

DEPARTMENT OF POLITICAL SCIENCE



UCL

PUTTING GOATS AMONGST THE WOLVES APPOINTING MINISTERS FROM OUTSIDE PARLIAMENT

DR BEN YONG AND PROFESSOR ROBERT HAZELL



The Constitution Unit

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Appointing Ministers from outside Parliament**

Dr Ben Yong and Professor Robert Hazell

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The **Constitution** Unit

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Foreword

By Professor Robert Hazell

The title of this report refers to Gordon Brown's decision to appoint half a dozen Ministers from outside Parliament in order to build a 'government of all the talents' – leading such Ministers to be called Goats. It provoked a wave of interest in appointing more Ministers from outside Parliament, with senior politicians like John Major and Douglas Hurd supporting such a move. But not all the Goats proved successful, and interest in the topic has largely died away; although the new coalition government has also appointed a small number of Ministers from outside Parliament, as this report shows.

Although seemingly a small change, appointing more Ministers from outside Parliament raises quite big constitutional issues: about how much separation there should be between the Executive and Parliament; how Ministers from one House might be made more accountable to the other; and what accountability mechanisms might be devised if Ministers sat in neither House. This is why we decided to embark on this study, when Peter Scott generously offered to fund a research project. It has been very ably led by Dr Ben Yong, with support from two sets of interns – Ian Jordan and Jessica Carter, and Rachel Heydecker and Nadina Fejes. Particular thanks should go to Rachel Heydecker for her work on the report overall.

We are grateful to all those former Ministers and others who kindly agreed to be interviewed; to the Institute for Government for hosting a seminar to discuss our draft report; and to the overseas experts who patiently explained the arrangements in their own countries. As so often happens, these proved to be more complex, more interesting, and less utopian than UK commentators fondly suppose. This is why comparative research is so endlessly fascinating.

We are very grateful to Peter Scott for funding this study, and to all those who have kindly helped with it.

Preface

By Peter Scott QC

My decision to support this report was motivated by a growing interest in the constitution and conventions of the United Kingdom. Personally, I would find it difficult to describe fully or accurately the rules under which our government functions. A general idea perhaps, an imperfect understanding of the detail, and disappointment when the system fails to deliver what seems, not necessarily rightly, to be the right outcome is the best I can do. I suspect that many of us could not do much more.

If my suspicion is well-founded, any institution which seeks in a scholarly and non-political fashion to understand, explain and improve the unwritten basis upon which we are governed plainly deserves support. The Constitution Unit of UCL headed by Professor Robert Hazell certainly qualifies handsomely in this respect.

I had a more specific interest as well. A key function of Parliament is to hold the Executive to account. Parliamentarians, especially MPs, typically and rightly put this at or very near the top of the list when describing their role. It is what we all expect. But how well does this work in practice? Are the existing arrangements the best to achieve such a complex and difficult task as challenging constructively and when appropriate thwarting the wish of the Executive. Would, for example, the decisions of government in recent years in relation to Iraq have been different if examined, and if appropriate thwarted, under different constitutional arrangements.

To what extent is the legislature independent of the Executive when seeking to hold ministers to account? There are now almost 120 ministers. They are all members of Parliament, more than 90 of them in the House of Commons. All are by definition members of the Executive. Many backbenchers have, perfectly legitimately, ministerial ambitions. The whip system is available when needed to provide powerful support for the government and tales of the persuasive ability of government whips to do this are commonplace. Is a body so constituted the ideal one for holding government to account? And should it try to do so on issues of complexity and national importance by speeches and individual questions across a chamber with over 600 members?

This report does not embark on such far-reaching matters, but it does deal with the question of the accountability of ministers albeit in rather special circumstances, and the underlying research indicates that systems of other countries may provide some help in exploring interesting possibilities. Encouragingly, it also suggests that ministers appointed rather than elected are no less willing than elected colleagues to do what seems necessary to make themselves accountable to elected members.

The views expressed in the report are those of the authors and not mine, but I hope the result is a step towards the aims of the Unit which I entirely share.

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Summary of Key Points

In 2007 Gordon Brown appointed several ministers with no previous political or parliamentary experience. This prompted a debate about the desirability of appointing ministers from outside Parliament.

Advocates of such ministers point to the limited talent pool in the House of Commons, and argue that outsiders can significantly widen the skills and experience available to the government. The size and complexity of modern government requires ministers with more technocratic skills.

Opponents point to the high failure rate of such ministers, measured by their short time in office. Their lack of political and parliamentary skills was said to be a serious handicap.

This study set out to explore the arguments for appointing ministers from outside Parliament, and to study the experience of such appointees. It also looked at the overseas experience, in countries where such appointments are more common.

We found a wide range of views and experience. A few of these new UK 'outsider' ministers were regarded as successful, and several as failures. Most were given little or no induction. Some felt that too much emphasis was placed on the parliamentary role. Many were critical of the lack of clear delegation or objectives.

The overseas experience also proved less distinctive than generally supposed. Many of those appointed from technocratic backgrounds turned out to have significant political experience as well, at local and regional level, or as party officials.

There were no special problems of accountability at Westminster, since all such outsiders were appointed as junior peer ministers and so became accountable to the House of Lords. The main complaint arose in relation to Lords Mandelson and Adonis, who were not directly accountable to the House of Commons. The Commons could have devised accountability mechanisms, but chose not to do so, because they did not want to facilitate the appointment of more Secretaries of State in the Lords.

The government's plans for an elected second chamber would put an end to the practice of appointing outsider ministers to the Lords. Outsider ministers, if appointed at all, would have to be wholly 'outside' Parliament. This would be a far more radical step. Each House would need to devise procedures for holding such ministers to account, and the Commons might find it harder to deny a platform to ministers who asked for it.

Recommendations to improve the induction and training of outsider ministers, and their accountability, are in chapter 11.

1. Introduction

In the United Kingdom, there is a set ‘pathway to ministerial power’: members of the executive are drawn exclusively from the legislature. Ministers are appointed from the pool of democratically-elected MPs, and to a lesser extent, from the House of Lords. This has been a strongly-held convention: it means that both Houses have government representation (or control), and ensures that those who govern are accountable to the people through being members of the legislature.

The genesis of this report came about from the decision to bypass the ordinary pathway to power: from the decision of PM Gordon Brown to build a ‘government of all the talents’—the appointment of a number of people from ‘outside’ Parliament to the House of Lords in order to make them ministers.¹ Brown’s later appointments of Lords Adonis and Mandelson as Secretaries of State in the House of Lords was also seen as part of Brown’s ‘big tent’ politics.² By the end of Brown’s premiership, however, views about the success of these appointments were at best mixed. Some of the original ‘goats’ had left government after a relatively short time; commentators were scathing about their achievements.

More generally, some regarded Brown’s appointments as a publicity stunt; but others saw this as testament to more deep-seated problems in the British political system.³ These problems included the ‘shrinking talent pool’ of potential ministers; the phenomenon of the career politician and the issue of ‘expertise’; the high number of ministers and high rate of ministerial turnover; ministerial accountability; ministerial effectiveness with the growing complexity of modern day government; intercameral relations; and retirement from the House of Lords.⁴

¹ BBC News. (2007). ‘In full: Brown speech’ *BBC News* (27 May).

http://news.bbc.co.uk/1/hi/uk_politics/6246114.stm; Riddell, P. (1995). ‘The Impact of the Rise of the Career Politician,’ *Journal of Legislative Studies* 1 (2): 186; Public Administration Select Committee. (2010). *Goats and Tsars: Ministerial and other appointments from outside Parliament*. Eighth Report of Session, HC 330, 2009–10.

² Winnett, R. (2009). ‘Cabinet profile: Lord Adonis becomes Transport Secretary’ *The Telegraph* (6 June). <http://www.telegraph.co.uk/news/newstopping/politics/5454658/Cabinet-profile-Lord-Adonis-becomes-Transport-Secretary.html>; BBC News. (2008). ‘Baron Mandelson joins the Lords’ *BBC News* (13 October). http://news.bbc.co.uk/1/hi/uk_politics/7666482.stm.

³ Riddell, P. (2009). ‘Mervyn Davies joins herd of worldly ministers in the Lords’ *The Times* (15 January). http://www.timesonline.co.uk/tol/comment/columnists/peter_riddell/article5519514.ece; Brown, C. and Morris, N. (2007). ‘Brown completes government of ‘all talents’ with team of outsiders’ *The Independent* (30 June). <http://www.independent.co.uk/news/uk/politics/brown-completes-government-of-all-talents-with-team-of-outsiders-455341.html>; Kettle, M. (2009). ‘What happened to Gordon’s goats?’ *The Guardian* (8 July). <http://www.guardian.co.uk/commentisfree/2009/jul/08/malloch-brown-goat-gordon-brown>; Hasan, M. (2009). ‘The lost herd’ *The New Statesman* (23 July). <http://www.newstatesman.com/uk-politics/2009/07/mehdi-hasan-brown-minister-government-lord>.

⁴ This is being currently dealt with by a Leader’s Group in the House of Lords, which has issued an interim report on the issue. In essence, the Lords themselves cannot force peers to retire: this must be done by legislation: see <http://www.publications.parliament.uk/pa/ld201011/ldselect/ldleader/48/48.pdf>.

All of these are big issues, and deserving of examination in themselves. But in this report we focus on just two issues: expertise or competence in government, and to a lesser extent, accountability.

The term 'goat' is an acronym which comes from Gordon Brown's attempt to create a 'government of all the talents': to renew politics by bringing in new talent. But the term is vague: a number of the so-called goats were hardly new in British politics. For instance, some lump Lords Adonis and Mandelson in with the goats, although Adonis had already been made a peer under Tony Blair, and both Adonis and Mandelson had had considerable political experience prior to appointment.⁵

A major motivation behind these appointments was the sense that there had been a narrowing of the ministerial talent pool; what was seen as lacking from the government were people with experience and expertise gained from outside politics.⁶ Gordon Brown was not the only Prime Minister to bring in outside talent: British Prime Ministers have been doing so for many years. Tony Blair had brought into the Lords, amongst others, David Simon (former Chairman of BP)⁷ and Gus MacDonald (former broadcaster and businessman),⁸ referred to as 'Tony's cronies'.⁹ And before Blair, Harold Wilson, Edward Heath and Margaret Thatcher had all attempted to bring in 'experts' or 'outsiders'. The Appendix to the report gives short biographies of the more well-known outsiders appointed by British Prime Ministers over the 20th century.

We refer to these appointees as 'outsiders': people appointed from outside Parliament, with the intention of bringing in non-parliamentary expertise and experience. Issues of their expertise and accountability remain relevant today, even with a change of government. The new coalition government is appointing outsiders to examine various areas of government. Perhaps because of coalition constraints on ministerial appointment, most of these individuals have been given adviser positions rather than ministerial office—such as Sir Philip Green (billionaire owner of various high street chains) as 'efficiency tsar'¹⁰ and Lord Young of Graffham (himself brought

⁵ And, of course, Baroness Kinnock was also the wife of Neil Kinnock, leader of the Labour Party (1983-92).

⁶ Major, J. and Hurd, D. (2009). 'Bring outside talent to the dispatch box' *The Times* (13 June). http://www.timesonline.co.uk/tol/comment/columnists/guest_contributors/article6488302.ece; Public Administration Select Committee. (2010). *Goats and Tsars: Ministerial and other appointments from outside Parliament*. Eighth Report of Session, HC 330, 2009–10.

⁷ BBC News. (1997). 'BP Chairman made Minister' *BBC News* (7 May). <http://www.bbc.co.uk/politics97/news/05/0507/simon1.shtml>

⁸ BBC News. (1998). 'Curriculum vitae: Gus Macdonald' *BBC News* (4 August). http://news.bbc.co.uk/1/hi/uk_politics/145005.stm.

⁹ The Economist (1999) "Tony's Cronies?" (5 August) at: <http://rss.economist.com/node/230423>.

¹⁰ Stratton, A. (2010). 'Sir Philip Green to conduct external review of coalition's spending cuts', *The Guardian* (12 August). <http://www.guardian.co.uk/politics/2010/aug/12/government-spending-review-philip-green>; White, M. (2010) 'Sir Philip Green is a coalition own goal' *The Guardian* (20 August). <http://www.guardian.co.uk/commentisfree/2010/aug/20/philip-green-own-goal-david-cameron>.

into the Lords and made a minister under Margaret Thatcher), brought in to review health and safety laws, and until recently the 'enterprise tsar'.¹¹

But there have also been a small number of 'outside' ministerial appointments to the Lords by the Conservatives: Jonathan Hill, former special adviser and head of John Major's political office, as Parliamentary Under-Secretary of State for schools;¹² and Lord (James) Sassoon, former Treasury civil servant and adviser to the then Shadow Chancellor as the Commercial Secretary to the Treasury.¹³ The Government has also recently announced the appointment of Lord (Stephen) Green, former Chairman of HSBC, as Trade Minister.¹⁴

In this report we aim to ask:

- What are the main arguments for appointing ministers from outside Parliament?
- What has been the experience of those appointed to ministerial positions for their relevant skills?
- How should such ministers be made accountable to Parliament?

We examine a small number of countries—France, Sweden and the Netherlands, which require all their ministers to remain outside parliament, and select some from beyond the parliamentary pool. We have also included a chapter on the United States: it is far removed from the UK, but given the number of references to the US experience by interviewees, it seemed important to explain the differences and to puncture some myths. For instance, it is assumed that US Cabinet members are the equivalent of UK cabinet ministers, when they are more like political permanent secretaries. Similarly, there is an assumption that 'experts' are appointed to US cabinet positions; but all too often these experts are unable to manage the politics, and are replaced by hybrid types—federal public servants with long government experience.

¹¹ Hough, A. and Hope, C. (2010). 'Lord Young: new 'enterprise czar' sparks row over small business red tape' *The Telegraph* (1 November). <http://www.telegraph.co.uk/news/newsttopics/politics/8101535/Lord-Young-new-enterprise-czar-sparks-row-over-small-business-red-tape.html>; and BBC News, "Lord Young apology over 'never had it so good' remarks", *BBC News*, 19 November 2010. <http://www.bbc.co.uk/news/uk-politics-11793486>. The other appointment of notice is Alan Milburn, former Labour Minister, who has been appointed as 'social mobility tsar': BBC News. (2010). 'Labour's Alan Milburn accepts coalition role' (15 August). <http://www.bbc.co.uk/news/uk-politics-10977806>

¹² Biography: Lord Hill of Oareford. Available at: <http://www.parliament.uk/biographies/jonathan-hopkin/53839>.

¹³ Armitstead, L. (2010). 'Lord Sassoon: Back to the Treasury for the third time' *The Telegraph* (4 June). <http://www.telegraph.co.uk/finance/financetopics/profiles/7801742/Lord-Sassoon-Back-to-the-Treasury-for-the-third-time.html>

¹⁴ Lipinski, D. (2010). 'HSBC chairman Stephen Green named Trade Minister' *The Telegraph* (7 September). <http://www.telegraph.co.uk/news/newsttopics/politics/7986892/HSBC-chairman-Stephen-Green-named-Trade-Minister.html>. Note also one response to the announcement of Green's appoint at the influential Tory website, ConservativeHome: Goodman, P. (2010). 'Stephen Green's appointment sends a message to Conservative MPs: "Because you're not worth it."', *Conservative Home* (7 September). <http://conservativehome.blogs.com/thetorydiary/2010/09/stephen-greens-appointment-sends-a-message-to-conservative-mps-because-youre-not-worth-it.html>

Research Methods

There were two key research methods for this project: desk research and interviews. Desk research involved literature reviews of the UK and the chosen comparators. In addition, there was email correspondence with overseas experts.

The country comparators—the Netherlands, Sweden and France—were chosen for their diversity and experience. Two of the three comparators (the Netherlands and Sweden) were parliamentary, in that the executive relies on the confidence of the legislature. Two countries' legislatures are bicameral and have indirectly elected upper houses. All three comparators had experience of appointing non-parliamentarians to the executive with a relatively substantial literature on the subject. The US, as already noted, was chosen later, to correct misunderstandings about the US experience.

A total of 22 interviews were carried out in order to understand the experience of those brought into the Lords with the purpose of appointing them to ministerial posts. Attempts were made to contact all former 'outsider' ministers from premierships of Thatcher through to Brown, and of these six agreed to be interviewed or engage in correspondence. Other interviews included four officials (former and present) and three academics, three MPs (two of whom had been ministers themselves), the remainder being former peer ministers (including whips). These interviews were semi-structured. A number of set questions were asked concerning the issue of outsider ministers: their role, perceived failures and successes and where these failures and successes occurred; performance of the various aspects of ministerial office; the accountability arrangements for peer ministers; and recommendations on how such appointments might be improved. All interviews were conducted in strict confidence, and all quotes are non-attributable.

An interim report was the subject of a private seminar at the Institute for Government in November 2010, attended by former outsider Ministers, former whips, as well as experts on the House of Lords, Whitehall and ministerial effectiveness and training.

2. Ministerial Selection, Expertise and Accountability

2.1 The problems of ministerial selection

I decided to reshuffle the Cabinet. There's a kind of convention that it should be done every year. It's clear that governments need refreshing and there is a need to let new blood through. Also, a prime minister or president is always engaged in a kind of negotiation over the state of their party that requires people's ambitions to be assuaged. ... If you don't promote someone, after a time, they resent you. If you promote them, you put someone else out, and then that person resents you. You look for an elaborate index of methods to keep the offloaded onside, but let me tell you from experience: it never works. [...] Unless you give them something that really is spectacular as an alternative to being a minister, then they aren't fooled [...] So, you have to reshuffle. But here's some advice: you should always promote or demote for a purpose, not for effect. With this one, I determined that we should make a splash, show we still had vigour, show I was still governing for the future.¹⁵

Leaving aside the questions this passage from Tony Blair's autobiography raises about ministerial tenure, what is most striking are the primary considerations to be taken into account in selecting ministers: party balance, maintaining loyalty, and image management. Matching individuals to particular portfolios, or selection on the basis of competence, is not mentioned at all.¹⁶ The Public Administration Select Committee ('PASC') made a similar comment in its report on good government:

[T]he underlying problem seems to be that the system of political reward—the allocation of ministerial roles—is not directly related to an assessment of the actual requirements of government. Appointment to ministerial office is instead used for other purposes, including recognition of political loyalty.¹⁷

In 2010, the Public Administration Select Committee ('PASC') published its report *Goats and Tsars: Ministerial and other appointments from outside Parliament*.¹⁸ Sparked by PM Gordon Brown's 'goats', *Goats and Tsars* set out why there was felt a need to appoint outsiders, or those with skills acquired from a non-parliamentary setting; how this might be justified; and how the appointment of such outsiders might be facilitated.

¹⁵ Blair, T. (2010). *A Journey*. London, Hutchinson, pp. 593-4.

¹⁶ In fairness, elsewhere in *A Journey* Blair does make reference to appointing people above their level of competence, but it is brief. It is also worth pointing out that the most prominent of Blair's 'outsider' appointments are rarely mentioned, and their competence is not discussed.

¹⁷ Public Administration Select Committee. (2009). *Good Government*. Eighth Report of Session, HC 97-I, 2008–09, p. 9.

<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmpubadm/97/97i.pdf>.

¹⁸ Public Administration Select Committee. (2010). *Goats and Tsars: Ministerial and other appointments from outside Parliament*. Eighth Report of Session, HC 330. <http://www.publications.parliament.uk/pa/cm200910/cmselect/cmpubadm/330/330.pdf>

There was a perceived need for the appointment of outsiders for two reasons. The first was that the pool of ministerial candidates was too limited: in the UK candidates for ministerial appointment were generally confined to those within the legislature. This pool might shrink over time, particularly as a government came into a third term of office—often with a smaller majority, and with a number of MPs having ‘done their time’ and perhaps been found wanting. The second reason was the apparent professionalisation of politics, and politicians. People brought into Parliament, and those who remained in Parliament, were perceived to have a narrow range of skills. It followed (though not inevitably) that those appointed from the legislature to become ministers would also have a narrow range of skills. Put differently, it was not clear that the skills needed to be a successful politician were the same skills needed to be an effective minister.

This perceived gap in skills and experience had apparently led recent Prime Ministers to look outside the traditional pool of ministerial candidates, and appoint as a means of injecting expertise into government a number of outsiders who had been successful in other fields.

The committee were clearly torn between PASC Chairman Tony Wright’s well-known sympathy for better government, and the need for greater separation between the executive and legislature,¹⁹ and the strongly-held opinion of some committee members that the only legitimate pool of ministerial talent should remain the House of Commons. The recommendations of *Goats and Tsars* reflected this. Leaving aside issues not dealt with in this report (for instance, matters relating to the House of Lords), *Goats and Tsars* oscillated between insisting that Prime Ministers rely on the House of Commons to recruit ministers, and suggesting a mixture of both cautious and radical proposals facilitating ministerial appointment of those with outside experience and widening the pool of potential ministerial candidates. For instance, there was the suggestion, originally raised by Sir John Major and Lord Hurd of Westwell, that a small number of ministers who were from neither House could be appointed, if there were appropriate safeguards.²⁰

In 2010, the Government published its response to *Goats and Tsars*.²¹ In essence, it made a number of non-responses to the PASC recommendations, presumably to maintain maximum scope of manoeuvre. PASC has also launched a new inquiry, called “Smaller Government: What do Ministers do?”, in response to the Coalition’s proposals to reduce the size of the House of Commons, and the role of government, but not to reduce the number of Ministers.²²

¹⁹ See, for instance, Wright, T. (2010). ‘What are MPs for?’ *Political Quarterly*, 81: 298-307.

²⁰ Major, J. and Hurd, D. (2009). ‘Bring outside talent to the dispatch box’ *The Times* (13 June).

http://www.timesonline.co.uk/tol/comment/columnists/guest_contributors/article6488302.ece

²¹ Public Administration Select Committee. (2010). *Government Responses to the Committee's Eighth and Ninth Reports of Session 2009–10: Goats and Tsars: Ministerial and other appointments from outside Parliament and Too Many Ministers?* Second Report of Session, HC 150, 2010–11

<http://www.publications.parliament.uk/pa/cm201011/cmselect/cmpublicadm/150/150.pdf>.

²² Public Administration Select Committee Inquiry. (2010). *Smaller Government: What do Ministers do?* <http://www.parliament.uk/business/committees/committees-a-z/commons-select/public-administration-select-committee/inquiries/smaller-government/>. Robert Hazell gave evidence to the

2.2 Professionalisation and expertise

A key presumption of the *Goats and Tsars* report was an increasing professionalisation of government. This is not a new argument: Anthony King and Peter Riddell, amongst others, have pointed to this phenomenon, and its deleterious effects on government and governance.²³ The more professionalised politicians are, the more distant they become from the public they are meant to serve. A second concern relates to competence: the greater the focus in living 'for' and 'off' politics, the narrower the range of skills that politicians will have to address the complexity of modern day government. Preparation for success in politics is not necessarily preparation for good government.

However, against these concerns Beckman suggests that the professionalisation of politics may have benefits for democracy and governance.²⁴ It may prevent plutocracy—the rule of the wealthy. It may also help to prevent the capture of politics by interest groups. And far from producing a class of people with narrow skills, professionalisation may confer political skills: the ability to politicise issues and create support for particular solutions; legislative skills, etc. Professionalisation may have two faces.

Beckman also questions the assumption that political experience cannot breed subject expertise.²⁵ Politics may provide opportunities for learning about the technical aspects in particular policy fields, which in time may lead to subject expertise. Such opportunities include serving as a member of a select committee; as a 'shadow' minister; and as an actual minister in a relevant policy field.

Finally, we must remember that a study of expertise is not necessarily a study of competence.²⁶ Simply because a minister has subject expertise does not necessarily make him or her competent: competence stems from a much wider range of different skills. These skills have been analysed recently by politicians,²⁷ academics,²⁸ and by organisations which are beginning to provide training and development for Ministers. The National School of Government has compiled a *Handbook for Ministers*, and Warwick Business School and the Institute for Government have each

PASC on 22 November 2010, along with Peter Riddell and Lord Norton, at:

<http://www.publications.parliament.uk/pa/cm201011/cmselect/cmpubadm/uc530-ii/uc53001.htm>.

²³ King, A. (1981). 'The Rise of the Career Politician in Britain--And Its Consequences.' *British Journal of Political Science*, 11: 249-285 ; Riddell, P. (1993). *Honest Opportunism: the Rise of the Career Politician*. London: Hamish Hamilton; Wright, T. (2010). 'What are MPs for?' *Political Quarterly*, 81: 298-307.

²⁴ Beckman, L. (2006). 'The Competent Cabinet? Ministers in Sweden and the Problem of Competence and Democracy.' *Scandinavian Political Studies* 29: p. 127.

²⁵ Ibid.

²⁶ Ibid, p. 127.

²⁷ Kaufman, G. (1997) *How to be a Minister* London, Faber and Faber.

