Executive Decision-Making: Challenges, Strategies, and Resources

Adam Moscoe

Executive branches of government are exercising increased control over decision-making, using a wide range of strategies to develop policy preferences and oversee their implementation. Canada, for instance, has seen a steady presidentialization of its parliamentary system, characterized by a heightened centralization of decision-making in the Prime Minister's Office. The first part of this paper identifies a number of the cognitive biases that impede sound decision-making by the executive and examines two demanding, yet effective, strategies – multiple advocacy and the use of honest brokers – for mitigating subsequent distortions. The second part of the paper discusses challenges to effective policy implementation in light of the systematic disconnections between the executive and the public service. Finally, the merits of political patronage appointments as a means of mitigating these challenges are discussed.

Executive branches of government are exercising increased control over decision-making, using a wide range of strategies to develop policy preferences and oversee their implementation. Canada, for instance, has seen a steady presidentialization of its parliamentary system, characterized by a heightened centralization of decision-making in the Prime Minister's Office (PMO).[1] In a democracy, decisions are not made in a vacuum, and the executive must work to overcome numerous political and institutional challenges in order for decisions to be fully and properly implemented. As decisions are increasingly attributed to a single elected official, it is more important than ever to identify, and develop ways to mitigate, the cognitive biases and distortions that are likely to influence heads of governments by sheer virtue of their human fallibility. Absent some form of intentional intervention, democratic systems do not naturally allow for the exact implementation of executive decisions due to communication breakdowns – familiar to anyone who has ever played a game of 'telephone' – and indirect reporting structures between elected officials and bureaucrats. This paper will address the challenges presented by decision-making biases, particularly with respect to the implementation of executive decisions, and will enumerate potential strategies for resolving these challenges.

Adam Moscoe is an M.A. candidate in Public and International Affairs at the University of Ottawa. He can be reached at amoscoe@uottawa.ca or on Twitter @AdamMoscoe.

Cognitive Biases Impeding Sound Decision-making by the Executive

When complex policy decisions are made by individuals, regardless of the strength of their mandate from the electorate, biases are likely to cloud deliberations and impede logical reasoning. Biases are defined as "cognitive and motivational phenomena that lead individuals to systematically make sub-optimal decisions in terms of their experienced utility."[2] The implications of these sub-optimal decisions can be grave, particularly when the domestic agenda is filled, as it typically is, with issues of critical importance to the lives of citizens, such as health, security, and environmental protection.

In addition, the biases that affect a decision-maker are not just internally determined, but are also influenced by multiple stakeholders, who work simultaneously to advance their own interests. Decision-makers must negotiate these often competing agendas. They cannot make a decision that reflects some aggregate or average calculation of these interests, but rather they "must make distributional judgments that promote some people's welfare at the expense of others."[3]

Moreover, unlike weather reporters who make repetitive predictions and receive timely feedback on their precision and reliability, policy-makers must constantly make new decisions in an environment of incomplete information and inconsistent feedback, qualitatively and quantitatively speaking.[4] Decision-making occurs on multiple cognitive planes, ranging from a reliance on "intuitive, unconscious, automatic, fast" decision-making to a full engagement of analytic, conscious, and relatively slow decision-making.[5] The latter system requires a set of skills, such as statistical analysis, that many decision-makers lack. Cabinet ministers may have at their disposal statistics experts within the public service, but when these experts deliver conflicting, yet, equally valid recommendations, the leader is ill-equipped to decide which recommendation to endorse.

As a result, many leaders resort to intuitive decision-making. This leaves them vulnerable to the following distortions:

