

The Ideal of Public Service

**Reflections on the higher
civil service in Britain**

Barry J. O'Toole



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The Ideal of Public Service

This new book offers an informed and controversial examination of the ethics of higher civil servants in Britain and the ways in which they have been undermined by recent developments in public administration.

How should public servants behave? How should they be encouraged to think ethically? How should they be motivated to do so? Focussing on the role of public service, public duty and the public interest in the twenty-first century, Barry O'Toole seeks to answer these important questions in the context of 'new public management', the increasingly important role of 'special advisers' and the decline of the public service ethos since the 1970s.

The Ideal of Public Service explores some of the key contributions to the development of ideas about public service in British central administration and provides a discussion of recent trends in administrative practice in the United Kingdom. Combining political theory and an analysis of the history and development of the civil service, this timely book will be of strong interest to those researching British Politics, Governance and Public Policy.

Barry J. O'Toole is Reader in Politics at the University of Glasgow, UK. He has written widely on public service ethics, including his major book *Private Gain and Public Service* (Routledge, 1989).

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Preface

I have been interested in public service ethics throughout my academic career. My first book, *Private Gain and Public Service* (Routledge, 1989), explored some of the questions raised in this book, but from the perspective of the development of the First Division Association as a trade union. I have also written widely on other aspects of the ethics of higher civil servants in Britain including, for example, my article in *Public Administration* on 'T. H. Green and the Ethics of Senior Officials in British Central Government' (vol. 68, pp. 337–52) or the chapter entitled '“We Walk by Faith, Not by sight”: the public service ethic' in the book I edited with Michael Hunt, *Reform, Ethics and Leadership in Public Service* (Ashgate, 1998).

This book may be seen as the culmination of my work on the ethics of higher civil servants in Britain. It brings together some of the themes I have developed over the past 20 years or so with reflections on the state of the higher civil service in Britain now. It also sets current events and reforms in a historical and a normative theoretical context. Thus, Chapter 2 deals with ideas of public service and the public interest from the perspective of political theorists, both ancient and modern. Chapter 3 traces the development of the civil service in the nineteenth and twentieth centuries and the concomitant development of the public service ethos in the higher civil service inspired, as it was, by the ideal of public service as espoused by these philosophers. Chapter 4 is about more recent structural changes and the fundamental shift away from ideas of the public interest. Chapter 5 reflects upon these changes, which are not simply administratively important, but of great constitutional significance. In essence, my argument is that those who occupy the highest positions in government, ministers, special advisers and civil servants, no longer seem to have any sense of the public interest, seem not to be guided by an ideal of public service and do not have any incentive to think in these terms.

The book is polemical and intended to be controversial. Nevertheless, it is intended to be a scholarly contribution to the literature. It is based largely

on public documents and on other original material. It is not a comprehensive review of the literature. I have not referred to many admirable scholarly works on the subject, for example, those by Peter Barberis or Frank Carr in *Public Policy and Administration* (2001 and 1999, respectively), or by John Greenaway in *Public Administration* (1995), or by Demetrios Argyriades in *The International Review of Administrative Sciences* (2003). Nor have I referred to many of the important works in relation to connected material, for example, Geoffrey Marshall or Diana Woodhouse on ministerial accountability, or Rod Rhodes on the changing nature of working in the core executive. The purpose has not been to regurgitate the thoughts of others, or to refer to other works simply for the sake of doing so, but to offer my own reflections, based on the observations and publications of public servants in public documents and in related archives. There has been no intention to present new ‘theoretical’ insights from a social science perspective; nor have I sought to invent a new methodology or typology or model; nor has the intention been to invent or resort to the obfuscating jargon that mars so much of modern writing in the social sciences. The purpose has simply been to present an argument, to present it in English, and in so doing to contribute to the scholarly literature on public administration. The hope is that what I have said will engage people in an important debate about our public service.

Acknowledgements

The following archives were used for access to the papers referred to in this book: the Public Record Office (now The National Archives) and the Association of First Division Civil Servants. I would like to record my thanks to the Keeper of Public Records and to the General Secretary of the Association of First Division Civil Servants for allowing me to use the relevant material.

