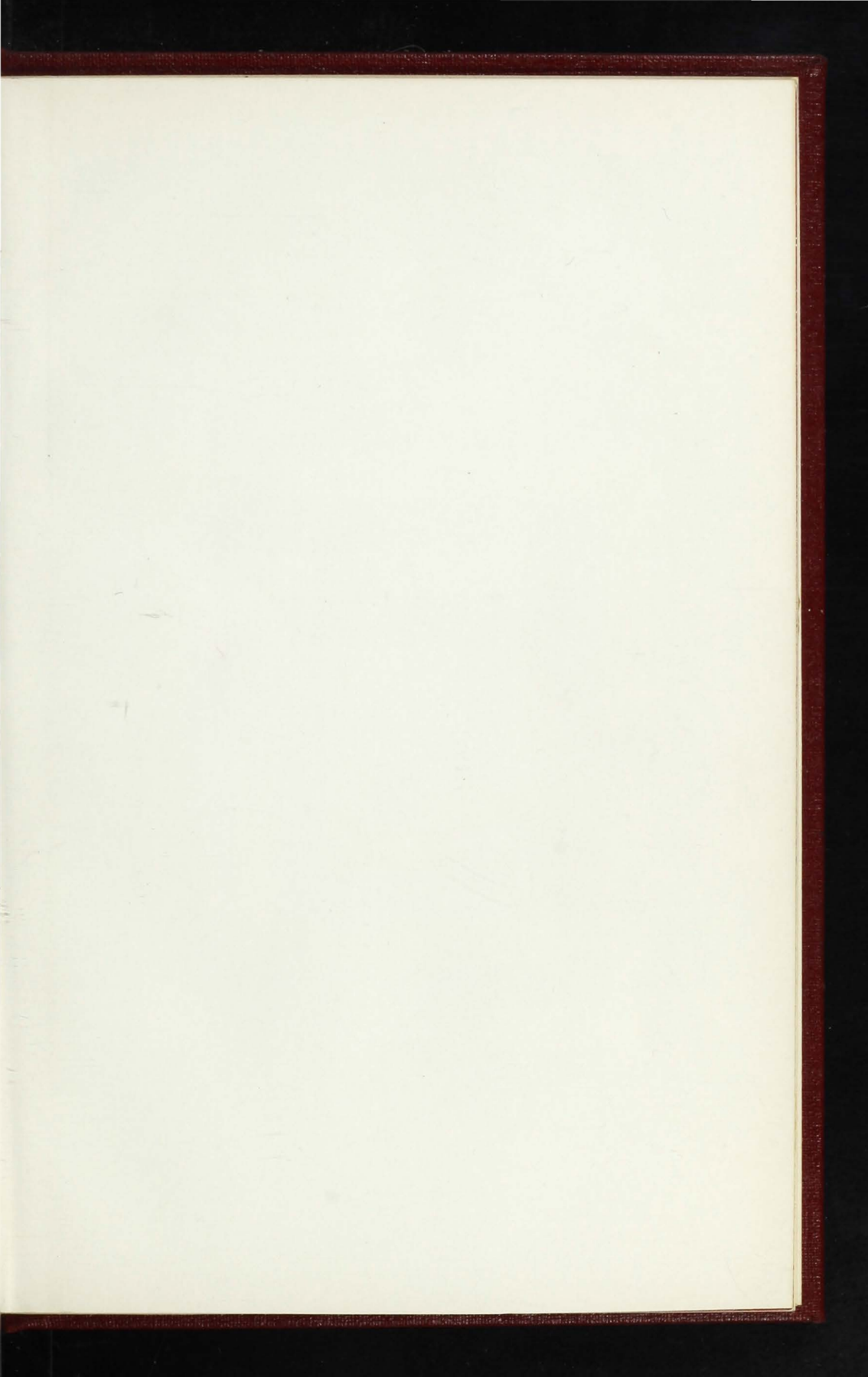




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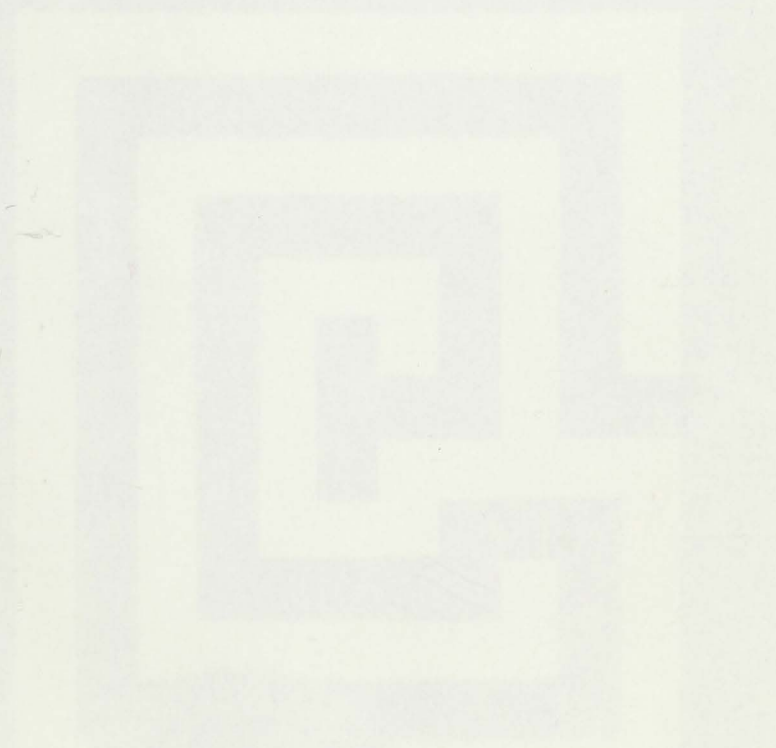
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# THE JOURNAL OF POLITICAL ECONOMY

Editor David Lipsey  
Volume 112, No. 1, February 2004





# making government work

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editor: David Lipsey

fabian tract 480

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## making government work

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This pamphlet, like all the publications of the Fabian Society, represents not the collective view of the Society but only the views of the individuals who prepared it. The responsibility of the Society is limited to approving the publications it issues as worthy of consideration within the Labour movement.

April 1982

Cover design by Dick Leadbetter  
Typeset by Range Left (TU)

ISBN 7163 0480 5 ISSN 0307 7535

Printed by Blackrose Press (TU)

Fabian Society, 11 Dartmouth Street, London SW1H 9BN.



# 1 Introduction

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This pamphlet was conceived in the immediate aftermath of Labour's election defeat in May 1979. The performance of the 1974-79 government eventually disappointed the electorate, and distressed Labour activists, who had invested their hopes in its success.

Practically before the door of Number Ten had closed on the new incumbent, an inquest was under way. It rapidly revealed a potential culprit. Labour's carefully worked out policies, the account went, had been systematically sabotaged by a conservative (if not Conservative) civil service, deploying the full range of "Yes, Minister" tactics to knock elected ministers off course. A future Labour government would need a different civil service, politically appointed in its higher reaches, to ensure that it was under stronger political control. And government had to become much more open, to enable outside pressures to be mobilised against the negative obstruction of the bureaucracy.

Like all political myths, this tale had an element of plausibility, mixed in with much that seemed exaggerated and absurd. The Fabian Society therefore decided to explore the subject further by setting up the Study Group which has produced this pamphlet. Its membership included former ministers; their political advisors in government; former civil servants and others with inside experience at various levels of seniority; MPs and academics. In the course of its work, it has consulted widely (though not systematically) with others with an interest in the subject. This report does not pretend to be a blueprint. Rather it is a green print, pursuing the analysis and proposing possible approaches, around which further discussion might coalesce.

As we proceeded, we found both that our thinking became more complicated

and that our subject was broader than we had expected.

The complication arose as follows. We began with the working hypothesis that another Labour government would come to power in the foreseeable future; and that its policies would in general be those most in the interests of most people. Since we began, however, most of us have become less certain of this prospect. Labour has assumed lock-stock-and-barrel a set of policies which do not seem well thought out to most of us. And this development has been accompanied by a serious drop in its electoral appeal.

## Objectives

These changes forced us to focus more closely on objectives. A reformer of our governmental system might want to achieve any or all of three objectives. *First*, he might want to enhance the effective power of elected politicians to determine what is done, in the light of their party's political objectives and priorities. *Secondly*, he might want, simply, *better* government – government which took its decisions rationally, on the basis of considered and varied advice, in pursuit of some identifiable national interest. *Thirdly*, he might emphasise the need for more democratic and accountable government, embodying the modern virtues of participation, consultation and openness.

