeder government took office. While one can hardly speak of a fully-fledged 'purge' – after all, 54 senior administrators (including six state secretaries) remained in office – the 'red-green' coalition opted to clean house more thoroughly than their predecessors on comparable occasions (see Otremba 1999 and Derlien 1988). The party political streamlining in the wake of the 1969

government change was of relatively modest scale when roughly 29 per cent of the total positions were filled with new leading staff (40 per cent of the secretaries of state and 25 per cent of the division heads). The return of the Christian Democrats to power in 1982 brought the career of 38 per cent of the political civil servants temporarily to an end (i.e. every second state secretary and every third division head). By way of contrast, during the fluctuations following October 1998 the instrument of temporary retirement was applied in more of 70 per cent of the posts for secretaries of state and exceeded the 50 per cent mark in relation to available division head positions. The government change in 2005 (see Schwanke / Ebinger 2006) followed the by now familiar pattern as far as the fluctuation in state secretary positions were concerned: nearly every other former incumbent were let go by the new political leaders. At the division head level, however, roughly 9 out of 10 office holders continued their careers after the change in government.

Table 2: Government Changes and Temporary Retirement of Political Civil Servants

Year	**1969/70**		**1982/83**		**1998/99**		**2005**	
Rank	N	%	N	%	N	%	N	%
State secretary	11	41	13	54	16	73	12	48
Division head	27	25	35	34	55	53	10	9
Total	33	29	48	38	71	57	22	16

In interpreting the changes in the use of the ‘political’ retirement option, one has to bear in mind that the government changes of 1969 and 1982 contained an element of continuity in political control – the first center-left cabinet of 1969 was preceded by three years of grand coalition government with the Social Democratic Party controlling already six ministries and after 1982 the Free Democrats remained on the government benches as junior coalition partner – the election results of 1998 paved the way for a completely new start of the Social Democratic Party and Alliance ‘90/The Greens at the cabinet table. Since 2005, the newly inaugurated Grand Coalition has split political responsibilities for government departments more or less evenly between the Chancellor’s Christian Democrats (CDU) and the narrowly defeated Social Democrats, SPD (six government departments plus the Chancellery fell to the CDU, eight departments are under SPD-leadership). The high degree of continuity is also displayed in the centrist tendency in public policy-making that relies to a large extent on the inherited administrative elite.

The risk of being temporarily retired – if it is not a misnomer to speak of a ‘risk’ in view of the comfortable financial cushions provided for the top bureaucrats in question – is rather unevenly distributed among ‘political civil servants’. Apart from the already clearly recognizable rank effect, the most characteristic common trait that sets the dismissed officials apart from the ‘survivors’ is their perceived closeness to the former political masters. Picking up on an earlier point of our analysis, serving in political support units (e.g. press or minister’s offices), taking a stint as staff of the majority parliamentary parties or being initially recruited from the relevant party organizations (including party political foundations and ‘think tanks’) labels civil servants as trustees and followers of individual political executives or parties at large. As a matter of fact, almost 70 per cent of the ‘politically’ retired top bureaucrats in 1998 could be categorized in this

way and became easy targets for the incoming government. In relegating this group from the two top civil service ranks, the new red-green cabinet axed particularly accelerated administrative careers: typically, those former high-flyers joined the ranks of the federal bureaucracy comparatively late in their professional careers (average entry age: 35), reached a first top-position on a fast-track career (on average after 15 years of service) and had (theoretically) still 10 years to go until regular retirement when dismissed from their positions (Otremba 1999).

Also, the type of division helps to distinguish between 'high-risk' and 'low-risk' positions. While '*Ministerialdirektoren'* in charge of more specialized line divisions have a greater chance to 'survive' a change in government, the odds tend to be against the heads of divisions for 'planning and general policy development' (*Grundsatzabteilungen*), who require particularly close ties to the political executive: only one out of nine of those division heads found himself in the same position after the red-green coalition took over political control of federal bureaucracy. By the same token, higher civil servants with responsibility for the politically sensitive 'general management divisions' (*Zentralabteilungen*), who have a tight grip on staffing, budgeting and reorganization decisions, tend to be trustees of the minister of the day. It flows from this that no more than two out of the 16 division heads remained in their positions.

As for individual government departments (including the Federal Chancellery), the relevant turnover rates in the aftermath of the 1998 reshuffles show the greatest possible variation, ranging from zero per cent in the Foreign Office and 100 per cent in the Chancellery. Given its centrality in the federal machinery of executive government, the Federal Chancellery (*Bundeskanzleramt*) has always experienced a complete exchange of 'political civil servants' when the color of the Chancellor's party changed from Conservative 'black' to Social Democratic 'red' or vice versa (Derlien 1988). As additional information suggests, however, the long arm of personnel policy reaches further down the bureaucratic hierarchy. Following the inauguration of Gerhard Schröder, two-thirds of the Chancellery's positions of sub-division heads have been filled with new staff and roughly 50 per cent of the sections have come under a new leadership (see BT-Drucksache 2001). In interpreting those data, one has to bear in mind that the degree of party political motivated personnel changes is partly obscured by the routine of personnel rotation between the Chancellery and the ministries (see above).