A small amount of the material used in the preparation of this book derives from parts of some of my other publications. In particular, a small element of Chapter 2 is drawn from part of an article in *Public Administration*, 'T. H. Green and the Ethics of Senior Officials in British Central Government' (vol. 68, 3, Autumn, 1990, pp. 337–52); and a small part of Chapter 4 develops arguments made in part of an article in *Public Money and Management*, 'The Emergence of a "New" Ethical Framework for Civil Servants' (vol. 26, 1, 2006, pp. 39–46). In both cases, I would like to acknowledge my debt to the Blackwell publishing company. In addition, some material used in Chapter 4 is derived from material also referred to in an article I wrote for *Public Administration Bulletin* in 1985 ('Morale in the Higher Civil Service: The Symbolic Importance of the FDA's Decision to Join the TUC' (vol. 47, pp. 18–38)). Some material in Chapter 4 is also used in an article I wrote for *Public Policy and Administration*, 'The Challenge of Change in the Civil Service: 2004 in Retrospect' (vol. 19, 4, 2005, pp. 1–16). In both cases I would like to acknowledge my debt to the Public Administration Committee of the Joint University Council. Finally, some of the material in Chapter 4 on 'special advisers' is related to material in a chapter I wrote for inclusion in Richard A. Chapman and Michael Hunt (eds), *Open Government in a Theoretical and Practical Context* (Ashgate, 2006). The chapter title is 'Freedom with or Freedom of Information: The Role of Special Advisers'.

Finally, I would like to express my gratitude to Professor Richard A. Chapman of the University of Durham who read a draft of the manuscript and made some very helpful suggestions. The responsibility for the final manuscript is, of course, mine alone.

1 The ideal of public service

This book is *not* intended to be the definitive history of the idea of public service. Neither is it a social science investigation into whether current public servants are motivated by that idea. Rather, it is a personal exploration of the idea by way both of an examination of *some* of the key contributors to the development of ideas of public service as understood in the context of the higher civil service in Britain and a discussion of some recent trends in administrative practice in the United Kingdom. It is *not* an exhaustive literature survey, nor is it an objective assessment. It is intended both to be controversial and stimulating and add to our understanding of public administration in Britain. In part it may be regarded as polemical, in the same way as was Brian Chapman's excellent but maligned book *British Government Observed* (1963). The book eschews the jargon that mars so much contemporary social science writing and in the sense that it presents no new 'scientific' theories, or typologies or models or other heuristic devices, it is in part a contribution to the literature from what Jeroen Maesschalk refers to as the 'Traditional Public Administration' perspective (Maesschalk, 2004, p. 466). As the title of the book suggests, it simply presents some reflections on the skills, approaches and values of senior civil servants in Britain.

Public service is a much-denigrated idea. Yet it has been a fundamental element of the writings of most major political philosophers. It was central both to the thoughts of the ancients and their mediaeval commentators and to those of more recent writers, from Rousseau and Kant onwards. Despite this honourable pedigree, however, contemporary political science sneers at it. Those who demand hard facts, preferably in the form of statistical evidence, seem almost inclined to say that if it cannot be measured then it must not exist. In this sense ideas of public service, and a motivation to act in the public interest or out of public duty, are much like many of the finer and nobler aspects of human existence. As with love, or happiness, or friendship, the existence of a motivation to act out of public duty cannot be vouchsafed by a social survey. As with religious faith, such a motivation may

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be seen in the words of T. H. Green, the great English idealist philosopher who inspired so many public servants, as a ‘primary formative principle, which cannot be deduced or derived from anything else’ (Green, 1900, p. 263). This book is simply an attempt at defining the ideal of public service, defending it as an ideal and decrying the perceived decline of such an ideal in Britain.

There will be those who will say upon reading this book, that it harks back to a non-existent ‘Golden Age’ when imaginary altruistic public servants were meant to set aside their own interests and make decisions on the basis of an elusive public interest. They will point to the work of the public choice theorists and the other arid pessimists of the social sciences who lay claim to have ‘proved’ the non-existence of such a golden age – or rather to have ‘proved’ that public servants are self-interested and will act in the interests of their class. So what? There is no doubt that past officials, who have been lionised as high minded, nobly motivated public servants, often acted in self-interest or class-interest, even if they genuinely believed that they were acting in the public interest. There is no doubt too they were often unaccountable or that they were elitist. None of this can be denied. Indeed, those who have done empirical research on such past leaders of the civil service have presented evidence that this is indeed the case (see for example, Barberis, 1996; Chapman, 1984, 1988, 2004; O’Halpin, 1989; Theakston, 1999). The reason is this: there never has been a golden age of public administration in the sense of a pure concern with acting out of public duty. Human nature is deeply flawed in this sense, as in all others. Nevertheless, there was an *ideal* of public service; and, however imperfect from the perspective of the actual world, this acted as a *guide* to public servants. It is an ideal which is now, if not derided, simply ignored; and the guide to public activity is now something rather vaguely – if narrowly – called ‘efficiency’. Efficiency, defined in a narrow utilitarian way, means the two are not compatible. The purpose of this book is to argue – not to ‘prove’ – that the ideal of public service can help to motivate public servants to act efficiently – defined in a wider and more relevant sense.