These objectives can coincide; in particular, more democratic and accountable government could be better government; and the power of elected politicians may actually be enhanced by open government.

But, equally, the objectives may not coincide – and if they do not, designing one's preferred system becomes a good

deal harder. If you believe the purpose of government is quickly and ruthlessly to carry through a party programme, you will not be eager to ensure that the advice given to ministers is "objective" or varied. If you believe that change has a cost and therefore needs to be carefully managed, you will be less likely to want to ensure that ministers overcome a civil service described by Shirley Williams as "a beautifully designed braking mechanism". If you want to maximise democratic participation you should not then put too much emphasis on the sanctity of the programme on which a party is elected; people may wish to make new judgements as to what they want as time goes by and circumstances evolve. On the balance to be struck between these various objectives, we reached no collective view. What follows is an *à la carte* menu. Dishes will be found here to satisfy many tastes. But we do not claim to put forward a *table d'hôte* which will provide everyone with the balance they want in their particular meal.

As we discovered this complexity in our objectives, so too our agenda became wider. At first, we had focussed on the machinery of government, and discussed at length the strengths and weaknesses of the civil service machine. But, we found increasingly that we could not sensibly discuss the issues before us from so narrow a perspective.

For example, much which might appear at first to be civil service obstruction of ministers turned out on examination to be something different, with civil servants unsure about where their loyalty lay: to their departmental minister or to the government as a whole. If your minister wants an interventionist industrial strategy, but the Prime Minister and Cabinet adamantly oppose it, what are you to do?

So we found ourselves trespassing increasingly into such quasi-constitutional areas as the relations between Prime Ministers, Cabinets, ministers, civil ser-

vants and parliament. We have tried to avoid twin dangers. We have not focussed too narrowly – for example, into a detailed examination of the Civil Service Selection Board system for selecting civil servants, or into what functions should reside in precisely which departments. We have stayed clear of the subject of efficiency in government on which all remarks are either so generalised as to be without meaning, or so detailed as to require research in depth.

We have kept clear of border territory – local and regional government, for example, or the relationship between the machinery of government and the electoral system. But among the broader topics into which our discussion lured us, we have had necessarily to be selective, choosing those areas of greatest interest and significance. Chapter two examines whether we could reduce the clash of objectives, discussed above, by changes designed to improve the quality of the policies worked out by the parties in opposition. We conclude that there is a limit here to what mechanics can achieve. It is, in the end, a matter of political will. But we suggest modest reforms which could assist if that will were present.

Chapter three discusses the relations between a minister and his department. In part, this section is addressed to the problem of how ministers can effectively impose their will on the bureaucracy. But it is also about how the process of policy formulation and implementation within departments can be improved, in ways which lead to more effective and more democratic government.

Chapter four considers the all-important question of power at the centre of government, and especially, the power of the Prime Minister. It shows how the Prime Minister's power could be more widely dispersed, if that were desired, though it points out that it is not clear whether to do so would enhance or reduce the probability

that the government's programme would be implemented. At the same time, it suggests ways in which the structure of government at the centre could be reformed so that it performed its functions more effectively.

Chapter five discusses the relations between the civil service and the world outside Whitehall. Believing that civil servants' social and working contacts are too narrow, we propose ways of widening them; and we suggest methods by which countervailing power could be built up to counteract the influence of the major interest groups.

Chapter six develops a theme that runs right through the pamphlet, namely the need for more open government. We advocate this not just in the narrow sense of a Freedom of Information Act, but in broad terms, favouring a willingness to create and treat seriously genuine outside involvement in the policy-making process.

Chapter seven is a brief conclusion.

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**We seek to preserve the strengths of the existing system of government. It is coherent; it is not corrupt; it is fair between individuals and it counterbalances passing enthusiasms. But we went to add new strengths – a broader social awareness, a willingness to encompass radical thinking, and an ability to reflect adequately more widely defined objectives and perspectives.**

**Above all, from civil servants and ministers alike, we want to see a broad and generous openness, which makes real, in an age where deference is dear, the notion of government with the consent of the governed.**

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## 2 Improving Opposition Policies

One main cause of poor performance by governments is poor preparation in opposition. The statement "governments spend their last four years trying to correct the mistakes of their first year" has become, sadly, a cliché. Improvements here might reduce later tensions between ministers and civil servants. How, then, can the process of opposition policy making be improved? In particular, would it be right to create a Department of the Opposition, whose staff would include full time servants with access to Whitehall's stock of knowledge?

There are a number of ways in which

oppositions, particularly Labour oppositions, can become attached to inadequate or incoherent policies.

The *first* is political. At its crudest, a policy may be no more than a bribe – "free TV licences for pensioners". More subtly, a policy can be adopted in opposition not because it is the most desirable, but because it is the least unacceptable. Though compromise can be a virtue, it can also lead to a fudging which is exposed when the hard decisions have to be taken in government itself.

The *second* relates to machinery, and in particular the widely held view in the

Labour Party that Conference is sovereign. Conference resolutions are frequently strung together at the last minute from large numbers of proposals submitted. Conference can be confused even contradictory. Yet, if carried by a two thirds majority on a card vote, its "decisions" become part of the Party's programme. Even those carried "on the nod" are supposed then to determine party policy and condition the Party's thinking.

The *third* arises because there is no proper central co-ordinating machinery which can knit the various strands of policy into a coherent whole. The National Executive Committee (NEC) sets up a myriad of sub-committees with responsibility for particular subjects; they beaver away producing long and earnest reports recommending this, that and the other. At no stage is a proper attempt made to see how these policies relate, one to another. No systematic effort is made to identify gaps in the programme. And, worst of all, no one exercises the Treasury function. No one seriously attempts to cost the programme before it is adopted, and no one tries to say what must come first, and what takes a lower priority. (None of this is intended as a criticism of the party's research department, whose work deserves wide recognition).

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### **In preparing policy in opposition, no one exercises the Treasury function.**

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In as far as priorities are established, it is in the process of drafting the Manifesto, the Party's definitive statement to the electorate. The difficulty is that the modern Labour Manifesto is simultaneously trying to play another, politically more important, role. It is the document that sets out the terms of a truce, *pro tem*, between the Party's left, right and centre. The miracle

is not that the Manifesto is done well, but that it is done at all.

### ***A Department of the Opposition?***

The problems that cause Labour governments to take office with adequately considered policies are thus more political than technical, and such problems would not be resolved by the creation of a Department of the Opposition.

Some on our group had another objection to the idea of creating such a department. They believe that much of the trouble in Britain is that civil servants already have too much power to impede radical change. So many radical policies in government seem to get bogged down in the detailed question: will it work? how should the legislation be drafted? what would it cost? A Department of the Opposition would simply transfer this bureaucratic immobilism to a new field, and finally stifle all prospect of radical change. There is great force in all these arguments; sufficient to dispel any idea that a Department of the Opposition would represent a panacea. Indeed, there are incoherences to the notion of a formal Department of the Opposition. *First*, there would be a politically fraught question for Labour. To whom would it be responsible? To the Party's NEC and Conference? Would it work (as does the Conservative Research Department) for the Leader? The Shadow Cabinet? The Parliamentary Labour Party? There lies here a can of worms.

*Secondly*, there is the question of its relationship with Whitehall. "Department of the Opposition" bears a titular resemblance to "Department of the Environment", but presumably no one is suggesting that its representatives sit on internal government committees. It seems impossible that it would have access to confi-

dential government papers, though our proposals in this pamphlet for more open government should ensure that there is a good deal of factual and analytic material at its disposal.

Should its staff have access to the civil servants serving the government? Could they send their proposals for policy in a given field to the Whitehall civil servant responsible for that field for comment? There could be difficulties. The additional Whitehall workload would be substantial. The civil servant consulted would be forced to compromise his loyalty to his own minister, who might want to launch a political attack on the proposal.

And what would happen if the opposition which they served won the election? Would they then become the department of the new opposition, or would they go into government to help in the implementation of the policies which they shared in shaping? If the latter, it would undoubtedly represent an effective move to a wholly political civil service.

**So a full blown Department of the Opposition does not then seem a promising way forward.**

## Finance

At the same time, at a practical level, there exists a compelling set of arguments for at least increasing the resources available to the opposition.

