

Functional Politicisation Among Lower-Ranking Civil Servants: Conflicts and Dilemmas in Danish Central Government

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Abstract

The role of the civil servant in modern democracies is increasingly complex due to multiple and co-existing forms of democratic governance. Civil servants need to balance between traditional bureaucratic norms ensuring a rule-governed public administration where they represent neutral competencies within the political system, while they at the same time must ensure efficiency in the public sector, interact with various stakeholders and citizens, and ensure the loyal implementation of the will of elected politicians. In the wake of several Danish political scandals involving both ministers and civil servants, the so called Bo Smith Commission was established in order to examine and discuss the current norms and practices of the civil service. In this article we draw on a survey conducted by the Bo Smith Commission in 2015 including nearly 4.000 lower-ranking civil servants. Through an in-depth study of the 554 responses in the open category, we uncover how functional politicization is manifested in Danish state administration among lower-ranking civil servants. The study, thus, uncovers in detail the characteristics of functional politicization and investigates the coping strategies of lower-ranking civil servants, when the demand for political responsiveness compromises classical norms integrated in the Rechtsstat.

Introduction

Civil servants in western democracies are part of a public sector that is faced with numerous criteria for success. The various criteria for success have been linked to the emergence of different forms of governance in western democracies that exist side by side, creating a complex structure of expectation for civil servants. Civil servants need to balance between traditional bureaucratic norms ensuring a rule-governed public administration where they represent neutral competencies within the political system, while at the same time they must ensure efficiency in the public sector, interact with a range of stakeholders and citizens, and ensure the implementation of the will of elected politicians. Some

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sections of the literature has described the civil servants as *boundary spanners* to stress their role as facilitators, brokers, diplomats or ‘go-betweens’, rather than operating within a chain of command (Hood & Lodge, 2006: 96).

The multifaceted role of civil servants is by no means a new phenomenon and may be associated with the fact that civil servants work in a political system, but without a political mandate. The dichotomy of politics and administration has occupied scholars of public administration for centuries (Wilson, 1887; Weber 1980). In the ideal type of bureaucracy as described by Weber (1980), the neutral competence of the civil service is central and the distinction between politics and administration upheld as an ideal. Most scholars, however, agree that it is impossible to obtain a clear-cut distinction between politics and administration (Peters & Pierre, 2004, Hood & Lodge, 2006). The dichotomy, though, still pertains and keeps reoccurring in studies on public administration, just as the ideal of neutral competencies still applies when the subject relates to civil servants, perhaps because they do not hold a political mandate. At the same time, we are seeing an increasing demand for political responsiveness, in order for the civil service to serve the elected politicians and their aims. Jon Pierre describes this classic dilemma in the following way:

A civil service which becomes overtly politicised runs the risk of being viewed as merely the administrative instrument of the government of the day with limited legality and integrity, something which may lead to a decreasing legitimacy in the public eye. A public sector governed strictly by legal and regulatory frameworks, on the other hand, may indirectly become an obstacle to political change as promoted by the political elite, in which case the civil service will become perceived as rigid, self-serving, bureaucratic, and elitist (Pierre, 2014: 42-43).

Pierre’s view is supported by Grønnegård, Wang and Opstrup (2016) when they state that there are two types of risk connected to the organisation of ministries and thereby two types of problematic politicisation. The first is the risk of a politicising bureaucracy reducing the minister to a puppet of a powerful civil service pursuing its own ends. The second is the risk of a bureaucracy that is so politically responsive to the minister that it results in a violation of civil servant norms embedded in the Rechtsstaat. Politicisation is thus a double-edged sword in modern bureaucracies, since it is regarded as a necessity as well as a danger.

In recent years, a number of scandals have reached the Danish news media involving both ministers and civil servants and the relationship between the two. The scandals are numerous and quite different both regarding their content as well as the consequences for the parties involved (Koch & Knudsen, 2014). However, the scandals may all be seen as related to the aforementioned classic dilemma in public administration, the dilemma of politicisation.

We have studied dilemmas of politicisation and the coping strategies applied by civil servants in Danish central government. In this article, we thus contribute to the ongoing public and scholarly debate on politicisation and the way in which civil servants cope with dilemmas related to politicisation. By politicisation, we mean *functional politicisation*, which refers to the potential political role of civil servants through their behaviour. Our study thus withdraws from an analysis of formal politicisation, which relates to the recruitment and promotion of civil servants (Peters, 2013: 16-19).

Much of the literature on politicisation focuses on the executive and managerial level in the public sector, and thus on the relationship between top civil servants and politicians – and not on the lower-ranking civil servants (Peters & Pierre, 2005; Hood & Lodge, 2006, Rhodes, 2011). However, in this article we will focus on *lower-ranking civil servants* in order to illustrate how functional politicisation penetrates the entire public sector organisation and is not just a matter for higher-ranking civil servants.

Our research question is: *In what specific ways does functional politicisation manifest itself among lower ranking civil servants in Danish central government, and which coping strategies are developed in dilemma situations?*

Theoretically, we draw on an interpretative approach to the study of Public Administration (Bevir, Rhodes and Weller 2003, Bevir & Rhodes 2006, 2010; Bevir 2004, 2011; Rhodes, 2011). In this theory, institutions are characterised by contingencies and internal conflicts, which leave room for interpretation by individuals. The interpretative approach states that individuals' interpretations may draw on different and sometimes conflicting traditions and narratives. Embedded in the interpretative approach is thus a focus on potential dilemma situations in political administrative organisations, as well as for the individual civil servant. Coping strategies within this approach are associated with various forms of internal justifications related to the attempt to create meaning of one's role and behaviour in the organisation. We thus investigate the norms and coping strategies of civil servants in dilemma situations in Danish central government. With regard to the concept of politicisation, we draw on scholars such as Mulgan 2008; Peters 2013; Verhey 2013; and Hustedt & Salomonsen 2014).

Empirically, our article is based on unique data from a survey including almost 4,000 lower-ranking civil servants from the state administration in Denmark. Our study focuses on the responses in the open category of the survey, where a total number of 554 civil servants have added qualitative comments to hypothetical civil servant dilemmas to which they were introduced in the survey.