²⁸ Tiernan, A. and Weller, P. (2010) *Learning to be a Minister: Heroic Expectations, Practical Realities* Melbourne University Press; Riddell, P. *Ministerial Effectiveness* (forthcoming); Marsh, D., Richards, D., and Smith, M. (2000) "Re-assessing the role of departmental cabinet ministers" *Public Administration* 78, 305-326.

developed a 360 degree feedback tool to help with evaluation and professional development for Ministers.²⁹

What all these approaches have in common is identifying the main arenas in which Ministers have to exercise their wide range of skills: in the department, across departments, in Parliament, and in society. David Marsh and colleagues have provided a basic table of a minister’s functional roles based upon these four main arenas:

Table 2.1 Ministerial Roles³⁰

Policy	Executive/ Managerial	Political	Public Relations
Agenda-setting	Departmental management	Advocacy of department’s position in:	Overseeing dept’s relations with:
Policy initiation	Decision taker	• Cabinet	• Interest groups
Policy selection		• Parliament	• Public
Policy legitimation		• European Union	• Media
		• party	

This table can be expanded, and made more concrete, as follows:

²⁹ Marshall, J. *Handbook for Ministers*, National School of Government, May 2010. For details of the Warwick Ministerial 360 contact Jean Hartley, jean.hartley@wbs.ac.uk, and for details of the Institute for Government’s programme for new Ministers contact Zoe Gruhn, zoe.gruhn@instituteforgovernment.org.uk.

³⁰ Ibid, p 306.

Table 2.2 The Skills and Roles of a Minister

Policy	Executive/ managerial	Political	Public
Understanding the policy-making process	Leadership in the Department	Negotiations with other Departments/ Cabinet	Briefing media, giving radio and TV interviews
Setting clear strategy, objectives and priorities	Setting budgets and controlling expenditure	Handling relations with governing party	Meeting and negotiating with interest groups
Approving green and white papers. Approving govt bills and delegated legislation	Signing off major contracts (IT projects, defence procurement)	Parliament: Answering questions; replying to debates; taking bills through; appearing before Select Committees	Meeting with general public
Reviewing policy, internally in the department, or with external partners	Industrial relations negotiations (e.g., prison service, Civil Service pensions)	Intergovernmental and EU negotiations	Explaining and defending government policy
	Departmental case work (immigration, planning appeals etc)		
	Sponsoring NDPBs and Executive Agencies		

What the expanded, more detailed table brings out is how much important ministerial work goes on behind the scenes: in the department, negotiating with ministers in other departments, at EU and other intergovernmental meetings. Departments are huge and complex organisations with multiple functions and tens of thousands of staff, and it is easy for new Ministers to feel swamped and prisoners of the Whitehall machine. Some MPs have run nothing larger than their own parliamentary and constituency office, and have no experience of devising a strategy, with clear objectives and priorities, let alone setting budgets, negotiating major contracts or handling industrial relations. For these big management tasks those outsiders who have held senior positions in business or other large organisations clearly have relevant experience, which may be more useful in some roles than the experience of those outsiders which is based primarily on subject expertise.

2.3 The study of ministerial careers

Three chapters in this report describe how other countries set out to recruit ministers with technocratic experience and political skills. There are also comparative studies of ministerial recruitment, although the study of ministerial careers remains very much in its infancy. Jean Blondel and Jean-Louis Thiébault's *The Profession of Government Minister in Western Europe*³¹ remains the classic work in the field of ministerial careers. For our purposes, one finding of this work is that a parliamentary background is the main career path to becoming a minister in Western European democracies: between 1945 and 1985, roughly 75% of all government ministers were members of parliament before becoming part of the government.³² There was great variation across Western European democracies, however, with the UK, Ireland and Italy taking most of their ministers from the legislature; countries such as Sweden and the Netherlands having significant minorities of their Cabinets coming from a non-parliamentary background; and countries sitting somewhere between the two extremes. Further, 'parliamentary' ministers tended to be recruited from the legal and teaching professions, and from among manual workers; 'non-parliamentary' ministers came overwhelmingly from the senior civil service and judges.³³

However, Blondel and Thiébault's work has had a rather ambiguous legacy. In particular, it introduced into the field rigid taxonomies such as 'insider' and 'outsider', 'politician' and 'technocrat', which continue to trouble those in the field.³⁴ Neither has Blondel and Thiébault's work been updated, with one very recent, but excellent, exception.³⁵ Dowding and Dumont's book is part of a new project of country studies which aims to re-examine the question of ministerial selection and deselection, taking into account some of the new theoretical approaches and themes (such as 'presidentialisation') which have emerged since Blondel and Thiébault's time.

Much of the literature remains concerned with 'empirical' questions: the various routes of ministerial recruitment; social, educational, economic and political background of ministers (which may include questions of 'expertise'); the length of ministerial tenure. And within these agendas, methodological issues remain unsettled. In particular, the methodological issue of defining experience and

³¹ Blondel, J. (1991) 'Cabinet Government and Cabinet Ministers', in Blondel, J. and Thiébault, J.-L. (eds.) *The Profession of Government Minister in Western Europe*. New York : St. Martin's Press.

³² de Winter, L. (1991). 'Parliamentary and Party Pathways to the Cabinet', in Blondel, J. and Thiébault, J.-L. (eds.) *The Profession of Government Minister in Western Europe*. New York : St. Martin's Press, 44-69.

³³ Ibid, pp. 54-55.

³⁴ Verzichelli, L. (2010) "New Political Careers in Europe? An Exploration of the Effects of Personalisation on Ministerial Recruitment and Circulation" Paper presented at 2010 PSA conference, Edinburgh.

³⁵ Dowding, K. and Dumont, P. (2009). *The Selection of Ministers in Europe: Hiring and Firing*. Abingdon: Routledge. Dowding has now established a network devoted to the issue of ministerial careers: see <http://sedepe.net/>.

expertise remains difficult.³⁶ Traditionally, political scientists have looked to a number of basic measures: education and professional experience.³⁷ One problem with such measures is that they are narrow: these may not be the only measures of expertise. Such studies may therefore underestimate the presence of those able to meet the demands of a particular portfolio within government. More generally, there is often a buried assumption that ‘politician’ and ‘expert’ are mutually exclusive, when they are not.

Very little of the literature comes close to normative issues, such as evaluating what are the characteristics of a successful minister, or what skills may be useful for a minister.³⁸ The British literature on this subject reflects the broader literature noted above, and is only just beginning to engage in systematic analysis.

2.4 Accountability

Goats and Tsars also examined the issue of accountability. The question of accountability is at the heart of the constitutional relationship between Parliament and the executive. Ministers are responsible to Parliament for the decisions and actions of their departments. In more recent times, this has often been secured by recruiting ministers from the democratically-elected House of Commons. The Commons jealously insists that it is the function of the chosen representatives of the people to hold the executive to account. They seek to do so on the floor of the House, in committees and by questioning the executive both in and outside the House. In this context, the accountability of ministers in the Lords raises its own questions.

In the past, it was not uncommon for a Prime Minister to appoint a number of peers to major offices of state. But with the widening of the franchise it gradually became accepted that the Prime Minister and the holders of the great offices of state should be members of the House of Commons. Although a number of outsider appointments continued to be made, particularly during wartime, generally speaking ministerial appointments without a democratic mandate became rare.

The appointment of a relatively high number of outsiders appointments (as well as two senior Cabinet posts) challenged the status quo. PASC in their report *Goats and*

³⁶ Some of these methodological issues were addressed in a previous Constitution Unit report. See Russell, M. and Benton, M. (2010) *Analysis of existing data on the breadth of expertise and experience in the House of Lords* Constitution Unit at:

http://lordsappointments.independent.gov.uk/media/17348/ucl_report.pdf

³⁷ ‘Professional experience’ is often measured by the last occupation before entering Parliament, which is itself problematic: a minister may have had a variety of experiences which may be of importance in his or her field, which may not be taken into account by those monitoring government.

³⁸ Headey, B. W. (1974) *British Cabinet Ministers: The Roles of Politicians in Executive Office*. London: Allen and Unwin ; Rose, R. (1987). *Ministers and ministries : a functional analysis*. Oxford: Clarendon Press ; Hennessy, P. (2001). *Whitehall*. London: Pimlico. See most recently: Berlinski, S. Dewan, T. and Dowding, (2007) ‘The Length of Ministerial Tenure in the United Kingdom, 1945–97’, *British Journal of Political Science*, 37: 245-262 ; King, A. and Allen, N. (2010). ‘Off With Their Heads’: British Prime Ministers and the Power to Dismiss. *British Journal of Political Science*, 40: 249-278.

Tsars recommended that a limited number of outsider appointments were acceptable, but given the outsiders' lack of democratic accountability, or elected mandate, that they be subject to pre-appointment hearings in the Commons.

Pre appointment scrutiny hearings had been introduced in 2008, and apply to some 60 senior public appointments. The hearing is conducted by the relevant departmental Select Committee in the Commons, which issues a report endorsing appointment of the candidate, or expressing reservations. By April 2010 the House of Commons had conducted 20 pre-appointment hearings, endorsing the government's proposed appointment in all but one case. The government retains the right to appoint despite a negative report.

PASC was not entirely clear which outsider Ministers should be subject to pre appointment scrutiny. If it were introduced, it should be confined to Ministers who are newly appointed to the Lords at the same time as becoming Ministers, or complete outsiders who are not expected to join either House. Although the Prime Minister could still go ahead with the appointment, a proposed new Minister who is the subject of a negative report might well be deterred from taking up the post. Constitution Unit research suggests that the hearings are more influential than Select Committees realise, and that most candidates for senior public appointments would not take up post if the Committee issued a negative report.³⁹

A second issue of accountability relates to which House Ministers are made accountable, once appointed, and the difficulties of Lords Ministers being accountable to the Commons. By well-established convention, UK parliamentarians can only speak and vote in the House of which they are members. So MPs alone can speak and vote in the Commons; peers alone can do so in the Lords. The appointment of junior ministers in the Lords, even if granted peerages to fulfill this role, was seen as presenting constitutional issues of accountability. But the appointments of Lords Mandelson and Adonis as Secretaries of State raised more starkly the question of accountability: here were non-elected parliamentarians being put in charge of very large departments. MPs were jealous of such appointments being made in the Lords. They did not wish to legitimise or further the practice of such appointments by devising procedures to enable peers to be directly accountable to the Commons as a whole. PASC made note of these arguments, ultimately recommending that some means be found to make these senior Lords ministers accountable to the Commons. It also proposed the idea of 'floating' ministers, who would not be members of either House, but would have rights to appear and speak in both. This, and the proposal for pre-appointment hearings, were rejected by the Government.

Since the advent of the Coalition government, the problem in practice has been dormant. Although at least three 'outsider' appointments have been made to the Lords, none of them have been to major offices of state. Further, if the government's plan for a wholly elected second chamber is carried into effect, the accountability

³⁹ Waller, P. and Chalmers, M. (2010) *An Evaluation of Pre-Appointment Scrutiny Hearings*. London: Constitution Unit.

question between the two chambers will be a different one and will need specific consideration.

In the chapters that follow, we set out the experience of a number of countries—including the UK—and how they have dealt with ministerial selection, the appointment of ministers from outside Parliament, and how ‘non-parliamentary ministers’ are made accountable.

3. United Kingdom

This chapter introduces the standard format adopted in the comparative chapters. Readers may wish to skip the next couple of pages, which provide basic data.

At a glance, United Kingdom (population 62m)

Parliamentary form of government

Legislature: bicameral Parliament

- The House of Commons has 650 MPs directly elected by first past the post for a maximum five year term
- The House of Lords currently has 744 peers, 92 of which are hereditary, the remainder being appointed for life

Executive:

- Ministerial appointment is compatible with legislative membership
- Ministers can in theory be appointed from outside Parliament, but in practice are appointed from Parliament
- Ministers in Cabinet: currently 23

3.1 Constitutional and political context

The UK is a constitutional monarchy. Formally, it is the Monarch who appoints the Prime Minister and the Government. But in practice this is determined by the political parties themselves.

The UK has a parliamentary form of government, which means that the executive is mostly drawn from the legislature. The legislature⁴⁰ consists of two houses of Parliament, the House of Commons and the House of Lords. The House of Commons is the dominant house, being democratically elected by a first past the post electoral system. The Commons can scrutinise, amend and reject all legislation; and a vote of confidence lost in the Commons will normally lead to the resignation of the Government.

The House of Lords is the 'subordinate' house, because of its composition. Like the Commons, it can scrutinise legislation, but its powers to amend and reject legislation are limited: it cannot block money bills, and can only delay legislation for one session of Parliament. Originally, the Lords consisted of hereditary peers, but the 1958 Life Peerages Act allowed for the appointment of life peers. The 1999 House of Lords Act removed all but 92 of the hereditary peers, in effect making the Lords a primarily appointed chamber. Since then, there have been several attempts to reform the

⁴⁰ Technically, the legislature is the Queen-in-Parliament, but we simplify here.

House of Lords further, and in particular attempts to provide for the election of peers, but these have so far been unsuccessful.⁴¹

In order to form a government, a political party or parties must secure the confidence of the House of Commons. Generally speaking, by the second half of the 20th century general elections tended to result in single majority governments. Recent trends suggest that general elections may in the future result in no overall majority for any political party, which in turn may have consequences for ministerial selection: for instance, ministerial selection and dismissal may become the province of party leaders rather than the Prime Minister⁴² Once it is determined where confidence lies, a Prime Minister is appointed.

3.2 Ministers and ministerial selection

3.2.1 What are ministers?

There is a hierarchy of ministers:

- Secretary of State
- Minister of State
- Parliamentary Under-Secretary

Generally speaking, a Secretary of State will be responsible for a government department. Ministers of State and Parliamentary Under-Secretaries—or ‘junior ministers’—are appointed with specific responsibilities within the department to which they belong. However, there is no uniformity in the allocation of responsibility: this is dependent on personal and political factors.⁴³ Parliamentary Private Secretaries act as a senior minister’s liaison in the Commons. They are technically not ministers: they are unpaid and have no departmental responsibilities, but are expected to vote with the government.⁴⁴ It is often the first step for those seeking a ministerial career. In addition, there are also Whips—those in charge of party discipline—who are regarded as having the status of ministers.

3.2.2 Constitutional constraints on ministerial selection

In practice, it is the Prime Minister who is responsible for the appointment of all ministerial posts. Constitutionally, there are a small number of constraints, but the main constraints on the Prime Minister’s prerogative on ministerial appointment are political.

The number of ministers is limited by statute, but to some extent these limits can be circumvented. Under the House of Commons Disqualification Act 1975, no more

⁴¹ Russell, M. (2009) ‘House of Lords Reform: Are We Nearly There Yet?’ *Parliamentary Affairs*, 80, 119-125.

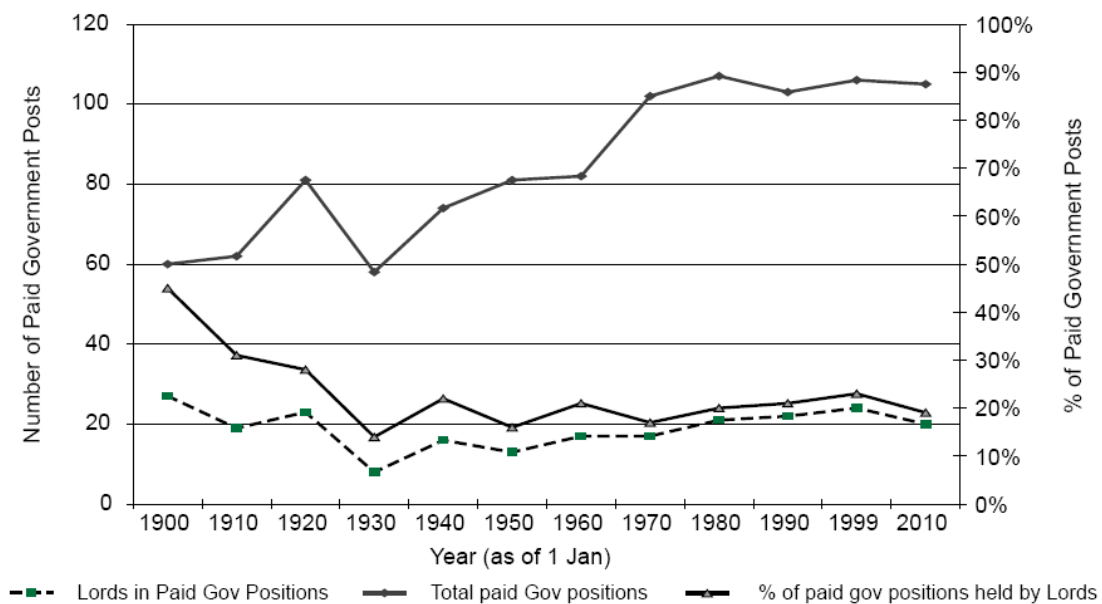
⁴² Curtice, J. (2010) ‘So What Went Wrong with the Electoral System? The 2010 Election Result and the Debate About Electoral Reform’ *Parliamentary Affairs*, 63, 623-638.

⁴³ Theakston, K. (1999) ‘Junior Ministers in the 1990s’. *Parliamentary Affairs*, 52, 231-245.

⁴⁴ For this reason, the office of Parliamentary Private Secretary is controversial. See Jude, E. and Gay, O. “Parliamentary Private Secretaries” (House of Commons Standard Note) at: <http://www.parliament.uk/documents/commons/lib/research/briefings/snpc-04942.pdf>.

than 95 ministers may sit and vote in the House of Commons at any one time. The Ministerial and Other Salaries Act 1975 also limits the number of paid ministerial salaries to 109, but is broken down by category, giving governments some flexibility in the actual number of ministers appointed. In addition, this Act has been worked around by having unpaid ministers: if ministers, particularly peer ministers, are willing to accept unsalaried posts, governments can appoint more payroll ministers in the Commons. Including whips, the current government has a total of 119 ministers : 95 ministers in the Commons; 24 in the Lords.⁴⁵

Figure 3.1 Members of the House of Lords in paid government positions (1900-2010)⁴⁶



Source: David Butler and Gareth Butler, *Twentieth-Century British Political Facts*, (Basingstoke, 2000) p. 71 (1900-1999); House of Commons Information Office (2010)

Successive governments have increased the total number of ministers appointed, purportedly to address the complexity of government, but more likely for purposes of party patronage and to ensure party obedience. Attempts to reduce the number of ministers have failed.⁴⁷ From Figure 3.1, we can also see that the number of Lords

⁴⁵ Maer, L. "Ministers in the Lords" (House of Commons Standard Note) at: <http://www.parliament.uk/documents/commons/lib/research/briefings/snpc-05226.pdf>. This does not include the number of Parliamentary Private Secretaries, which currently number 46—see: <http://www.number10.gov.uk/news/latest-news/2010/11/government-publishes-list-of-parliamentary-private-secretaries-57099>.

⁴⁶ Public Administration Select Committee. (2010). *Goats and Tsars: Ministerial and other appointments from outside Parliament*. Eighth Report of Session, HC 330, 2009–10, p. 7, at: <http://www.publications.parliament.uk/pa/cm200910/cmselect/cmpublic/330/330.pdf>.

⁴⁷ The Coalition government has recently rejected reducing the number of ministers in line with the proposed reduction of MPs, on the basis that this was a coalition government with the challenge of delivering the 'Programme for Government', and because the proposed reduction of MPs had yet to be implemented: see <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmpublic/150/150.pdf>. A motion by Charles Walker, a Conservative MP, to reduce the number of ministers was also defeated by 293-

ministers has remained relatively stable at about 20% of the total number of ministers—about 20-25 peers. By implication, the rise in the number of ministers over time is mostly attributable to increases in the number of Commons ministers.

The second key constitutional constraint is convention: ministers are presumed to be members of Parliament. This is only convention: in theory there is nothing to stop a Prime Minister from appointing someone from outside Parliament altogether. But the convention has solidified as a means of ensuring the democratic accountability of the executive to the British public. Indeed, in practice, this convention is more specific: it is not just that ministers should be members of Parliament, but that they should be members of the democratically elected House of Commons.

In the past, it was not uncommon for a Prime Minister to appoint a number of peers to major offices of state. A principle of equilibrium applied: it was presumed that it was necessary to maintain equal numbers of ministers in both the Commons and the Lords. Indeed, in the 19th century, the premiership itself was held as much by peers as those from the Commons. The argument was that it would free some ministers from the pressures of the Commons—but in practice it was about party patronage, and the need to avoid uncomfortable questions from the Commons.⁴⁸

With the widening of the franchise in the 20th century, however, it became accepted that those appointed to the (i.e.,) Premiership and the major offices of state should be members of the House of Commons. This was on the basis that those holding such offices should be accountable to the democratically elected House. The convention only began to harden over the 20th century. There have been a number of ‘outsider’ appointments made, particularly during the two world wars, but generally speaking appointments without a ‘democratic mandate’ became rare. It also became rarer to appoint a peer to one of the great departments of state. Prior to the appointment of Lords Adonis and Mandelson in 2009, and the brief tenure of Baroness Amos in 2003 (as Secretary of State for International Development), the last major appointment to the House of Lords was Lord Carrington as Foreign Secretary (1979-1982).

However, by well-established convention, Parliamentarians can only speak and vote in the House they are members of: that is, MPs alone can speak and vote in the Commons; peers alone speak and vote in the Lords. Adhering to this convention means all governments must have officers in each house to represent the government and the departments, introduce government bills and defend such bills from unwelcome amendment. Thus, in the Lords, the government frontbench usually consists of one to two Cabinet Ministers (usually the Leader of the House and previously, the Lord Chancellor until changes to the office in 2005); around five to six

241: “Coalition defeats move to reduce the number of Ministers” *ePolitix.com* (26 October 2010), at: <http://www.epolitix.com/latestnews/article-detail/newsarticle/coalition-defeats-move-to-cut-number-of-ministers/>.

⁴⁸ Adonis, A. (1993) *Making Aristocracy Work: The Peerage and the Political System in Britain, 1884-1914*, Oxford, Clarendon Press.

ministers of state, and perhaps ten junior ministers (parliamentary under-secretaries) and six or so whips, making up a total team of 20-25.

This 'constitutional' constraint on the recruitment of ministers is seen by some to be the primary constraint on the ability of Prime Ministers to provide talent and competence for their governments. There are also various practical constraints which further reduce the potential pool of potential ministerial recruits. These constraints are the needs for representation, patronage, loyalty, and competence.

3.2.3 Political constraints on ministerial selection

Representation in appointment is a primary consideration. The government of the day is in reality the political party, or parties, which have the confidence of the Commons. Political parties are in themselves coalitions of competing factions coming together under a particular set of agreed compromises. This being so, each Prime Minister must satisfy his or her 'party', or the factions within his or her party, in order to maintain control over the legislature as a whole. (Of course, in the current coalition Government, the two parties have explicitly agreed that Prime Minister's prerogative of ministerial selection will be subject to restriction by the Deputy Prime Minister).⁴⁹ Prime Ministers must satisfy their party, which may consist of various factions, who may think their candidate is too important not to be appointed. There may also be pressure on the PM to appoint a certain number of 'other groups', such as women and ethnic minorities.

For many, 'representation' is synonymous with political reward, or patronage. Ministerial posts are also now used as a means of ensuring loyalty, or at least acceptance of the government approach. Prime Ministers wish to appoint those who are loyal: both to the party and to his or her own position as party leader.

Competence is a final, but perhaps not primary, consideration. A PM wants candidates who are effective in the role of being a minister. What counts as 'competent' or 'effective' however, is difficult to define. Very often, it may depend on competence to perform in the House (and usually the House of Commons).⁵⁰

Expertise—which is slightly different from competence—in a particular portfolio has never consistently been considered a prerequisite. Perhaps the only case where expertise was considered relevant was the office of the Lord Chancellor, who was, prior to the enactment of the Constitutional Reform Act 2005, a member of all three 'branches' of British government. Someone of high standing in the legal profession was always appointed to the office of Lord Chancellor because of the office's various responsibilities, although this may no longer be so.⁵¹ But generally, British governments have been peopled by 'amateurs': there is often no relationship

⁴⁹ *Coalition Agreement for Stability and Reform*, 1.3 at:

<http://www.cabinetoffice.gov.uk/media/409174/stabilityreformmay2010.pdf>.

⁵⁰ Jones, B. (2010) Climbing the Greasy Pole: Promotion and British Politics. *Political Quarterly*, 81, 616-626.

⁵¹ In addition, that person was also made a peer upon appointment if not already a peer, to meet the requirements of the office: presiding officer of the Lords.

between the previous occupation of the minister and the position he or she holds in government. Potential ministers must be fast learners, and need intellectual ability.

As a result of this mixture of constitutional and political constraints, there have been very few ministers appointed from ‘outside’ Parliament. Indeed, Prime Ministers wanting to bring ‘talent’ into government have been forced by the strictures of these constraints to first bring candidates into Parliament—either parachuting their candidates into a ‘safe seat’ for his or her party after appointment; or in more recent times, first grant the candidate a peerage and appoint them to the House of Lords. It is the experience of the latter that we investigate in the next chapter.

