

Book Review:**Nadia Verrelli (ed.)*****The Role of the Policy Advisor: An Insider's Look.*****Kingston: Institute of Intergovernmental Relations, Queen's University, 2008.**

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Abstract: This is a review of the book based on the proceedings of the 2007s pre-conference panel entitled "The Policy-Making Process in Federal Systems." Panelists from six countries identified some common patterns and differences in the roles of policy advisers from an international perspective. The book provides insights on the politics of policy advising but is weak in providing an insider's view on how governments treat policy advice.

In October 2007, the Institute of Intergovernmental Relations (IIGR) at Queen's University, in conjunction with the International Association of Centers for Federal Studies and the Forum of Federations, organized a conference entitled "The Federal Idea: A Conference in Honour of Ronald L. Watts." A pre-conference panel, "The Policy-Making Process in Federal Systems: Understanding the Roles of Experts," was arranged, and six international panelists – J. Isawa Elaigwu (Nigeria), Enric Fossas (Spain), Rudolf Hrbek (Germany), John Kincaid (USA), Cheryl Saunders (Australia), and Nico Steytler (South Africa) – were invited to participate. Drawing from their experiences in their own respective countries, the panelists shared their insights on the role of policy advisers. Ronald Watts, principal emeritus of Queen's University and a former IIGR director, presented concluding remarks. *The Role of the Policy Advisor: An Insider's Look* is a collection of the papers presented at this panel. Nadia Verrelli, who helped to organize the panel, reviewed the transcripts of the panelists' presentations and edited this book.

As a preamble, it should be made clear that this book uses the terms "expert advisers" and "policy advisers" interchangeably. The term "adviser" is used for academic professionals with expertise in specific fields and whose advice the governments in power has deemed valuable. These professionals are not internal salaried government employees; they are external to government and government bureaucracies, on a more or less permanent basis. In other words, these policy advisers are outside the government and are not public or civil servants.

The Panel's Core Question

The core question for "The Policy-Making Process in Federal Systems" pre-conference panel asked "What are the factors that have the most impact on the effectiveness of expert advice in policy formulation?" In the book, "effectiveness" is vaguely defined as the acceptance, adoption and implementation of the expert advice sought by the government. In response to this core question, several interrelated issues emerged from the panelists' presentations and discussion:

- the nature of the issue for which advice is sought
- the political context in which expert advice is sought
- the roles of policy advisers
- the relationship between the policy adviser and the policy-maker
- the political sensitivity of policy advisers
- the complexity related to federalism and inter-jurisdictional issues
- the issue of accountability

Nature of the Issues and Advice Sought

Using the experience of Nigeria, J. Isawa Elaigwu highlighted the importance of the nature of the issues and advice sought – “Is the government seeking new information or confirming existing information?” “Are the issues related to a relatively short-term ‘crisis,’ or are they related to a long-term structural and societal problem that requires time-consuming processes and complex solutions?” Clearly, these are pertinent factors that might affect the nature of “solutions” put forward by policy advisers and the time allowed for seeking advice. However, it is not clear from Elaigwu’s discussion how these factors affect the readiness of the government to accept policy advice from external experts. Other panelists seem to suggest that the political agenda (usually hidden and not fully known to the policy advisers) is a more important factor in determining whether policy advice is accepted, adopted and implemented by the government.

Cheryl Saunders, based on her observations in Australia, suggested that expert advice that is provided on an on-going basis on multiple issues from a selected group of experts has a higher level of effectiveness. Her example is the Administrative Review Council in Australia. The council, which is characterized by its legislative mandate and broad range of experts with senior positions and conflicting interests, established a firm framework for its effectiveness. According to Saunders, advice provided for a single issue on a time-limited basis usually raises opposition. There may be exceptions. With multiple experts involved and proper timing, this type of policy advice could be effective. Some advice is more technical and fact-based (e.g., safety issues), and some are more policy-based, value-laden and subject to interpretations (e.g., poverty issues). The latter is subject to a higher degree of interpretation and usually has greater political implications.