First, we present our theoretical framework for the analysis. We introduce in more detail the theories on politicisation and explain to which specific part of the politicisation concept our study contribute. We then unfold the interpretative approach to the study of public administration, which constitutes the theoretical framework for our analysis. Second, we provide some contextual background for the Danish case. We do so by introducing some of the most predominant scandals during the time of the empirical survey on the one hand, and describe the legal norms related to the role of the civil servant on the other hand. The latter is

done through a presentation of the recently published Codex VII, which dictates the current legal norms of the role of the civil service in Denmark. Since codex VII includes recommended coping strategies for civil servants, we unfold these strategies and relate them to Hirschman's classical concepts of exit, voice and loyalty. Third, we introduce our empirical data material and the methods that we have used when analysing our material, before we, fourth, present our analysis on politicisation in Danish central government. In the analysis, we investigate how lower-ranking civil servants interpret their own role in relation to politicisation and the coping strategies they apply in order to create meaningful actions. Finally, we conclude the article by summing up the results from our analysis.

Politicisation and the interpretative approach to the study of it

The discussions on politicisation are related to the fact that all bureaucracies in democratic states are facing the same problem, namely how to insure that the civil service is working loyally for the democratic legitimate government, while at the same time securing respect of constitutional principles and rule of law (Verhey, 2013: 37; Smith and Grønnegård, 2016). The concept of politicisation refers to the relationship between politicians and civil servants and particularly to the political control over bureaucracy (Hustedt and Salomonsen, 2014). Various forms of politicisation can be seen as different modes of ensuring political responsiveness, as the term 'political responsiveness' refers to the readiness of public servants to do what government ministers want (Mulgan, 2008: 345).

In the literature on politicisation, two overall traditions can be identified (Husted & Salomonsen 2014). One school of thought named 'formal politicisation' addresses politicisation as a matter of *recruitment*, that is, different ways of politicising the recruitment of the civil service (see for example Peters & Pierre 2004). The other tradition addresses politicisation as the *behaviour* of the civil servants, which may be named 'functional politicisation' (Husted & Salomonsen 2014: 750). It is the latter we use in this article.

The functional politicisation strengthens the political responsiveness by including political relevant aspects in the work of the administration. A key element in functional politicisation is the provision of political-tactical advice where familiarity with the political game is to be expected of the bureaucracy in addition to their neutral competencies. Thus, the functional politicisation ensures that the bureaucracy can assist the minister in avoiding political risky situations (Hustedt and Salomonsen, 2014)

Even though the functional politicisation is generally accepted to be a necessary and legitimate element in political responsive bureaucracies, it is nevertheless also emphasised that the loyalty of the permanent civil service needs to reflect a so-called 'constrained partisanship' (Mulgan, 2008: 348), that is, the loyalty granted to the government should not be pure partisan advice. Hereby it is indicated that the prevalence of functional politicisation – at least in theory – can be too high.

In order to capture the functional politicisation in the Danish central government, we employ *an interpretative approach to the study of public administration* (Bevir & Rhodes, 2004, Rhodes, 2011, Bevir 2011). In this perspective, the state is seen as a cultural practice. The state is not a pre-existing causal structure understood independently of people's beliefs and practices (Bevir, 2011: 192). Thus, the interpretative approach suggests that social scientists need to do empirical work in order to investigate which beliefs and desires people actually hold in a given case (Bevir, 2011: 191).

Importantly, institutions are characterised by various narratives and traditions people can draw on in their attempt to create meaning and justify their own actions. Thus, these actions can be explained and understood through an analysis of the beliefs that actors inherit from various traditions. Actors in the same organisational unit may hold similar beliefs, but it is also possible that their beliefs differ and/or conflict. Hence, the interpretative approach is a decentered theory, suggesting that actors may draw on different traditions in order to construct different narratives about the world, their place in it, and their interests and values (Bevir, 2011: 192). Consequently, conflicts and dilemmas are an integral part of this theoretical approach, since institutions in modern democratic states are situated in contexts with competing narratives (Poulsen 2009). Instead of seeing institutions with operating rules and procedures that govern the action of the individuals, institutions are characterised by contingencies and internal conflicts leaving room for interpretation by the individuals (Rhodes, 2011: 3-4). Rules are always open to interpretation; therefore, we need to study *the beliefs and practices of civil servants*. Thus, the interpretative approach concentrates equally on the practices and beliefs of actors and the narratives and traditions that provide the context and historical background to the relevant beliefs and actions (Bevir, 2011: 191). In our analysis of coping strategies, we have also chosen to include the classical concepts of exit, voice and loyalty as introduced by Hirschman (1971). These concepts become relevant since they may be seen as penetrating the recently published Codex VII. Civil servants are required to raise voice and put their foot down in case of illegal actions and they are obliged to act loyally towards the minister. In our analysis of coping strategies, we thus unfold civil servants internal justifications in relation to exit, voice and loyalty.

Consequently, the empirical analysis will focus on:

- Civil servants' beliefs regarding politicization
- Civil servants' coping strategies regarding politicization seen through the lens of exit, voice and loyalty

Before we turn to the empirical analysis of the answers in the open category, we will provide a short background for the Danish case and unfold the relevant scandals as well as describe the current formal status of civil servants norms as described in Codex VII (2015).

Danish central government and recent scandals

The Danish civil service is a classic merit bureaucracy with neutrality as an essential value, as civil servants are not replaced when a new government takes power (Betænkning 1354/1998, Betænkning 1443/2004 and Betænkning 1537/2013). Even though the permanent civil service comprises the predominant part of the state administration, there is also a small group of special advisers. These special advisers (one or two for each minister depending on the field of responsibility) are recruited politically and their employment expires when a new government comes into office. However, in light of an increasing demand for political-tactical advice and the small number of special advisers, the merit bureaucrats largely handle policy-oriented issues and assist in strategic advice (Bo Smith-udvalget, 2015; Christiansen et al. 2016).

The Bo Smith-Commission was established in the light of several problematic cases (“scandals”) which have been uncovered in the Danish Central government recent years. Although the scandals differ in substance and consequences for the involved parties, many of them are evolving around the same theme: the balance between neutral competencies and political responsiveness among civil servants. Hence, we will now briefly present the themes and conclusions of three of the most significant cases at the time of the survey.