3.3 Executive-legislative relations and accountability

Ministers are responsible to Parliament in two ways: they are responsible collectively for the actions of the government (collective cabinet responsibility); and they are responsible to Parliament for the decisions and actions of their departments (individual ministerial responsibility). The focus here is on individual ministerial responsibility, or accountability. This may require of a minister that she redirect questions; report or inform Parliament; explain issues to Parliament; make amends for mistakes; and ultimately, where necessary, take ‘sacrificial’ responsibility—i.e., resign.⁵²

Individual ministerial accountability takes two institutional forms: questioning in the chamber; and scrutiny before select committees, with the nature of these accountability mechanisms differing somewhat in each house. Generally speaking, Ministers are expected to answer written questions within seven days. Each minister is required to answer oral questions in the House on departmental matters once a month. In addition, Ministers may be asked to appear before select committees to answer for the decisions and actions of their departments. Cabinet Ministers are expected to appear before their departmental select committee in the Commons at least once a parliamentary term. These hearings may be up to two hours long.

In terms of the main mechanisms of accountability—parliamentary questions, debates, and during the passage of legislation—Ministers will appear before their own House to give answers and explanations. This stems from their membership in the House as either a member of Parliament or as a peer. They may not appear in the ‘other house’.⁵³ However, this prohibition on appearing in the other house is perhaps most stringent in relation to the chamber. Lords Ministers can appear before Commons Select Committees and vice versa, although they cannot be compelled. Correspondence from MPs to a Lords Minister will receive a direct reply

⁵² Woodhouse, D. (1994). *Ministers and Parliament: Accountability in Theory and Practice*. Oxford: Clarendon Press, p. 27.

⁵³ There are some loopholes to this convention: one peculiar one is that privy councillors—who may come from the Commons—are allowed to sit on the steps of the Sovereign’s Throne in the House of Lords. In the 2010 ‘wash up’ prior to the May general election, Jack Straw MP used his status as a privy councillor to appear in the House of Lords to manage the passing of the Constitutional and Governance Reform bill.

(and ditto correspondence from peers to a Commons Minister). This second exception illustrates the lack of logic in the system: MPs can write to a Lords Minister and receive a written reply, but they cannot put down a written parliamentary question to the same Minister.

What works against accountability, however, is the nature of the relationship between legislature and executive, when moderated by political parties. This has been noted above, but deserves repeating. Members of both houses of Parliament have a number of roles. In their role as members of the legislature they are expected to scrutinise and hold accountable the government of the day. As (mostly) members of political parties, they are expected to vote with their parties; and if that party forms part of the executive they are expected to support it. Members of the governing party have a strong disincentive to criticise the government, let alone vote against it: party out of party loyalty, but ultimately for fear of losing the party whip (and their seats). Members of the government themselves have no choice but to vote for the government: they vote against and they lose their government office. This is one important reason for the increase in the number of ministers. Ministerial office becomes a gift of patronage as much as an office with substance.

4. The Experience of Ministers Recruited from outside Parliament

4.1 Introduction

Here we deal with the experience of those brought into the Lords in order to be appointed as ministers, because of particular skills and experience acquired, often from outside politics. This was mostly done through interviews: we sought the views of these former ministers, but also the views of working peers and others able to comment on their experience.

As noted earlier, there is a problem of definition—who we are looking at, and how do we identify them? The term ‘goats’ does little to clarify this. It was a broad term to cover ministerial appointments from the Lords made by Gordon Brown over a short period of time. Tony Blair made similar appointments during his much longer premiership (‘Tony’s cronies’). They are thought to share two key characteristics: first, that they were brought into the Lords in order to be made ministers; and second, that they brought with them expertise and experience that Parliament was lacking.

The only difference between other peer ministers and Brown’s ‘goats’ was the immediacy: there was no waiting period between being brought into the Lords and being appointed as minister. Other outsiders have been appointed to the Lords before being made a minister (see table 4.2) first, and given time to learn about the place. As for the expertise brought by outsiders, they differ in the kind of skills and experience they brought into government: some brought ‘technocratic’ skills; some political skills; and yet others were somewhere in-between.

But this characteristic is more relevant: it highlights the (purported) key reason for appointment: skills and experience. Thus, we will refer to these individuals as ‘outsiders’—in the sense of initially coming from outside Parliament, and to point to their skills and experience, which are often gained in a non-parliamentary setting.

4.2 The historical experience of bringing outsiders into government

Historically, Prime Ministers have on occasion brought those ‘from the outside’ into government. The most prominent appointments have been in wartime. For instance, Lloyd George appointed a number of ‘outsiders’ to his war cabinet. Joseph Maclay, chairman of a ship owning company, was appointed Minister of Shipping (1916-21). Sir Eric Geddes, Deputy General Manager of a railway company, North-Eastern Railway, served as Deputy Director-General of Munitions Supply (1915-1916), and in 1917 as First Lord of the Admiralty. Jan Smuts, a prominent South African politician and former general, became a member of the British War Cabinet in 1917, as

Minister without Portfolio. Many of these appointments were regarded as successful, even though at least one (Maclay) held both Houses of Parliament in contempt.⁵⁴

Churchill similarly appointed a number of outsiders during wartime. Jan Smuts was again invited to join the Imperial War Cabinet in 1939 as the most senior South African in favour of war. Lord Beaverbrook, a prominent media mogul, was also 'recalled' into government, but this time by PM Churchill, serving as Minister for Aircraft Production (1940–41) and later Minister of Supply (1941–42). Richard Casey, an Australian politician, was made Minister Resident in the Middle East in 1942. Churchill picked Casey to meet the demand for having an Australian representative in the War Cabinet.⁵⁵

However, in peacetime, and particularly the postwar period, the recruitment of those 'from the outside' into British government has been less common. There have been a number of experts and non-politicians appointed as advisers, such as Sir (later Lord) Derek Rayner—and more recently, 'tsars' such as Sir Philip Green,⁵⁶ but we look here solely at the appointment of outsiders to ministerial posts.

Recruitment of outsiders into the House of Commons has been particularly rare. The two examples most commonly referred to are Frank Cousins and John Davies. Cousins had been General Secretary of the Transport and General Workers' Union and member of the Trades Union Congress, and President of the International Transport Workers' Federation. He was 'parachuted' into a safe seat in 1965 in Harold Wilson's Labour government, and was made Minister of Technology (1964–66). John Davies had been Director-General of the Confederation of British Industry before being recruited by Edward Heath, who wanted to inject experience from the business world into government. Although Davies initially failed to be selected as a Conservative candidate in 1969, he was later found a safe seat in 1970. Shortly after being elected, Davies was made Secretary of State for Trade and Industry, but remained in office for only two years before being reshuffled and moved to the office of Chancellor of the Duchy of Lancaster. Historical judgement of Cousins and Davies has been critical: neither were seen to be particularly good in terms of handling Parliament.⁵⁷

Recruitment of outsiders to the House of Lords has been slightly more common, and indeed is the currently favoured means of bringing into government those from 'the outside'. Thatcher appointed a small number of 'outsiders', the most prominent being Lords Cockfield and Young. Lord Cockfield had been in the civil service in the Inland Revenue for many years before later becoming director and chairman of Boots. He had then acted as an economic advisor to senior Conservative politicians.

⁵⁴ Pugh, M. (1993), *The Making of Modern British Politics: 1867-1939* Oxford: Blackwell Publishers, p. 208.

⁵⁵ Casey, R. and Bridge, c. (2008) 'A delicate mission: the Washington diaries of R.G. Casey, 1940-42', Canberra: National Library of Australia. p. 13

⁵⁶ Stratton, A. (2010). 'Sir Philip Green to conduct external review of coalition's spending cuts', *The Guardian* (12 August). <http://www.guardian.co.uk/politics/2010/aug/12/government-spending-review-philip-green>.

⁵⁷ See, for instance, Campbell, J. (1994). *Edward Heath: A Biography*. London, Pimlico, p 304.

After being made a life peer in 1978, Cockfield became Minister of State at the Treasury (1979-82); the Secretary of State for Trade (1982-83); Chancellor of the Duchy of Lancaster (1983 -84). In government Cockfield was seen as a man of wide experience and intellect, but was regarded as more of a technocrat than a grassroots politician.⁵⁸ Lord Young's background was in business; but he had also advised Keith Joseph on privatisation; and was later Chairman of the Manpower Services Commission, which dealt with unemployment and training matters. Granted a life peerage in 1984, he was quickly placed in Cabinet by Thatcher as Minister without Portfolio to advise the government on unemployment issues, due to his experience at the Manpower Services Commission. He then went on to become Secretary of State for Employment (1985-87) and Secretary of State for Trade and Industry (1987-89). Lords Cockfield and Young were both regarded as a lot more effective than Frank Cousins and John Davies.

But it is under Tony Blair and Gordon Brown's premierships that the appointment of outsiders into ministerial office appears to have risen. We set out below those peer ministers appointed from outside Parliament since 1997. There may be others, but these are the individuals most commonly mentioned.

⁵⁸ Roy Denman, 'Obituary: Lord Cockfield', *The Guardian*, January 11 2007, <http://www.guardian.co.uk/news/2007/jan/11/guardianobituaries.obituaries>.

Table 4.1 Tony Blair's 'Outsider' Ministers

Name, background	Position	Date appointed to the House of Lords	Date appointed minister and date resigned	Total time as minister
Lord Simon of Highbury, former businessman	Minister for Europe	16/05/1997	16/05/1997-29/07/1999	2 years 2 months
Lord Sainsbury of Turville, former businessman	Under Secretary of State, Dept of Trade and Industry	03/10/1997	28/07/1998-10/11/2006	8 years 3 months
Lord Macdonald of Tradeston, former broadcaster and businessman	Minister for Business and Industry, Scottish Office Minister for Transport, Dept for Transport Duchy of Lancaster, Cabinet Office	02/10/1998	03/08/1998-29/07/1999 29/07/1999-09/06/2001 09/06/2001-13/06/2003	4 years 10 months
Lord Falconer of Thoroton, former barrister	Solicitor General Minister of State, Duchy of Lancaster, Cabinet Office Minister of State, Dept for Transport, Local Government and the Regions Minister of State, Home Office Lord Chancellor Secretary of State for Constitutional Affairs Secretary of State, Ministry of Justice	14/05/1997	06/05/1997-28/07/1998 28/07/1998-11/06/2001 09/06/2001-29/05/2002 29/05/2002-11/06/2003 14/06/2003-08/05/2007 29/11/2003-08/05/2007 16/05/2007-28/06/2007	10 years 1 month
Lord Adonis, former academic, journalist, special adviser	Under Secretary of State, Dep't for Education and Skills Parliamentary Under-Secretary, Dept for Children, Schools and Families Minister of State, Dept for Transport Secretary of State for Transport	16/05/2005	09/05/2005-28/06/2007 28/06/2007-06/10/2008 06/10/2008-10/06/2009 09/06/2009-19/05/2010	5 years

Table 4.2 Gordon Brown's 'Outsider' Ministers

Name, background	Position	Date appointed to the House of Lords	Date appointed minister and date resigned	Total time as minister
Lord Malloch-Brown, former diplomat	Minister of State, Foreign and Commonwealth Office	09/07/2007	28/06/2007-24/07/2009	2 years 1 month
Lord Darzi of Denham, surgeon	Parliamentary Under-Secretary, Department of Health	12/07/2007	29/06/2007-21/07/2009	2 years 1 month
Lord Jones of Birmingham, former Director of CBI	Minister of State, Department for Business, Enterprise and Regulatory Reform	10/07/2007	29/06/2007-05/10/2008	1 year 4 months
Lord West of Spithead, former First Sea Lord	Parliamentary Under-Secretary, Home Office	09/07/2007	29/06/2007-11/05/2010	2 years 11 months
Baroness Vadera, banker and govt adviser	Under Secretary of State, Department for International Development Under Secretary of State, Department for Business, Enterprise and Regulatory Reform Under Secretary of State, Department for Business, Innovation and Skills Parliamentary Secretary of State, Cabinet Office	11/07/2007	28/06/2007-25/01/2008 25/01/2008-10/06/2009 10/06/2009-25/09/2009 06/10/2008-25/09/2009	2 years 3 months
Lord Carter of Barnes, businessman and govt adviser	Under Secretary of State, Dept for Culture, Media and Sport Parliamentary Under-Secretary, Dept for Business, Innovation and Skills	15/10/2008	07/10/2008-22/07/2009 05/10/08-21/07/09	9 months
Lord Myners, businessman	Parliamentary Secretary, Treasury	16/10/2008	07/10/2008 -11/05/10	1 year 10 months
Lord Davies of Abersoch, businessman	Minister of State, Foreign and Commonwealth Office Minister of State, Dept for Business, Innovation and Skills	02/02/2009	10/02/2009-11/05/2010 02/02/2009-11/05/10	1 year 3 months
Lord Mandelson, former MP, cabinet	Secretary of State, Dept for Business, Enterprise and Regulatory Reform President of the Council,	13/10/2008	06/10/2008-11/05/10 10/06/2009-	1 year 7 months

minister	Privy Council Office		11/10/2010	
Baroness Kinnock of Holyhead, MEP	Minister of State, Foreign and Commonwealth Office	30/06/2009	30/06/2009 -11/05/10	11 months

Table 4.3 David Cameron’s ‘Outsider’ Ministers

Name, background	Position	Date appointed to the House of Lords	Date appointed minister and date resigned	Total time as a minister
Lord Hill of Oareford, former political consultant	Parliamentary Secretary, Department for Education	27/05/2010	27/05/2010-present	7 months (as of Dec 2010)
Lord Sassoon, former banker, civil servant	Commercial Secretary to the Treasury	29/05/2010	03/06/2010-present	7 months (as of Dec 2010)
Lord Green of Hurstpierpoint, former banker	Minister of State for Trade and Investment	22/10/2010	To take office 01/01/2011	n/a

The outsiders appointed under the Blair and Brown governments differed in the kind of skills and experience they brought to their respective portfolios. Some, for instance, correspond to the stereotypical idea of the ‘technocrat’: individuals appointed solely for their expertise in a particular area, and lacking in parliamentary experience—people such as Lord Simon of Highbury, appointed for his business skills and European connections; Lord Darzi, appointed for his medical experience and academic background; or Lord Myners for his business background.

There are those who are clearly ‘politicians’, such as Baroness Kinnock, appointed as Minister for Europe after having been an MEP for 15 years; or Lord Mandelson, who had many years as a Commons minister. But many ministers appointed from outside Parliament do not fall so easily within these easy delineations. Lord Adonis, for instance, spent many years as a special adviser in the area of education, and was later appointed as junior minister for education in the Lords—he then worked his way up to Transport Secretary; Lord Macdonald had had experience in broadcasting and business, and held a number of ministerial portfolios in the Lords for just over four years. Adonis and Macdonald are ‘hybrids’: they had both technical expertise and political experience to deploy. Lord Sassoon might be another ‘hybrid’: formerly a civil servant in the Treasury, and later adviser to the then Shadow Chancellor, he has recently become a Minister in the Treasury.

In short, we should be careful in how we characterise ‘outside’ appointments and their expertise: they are not necessarily ‘technocrats’ from the business and scientific worlds; they may be (former) politicians or even hybrids.

4.3 On being a minister

We focus here on the role of junior ministers, because this is the level at which most outsiders—and indeed most peer ministers—are appointed. But more specifically, the focus is on the role of junior ministers in the Lords, because this has been the primary path to ministerial appointment for outsiders. This necessitates some discussion of the peculiar nature of ministers in the Lords.⁵⁹

Generally speaking, the role of peer ministers differs slightly from Commons ministers, who answer only for their sphere of responsibility within the department. There are set days when Commons ministers will answer questions related to their portfolio in the chamber. By contrast, the role of peer ministers has usually been that of departmental spokesperson, answering questions on all matters which fall within their department, and taking bills through the House. Thus, in practice, a peer minister may end up doing the equivalent parliamentary work of three to four Commons ministers. Moreover, within a ministerial team, a peer minister is often at a disadvantage, because of her unelected status, and almost always being a junior minister. The relatively low status and role of peer ministers are a function of the generally low respect with which the House of Lords has been held by successive governments.

Prior to 1997, there was also a limited 'career ladder' in the Lords, with many peers being first appointed as assistant whips, and slowly 'graduating' to higher office—although only in very exceptional circumstances reaching Cabinet level posts. Again, this reflected the subordinate status of the Lords as a House of Parliament. Ministerial posts were mostly peopled by hereditary peers, although in the years before 1997 there were signs of a shift towards the recruitment of life peers.⁶⁰

The election of Labour in 1997 and reform of the House of Lords had an impact on government representation in the Lords. First, the lack of Labour peers in the Lords required the appointment of a number of new life peers in order to meet the needs of the new government. Second, the removal of all but 92 hereditary peers in 1999 transformed the Lords as a chamber. The House of Lords became a chamber composed mostly of appointees, and more importantly, no longer had an inbuilt Conservative majority. In effect, the chamber was 'hung'—no political party had an overall majority. The result has been a far more active and political body, more willing to challenge the work of the government.⁶¹ This in return has led to pressure on the Labour Government to appoint more competent ministers in the Lords. In addition, some peer ministers began to be assigned more significant responsibilities. These peer ministers included former politicians or individuals with relevant outside experience, such as Baronesses Hayman, Symons and Hollis, amongst others. Several

⁵⁹ See generally, Shell, D. (2007). *The House of Lords*. Manchester: Manchester University Press.

⁶⁰ Cowley, P. and Melhuish, D. (1997) "Peers' Careers: Ministers in the House of Lords" *Political Studies*, 45, 21-35.

⁶¹ Russell, M. and Sciara, M. (2007). "Why does the Government get defeated in the House of Lords? The Lords, the party system and British politics " *British Politics* 2: 299-322.

of our interviewees talked of how much more demanding the Lords had become since 1997.

Stories of what ministers do (particularly junior ministers) abound. These range from inhabiting an empty portfolio to being overworked and overburdened; from being frustrated by civil servants to being 'captured' by them, and so on.⁶² Some have suggested that outsider ministers, and particularly Brown's 'goats' did not find the ministerial experience comfortable, pointing to their generally brief periods of ministerial tenure.⁶³ Former trade minister Lord Jones of Birmingham complained before the Public Administration Committee that his experience as a junior minister was:

one of the most dehumanising and depersonalising experiences a human being can have. The whole system is designed to take the personality, the drive and the initiative out of a junior minister.⁶⁴

Have other ministers appointed from outside Parliament had similar experiences? We focus mostly on the experiences of outsider ministers: not being socialised in parliamentary culture, they may offer a fresh perspective on the experience of being a minister. We can look at this in terms of the four functional roles of ministers noted in chapter 2: the policy role; the executive-managerial role; the political role; and the public role.

However, almost all outsider ministers pointed to an immediate problem. First, there was very little in the way of induction or introduction: "I was dropped right in it. A few weeks after appointment I was taking a bill through the Lords." "It was sink or swim."⁶⁵ This was partly a result of the lack of understanding on the part of Prime Ministers about the role of the House of Lords: "[The Prime Minister] told me not to worry much about the Lords: he said I wouldn't be spending much time there", said one former outsider. This situation has apparently improved: the Government's Chief Whip may explain the nature of a minister's duties at appointment, and there are induction courses for new ministers available at the National School for Government.⁶⁶

⁶² Former ministers have recently related some of their stories before the Public Administration Select Committee: see: <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmpubadm/uc530-i/uc53001.htm>; see also: Laurin, D. "No way to run a life let alone a country" *The Guardian Public* (17 September) <http://www.guardianpublic.co.uk/ministerial-life-culture-whitehall-comment>.

⁶³ Hasan, M. (2009). 'The lost herd' *The New Statesman* (23 July). <http://www.newstatesman.com/uk-politics/2009/07/mehdi-hasan-brown-minister-government-lord>.

⁶⁴ Digby Jones' much-reported comments can be found in Public Administration Committee *Good Government* (HC 92-II, 2009) at: <http://www.publications.parliament.uk/pa/cm200809/cmselect/cmpubadm/97/97ii.pdf>.

⁶⁵ Interview with former peer minister.

⁶⁶ See <http://www.nationalschool.gov.uk/policy/MinisterialProgramme/Induction.asp>. However, as Lord Norton has pointed out, availability does not necessarily mean appointees will partake of them: on one count, only a relatively small proportion of the Coalition government (35) have taken such courses. See: <http://www.nationalschool.gov.uk/policy/MinisterialProgramme/Table.asp>; and <http://lordsoftheblog.net/2010/11/02/ministerial-training/>.

Two former outsider ministers suggested that one possible remedy is to provide a 'mentoring' process, whereby a more experienced minister acts as a guide for a newly-appointed minister. Informally, some of the outsider ministers have been offering advice to outsider ministers on their own initiative. Another possibility is something written: some jurisdictions also provide guides on ministerial office.⁶⁷ Such an induction guide might cover more practical issues, like the nature of the relationship between the minister and the private office and the role of the civil service generally; pay, travel and correspondence; key aspects of parliamentary procedure.

4.3.1 The political role

Outsider ministers noted the unusual nature of a junior minister's parliamentary duties in the Lords. As noted earlier, junior ministers in the Lords carry a much heavier load of parliamentary work than those in the Commons.⁶⁸ Outsider ministers expressed some bewilderment at the responsibilities of being a (junior) minister. These ranged from mastering the arcana of parliamentary procedure, answering all manner of questions related to their portfolio and their department ("did anyone bother to tell Lord West that he would be answering questions on dangerous dogs in the House?"); remaining in the House late at night to take part in debate and voting on divisions; remaining in the House generally to get a sense of the occupants' mood; taking through legislation and dealing with hostile amendments. One outsider minister found his initial experiences in the chamber "intimidating" and even "humiliating".⁶⁹

Observers of outsider ministers tended to think that with a small number of exceptions, it was in Parliament where such ministers tended to fail. This is unsurprising: ministers in both the Commons and Lords are often judged by their ability to perform 'at the dispatch box' (that is, answer questions and carry debate) and to a lesser extent carry legislative proposals through the House.⁷⁰ These same observers also tended to be critical of some of the outsider appointees for failing to meet their parliamentary or House obligations more generally, especially after leaving office. This was a particularly sore point: a number of outsider ministers were seen to have taken the title but not the responsibilities that flowed from being a peer—contributing to the business of the House, taking part in debates and scrutinising the government: "They take the peerage, but not the work."⁷¹

⁶⁷ In New Zealand, for instance, there is the *Cabinet Manual*, which deals with legal and political issues which ministers often confront; and the *Ministerial Handbook*, which covers ministerial office matters. Scotland has a 'rough guide' to being a minister,, known as *Key Information for Ministers*. The Brookings Institute, a prominent US political think tank, has a publication called the *Survivor's Guide to Presidential Nominees*, aimed at improving the understanding of the presidential appointment process. http://ceg.files.cms-plus.com/Transition/SG/CEG_Survivor%27sGuide.pdf. This discusses various issues a potential nominee must consider, from intense scrutiny in the Senate to handling the media and post- government life.

⁶⁸ Theakston, K. (1999) 'Junior Ministers in the 1990s'. *Parliamentary Affairs*, 52, 231-245., p. 241.

⁶⁹ Interview with former peer minister.

⁷⁰ Jones, B. (2010) 'Climbing the Greasy Pole: Promotion and British Politics'. *Political Quarterly*, 81, 616-626.

⁷¹ Interview with former working peer.

It was the political-parliamentary function of the ministerial office which caused outsider ministers the most difficulty, but this is not to say it made the job impossible: on the whole, outsider ministers interviewed appeared to welcome the challenge. Interviewees acknowledged that many outsider ministers did not start well, but over time learnt to manage their parliamentary role.

There may be too much emphasis placed on ministers' parliamentary role at the expense of other aspects of ministerial office.⁷² In fairness, this is also due to the limited sample of interviewees, many of whom had long been socialised into the 'culture' of Houses of Parliament. Some more sympathetic to outsiders noted that little attempt was made to compare the parliamentary performance of outsiders with other peer ministers, or indeed Commons ministers: it was not clear that outsiders were any worse. Some observers suggested that the current outsiders—Lords Hill and Sassoon—were in fact better than the Conservative working peers in terms of how they handled the Lords. And very few observers commented on outsider ministers' accomplishments in terms of policy and executive managerial functions.