Based on his observations in Germany, Rudolph Hrbek noted that the following types of advice are more acceptable to the government: technical advice (without being politicized), advice linked to acceptable societal values (such as “social justice” or “equality”), advice that minimizes redistributive effects of costs, and advice that helps to resolve urgent issues faced by the government. Incidentally, Nico Steytler of South Africa also noted that advice related to technical matters, rather than those of policy, is the kind of advice that government is most likely to accept. These are valuable observations.

It would be useful to apply these observations to other countries (such as Canada) to see if they are equally applicable. One may hypothesize that the more technical content the advice has, the easier it is for the government to accept. The flip-side of the coin is that the more policy content the advice has, the more difficult it is for the advice to be effective.

In the context of Canada, the government may seek advice from experts in such situations as task forces, commissions or when the need arises for understanding the scope and complexity of issues prior to developing public policies, legislation or regulations. Some of this expert advice is based on literature review, cross-jurisdictional research, and technical analyses. In these kinds of fact-finding fora, seeking expert advice, while not completely devoid of political components (such as buying time for the government), serves the purpose of updating government's comprehension – for civil servants and politicians alike – on the nature of the issues. This kind of advice is easier for the government to accept, and there is no need for the advice to justify the government's political agenda because, very often, the government does not have a firm position on the issues at stake.

Political Context and Policy Advice

Without doubt, the political context in which a government seeks advice and within which policy experts give advice is of paramount importance, and the book rightly devotes a lot of coverage to this topic.

Elaigwu suggests that in a crisis situation (such as the religious crisis in Nigeria), expert advice is needed “to reduce tensions.” Exactly how expert advice can reduce tensions at that particular point in the country's history is not clear. Is expert advice used to “buy time” so that the government can develop alternative methods of handling the crisis? Are policy advisers used to “neutralize” public and opposition critiques? Does the time allocated for seeking advice from policy advisers allow tensions to subside or change course? These questions were not examined in depth by the international panelists.

In times of crisis, Elaigwu observes that there are more consultations with experts outside the government bureaucracy. He suggests that such consultations eliminate bottlenecks in the bureaucracy. There may be situations in which civil servants are caught in a “bottleneck” due to heavy workloads. But more often than not, at least in the case of Canada, it is the politicians who see the value of giving the appearance that they are “reaching out” to people who know best (such as external experts in different fields) in order to alleviate public opposition or suspicion. By utilizing policy advisers from outside, the government accomplishes not only the “optics” of doing the right thing and “buying time” for politicians, but also of seeking new “solutions.” The political risk for the government in utilizing this move is the probability that the “solutions” advised by experts (at a later stage) are not in line with the government's political ideology or agenda. This inherent risk is usually one the government is prepared to take when a “crisis” looms, but then the government also has the power to determine who these advisers are, thus, in essence, limiting the risk of having “incompatible” advice later on.

In addition to these contextual issues, some panelists rightly pointed out that the framing of the problems, the parameters in which advice is being sought, and the selection of policy advisers by the government are part of the broader political arena and ideology. The government, who pays external experts for their advice, defines the “problem” and the boundary of advising, and thus in essence “politicizes” the issue even before it emerges in the public arena. Similarly, as some panelists alluded, the types of advice given and the roles that policy advisers elect to play (not speaking truth to the

power) are part of the political process that both policy advisers and the government find mutually beneficial.

While no panelists explicitly stated that policy advisers are politically neutral, they seemed to acknowledge that policy advisers can only be as truthful and factual as the state of human knowledge allows. As suggested by several panelists, to strive for political neutrality in policy advice may be a utopian exercise. They suggested that a plurality of diverse advisers (including academics) representing various interests and ideologies may be one solution to creating a higher level of objectivity. In the end, with a diversity of perspectives from experts of different stripes, a government that is more interested in finding a solution to a problem is much better off than it would be relying on only a selected group of experts whose political leanings are more or less on par with the government in power. While this may be the “solution” to political partisanship, for those who have experience working in government, it is observed that politicians and bureaucrats are extremely careful in selecting external advisers. Too much imbalance in political or ideological inclination among advisers is usually too risky.