The tax scandal

Firstly, we will mention a spectacular case concerning the determination of tax payment for a prominent MP and her husband, namely the then leader of the opposition and future prime minister, the social democrat Helle Thorning Schmidt (Justitsministeriet, 2014b). The affair started by a rumour that the couple was guilty in tax evasion because of false information on the length of the husbands stay in Denmark (which was a crucial element in determining whether he was liable to pay tax in Denmark). Because of the rumour, the couple’s personal case on tax calculation was brought up in the tax administration for reconsideration. In the autumn of 2010, the regional tax authority reached a final decision in the case confirming the existing tax calculation: No tax evasion had taken place.

However, nearly a year after – in the midst of the general election campaign – the complete individual tax decision (including confidential information) was published in the tabloid leading to the obvious conclusion that someone must have leaked the document. Moreover, it came out that the political and administrative top has been deeply involved in meetings and discussion on the concrete case handling, although this was not a part of their authority. Serious suspicion of misuse of power arose, as the crucial question was whether members of the government in cooperation with top civil servants had tried to influence the individual decision in the hope of damaging Helle Thorning’s reputation and thereby reducing her chances to win the general election. The scandal resulted in the dismissal of the Permanent Secretary of the Ministry and the establishment of a

legal commission of inquiry which was working at the time of the survey and was about to publish their final report on the case.

The stateless-gate

Secondly, we will mention another significant case, namely the ‘stateless gate’ (Justitsministeriet, 2015). The affair started when the press uncovered that stateless Palestinians for years have been subject to illegal administration. The Danish Immigration Service (a government agency under the Ministry of Integration) has wrongfully denied citizenship to a number of stateless Palestinians, in spite of the fact that international law with binding force for Denmark (especially the 1961 UN convention on the reduction of Statelessness) determined a right to citizenship in these specific situations. The unresolved questions were among other things how the civil service was able to neglect the relevant international law for so long time, if this was an intentional act, and if the minister or the civil service was to blame. Another critical aspect was several examples of lack of information and misinformation of the Parliament both generally and when answering specific questions from MPs concerning the matter. Hence, the stateless gate actualised the crucial question when the civil servants are obliged to put his/her foot down in order to ensure legality and rule of law. The course of events had already forced the minister to resign.

The emergency lie

Third and lastly, it is worth mentioning the case concerning the ‘emergency lie’, which attracted much attention in many respects. This political scandal was about a planned visit for a parliamentary Committee to “Christiania”, a special neighbourhood of Copenhagen established in 1971 by a group of hippies, and known for its autonomous inhabitants’ different way of life. However, Christiania has also been a source of ongoing controversy, especially because of illegal drug dealing in the open and suspicion of criminal gang activities. The planned visit for the MP’s was cancelled with reference to an explanation, which turned out to be a false one.

As it is a central element in the Danish constitutional and administrative system that a minister has an obligation to speak truth to the Parliament, this was indeed a very serious situation, as the lie was indisputable. The minister was forced to resign and the Permanent Secretary and another top civil servant were taken off duty, and legal procedures against the civil servants were initiated. They have both assisted in constructing the lie and disseminating it to the parliament. However, the case took a surprising turn, when the disciplinary proceedings came to an ending. The two involved top civil servants were acquitted of the charge of disciplinary offense, as the disciplinary court introduced a new concept, namely the “emergency lie” (Justitsministeriet, 2014a). The civil service and the minister had explained that the true reasons for cancelling the visit had to do with national security and resources, as the security situation at that time and place was unstable and therefore required disproportionately use of police and intelligence resources if the visit was carried out. In their opinion, this

real explanation was not possible to disseminate to the Parliamentary Committee, as it concerned matters of confidentiality. This explanation accepted the disciplinary court as a legitimate excuse for telling a lie to the parliament.

However, this rubber-stamp of misinformation caused an outcry in the Danish Parliament as well as in the public debate. There was a consensus that the newly established interpretation of the Danish law on ministerial accountability was indefensible. Moreover, the judgement on emergency resulted in a blurred state of the law and made it much more complicated for civil servants to navigate when assisting the minister.

To sum up, these three cases in different ways illustrate problems and dilemmas in the relationship between the minister and the civil service and seen together they bring up the question how civil servants apply different coping strategies in situations where they need to prioritise between conflicting norms.

Codex VII

In connection to the release of the report from the Bo Smith Committee, the Danish Ministry of Finance published a so-called “codex” or code of conduct for civil servants in the state administration as well as in the municipalities (Finansministeriet, 2015). The timing of the code of conduct was not coincidental. Even though the Bo Smith Committee and the government formally were acting independently, the Ministry of Finance took advantage of the opportunity to present a codex, which could address the problems pointed out in the Bo Smith Committee. Hence, the codex was released at the very same press conference where the Bo Smith Committee presented their work and released their report. Moreover, the codex from the Ministry of Finance is published as an appendix to the Bo Smith Report itself. Overall giving the impression of the codex being the obvious answer to the current dilemmas for the civil service.

It is important to bear in mind, however, that the codex is not representing a change or reform, as it was primarily a recapitulation of the existing state of the law with the addition of some supplementary comments. Nevertheless, the codex is crucial because it is seen as an important tool in handling civil servant dilemmas. The Minister of Finance as well as Bo Smith himself emphasised the vital importance of teaching and educating the (lower ranking) civil servants in the codex, and the major part of the departments and agencies of the central government have consequently accomplished internal courses and working sessions on civil servant norms based on the codex VII.

The norms were presented under the following headlines: (1) Legality, (2) truthfulness, (3) professionalism, (4) development and cooperation, (5) loyalty and obedience, (6) openness about mistakes and (7) party political neutrality. In addition to presenting and specifying these classical norms, the recurring theme in the codex was how to handle the unavoidable dilemma when the norms collide. According to the codex and well established jurisprudence, the formal answer is the following: If you as a civil servant are ordered by your superior to carry out unlawful actions or disseminate incorrect information, you are obliged to put your foot down and say no, at least if the unlawfulness seems to be obvi-

ous. Hence, it is an explicit focal point of the legal framework as well as the codex and the fictitious dilemmas presented in the survey that the individual civil servant in some circumstances has to voice.