For some outsider ministers, this emphasis on Parliament and the political ignored the executive-managerial or policy work they did—despite the fact that many outsiders had been brought in precisely for their extra-parliamentary expertise and experience. There was little sense that they had been evaluated for their work as people with skills relevant to their portfolio. Moreover, the fact that these outsider ministers had not come from a political party or through the traditional recruitment path sometimes put them at a disadvantage. One outsider minister complained that jealousy caused by thwarted ambition sometimes spilled over into team relations. He could never be sure if he would be backed up by the party.⁷³ The answer, in riposte, is to join the party of government. Many working peers thought membership in the party was a prerequisite: it ensured loyalty.⁷⁴

4.3.2 The executive-managerial and policy roles

Most outsider ministers revelled in the policy function. Policy, and policy implementation, was the reason they had been brought into government. There was ambivalence, however, on the part of outsider ministers in relation to these two functions. Many expressed concern about the 'silo' nature of government, and about the lack of 'joined-up' government. For some, the civil service was a large machine, no different in terms of institutional logic from other businesses. But at least one outsider minister thought that government was only deceptively similar to commercial organisations, especially in relation to the detailed decisions ministers had to take: "I made more decisions in the first week than I did in two years as [head of a large organisation]."⁷⁵

⁷² Norton, P. (2005) *Parliament in British Politics*, Basingstoke, Palgrave Macmillan., p. 57.

⁷³ Interview with former peer minister.

⁷⁴ A number of interviewees noted that Lord Digby Jones refusal to take the Labour whip was resented by his colleagues and other party members.

⁷⁵ Interview with former peer minister.

Almost all outsider ministers interviewed thought that traditional understandings and expectations of ministerial office had become outdated. For a start, it involved outmoded ideas about what any one individual could realistically handle. All outsider ministers registered concern about the amount of work a junior minister was expected to do. “It was the most exhausting job I’d ever done. It was relentless”, said one former businessman and outsider.⁷⁶ This echoes David Laughrin’s recent discussion of ministerial overload.⁷⁷

This was a result of the lack of clear lines of delegation, and the lack of any job description. All outsider ministers interviewed thought that the role of a minister should be limited to strategic direction, rather than being a jack of all trades. One outsider minister said:

[Ministers] shouldn’t get involved in running the department. I think there should be a much clearer cut of responsibilities: permanent secretaries should run departments and ministers should deal with policy. Otherwise it’s hopeless. Very few ministers have ever run anything. There is no way you’re going to convert them into good managers.⁷⁸

Another stated that what was needed was a rethink of what it meant to be a minister: “Governments need to be more honest about the capacities of the executive”.⁷⁹ Expectations outran capacity.

4.3.3 The public role

If the ‘public’ role meant dealing with their portfolio’s interest groups, outsider ministers thought this was straightforward: given their experience gained outside Parliament, they had little trouble dealing with their department’s ‘policy networks’—they had once been part of those same networks. Few dealt with ‘the public’, meaning the media and the general public: this was seen as something for the Secretary of State. Those who did deal with the media and the public sometimes found it very hard indeed. One outsider discovered that while ostensibly there were ministerial ‘teams’, this was more in theory rather than in practice:

I remember there was a [terrible incident] and I was appearing in all the newspapers. It was quite a problem. I handled it with my private secretary. I don’t think we ever discussed [it] with the Secretary of State. I remember [a Commons minister] saying [...] “You have to remember, in government, every minister is a sole trader.” And it often felt like that.⁸⁰

⁷⁶ Interview with former peer minister.

⁷⁷ Laughrin, D. (2009) “Swimming for their Lives—Waiting or Drowning? A Review of the Evidence of Ministerial Overload and of Potential Remedies for It” *Political Quarterly*, 80: 339-350.

⁷⁸ Interview with former peer minister.

⁷⁹ Interview with former peer minister.

⁸⁰ Interview with former peer minister.

4.4 Accountability

Leaving aside concerns about the scope of the ministerial role noted above, most peer ministers interviewed were satisfied with the existing arrangements of accountability—that is, answering questions in the Lords, and appearing before select committees in both Houses of Parliament. These arrangements were considered sufficient for junior peer ministers. Ordinary working peers agreed: it was simply that they thought outsider ministers were insufficiently cognisant of these requirements of accountability.

However, a number of peer ministers argued that the convention that members could only appear in the house they came from made accountability problematic. Much of ‘accountability’—or responsiveness—is informal: a word spoken in the corridors or before a vote. But this convention meant it was often difficult for some peer ministers who felt strongly about the need to be accountable to the Commons to meet their obligations. For instance, a peer minister was not allowed into the Commons tearoom unless she had previously been an MP. MPs would have to come up to her office for a discussion. A number of interviewees argued that there needed to be institutional spaces in which members of both Houses could meet, and facilitate this informal accountability.

For maximum accountability, of course, the ideal solution would be for each minister to be able to appear before either House to answer for their own portfolio—so, for example, if the Minister of State in charge of prisons was a Lords Minister, she could also answer for prison matters in the Commons. But there was ambivalence about peer ministers appearing in the Commons: many interviewees thought that peer ministers could probably not take the nakedly political approach of the Commons. More generally, total reciprocity, with every Minister being accountable to both Houses, was thought impractical. Commons ministers have the additional burden of constituency duties, and would not willingly take on additional accountability responsibilities in the Lords. Moreover, asymmetry is built into the relations between the Commons and the Lords: it is more important that peer ministers be accountable to the democratically elected Commons, rather than vice versa.

Total reciprocity would also be an over-engineered solution, because the key demand for greater accountability came from the Commons: and it was directed not at all Lords Ministers, but at Secretaries of State in the Lords. In particular, the demand was directed at Lord Mandelson, as Secretary of State for Business, and Lord Adonis as Transport Secretary.⁸¹ Both Secretaries of State appeared frequently

⁸¹ See, for instance, the work done in House of Commons Business and Enterprise Committee *Departmental Annual Report and Scrutiny of the Department for Business, Enterprise and Regulatory Reform* (2008) <http://www.publications.parliament.uk/pa/cm200708/cmselect/cmberr/1116/1116.pdf>; The Lords Procedures Committee *Oral Questions to Senior Secretaries of State* (2010) at <http://www.publications.parliament.uk/pa/ld200910/ldselect/ldprohse/13/13.pdf>; The Commons Procedures Committee *Accountability to the House of Commons of Secretaries of State in the House of Lords* (2010) at <http://www.publications.parliament.uk/pa/cm200910/cmselect/cmproced/496/496.pdf>.

before their respective select committees in the Commons, and would have welcomed the opportunity for greater accountability.

Both the Lords and Commons Procedure Committees devised new means to deal with the Lords Secretaries of State. In the Lords, calls for greater accountability were answered by requiring an additional 15 minutes of oral questions of the Secretaries of State, following the existing monthly requirement of 30 minutes of oral questions. These were to be answered by the Secretary of State alone, and not to be delegated.

In the Commons, there was rather more debate, centring around the thorny prohibition on non-members appearing in the House chamber. There were a number of suggestions, such as appearing at the bar of the House, but ultimately, the Commons Procedure Committee suggested the Lords Secretaries of State should appear in specially arranged sessions in Westminster Hall. Every month the Lords Secretaries of State would answer 30 minutes of 'normal' questions followed by 15 minutes of topical questions. This answered the procedural issue of allowing non-members to appear in the Commons: holding a hearing in Westminster Hall was akin to holding a committee hearing—it did not violate this prohibition. However, no hearing was ever held.

It was not the technicalities of finding the right Commons procedure which proved to be the stumbling block. With a little political will, the procedural issues could easily have been solved. The Speaker had signalled his willingness to do so,⁸² but from interviews, it appears that the then Leader of the House and the Chief Whip were less keen. What lay behind their reluctance was resistance from MPs themselves: MPs were jealous of having major Secretaries of State in the Lords. They did not want to legitimise the practice, and ease the way to appointing more senior cabinet ministers from the Lords. All interviewees were understanding of this sentiment, but some wondered about the Commons' priorities: it was surely more important to ensure Secretaries of State were held accountable rather preserving the Commons as the key pool of ministerial talent.

Still, few thought the issue of Lords Secretaries of State was a pressing issue: with one exception, all interviewees thought it was highly unlikely that we would see the appointment of further Secretaries of State in the Lords (other than the House Leader). Lords Mandelson and Adonis may have been the last of their kind.

4.5 Outsiders: evaluating their own experience

All outsider ministers saw the possibility of 'outsider' appointments in the future. A small minority of outsider ministers professed some irritation with the insistence on traditional paths of recruitment. Political parties were 'trade unions', and ministerial recruitment their 'monopoly'. But the benefits of bringing expertise and experience gained from outside parliament into government outweighed these (possibly temporary) problems. As one outsider argued:

⁸² <http://www.telegraph.co.uk/news/newstopics/politics/6227700/Lord-Mandelson-should-face-MPs-over-his-empire-John-Bercow-says.html>.

too much weight has been given to [keeping factions happy] and not enough to where the expertise lies. If you want the government to perform well and you realise that means that your ministers actually have to do things in their departments, then I think you might want to give more weight to expertise and enthusiasm.⁸³

However, it was, most outsider ministers admitted, ‘horses for courses’ (a phrase often employed by interviewees). Outsider ministers worked best where their skills and experience matched their portfolios. The more obviously successful outsiders were usually brought in for their mixed skills. For instance, Lord Myners may have been best in the policy and executive-managerial functions: having been director of various large companies, he was instrumental in dealing with the £500 billion bank rescue package (as was Baroness Vadera). Lord Darzi was probably best in terms of the policy and public relations functions because of his experience as a surgeon and his knowledge of the health sector in general. Lord Adonis, on the other hand, may have been best in terms of the policy and political functions, having previously been a special adviser and head of the No 10 Policy Unit, and having focused on education.

There were certain portfolios which may be better suited to outsider experience. The most obvious is the office of trade minister. Following the 2010 election, the Coalition’s inability to find a suitable candidate to be trade minister became something of an embarrassment—apparently, a number of business figures had turned down the unpaid post before Lord (Stephen) Green was appointed to take up post in January 2011. More important for our purpose was the felt need to appoint someone from the world of business. The trade minister portfolio, or something similar, has been held by outsider appointees in the past: Lord (Digby) Jones; Lord (Mervyn) Davies; and perhaps Lord (David) Simon during Tony Blair’s premiership.

There are others, such as the Department for International Development, and formerly the office of the Lord Chancellor—these did not directly involve voter interests. This was important: to some extent ministerial posts which directly touched upon voter interests and money were considered to be ‘Commons’ portfolios. Arguably, for instance, Lord Carrington as Foreign Secretary in the Lords would have had to have resigned anyway once the Falkland Islands War began; the office of the Lord Chancellor had to be taken by someone from the Commons once the Ministry of Justice took over much of the work of the Home Office. This was one reason why the appointments of Lords Mandelson and Adonis caused many to talk about accountability: both their portfolios involved major areas with direct impact on voter interests.

‘Ordinary’ working peers interviewed tended to take the view that it was better to appoint those with parliamentary or political experience to ministerial posts generally. Recruitment through Parliament was a prerequisite because it provided

⁸³ Interview with former peer minister.

skills and expertise that would be useful for the parliamentary aspect of ministerial office:

There's a parliamentary ethos that many of the [outsider ministers] seem to lack. [...] To get the best out of the system, you have to understand the system and play by the rules. It doesn't require a genius, but there needs to be some experience.⁸⁴

More generally, and as already noted, 'ordinary' working peers evaluated outsider ministers by their parliamentary performance. Since, in their minds, most outsider ministers performed poorly, they argued that such appointments should be kept to a minimum. However, one observer (a working peer) of one of Brown's 'goats' commented that having someone with technocratic expertise in the departmental field on the ministerial team was highly beneficial, particularly at departmental meetings.

Some working peers made the argument that outsiders were best placed as advisers, not ministers. Outsiders could still utilise their experience and expertise as advisers; but the essence of being a minister was being accountable to Parliament. Most outsider peer ministers thought being an adviser or even a 'tsar' did not compare: as an adviser one remained separate or distanced from government. It might allow for greater flexibility in terms of being able to deal with 'horizontal' (that is, crosscutting) issues, but "If you want to make things happen, you have to be a minister and get involved."⁸⁵ Most accepted the oddities of ministerial life: this was what they had signed up to.

The parallels between the situation of outsider ministers and external appointments to the civil service are striking.⁸⁶ In an earlier report on external appointments, the Public Administration Select Committee had noted the problems faced by outsiders joining the senior civil service: poor organisational fit; heightened expectations and/or a predisposition towards setting up new recruits to fail; a lack of standards with which to evaluate performance; and poor retention rates. It was suggested that recruitment at a lower level to allow a period of adjustment, clearer reasons for appointment, clearer definition of role, and the establishment of an evidence base with which to evaluate performance may provide better results in the future. All of these apply equally to outsider ministers.

On the idea of pre-appointment hearings, opinion split. Perhaps half the interviewees thought this was a good idea; but the other half balked at the idea of constraining the prerogative of the Prime Minister to select ministers. All outsider ministers interviewed thought fixed term appointments was a good idea: after all,

⁸⁴ Interview with former peer minister.

⁸⁵ Interview with former peer minister.

⁸⁶ Public Administration Select Committee (2010) *Outsiders and Insiders: External Appointments to the Senior Civil Service* (HC-241)) at: <http://www.publications.parliament.uk/pa/cm200910/cmselect/cmpubadm/241/241.pdf>.

most came into government to do a specific job, and once that was over, many saw little reason to stay in the Lords to play the role of backbencher.

The idea of ‘floating ministers’, who might be allowed to appear in both Houses but were members of neither, was rejected by the majority of all former ministers interviewed. Those who thought it might work were lukewarm at best. Those against it noted the practical difficulty—the need to change procedure—and used very similar language to describe their more fundamental objection: “You have to be rooted somewhere: it is difficult enough to get oneself integrated into a ministerial team because you are not from the primary house”,⁸⁷ and

Ministers need to root themselves in the house in which they belong: they will find if they meet their colleagues in the informal spaces that they can draw on their colleagues when times are down.⁸⁸

Finally, outsider and ordinary peer ministers alike were in agreement that the ministerial turnover rate was unacceptable. It took time to adapt and learn about the basic issues, people and interest groups within one’s portfolio: constant reshuffles prevented the growth of institutional memory and practices. It was no way to run a business; and it was no way to run government.

4.6 The impact of an elected second chamber on the appointment of outsiders

Looking further ahead, it is worth noting that the government’s plans for an 80% or 100% elected second chamber may put an end to the appointment of outsider Ministers who are given a place in the House of Lords. The government’s plans and draft bill, to be published in spring 2011, are likely to be for a 300 seat second chamber, with 240 elected peers and 60 appointed crossbenchers. The party benches will be occupied by elected peers, elected for long non-renewable terms. The crossbenchers will be selected by the House of Lords Appointments Commission, and will be appointed specifically because they have no party affiliation and are expected to sit on the crossbenches.

In this new situation a Prime Minister would have no ability to appoint outside Ministers to the Lords. He could in practice appoint only from his own party benches, which will comprise elected peers. They will contain outside expertise, perhaps more than the Commons; but until we see the electoral system in operation we cannot tell how much. There may be more outside experience on the cross benches, but this is not available to the Prime Minister. It would be a breach of faith for a crossbencher appointed to be an independent non-party peer to cross the floor and sit on the government benches.

A Prime Minister could still appoint outsider Ministers, but they would have to be wholly outside, ‘floating’ Ministers remaining outside Parliament. This would be a

⁸⁷ Interview with former peer minister.

⁸⁸ Interview with former Commons minister.

much more radical step than the current practice of appointing outsider Ministers to the Lords. It would present a challenge for each House of Parliament to devise its own procedures for holding such Ministers to account: through inviting them to appear before Select Committees; and/or granting them speaking rights to answer oral Questions, reply to debates and take bills through one or other House. The House of Commons, faced with the choice in 2008-09 in relation to Lords Mandelson and Adonis, decided on limiting their accountability to the Commons to appearing before Select Committees; though these ministers answered questions and were able to make statements and sponsor government bills in the Lords.

The Commons might make a different choice with Ministers wholly outside Parliament, and want to impose more effective accountability. The second chamber would also need to decide how to hold outsider Ministers to account. There is a risk that Parliament might turn its back on such Ministers, to signal its disapproval at anyone being appointed from outside the parliamentary pool; but the risk seems slight, since (unlike with Lords Ministers) the consequence would be for outsider Ministers to have no accountability at all.

If the government, in framing their proposals for Lords reform, wanted to retain the capacity to appoint a small number of outsider Ministers who would sit in the Lords, they might seek to do so by maintaining a small quota for such appointments: say five in a Parliament, or two at any one time in the Ministry. This would resemble the proposal first floated in Lord Irvine's 2001 White Paper on Lords reform (which posited a statutory Appointments Commission controlling the numbers of nominations from each party) that "the Government believes it right to retain the discretionary right for the Prime Minister to appoint a small number of people—four or five a parliament—directly as Ministers in the Lords".⁸⁹ The same proposal was repeated in Lord Falconer's 2003 consultation paper on Lords reform, which said "the Government believes there is a good case to retain the discretionary right for the Prime Minister to appoint up to five people per Parliament directly as Ministers in the Lords".⁹⁰ It might seem strange to retain an element of patronage in an otherwise elected chamber; but the history of Lords reform is full of paradoxical compromises.

⁸⁹ *Reform of the House of Lords: Completing the Reform*. Cm 5291, Nov 2001, para 66.2.

⁹⁰ *Constitutional Reform: Next Steps for the House of Lords*. Dept for Constitutional Affairs CP 14/03 Sept 2003, para 67.

5. The Comparative Experience

The next four chapters outline the experience of four different countries: the Netherlands, France, Sweden and the United States. Sweden and the Netherlands both have parliamentary systems of government—that is, the government depends on the confidence of the legislature. France has a semi-presidential form of government, in that there is a directly elected President, but the government still requires the support of the legislature. The US, which has the most complete separation of powers, with separately elected executive and legislature who may be opposed to each other, in a strong system of checks and balances.

All have experience of appointing non-parliamentary ‘ministers’ (although in the case of the US, the term ‘ministers’ is not appropriate). In all of these countries, there is a greater constitutional separation of executive and legislature than in the UK. These countries, in varying degrees, do recruit ‘outsiders’ into the executive—those from the extra-parliamentary world.

The UK is unusual in that Ministers can only speak and vote in the House of which they are members: in many other countries, there is no such requirement.⁹¹ In the Netherlands, Sweden and France, all Ministers remain ‘outside Parliament’: there is a constitutional prohibition on being a member of both the legislature and the executive. Ministers are members of neither house of the legislature (Sweden has just one house). Provision is made for ministers to appear in each house: they are usually given specified seats and given the right to speak, but no right to vote. Ministers are accountable in both houses (where there are two houses), and are able to answer questions and appear before committees. This is not seen to cause any difficulty: since ministers are not members of either house, there have to be means by which they are held accountable.

In theory, this constitutional separation clarifies the position of the two branches, and perhaps gives them both distinct identities and roles. But to focus on the constitutional theory ignores political realities. In spite of the constitutional prohibition, ministers in these countries are more often than not still recruited from either house of the legislature. They must resign from their legislative office, of course, but parliamentarians, or those with parliamentary experience, still form the bulk of those appointed to ministerial office. Even where ministerial recruits do not have parliamentary experience, they may have relevant political experience at the local government level, in party politics, or in government administration.

There are a number of reasons for this blurring of executive and legislature, but an important one is the need for the executive to communicate and negotiate effectively with the legislature. For this, premiers prefer those with ‘political’ experience. Anecdotally, those non-parliamentarians who do come from outside

⁹¹ Russell, M. (2000). *Reforming the House of Lords: Lessons from Overseas*. Oxford: Oxford University Press, pp. 199-200.

politics in these countries have trouble adjusting to parliamentary life: its procedures, processes and general 'culture'. There is also evidence in these countries to suggest that recruits with both technical and political expertise—'hybrids'—are becoming more attractive.

The US experience mirrors some of this. In theory the President can appoint from a vast pool of talent. In practice not all the talent is available, or useful. Some candidates reject the invitation: because of the adversarial appointment process, intrusive publicity, loss of income, and lack of job security. Those with private business backgrounds find it difficult to be good administrators in the federal government. As they grow in office, Presidents tend to appoint more people with government or political backgrounds, because of the need for effective liaison with Congress. Cabinet Secretaries spend a third of their time in Congress pushing their department's policies, budget and legislative agenda. Despite the formal separation of powers, an effective Secretary has to devote a lot of time to nurturing relations with Congress. And despite the ability to appoint 'experts', Presidents will often replace them with people with more experience of politics and government.

6. The Netherlands

At a glance, The Netherlands (population 16.6m)

Parliamentary form of government

Legislature: the bicameral Staten-Generaal (States-General), which has 225 members in total

- The Tweede Kamer (Second Chamber or House of Representatives) has 150 members directly elected by proportional representation for 4 year term
- The Eerste Kamer (First Chamber or Senate) has 75 members indirectly elected by the provincial legislatures for 4 year term

Executive:

- Ministerial appointment is incompatible with legislative membership
- Ministers can be appointed from outside Parliament, and often are
- Ministers in Cabinet: currently 12
- Number of junior ministers: currently 8

6.1 Constitutional and political context

The Netherlands has traditionally had a high number of ‘outsiders’ appointed as ministers. By one account, until the late 1960s only 35% of all ministers came from the Dutch Parliament or had had parliamentary experience.⁹² Even now, ‘outsiders’ remain a significant minority in Dutch cabinets, and of European states the Netherlands is an outlier in terms of appointing many outsiders to ministerial posts.

The Netherlands is a constitutional monarchy. Direct elections and a parliamentary system of government were introduced into the Dutch constitution in 1848; a system of proportional representation in 1917; and a universal franchise in 1919. The Cabinet and Parliament are now the most important institutions in the Dutch political system.⁹³

The Netherlands is also a parliamentary democracy. The government of the day relies on the support of Parliament, and ministers are accountable to Parliament. There is a bicameral legislature, consisting of the House of Representatives and the Senate. The House of Representatives numbers 150 MPs and the Senate 75 Senators.

The House of Representatives is the dominant chamber. By convention (for this is nowhere written in the Constitution), a successful motion of no confidence would result in the resignation of the relevant minister, Cabinet or the dissolution of

⁹² Andeweg, R. and Bakema, W. (1994). ‘The Netherlands: Ministers and Cabinet Policy’, in Laver, M. and Shepsle, K. (eds.), *Cabinet Ministers and Parliamentary Government*. Cambridge: Cambridge University Press, p. 63.

⁹³ Section 42 of the Dutch Constitution states:

1. The Government shall comprise the King and the Ministers.
2. The Ministers, and not the King, shall be responsible for acts of government.

Parliament. It alone has the power to initiate and amend legislation; and as a rule it is the chamber in which governments are most carefully scrutinized. Members of the House of Representatives are elected by proportional representation, and so no one political party has been able to secure a majority since its introduction: the vast majority of Dutch governments have been majority coalitions.⁹⁴

The Senate is the subordinate chamber: its members sit only one day a week. In theory, the Senate has two basic functions: reviewing legislation and scrutinising the Executive. In practice, the Senate is primarily a chamber of revision. There is no right of amendment over bills: the Senate can only vote to accept or reject bills. However, the Senate has developed a *de facto* right of amendment by delaying the vote on bills which Senators object to.

After an election, the government formation process follows a rough order. In simplified form, the parties decide between themselves who forms the government (with the help of an *informateur* or *formateur* appointed by the Monarch). Once this is done, the content of the new coalition's programme is determined. Ministerial portfolios are distributed between parties, usually in proportion to parties' strength within Parliament. There is usually an attempt to ensure all coalition parties are represented in each broad policy area; and particular parties have traditionally taken particular portfolios.⁹⁵

Finally, ministers are nominated. The Prime Minister is usually the leader of the largest governing party, although not always. But the PM has no say over the selection of ministers. Candidates for ministerial posts are put forward by the coalition party leaders: these candidates must be acceptable to the other coalition partners, but it is rare for a veto to be exercised. Ministers do not need to be members of Parliament,⁹⁶ i.e., there is a tendency to appoint ministers from outside Parliament into the Dutch government. Once ministerial posts have been apportioned, the *formateur* reports back to the Monarch, and the government is then formally appointed.

6.2 Dutch Cabinets and Ministerial Selection

Dutch Cabinets are small: since the 1970s, average Cabinet size has been about 16 ministers and between 11 and 17 junior ministers. There are two kinds of ministers: Cabinet ministers and state secretaries (i.e., junior ministers). Cabinet ministers are

⁹⁴ Andeweg, R. and Irwin, G. (2009) *Governance and Politics of the Netherlands*. Basingstoke: Palgrave Macmillan, p. 101.

⁹⁵ Andeweg, R. (1997). 'The Netherlands: Coalition Cabinets in Changing Circumstances', in Blondel, J. and Muller-Rommel, F. (eds.), *Cabinets in Western Europe*. Basingstoke: Macmillan, p. 64.

⁹⁶ Article 57:

[...] (2) A member of the Parliament may not be a Minister, State Secretary, member of the Council of State....

(3) Notwithstanding the above, a Minister or State Secretary who has offered to tender his resignation may combine the said office with membership of the Parliament until such time as a decision is taken on such resignation. [...].

generally speaking departmental heads, and so the number of Cabinet ministers has increased with the expansion of the Dutch government over the 20th century.