Oppositions cannot help but make policy. In the House of Commons, for example, there are speeches to be made and nothing is less effective than a speech that proposes no alternative. In Committees, the detailed work of examining bills goes on. Often, there are commitments to repeal; then comes the question "and replace with what?"; an answer must be given.

Further flesh has to be put on the bones of the Opposition's ideological predisposi-

tions. "To help the deprived" – yes, but what precisely is proposed for the disabled, or the elderly or the sick? "To redistribute wealth" – but what wealth tax can we introduce that avoids the objections that have been levied against such taxes in the past? "Public ownership under democratic control" – how, *exactly* how? The more the answers are formulated in opposition, the less the danger that fraught ministers will get them wrong in government.

It is not always realised how slender are the resources devoted to this work. In Party headquarters, the Research Department has just 16 researchers. The Labour Opposition in Westminster receives £290,000 in the so-called "Short money" for advisers, about a dozen for the entire Shadow Cabinet. Individual MPs receive an allowance of £8,480 to cover secretarial and research assistance. That is all. Against the Whitehall bureaucracy it can hope to fight no more than sporadic guerilla warfare.

So there is a case for expanding these staffs. The simplest way of doing so would be to increase the "Short money", to enable all shadow spokesmen to have at least some advisory staff and to give them decent pay and conditions. Further down this road lies the option of full scale state financing of political parties.

To assist MPs, particularly opposition MPs, there is a strong case for expanding the services offered by the excellent, but hard pressed House of Commons library. We would like to see young civil servants seconded to work for MPs, which would both increase the effectiveness of the member, and strengthen Whitehall's knowledge of the political process. Some of the problems could be resolved simply by greater openness in Whitehall. At the moment, contacts between civil servants and opposition policy makers are at best intermittent and casual. The talks that take place between Whitehall and the opposition in the run-up to an election are broadly

confined to matters of the machinery of government, not the substance of policy. Many difficulties would be avoided if civil servants were instructed to meet and talk with party researchers and spokesmen, pointing out at an early stage the difficulties in what they were saying. The Prime Minister's office could also establish liaison with the office of the Leader of the Oppo-

sition as part of the machinery to achieve this.

At the end of the day, none of this will ensure that oppositions achieve power armed with carefully considered and coherent policies; we shall continue to live in an imperfect world. But if a few damaging and unnecessary commitments were avoided, it would be worth the modest investment necessary.

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### 3 Ministers and their Departments

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The election, let us assume, is won; bright-eyed and bushy-tailed (if a trifle fatigued after the campaign) ministers arrive at their allotted ministries. They will want to be confident about two things. *First*, that the civil service will implement the policies proposed by the government with enthusiasm and drive and in the sense in which they were intended. *Secondly*, that the civil service will give advice which not only is technically sound but will also reflect a concern to help the government achieve its objectives.

They may be sure, at least, that the conspiracy theory of civil servants working against radical ministers will not stand up. It is doubtful if the civil service as a whole has a conscious political position of its own to defend. A united government can rapidly secure the support of the civil service in carrying through major and sharp changes of policy, and a strong minister – with the support of the Prime Minister and his colleagues – can impose his will on the government machine.

The convention is that civil servants serve with total loyalty governments of any political complexion. They implement policies where these have been fully worked out. Where necessary, they advise the government on how to achieve its objectives – regardless of how far policies or objectives are congenial to civil servants or of how far they may differ from the policies and objectives of previous governments.

That said, even in principle, the notion of a civil service thus politically neutral and impartially efficient would be realisable only where there was relatively little ideological distance between the governing parties. This has been the case for most of the period since 1945. In practice, as will be described below, the civil service has not found it easy or possible to be wholly “neutral”. Moreover, it is likely to find it harder still if the present apparent trend continues of a widening gap between the positions of the two main parties.

Furthermore, the civil service has distinct ideologies of its own. Partly, no

doubt, this arises from long years of trying to solve difficult problems on resources which are perennially short – a limitation which elected politicians are much less ready to accept. But there are other, more subtle, reasons. Whitehall is staffed almost wholly with career professionals. Such an organisation inevitably develops its own culture, values, loyalties, relationships and objectives (which last includes the preservation of the previous items). These will not necessarily coincide with those of an incoming government.

*I think that the average highly placed civil servant has too little experience of being anything except a civil servant and too little knowledge of people outside the narrow group with which he ordinarily mixes in social affairs. I think he is caught too young, and tamed too thoroughly in the practice of a particular routine . . . he enjoys too much security, under conditions which tend to make him erect into an ideal the negative virtue of never making a mistake . . . he puts a high value on mere security and lacks all instinct for adventure . . . he shares with many other professionals the habit of clannishness and of feeling himself one of a corporate group on its defence against the rest of the world.*

G.D.H. Cole, 1943

The same is true of the component parts of the civil service. Each department thus develops its own ethos, and its own favourite policies. And this is reinforced by the fact that most officials spend their whole careers within the same department.

Departmental civil servants inevitably develop close working relationships with “clients” outside government – private companies, the professions and unions. They can come to see it as their duty to promote and defend those interests, whether against other departments or, sometimes, against apparently misguided ministers.

The senior members of the civil service, who monopolise posts responsible for advising ministers and for overseeing the implementation of policy, are largely “metropolitan” in professional experience, culture and attitudes. Few senior administrators have worked for any length of time outside London, or have any extensive experience even of other parts of the public service.

Two further factors have reinforced these in limiting the service’s responsiveness to ministerial issues. The post-war alternation in office of governments of only two parties, Conservative and Labour, none since 1945 (until the present administration) wholeheartedly radical in intent, has made it possible for the civil service to develop a policy stance somewhere close to the centre. This has been adaptable to different governments of the moderate left or right but not readily to radical changes in direction. Further, the service attaches great importance to ensuring that postings and promotions are beyond political influence. Consequently even in the case of posts of crucial importance to an incoming government, changes in staff are rarely made as a result of a change in the party in power. Ministers are not expected to concern themselves with staff movements in their own departments – though, it has to be said, these are rules of practice which the present government has been increasingly willing to flout.

No doubt perfect ministers could cope with such obstacles. But in real life, ministers have been limited in their capacity to cope. First, in any department, the minister

in charge is normally isolated. He has, at most, one or two personal non civil service advisers of his own choice. Even his junior ministerial colleagues will normally have been chosen for him by the Prime Minister. The PM may be much more interested in establishing a political balance than in considering the ability of a department's ministers to work together as a team. Thus the departmental minister stands in danger of being outnumbered and outgunned by the civil service.

Only part of the Minister's time and energy can be devoted to running his department and managing its policies. Most ministers act not only as the political head of the department (which itself involves representing the department in parliament), but also as constituency MP, member of Cabinet and member (in some cases Chairman) of Cabinet Committees.

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**Of all his many tasks, the running of a department is the one for which most ministers are least well equipped.**

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Of these tasks, running the department is the one for which most ministers are, by training and background, least well equipped to fulfil. Few senior politicians have previous top level experience, outside government, of working in, let alone running, large organisations.

They need help. But their ability to keep their non-departmental advisers abreast of developments and so to obtain timely briefing from them is greatly restricted by official secrecy in general, and in particular by the almost paranoid attitude towards the minutes of ministerial meetings. These are circulated on an absurdly restrictive "need-to-know" basis which often excludes, for example, PPSs (Parliamentary Private Secretaries).

Thus weakened, the minister comes face to face with his department's advice.

Smoothly presented as it will be, that advice tends to be the end-product of a long process of debate within the department. During progress up the hierarchy, "unacceptable" options will be filtered out and a departmental consensus developed. For a minister to attempt to expand the short list of alternatives offered by his senior officials, at a late stage when deadlines are close, is to disrupt the smooth running of the process. Moreover, before that stage, the options may well have been discussed inter-departmentally. Already the power of decision of individual ministers will be weakened by the difficulty of over-riding an interdepartmental consensus.

The CPRS (Central Policy Review Staff) is supposed to deal with such difficulties by helping ministers collectively to look critically at policy options across the whole range of government activity and to test these against the government's overall strategy. But it has become less influential, particularly since the present government came to power.

Moreover, the nature of departments limits a minister's capacity to produce a long term and radical approach. Departments rarely possess, or maintain for any length of time, the capacity to produce for ministers analytical advice independent of that coming up from line divisions. Where "policy/planning units" exist, they tend to be used for short term fire-fighting purposes. Economists and other social scientists are haphazardly distributed and used.