On that background, we have found it beneficial to draw on Hirschman's classic concept of exit, voice and loyalty stemming from how individuals may act in case of discontent. We decided to include these three categories based on the Danish context, since a central part of the codex is the idea that civil servants should "put his or her foot down" refusing to carry out a political order that is against central norms. Applying the concepts of exit, voice and loyalty is intended as follows: Firstly, the idea of putting one's foot down may be seen as equivalent to the 'voice' as coping strategy. According to the codex and the survey, the civil servant sometimes needs to "warn the minister", "put one's foot down" or "account for consideration", in other words voice the problems in a very explicit way. Secondly, 'exit' as coping strategy is also prevalent, though in a more subtle way. On the one hand, exit is not a relevant option because quitting your job is not explicitly mentioned in the codex nor actually used by the respondents in the survey as they are still occupied as civil servants. On the other hand, however, the "exit" option seems to be a reoccurring frame of reference when the respondents reflect on their role as civil servants and their behaviour. Exit serves as a reflecting wall in the light of which the civil servant is considering his/her coping strategies, for example when a respondent states "*As a rule, I will always do what my superior asks me to, because I don't want to lose my job*". Third and lastly, *loyalty* is indeed a predominant norm when we look at codex VII. Civil servants are supposed to act loyally and not autonomously; this is both considered as a kind of basic assumption for the neutral Danish civil service but also expressed in the explicit norm of loyalty and obedience determining that the civil servant as a rule is obliged to obey the orders of his/her superior.

Data material and methods

In the following, first, we present the data material that forms the basis of our empirical analysis. Second, we introduce some methodological reflections in line with our theoretical approach in order to unfold how the empirical analysis was conducted.

Data material

The empirical analysis in this article is based on the data from the 'open category' in a survey conducted by the Bo Smith Commission in 2015. The Bo Smith commission was established in 2014 by DJØF, a Danish union that represents academics with a Master's degree in law, economics, social science, administration etc. and thereby represents most civil servants in the state administration. The members of the Commission were appointed by DJØF and were a group of politicians, top civil servants, experts and media representatives. The establishment was a reaction to the before mentioned, numerous, political scandals in Denmark. The purpose of the Commission was, first, to shed light on the rela-

tionship between the civil service and other stakeholders and illustrate how the civil servants handle their responsibilities, and secondly, to describe the principles and norms for the civil servants and evaluate whether new norms or other initiatives should be introduced in the Danish political system.

For that purpose, the Bo Smith Commission conducted a survey in 2015 involving civil servants from the state administration in Denmark. The sample consists of a total amount of 3.795 civil servants from six different ministries, namely the Ministry of Employment, Ministry of Finance, Ministry of Food, Ministry of Environment, Ministry of Social Affairs and Ministry of Interior and Economic Affairs. In the six selected ministries were included respondents from the departments as well as from subordinated agencies with tasks involving policy advice of the minister. All respondents were promised anonymity and the results were not to be reported from single workplaces. It is worth noticing that the survey concentrated on the civil servants on the lower levels of the hierarchy and thus excludes the chief executives of the organisations.

The survey was designed as a questionnaire using the vignette technique in order to study the professional norms of the civil service. The respondents were introduced to seven hypothetical situations describing various civil servants dilemmas. Each dilemma represents conflicts between different core values such as legality, professional competency and truth on the one hand and obedience, loyalty and political responsiveness on the other hand. After each vignette, the respondents were asked if they would assist in the problematic action. The respondents were to indicate their supposed action by choosing one out of four alternatives; a) Yes, without reservations b) Yes, but I'll raise my concerns/reservations to my superior c) Only after a direct order, and I'll in definite terms warn my superior d) No, I'll definitely put my foot down and refuse to assist.

The introducing text to the open category was as follows: "*In the above questions you have been asked to indicate your judgement of some civil servant dilemmas. If you have some supplementary comments to your responds or any other comments, you can add them here (Your comments are not to be included in the anonymised report which will be handed over to the management and the employees)*". A total amount of 554 civil servants chose to add comments in the open category equalling upwards of 20 percent of all respondents.

Our data set is, thus, limited, when it comes to the prevalence of politicisation in Danish state administration. However, our study is not a quantitative study. We are not able to conclude how many of the civil servants that experience politicisation, nor the number of civil servants using different coping strategies. Rather we use the qualitative data material to shed light on the concept of politicisation as it is experienced in every-day work life in a modern central administration. Through detailed examples of politicisation and various coping strategies, we are able to investigate what politicisation actually means, how it challenges the role of civil servants in every-day practices, and, thus, how politicisation is experienced and dealt with by the civil servants.

This data material from the open category constitutes the basis of our empirical analysis. The described context of our data seems to imply a certain framing effect because the vignettes have established a dilemma based and conflictual setting for the respondents' reflections on their behaviour as civil servants. Presumably, this tends to affect the answers in the open category, which therefore not necessarily create a fair picture of the everyday life of a typical civil servant. However, in this article we focus explicitly on the dilemma situations with a special view to conflicting norms and coping strategies when the demand for political responsiveness compromises classical norms integrated in the Rechtsstaat. For that purpose, the conflict-oriented framing of the data is not a disadvantage, quite the reverse.

Methodological approach

We conduct a qualitative investigation of politicisation among lower-ranking civil servants in the Danish central government. Our focus is on the meaning of politicisation as it is understood and described by civil servants, and on the coping strategies, they employ. Although theories on public administration and the contemporary scandals in Denmark provides us with examples of narratives on civil servants' norms in relation to politicisation, we try to conduct our empirical investigation as openly as possible.