Roles of Policy Advisers

A policy adviser may be simply defined as a person who provides ideas and/or recommendations to the government. However, advisers can play different kinds of roles. And this depends on the context in which these advisers are selected and how the advisers wish their advice to be accepted. Very often, ideas and recommendations from policy advisers compete with that from other stakeholders both inside and outside the government. This book includes many lively discussions and insightful observations on this topic.

Saunders from Australia cautions readers about generalizing the role of expert advisers. According to her, the role of advisers depends on the political sensitivity of the issue and the level at which the advice is introduced into the policy-making process. The balance of political realism and intellectual purity is important. In order to enhance the chance for the policy advice to be accepted by the government, policy advisers must take into account the political realism of the issue. An infusion of realism into policy advice often makes the advice more effective. Altering the nature of advice from “pure” advice (based on academic logic and research findings) to “realistic” advice (which is framed and customized in a manner acceptable to policy-makers) can increase the effectiveness of the advice. Her example of the design of legislative bills of rights on parliamentary sovereignty in Australia illustrates her point. Saunders’ position is not shared by Elaigwu, who advised policy advisers to keep themselves “apolitical,” but he acknowledges indirectly that having “political sensitivity” is important.

Those who have worked in government note that walking the fine line between being “apolitical” and “politically sensitive” may be difficult. However, government experiences suggest that in order to enhance the chance of having policy advice accepted, adopted and implemented by the government, a large dose of political sensitivity is crucial. As important as this topic is, what this book lacks is a thorough discussion of the kind of “political sensitivity” policy advisers need.

Based on their experiences, the panelists should make explicit that political sensitivity includes at least an adequate understanding of how government bureaucracy works, the relationship between politicians and the civil servants, the pressures felt by

government, the constraints (political, social and economic) under which it is working, the timing of politically significant events, the dynamics of inter-jurisdictional relationships in a federal system, and the balancing of multiple stakeholder interests. Work experience in all levels of government in Canada strongly suggests that understanding these factors is important and that they require more research.

A policy adviser without such a high level of political sensitivity would likely see his or her advice rejected. Elaigwu is correct in pointing out the importance of political sensitivity, but he fails to illustrate that “putting forward the facts and the advice” is only half of the process; the other half includes framing the advice in a politically correct manner so as to make it effective. To play an effective role, a policy adviser has to be political, not in an ideological sense, but in a pragmatic sense. However, the panelists do not quite articulate the tension between being pragmatic and being neutral and how pragmatism could be carried out.

Using the example of constitutional law in Spain, Enric Fossas notes that the lack of clarity in constitutional issues (due largely to the Spanish constitution as a “work in progress”) has created a demand for legal/policy/political advice from experts. He indicates that some experts have a tendency of mixing politics with policy advice in order to advance their “causes.” Meanwhile, Fossas also observes that, in spite of all the niceties of consultations by government’s expert advisers, government expects that policy advisers will justify the political direction the government wishes to take and will recommend ways of moving in that direction. This is an insightful observation probably based on years of experience in giving legal advice to the Spanish governments. And it is an observation that may be applied to many other kinds of policy advice that go beyond constitutional law.

The “advocacy” role for policy advisers is sometimes diminished by academics who view truths and facts as pure intellectual entities to be transmitted from one person to another without personal biases, encouragement or condemnation. However, if one views advising on policy as part of a political process in which various players in a democratic system try to make things happen, then as John Kincaid of the U.S. admits, it is logical for policy advisers to advocate. Kincaid even hints that, with proper timing and seizure of windows of opportunity, “capturing sufficient public support” may be one significant way for policy advisers to be part of policy-making.