- First, the affect heuristic applies when "judgments of risk are often based more on intuition than on dispassionate analysis."[6] President George W. Bush, for instance, referred to himself as a "gut player" who follows his instincts in making decisions.[7]
- Second, leaders may be unwilling to consider divergent opinions or options due to a combination of the following proclivities: (a) overconfidence; (b) motivated skepticism – the tendency not to criticize arguments that support one's existing beliefs; (c) the "gravitational force of prior commitments" made to allies, interest groups, and the like; and (d) the confirmation bias – the tendency to seek information that reaffirms one's beliefs or justifies their preferences.[8]
- Third, leaders may make sub-optimal decisions when presented with too many options. Having too few options can produce similarly poor results. A careful balance is thus required between too many and too few options.[9] In addition, these options must be feasible, and must not be the sort of options that a leader would likely dismiss at first glance due to potential political quagmires or difficulties in 'selling' the policy to constituents in the public sphere. When the United States military presented President Barack Obama with a set of options with respect to the proposed troop surge in Afghanistan, he responded: "You guys just presented me four options, two of which are not realistic…That's not good enough…You have essentially given me one option."[10]
- Fourth, present bias, is the tendency to make decisions based solely on short-term considerations. These decisions are often related to election cycles, the semi-regular periods wherein all leaders in democratic societies are held accountable for the decisions made during their term. A related tendency is to opt for inaction due to the immediate costs associated with the contrary.Here the decision-maker neglects considerations of "future benefits or the future costs of inaction."[11] The question is how much long-term visioning the decision-maker and his or her political clock can bear with respect to a given policy issue.
- The fifth distortion is of a social rather than cognitive nature. Commonly termed "groupthink," it is characterized by a "group's premature convergence around a course of action without adequate analysis…a disorder of highly cohesive groups, exacerbated by ideological homogeneity, authoritarian leadership, and insulation from outside influences."[12] Groupthink is a growing concern in the context of such phenomena as the presidentialization of the parliamentary system, a system wherein the prime minister's closest advisors are those most loyal to – and most likely to express agreement with – their leader.

Combating Decision-making Biases Through Multiple Advocacy and Honest Brokers

Unless measures are taken to mitigate their effects, these five distortions may cause leaders to endorse a policy that is attractive in the short run, but that fails to consider alternatives which may more adequately meet the needs of various stakeholders in the long run. A plethora of solutions are available to address these fallibilities and guide policy-makers towards more rigorous forms of analysis to make their recommendations. In order to overcome initial barriers, decision-makers and their loyalists must engage in an open dialogue surrounding "their factual assumptions and the complexity of their values."[13] Only then is it possible to make decisions using "debiasing" strategies that replace intuition with rational analysis. The strategy of multiple advocacy most effectively mitigates the five fallibilities, and the use of honest brokers is one way to manage the resulting deluge of conflicting information. A system of multiple advocacy is designed such that advisers to decision-makers representing different points of view, or advocating different policy options, are given fairly equal opportunities to make their recommendations. As Mel Cappe, former Clerk of the Privy Council, suggests, the best source for this range of ideas is the public service, which not only produces ideas, but also filters ideas emanating from the private sector, civil society, and the international arena. The challenge is to compel the executive to be "demanders of ideas" in an increasingly centralized system.[14] After all, lending an ear to multiple advocates does not require decision-makers to thoughtfully consider each alternative presented.

Multiple advocacy effectively integrates several

Owen Egan

Mel Cappe (left), pictured here with former Prime Minister Joe Clark at the McGill Institute for the Study of Canada's event "Public Policy in Crisis?", suggests the public service is best placed to provide executive decision-makers with a range of policy options and to filter ideas emanating from the private sector, civil society and the international arena.

debiasing strategies, including "awareness of biases; knowledge of probability, statistics, and empirical methods; [and] formal procedures that require considering opposite viewpoints and justifying one's conclusion."[15] With multiple advocacy, it is not sufficient for a decision-maker to be presented with a set of alternatives. Rather, the executive must be "consciously structured so that the representatives of different alternatives [possess] similar intellectual and bureaucratic resources."[16]

Yet, the systems that currently develop and funnel policy advice in the U.S. and Canada do not meet the above requirement, since Cabinet secretaries and White House staff do not have equal access to the president, just as deputy ministers and PMO staff do not have equal access to the prime minister. Furthermore, there are hierarchies within the executive staff, and the chief of staff does not typically present to the leader dissenting views from among his employees. According to Ralph Heintzman, a former Assistant Secretary to Cabinet, the same may be said of the Clerk of the Privy Council, whose briefings to the prime minister are rarely balanced displays of impartiality and do not typically encompass the full range of views expressed by leaders and advisors throughout the public service.[17]

Presidents Barack Obama and Dwight Eisenhower are unique in demanding multiple advocacy and resisted groupthink by encouraging "devil's advocates" to voice their opposition to an emerging consensus, and by approaching advisors individually to solicit their independent opinions in confidence.[18] Eisenhower recognized that even if his staff spoke freely, they would not present the full range of alternatives due to their ideological synchronicity. As such, he encouraged debate between "all of the people who have partial and definable responsibility" in relation to the subject of the decision.[19] Such debates would often play out in front of the president, a practice continued by Obama. For example, in deciding whether to try alleged terrorists in civilian courts, Obama observed a debate between his advisors and the attorney general and his Justice Department staff.[20] In that case, the politically sensitive advisors were victorious over their legally-bound colleagues.