Determined and well informed ministers individually, and governments collectively, can and often do ensure that their own preferred policies and views are implemented. But not all ministers are determined, or well informed, in their own sphere, let alone on the work of other departments in which they may have an interest. In addition, they often discount the difficulty of following through their own policy initiatives and ensuring that



these are implemented at working level. They may fail to give to particular sectors the sustained attention needed if new proposals are not to run into the sand.

### *Constraints on Change*

These arguments suggest that change is needed – indeed that events are likely to force it. But there are also constraints on change. A Labour government depends heavily on the cooperation of the civil service. If that cooperation is to be secured any changes must be at least accepted by the civil service as not unreasonable given the government's objectives. That the Labour Party sees an active role for government will make it easier to secure that acceptance. There cannot be wholesale replacement of the top ranks of the civil service – the replacements are not there and there are not the same opportunities as in, say, the US or France (in different ways) for the displaced civil servants to find other worthwhile jobs. And change must be carried out in a way which will not lose public confidence in the administration of government.

### *Proposals for Change*

Finding solutions to these problems depends partly on changes in ministerial skills and behaviour. Ministers are notoriously reluctant to accept that their problems may, in part, be their own fault. But it also depends on changes in the ways in which departments are staffed and organised. Some of these changes can be made informally and simply. The following might serve as an *aide memoire* for future ministers.

We should like to see the "politicisation" of key posts in department. This change could take several forms:

a) **the appointment of more political advisers to act as the eyes, ears, consciences and channels of communication for ministers**, senior and junior, within departments and with the party outside them.

b) **the appointment of more policy advisers** (the distinction between these two categories is important) to act as sources of expert advice independent of career professionals in departments. They must have the right to commission studies by existing civil servants; access to all departmental information; and ultimately to take their case directly to the minister himself.

**Both these groups (political advisers and policy advisers) should be integrated closely into the minister's private office machine**, where they would be best placed to achieve a strategic position in progress chasing, as heads of *ad hoc* task forces, in generating new policy thinking and, generally, in enhancing effective ministerial control.

c) **much more recruitment, on a non-partisan basis, of permanent officials at mid-career levels**. A cadre of administrators who have matured and acquired experience outside Whitehall will be less easily "house trained" and less likely to accept uncritically the "departmental view" on issues. Despite the practical difficulties, more movement is needed between Whitehall and other employment. There must also be more movement between London and the provinces.

d) **greater ministerial interest in, and influence over, civil service staff appointments to selected posts**. It should be normal, acceptable and in no way a reflection on individuals for governments to try to ensure that key posts are filled by people who have not only the technical skills but also the temperament to make a success of the government's policies in the sector concerned – in other words, to pursue them with personal enthusiasm and commitment. This could include the appointment of some committed party supporters from outside Whitehall to departmental

posts (as, for example, Chris Foster occupied such a post under Barbara Castle to deal with transport). "Key posts" could be quite low down the hierarchy, so as to ensure that policies were not only planned but implemented. Postings of this kind would of course need to be made in consultation with the permanent secretary, to avoid damaging the longer term interests of the department and of the individuals involved.

e) **Moreover, there is the matter of civil service appointments themselves.** No doubt, the existing "Cisbee" selection method generally favours the most able candidates. But ability, particularly in the sense of intellectual ability, is by no means the only quality a civil servant needs. At least, civil service appointments should give weight to the need to appoint from minority and under-privileged groups and from people who have experienced life beyond New Malden.

g) **Much could be achieved by giving a more clearly defined and stronger role in departments to junior ministers.** At present, they are squeezed between the reluctance of Secretaries of State to delegate authority and the readiness of departmental civil servants to refer as many decisions as possible to the Secretary of State. It would help achieve harmonious

working relations if the Prime Minister did more to consult Secretaries of State about the appointment of their junior colleagues.

h) **Restrictions on the circulation of Cabinet and Cabinet committee papers must be relaxed** to allow automatic access by PPSS and anyone else covered (under current legislation) by the Official Secrets Acts whom the minister in charge of a department may nominate.

i) **Ministers should ensure that they are aware of the full range of arguments within their department** on an issue, and that they are not simply offered a limited range of options once the arguments are settled. This might be achieved by: (i) encouraging informal contacts between ministers and middle level and junior officials; (ii) encouraging the expression of dissenting views before ministers; (iii) ensuring that the complete files on a case reached the minister's private office or *cabinet*; (iv) ensuring that junior ministers and policy/political advisers are involved in the lower levels of policy formulation and implementation.

j) **All departments should establish policy analysis units to check and comment on the policy making process, to ensure that options are fully set out and argued, and to act as a constructive counterweight to "departmental points of view".**

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## 4 *The Prime Minister and his Cabinet*

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Even if the devices mentioned in the previous chapter ensure that ministers are the masters in their own houses, it does not follow that the government as a whole will

more closely reflect in practice the principles to which each individual minister adheres. One great insight to emerge from recent debate has been the growing under-

standing that the main problem in enforcing party will – real or imagined – has not been the Crossman one of departmental obstruction to a departmental minister's plans. It is the one described by Tony Benn in his RIPA lecture "Ministers and Mandarins" – that the power of the Prime Minister allied to the power of the civil service is – for good or ill – capable in favourable circumstances of achieving dominance of power.

Of course, that is not the only possible pattern of power. Under the present government, for example, the Prime Minister is exercising her formidable political power, with the support of most ministers against a deeply sceptical civil service. If Labour's electoral college elected Mr Benn as Prime Minister, then, arguably, a retention of power in the Prime Minister's hands would be the surest way of preventing any modification to the sweep of party policy.

Even under the last government, it was often the Prime Minister who represented most closely party and radical opinion while the departmental ministers sought to apply the brakes. It was, for example, the Prime Minister – not the Home Secretary – who advocated a radical reform of broadcasting.

But whoever is the radical, whoever the conservative, the problem of dual loyalties arises. Within the question "can civil servants be relied on to loyally pursue the policies of the government of the day?" lurks a hidden question: "Is a civil servant's prime loyalty to his own departmental minister?" "Or is it to the whole government, usually, if simplistically, seen to be encapsulated in the person of the Prime Minister?" And these questions, once raised, open up a Pandora's box of further questions, about the balance of power between the Prime Minister and government at the very centre, and individual ministers and power at the periphery.

The key issue is whether or not the powers of the Prime Minister should be increased or reduced relative to those of his (or her) senior Cabinet colleagues.

However, it is impossible to discuss the issue in the abstract. The power of the Prime Minister is inextricably linked to the personality of each individual incumbent and the political circumstances surrounding his position. Some Prime Ministers acquire almost presidential control over certain aspects of government (such as Ted Heath and the EEC negotiations in 1971), while others are content to interfere relatively little with the work of their departmental ministers (for example, Harold Wilson, 1975-6). Nevertheless, there are certain characteristics common to all Prime Ministers and Cabinets, which are the parameters within which each individual is required to perform. Several of these characteristics can tend to hinder rather than assist the efficient implementation of a political programme.

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### **The Prime Minister is much more than *primus inter pares*.**

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### *The Present System*

The Prime Minister has the power to appoint all ministers; to dismiss ministers without warning or explanation; to dissolve parliament; to determine the Cabinet agenda, and to control Cabinet conclusions through his or her position as Chairman and through an increasingly powerful Cabinet Office; to commit the government to changes in policy simply by making a public pronouncement; to rally public opinion, and initiate public debate; to issue instructions (Prime Ministerial "memos") to any minister on any subject; to control the security services; and to have access (in theory) to any item of

information known to the British government.

This battery of powers makes most Prime Ministers much more than *primus inter pares* inside the Cabinet. The power of appointment is crucial. It can be used to block a minister seeking to push through a particular policy (for example, the transfer of Tony Benn from the Department of Industry to the Department of Energy in 1975 marked the effective end of the industrial strategy contained in *Labour's Programme, 1973*). More generally, the Prime Minister's power of dismissal ensures that no Cabinet minister can safely ignore a directive from Number 10. The practice of appointing political allies to the lesser positions in Cabinet tends to ensure that the Prime Minister commands a Cabinet majority.

While the power of appointment is at the root of the Prime Minister's power, the control of Cabinet procedure is also vital. The Prime Minister can use the position as Cabinet Chairman to prevent issues from being raised in Cabinet (such as devaluation in the early months of the 1964-70 Labour government, and pay policy in 1974-5). Alternatively, potentially dissenting ministers can be excluded from consideration of an issue by careful use of the Cabinet committee system, which is entirely within the Prime Minister's sphere of control.