The office of junior minister was introduced in 1946. They attend Cabinet only when Cabinet ministers are absent, but have no voting rights. They may provide expertise, but generally speaking, their function is related to the coalitional nature of Dutch government: they are usually appointed by a coalition partner to act as a watchdog over a Cabinet minister. In recent years the number of junior ministers has dropped.⁹⁷

The Dutch PM has no power to determine ministerial appointment, or indeed, deselection. Ministerial selection is the province of coalition parties, and in particular, their leaders. The only constitutional constraint on ministerial selection is that ministers cannot be MPs, except during points of transition between governments (in this sense, all Dutch ministers are 'outsiders'). Ministers who are members of the legislature must resign their posts and be replaced by those following them on their respective party lists.⁹⁸ There is no great issue here: the Dutch have a particularly pure form of proportional representation. Thus there is no issue about the loss of a constituency link, because the entire country serves as one large constituency. Ministers in the Netherlands are occasionally appointed from the Senate: it is not common, but it is not considered unusual either. The current Minister of Foreign Affairs, Uri Rosenthal, came from the Senate.⁹⁹

In theory, then, the pool of potential ministerial recruits in the Dutch political system is broader than (say) that in the UK: candidates can be recruited from both inside and outside the legislature. How, then, have Dutch political parties exercised their choice? Although it has been suggested that Dutch ministers are chosen for their technocratic expertise,¹⁰⁰ the tendency has been to look solely at a minister's experience before entering a portfolio and ignoring political experience accumulated over time.¹⁰¹ Thus, Dutch ministers have appeared to be far more technocratic than they in fact are.¹⁰²

If political experience is taken into account, it appears that Dutch ministers are not 'pure' technocrats; but neither are there many 'pure' politicians. In the period 1848-

⁹⁷ Andeweg, R. (1997). 'The Netherlands: Coalition Cabinets in Changing Circumstances', in Blondel, J. and Muller-Rommel, F. (eds.), *Cabinets in Western Europe*. Basingstoke: Macmillan.

⁹⁸ For instance, the current Parliament has seen the entrance of 10 MPs to replace those who went into Cabinet: The Dutch House of Representatives. (2010). 'Ten New Members of Dutch Parliament' (26 October). http://www.houseofrepresentatives.nl/news/new_members.jsp#0.

Note that if ministers who had a seat lose their office, they have no 'right' to return to their seat: they must wait till a vacancy occurs.

⁹⁹ http://www.government.nl/Government/Rutte_Government/Uri_Rosenthal.

¹⁰⁰ Andeweg, R. and Bakema, W. (1994). 'The Netherlands: Ministers and Cabinet Policy', in Laver, M. and Shepsle, K. (eds.), *Cabinet Ministers and Parliamentary Government*. Cambridge: Cambridge University Press, p. 63.

¹⁰¹ Bakema, W. and Secker, I. (1988). 'Ministerial Expertise and the Dutch Case', *European Journal of Political Research*, Vol 16, p. 155.

¹⁰² Headey, B. (1974). *British Cabinet Ministers: The Roles of Politicians in Executive Office*. London: Allen and Unwin.

1967, 35% of ministers had parliamentary experience,¹⁰³ but between 1967 and 2007, the proportion of ministers with parliamentary experience and/ or experience at local government level had increased to 65%.¹⁰⁴ There have been a number of candidates with specific skills or relevant expertise appointed to particular portfolios—Justice, Agriculture, Economic Affairs, Welfare, Health and Culture.

Figure 6.1 Technical and political expertise of Dutch Ministers by time period, measured at first appointment¹⁰⁵

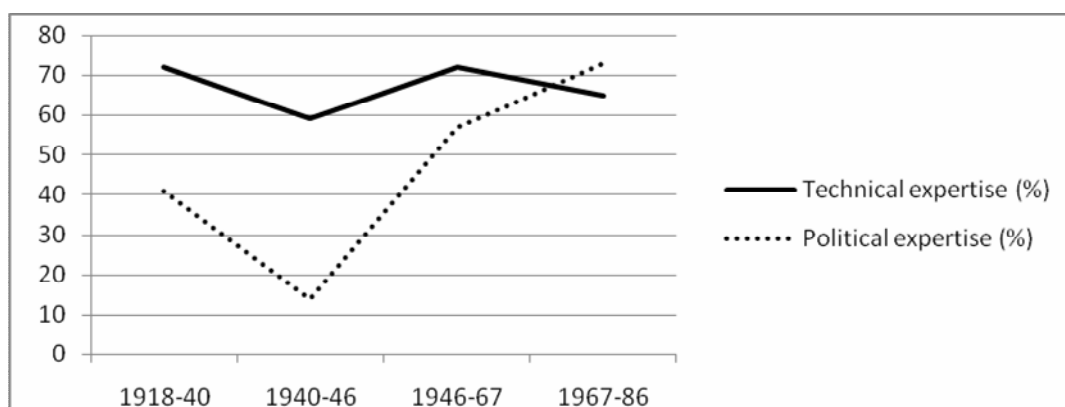
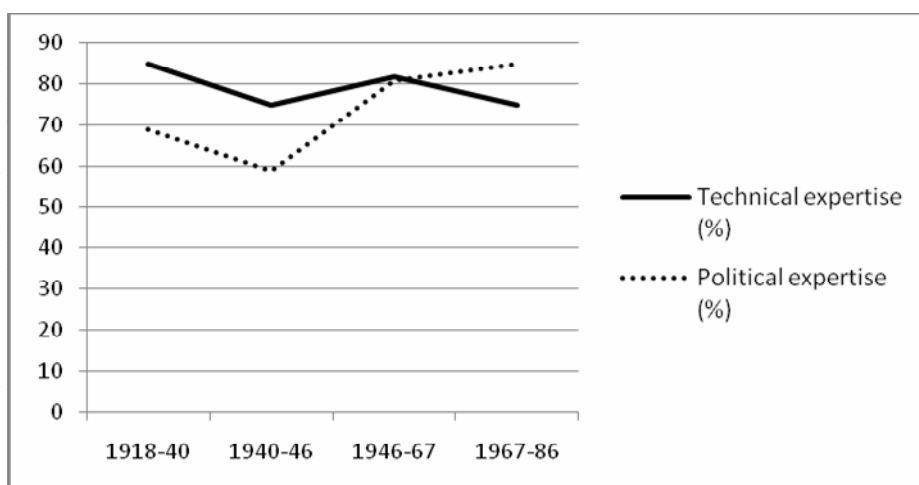


Figure 6.2 Technical and political expertise of Dutch Ministers by time period, all nominations measured¹⁰⁶



Specialisation in portfolio has also meant that there is less ‘horizontal’ ministerial mobility—ministers rarely shift from their portfolio: between 1945 and 1984, for instance, 79% of all Dutch ministers did not change portfolio.¹⁰⁷

¹⁰³ Andeweg, R. and Bakema, W. (1994). ‘The Netherlands: Ministers and Cabinet Policy’, in Laver, M. and Shepsle, K. (eds.), *Cabinet Ministers and Parliamentary Government*. Cambridge: Cambridge University Press, p. 63.

¹⁰⁴ Andeweg, R. (1997). ‘The Netherlands: Coalition Cabinets in Changing Circumstances’, in Blondel, J. and Muller-Rommel, F. (eds.), *Cabinets in Western Europe*. Basingstoke: Macmillan.

¹⁰⁵ Table adapted from figures in Bakema, W. and Secker, I. (1988). ‘Ministerial Expertise and the Dutch Case’, *European Journal of Political Research*, 16: 161.

¹⁰⁶ Table adapted from figures in Table adapted from figures in Bakema, W. and Secker, I. (1988). ‘Ministerial Expertise and the Dutch Case’, *European Journal of Political Research*, 16: 161.

There does appear to be a greater tendency towards the appointment of those with relevant technical skills to ministerial posts in the Netherlands. There are at least two important reasons for this. The first is that it remained common for much of the 19th century for the Dutch Monarch to appoint ministers on an individual basis. Moreover, political parties did not dominate the political system till well into the 20th century.

The second reason is the social and political context of Dutch society. The Netherlands is a country of minorities: it has been a highly segmented society, particularly divided by religion (often called 'pillarisation'). Thus Dutch politics has been characterised by the need for a 'politics of accommodation'. Dutch governments have had to remain 'above' politics in order to be acceptable: "the closer to the Crown, the less partisan".¹⁰⁸

However, in more recent times, and as can be seen from the tables above there has been a shift in the balance of characteristics of Dutch ministers—from appointees with greater technocratic experience to those with political experience. One factor contributing to the 'politicisation' of ministers is that junior ministers are being appointed by coalition parties to act as watchdogs over Cabinet Ministers: in this sense they are more likely to be 'political'. In 1948-67, about 60% of all junior ministers were teamed up with Cabinet ministers. In the period 1987-2007, this figure jumped to 86%.¹⁰⁹

Coalition agreements and the need to maintain party discipline have led to tighter relations between the Government and Parliament. Thus, there now needs to be a greater fusion between executive and legislature. At a much deeper level, however Andeweg has argued that increasing politicisation is linked with the 'depillarisation' of the Netherlands: as Dutch society has become less segmented—or as religious distinctions matter less—the need for a politics of accommodation has declined.

6.3 Ministers and Cabinet

The office of Prime Minister is a relatively new office in the Netherlands: prior to World War Two, the Prime Minister was considered a temporary chairman, and the office was often rotated. To give the PM more powers was seen to violate individual ministerial responsibility and thus accountability to Parliament. Dutch Prime Ministers are not necessarily heavyweights: of the 40 PMs between 1848 and 2007, 19 had not previously been cabinet ministers. Dutch political parties have often preferred to keep their leader in Parliament. Since 1973, however, the Dutch Prime Minister has always been the leader of the largest party in Parliament.

¹⁰⁷ Bakema, W. and Secker, I. (1988). 'Ministerial Expertise and the Dutch Case', *European Journal of Political Research*, 16: 161.

¹⁰⁸ Andeweg, R. and Irwin, G. (2009). *Governance and Politics of the Netherlands*. Basingstoke: Palgrave Macmillan, p. 116.

¹⁰⁹ *Ibid*, p. 143.

In the second half of the 20th century, the role of the PM has become more important.¹¹⁰ Indeed, there has been talk of 'presidentialisation', with the personalisation of politics, an increased media focus on the PM and the impact of Europe. and the need for greater policy coordination. At a party level, there has been simultaneously a decline in party identification, and a shift to greater control over party by party leaders.¹¹¹

Generally speaking, however, the Dutch PM remains relatively weak in comparison with other European Premiers. We have already noted that the PM has little say over ministerial selection and deselection. The PM's power and resources are small: the PM draws up the Cabinet agenda, chairs all committees, and has the deciding vote in Cabinet. The staff of the PM remains tiny, with the Office proper only containing 10-12 staff.

Traditionally, collective cabinet responsibility has been weak, and individual ministerial responsibility strong. There is a strong custom of individual ministerial autonomy in the Netherlands, and for a long time the rule of non-intervention in other ministers' portfolios was followed strictly. Collective cabinet responsibility is, however, maintained because of the coalitional nature of Dutch governments. Cabinet meetings average around 30 hours per month, and involve 'real' discussion and negotiation: they are not merely ritualistic occasions.

Cabinet duration is fairly stable for a country with proportional representation. Between 1945 and 2007, there were 26 governments, lasting on average just under two years and two months. Six of these were caretaker governments, and if they are removed, the average cabinet duration time comes to nearly three years. Nine lasted the maximum of four years.

6.4 Executive-legislative relations

Dutch Ministers have no permanent seat or vote in Parliament, but they have the right to participate in parliamentary debates in either House.¹¹² Although both ministers and MPs can introduce legislation, in practice legislation is initiated by cabinet ministers.

It is the House of Representatives which holds ministers accountable. The Senate only sits for one day a week; there is no option of oral questioning in the Senate; and

¹¹⁰ Andeweg, R. (1997). 'The Netherlands: Coalition Cabinets in Changing Circumstances', in Blondel, J. and Muller-Rommel, F. (eds.), *Cabinets in Western Europe*. Basingstoke: Macmillan.

¹¹¹ Fiers, S. and Krouwel, A. (2005). 'The Low Countries: From 'Prime Minister' to President-Minister', in Poguntke, T. and Webb, P. (eds.). *The Presidentialization of Politics: A Comparative Study of Modern Democracies*. Oxford: Oxford University Press.

¹¹² Article 69:

- (1) Ministers and State Secretaries shall have the right to attend sittings of the Parliament and may take part in the deliberations.
- (2) They may be invited to be present at sittings of the Chambers of the Parliament meeting either separately or in joint session.
- (3) They may be assisted at the sittings by persons nominated by them.

the right of written questions is rarely used in practice. The House of Representatives holds ministers accountable in three basic ways. MPs can ask questions or ‘interpellations’: questions are for individual ministers and allow for a response by the initiating MP; interpellations are only for broad important issues, are directed to the government generally, and can lead to broad general debate. The former must be answered within a week; the latter within one month. MPs can pass policy proposals (motions), which may lead to a vote of confidence. Finally, by vote of a majority of the House, the House can choose to establish an inquiry. By law, ministers must submit themselves to public scrutiny by such an inquiry. In practice, however, accountability is very much like the UK system, particularly in recent years, because of tightening party discipline under conditions of coalition government.

There is a long-standing debate in the Netherlands about whether to characterise executive-legislature relations as ‘dualistic’ or ‘monistic’.¹¹³ In the past, executive-legislative relations in the Netherlands had been considered dualistic, in that the executive and legislature have clear and distinct roles. Thus, as noted, being a minister is incompatible with membership in Parliament, and a high proportion of ministers are not appointed from Parliament. There is also a physical separation: for instance, when appearing in Parliament, government ministers sit separately from parliamentarians, on a set of seats which are not embossed with the parliamentary insignia.

More recently, scholars have noted signs of monism—the absence of a clear distinction between the executive and the legislature. There are a number of signs of this. A key manifestation is that the number of ministers appointed from Parliament, and/ or having political experience has increased. Moreover, in a 2001 study, two-thirds of MPs thought the primary dividing line was not between Cabinet and Parliament, but between cabinet and coalition parties, and opposition parties.¹¹⁴

6.5 Conclusion

There are particularly local reasons for the high incidence of ‘technocratic’ ministers in the Netherlands: the highly segmented and religious nature of Dutch society encouraged the selection of ministers who were ‘above’ politics. With the decline of religion, and the intensification of coalition politics, the traditional separation between executive and legislature in the Dutch political system has begun to break down. While maintaining the requirement of relevant technocratic knowledge and experience, Dutch political parties in selecting ministers have begun to focus on candidates with clear ‘political’ experience as well.

¹¹³ The following draws upon Andeweg, R. (2004). ‘Parliamentary Democracy in the Netherlands’, *Parliamentary Affairs*, 57: 568-580.

¹¹⁴ Andeweg, R. and Irwin, G. (2009). *Governance and Politics of the Netherlands*. Basingstoke: Palgrave Macmillan.

7. France

At a glance, France (population 65.4m)

Semi-presidential form of government

Legislature: the Parlement français which has 920 members in total

- The Assemblée nationale (National Assembly) consists of 577 *députés* (deputies), directly elected for a five year term under a 'two round' plurality system
- The Sénat (Senate) consists of 343 senators, indirectly elected by staggered elections every three years for a term of six years

Executive:

- Prime Minister selects ministers, but subject to Presidential approval
- Ministerial appointment is incompatible with legislative membership
- Ministers can be appointed from outside Parliament, and often are
- Ministers in Cabinet: currently 15
- Junior Ministers: 17

7.1 Constitutional and political context

The instability of the Fourth Republic was widely attributed to the parliamentary system of government: semi-presidentialism was adopted by the Constitution of the Fifth Republic (1958) in order to remedy this.¹¹⁵ Under France's semi-presidential system, the heart of the executive is the relationship between the President and the Prime Minister; Parliament is very much a subordinate institution. The 'dual executive' also impacts heavily on the role and functions of ministers, and French government generally.

The President is popularly elected; while the Prime Minister has the confidence of a majority of the National Assembly. The relations of the dual executive are governed by Article 8 of the French Constitution. In practice, the President has a vast range of powers, although this may on occasion be tempered by the Prime Minister and party politics.

The President appoints the Prime Minister and on the advice of the Prime Minister all other ministers; presides over the Council of Ministers (the equivalent of Cabinet); may dissolve the National Assembly; and can appoint members of the Constitutional Council and senior civil servants. He is also Commander-in-Chief of the armed forces and guarantor of national independence, giving him control in practice over foreign policy. The Prime Minister by contrast recommends cabinet ministers to the President, sets national or domestic policy, and directs the government.

¹¹⁵ See generally Knapp, A. and Wright, V. (2006). *The Government and Politics of France*. London: Routledge.

In practice, however, much depends on electoral arithmetic. If the President's political party controls the National Assembly, the President is the dominant figure in Cabinet, and in French politics generally, with the Prime Minister very much his subordinate. If the President and Prime Minister belong to different parties, then matters change. Known as cohabitation, it is usually the Prime Minister who becomes the dominant Cabinet figure in domestic politics, with the President retreating to his domain of foreign affairs. There have been three periods of cohabitation (1986-8; 1993-5; and 1997-2002), but these have been exceptional.¹¹⁶

The French Parliament, which consists of the National Assembly and the Senate, is in practice very much subject to the 1958 Constitution's attempt to provide strong executive government. The National Assembly is the dominant chamber, its members being elected by universal suffrage by a two-round plurality system. It alone has the power of confidence, although this has rarely been used in practice. In theory it can scrutinise, amend and reject legislation, but these powers are heavily circumscribed by the Constitution.

The Senate is the subordinate chamber. It is composed of Senators indirectly elected by electoral college at local government level for a term of six years—this, coupled with a minimum age threshold has given the Senate an inbuilt conservative majority. It has similar powers to the National Assembly, but governments are not responsible to the Senate, and so for the most part the Senate confines its role to the revision of legislation.

7.2 Ministers and ministerial selection

7.2.1 Ministers

There is a hierarchy of ministers (in descending order):

- Ministres
- Ministres délégués
- Ministres d'Etat
- Secrétaires d'Etat

Ministres hold a particular portfolio and have overall responsibility for a particular government department; Ministres délégués and Ministres d'Etat usually have responsibility for a particular policy or subject within a portfolio; *Secrétaires d'Etat* is an honorific title for long serving politicians, but may be used in coalitions to ensure balance.

7.2.2 Ministerial selection

As noted earlier, the President appoints the Prime Minister and on the advice of the Prime Minister all other ministers. This depends on whether the President's party controls the National Assembly: the dual executive then becomes unified, and for all intents and purposes the Prime Minister becomes the President's deputy. In such

¹¹⁶ Since 2005, the electoral cycles of the President and Legislature have now been synchronised, which has reduced the potential for cohabitation.

circumstances, it is the President who selects and dismisses ministers—indeed, the President may dismiss the Prime Minister. Under cohabitation, the matter becomes more complex: Prime Ministers may select and dismiss ministers, but the President may still wield considerable political capital and constrain decisions of the Prime Minister.

Ministers are constitutionally prohibited from being members of the French Parliament.¹¹⁷ MPs or Senators are obliged to resign prior to ministerial appointment. They have no automatic right of return to Parliament if they should resign or are forced to resign: they must fight for their seat again at the next election.

The appointment of ministers from outside Parliament is quite common in France. There have even been two Prime Ministers chosen from outside Parliament—both Georges Pompidou (1962-1968) and Raymond Barre (1976-1981) were not MPs before appointment. This does not mean, however, that such ministers have no connection to Parliament or politics in general. The appointment of non-parliamentary ministers may be linked to the need for depoliticisation at moments of difficulty or transition.¹¹⁸ The early governments of the Fifth Republic did not hold parliamentary seats in an attempt to present themselves as depoliticised and technically effective. However, the proportion of ministers without parliamentary seats has since then been erratic.¹¹⁹

The aim of separating ministers from the legislature under Article 23 of the French Constitution was meant to insulate ministers from parliamentary politics, and to some extent, weaken ministers in relation to the Prime Minister and President. The strengthening of the executive under the Fifth Republic Constitution has made ministers stronger in relation to Parliament: they are less likely to be subject to questioning and their bills to scrutiny by parliamentary committees. But separation has not successfully led to a weakening of ministers, who have often sought alternative political bases.¹²⁰

Under the Fourth Republic, almost all ministers were MPs (97%), but this number dropped with the Fifth Republic's separation of executive and legislature.¹²¹ Roughly 60-75% of all French ministers have experience as a deputy in the National Assembly or as a Senator—put differently, Parliamentarians get two of every three ministerial positions.¹²²

¹¹⁷ Article 23:

Membership of the Government shall be incompatible with the holding of any Parliamentary office, any position of professional representation at national level, any public employment or any professional activity.

¹¹⁸ Stevens, A. (2003). *Government and Politics of France*, Basingstoke: Palgrave Macmillan, p. 111.

¹¹⁹ Ibid.

¹²⁰ Knapp, A. and Wright, V. (2006). *The Government and Politics of France*. London: Routledge., p. 130.

¹²¹ Costa, O. and Kerrouche, E. (2009). 'MPs under the Fifth Republic: Professionalisation within a Weak Institution', *West European Politics*, 32: 327-344, p. 341.

¹²² Knapp, A. and Wright, V. (2006). *The Government and Politics of France*. London: Routledge., p. 130.

Figure 7.1 Percentage of French Ministers without any parliamentary seat on appointment, 1958-2005¹²³

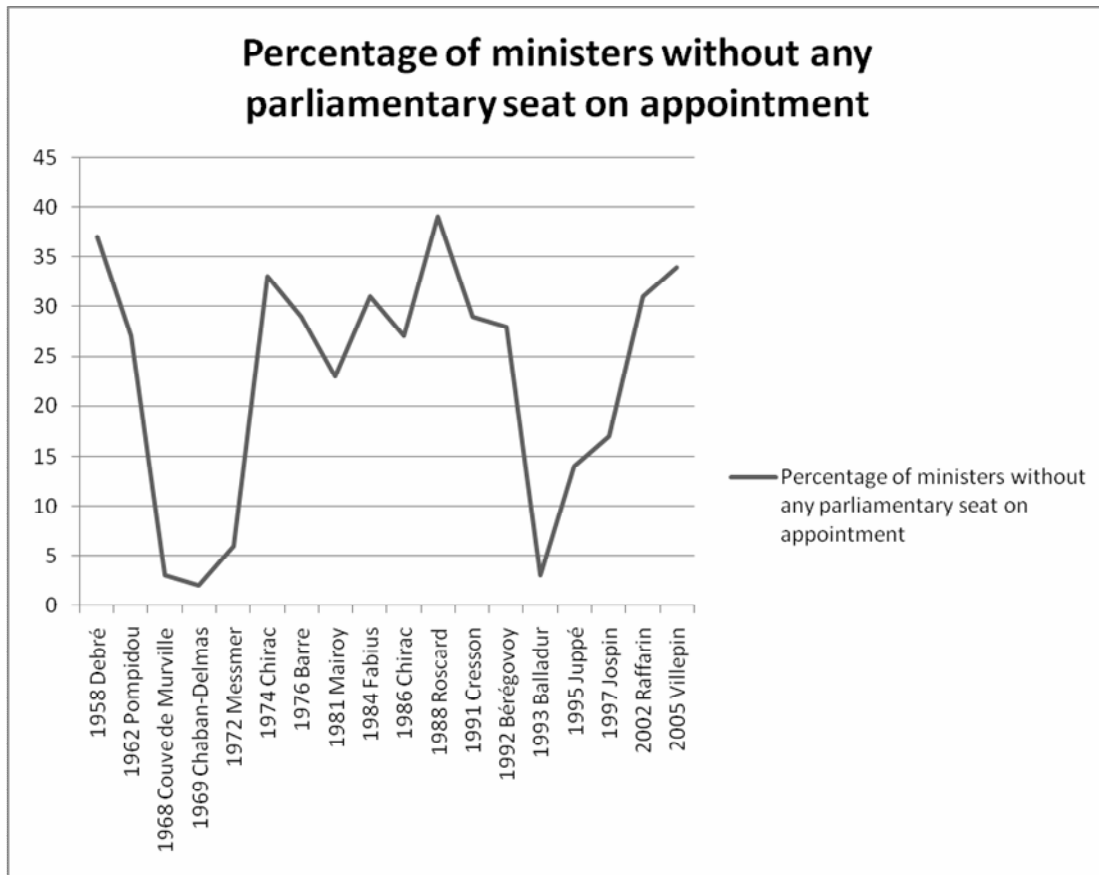
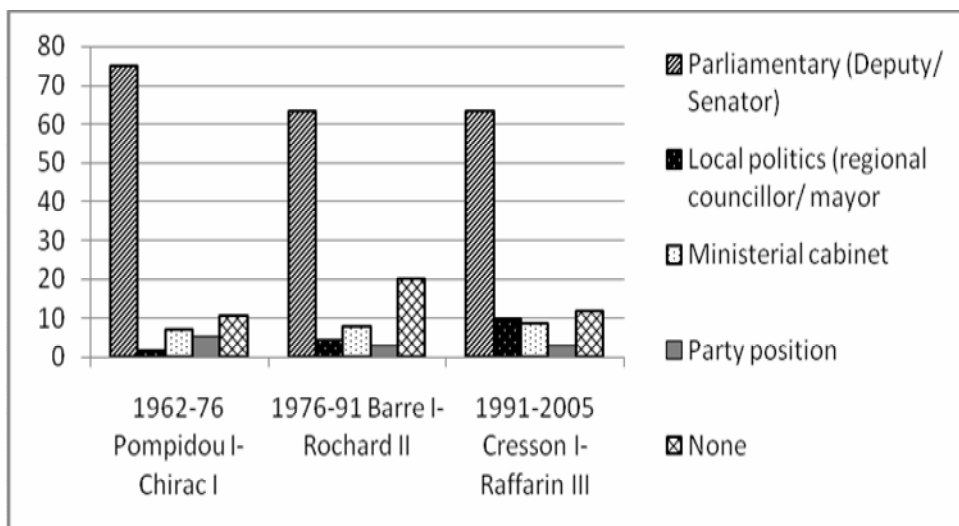


Figure 7.2 Political experience of French Ministers (percentage of initial ministers), 1959-2005 by 15 year periods¹²⁴



¹²³ Taken from Knapp, A. and Wright, V. (2006). *The Government and Politics of France*. London: Routledge., p. 130.