Multiple opinions are to be given equal consideration, but eventually the executive will engage in reason-based and value-based decision making, giving weights to the interests at stake, and selecting the option that optimizes these values.[21] In a demonstration of how multiple advocacy succeeds as a debiasing strategy consistent with analytic and conscious decision-making, it is helpful to contrast Obama's approach to decision-making with that of Bush, who, as noted above, relied on his "gut." In the Bush White House, a small number of like-minded individuals, loyal to the president, considered a narrow range of alternatives, leading to rampant groupthink.[22] It is important to emphasize that in spite of the utility of multiple advocacy with respect to wise decision-making, it represents a significant shift for

executive offices, where political staff are accustomed – "through the selective release and withholding of information" – to controlling the options that are presented to elected officials and to the public.[23]

Since multiple advocacy is time-intensive and can produce an overwhelming amount of conflicting information, some executives utilize honest brokers to sustain this approach to decision-making. An honest broker ensures that not only is a comprehensive range of options presented to his superior, but also that advisors have an equal degree of power and resources with respect to articulating their perspectives. Honest brokers do not act purely as liaisons between government departments and the executive – as do Deputy Ministers in the Canadian public service – but rather they "promote a genuine competition of ideas, identifying viewpoints not adequately represented or that require qualification…and augmenting the resources of one side or the other so that a balanced presentation results" and so that advisors have confidence their views will reach the executive, even if the political staff finds them less than palatable.[24]

Interestingly, Obama has chosen not to engage honest brokers, instead investing personal time and energy in assessing divergent opinions.[25] Intensive involvement by the leader will bring about the best results when using multiple advocacy, but it requires the leader to develop a detailed understanding of policy debates and to invest considerable time, thereby decreasing his availability for other tasks relevant to the leader's mandate, not to mention the never-ending pursuit of reelection. Obama's deep involvement contrasts with Bush's approach, which saw Vice President Dick Cheney – a powerful advocate, rather than an honest broker – steer policy-making.

An important question is whether it is possible to find a truly honest broker, someone whose personal agendas or loyalties will not skew decision-making. Chiefs of Staff are too concerned with loyalty and patronage, while Cabinet secretaries are too focused on advocating for their own line departments, and they rarely offer the cross-cutting advice needed to resolve issues that engage multiple parts of government.[26] In Canada, one could argue that the top advisors in the Privy Council Office – that is, those not competing for the top job as Clerk – would be best suited to serve as the prime minister's honest brokers, since they are senior, non-partisan public servants with experience in, and the ability to influence the work of, multiple government departments.

In sum, the social and cognitive distortions and biases to which humans are generally subject present significant challenges in a system wherein the political executive has increasing control over decision-making. Multiple advocacy, with optional support provided by honest brokers, represents the best strategy for overcoming these fallibilities.

From Decision-making to Policy Implementation: Broken Telephone

Once a policy decision has been made, a leader faces the challenge of ensuring his decision will be implemented by the public service. Though the public service is mandated to carry out the will of the executive, there is generally a significant schism between the political arena – the PMO and the ministers' offices it directs – and the permanent, non-partisan public service staffed by civil servants who often remain in their capacities regardless of the political party in power. This results in varying degrees of distance between policy-making and policy implementation – from frontline immigration officers exercising surprisingly bold discretion at the border,[27] to Crown corporation employees functioning without the direct oversight of the executive.

Eisenhower recognized that even if his staff spoke freely, they would not present the full range of alternatives due to their ideological synchronicity. As such, he encouraged debate between "all of the people who have partial and definable responsibility" in relation to the subject of the decision.