On occasions, certain issues can be removed from the Cabinet system altogether. A bilateral meeting between the Prime Minister and a departmental minister (particularly the Chancellor) can often be the forum where the real decisions are taken. Sometimes the Prime minister will establish *ad hoc* groups of ministers and officials to take key decisions.

The Prime Minister is able to operate a system of "divide and rule" mainly because of the tradition of secrecy which permeates the entire system of British government. The "need to know" principle applies not

only to outsiders and officials, but also to Cabinet ministers themselves. The Prime Minister will often regard the disclosure of economic information to, say, the Secretary of State for the Environment as a "leak". Treasury submissions to Cabinet on economic policy (which would often be agreed in advance by the Prime Minister) only rarely tell the whole truth as the Treasury sees it. Normally, these documents are designed to limit discussion, and to ensure that the Treasury line wins the day. The Prime Minister will almost always support the Chancellor on matters of economic policy in Cabinet (usually because a joint line has been agreed beforehand) and the rest of the Cabinet can be virtually powerless in the face of a united front between Number 10 and Treasury. Even the physical proximity of the two and the existence of a connecting door between Number Ten and Number Eleven Downing Street reinforces this axis.

This system means that Cabinet ministers are frequently bound by the doctrine of collective responsibility to support decisions over which they have little say. It also means that the Cabinet is often not the body which actually takes the real decisions on major strategic issues.

### *Limits on Prime Ministerial Power*

Despite all this, the power of the Prime Minister is very far from absolute. The power of appointment is, in practice, severely restricted by the need to retain "party balance" in Cabinet. Many ministers are "unsackable", and carry a resignation threat which is almost as potent as that of the Prime Minister. Furthermore, after making an initial appointment, the Prime Minister simply does not have the time or resources to retain control over ministers' decisions. Within their own provinces,

individual ministers wield great power, often almost entirely independent of Prime Ministerial or Cabinet control.

In addition, the Prime Minister's powers are obviously circumscribed by outside influences – the Parliamentary Party, the Party, pressure groups and public opinion. If the Prime Minister loses the support of one or more of these groups, his or her position inside Cabinet can become extremely weak or even untenable. A wise Prime Minister will therefore be careful to carry the support of Cabinet in adopting policies which are likely to prove politically contentious.

One further factor which can restrict the Prime Minister's power is the fact that his sources of advice can become monolithic. The Number 10 Private Office plays a varied role, which includes the processing of the Prime Minister's papers, the transmission of information, the control of the PM's diary, speech-writing and policy advice. But the main source of policy advice open to the Prime Minister is the Cabinet Office, which will automatically brief him on each issue raised at Cabinet (including advance warning about the views likely to be expressed by ministers) and will provide draft conclusions for the meeting in advance. Cabinet Office advice, augmented as necessary by the Number 10 Private Office, will normally be well informed, subtle, accurate and perceptive. But it will tend to be *mainstream* civil service advice which will reflect the predominant official view. Since the Cabinet Office and Number 10 officials will always be "on loan" from another department, it is likely that they will more often than not reflect departmental thinking in their briefing. For all its strengths, the civil service is not very good at producing imaginative alternatives to its own conventional wisdom.

The last four British Prime Ministers have recognised the dangers of single source advice, and have attempted to establish institutions (such as the CPRS and

the Number 10 Policy Unit) which can provide extra options and more politically oriented ideas. But this effort has never been on the required scale, and with the necessary conviction, to provide an effective *long term* counterweight to the slow but sure advance of civil service influence on ministerial thinking. Over a period of years, it is almost inevitable that a Prime Minister, and his Cabinet colleagues, will have their attitudes moulded by the sheer persistence of civil service thinking and the absence of options. While this may on many occasions be a good thing, it does not increase the chances of implementation of a radical, reforming political programme.

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**The present system puts an enormous premium on the personal qualities of the Prime Minister. A first rate PM can make the system work effectively. A bad PM ensures that the government will fail.**

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### *Defects of the System*

The present system puts an enormous premium on the personal qualities of the Prime Minister.

A first rate Prime Minister can make the system work effectively. Because of his key control role, a sense of purpose and unity can be injected into the Cabinet; and because of the powers of appointment, and the control of Cabinet procedure, the PM can push forward his own line.

However, the nature of the Prime Minister's role carries with it great dangers. Even the best Prime Minister will be tempted to interfere in complicated policy issues which cannot always be understood from Number 10. A bad Prime Minister will tend to undermine the whole system. No other minister can fill the leadership role demanded of the Prime Minister. With-

out effective central direction, Cabinet ministers can all too easily become inward looking and concerned only with their own department. A fragmented Cabinet, lacking a collective view on the key political issues facing the government, is scarcely in a position to implement a five year Party programme, often in the face of civil service scepticism. A bad Prime Minister ensures that the government will fail. So there is an argument for amending the system to provide an insurance against a bad Prime Minister – and that almost certainly means strengthening the position of other ministers relative to the Prime Minister.

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### **Civil service advice needs to be augmented by alternative sources of ideas and analysis.**

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The system also puts enormous weight on the quality of civil service advice. It needs to be augmented by alternative sources of ideas and analysis, if the process of challenge and debate essential to democratic policy making is to be successful.

Moreover the existing system weakens the ability of ministers to carry through a collective programme; the present Cabinet structure is defective. Lack of information, and the Prime Minister's ability to play tactical games about "who knows what", often precludes sensible discussion of major issues. Collective responsibility is a sham if Cabinet ministers are not given the opportunity to influence the decisions they are subsequently expected to support. But in order to influence decisions, they would need independence from the whim of the Prime Minister, and access to information.

The power of the civil service, the difficulties which outsiders face in influencing government and the lack of ministerial involvement in key decisions, all result in part from the obsession with secrecy dis-

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### **Excessive secrecy makes the Cabinet into a group of isolated individuals, incapable of injecting collective thrust into a political programme.**

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played throughout British government. Obviously, there are many instances where secrecy is important (such as in international negotiations). But the custom and practice of excessive secrecy encourages the fragmentation of the Cabinet into a group of isolated individuals, incapable of injecting collective thrust into a political programme.

The obsession with secrecy has other unfortunate consequences – it makes a fruitful relationship between the government and party machine almost impossible. For better or worse, governments are elected on platforms drawn up by the party machine. The total exclusion of party workers from participation in the implementation of the programme results in hostility and unnecessary aggravation. If the party is ever to play a constructive role for a Labour government, it would need to be involved much more fully in the process of government decision making.

### *Proposals for Reform*

The tradition and habits of British government limit the usefulness of structural reform. What is really needed is an acceptance by the leading participants within the government of the need for change. Without this commitment, alterations in rules and in the structure of institutions are of only limited use. But there are changes which are inevitably on the agenda.

(a) *Election of the Prime Minister.* This is what the next Labour government would have following the creation of the electoral

college. Moreover, arguably, the electoral college will use its power to replace the Prime Minister more freely than MPs have, in the past, used their power to replace the leader. Constituency delegates and union leaders don't lose their jobs if the replacement of a Prime Minister leads to the downfall of a government. In other words, there will in future be a stronger incentive for a Prime Minister to stick closely to party policy.

(b) *Election of the Cabinet.* The election of the Cabinet by the PLP – as has been proposed by Tony Benn – would greatly reduce the dominance of the PM over the Cabinet, and would increase the political accountability of the government as a whole to the party. Various systems would be possible. For example, in the most extreme case, the whole Cabinet could be elected, post by post, with no Prime Ministerial interference. This system is broadly that used by Labour in local government.

A less radical change would be to elect say 12 or 14 members, sackable by the Prime Minister, but able if they wished to seek the support of MPs of the governing party. Some ministers could thus establish a base in the parliamentary party which would give them a legitimacy to stand up to Prime Ministerial attempts to dominate the government.

An alternative would be to elect a much smaller number, including the Chief Whip, to act as a two-way channel of consultation and influence between PLP and Cabinet. Whichever method is chosen (and some of the group believe it would be better to leave things as they are), important questions would be raised. For example, how often should PLP representatives be elected, and by what method? And if it is right that the Prime Minister should be chosen by an electoral college, why should not also the MPs in the Cabinet be chosen by an electoral college?