Thus, our methodological approach is inspired by constructivist grounded theory analysis, when it comes to the initial analysis of data material (see Charmaz 2000, 2006; Charmaz and Belgrave 2012). The grounded theory approach to data analysis may be useful in connection to our interpretative theoretical approach, since it "*explicitly provides an interpretative portrayal of the studied world, not an exact picture of it*" (Charmaz & Belgrave, 2012: 349). The task of the researcher is to learn respondents' implicit meanings of their experiences to build a conceptual analysis of them (ibid.). According to this methodological approach, coding is the pivotal first analytic step that moves the researcher from description towards conceptualising that description. Coding requires close attention to the data. However, the codes reflect the researchers' interests and perspectives (Charmaz & Belgrave, 2012: 355). Hence, it is not a purely inductive coding of the data material, which we have carried out. Our coding stems from our theoretical approach and has a focus on the meaning of politicisation and coping strategies as internal justifications in relation to exit, voice and loyalty. Where objectivist grounded theorists assume that they discover what is happening in the data, the constructivist grounded theorists acknowledge that they define what is happening in the data (Charmaz & Belgrave, 2012: 355-356).

Thus, we are aware that we look specifically after descriptions of politicisation, the way it is ascribed meaning by the civil servants and ways in which they cope with that politicisation in their described practices. Having said that, we have tried to maintain an openness to the concept of politicisation and the associated coping strategies in dilemma situations. Accordingly, our first read through the 554 civil servant comments in the open category of the survey, was an intensive study of all types of meanings related to their work in the State

administration. Our initial read through showed us that internal justifications was part of the civil servants coping strategies. A large number of respondents used the open category to reflect upon their own actions in case of a dilemma, just as they used the open category to justify these actions. The first read through also pointed to *hierarchy* as a central phenomenon when we were to understand politicisation and the civil servants' coping strategies. Consequently, during our second read through, we focused on the following three dimensions, which derived from our theoretical framework and our initial read through of the material.

- Civil servants' beliefs regarding politicization
- Civil servants' coping strategies regarding politicization related to the concept of exit, voice and loyalty
- The meaning of hierarchy in relation to beliefs and coping strategies

In relation to the first dimension, civil servants' beliefs regarding politicisation, we ask how they interpret politicisation through an analysis of their perceptions of politicisation, including whether politicisation is regarded as legitimate and/or illegitimate, and whether it differs from situation to situation; and more generally how civil servants explain and ascribe meaning to politicisation. *In relation to the second dimension*, civil servants' coping strategies, we investigate how civil servants create meaning through internal justifications related to the aforementioned concepts of exit, voice and loyalty.

Finally, we investigated the role of hierarchy in relation to mechanisms of politicisation and coping strategies. Hierarchy, as a phenomenon, proved to be an important variable in order to understand how lower-ranking civil servants interpreted politicisation and the coping strategies that they applied. We now turn to the analysis, where we begin with the overall interpretation of politicisation as it is interpreted in the every-day life in the civil service.

Politicisation in Danish central government

There is no doubt that functional politicisation is a part of the every-day life in the central government among lower ranking civil servants. A civil servant states, "*It's a constant balance between politics and professional norms*". Another civil servant explains how politicisation has become part of the organisation's use of language. He says, "*In our organisation we talk about that the system must be able to handle 'whole cases', meaning that we need to handle both professional and political aspects of any given case.*". The political aspects of the work are, thus, an integral part of the work carried out in the administration. In the following, we will investigate in more detail (a) how politicisation is interpreted by civil servants, including how politicisation is part of the organisational culture in the state administration today, (b) if we can identify an intensified politicisation or not as it is experienced by the civil servants and (c) how the civil servants cope with dilemmas associated with politicisation.

Interpretations of politicisation

The dilemma of politicisation is present in the day-to-day practices in the civil service. However, there is a distinction between the different work tasks in the administration and different opinions whether these work-tasks may be legitimately politicalised or not. There are tasks where politicisation only plays a small role and the civil servants regard it as highly illegitimate. The civil servants distinguish between case handling on the one hand and other types of work on the other - such as policy development, policy analysis and writing of reports. Legality is the most dominant value when respondents are mentioning case handling with direct consequences for citizens. Politicisation in these types of cases is considered highly illegitimate and neutral competency is the foremost important value among civil servants. Especially if the out-come of the case handling is settled against the citizen, it is considered highly inappropriate if political responsiveness overrules neutral competencies. In cases where the out-come of the case handling is an advantage for the citizen, politicisation is still regarded as inappropriate, but easier to live with. A civil servant says,

In these cases I would not put my foot down, not even in situations where the minister wants us to make a decision without sufficient legal basis. Given that the decision is in favour of the applicant, I would not say no.

The distinction between different work tasks, however, does not equal that politicisation is completely absent when it comes to case handling. Case handling often implies a high degree of discretion: A civil servant states,

The problems often arise in connection to individual case handling, which necessarily must be entrusted to an employee, but where the decision at the same time is highly discretionary and involves both expert knowledge (not legal skills) and a certain degree of political element, and where the decision therefore can be the subject of criticism

Another civil servant also raises the question about politicisation when a specific group of people are getting positive attention from the minister and their cases are handled with speed compared to other groups without the positive political attention. The example mentioned is veterans. The civil servant explains:

Our major daily dilemma when handling cases is the discrimination in favour of the citizens who have written personal letters to the minister, as these injured individuals receive extra attention and faster decisions at the expense of the other injured persons who have to

wait longer for a decision in their cases. Besides, cases with political interest receive special treatment (e.g. veteran cases), where disproportionate large resources are allocated to their resolving, whereas other previous cases in the pile involving equally severe problems are being deprioritised.

To sum up, case handling is mentioned as the one work task where political responsiveness is considered highly illegitimate if it tempers with neutral competencies in relation to a decision on a specific case. However, examples shows that there are aspects of case handling where politicisation occurs that do not relate directly to the decision on the case, but rather relate to the speed of the case handling and to cases with a high degree of discretion. When it comes to almost all other types of work tasks in the administration, political responsiveness is regarded as an intrinsic norm for the civil servant. A civil servant says,

In my opinion, the role of the civil servant is to realise the politics and priorities of the minister – in accordance with the law. And not be a hindrance with reference to so called 'objective expertise'.

A civil servant states that he would never participate in an illegal act, but then continues:

I would accept assisting in spin, in describing an issue from a special angle, even if the text in my opinion is misleading. The responsibility for securing a fair and true state of the matter must rely on my superior and the minister.