Leaders are therefore under pressure to ensure that the 'wish lists' of individual government departments do not inhibit sufficient implementation of executive decisions that affect multiple departments.[28] The prime minister and the appropriate cabinet ministers can articulate their government's positions on international trade priorities or the monitoring of telecommunications metadata by the Canadian Security Intelligence Service; however, the executive is unable to supervise the precise implementation of its policy directions. Leaders of governments throughout

the world address this implementation challenge by appointing individuals to certain positions in the public service, often on the basis of their historic loyalty to the governing party. Political appointments – made through the Governor in Council in Canada – are a critical element of democratic systems and they are the "main patronage powers available to the prime minister."[29] These appointments often serve as a reward for years of partisan involvement, and therefore they attract talented individuals to become involved in the growth and professionalization of political parties, to the benefit of healthy democratic development.[30] However, patronage appointments are rarely without challenges of their own, especially when experienced public servants – subject matter experts and those possessing technical expertise in everything from tracking terrorist financing to administering biodiversity protection programs – find themselves reporting to new leaders who may lack familiarity with the policy issues or whose management styles or ideological orientations, may be vastly different from those who previously held these positions.

In examining the use of patronage appointments by the executive to gain control over policy implementation, the benefits and drawbacks of this strategy become more clear. Due to editorial space limitations, the internal dynamics within executive and ministerial offices, as well as the relationship between political staff and political appointees in the public service, will not be examined.

The norms underpinning political appointments processes in democratic societies vary widely. In Canada, during the 50 years following Confederation, incoming governments would commonly dismiss the majority of public servants hired by the previous government, and would offer these positions "to their own relatives, friends, and supporters."[31] While innovations like the Public Service Commission have overseen the establishment of a merit-based process for hiring the majority of public servants, there remains a cadre of senior public servants, as well as the heads of Crown corporations and regulatory agencies, whose appointment remains the government's prerogative.

Patronage gives democratically elected decision-makers greater confidence that executive decisions made in the fulfillment of their mandate will be properly implemented. Leaders have a right to ensure that public institutions are managed by competent individuals ideologically aligned with the elected government.[32] It is unlikely that a government department will exactly mirror the mindset of the executive; therefore, decision-makers have an interest in controlling the degree of discretion that can be exercised by civil servants. Four factors influence the degree of discretion utilized during policy implementation, including a lack of clarity in policy directions, the need for flexibility to deal with unique situations, a lack of monitoring leading policy-makers to be unaware of how a previously-authorized policy or program is being implemented, and a lack of direct control by policy-makers of policy implementers.[33] The political appointments process arguably addresses all of these concerns.

Research in the U.S. attributes the need for political appointments – and an increasingly sophisticated process for their coordination – to the fact that voters hold presidents accountable for the performance of the entire government.[34] Increases in the number of appointments tend to occur when an incoming government distrusts the public service and sees it "as a potential impediment to the implementation of its agenda."[35] Political appointees can impose changes that affect how career civil servants function, distancing government agencies from the status quo of a previous government. However, executives do not have an unfettered ability to increase the number of political appointments. Rather, this ability is stronger when legislators are unified – that is, when there is consensus between the executive and the legislature regarding how agencies should perform.[36]

Researchers are divided with respect to whether U.S. presidents tend to appoint loyalists to the government agencies most ideologically dissimilar from the president, or rather to those most aligned with the president's priorities.[37] Either way, political appointees improve the implementation of executive decisions and give leaders "an important source of leverage in the political system," allowing them to maintain partisan unity and attract the support of key constituencies and interest groups.[38]

However, there are disadvantages associated with a reliance on political appointees to ensure the implementation of executive decisions. First, they conflict with the third – and sometimes the second – of the fundamental principles underpinning the public service: loyalty, competence, political impartiality and independence.[39] Furthermore, an influx of political appointees serving for short terms inhibits the professionalization of the public service and hinders long-term efficiency.[40] Political appointees are also increasingly scrutinized by the public, and this causes disruptions to policy implementation.

The most important disadvantage of patronage is the trade-off decision-makers face between agency performance and control over policy outputs. There is a negative correlation between agency performance and increases in political appointees, and this is likely the main reason why most government employees are not political appointees.[41]

Even if an appointee is fully aligned with the executive's view, he or she may lack the competence to oversee policy implementation "in a complex management environment."[42] Appointees may, for instance, lack public management skills and the experience needed to engage in long-term planning while maintaining professional service and operational standards.[43] Even if they are well-educated and have amassed significant experience in the private sector, the aforementioned deficiencies will often prevent the successful implementation of executive decisions, which, as has been discussed, is the primary motivation for political appointments in the first place.