¹²⁴ Using data taken from Kam, C. and Indridason, I. (2009). 'Cabinet Dynamics and Ministerial Careers in the French Fifth Republic', in Dowding, K. and Dumont, P. (eds.) *The Selection of Ministers in Europe: Hiring and Firing*. Abingdon: Routledge, 41-55, p. 45.

Figure 7.1 shows the percentage of ministers appointed without any parliamentary seat on appointment, but this needs to be read in tandem with Figure 7.2, which shows the political experience of ministers. Reading these together makes clear that using parliamentary office prior to ministerial appointment may be a misleading measure—in France, ‘non-parliamentary minister’ does not necessarily signify someone with solely technocratic experience, or preclude those with political experience.

Moreover multiple office holding—the practice of *cumul des mandats*—has been a general practice. Between 1958 and 1988, the number of MPs holding two or more positions rose from 49% to 96%. Laws have been passed to limit the number of positions MPs can hold, but in 2003, only 9.2% MPs only had one occupation.¹²⁵ Laws limiting the holding of multiple offices do not apply to ministers (since they are not elected posts), and so it is common for leading ministers also to serve in local government. In 1995, for instance, 22 ministers were also mayors; an additional eight were members of municipal councils. French Prime Ministers have attempted to reduce the number of posts their ministers hold, but without success.¹²⁶

Some ministers are clearly chosen for their expertise—for instance, the Minister of Industry under Mitterrand was the former Chairman of Renault. Ministers chosen for their technical expertise are sometimes perceived as unsuccessful. This is said to be because they lack political skills and networks. Those who do survive will often seek electoral legitimacy at European or local level.¹²⁷ On occasion, there have been ‘expert’ ministers who have been appointed, and retained in office despite humiliating electoral defeats.¹²⁸ But more recent custom appears to be that such ‘experts’ should at some point receive confirmation in their post via universal suffrage.¹²⁹

7.2.3 Ministers and the French Cabinet

The French cabinet is known as the Council of Ministers. This is chaired by the President, but the Prime Minister is always present. Cabinets have averaged around a total of 36 ministers between 1968 and 2002 (16.5 Ministres, 4.5 Ministres délégués, 2.4 Ministres d’Etat, 12.5 Secrétaires d’Etat). Numbers have been significantly higher at some point, rising into the forties. The key increase is in the number of Secretaries of State: this is primarily due to the need to ensure balance between coalition partners.¹³⁰

¹²⁵ Costa, O. and Kerrouche, E. (2009). ‘MPs under the Fifth Republic: Professionalisation within a Weak Institution’, *West European Politics*, 32: 327-344, pp. 340-341.

¹²⁶ Stevens, A. (2003). *Government and Politics of France*, Basingstoke: Palgrave Macmillan, p. 113.

¹²⁷ Knapp, A. and Wright, V. (2006). *The Government and Politics of France*. London: Routledge., p. 133.

¹²⁸ For instance, Pierre Joseph Auguste Messmer, Minister of Armies (1959-69) Maurice Couve de Murville, as Minister of Foreign Affairs (1958-68). However, this may be explained by the fact that De Gaulle was then the French President .

¹²⁹ Mény, Y. and Knapp, A. (1998) *Government and Politics in Western Europe* Oxford: Oxford University Press, p. 234.

¹³⁰ Thiébaud, J. (1998) ‘France: Cabinet Decision-Making under the Fifth Republic’, in Blondel, J. and Muller-Rommel, F (eds.) *Cabinets in Western Europe*, London: Macmillan Press Ltd, p. 103.

The role of ministers is not constitutionally defined, but they have two basic functions: they take part in the determination and management of government policy through Cabinet, and they are also heads of departments. In practice, the latter role is what ministers have focused on. As head of a ministry, a minister is responsible for his or her ministry's legislation; implementing those laws; and appointing individuals within his or her ministry's senior civil service. These are subject to the concerns of the Prime Minister and President.

The responsibilities of Ministers determined by the Prime Minister and President at appointment (rather than by the senior minister).¹³¹ They are highly dependent on the President and Prime Minister, but have a great deal of freedom in relation to Parliament and political parties.¹³² The dual executive seems to mean that ministers must serve two masters. In practice, however, ministers have relative autonomy for a mixture of reasons. First, in periods of cohabitation, ministers may attempt to circumvent Prime Ministers by appealing to Presidents (where President and Prime Minister are from the same party, ministers are the President's people first). Second, many ministers have their own power bases as the leaders of party factions or through holding multiple offices (on this, see below). Third, all ministers have institutional resources of their own. Each minister has his or her own political cabinet, which consists of several political advisers; and departments themselves are highly segmented. In reality ministers are able to act more individually and independently than might be thought from glancing at the constitutional text.¹³³

7.3 Ministers in Parliament

Ministers can attend meetings of both the National Assembly and the Senate, but they are confined to the government bench. They have the right to speak and reply in both chambers, but they cannot vote. Ministers are questioned by the National Assembly twice a week; and once a month in the Senate.

French governments have several constitutional advantages in relation to the legislature.¹³⁴ Because of the instability and weakness under the Fourth Republic, it was thought that governments not having a majority in the National Assembly should be compensated by various institutional advantages.¹³⁵ Thus the Government has basic control over the parliamentary agenda; the government has the right to ignore or override suggested legislative amendments; and the six parliamentary committees are limited in their ability to scrutinise the government. To give an

¹³¹ Stevens, A. (2003). *Government and Politics of France*, Basingstoke: Palgrave Macmillan, 108.

¹³² Thiébaud, J. (1998) 'France: Cabinet Decision-Making under the Fifth Republic', in Blondel, J. and Muller-Rommel, F (eds.) *Cabinets in Western Europe*, London: Macmillan Press Ltd.

¹³³ Kam, C. and Indridason, I. (2009). 'Cabinet Dynamics and Ministerial Careers in the French Fifth Republic', in Dowding, K. and Dumont, P. (eds.) *The Selection of Ministers in Europe: Hiring and Firing*. Abingdon: Routledge, 41-55, pp. 43-44.

¹³⁴ Hayward, J. (2004) 'Parliament and the French Government's Domination of the Legislative Process'. *Journal of Legislative Studies*, 10, 79-97.

¹³⁵ Knapp, A. and Wright, V. (2006). *The Government and Politics of France*. London: Routledge, p. 142.

example: the government is able to end all debate by turning votes on amendments into votes on confidence.¹³⁶

What was not foreseen in enacting the 1958 Constitution was that there would be relatively stable parliamentary majorities, thus exacerbating executive control over the legislature. Only once has a French government been subject to a successful motion of censure—that is, a vote of no confidence. However, during periods of cohabitation, both the National Assembly and the Senate have asserted themselves—particularly through the use of legislative amendment.¹³⁷

7.4 Conclusion

The French political system has been marked by the memory of the experience of the Fourth Republic. Thus, the Fifth Republic has been characterised by an extraordinarily strong (although not necessarily effective) executive, and a relatively supine legislature. All French ministers are ‘non-parliamentary’ because of the constitutional prohibition on holding ministerial office and membership in the legislature at the same time. However, having strong Ministers outside Parliament has not led to a stronger Parliament (as some, such as Tony Wright, might have hoped). Nor has the appointment of outsiders reduced the influence of party politics. The great majority of ministers of the Fifth Republic have previously been MPs, or have had parliamentary experience. Expertise is valued, but this is also ingrained in the French system which highly favours the executive.

¹³⁶ Art 49.3, French Constitution.

¹³⁷ Bell, D. (2004) ‘Parliamentary Democracy in France’. *Parliamentary Affairs*, 57, 533-549.

8. Sweden

At a glance, Sweden (population 9.4m)

Parliamentary form of government

Legislature: the unicameral Riksdag which has 349 members

- 349 members are directly elected by proportional representation for 4 year term

Executive:

- Ministerial appointment is incompatible with legislative membership
- Ministers can be appointed from outside Parliament, and often are
- Ministers in Cabinet: currently 22

8.1 Constitutional and political context

Sweden is a constitutional monarchy. It is also a parliamentary democracy: the government is dependent on the support of Parliament. Perhaps the most important fact about Swedish politics is its remarkable stability: between 1945 and 2009, the Social Democrats were in power for 52 out of 64 years.¹³⁸

The Riksdag is the highest decision-making body in Sweden, adopting laws, determining the budget, and scrutinising the government. It became unicameral in 1971, after the abolition of the 'First Chamber'. Its members are elected by proportional representation. The government as a whole is responsible to Parliament, and may be subject to a vote of no confidence.

Much of the Swedish Parliament's legislative work is carried out by its 15 standing committees, which present proposals for the Swedish Parliament to vote on. The Riksdag is often thought of as a 'working parliament' rather than being (as in the UK) a 'debating parliament'. Swedish politicians do not prioritise plenary sessions and 'question time'. Rather, the Swedish Riksdag is a working parliament, where members are part of a strong legislative culture, almost every member being a member of a committee, and having significant policy expertise.¹³⁹

Since 1974, it is the Speaker of the Swedish Parliament and not the monarch who plays the traditional role of 'referee' in government formation. Following an election, the Speaker consults with all parties in Parliament, and on the basis of these consultations, puts forth a proposed candidate for the premiership. It is not necessary for a majority to accept the Speaker's proposal—only that they tolerate it. Thus, it is only if an absolute majority vote against the proposal that the Speaker's choice is rejected.

¹³⁸ Bäck, H., Persson, T., Vernby, K. and Wockelberg, H. (2009). 'In Tranquil Waters: Swedish Cabinet Ministers in the Postwar Era', in Dowding, K. and Dumont, P. (eds.) *The Selection of Ministers in Europe: Hiring and Firing*. Abingdon: Routledge, p. 159.

¹³⁹ Arter, D. (2008). *Scandinavian Politics Today*. Manchester: Manchester University Press, pp. 198-99.

Once chosen, the Prime Minister has the power to select his or her ministers. This power may be limited by the nature of the government formed following an election—for instance, if there is a coalition. In more recent years Sweden’s proportional representation system has usually resulted in minority governments (under the Social Democrats) or occasionally majority coalitions.¹⁴⁰

Where there is a coalition, ministerial portfolios are first distributed between the coalition partners according to the proportion of the party in parliament; thereafter, party leaders decide themselves who is to be minister. Where there is a minority government, the Prime Minister is not required to consult with anyone, and may on occasion choose ministers who are not members of the legislature.

8.2 Ministers and ministerial selection

Formally, all ministers (including the PM) have the same standing in Cabinet. But there are Ministers who are heads of departments, and those who have no portfolio. There is also the position of junior minister, which is administrative. It is usually taken by an accomplished administrator, albeit one with party political connections to the portfolio minister.¹⁴¹

There are very few restrictions on who can be a minister in Sweden. Ministers must give up all other employment before entering government. This includes being an MP: where ministerial appointees are also MPs, they must vacate their seat temporarily, which is then filled by an alternate member. As in the Netherlands, this is generally not a problem: there is no concern about the loss of a constituency link because the Swedish electoral system is a relatively pure form in which the entire country is one large constituency. However, unlike the Netherlands, a minister returning to Parliament may take up his or her vacated seat.

There are a number of factors taken into account in the selection of ministers. As already noted, the role of the Prime Minister is important. The office of the Prime Minister began to take on increasing significance in the second half of the 20th century. Some have argued that Sweden, like many other countries, is also undergoing ‘presidentialisation’. There is the centralisation of power in the person of the Prime Minister: because of the EU, but also because of a lack of alternative veto players, particularly under conditions of minority government.¹⁴² This is seen, on occasion, in the selection of ministers.

¹⁴⁰ Bergman, T. (2000) “Sweden: When Minority Governments Are the Rule and Majority Coalitions the Exception” in Muller, W. and Strom, K. (eds.) *Coalition Governments in Western Europe* Oxford: Oxford University Press.

¹⁴¹ Bergman, T. (2000) “Sweden: When Minority Governments Are the Rule and Majority Coalitions the Exception” in Muller, W. and Strom, K. (eds.) *Coalition Governments in Western Europe* Oxford: Oxford University Press, pp. 211-12..

¹⁴² Aylott, N. (2005). “President Persson’--How Did Sweden Get Him?’ in Poguntke, T. and Webb, P. (eds.) *The Presidentialization of Politics: A Comparative Study of Modern Democracies*. Oxford: Oxford University Press.

Party and parliament are important recruitment pools, despite the constitutional separation of legislature and executive. Between 1945 and 2007, around 60% of ministers had been a member of Parliament.¹⁴³ Party political connections are also important: around 70% had a party background. The leaders of the governing parties are almost always given ministerial office. Bäck et al have suggested that in periods of coalition government, those with parliamentary experience are more likely to be appointed as ministers. However, this may be dependent on the size of the coalition parties. Boston argues that smaller parties have sometimes chosen to appoint non-parliamentary candidates to ministerial posts because of party size: although a member's seat is replaced when on ministerial appointment, the party may not want to lose skilled MPs to government.¹⁴⁴ Political parties are also keen to appoint those with local government experience—because local government plays such a large role in Swedish government generally.¹⁴⁵ More generally, representative considerations (region, sex, party faction) play a role in ministerial selection.¹⁴⁶

This is not to say that non-parliamentary expertise and experience is lacking amongst Swedish ministers. Swedish Prime Ministers have been keen to emphasise expertise in their selection of ministers, but this is often dependent on the particular individual in the premiership. For instance, in 2002, PM Goran Persson selected a new minister of justice, Thomas Bodstrom, who rushed to his local social democratic association in order to join the party.¹⁴⁷ Persson's 2002 Cabinet reshuffle involved the recruitment of eight new ministers, of whom only two were formerly MPs.¹⁴⁸ There has been a suggestion that there is a growing proportion of ministers who are neither elected politicians nor expert bureaucrats, but something in-between—what he calls 'policrats'—who have no principal other than the PM.

But Bergman and others have shown that those appointed to particular portfolios often have some 'expertise' in this area: ministerial appointees in Sweden are very rarely 'amateurs'. But many ministers are deemed by Beckman and others to have

¹⁴³ This figure is taken by counting first-time appointments only; and by counting membership in either chamber before the move to a unicameral legislature: see Bäck, H., Persson, T., Vernby, K. and Wockelberg, H. (2009). 'In Tranquil Waters: Swedish Cabinet Ministers in the Postwar Era', in Dowding, K. and Dumont, P. (eds.) *The Selection of Ministers in Europe: Hiring and Firing*. Abingdon: Routledge, p. 165.

¹⁴⁴ Boston, J. (1998). *Governing under Proportional Representation: Lessons from Europe*. Wellington: Institute of Policy Studies, pp. 129-30.

¹⁴⁵ Ruin, O. (1991). 'Three Swedish Prime Ministers: Tage Erlander, Olof Palme and Ingvar Carlsson', *West European Politics*, 14: 58-82.

¹⁴⁶ Larsson, T. 'Cabinet Ministers and Parliamentary Government in Sweden' in (1994). 'Cabinet Ministers and Parliamentary Government in Sweden', in Laver, M. and Shepsle, K. A. (eds.) *Cabinet Ministers and Parliamentary Government*. Cambridge: Cambridge University Press, 169-86, p. 172.

¹⁴⁷ Aylott, N. (2005). 'President Persson'—How Did Sweden Get Him?' in Poguntke, T. and Webb, P. (eds.) *The Presidentialization of Politics: A Comparative Study of Modern Democracies*. Oxford: Oxford University Press.

¹⁴⁸ Arter, D. (2004). 'The Prime Minister in Scandinavia: 'Superstar' or Supervisor?', *Journal of Legislative Studies*, 10: 109-127.

‘expertise’ and experience from working in the subject area, either in Parliament or at local government level.¹⁴⁹

Table 8.1 Backgrounds of Ministers in Swedish Governments, 1952-2007¹⁵⁰

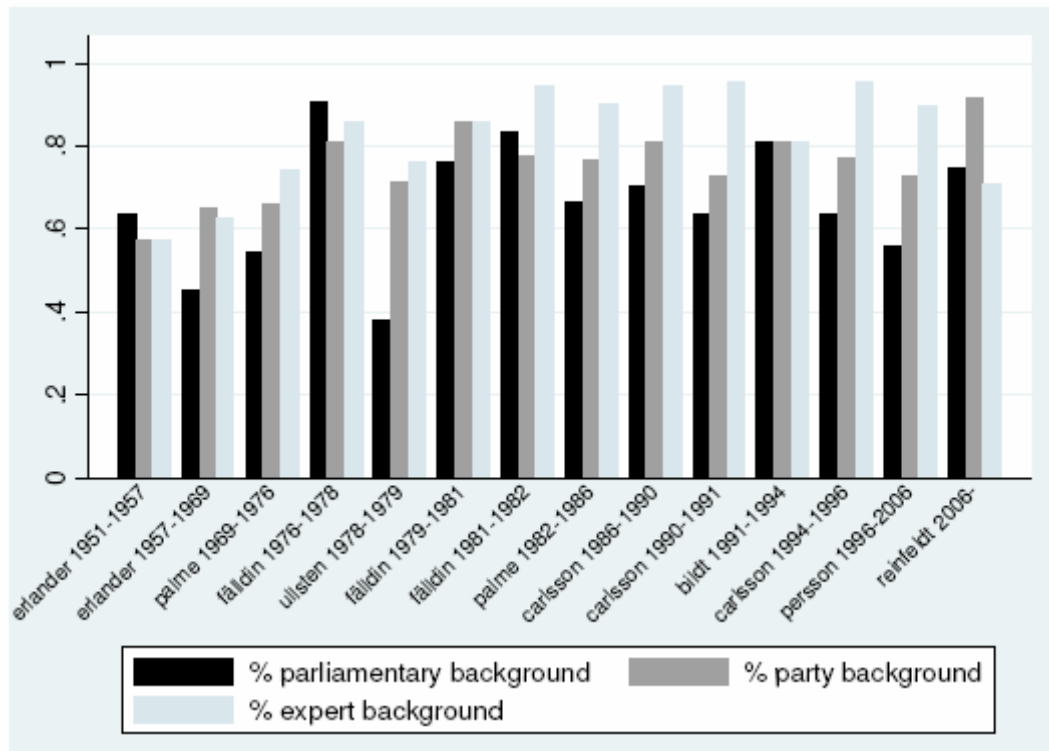
	1950s	1960s	1970s	1980s	1990s	2000s	Entire period
Political background							
MP	62%	39%	67%	70%	67%	58%	63%
Held party position	60%	67%	78%	78%	81%	73%	72%
MP or held party position	70%	72%	83%	82%	82%	76%	80%
MP and held party position	51%	33%	62%	65%	66%	55%	59%
Expert Background							
Union member	22%	44%	21%	26%	18%	7%	22%
Held private sector position	19%	26%	45%	37%	37%	26%	34%
Held public sector position	43%	56%	74%	83%	84%	58%	72%
Some expert background	60%	72%	82%	93%	93%	75%	80%
Number of observations	37	39	78	107	89	55	405

¹⁴⁹ Beckman, L. (2006). ‘The Competent Cabinet? Ministers in Sweden and the Problem of Competence and Democracy’, *Scandinavian Political Studies* 29: 111-129.

¹⁵⁰ Adapted from Hanna Bäck, Patrick Dumont, Henk Erik Meier, Thomas Persson, Kåre Vernby “Does European Integration Lead to a “Presidentialization” of Executive Politics? Ministerial Selection in Swedish Post-War Cabinets” (Paper presented at the ECPR General Meeting in Pisa, 6–8 September, 2007), available at:

<http://www.essex.ac.uk/ecpr/events/generalconference/pisa/papers/PP1098.pdf>

Figure 8.1 Background of Ministers in Swedish Governments, 1952-2007¹⁵¹



It is worth noting that some externally-recruited ministers have found it difficult to adapt to parliamentary business, even those with non-parliamentary political experience. Outsiders often found it difficult to grasp subtle points of the informal system—which are not talked about—and in judging the mood of the house.¹⁵² There is apparently no tailored induction for new ministers.

There are no clear figures on ministerial turnover. However, Bäck et al argue that the rate of ministerial turnover may relate to the officeholder of the premiership; but more importantly, the form of government. In accordance with the argument that reshuffles are less common under coalition government, there were higher turnover rates under single party minority government.¹⁵³ There does not appear to be any strong relationship between ministerial background and turnover; but Bäck suggests that those with party and parliamentary background are less likely to be reshuffled.¹⁵⁴

¹⁵¹ Ibid.

¹⁵² Boston, J. (1998). *Governing under Proportional Representation: Lessons from Europe*. Wellington: Institute of Policy Studies, pp. 130-1.

¹⁵³ Bäck, H., Persson, T., Vernby, K. and Wockelberg, H. (2009). 'In Tranquil Waters: Swedish Cabinet Ministers in the Postwar Era', in Dowding, K. and Dumont, P. (eds.) *The Selection of Ministers in Europe: Hiring and Firing*. Abingdon: Routledge, p. 169.

¹⁵⁴ Ibid, p. 174.

8.3 Ministers and Cabinet

The Government consists of the Prime Minister and not less than five Ministers. Cabinet size ranges from 16 to 22, with an average of 19 ministers.¹⁵⁵ Cabinet meetings are ritualistic in nature, with the real decisions taking place at more informal meetings of ministers. Because of the longevity of Social Democrat rule, most Swedish cabinet members know each other well and thus are more inclined to cooperate and avoid conflict. Ministers remain fairly autonomous, and other ministers rarely intervene in each other's field, but they also remain subject to collective cabinet responsibility.

However, individual ministerial responsibility is understood differently in Sweden, because government functions are allocated quite differently. There are 12 ministries. These are small, and unlike ministries or departments in other European countries. There are two key reasons for this. The first is that much work done in other countries by government departments is done by commissions of inquiries (or royal commissions) in Sweden. The second is that implementation is carried out not by ministries, but agencies and local government, and to a far greater extent than other European countries.¹⁵⁶ The legislative process works differently in Sweden: much of the preparation for legislation is done by commissions, which are separate from ministries. Cabinet determines the duration, budget and membership of these commissions; and give commissions detailed written instructions.¹⁵⁷ These commissions are staffed by civil servants, representatives of interest groups, and parliamentarians.¹⁵⁸ In this sense, Swedish ministers have less control over state agencies, but they are able to set the agenda in their portfolio area through instructions, appointment, and the allocation of scarce resources.¹⁵⁹ The role of the Swedish executive is focused more on implementation than on policy creation. The general result is that Swedish ministers are less likely to resign for the mistakes of the ministry or the agencies working underneath them.

8.4. Executive-Legislative relations

Swedish ministers have no permanent seat or vote in Parliament. When in Parliament, they sit on the government benches. They have the right to participate in parliamentary debates in the House, but they may not vote. Since 1971, ministers have been constitutionally separated from Parliament, and so only appear in Parliament on days when their own issues are being debated. Prior to this, most ministers were also fulltime members of Parliament, and so it was easy for MPs to

¹⁵⁵ Ibid, p. 161.

¹⁵⁶ Larsson, T. 'Cabinet Ministers and Parliamentary Government in Sweden' (1994). 'Cabinet Ministers and Parliamentary Government in Sweden', in Laver, M. and Shepsle, K. (eds.) *Cabinet Ministers and Parliamentary Government*. Cambridge: Cambridge University Press, 169-86, p. 169-70.