Although the book does not clearly define what “policy advising” actually means, the spectrum of activities (such as that from commissions and think tanks to public opinion polling companies) mentioned by panelists contains enough grounds for debates among them. The question is, what is the definition of “policy advice”? Does it have to be invited by the government? Or, could it be presented without the invitation of government? Unfortunately, this definitional issue was not discussed or debated by the panel.

Kincaid’s position certainly raises the issue of how to distinguish “lobbying” from “advising.” Although Kincaid did not go into details on this issue, general observations in Canada suggest that there is a fine line between these two types of activities, especially when special interest groups, think tanks or foundations with explicit political ideologies actively try to give “advice” to the government. In reality, some “advising” activities are not that different from “lobbying,” except that lobbying may represent the perspectives of one stakeholder group and is usually more persistent, continuous and, in some

jurisdictions, somewhat institutionalized. Good policy advising, on the other hand, means the presentation of directions or solutions that have the balanced viewpoints of various stakeholder groups and that adhere to the principle of “public good.”

In the final analysis, the government, being a political apparatus, treats lobbying activities and policy-advising as any other advice (including that by academics, trade unionists and business economists) whose value for the “public good” depends on the politicians’ interpretations and their handling of external political pressure.

Relationship between Policy Advisers and Policy-Makers

Hrbek’s presentation, with his examples of a broad range of permanent and ad hoc expert bodies in Germany, best illustrates the relationship between policy advisers and policy makers. As he points out, there are established organizations linked with the executive (government) or parliament. Some are federal bodies, appointed by the federal government or individual ministries, that include representatives from business, unions, academics and/or other stakeholder groups. Other groups of expert advisers (including stakeholder groups affiliated with special associations) may be nominated by political parties.

In addition, there are also think tanks and specialized institutes – some are funded by private money and some from the government or parties; some have an arm’s-length relationship with the government; and some are independent bodies made up mainly of academics. Hrbek even includes opinion poll institutes as groups of experts whose research findings may have an impact on the government decision-making process.

Unfortunately, Hrbek did not attempt to link his broad typology of expert groups with their effectiveness in policy-advising. His general observation is that a close relationship between these experts and the government does not necessarily increase effectiveness. Hrbek attaches higher significance to the media as the factor that is decisive in raising the expert opinion’s level of influence. In the Canadian context, the media probably plays an influential role, but it may not be a decisive factor mainly because politicians sometimes use the media as a testing ground for public opinions. Many ideas that the media promotes and publicizes do not result in favourable political decisions since there are other intervening variables at work.

Federalism and Inter-Jurisdictional Issues

In general, the political centre, which has a higher concentration of power (such as the federal government), inclines towards a more interventionist approach, whereas the periphery (such as the provincial or municipal governments) prefers greater autonomy and less federal interference. In a federal system in which there are multiple regional, local, social, cultural and economic interests, obtaining the type of advice that can balance these conflicting interests may be difficult. Saunders notes that the Australian Commission in the late 1980s was doomed to failure at the outset due to the historical contention between the Australian Commonwealth and the states.

Kincaid notes that the effectiveness of policy advice may be enhanced by broad consultations with various diverse federal, regional and local groups. Federalism also allows multiple entry points to effect change. Policy advisers may make their influence felt on a regional or local level, and even if only one jurisdiction utilizes the policy

advice, it can be seen as a “pilot” project. Success or failure of the advice can be observed and employed as a building-block for other jurisdictions.

Therefore, it may be argued that a federal system provides fruitful grounds for the adoption of policy advice, especially when broad-based consultations are conducted across geography and stakeholder groups. While the panelists make this important point, they do not thoroughly discuss the changing role of expert advisers in a federal system in which the issues are federal-provincial relationships. Being external and seemingly “neutral,” expert advisers play the role of “mediators.” Only reputable external advisers can find a compromise that all federal/provincial parties can accept.