Another civil servant states: "*politicisation is about presenting data in a positive way*". A similar view is expressed when another civil servant says,

Politics has always been about shaping reality in a way that makes the sender look good or makes the opponent look bad. And I do not think there is anything you can do about it as a civil servant.

Hence, it appears that functional politicisation is an integrated and accepted part of the every-day work life in the state administration among lower ranking civil servants. However, it is also important to note that some of the civil servants feel the need to emphasise that they have not experienced the dilemma with regard to illegal acts. They state that they have never received an illegal order, which makes the dilemma regarding illegal acts very hypothetical. The dilemma is more subtle and occurs when professional norms are stretched to meet political demands.

Furthermore, it is important to note that it is not possible to opt out on politicisation. A civil servant explains it in this way:

Today it is a matter of fact that ministers and their spin doctors demand solutions that profile the minister in the most beneficial way. Consequently, the question you need to ask yourself as a civil servant is not whether a solution is undesirable or unsuitable. The question you need to ask is whether you want to be an opponent or a team player.

Along the same line, a civil servant says

My experience as a civil servant is that you very quickly find yourself in a 'bad standing' situation, if you do not conform to the wishes of your superior or the top management in the organization.

Intensified politicisation?

According to the civil servants, the impossibility to opt out on politicisation is a rather new phenomenon. In today's administration, it seems difficult to refuse to contribute to politicisation among the lower ranking civil servants. A civil servant explains:

15 years ago, when I started in this job, it was accepted that you removed your initials from the case file, if you disagreed with its content. Today this kind of behaviour would label you as uncooperative and inflexible.

Generally, most of the respondents state that it is extremely difficult to oppose to politicisation. Another civil servant also stresses the change in relation to the degree of politicisation. He says,

Within the last 10 years professionals increasingly need to develop policies, which implies that they need to know the political programs of each political Party in the Parliament, they need to promote the minister in office, and they need to handle the media.

However, the norm of political responsiveness does by no means mean that the norm on neutral competencies is absent in the civil servants' reflections. On the contrary, several respondents reflect on precisely the meaning of professionalism in today's administration. An often-stated argument among the civil servants is that a case is seldom "black and white". The political aspect of an assignment (task) is weighed on behalf of professional judgement. Thus, it seems clear that

the civil servants find it most appropriate to meet the demands of either the minister or a higher-ranking civil servant.

Nevertheless, how do they act if the demand for political responsiveness violates professional norms and the demand for neutral competencies in a way that is considered inappropriate or even illegal? We shall now turn to the coping strategies among the lower ranking civil servants.

Coping strategies – Handling dilemmas of politicisation

The three coping strategies, exit, voice and loyalty are all present, although they are not equally relevant. *First*, coping strategy is an *exit-strategy*, where the civil servant chooses to quit his job. If professional norms are violated on behalf of political demands that are unacceptable for the civil servant, an option is to quit his or her position in the administration. However, this strategy has not been followed by any of the participating civil servants, since they were all employed, when answering the questionnaires. It appears that they mention this coping strategy only in relation to the fact that they experience it as difficult if not impossible to ‘put one’s foot down’, and, thus, ‘voice’ as coping strategy. A civil servant explains: “*As a rule, I will always do what my superior asks me to, because I don’t want to lose my job*”. Thus, this civil servant expresses an anxiety of being fired if he or she is refusing to carry out the task that he/she is asked to do.

The *second* coping strategy is the voice strategy, that is to “put one’s foot down” – a strategy that seems very difficult to comply with in practice. A civil servant says, “*To put one’s foot down or choose not to participate is more theory than practice*”. Along the same line, another civil servant says, “*Most civil servants would consider the action to put one’s foot down and not participate as equivalent to start writing your own dismissal notice*.” Again, it seems that this has changed within recent years. A civil servant explains: “*When I was younger, I clearly stated if I disagreed with the content in a case file and refused to have my name on. This is not the case anymore*”. In general, it seems necessary to follow orders, and thus, act loyally towards your superior. A civil servant puts it this way:

My experience is that you cannot do anything but what the management has decided must happen. To put one’s foot down is not an option, since it would result in enormous trouble.

Another civil servant reflects on the culture in the state administration. He says, “It is not part of the culture in the state administration to go against the wishes of your superior”.

The reason why it appears to be almost impossible to enact this coping strategy by the lower ranking civil servants may also relate to the fact that it is conflicting with another demand towards the civil service: obedience to the political leader, in this case the minister. A civil servant says,

As a rule, you cannot refuse carrying out the task you are instructed to. You can say, you do not want to sign the document personally and you can journalise a document in the records describing why you do not think the decision taken is correct, who you told it to, and what their reaction was; if possible with a signature from a colleague.

To write a note and make sure that it is journalised on the case; seems to be the most dominant coping strategy among the civil servants. Written comments may include the civil servants reservations regarding the content of the case or it may include the direct political order from either the minister or the management in the administration. The salient point is that the comment is in writing and may be either a written note, a sent or received email. This strategy appears to have gained ground among lower ranking civil servants, since it makes sure that they can document their own role, if the case later on becomes a scandal. Thus, they feel they can protect themselves if the balance tips too much towards the political wishes on behalf of the professional norms.

However, one civil servant is aware that this strategy is a purely individual strategy to protect the single employee. He says,

I would always make a written note including my own assessment, my recommendations regarding the case, and the direct order from my superior and make sure the note appears in the case file. Then we can only hope for the management to regard my note as covered by the Access to Information Act granting access to public documents, if someone requests access to information.

Thus, he is aware that many briefs are left unread in the administration's records unless someone demands the right of access to information. Hence, the "write a brief-coping strategy" is a strategy, which solely aims to protect the individual civil servant if the neglect of professional norms hits the news media or others with the interest in a particular case.

In the following we will unfold hierarchy as an organisational phenomenon with an extreme importance when we want to understand the meaning of politicisation and coping among lower-ranking civil servants. We will especially focus on the interplay between voice and loyalty.

