



Non-Professional Director Generals in the Israeli Government

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This paper takes a close look at the personal rather than professional appointment of director-generals to government ministries, examining the inherent shortcomings of the institution in its current form: (1) the position is often filled by people unsuited to the job; and (2) director-generals do not have the necessary authority to properly fulfill their role. These issues are related, since suitable candidates are discouraged from a position that does not have sufficient authority, while the system self-corrects and reduces the authority of unsuitable director-generals. Recommendations are provided for moving to a different model adapted from the UK or France.

The **first chapter** gives the historical background, and **the second** illustrates the situation with two examples of non-professional Director-Generals.

The **third chapter** demonstrates the ways in which the system compensates for the professional deficiencies of the director-generals, mainly by limiting their authority.

The **fourth chapter** describes the typical ministry led by a non-professional director-general with limited authorities.

The **fifth chapter** evaluates the current situation, and **the sixth** points to two possible models to adapt to Israel: the British and the French.

Summary

In Israel, elected ministers have the authority to appoint a director-general to head their ministry. These director-generals are tasked with managing the entire ministry and carrying out the minister's wishes. The director-generals' legal status was discussed several times in the Knesset during the 1950s, and ultimately regulated in the provisions of the Civil Service Law 5719-1959, and in the regulations of the Civil Service Regulations (known as the "Takshir" - תקשי"ר).

Director-generals are mostly appointed on the basis of personal loyalty, and like the ministers, usually serve temporarily and are not necessarily knowledgeable in the professional work of their ministry. The existing appointment mechanism in the Israeli government allows ministers to independently choose only one employee with a high salary and matching conditions. Thus, ministers who wish to bring in at least

one loyal aide to the ministry, have no choice but to use the director-general position for this appointment.

Since the state's establishment, ministers have tended to appoint friends and political partners as director-generals of their ministries. Despite this making sense from a governance point of view (in that they can be trusted to stay loyal to the elected representative's agenda), they tend to be little suited for the position from a professional standpoint. Most government ministries are very complex, and managing a complex system is not learned in a day. Even in those rare cases where director-generals are appointed from among the ministry's employees, they need several months to learn the position.

The second and related major issue is how the system appears to compensate for this deficiency by preventing the director-generals in most ministries from exercising full authority. Director-generals' ability to manage their ministry is undermined in three ways:

1. Multiple senior officials are not subordinate to the director-general: There are approximately 120 senior positions in the Israeli government, in addition to the director-general, the appointment of whom is made directly by the government. These positions include a wide range of roles, from the IDF's Chief of Staff to the Ministry of Health's Ombudsman, and the appointees are usually professionals, mitigating the director-generals' lack of expertise. However, this phenomenon also impairs their ability to manage their ministry. In many cases, government appointees manage a quasi-sub-ministry of their own, only partially connected to the ministry under the director-general's control. A prominent example of this situation is the Ministry of Finance. Two of the Ministry's most important units operate outside the director-general's authority: The Budgets Department is managed by the independent Budget Commissioner, and the Accountant General's Department is managed by the independent Accountant General. How can the director-general of the Ministry of Finance be expected to manage the ministry when these two officials (in addition to others) are equal in rank and terms of service and professionally more important?
2. Some of the Ministries' authority is expropriated: Every government ministry has three central units: the financial division, responsible for finances; the human resources department, responsible for personnel; and the legal advisor's office, responsible for legislation and regulation. All three of these units are headed by officials who are to some extent beholden to an entity outside the ministry - the finance officers are defined as employees of the Accountant General and are guided by his or her instructions; the administrative deputy director generals, who manage the ministries' human resources, are guided, in practice, by the Civil Service Commission; and the legal advisors are, to all intents and purposes, completely subordinate to the authority of the Attorney General and the AG staff.
3. The director-generals' authority is limited: The Civil Service Law does not define the scope of the director-generals' authority. And although many provisions in the Civil Service Regulations emphasize the director-generals' status as the ministries' senior officials, there is no clear and unequivocal definition of what such status entails. The Civil Service Regulations do

include a precise and detailed definition of the authority of the administrative deputy director-generals, stipulating that the Civil Service Commissioner shall intervene in the case of any dispute between director-general and deputy. The practical result of this is that director-generals have only partial authority over human resources management and the routine operations of their ministry.

This system of ministry management, in which the top bureaucrat is (i) not necessarily professional, (ii) nominated from outside the system, and (iii) has limited authority, is typified by decentralization of authority, decentralization in policymaking, and concentration of management in the hands of the ministers. This imposes operational demands on ministers, distorting their priorities: they must devote time and attention to daily activities and the routine nuisances of managing a large organization - meetings with workers' committees, filling specific positions, conducting tenders etc. This phenomenon might seem positive as hands-on involvement, but it harms real governance. Ministers should be free to deal with the general direction of their ministries and to make broad economic, social, and policy decisions, as well as tend to their other responsibilities such as government committees, legislation as MKs and interaction with voters. Ministers' management style will also tend to be more influenced by political considerations and aimed at immediate achievements and actions that are easy to explain and justify. They will also tend to grant their subordinates a large degree of latitude, mainly due to lack of time. In contrast, public officials may apply long-term considerations and be less responsive to pressures from the general public, as well as be more meticulous about employees' actions and small details.

Indeed, despite the existence of short-term inefficiency, it is the absence of long-term vision that is the more problematic issue. Government ministries should ideally plan for the long-term, but most government ministries suffer from a managerial void. Ministers can, of course, think long-term and some do, but the political environment in which they operate does not encourage it, while the senior officials are busy managing the ministry day-to-day and may neglect long-term planning. The best position for formulating and overseeing long-term policy is precisely the one characterized by unsuitable appointees and limited authorities.

Recommendations:

There are two possible approaches to improving the existing director-general system. The first focuses on the institution itself, empowering it to more efficiently run the ministry by both locating better suited candidates and extending its authority. The second looks to "bypass" the issue of the director-general and provide ministers with a team of professionals. These two approaches are not contradictory; it is possible to adopt both together in some form. Two overseas models of ministry management can guide the way for each:

1. **Adapt the British model** of the "permanent secretary": First, improve the appointment process with a simple and effective measure: Director-general appointments should require the approval of the Civil Service Commission, with its deliberations open to the public. This will not completely prevent the appointment of non-professional director-generals, but it can lead to a change

in the type of director-generals proposed by ministers. Additionally, the salaries of director-generals should be raised above the salaries of other officials in their ministry, thus affording them some measure of prestige. The third step, more difficult to execute, would nonetheless contribute greatly to director-generals functioning more effectively: subordinating the three senior ministry officials - the financial officer, the administrative deputy director-general, and the legal advisor - to the director-general.

2. **Adapt the French model** of *ministerial cabinet* (and *cabinet de directeur*): The ministry should make available to the minister a team of senior employees who are knowledgeable about public administration in general and the intricacies of their specific ministry in particular. These employees will be released from their regular duties for the period of their service in the minister's office, while retaining the option to return to an executive position in the ministry at the end of it. This team will focus on creating regular and effective contact between the minister and the ministry's senior professional civil service, and will also be responsible for formulating long-term ministry policy that aligns with the minister's positions. Although the recommendation is for the minister's team to be based on experienced employees from within the ministry, it is possible to incorporate the recruitment of several suitable employees from outside the ministry and integrate them into the team.

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