Political Sensitivity

In *The Role of the Policy Advisor*, the term “effectiveness” implies that the government accepts, adopts and carries out (or implements) the policy advice. Irrespective of the soundness and objectivity of the advice, government, as noted, is hard-pressed by many factors and players to accept, adopt and carry out the advice, for several reasons, many of which are political and economic. As Elaigwo points out, these reasons include the political context, public pressure and leadership. In the context of Canada, being “effective” does not necessarily mean that the advice is “sound,” “logical” or “excellent”; it only means that it is politically expedient for the government to use advice according to how politicians interpret the social reality of the country.

Steytler observes that the government in power has its own political agenda and timetable, not only for the release of policy advice, but also for its acceptance or rejection. One may extrapolate from some government experiences in Canada that even if it has been positively assessed through academic peer review – an essential component of academic credibility – policy advice may be irrelevant for the government because the government does not evaluate its usefulness on academic grounds (i.e., whether proper methodology has been used, the soundness of its theoretical underpinning, and the logic of arguments). Anyone with experience advising governments would note that there are many examples of well-articulated advice (based on empirical evidence and grounded in sound methodologies) that does not even seriously meet the government’s political considerations. External expert advisers often wonder why.

Kincaid’s comment that the level of effectiveness in policy advice depends on the frequency of interaction over time among advisers and between the advisers and government officials is quite perceptive: “[T]here is often a disconnect between external advisers and government officials.” Simply put, external advisers often do not have enough understanding of how the system works to translate advice into legislative actions, and government officials may lack the intellectual capability to formulate sound policy. Building trust and creating effective advice may require repeated interactions between these two parties. One should be cautious, however, because increased “interaction” is merely one of many factors at work in the effectiveness of policy advice; there are many intervening variables at work.

Experience will show that sometimes the effectiveness of policy advice depends on the extent to which advisers understand the government’s political culture and the paradigm in which it operates. A government is composed of several apparatus, two of which include the politicians and the civil servants (bureaucrats). Politicians in power have the ultimate power to accept, adopt and implement expert advice, but what

determines their decisions is political (from the politicians' perspective). When reviewing policy advice, politicians may well have in mind the following questions: Will the advice be politically saleable? Will it be costly to implement? Will it alienate the traditional constituents of the political parties? Will it provide political benefits in the longer run?

Meanwhile, in scrutinizing expert advice, internal government bureaucrats may be inclined to accept it even though it is novel or controversial in nature. Bureaucrats then have to find ways to convince their political bosses, not only that the advice has political value but also that it can be implemented effectively and efficiently. It is in the forefront of the minds of politicians and bureaucrats alike that expert advice must be operationalized without high risk. Sometimes, sound advice is stopped at the bureaucratic level because the process for executing it is unformulated, unclear and/or untested. Some policy advice does not contain operationalization options or evaluations of risk factors.

Expert advisers require the insights of insiders – not just the speculations of an outsider – in order to gain a good understanding of how the government works. For those who have worked in government, like the panelists, it is apparent that expert advisers have to take the additional step of putting forward options on how the policy advice can be effectively implemented (in the interests of balanced stakeholder groups); they have to analyse the risk factors, and “enlighten” politicians and bureaucrats alike. Unfortunately, in spite of its logical arguments, politicians and bureaucrats very often view expert advice as too “academic,” devoid of a sound recognition of the political, economic and social realities. In other words, the expert advice has not reached their “comfort zone.”

Closing remarks at the pre-conference panel were made by Professor Ronald Watts. He pointed out that a distinction can be made between private advice, in the form of consulting or one-on-one interactions, and public advice, through a public forum such as a royal commission. His argument is that, in either case, there are opportunities to effect changes in public policies. Public advice may not be immediately effective, but when it enters the public arena, it may be adopted later on by governments. Once again, this illustrates that timing is crucial. It also suggests that the seeds of sound advice can be sown in a democratic system and its effectiveness is beyond measurement. This observation raises the question of whether “effectiveness” has a time component.