Hierarchy

The organisational hierarchy seems to play an important role when we want to understand politicisation among lower ranking civil servants. Several respondents emphasise the hierarchy as a crucial dimension when we want to understand politicisation. However, the role of the hierarchy is ambiguous. Some civil servants describe the hierarchy as something that protects them, where others men-

tion the hierarchy as something that creates an enormous pressure on the lower ranking civil servants when it comes to politicisation.

We begin by looking at *the hierarchy as a protective factor*. Several civil servants emphasise the subordinate relationship that lower ranking civil servants have to their superiors, whether the superior is the management or the minister. This is the subordination they refer to when accepting a high degree of politicisation, even if they believe that their professional norms are violated. Thus, loyalty may be seen as closely connected to the hierarchical form of organisation. Hierarchy is enhanced as something that creates legitimacy in the organisation when it comes to political decisions, since it is a political organisation where the minister should be in control and civil servants obey. Hierarchy is also seen as a protective factor simply because someone above you has accepted the degree of politicisation and, thus, may be held responsible for it. A civil servant says,

Since I am employed in a very hierarchical organisation, I fully accept my superior's right to make decisions in which I disagree. In most cases, I consider my job as well done if I make sure that the relevant arguments and facts are communicated to my superiors in a professional justifiable way.

Other civil servants regard hierarchy, not as a protective factor, but as an organisational mechanism that creates an *enormous pressure* among the lower ranking civil servants. A civil servant explains:

Putting one's foot down in front of your superior require courage and a lot of self-confidence, especially because there is often put a lot of pressure on your own superior from the top level of the organisation. Lower ranking civil servants need to obey; you can raise a slight professional concern, but I had rarely experienced that this had any effect, if the matter is politically high-profiled, and the minister or the stakeholders are exerting pressure.

Another civil servant says, "*You do not have a strong voice when your position is in the bottom of the hierarchy*". And: "*As lower ranking civil servant it is extremely difficult to oppose a decision from the top, even if you are a lawyer and find a lack of sufficient legal basis*". As a civil servant, you are supposed to follow orders and remain loyal to the political leadership in the organisation. Thus, *loyalty* is a demand, which manifests itself through hierarchy; and this demand for loyalty strongly influences voice as a coping strategy.

The hierarchal form of organisation, thus, contribute to shed light on the fact that the coping strategy "to put one's foot down" is an action considered to have no effect at all. A civil servant explains:

will always make a remark to my superior, if there is a potential problem in a matter, but because of the hierarchy-based case flow, I often experience that such remarks are not passed on and therefore do not appear in the final case, and if so, not in a comprehensive form. Naturally, the head of office can have his/her own reasons for focusing on special parts of the remarks. Although it often depends on the specific people involved, I often experience the mid-level managers interpret the technical advice in a way that pleases their superiors and is not quite in line with my professional assessment.

Another civil servant describes the hierarchy contrary to what one would think if we look at the work of Max Weber, as a system where it is transparent who has the responsibility for any decision. Instead, the civil servant describes the hierarchy as “a big filter”. He says,

No matter what you write as a specialist, it is altered on the higher ranking levels before it is passed to the department. You do not have any influence over that. I have also experienced that one of my briefs circulated for nearly two years between my specialised unit and our responsible assisting general manager. The brief was informing the minister that our Agency was not actually acting as promised in the explanatory notes to a Bill. The brief has now been shelved.

Along the same line of argument, another civil servant states:

It is a challenge for me as an expert, when the strict professional assessment from the units are being filtered out as the case moves up in the system so that the professional assessment is not even presented for the minister and his/her Permanent Secretary. We feel an increasing pressure for presenting cases with an approach, which in our professional view is contrary to the aim of the law. Because of the hierarchical processes for ministerial cases, you risk losing the expert knowledge on the way. It is not possible to pass on the professional warnings to the final decision makers.”

Several civil servants enhance the management as the main problem if the politicisation is taken too far on behalf of professional norms. A civil servant says,

In my opinion, the management of public organisations is generally willing to go very far in order to satisfy the politicians – even though the legality and accordance with professional norms are NOT in order. The politicians know too little and deal too little (due to frequent substitutions of ministers) with the substantial aspects of their area of

responsibility. Even though they obviously need to pursue the government policy, it should not be based solely on the need for pleasing the industry, the people or interest groups. There ought to be a legal and professional basis for decisions, and it is inappropriate that public agencies etc. are involved in what is in fact an extended election campaign.

In addition, it seems that the demand for political responsiveness comes from higher-ranking civil servants and not necessarily from the minister. A civil servant explains: *"We experience that the pressure towards choosing particular solutions often originates from the top of the department, and not from the minister himself."* Along the same line, another civil servant says,

We never receive so clear statements as described in the presented fictitious dilemmas – it happens in a much more disguised and subtle way. Everyone tries to guess/interpret what the wishes of the minister are, consequently, there is no need for neither the minister or the Permanent Secretary to declare explicitly the desired result. If, however, the desired result (which you have to anticipate) is not provided, it is instantly criticised.

The demand for political responsiveness is experienced as a pressure. A civil servant says, *"The end station of the pressure is the bottom of the hierarchy"*. Thus, the hierarchical structure is important. A civil servant says, *"In most cases, you have to obey because we work in a strict hierarchy with top-down management."* And he continues,

Basically, a civil servant only have the option of calling attention to potential concerns. If these concerns are not taken into account you simply need to keep up appearances or quit the job, not necessarily immediately but over a period of time. You do definitely not win points by stating that a specific decision is not possible or does not have sufficient legal basis or conflict with central administrative law principles. Whereas I many years ago acted in a legally based and bureaucratic civil service, we are now working in a very political and solution-oriented environment, where legal considerations are not any longer a natural prerequisite, but rather seen as a disturbing and formalistic element.

Thus, the role of the hierarchy is described as somewhat ambiguous. Some see hierarchy as a mechanism that ensures accountability; others experience the hierarchy as a filter. Some see hierarchy as protective of lower ranking civil servants; others see it as the main mechanism creating pressure among the lower

ranking civil servants. The latter also questions whether the management is held responsible in case of a political scandal. A civil servant says, *“The cases are subject to major revisions; however, you are still registered as the responsible civil servant in the records”*.