¹⁵⁷ Larsson, T. (1997). 'Sweden: The New Constitution--An Old Practice Adjusted', in Blondel, J. and Muller-Rommel, F. (eds.) *Cabinets in Western Europe*. Basingstoke: Macmillan, p. 227.

¹⁵⁸ <http://www.sweden.gov.se/sb/d/575/a/18479>.

¹⁵⁹ Bergman, T. (2000) "Sweden: When Minority Governments Are the Rule and Majority Coalitions the Exception" in Muller, W. and Strom, K. (eds.) *Coalition Governments in Western Europe* Oxford: Oxford University Press.

meet with ministers.¹⁶⁰ However, MPs have found other means of informal contact and influence with ministers—in particular, through the position of MPs generally in the policy-making process (i.e., on commissions or boards of agencies).¹⁶¹ Swedish ministers have also tried in different ways to ensure informal contact with MPs and their parties: for instance, the Social Democratic government in the 1990s allowed the leader of the parliamentary party group to attend Cabinet meetings.¹⁶²

In terms of accountability to Parliament, the government as a whole is responsible to Parliament, and may be subject to a vote of no confidence. If a government loses a vote of no confidence, the entire government resigns: this has only happened once.¹⁶³ A no confidence vote can be directed against individual ministers, but is rarely done: again, this requires an absolute majority of the Swedish Parliament. The threat of a no confidence motion has forced one minister to resign to avoid censure.¹⁶⁴

There are several standing (select) committees, but perhaps the most important for our purposes is the Committee on the Constitution. This committee reports twice annually, first on administrative aspects of Ministers' performance (such as dilatory responses to parliamentary questions), and then on more political matters.¹⁶⁵

There are three kinds of questions which may be asked of Swedish ministers: written questions, direct or oral questions, and interpellations.¹⁶⁶ Written questions must be answered by the relevant minister within four working days. Direct oral questions are asked of ministers at weekly question time. Interpellations are on broad topics of importance, and are submitted in writing. Ministers must answer within two weeks, or explain why there has been a delay. After a Minister answers the interpellation, all other MPs may reply to the minister.

8.5. Conclusion

Sweden only introduced a separation of legislature and executive in Sweden in 1971. Until then, most ministers had been members of Parliament. Since then, however, in practice many of those appointed to ministerial office have continued to be recruited from Parliament or from politics more broadly. This does not mean that

¹⁶⁰ Larsson, T. 'Cabinet Ministers and Parliamentary Government in Sweden' in (1994). 'Cabinet Ministers and Parliamentary Government in Sweden', in Laver, M. and Shepsle, K. A. (eds.) *Cabinet Ministers and Parliamentary Government*. Cambridge: Cambridge University Press, 169-86, p. 172.

¹⁶¹ Ibid, p. 182.

¹⁶² Larsson, T. (1997). 'Sweden: The New Constitution--An Old Practice Adjusted', in Blondel, J. and Muller-Rommel, F. (eds.) *Cabinets in Western Europe*. Basingstoke: Macmillan, p. 234.

¹⁶³ Bergman, T. (2003) "From Separation of Power to Parliamentary Supremacy —and Back Again?" in Strom, K., Muller, W. and Bergman, T. (eds.) *Delegation and Accountability in Parliamentary Democracies*, Oxford, Oxford University Press.

¹⁶⁴ Ibid.

¹⁶⁵ Arter, D. (2008). *Scandinavian Politics Today*. Manchester: Manchester University Press, pp. 214-15. See: http://www.riksdagen.se/templates/R_Page_5772.aspx.

¹⁶⁶ The Riksdag Act, chapter 6: http://www.riksdagen.se/templates/R_PageExtended_6423.aspx.

the emphasis in ministerial recruitment is on the political; in fact there remains a strong emphasis on having expertise in the subject portfolio as well.

9. United States

At a glance, United States of America (population 310m)

Presidential form of government

Legislature: the bicameral Congress

- The House of Representatives, which has 435 members elected every 2 years by plurality vote
- The Senate, which has 100 members elected for a 6 year term, but via staggered elections every 2 years

Executive

- Ministerial appointment is incompatible with legislative membership
- Ministers are appointed from outside the Congress, but have to be approved by the Senate
- Number of Cabinet level posts: currently 15

9.1 Introduction

A number of interviewees admirably pointed to the 'American experience'. There was some recognition of difference between the UK and US systems of government (and particularly the onerous appointment process), but the US President's apparent ability to choose from a far broader 'talent pool' remained enviable to many interviewees. The objective of this chapter is to make clear that comparisons between the US and the UK are not easily made.

Firstly, the US system is characterized by a far greater separation of powers than is popularly understood, with checks and balances operating at several levels. Secondly, the office of cabinet secretary is not the functional equivalent of cabinet minister: it might be more appropriate to see cabinet secretaries as politically accountable permanent secretaries. US cabinet secretaries are not equals but subordinate to the President. 'Cabinet' is a misnomer, because there is no collective cabinet responsibility: cabinet secretaries' primary loyalty is solely to the President, not to each other. Cabinets exist only as long as and to the extent that the President needs.

To the extent that comparisons can be drawn, the US experience mirrors to some extent the situation of many other countries. It is useful to have appointees with 'technocratic' experience, but often it pays to select those with political or administrative experience of government.

9.2 Constitutional and Political Context

Richard Fenno has noted that the US Cabinet is very much a “secondary political institution.”¹⁶⁷ ‘Cabinet’ as an institution rests solely on convention: the US Constitution only states in Article II, Section 2, that the President “may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices.”¹⁶⁸ The vagueness of this provision means the relationship between the President and his departmental officers remains fluid: the importance of the US Cabinet and its members may depend very much on the individual in the presidential office.

The US Cabinet currently consists of the Vice President and the heads of 15 executive departments.¹⁶⁹ This number varies from administration to administration since the number of government departments changes relatively frequently. All members of the Cabinet are given the title of Secretaries, except for the head of the Department of Justice who is the Attorney General.

Cabinet Secretaries serve a number of functions. Their key tasks are to provide the President with the expertise in policy development in their respective fields,¹⁷⁰ and liaise between the Congress and the President.¹⁷¹ The Cabinet Secretaries serve as authorities in their fields, while being managers and spokespersons for departments of which they are the head. They help the President shape his policy by conveying the views of the departments.

9.3 Selection and Appointment

Cabinet Secretaries are nominated by the US President, but must be confirmed by the Senate. In theory the President has a vast pool from which to choose his appointees. There is only one constitutional constraint: article I of the Constitution prohibits any sitting member of Congress from holding executive office. In practice there are various constraints on the President’s choice—his decision is influenced by multiple actors and political considerations.

There are some general principles of cabinet construction.¹⁷² Custom is important: certain portfolios often traditionally go to certain groups—for instance, the Agriculture Secretary should be a farmer, or from a state with significant farming

¹⁶⁷ Fenno, R. (1959). *The President's Cabinet: An Analysis in the Period from Wilson to Eisenhower*. Cambridge: Harvard University Press, p. 5.

¹⁶⁸ The United States Constitution, available at: <http://www.usconstitution.net/const.html#A2Sec2>.

¹⁶⁹ Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Homeland Security, Housing and Urban Development, Interior, Justice, Labor, State, Transportation, Treasury, and Veterans Affairs.

¹⁷⁰ Warshaw, S. (1996). *Powersharing: White House-Cabinet Relations in the Modern Presidency*. Albany: State University of New York Press, p. 228.

¹⁷¹ *Ibid*, p. 199.

¹⁷² Bennett, A. (1996). *The American President's Cabinet: From Kennedy to Bush*. Basingstoke: Macmillan, pp. 16-19.

interests; the Attorney General should be a lawyer; the Secretaries of the Treasury, Labor and Commerce should have the confidence of their 'communities'.

Expertise, or perhaps 'competence', is another consideration, particularly as the work of executive government has become more complex over time. Presidents have chosen to appoint candidates based on other characteristics, which may have attributed to relatively high turnover rates.¹⁷³

Ideology is important. Presidents prefer to nominate those who share similar values and goals, or at least ideological compatibility. Bennett notes that a President will also take into account not just the candidate's compatibility with the President, but the candidate's compatibility with the department and constituents.¹⁷⁴

Attempts are made to ensure balance to geographic region, religious and ethnic background. This aims to avoid criticism and encourage support from various interest groups. Similarly, the President may attempt to appoint someone from the opposition party in order to signal bipartisanship. There have been instances where presidents had members of the cabinet of the opposite party doing non-partisan work, in order to appease the opposition and to help liaise between the President and the opposition in Congress.¹⁷⁵

Time and knowledge are important, but often neglected, constraints. In terms of time, the incoming President has nine weeks to fill a vast number of posts,¹⁷⁶ and there is pressure to produce a working administration by the end of year. Equally problematic is that the President may often not personally know all of the final shortlist of candidates. This may result in a cabinet of cronies and strangers.¹⁷⁷

Availability may be an issue: focusing on those who accept ignores the fact that many have in the past rejected a President's invitation to join the Cabinet. Past potential candidates have done so for various reasons: the potential loss of income; the perceived onerous appointment process; the publicity that such a position attracts; the lack of job security. For instance, members of Congress must resign their posts before taking up an executive position: they cannot, as in the UK, return to the legislature after leaving the executive.¹⁷⁸

¹⁷³ Ibid, p. 17.

¹⁷⁴ Ibid, p. 17.

¹⁷⁵ Fenno, R. (1959). *The President's Cabinet: An Analysis in the Period from Wilson to Eisenhower*. Cambridge: Harvard University Press, p. 68.

¹⁷⁶ Prior to every presidential election, the National Academy of Public Administration and the Committee on Homeland Security and Governmental Affairs publish two books, "The Guide to Presidential Appointments" and "The United States Government Policy and Supporting Positions". These are colloquially known as the 'Plums book' and the 'Prunes' book. See <http://www.excellenceintransition.org/>; and <http://www.gpoaccess.gov/plumbook/>.

¹⁷⁷ Bennett, A. (1996). *The American President's Cabinet: From Kennedy to Bush*. Basingstoke: Macmillan, p. 19.

¹⁷⁸ Against this, however, are the benefits of a Cabinet post—power, prestige and contacts: see Labiner, J. and Light, P. (2001). 'Appointments Past and Future: How Presidential Appointees View the Call to Service', in Mackenzie, G. C. *Innocent Until Nominated*. Washington DC: Brookings Institution Press, pp. 213-253.

In addition, there are certain characteristics Presidents look for in potential candidates. They want someone with management capabilities—again, to deal with government departments. However, even those from private business backgrounds have found it difficult to be good administrators in the federal government. Previous governmental, political or legal experience is valued highly: it is imperative that a Cabinet member is comfortable and proficient in the political environment. This allows them to deal successfully with the Congress, interest groups, and the press. A personal relationship with the President is common, as is the requirement of loyalty and commitment.¹⁷⁹ Both are presumed to decrease friction, and ensure the President's programme will be implemented.

Given these constraints, what kind of people have been appointed to Presidential Cabinets? In practice, the largest recruitment pools for Cabinet level posts have been non-elective politics (that is, government administration), law, commerce, and finance.¹⁸⁰

Once the President has selected a possible candidate, the candidate's background is extensively scrutinised. If no conflicts are found, the Office of the Counsel to the President overseeing the background check process will clear the candidate and submit the nomination to the Senate. This is a two stage process: there is a Senate committee hearing, and if successful a further full Senate vote.¹⁸¹ More recently, the Senate has become increasingly individualistic and partisan, and one symptom of this is that the nomination process has become far slower and more uncertain.¹⁸² This has been seen in recent years with the use of the 'filibuster', increasing the average time needed for Senate confirmation.¹⁸³ Once the Senate confirms a nomination, the President must sign the commission, after which the official is sworn in.¹⁸⁴ To some extent, the confirmation process, with the popular imagery of intense politicking and scrutiny, has become one reason why some potential officeholders

¹⁷⁹ Bennett, A. (1996). *The American President's Cabinet: From Kennedy to Bush*. Basingstoke: Macmillan, pp. 16-19; and Edwards, G. (2001). 'The Loyalty-Competence Trade-off in Presidential Appointments', in Mackenzie, G. C. *Innocent Until Nominated*. Washington DC: Brookings Institution Press, pp. 81-106.

¹⁸⁰ *Ibid*, p. 126.

¹⁸¹ Connell, C. (ed). *A Survivor's Guide for Presidential Nominees. 2008 Edition*. Washington DC: The Council for Excellence in Government - The Presidential Appointee Initiative, Brookings Institution Press. Available at: http://ceg.files.cms-plus.com/Transition/SG/CEG_Survivor%27sGuide.pdf.

¹⁸² Loomis, B. (2001). 'The Senate: An 'Obstacle Course' for Executive Appointments?', in Mackenzie, G. *Innocent Until Nominated*. Washington DC: Brookings Institution Press, pp. 160-172. See also Labiner, J. and Light, P. (2001). 'Appointments Past and Future: How Presidential Appointees View the Call to Service', in Mackenzie, G. *Innocent Until Nominated*. Washington DC: Brookings Institution, Press, pp. 213-253.

¹⁸³ US Senators have an unlimited speaking time during which no vote can take place. When used for strategic political reasons, this practice is called a 'filibuster'. In order for the Senate to interrupt a filibuster a two-thirds vote (67 seats) is needed. When no party has a two-thirds majority, the filibuster becomes an informal veto for the minority party since the legislation cannot be voted on.

¹⁸⁴ Connell, C. (ed). *A Survivor's Guide for Presidential Nominees. 2008 Edition*. Washington DC: The Council for Excellence in Government - The Presidential Appointee Initiative, Brookings Institution Press. Available at: http://ceg.files.cms-plus.com/Transition/SG/CEG_Survivor%27sGuide.pdf.

now decline to be nominated.¹⁸⁵ It appears that any official induction process is rather scarce. There are, however, some private initiatives.¹⁸⁶

Since the Cabinet Members are appointed by the President and their existence is regulated by the President's needs, the number of replacements, as well as the length of their time in office, differs from one administration to another. In the period between the presidencies of Lyndon Johnson and George Bush Senior (1963-1993), a replacement was made on average every 4.6 months. When looking at those presidents who had the lowest number of replacement appointments, Carter and Bush Senior stand out with only eight replacements (compared against an average of 13.3 replacements) per presidency. A factor that may have contributed to such a low turnover rate is the composition of the Cabinet: Carter's Cabinet consisted mainly of members who have previously served under different administrations and had substantial experience. Bush also had an unusual character to his cabinet: it was mostly made up of his friends.

When discussing average time per replacement appointments, table 8.1 shows how often a replacement is made in the Cabinet, not how long an average Cabinet Member in the post. The average time in office for all Cabinet Members between 1961 and 1992 (from Kennedy to Bush Sr.) is 2.7 years.¹⁸⁷ However, in more senior positions in the Cabinet, the average length of stay is longer: 3.6 years for the Secretaries of State and 3.2 years for the Secretaries of Defense. Due to a lack of data per president, this information is not included in the table.

Table 9.1 Analysis of turnover for US Cabinet Members from 1963-1993 (in months)¹⁸⁸

	Johnson	Nixon	Ford	Carter	Reagan	Bush Snr
No of Original Appointees	0	12	0	11	13	14
No of Replacement Appointees	13	19	12	8	20	8
First Replacement (from beginning of Presidential term)	15	17	6	30	17	21

¹⁸⁵ Ibid.

¹⁸⁶ For instance, the Council for Excellence in Government in collaboration with the Brookings Institute, a prominent US political think tank, has a publication called the *Survivor's Guide to Presidential Nominees*, which is aimed at improving the understanding of the presidential appointment process: see http://ceg.files.cms-plus.com/Transition/SG/CEG_Survivor%27sGuide.pdf. It is an extensive guide which discusses various issues a potential nominee must consider, from intense scrutiny in the Senate to handling the media and post- government life. The guide, however, does not include any information on actually being a cabinet secretary. Despite this, it remains a useful publication outlining the important factors in making a decision on whether to become a cabinet officer. See <http://www.ourpublicservice.org/OPS/programs/cgl/seminars.shtml>.

¹⁸⁷ Bennett, A. (1996). *The American President's Cabinet: From Kennedy to Bush*. Basingstoke: Macmillan, p. 124.

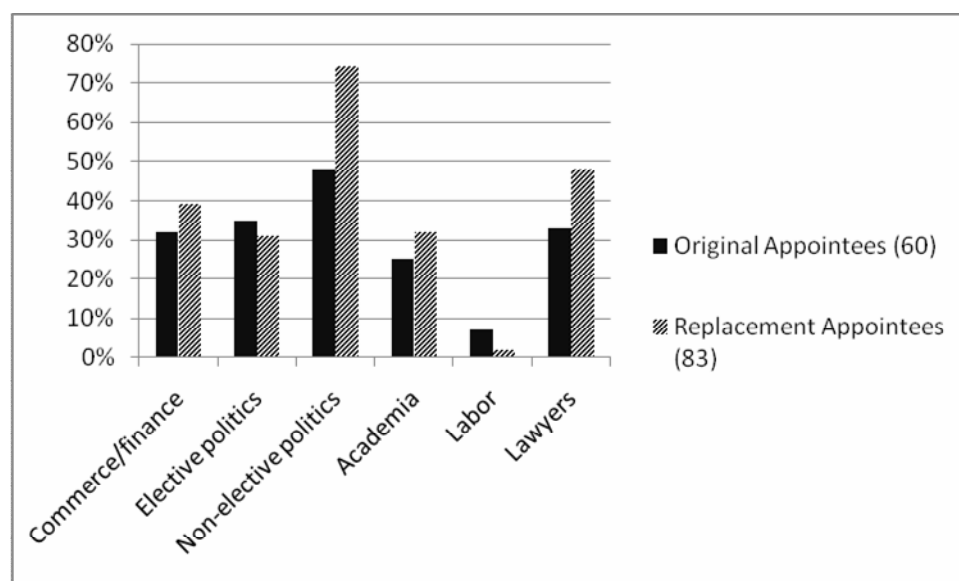
¹⁸⁸ Ibid, pp. 121-123.

9.4 The Background of Cabinet Members

The largest ‘talent pool’ for appointees (both initial and replacement) is that of ‘non-elective politics’—that is, government administration. Democratic presidents also tend to appoint those with a background in law (50%), compared with Republican presidents (36%). Republican presidents, on the other hand, tend to have slightly more appointees with an experience in elective politics (35%) compared to the Democrats (24%).¹⁸⁹ Members of the House of the Representatives and the Senate have been made Cabinet Secretaries: they are required to resign legislative office prior to executive appointment. A notable example of this is Hilary Clinton, a Senator for New York until President Obama appointed her as Secretary of State in 2009.

Note should be taken of the increase in the number of replacements with non-elective political experience compared with the number of original appointees in Table 1. This may be due to an increase in demand for liaison between Congress and the President as the Presidential term progresses. Cabinet Members with experience in non-elective politics are more likely to serve as good liaisons and to bridge gaps between the executive and the legislature which become more apparent in the latter part of a presidential term.

Figure 9.1 Background of US Cabinet Members, Original and Replacement Appointees



9.5 Relationships within the Executive: the President, Cabinet, the Executive Office of the President, and the White House Office

As already noted, Cabinet is not the sole source of advice for the President. There is some debate about the importance of the Cabinet within the US core executive: it has been suggested that Presidents have developed a tendency to ignore Cabinet

¹⁸⁹ Ibid, p. 126.

members;¹⁹⁰ others disagree.¹⁹¹ The President is not obliged to take advice from his Cabinet members, and it is up to the individual President to choose to what extent to employ the services the Cabinet offers. There are various factors which can be taken into account: personality, proximity, competing political responsibilities and actors.

Personality matters: George Bush Senior had a very close relationship with his Cabinet, while President Johnson treated Cabinet meetings with a degree of disdain.¹⁹² In many cases, the President is not acquainted with Cabinet members before they assumed the office.¹⁹³ Some Presidents feel more comfortable seeking advice from those they trust rather than from those with whom they have no previous relationship. George Bush Senior, for instance, appointed to his Cabinet a high proportion of 'presidential friends'- persons with whom he worked before and who were personally close to him. This may explain why there was a greater reliance on Cabinet by the President.¹⁹⁴

Another factor which may hinder a Cabinet Secretary's relationship with the President is the lack of physical proximity between the President and Cabinet members. A President will often turn to his White House staff rather than to the Cabinet simply because Cabinet members are too far away.¹⁹⁵

Finally, US Cabinet members must serve more than one interest. Cabinet members must balance their departmental and their advisory roles, which may or may not be reconcilable. Pressures from different sources may prevent Cabinet members from meeting the needs of their President, leading the President to look to other sources of advice—in particular, those within the Executive Office of the President.¹⁹⁶

Equally as important is the existence of other institutions within the US core executive. The Executive Office of the President (EOP) was established in 1939 under President Franklin Delano Roosevelt, in order to bolster the resources of the President.¹⁹⁷ The EOP is comprised of the White House Staff and a number of other offices.¹⁹⁸ The creation of the EOP was a way to institutionally and financially accommodate the number of assistants and advisors to the President.¹⁹⁹ It has a number of purposes: to keep the President informed; conserve his time; help to plan future programmes and foresee potential problems; and to simplify the

¹⁹⁰ Ibid, p.164.

¹⁹¹ Aberbach, J. and Peterson, M. (2005). *The Executive Branch*. Oxford: Oxford University Press, p. 135.

¹⁹² Bennett, A. (1996). *The American President's Cabinet: From Kennedy to Bush*. Basingstoke: Macmillan, p. 161.

¹⁹³ Ibid, p. 164.

¹⁹⁴ Ibid, p. 111.

¹⁹⁵ Ibid, p. 168.

¹⁹⁶ Ibid, p. 166.

¹⁹⁷ Relyea, H. (1997). *The Executive Office of the President*. Connecticut: Greenwood Press, p. 4.

¹⁹⁸ The Council of Economic Advisers, the National Security Council, the Council on Environmental Quality, the Office of Administration, the Office of Management and Budget, the Office of National Drug Control Policy, the Office of Science and Technology Policy, the Office of the United States Trade Representative, the Office of the Vice President, and the Executive Residence.

¹⁹⁹ Relyea, H. (1997). *The Executive Office of the President*. Connecticut: Greenwood Press, p. 6.

bureaucracy.²⁰⁰ Many of the EOP's offices were created to provide advice to the President independent of the departments of state.

Some EOP members are in practice equal in status to Cabinet Secretaries. For example, the National Security Adviser who heads the National Security National Security Council, is at least as powerful as the Secretaries of State and Defence.²⁰¹ Unlike the Cabinet, the EOP members need not be confirmed by the Senate, except in a few rare instances. The EOP and Cabinet members often work together in cabinet councils—ad hoc expert groups formed around a specific topic or an issue. Cabinet councils are created by the President and are made up of key persons on that particular topic.²⁰² Some presidents avoid full committee meetings and prefer cabinet councils simply because it allows them to focus on a specific issue and deal with it promptly.²⁰³

Although the White House Office is a part of the EOP, it has a specific relationship with the Cabinet which should be examined separately. Despite its lack of standing within the formal decision-making structure, the White House Office remains a key source of advice for the President. The Office is comprised of the President's closest staff. The Office's main purpose is to deal with the day-to-day bureaucracy of the Executive,²⁰⁴ but its role has expanded over time. Due to its constant physical proximity to the President, the role and responsibilities of the members of the Office have expanded and sometimes overlaps with those of Cabinet, particularly in relation to policy advice.²⁰⁵

The Cabinet's relationship with the White House Office may often be tense, and is exacerbated by the White House Office's role as a gatekeeper; it decides who gets access to the President. Cabinet members often view the White House Office as lesser in comparison with themselves since the Office does not have to go through the confirmation process.²⁰⁶ Cabinet members are often experts in their fields and perhaps look down on those who do not understand the complexities of their particular policy areas.

²⁰⁰ Rossiter, C. (1949). 'The Constitutional Significance of the Executive Office of the President', *The American Political Science Review*, 43 (6): 1208.

²⁰¹ Peters, B. (2010) 'The United States' in Eichbaum, C. and Shaw, R. (eds.) *Partisan Appointees and Public Servants: An International Analysis of the Role of the Political Adviser*. Cheltenham: Edward Elgar, 180-197, p. 188.

²⁰² Bennett, A. (1996). *The American President's Cabinet: From Kennedy to Bush*. Basingstoke: Macmillan, p. 190.

²⁰³ A good example of the benefits of a cabinet council is during the Cuban Missile Crisis in 1962, when President Kennedy formed a group of the key decision makers who were able to act quickly and whose expertise was relevant to the crisis: see Bennett, A. (1996). *The American President's Cabinet: From Kennedy to Bush*. Basingstoke: Macmillan, p. 170.

²⁰⁴ The White House website: 'Executive Office of the President'. Available at: <http://www.whitehouse.gov/administration/eop>.

²⁰⁵ Bennett, A. (1996). *The American President's Cabinet: From Kennedy to Bush*. Basingstoke: Macmillan, p.177.