## *A Prime Minister's Advisory Body*

The function of the Policy Unit at Number 10 now needs amendment. Between 1974 and 1979 the Policy Unit performed a useful service and occasionally became centrally involved in crucial aspects of the government's work. But it was hampered by limitations on its size and by periodic interruptions in the flow of information. Furthermore, it was never clear what separated the roles of (i) the Policy Unit, (ii) the CPRS, (iii) the Political Office at Number 10, (iv) the Cabinet Office. There is a strong case for establishing a single institution incorporating a strengthened Policy Unit and the Political Office, and undertaking the analytic work at present done for the Prime Minister by the CPRS. It would be charged with the responsibility of providing strategic political advice for the PM. It would need to be an outward looking body, keeping in very close touch with the party and the public, and thus able to act as a two way channel of communication.

Such a group would be staffed on the whole by political appointees, working to the Prime Minister, advising him on policy, helping him write strategic Cabinet papers, briefing him for meetings of the PLP, NEC and the PLP/NEC/TUC Liaison Committee.

## *A Cabinet Advisory Body*

A separate body embodying the other functions of the CPRS and serving the Cabinet as a whole, with a particular emphasis on strategic questions, should be stationed in the Cabinet Office. There are different views as to whom it should report. If it has its own minister, the danger is that he will be an appointee of, and thus a catspaw to, the Prime Minister. But without a political lead it may come to lack a

client, and a voice which can articulate its views before ministers collectively. We are agreed that its members should comprise a mixture of permanent civil servants and outsiders.

(c) *Discussion and Secrecy*. The reform that would most increase the effectiveness of cabinet government would be the institution of regular cabinet discussion on economic strategy, not subject to Prime

Ministerial gags, or tied solely to public expenditure exercises. A future Labour Prime Minister should be committed to holding such discussions, possibly as all day meetings at Chequers. The Cabinet should also from time to time discuss general social priorities. Such a reform would inevitably mean that, within government, the flow of genuine information would need to be improved.

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## 5 Government and the Outside World

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So far, we have discussed government as if it existed in a vacuum. The political system, as we have treated it in the earlier chapters, is a closed system, relating only to itself. Now, however, we begin to turn outwards, and to discuss how this mighty apparatus links with the world outside its portals.

Frequent and wide contacts between government departments and outside organisations are essential if government is to be responsive to the needs and interests of the community as a whole. No democratic government can expect to hold in its own machine all the information needed for the vast range of decisions which a modern government has to take. A government which tries to avoid outside contacts will be a bad government taking decisions on the basis of insufficient knowledge of their likely impact and even of the problems they are intended to solve. In Britain these disadvantages will be accentuated by the way in which the higher ranks of the civil service are cut off, both collectively and individually, from other sectors.

### *Criticisms*

Yet contacts between government departments and outside organisations are a cause of deep suspicion, particularly in the Labour Party. This suspicion arises in part from the conspiracy theory of government prevalent among some on the left – the view that the senior ranks of the civil service are plotting with capitalist interests to frustrate the policies of a radical Labour government. But there are more real causes for concern about the way in which relations between government departments and outside interests are now conducted.

*Firstly*, it is said, some departments are now so close to the interests which they sponsor that they have become little more than the spokesman of those interests within the government and have ceased to take a critical view of the way in which “their interest” operates. The Ministry of Agriculture, Fisheries and Food is commonly held to be an example of such a department. The same criticism can be



made of certain parts of the Department of Industry.

*Secondly*, departments generally, perhaps because of the way in which they are organised, appear to be particularly receptive to the views of certain well organised interested groups. Even under a Labour government the official machine as a whole tends to give greater weight to the views of managers than of trade unions; producer than of consumer interests; and professional groups (teachers, doctors) rather than client groups. In the last case, that influence is reinforced by the same professional groups inside the departments themselves.

*Thirdly*, an insidious influence may be exercised by some organisations by the entertainment of senior officials and by the appointment of some such officials – serving or retired – to well paid jobs. It is not – or is only very rarely – a question of corruption. But there can be subtle and often unrecognised influence on an official's thinking because of a reluctance to be nasty to someone he knows and likes; and an official who is interested in a senior industrial or commercial job may be wary of becoming associated with a range of policies which differ sharply from the prevailing ethos of top industrial and commercial management.

## Safeguards

What can be done to remove these legitimate misgivings while securing the advantages of inside contacts between government departments and outside organisations?

Much of the concern about these contacts arises because many of them are conducted in secrecy. The public at large does not know how often a particular group puts its view to a department and what that view is. Parliament does not know how pressure groups have influenced

the drafting of a bill. More open government on the lines suggested in the next chapter should do much to remove suspicion.

But there are various ways in which it could be reinforced. Presentation of a bill or white paper to parliament might be accompanied by a list of organisations which have been consulted in its preparation and a summary of their views. And any representations which have been made to a department by an outside organisation should be immediately open to public scrutiny unless the responsible minister authorises non-publication on a very limited range of grounds – perhaps only national security, serious commercial damage or serious damage to an international negotiation. There might have to be a small number of organisations such as the Bank of England to which these provisions did not apply.

The risk that civil servants will be unduly influenced by outside organisations will also be reduced if they take a positive part in the life of the community. A wide range of outside contacts and an understanding of the problems which face ordinary people will be a good antidote to the special pleading of vested interests. Greater freedom to take part in politics would help; and civil servants could be encouraged to take part in such activities as serving as school governors, on Community Health Councils and in a wide range of voluntary and charitable organisations, even at the risk of occasionally involving them in public controversy. They ought to write, and speak more in public. Participation in such work should be an aid to promotion rather than a cause for suspicion. For experience suggests that civil servants are tempted to tread the familiar route unless they are positively encouraged to seek out the new one.

## Proposals

However, general changes will not wholly remove the suspicions, especially as many contacts are informal. So we make some specific proposals:

1. **Governments should be so organised that departments wherever possible cover a wide range of interest.** A small department, perhaps responsible for only one or two industries (for example, the Ministry of Agriculture, Fisheries and Food) is far more likely to become too close to its clients.

2. **The range of outside organisations to which civil servants are seconded should be greatly extended.** Secondments to industry and commerce have so far predominated. Attempts by civil servants to secure secondments to trade unions have run into difficulties. There is much scope for secondments to local government, the health service charities, research organisations, pressure groups or even the Fabian Society. There are, of course real practical difficulties (for example the transferability of pensions and ensuring that seconded officials receive full pay). But, given the will, these could be overcome.

3. Some interests are inevitably less well organised than others. Those with specific demands important to them will tend to be well organised. By comparison, representatives of the general good may be ill organised. The oil companies have more battalions than CLEAR, the anti-lead campaign. To correct for this imbalance, **departments should play an active role in promoting, and where necessary funding, counter-pressure groups** seeking to add to their weight. For example the range of people attending joint seminars and conferences within the civil service should be widened. There are regular seminars between senior civil servants and industrialists. Why not trade unionists? representatives of consumers interests? or environmentalist groups?

4. **The rules about entertainment should be much stricter.** Good personal relations between civil servants and those with whom they deal are valuable. A modest lunch may sometimes help the conduct of business although it should be possible to deal with most matters in the office. But there is no justification for civil servants accepting invitations from outside organisations to Ascot, Glynbourne, Wimbledon.

These safeguards should help. But we accept that there is a real dilemma. The more civil servants open out their contacts in the world beyond government, the greater is the risk that, on occasion, they will be seduced from strict adherence to the general interest into too tender a regard for the particular. There is no escaping this dilemma. It is worth recording that our every instinct favours taking the minimal risk of taint and corruption in favour of the greater good of openness.

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**Civil servants should not be allowed to take highly paid jobs with organisations with whom they have had recent dealings – and the pensions of civil servants should be reduced by earnings from outside employment.**

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There remains the difficult question of the acceptance of outside jobs by serving and retired civil servants. If, as this pamphlet argues, much more movement in and out of the upper reaches of the civil service is to be encouraged, civil servants will have to be allowed to take other jobs. And with a retirement age of 60 many retired civil servants have much experience and energy which ought not to be wasted. But there has been much anxiety about some recent moves, despite the fact that since 1976 the

years of leaving the civil service have been referred to an Independent Standing Advisory Committee on Crown Servants (Appointments).

To achieve a more open civil service it is well worth accepting the risks of allowing civil servants to take outside jobs. But those risks might be reduced by tightening the rules in two ways. First civil servants should not be allowed to take highly paid jobs with organisations with whom they have had recent dealings. Secondly, the

pensions of civil servants – as for others in receipt of public sector pensions – should be reduced by earnings from outside employment, so that earnings and pensions together do not exceed the going rate for the job the civil servant last held. This is now done in the case of public sector but not of private sector employment. Together these changes would blunt the criticisms levied against civil servants who wish to take jobs in the private industrial and commercial sector.