Another civil servant explains that being a lawyer in the ministries can be hard. He says,

I experience, however, that my profession is in a somewhat bad standing. There seems to be a common understanding of the lawyers being the reactionary guys, who always says ‘no’ and who are not able to take politics in to account. My colleagues and I are actually very frustrated and often talk about these issues, when our non-legal superiors are not present. However, it is a difficult balancing act, while it is always the lawyers who are put under pressure in order to distort the EU law and compromise on the Constitution, when a political initiative has to be promoted. How do you for instance answer your superior, when he/her for the third time states that it is not a question of whether a certain initiative can be realised, but rather how to arrange it?

Discussion

Functional politicisation is part of every-day life in Danish state administration. Government policy is present in every task carried out by the civil servants and is regarded as an integrated part of the work life in a modern bureaucracy. Thus, civil servants describe politics as something that permeates the organisational culture in the entire state administration and it is, thus, impossible to escape politicisation. This is noteworthy the case in spite of the fact that we specifically concentrate on statements from lower-ranking civil servants. Thus, the intermixture of politics and administration is not reserved to the top layers of the civil service; on the contrary, it seems to be a fundamental working condition even in the outermost positions of the administration.

Only when it comes to specific case handling, politicisation is regarded as illegitimate. Civil servants, however, describe how politicisation may occur even in these type of cases, through political motivated discriminatory practice (or differential treatment), for example when a certain type of cases is prioritized and, consequently, handled before other cases without political attention.

Spin is seen as unavoidable, which is, shaping and presenting the facts in a way that is favourable for the minister. Some even characterise this part of the job as profiling or branding the minister.

Some civil servants perceive politicisation as unproblematic and feel protected by the hierarchical structure in the state administration. They acknowledge that politicisation is part of the every-day life in the administration, but do not feel adversely affected by it, since superior civil servants are the ones that take

on the entire responsibility for the work carried out. In this way, some of the civil servants use hierarchy in their internal justification as a coping strategy.

However, other civil servants experience that politicisation puts pressure on their neutral competence, and feel that government policy is too large a part of the work carried out. Still, the voice coping strategy is not experienced as a relevant coping strategy, at least not in the literal meaning of the word. Firstly, to put ones foot down is regarded as equivalent to not doing your job. Some civil servants describe politicisation as an integral part of the job in the central government and, it, thus, seems impossible to say no. Secondly, to put ones foot down, would create too much of a hassle. Thirdly, to put ones foot down seems meaningless, since it is believed to have no effect on the practices in the administration. Civil servants describe the hierarchical structures as a filter that discards any critical comments or reservations. Often, critical comments get no further than the head of office-level in the hierarchical structure. Else, the top management discards critical comments. In either way, critical comments do not reach the minister. Consequently, the civil servants feel that they are left with only two possible coping strategies. Either you can use an exit strategy in the sense that you can quit your job or you can leave a written note in the case file stating the reservations you may have as a civil servant.

This last mentioned strategy, leaving a written note in the case file, can be characterised as a sort of life insurance of the individual civil servant at risk of being accused of maladministration later. You could argue that this is also a coping strategy in the form of voicing, even though the reservations and concerns are not actually communicated, and most likely will remain unknown. After all, the civil servant does not obey just like that but feel so uncomfortable with the situation that he/she produces a written note. However, seen through Hirschman's theoretical lens, there is an interesting difference between the two situations, which we need to emphasise. Hence, voicing in the form of only producing a written note is apparently not functioning as a way of hindering maladministration or even illegal actions. Not even does this kind of coping strategy call attention to a potential danger for the superiors or the organisation as such.

The fact, that it seems meaningless 'to put ones foot down' or 'say no', suggests that a more classical perception of "voicing" is not seen as relevant because of the strong hierarchies and an intensified politicisation. This also challenges a common belief associated with the merit-bureaucracy. In a merit bureaucracy like the Danish, formal politicisation is absent and politicisation is functional. However, functional politicisation should be linked to the possibility for the civil servant to say no or put his foot down if professional competences are violated, which is also stated in the newly published Danish Codex on civil servant norms. To ensure democratic legitimacy, the loyalty of the permanent civil service should reflect a 'constrained partisanship' meaning that civil servants should not deliver pure partisan advice (Husted & Salomonsen, 2014: 750).

Thus, it is arguable that functional politicisation is necessary and part of a legitimate democratic, political system (Mulgan, 2008). However, if professional competences are systematically neglected on behalf of political considerations, it

undermines the legitimacy of the political system. The civil servants describe how politicisation is permeating the entire state administration and several of the civil servants feel that the political aspects of case handling have overruled neutral competency and professional competency.

Conclusion

The empirical material suggests that it is far easier to depress the pedal than to pull the brake. These conditions may be problematic, since it is a prerequisite to the functional politicisation in a merit-bureaucracy that the civil service is able to pull the break. The integrated advice means that the civil service must ensure both political responsiveness and ensure professional standards, legality, and truthfulness.

Moreover, these findings also question the applicability of the codex VII as an effective lifeline in dilemma situations. As already mentioned, it is a recurring point of the codex that the civil servants are obliged to put their foot down and say no, if they are ordered by their superior to carry out unlawful actions or disseminate incorrect information, at least if the unlawfulness seems to be obvious. Accordingly, the response categories of the survey operate with precisely this focal point: The responding civil servants were asked if they would assist in the problematic action by choosing one out of four alternatives; a) Yes, without reservations b) Yes, but I'll raise my concerns/reservations to my superior c) Only after a direct order, and I'll in definite terms warn my superior d) No, I'll definitely put my foot down and refuse to assist.

However, our analysis suggest that these are not perceived as relevant strategies for the lower ranking civil servants. This is not so, because the civil servants need to learn or refresh the norms outlined in the codex, but because the hierarchy and the functional politicisation mechanisms are perceived as too substantial.

Hence, our study suggests that we need to study mechanisms of functional politicisation much more carefully – also at the lower levels in the organisational hierarchy. Furthermore, our study proposes that hierarchy as organisational form holds the key to understanding the complexity of mechanisms of functional politicisation in moderns merit-based bureaucracies.

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