²⁰⁶ *Ibid*, pp. 178-179.

9.6 Relationship with the Legislative Branch

Each Cabinet Secretary also maintains a close relationship with Congress, as well. This relationship is rather informal and mostly non-institutionalised.²⁰⁷ US Cabinet Secretaries are not members of the legislature and thus they can only make legislative recommendations: they cannot initiate any legislation themselves.²⁰⁸ Legislation is primarily the prerogative of Congress. It is rare for Cabinet Secretaries to appear before the chambers; they usually appear before committees.

In order to secure funding and legislative support for their projects, Cabinet Secretaries must maintain a relationship with Congress and lobby for their departments on a regular basis. On average, Cabinet Secretaries spend a third of their time in Congress, although when congressional hearings are occurring, they spend up to 90% of their work day in Congress. Despite the relatively small amount of formal contact, there is a lot of informal contact between the Secretaries and Congress. The Secretaries are constantly attempting to push for their departments, whether it is about policies, the budget, or bureaucratic organization, and so they must maintain a cordial relationship with the Congress.²⁰⁹ Cabinet members may serve as the President's liaison and thus often promote the Presidential agenda in Congress as well.²¹⁰ The balance between the Secretary's role as a presidential liaison and their role as a head of department varies in each administration; it also depends heavily on the particular Secretary and his or her political knowledge and experience.

9.7 Conclusion

The US experience is far more complex than is often imagined. Cabinet Secretaries are chosen more for their expertise; but they are not the equivalent of Cabinet Ministers. US Cabinet Secretaries are subordinate, not coordinate to the President: and their relationship with the President is mediated through the individual in the Presidential office, other executive actors, and the Secretaries' own responsibilities to their departments and to Congress.

²⁰⁷ Fenno, R. (1966). *The President's Cabinet: An Analysis in the Period from Wilson to Eisenhower*. Cambridge: Harvard University Press, p. 200.

²⁰⁸ *Ibid*, p. 203.

²⁰⁹ *Ibid*, p. 204.

²¹⁰ *Ibid*, p. 200.

10. Conclusion

There is a history of appointing outsiders into British government, but in recent times this has come to be seen as signifying growing problems within the British executive: in particular, the declining ministerial talent pool and the need for expertise and expertise gained from outside Parliament. This report is an attempt to look more closely at these questions, and draw lessons from experience overseas.

The argument that in ‘other countries’ the talent pool of potential ministers is much bigger than in the UK needs to be treated with some caution. True, our sample is small, but there are a number of lessons to take from the experience of these other countries.

First, the overseas experience of ‘non-parliamentary ministers’ is not as different as it might seem. While constitutionally the range of choice is left open, in practice many ministers are members of the legislature, or have had some form of political experience. Ministers appointed via a non-parliamentary route are often not ‘technocrats’ (defined narrowly as those solely with skills acquired in a non-parliamentary context), but rather individuals with hybrid skills, having experience of both the ‘political’ world and the ‘non-political’ world.

Second, while British Prime Ministers are constrained in some ways (in particular, by the convention that ministers should be appointed from the legislature), they are not in other respects. As we have seen, in France, the Prime Minister’s capacity to recruit ministers is often hindered by the President (and vice versa); in Sweden and the Netherlands, the Prime Minister may have very little choice at all, because ministerial allocation is the prerogative of coalition parties. In short, heads of government in other countries may be able to choose from a larger ‘talent pool’ than in the UK, but in practice they are constrained in other ways. The British Prime Minister’s power to appoint and dismiss ministers is surprisingly broad—or it usually is, under the conditions of single party government.²¹¹

Third, the comparative experience suggests that the separation of executive from the legislature does not necessarily result in clearer lines of accountability. What is often left out of discussion is the ubiquity of political parties, which bridge both executive and legislature, and encourage the two branches to act in concert.

Fourth, the US experience, often raised by interviewees, is misunderstood. ‘Experts’ are often appointed by the President to ‘Cabinet’. But some candidates decline the President’s invitation. Those with business backgrounds find it difficult to adjust to the political realities of the federal government. In the light of experience, Presidents tend to appoint more people with government or political backgrounds.

²¹¹ King, A. and Allen, N. (2010) “‘Off With Their Heads’”: British Prime Ministers and the Power to Dismiss’. *British Journal of Political Science*, 40, 249-278.

So the pressures in the US to appoint those with political experience are not dissimilar to those in the UK.

Finally, the comparative experience provides little in the way of evaluation. Are those appointed via a non-parliamentary route 'better' than those appointed via a parliamentary route? There is no hard data to provide a basis for comparison; and some of the more important criteria for such an evaluation are inevitably subjective.

In the UK, there will continue to be occasional 'outsiders'—those who are not from Parliament, but have relevant technocratic experience or skills. Such appointees may usefully complement a ministerial team appointed from parliament. But it may be wise to look for hybrid candidates who have both technocratic and (transferable) political skills rather than making purely technocratic appointments. Second, outsiders should be made fully aware of the responsibilities of being a minister, and particularly the parliamentary role. There needs to be greater recognition of the difficulties which outsiders face. In part this is simply a sub-set of the difficulties faced by all new ministers, now beginning to be addressed through induction and training.

One theme emerging from all our interviews is that politics is itself a profession, which requires a wide range of different skills. These can include running a big department; dealing with Parliament; and handling relations with the media and the wider public. There were two matters commonly mentioned by outsiders: dealing with parliamentary business (although a number were able to learn and adapt); and more broadly, scepticism about the unmanageable scope of ministerial office, because currently expectations exceed capacity.

A second strand running through this report is the issue of accountability. How can Ministers appointed from outside Parliament be made accountable to Parliament? The classic British answer has been to make them peers, so that they are answerable to the House of Lords. But that does not make them accountable to the House of Commons. In the overseas countries we studied there is generally greater flexibility in allowing Ministers to appear before either house of parliament. So for example in France and the Netherlands there is no obstruction to ministers appearing in either chamber of the legislature. In the UK there is less flexibility.

Total reciprocity between the Houses, although technically possible, seems unlikely, and there was little support for this. In any case, this would be overengineered, and neither would it be practical. The main demand for greater accountability came from the Commons, and it was directed at Secretaries of State in the Lords. Solutions for answering the accountability gap were suggested, and the Secretaries of State Lords Adonis and Mandelson appeared willing to comply. The key procedure proposed was ultimately stymied, on the basis that allowing the Lords Secretaries of State to enter the Commons would legitimate the practice of appointing Secretaries of State to the Lords. Thus, the imperative for greater accountability was trumped by the desire to ensure the Commons remained the key pool of ministerial talent.

11. Recommendations

Appointment and training of outsider Ministers

Any future appointments of outsider Ministers should be of ‘hybrid’ candidates who have both technocratic and political skills. They are more likely to be successful than purely technocratic appointments.

Outsiders should be prepared to join the governing political party. This would indicate they have a long term commitment, and help to build trust with fellow Ministers.

Outsiders may face special difficulties when appointed to ministerial office, and may require different training, especially about their parliamentary role. That is best provided by the whips.

Outsider Ministers should be allowed to retire from the Lords at the end of their ministerial appointment. All our interviewees were agreed on this. But it is bound up with the wider policy question on whether peers should be able to retire.

Induction and training of all Ministers

There should be a better induction process for all incoming ministers. Induction might involve, at a minimum, a briefing on the parliamentary role from the chief whip, and on the departmental role from the permanent secretary.

The civil service could provide newly appointed ministers with an ‘induction pack’, as happens in Scotland. Such a guide would deal with the basics of ministerial life, such as the role of the Private Office, the Permanent Secretary, press office; key responsibilities and duties of ministers (tailored to the relevant House), aspects of House procedure; practical matters such as ministerial pay, travel and the like.

New Ministers could also be given a letter of appointment specifying their main tasks and objectives. This is what happens in Canada, where the letter issues from the Prime Minister. It would clarify what the Minister is expected to achieve. It may help to think of the Minister as part of a departmental team: more thought could be given to the balance of skills and experience needed.

The department should specify clear lines of authority and delegation. Outsider Ministers with experience of leading large organisations were amazed at the number of small decisions they were required to take, and the lack of systematic delegation.

This would facilitate a more formalised evaluation process. Feedback and evaluation require some thought *prior* to appointment about specific roles and objectives, and clear lines of delegation.

Newly appointed ministers might also benefit from a mentoring system: a more experienced minister (or former minister) could act as a guide.

Accountability on appointment

Pre-appointment scrutiny seems necessary only for outsider Ministers, and in particular complete outsiders who are not expected to join either House. In that respect they have some similarities with the 60 senior public appointments currently subject to pre-appointment scrutiny hearings. The hearing should be conducted by the relevant departmental Commons Select Committee. As now, the committee could not veto a candidate; but a negative report might persuade the Prime Minister to think again, or deter the candidate from taking up the appointment.

Accountability in office

Provision should be made for an institutional space in which members of both Houses can meet freely. Some Ministers in the Lords felt disadvantaged by their inability to meet MPs in the Commons, unlike colleagues in the Lords who had come from the Commons. Accountability is not met just by formal mechanisms. It involves an element of responsiveness, which in turn means being available. The current convention preventing members from circulating in another House inhibits this.

Understandably, there are concerns on the part of the Commons to maintain the traditional pathway to ministerial recruitment. But this should not lead to a failure to hold accountable Secretaries of State in the Lords with major departmental responsibilities.

If in future the second chamber is elected, any outsider Ministers would have to remain wholly outside Parliament, because the Prime Minister could no longer appoint them to the Lords. Each House of Parliament would then need to devise effective procedures for holding such Ministers to account: through inviting them to appear before Select Committees; and/or granting them speaking rights to answer oral Questions, reply to debates and take bills through the House.

Appendix: Biographies of Outsiders

Set out in this appendix are short biographies of current and former 'outsider' appointments. We have not attempted to catch them all.

Lord Maclay of Glasgow

Before entering government, Maclay was chairman of Maclay & Macintyre Ltd, shipowners in Glasgow. In 1916 he was admitted to the Privy Council and appointed Minister of Shipping (1916-21). This was seen as a vital appointment by the PM Lloyd George. Maclay had been known in shipping circles as a successful manager of cargo steamers, and his appointment was regarded in the shipping industry as a good one. Maclay refused to sit in either Houses of Parliament while taking the office, as he held Parliament in such low esteem, and was instead represented in the Commons by a parliamentary secretary. Lloyd George intended for shipping to become nationalised, but this plan was altered slightly by Maclay, who laid stress on the positive virtues of free enterprise. Maclay was raised to the peerage after having left government in 1922.

Sir Eric Geddes

Geddes' background was in the railway business; he worked in the United States and India, before returning to England and joining the North-Eastern Railway, rising to be Deputy General Manager in 1911. He was brought into government service by Minister of Munitions David Lloyd George, and served as Deputy Director-General of Munitions Supply (1915-1916). Geddes entered PM Lloyd George's cabinet in 1917 as First Lord of the Admiralty, and became MP for Cambridge. Geddes' task was to develop a shipbuilding programme, but he also was used as part of Lloyd George's unofficial 'agenda of change' which he hoped to impose on the Admiralty. Geddes helped the Admiralty to adapt to the changing circumstances of the war, however his lack of experience of parliamentary and naval affairs was criticised. Geddes left this office to become the first Minister of Transport (1919-1921), due to his 'burning enthusiasm and plans' on the subject. He became known as the "Napoleon of Transport." He retired from politics after the fall of Lloyd George's coalition in 1922.

Jan Smuts

Jan Smuts had previously served as a Boer General during the Boer War, and emerged as one of the foremost Afrikaner leaders. The party he had helped to create, Het Volk, won the elections to the restored Transvaal Parliament and he was a prominent politician. Smuts was asked by PM Lloyd George to be a member of the British War Cabinet in 1917, which gave him a status comparable to a Minister without Portfolio. He was appointed due to his military experience and intellect, as well as to replace the Secretary of State for War, who had been lost at sea, and the First Lord of the Admiralty, who was serving with the Army in France. Smuts was greatly respected and in 1918, he helped to create a Royal Air Force, independent of

the army. He returned to South African politics, and was elected Prime Minister of South Africa in 1919. Smuts was also invited to the Imperial War Cabinet in 1939 as the most senior South African in favour of war. On 28 May 1941 Smuts was appointed a field marshal of the British Army, becoming the first South African to hold that rank.

Lord Beaverbrook

Lord Beaverbrook was born in New Brunswick, Canada, and moved to the UK in 1910 'to make his fortune.' He created the Canadian War Records Office in London during World War I, and began a newspaper empire which included the London Evening Standard and the Daily Express. He became MP for Ashton-under-Lyne (1910-16), and was then granted a peerage in 1917. His press background meant that he was a good candidate for the post of Minister of Information (1918). However during his time in office Lord Beaverbrook came under attack from certain MPs who distrusted his press background, and he himself was frustrated with his limited role and influence. Beaverbrook resigned from government in September 1918 claiming ill-health. However, he returned to government as Minister for Aircraft Production (1940-41) and later became Minister of Supply (1941-42), as Churchill 'valued his genius.' His appointment in this role is generally regarded as a success, and Beaverbrook is credited with increasing aircraft production levels, although many civil servants objected to him treating them the same way he did his editors. His resignation from the office in April 1941 was due to repeated rows with PM Churchill, although he remained in government until 1945 as Lord Privy Seal.

John Blake Powell

Powell's background was in the law; he was called to the Bar in 1894, going on to become the Senior Crown Prosecutor for County Leitrim (1904-1914) and Senior Crown Prosecutor for County Sligo (1914-1918). In 1918 he briefly served as Solicitor-General for Ireland (April-November).

Richard Casey

Casey's background was in Australian politics, where he was a member of the House of Representatives, and became the first Australian Ambassador to the United States in 1940. In 1942 PM Winston Churchill appointed Casey as Minister Resident in the Middle East. In this role he played a key role in negotiating between the British and Allied governments, local leaders and the Allied commanders in the field. Responding to questions in the House Churchill argued that it was unnecessary to make Casey a member of the Commons. Since Casey was to be based in Cairo it was impractical that he should appear in the Commons to answer questions. A member of the War Cabinet therefore answered on his behalf. Churchill picked Casey for this role as it met the demand for having an Australian representative in the War Cabinet, while keeping that representative at a distance.

Frank Cousins

Frank Cousins' background was in the Transport and General Workers' Union; he was the National Officer and the National Secretary of the Road Transport Section, and then General Secretary (1956–69). He was seconded to be the Minister of Technology in PM Harold Wilson's government (Oct. 1964–July 1966). He was not initially a member of either House of Parliament, but won the seat of Nuneaton in January 1965. It has been suggested that Wilson brought Cousins into the Government in at least partly in order to remove an awkward character from the trade union leadership. However Cousins did not take to Parliamentary life, and took the view that the traditional practices wasted time and were calculated to 'prevent practical men from getting things done.' He resigned from the office over the wage freeze brought in by the government in 1966, and left the House of Commons a few months, returning to his union office.

John Davies

John Davies' background was in business; he was the director of BP Trading (1960), Vice-Chairman and Managing Director, Shell Mex and BP (1961–65) and Director-General of the CBI (1965–69). PM Edward Heath recruited Davies in 1969 to join his government if he could win a seat in the Commons, as Heath believed that senior business figures serving in senior posts would provide more expert management. As a former managing director of Shell who had been the CBI's first director-general, Davies was a hugely distinguished businessman. He won the seat of Knutsford, Cheshire in the 1970 election, and immediately became Minister of Technology. He quickly moved to be the first Secretary of State for Trade and Industry and President of the Board of Trade (1970-72). His period in government is regarded as having been largely disastrous and is mainly remembered for two things - his use of the expression "lame ducks" to describe struggling businesses and his rescue nationalisation of Rolls-Royce in 1971. Although he stayed on to the end of the Heath government, in 1974, and later became Mrs Thatcher's frontbench spokesman on Foreign Affairs, he became unhappy at Westminster and stood down from his Knutsford seat in 1978.

Lord Young of Graffham

Lord Young's background was in business; he was involved in industrial property, construction and plant hire companies. He also became the Director of the Centre for Policy Studies in 1979. Shortly after the 1979 election, he was hired to advise Keith Joseph, then Industry Secretary, on the privatisation of state-owned businesses. In 1981, he was made Chairman of the Manpower Services Commission, the government agency dealing with unemployment and training matters. He was granted a life peerage in August 1984, and one month later he entered the cabinet as Minister without Portfolio to advise the government on unemployment issues, due to his experience at the Manpower Services Commission. He then went on to become Secretary of State for Employment (1985-1987) and Secretary of State for

Trade and Industry (1987-1989). Young was a particular favourite of PM Margaret Thatcher, who said "other people bring me problems; David brings me solutions." However the Cabinet did not feel the same way, and Norman Tebbit had a particularly difficult relationship with Young. As Secretary of State for Trade and Industry, Young was responsible for privatising the last of the state industries in the department. He resigned from the Cabinet in 1989 but remained active within the Conservatives, becoming Deputy Chairman of the Conservative Party until the resignation of Thatcher. Young returned to politics in 2010; he was appointed by PM David Cameron to review health and safety laws, however he resigned in November 2010 over comments that Britons had 'never had it so good' despite the 'so called recession.'

Lord Falconer of Thoroton

Lord Falconer's background was in the law; he became a QC in 1991 and was elected Master of the Bench of the Inner Temple in 1997. His strong legal background coupled with a friendship with PM Tony Blair led to his appointment as Solicitor General after being raised to the peerage immediately after the 1997 General Election. He was labelled the 'ultimate example of a "Tony's crony"'. Falconer served in a number of ministerial posts, culminating in Secretary of State for Constitutional Affairs and Justice as well as Lord Chancellor (2003-07). During his time at the Cabinet office he had to take ministerial responsibility for the "poisoned chalice" of the Millennium Dome after Peter Mandelson's first resignation, and opposition MPs called for his resignation over the debacle.

Lord Adonis of Camden Town

Andrew Adonis started his career as a journalist at the Financial Times (1991-96) and The Observer (1996-98). He then became an education and constitutional policy adviser at the Prime Minister's Policy Unit (1998-2005) and Head of Policy (2001-03). In 2005, he entered the Lords and brought into government as the Parliamentary Under-Secretary for the Department for Education and Skills/Children, Schools and Families (2005-08) in order to support the Department of Education team with his in-depth knowledge of the subject, and due to his political closeness with PM Tony Blair. At the Department for Education, he alienated some on the political left and in the teaching unions due to his good contacts in the independent sector, and close identification from his time as an adviser over controversial reforms such as tuition fees. He then became Minister of State for Transport (2008-09) and Secretary of State for Transport (2009-10). While in this office he announced plans for a high speed rail link between London and Birmingham, and represented Britain at a meeting of European transport ministers following the flight restrictions put in place due to a volcanic ash cloud in April 2010. He left government after Labour's defeat in the 2010 general election.

Lord Darzi of Denham

Before entering the Lords in 2007, Lord Darzi had a successful career in the NHS; he holds the Paul Hamlyn Chair of Surgery at Imperial College London and the Institute of Cancer Research, and acted as an adviser on surgery to the Department of Health (2001-07). He was brought into government as Parliamentary Under-Secretary of State for Health and Government Spokesperson to undertake the 'Next Stage Review', which would "ensure that a properly resourced NHS was clinically led, patient-centred and locally accountable." Darzi's report was successful as it was welcomed by the medical community, and many of its recommendations, including the creation of an NHS Constitution, were enshrined in legislation in the Health Act 2009. Lord Darzi resigned from this role in July 2009 in order to devote more time to his academic and clinical work.

Lord Jones of Birmingham

Digby Jones began his career as a solicitor, then moved into the business world, becoming Director-General of the Confederation of British Industry (2000-06) as well as acting as a non-executive director or senior adviser for a number of companies. He entered the Lords in 2007 and became the Minister for Trade and Investment in the Foreign and Commonwealth Office and the Department for Business, Enterprise and Regulatory Reform. He travelled overseas representing the UK's trade interests. Lord Jones was appointed by Brown in the hope that he would persuade employers to commit to supporting training for employees, particularly those in the low-skills bracket. However, he proved to be a controversial appointment, claiming that half of the civil service should be sacked. He told a private group of business leaders that he would leave the government well before an election campaign got under way because he did not want to be asked by the media whether he was supporting Mr Brown. He was described as 'pompous' and having a 'know-all demeanour'. He left the government in the reshuffle during October 2008.

Lord Malloch-Brown of St Leonard's Forest

Before entering government, Lord Malloch-Brown was a political correspondent for the *Economist* (1977-79) before embarking on a long career at the UN. He first worked for the United Nations High Commissioner for Refugees under Kofi Annan, eventually becoming the United Nations Deputy Secretary-General in April 2006. He was brought into Brown's cabinet as the Minister of State for Africa, Asia and UN in the Foreign and Commonwealth Office (2007-09) due to his support of the Labour government's international aid programmes and his status as a foreign policy heavyweight. Insiders said he was instrumental in ensuring the success of the 2009 G20 Summit in London (which dealt with the economic crisis), and he maintained a close friendship with PM Gordon Brown. Lord Malloch-Brown announced his intention to leave the government during the summer recess in July 2009, citing personal and family reasons, although there were rumours that his departure was due to upsetting David Miliband.

Lord Mandelson of Foy

Lord Mandelson previously worked in media and within the Labour Party as Director of campaigns and communications (1985-90). He was elected as MP for Hartlepool in 1992 and held a number of ministerial posts, but he eventually stood down as an MP in 2004 in order to become Commissioner for Trade at the European Commission (2004-08). Mandelson left this position in 2008 in order to return to UK politics and became Secretary of State for Business, Enterprise and Regulatory Reform/Business, Innovation and Skills (2008-10), and was raised to the peerage in 2008. PM Gordon Brown stated that he needed "serious people for serious times" and Mr Mandelson had unrivalled experience in global trade. Mandelson was also appointed First Secretary of State (2009-10) and Lord President of the Council (2009-10). Mandelson was seen as some as the de facto deputy prime minister, and his department as the unofficial ministry for tackling the recession, rivalling the Treasury.

Baroness Kinnock of Holyhead

Before she was appointed to the House of Lords, Baroness Kinnock was a primary and secondary school teacher (1965-93) and later MEP for South East Wales (1994-99) and Wales (1999-2009). As an MEP she was Labour party spokeswoman for International Development and co-president of the African, Caribbean and Pacific-EU Joint Parliamentary Assembly. She was given a peerage in June 2009 in order to enter the government as Minister for Europe. She was suitable for the role due to her experience of the European Parliament. However she quickly moved on to become Minister for Africa and UN in October 2009, replacing Lord Malloch-Brown. Baroness Kinnock has been praised for making a good impression on visits and in meetings abroad.

Lord Hill of Oareford

Lord Hill previously worked as a special adviser to Kenneth Clarke MP (1986-8) before moving to the Number 10 Policy Unit (1991-92) and becoming Political Secretary to John Major as Prime Minister (1992-94). Immediately before becoming a Lord he founded and directed a strategic communications consultancy, Quiller Consultants. He was made a peer in 2010 and was appointed Parliamentary Under-Secretary of State for Schools, Department for Education.

Lord Sassoon of Ashley Park

Lord Sassoon's background is in finance; he was the managing director of UBS Warburg (1995-2002) before his appointment to HM Treasury as the Managing Director of the Finance Regulation and Industry Directorate (2002-06) and the Treasury Representative for Promotion of the City (2006-08). After leaving the Treasury he was recruited by the Conservatives, acting as an adviser to George Osborne MP as Shadow Chancellor of the Exchequer (2008-10) and becoming a member of the Shadow Cabinet Economic Recovery Committee (2009-10). He was made a life peer in 2010 in order to become the Commercial Secretary, with the aim

of driving forward the radical reconstruction of the financial services industry and the City. He was seen as suitable for this role due to his important role in forming Conservative policies in the run-up to the general election, particularly over City reform. He also wrote the Conservatives' white paper on Financial reform in 2009.

Lord Green of Hurstpierpoint

Lord Green has a varied background; he spent six years as a civil servant in the Ministry of Overseas Development, moving to management consultancy McKinsey. He was then headhunted by HSBC, where he became chairman. Lord Green was introduced to the House of Lords in November 2010, and is expected to begin in his role as Minister of State for Trade and Investment in January 2011. This is an unpaid position. He was appointed due to his experience and expertise after 28 years at HSBC, and he has been tasked with helping the Government to bolster the UK's reputation as an attractive location for international business investment and increase UK exports.

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Robert Hazell founded the Constitution Unit in 1995 to do detailed research and planning on constitutional reform in the UK. The Unit has done work on every aspect of the UK's constitutional reform programme: devolution in Scotland, Wales, Northern Ireland and the English regions, reform of the House of Lords, electoral reform, parliamentary reform, the new Supreme Court and judiciary, the conduct of referendums, coalition government, freedom of information, and the Human Rights Act.

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