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## 6 Open Government

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A recurring theme of this pamphlet has been the need for more open government. The closed and inward looking nature of our current system of government is its most enervating feature.

More open government would certainly be more democratic. It would be so partly because its citizens would no longer be denied the right to make informed judgements on its performance by lack of the relevant facts. It would be so, perhaps more significantly, because the strength of a pluralist democracy lies not so much in the fact that the majority makes the ultimate decisions, as in the process of debate and reconciliation of opposed views which precedes those decisions.

There will be those who argue that open government will make it more difficult for government to do what it believes to be right. Opening the debate will merely increase the opportunity for those who dislike a given decision to clothe their opposition in more compelling arguments. And certainly there is a degree of openness

which would inhibit the effective operation of the decision making process. We do not propose that the Cabinet meet in public – and we suspect that if it did, it would simply hold pre-meetings in private at which the real decisions were taken.

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### **Whitehall fears the erosion of its neutrality.**

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### *A Closed System?*

Proposals for open government will meet with an unyielding opposition from those who benefit from the present closed system. There are, of course, genuine financial costs to any system of more open government as departments have to be prepared to respond to requests for information and discussion. But we do not believe that this is the real reason why Whitehall is opposed to radical developments in the field. It is

more that it fears the new pressures of open government.

It fears the erosion of its neutrality. Neutrality is enhanced by anonymity and secrecy. And it suspects that more open government will impede the implementation of policy and facilitate well organised and articulate minority interests who wish to obstruct policies which are, in fact, in the national interest.

This argument may also influence their political masters. With them it may mask, also, deeper fears. It is ministers who are most inconvenienced by an informed opposition; ministers who suffer when their stratagems have to be conducted in the glare of publicity; ministers who lose the opportunities for the carefully calculated leak, the bounce, the unannounced U-turn. Perhaps if more open government is to come, it has to come in the early days of enthusiasm of an incoming government, before those in power have learnt to enjoy secrecy.

### *Recent Changes*

The opposition to more open government is powerful; yet there is no reason to despair of the possibility of progress. Indeed, several developments of the past 15 years have had the effect of opening out the government process – or at least until this secretive government came to office.

There is a greater readiness by departments to produce and publish broad strategy documents – the 1972 education white paper and the 1976 Priorities for Health and Personal Social Services document are examples – which disclose for examination and debate the medium term aims of government policy.

Newspapers have increasingly been prepared to invest in specialist reporters, in fields such as social policy, industry, defence and energy, able to build up

contacts in departments and ask the awkward questions. In response, civil servants have become more willing to provide background off-the-record briefings. Civil servants, rightly or wrongly, are more prepared than they were to leak documents or information to the press when they believe ministers are behaving badly.

An important additional control has been put on the government machine in its dealings with individuals in the form of the Ombudsman, able to investigate the secret workings of the administrative process when called on to do so through an individual complaint to an MP. Most recently, the Parliamentary Select Committees, a concession by Whitehall to demands for greater openness, are throwing some daylight on policy making, and removing the cloak of anonymity from the senior civil servants.

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### **Whitehall remains defensive and secretive in its culture and attitudes.**

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Yet despite these gains, most of us find Whitehall still defensive and secretive in its culture and attitudes. With government becoming more complex, it has become harder for outsiders to discern what is happening in the decision making process, and to decide whether or not it is performing well.

Two points should be born in mind. *First*, more open government is not something designed simply for the media. On the one hand, MPs and local politicians; on the other, a host of bodies and organisations, have a right to know what government is up to. *Secondly*, more open government is not the same thing as a Freedom of Information Act. We favour Freedom of Information legislation for this country, but we believe that its proponents exaggerate its importance. It is one means, but only one, of reducing secrecy. But it is

a means that, applied in a limited spirit, is open to evasion (for example, by the use of verbal rather than written communications). And it cannot by itself perform the task of widening the contact between government and those it serves. **A revolution in attitudes is also needed.**

### *Faults of the Present System*

Among the faults of the present system, we highlight three. *First*, there is almost no access to civil servants for day to day direct inquiries. Journalists, though privileged relative to the general public, are required to use press officers. This system is geared to producing "maximum feasible misunderstanding" with reporters who are working to tight deadlines having to relay all their questions and get the answers through third parties, press officers, who are not themselves expert in the subject area. For non-journalists, the frustrations of making inquiries, frequently filtered off to junior uninformed staff are immense.

*Secondly*, information is controlled particularly strictly at the moment when most it is needed, namely, when a change of policy is being contemplated. If there has been no green or white paper about an issue, the amount of information which a department will release will be minimal. Frequently, not even the most basic facts and figures will be freely disclosed.

*Thirdly*, even after a decision has been taken, any papers concerned with the policy, as opposed to papers of a purely factual nature, are closely guarded for the full "thirty year rule" period, and – at times – even longer. The Croham Directive which was intended to encourage the release of policy documents has been all but ignored in practice.

### *Proposals*

Much could be achieved without the need

for any legislation.

**1 Improved access to civil servants.** The phone numbers and responsibilities of senior civil servants should be made readily available to the press, and administrators given ministerial instructions to talk freely (though naturally with discretion) to those who contact them about what is going on. The *Civil Service Yearbook* is a useful start – though it should be published at the beginning of the year to which it refers and not (as in 1981) half way through.

**2 More use of generalist administrators in departmental press offices.** By supplementing professional press officers with administrators, the press office itself becomes better equipped. Moreover, the administrators return to their line duties with experience of information work which enables them to deal more confidently with inquiries in future, and generally helps to break down unnecessary barriers. This system is already operated with conspicuous success by the Foreign and Commonwealth office.

**3 Improved consultation processes before legislation.** There will, of course, be occasions when an opposition comes to power committed to legislate immediately on key commitments. But the general presumption should be that all legislation should be preceded by the publication of a green paper, with a period allowed for open discussion and debate.

**4 More powers and staff for parliamentary select committees.**

### *A Freedom of Information Act*

To supplement this approach, there is a powerful case for new Freedom of Information legislation. The group could not agree how open British government under it should become. The maximalists – a minority of our group – argue for a wholly open process; the advice civil servants give

to ministers should be published even before ministers take their decisions, so that the public knows who is calling what shots. Others believe that to go this far would undermine the confidential trust which is the basis of the relations between civil servants and their ministers; that it would erode collective cabinet responsibility by showing that ministers were defending policies in which they did not believe; and would, in any case, lead to evasion through advice being given verbally. They would be content with the new procedure designed to ensure that the factual information on which departments draw in making their decisions is freely available. In framing freedom of information legislation, it is important not to attempt to go into too much precise detail as to what should and what should not be subject to compulsory disclosure.

Instead we envisage a more flexible and incremental approach. Central to it would be the appointment of a new Director of Open Information. Formally appointed by and reporting to parliament, and not to ministers, and with an office financed by separate parliamentary vote, the Director would seek to fulfil his functions through persuasion and negotiation, not compulsion.

An Act would lay down a presumption that all information of a factual and analytical nature available to government would be disclosed. Usually the presumption would be that government itself would voluntarily comply with this. Where it did not, however, an MP (or, on payment of an appropriate fee to cover reproductive costs, an individual) could formally request a department to disclose. For this to work effectively there would have to be a statutory register within each department of the information available to that department.

If a department refused to disclose, the director would have the power to force it

to do so, having due regard to (a) the need to protect the rights and privacy of the individual citizen; (b) the requirements of national security; (c) the need to protect the position of the government in international relations and negotiations; (d) the confidentiality of commercial information; (e) the confidentiality of information acquired by government from other interests and sought by third parties; (f) law enforcement.

All civil servants would be under an obligation to check the statutory register and should their work be missing from the register, there could be a statutory duty to inform the Director.

For the more delicate question concerning the prior publication of advice to ministers from civil servants or other advisors, those on the group in favour of it would establish a similar procedure would apply. In addition to the above, however, the Director might be asked to have due regard to other factors such as: (i) the need to safeguard the principle of collective responsibility of ministers in cabinet; (ii) the need to exclude from publication matter concerning the political or presentational handling of policy; (iii) the need to exclude from publication the tactical handling of business.

Where the Director recommended publication under this second head, the government would have the right to override his recommendations. In practice, we expect governments would be unwilling to do this because of the parliamentary and extra-parliamentary storm such a decision would set loose. Over time we envisage a corpus of law and precedent building up. The inevitable initial conflict will, we believe, diminish with time and our new proposals may become to be seen as the way all governments should proceed in a plural society.