Fortunately for leaders, the increasingly educated and experienced workforce in places like Canada and the U.S. makes it easier to find loyal partisans qualified to lead government agencies.[44] Nevertheless, one reason why Canada, compared to the U.S., has a smaller ratio of political appointees to career civil servants is "the difficulty of the work, coupled with a relatively poor compensation package."[45] Research is beginning to shed light on appointment practices, yet much of this research is American-centric and also does not explain the circumstances in which certain factors guide specific appointments. After all, it is probably impossible for an appointee to be at the same time "loyal, competent, politically connected, representative of geographic and demographic diversity, and satisfying to important presidential constituencies."[46]

Some qualities will certainly triumph over others, depending on political factors and the relationship between the executive and the government agency in question. Moreover, how leaders choose to define competence and how they might weigh political experience against relevant experience in public management remain unanswered questions.

The appointment of political loyalists to government agencies is a time-honoured and often very effective strategy for ensuring executive decisions are implemented as intended. Patronage may, however, significantly weaken government performance, and thus decision-makers must strike an appropriate balance between ideological affinity and competence.

Notes

1 Peter Aucoin, Mark D. Jarvis, and Lori Turnbull, *Democratizing the Constitution.* Emond Montgomery: Toronto, 2011, p. 126.

2 Paul Brest, "Quis custodiet ipsos custodes? Debiasing the Policy Makers Themselves," in Eldar Shafir, (ed.), *The Behavioral Foundations of Public Policy*. Princeton University Press: New Jersey, 2013, pp. 481-493.

3 *Ibid*. p. 483.

4 *Ibid*. p. 485.

5 *Ibid*. p. 483.

6 *Ibid*. p. 486.

7 James P. Pfiffner, "Decision Making in the Obama White House," *Presidential Studies Quarterly* 41:2, 2011, p. 249.

8 Brest, p. 487.

9 *Ibid*. p. 489.

10 Pfiffner, p. 258.

11 Brest, p. 489.

12 *Ibid*. p. 490.

13 *Ibid*. p. 487.

14 Mel Cappe, Guest Lecture: Democratic Governance and Public Management, Graduate School of Public and International Affairs, University of Ottawa, Ottawa, Ontario, October 21, 2013.

15 Brest, p. 491.

16 Pfiffner, p. 246.

17 Ralph Heintzman, "Renewal of the Federal Public Service: Toward a Charter of Public Service," *Canada 2020*, 2014, p. 9.

18 Pfiffner, p. 254.

19 *Ibid*. p. 246.

20 *Ibid*. p. 249.

21 Brest, p. 491.

22 Pfiffner, p. 259.

23 Eoin O'Malley, "Setting Choices, Controlling Outcomes: The Operation of Prime Ministerial Influence and the UK's Decision to Invade Iraq," *British Journal of Politics and International Relations* 9, 2007, p. 15.

24 Pfiffner, p. 247.

25 *Ibid*. p. 244.

26 *Ibid*.

27 Geneviève Bouchard and Barbara Wake Carroll, "Policy-making and administrative discretion: The case of immigration in Canada," *Canadian Public Administration* 45, 2002, p. 240.

28 Pfiffner, p. 252.

29 Aucoin, p. 139.

30 Lecture: Democratic Governance and Public Management, Graduate School of Public and International Affairs, University of Ottawa, Ottawa, Ontario, October 28, 2013.

31 David Johnson, *Thinking Government: Public Administration and Politics in Canada, 3rd edition*. Toronto: University of Toronto Press, 2011, p. 338.

32 *Ibid*. p. 345.

33 Bouchard and Carroll, p. 243.

34 David E. Lewis, "Presidential Appointments and Personnel," *Annual Review of Political Science 14*, 2011, p 49.

35 Luc Juillet and Ken Rasmussen, *Defending a Contested Ideal: Merit and the Public Service Commission, 1908-2008*, University of Ottawa Press: Ottawa, 2008, p. 125.

36 Lewis, p. 50.

37 *Ibid*.

38 *Ibid*. p. 56.

39 Lecture, Ottawa. October 28, 2013.

40 Johnson, p. 339.

41 Lewis, p. 50.

42 *Ibid*. p. 55.

43 *Ibid*. p. 59.

44 Johnson, p. 345.

45 Juillet and Ramus, p. 127.

46 Lewis, p. 57.