According to Watts, it is important to be politically sensitive when giving advice, especially to foreign governments. To be effective, policy advice must discard ethnocentricity in favour of incorporating local environments. Foreign governments must review models or options from other countries, frame them in the context of their own environments and listen to the policy advisers' recommendations on how best to avoid pitfalls and harness benefits experienced by the other countries. Watts' observation raises the issue of whether any “best practices” in one jurisdiction can be mechanically adopted by another jurisdiction. Here, it seems apparent that in order to make the policy advice effective, expert advisers have to do their homework on other jurisdictions prior to giving policy advice.

Accountability

On the issue of accountability of policy advice, the panelists reached a consensus. They all agreed that the government is ultimately responsible for the adoption or rejection of policy advice. Policy advisers are indirectly accountable and only to the extent of securing their professional integrity, reputation and credibility. Saunders, Elaigwu and others argued that policy advisers are accountable for the quality of their advice because they may face the legal, social and professional consequences of being challenged, ridiculed or disputed. However, while this consensus reflects the views of *external* expert advisers as outsiders looking inside the government, it would be worthwhile to analyse the issue of accountability more deeply.

Assigning direct accountability to the government only seems to ignore the fact that most policy advice is political in nature. With the exception of the advice found in technical or scientific reports, policy advisers have opportunities to exercise influence on the government decision-making.

First, policy advisers are directly accountable for the framing and positioning of the advice they provide. In other words, policy advisers ought to be accountable for “marketing” their advice in a framework most conducive to government acceptance, adoption and implementation. At the same time, they ought to balance a multiplicity of stakeholder interests – including forging the kind of advice that is most acceptable to the public – so as to adhere as closely as possible to the principle of “public good.” A reading of reports by academic advisers suggests that this style of presentation of facts and figures may not be influential enough.

To attain a higher level of “effectiveness,” policy advisers must do their due diligence in understanding as much as possible the context in which their advice is being sought, how the political issues are being framed, the power of the mechanism in which advisers are allowed to operate, the decision-makers and their constraints, the process and timetable for this stage of policy development, and other pertinent factors. With a better understanding of these dynamics, policy advisers can be more accountable for the effectiveness of their policy advice, whether the government accepts, adopts and implements their advice fully or not. Without doing this homework, policy advisers are abandoning accountability.

Concluding Remarks

The greatest contribution of this book is its ability to present an international perspective on the nature of policy advising for the government. The six panelists, representing Nigeria, Australia, Germany, South Africa, Spain and the U.S., are able to highlight their experiences as external policy advisers and illustrate the common patterns that emerge in the politics of policy advice, as well as some of the differences across jurisdictions and historical periods. Watts highlights some of his observations and experiences in support of these panelists’ findings.

Another contribution of *The Role of the Policy Advisor* is its ability to uncover the dynamics of policy advising by going into some depth on issues such as the political context and roles of advisers. Having experts who have direct and personal experience in advising governments reveals an aspect of political processes not observable to many social scientists, politicians and government bureaucrats. This book is full of insightful observations. One may not agree with all of them, but together, these observations are

valuable. Policy advisers and researchers, public administrators or managers, international diplomats, professors and students in public policy development and management, political activists and advocates, lobbyists, and community advocates may find this book insightful.

Although the subtitle of this book is “An Insider’s Look,” most of the panelists’ observations and analyses, while extremely valuable, still manifest an aura of an outsider looking into the internal decision-making process of the government. The panel presentations were able to identify patterns of policy advising with some degree of accuracy; however, they seem incomplete. Their comments merely whet the appetite of the readers and tempt them to find out more about the fascinating dynamics of policy advising and policy-making. Readers may yearn for another book of this nature that may shed more light on how policy advice is treated by politicians and government bureaucrats once the advice arrives on their desks. Only through a dialogue of experts and (ex-) government officials will the true picture of the effectiveness of policy advice emerge.