## 7 Conclusion

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The features of our system of government that have served as landmarks since the war are increasingly under question. The value of "mandate" policies; the neutrality of civil servants; the importance of the doctrine of collective responsibility; the effective power of parliament; the nature of the links between governors and governed – all now are subject to searching and anxious examination.

Our system of government was designed for an age of deference and authority. It will not do for these more democratic, sometimes anarchic, times.

In this pamphlet, we have set out some possible new landmarks. We have suggested ways in which policy making could be improved; ministerial authority enhanced; prime ministerial power checked and parliament's increased and, above all, new elements of democratic openness introduced. We do not propose a blueprint – the whole notion of a blueprint is absurd in a complex and ever changing society. But we suggest ways of initiating a process of change in our system of government to one which, in turn, produces a better way of governing.

## 7 Conclusion

The purpose of this study is to provide a comprehensive overview of the current state of research on the effects of government intervention on the economy. The study is based on a review of the literature and empirical data. The results show that government intervention has a significant impact on the economy, both in the short and long run. The effects are both positive and negative, depending on the type of intervention and the context in which it is implemented. The study also identifies some of the key challenges facing governments in designing effective policies. The findings suggest that a more balanced approach to government intervention is needed, one that takes into account the needs of both the private and public sectors. This approach should focus on promoting growth and innovation while also addressing social and environmental concerns. The study concludes that government intervention is a necessary and important part of the economic system, and that it can be used effectively to achieve a range of policy objectives.

The study also identifies some of the key challenges facing governments in designing effective policies. The findings suggest that a more balanced approach to government intervention is needed, one that takes into account the needs of both the private and public sectors. This approach should focus on promoting growth and innovation while also addressing social and environmental concerns. The study concludes that government intervention is a necessary and important part of the economic system, and that it can be used effectively to achieve a range of policy objectives.

If a policy is to be effective, it must be based on a sound understanding of the economic system and the needs of the population. The study suggests that a more balanced approach to government intervention is needed, one that takes into account the needs of both the private and public sectors.



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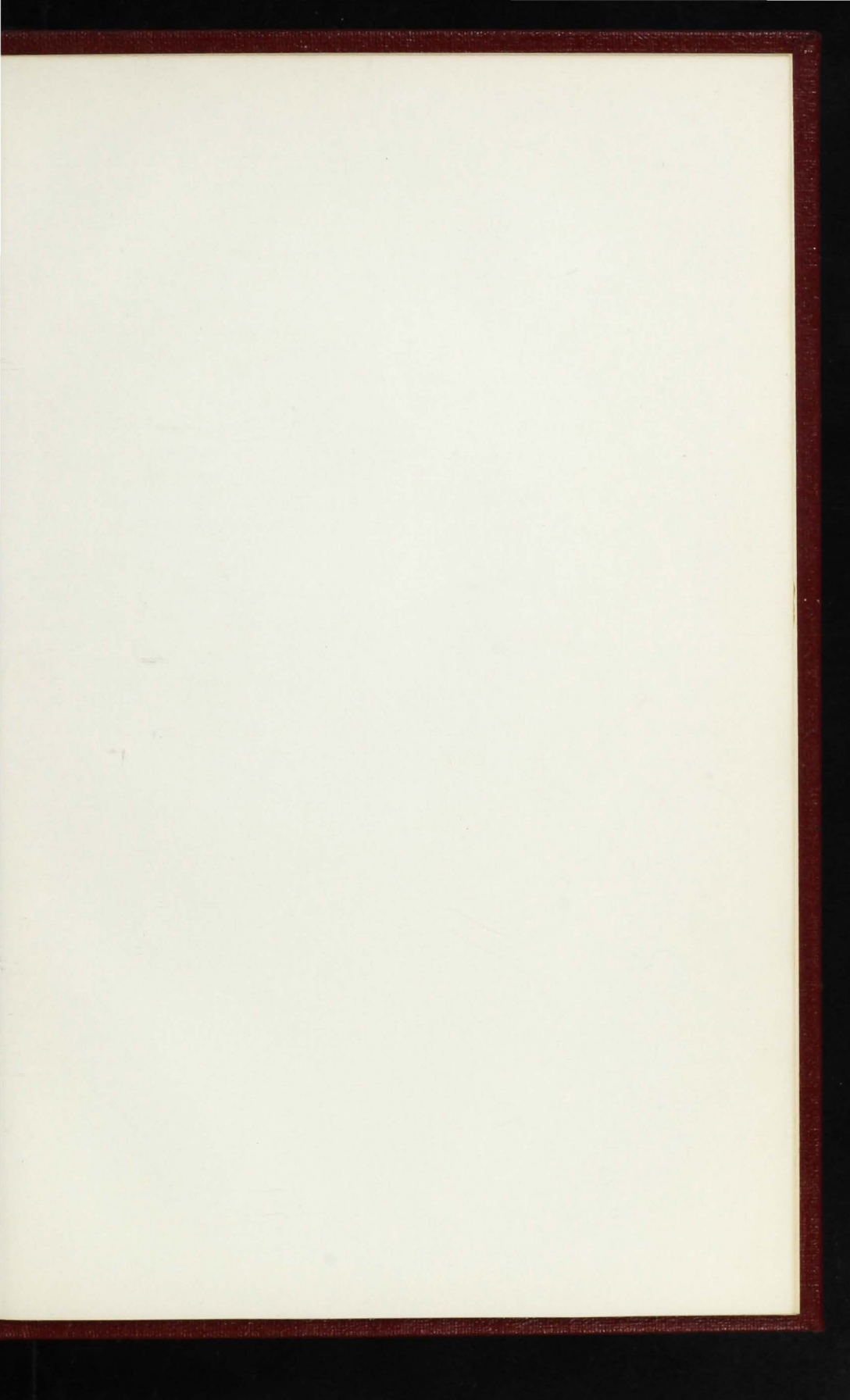
## **Making Government Work**

Why don't Labour governments implement their election manifestos? The answer – even assuming the question is correct – is more complicated than simply “sack the civil servants”. Firstly, the Labour Party should, in opposition, improve its own policy making procedure. Then, the relationship between the Prime Minister and his or her Cabinet needs changing, to increase the role of the Cabinet. Ministers need more help within their own department, with a mixture of policy and political advisers, and more use made of other outsiders. Civil servants should be recruited more broadly and have greater contact with “the world outside Whitehall” and, above all, more openness is needed through the whole system of government.

## **Fabian Society**

The Fabian Society exists to further socialist education and research. It is affiliated to the Labour Party, both nationally and locally, and embraces all shades of Labour opinion within its ranks – left, right and centre. Since 1884 the Fabian Society has enrolled thoughtful socialists who are prepared to discuss the essential questions of democratic socialism and relate them to practical plans for building socialism in a changing world. Beyond this the Society has no collective policy. It puts forward no resolutions of a political character. The Society's members are active in their Labour parties, trade unions and co-operatives. They are representative of the labour movement, practical people concerned to study and discuss problems that matter.

The Society is organised nationally and locally. The national Society, directed by an elected Executive Committee, publishes pamphlets and holds schools and conferences of many kinds. Local Societies – there are one hundred of them – are self governing and are lively centres of discussion and also undertake research.



## Making Government Work

The first thing I should mention is that the government is not a monolith. It is made up of many different branches and departments, each with its own role to play. Understanding how these different parts of the government work together is crucial for anyone who wants to make a difference in the world. The executive branch, led by the President, is responsible for carrying out the laws and running the day-to-day operations of the government. The legislative branch, consisting of the House of Representatives and the Senate, is responsible for making laws. The judicial branch, led by the Supreme Court, is responsible for interpreting the laws and ensuring that they are applied fairly. Each branch has its own powers and responsibilities, and they all work together to ensure that the government functions properly.

### Political Process

The political process is the way that the government makes decisions. It starts with the citizens, who elect representatives to the House of Representatives and the Senate. These representatives then meet in Congress to discuss and vote on laws. The President also has a role to play, as he or she can veto laws passed by Congress and sign bills into law. The judicial branch also has a role to play, as the Supreme Court can declare laws unconstitutional. The political process is a complex and often contentious one, but it is the way that the government stays accountable to the people.

It is important to understand the political process because it is the way that the government makes decisions. If you want to make a difference in the world, you need to know how the government works and how you can influence it. This means staying informed about the news and the actions of the government, and participating in the political process through voting and other means. The political process is the heart of the government, and it is the way that the government stays accountable to the people.