Even more important than removing potentially recalcitrant top administrators who seem not to be sufficiently aligned to the new minister's political persuasions, policy preferences or personal style in office is the task of selecting more congenial staff. We can illustrate this process with reference to how the red-green government coalition filled those vacancies after 1998. Overall, a rather conventional strategy seems to have governed this recruitment process. As a rule, great care has been taken to avoid extreme career jumps or upsetting the established professional civil service by a flood of outsiders. Most intriguingly, the incoming government – in line with the prevalent recruitment patterns in 1969 and 1982 – relied on the ranks of the federal ministerial bureaucracy as the largest recruitment pool and eschewed from increasing dramatically the number of outsiders beyond the customarily accepted standard. In striking accord with earlier comparable occasions, no more than 20 per cent of the new incumbents have a background in party organizations, trade unions or even legislatures (compare Otremba 1999 and Derlien 1988). Instead of giving in to the temptation to fill the 'loopholes' with outright party political advisers, the new cabinet called upon the federal 'administrative elite in waiting'. This stratum of the bureaucratic hierarchy can be typified as members of a cohort who entered the federal bureaucracy in the early 1970s, advanced under Social Democratic chancellors to the

middle-management levels of section or sub-division heads and saw their further career prospects effectively hampered during the long years of the subsequent center-right policy era.

For incoming governing coalition parties, however, which have served several consecutive legislative terms on the opposition benches (or, as in the case of Alliance '90/The Greens, have never formed a federal government before), the pool of civil servants from the ministerial ranks who promise to be politically responsive and loyal policy advisers and at the same time bring a senior administrative standing and highly-developed professional capacity with them is understandably rather limited. In Germany's federal system, the *Lander* administrations (many of them with either a well-entrenched Social Democratic or Christian Democratic party political dominance) provide the necessary training ground for future federal elite members and the welcomed recruitment reservoir which facilitates the transitions after federal government changes without jeopardizing the professional standards of the career civil service (see also Derlien 1988). In fact, the transition period after the 1998 government change stands out for its heavy reliance on the 'brain drain' from the federal states to the federal ministerial bureaucracy – no less than one third of the newly-recruited elite members had worked for (Social Democratic-led) *Lander* governments before.

In one crucial respect, the group of the new top administrators closely resembles the group of the ousted staff: while the party political affiliations have most likely changed, the resilience of certain stepping stones in administrative careers, which expose civil servants to the 'political heat' in political support units or parliamentary parties, has not. Again, roughly 70 per cent of the new incumbents have gone through politically-oriented 'socialization agents' during their professional careers (Otremba 1999). This finding lends support to the suggestion that it is probably not only the party-book alone that appeals to the new political masters; but that it is – in functional terms – the 'political craft' (Goetz 1997) acquired what they find indispensable.

Conclusion

Pulling the various threads of evidence together, one is on relatively safe ground to suggest that the German senior civil service is a highly politicized institution. Most significantly, this finding holds true for the politicization of the ministerial bureaucracy as an institution which pits bureaucrats in situations where they de facto perform political roles. In terms of this 'functional politicization' top federal administrators may – confronted with assertive (parliamentary) political parties and growing influence from the federal states – have less of control now over the agenda-setting and initial policy-formulation stage than two or three decades ago, but the increasingly high emphasis that is being placed on policy coordination and interest mediation even expands the involvement of senior career officials in political activities and makes civil servant's capacities to 'facilitate' the policy-process ever more valuable for political executives. In this regard, the horizontal and vertical fragmentation of the German politico-administrative system is a recurrent theme in pointing to the essential need for politically astute top officials who are trained in the art of policy management. This political side of the job appears to be an integral part of the prevailing role understandings among higher civil servants and is well-supported by their political and work-related attitudes – again, more so than during the early 1970s. The party-political facet of the 'politicization-portrait' also seems to be painted in much brighter colors than years ago as the growing percentages of party members and the (moderately) increased proportion of 'politically retired' leading officials indicate.

In this sense of individual politicization, however, the German case stops well short of a hybrid model in which individual civil servants are so closely associated with political parties that the institution becomes essentially a political body. That having been said, this 'politicized' ministerial bureaucracy seems to co-exist peacefully and relatively harmoniously, if not symbiotically with the still highly valued and enforced principles of a merit-based career civil service. Despite a more assertive role of ministerial staff units (or – on much larger scale – of the Federal Chancellery), political executives are not yet cocooned (by their own counter-bureaucracy or external political advisers) against line administrators; nor has this trend led to a new breed of 'conviction civil servants'. Rather, the dominant role models of (political) bureaucrats and ministers are kept separate, and there is little indication that new 'politico-administrative hybrids' fight each others turf. Most importantly, the repercussions of government changes do not appear to disturb severely the 'functional village life' of the career civil service by towards an US-style of 'government of strangers' or provoking (cultural and professional) clashes between political advisers and 'Whitehall mandarins' as in Britain.

The German case shows an evolutionary development towards increased politicization on all three dimensions during the last quarter of the twentieth century – already starting from a high level, to be sure. In this context, the increase in 'institutional' or 'functional' politicization over the last decade appears to be most pronounced. The gradual shifts portrayed above have more in common with 'variations of a theme' rather than with abrupt changes or drastic departures from hitherto established practices. In explaining the changes over time, long-term changes in the political (as regards to the assertive role of parliamentarians and the (party-) politicized intergovernmental relations) and societal structures (in view of the composition of the interest group universe) as well as the more and more pervasive role of political parties as the most important link between these groups of actors seem to be more appropriate to turn to than recent measures of administrative reform. Most intriguingly, the international wave of new public management reform has had in the German context, if at all, only very little impact on the political functions and role understandings of senior civil servants or on the use of party patronage in the higher brackets of ministerial departments. For there was virtually no change in the modes of administrative and political steering in the first place, there was little reason for the 'political empire' – as in more managerially-inclined systems – to 'strike back' and reassert its hold on key administrative positions.

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