The method, or rather the approach, is straightforward. First, there will be a description and discussion of *some* of the works of *some* of the important writers on this subject, chosen on the basis of the judgement that their contributions are significant contributions. It is not an exhaustive survey. Second, there will be a discussion of why the ideas of these thinkers have played an important part both in the study and in the practice of public administration in Britain. Third, there will be an assessment of recent trends away from ideas of public service and a discussion of public service in the twenty-first century. There will not be any quantitative material. Little existed when the non-existent golden age of administration was

alleged to be at its zenith, during the period from about 1919 until the 1980s, and so it is simply not possible to talk about a 'decline' in a narrow 'scientific' sense. Attempts at creating a 'data-base' now would be futile. Despite the increasing sophistication of quantitative methods, there would be the problem that public servants would probably deny that they were not acting out of a sense of public service or in the public interest. The recent *Guardian* attempt at this was interesting and uplifting, given its revelations about the motivations of public servants, but from a scientific perspective it was a pointless exercise (*The Guardian*, 2001). Moreover, that survey was primarily about what are described as 'front line' public servants, for example, teachers, nurses, social workers and firemen, whose motivation may be described as vocational. It was not about the ideal of public service defined in the more abstract sense of a concern with 'the public interest'. This book is about senior civil servants, those whose function it is to advise ministers about how best to govern society. It is informed scholarship about that aspect of public service that is the basis of this discussion.

Of course, there is a danger of 'reading history backwards', to use an Oakeshottian phrase. More precisely, there is the danger of projecting the ideas of Plato and Aristotle or Rousseau and Kant or even Bradley and Green into a world, the world of twentieth-and twenty-first-century Britain, which would be completely unrecognisable to them. The ancients, their mediaeval commentators and the early moderns lived in small communities, and, of course, their experiences framed their thoughts. As time has marched on societies have grown, and Aristotle's view that a state's territory should be of a size 'which can be easily surveyed' (1946 edn, VII.v.3) and its population 'the greatest surveyable number for requiring self-sufficiency' (VII.iv.14) is no longer tenable – though modern technology has perhaps brought such an ideal back within our grasp! Instead, as James Bryce noted at the beginning of the twentieth century, elites have emerged who control the activities of the modern state (1921, Vol. II, p. 542). It is with elites that this book is concerned, and the ideas of those past philosophers are as relevant in this context as ever.

What, then, is the ideal of public service? Put simply, the *idea* is that those in official positions of public authority regard the interests of the whole society as being the guiding influence over all public decision-making, that their personal or class or group interests are to be set aside when making decisions, and that they are public servants purely out of a perceived duty to serve the public. It is an idea which has permeated the history of political philosophy, with its most noble expression appearing in the works of Plato, particularly in the *Republic*. His 'philosopher rulers', the holders of public office, 'will be those who, when we look at the whole course of their lives, are found to be full of zeal to do whatever they believe to be the good

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of the commonwealth and never willing to act against its interests' (1941 edn, p. 101).

This idea of a 'common good', what might be loosely likened to 'the public interest', was developed by Aristotle in his *Politics*. That work is more prosaic than Plato's *Republic*, but Aristotle, too, recognised that those citizens called upon to rule in a given city state must set aside their personal interests. As the scale of society has grown it has become more difficult to ascertain what the common good or public interest is, and, of course, while the opportunities for holding to account those charged with public office have declined, the mechanisms by which the public interest can be achieved have become infinitely more complex, and perhaps less reliable (see for example, Bovens, 1998; Flinders, 2001, 2004; Newman, 2004; Pyper, 1996). Society has become increasingly heterogeneous and class and group interests have come to dominate the political landscape in the contemporary world. This does not mean, however, that there is no such thing as the common good, unless, of course, there is no such thing as society itself.

The conviction that there is no such thing as society was most famously articulated by Margaret (now Baroness) Thatcher. Of course, her words are usually only partly reported, and the addendum that there are only individuals and families is rarely referred to. Nevertheless, the statement does reflect her dislike of notions such as the common good or the public interest, which she would probably regard as having socialist undertones. A more coherent, if rather implied, criticism of these notions comes from the so-called 'Group Theorists', particularly in the seminal works of Arthur Bentley and David Truman. For these and other writers, all societies are merely aggregates of groups. These groups represent interests and vie with each other in attempts to ensure that their interests are both represented in public policy making and at least partially satisfied. Everybody belongs to these groups, even if they do not know that they belong, and the groups have overlapping memberships. Even political decision-makers belong to groups, and these political groups, for example political parties and government agencies, whilst being highly differentiated, nevertheless represent the interests of those who belong to them and *not* the national or public interest. The reason, at least for Bentley, is clear: for him there is no such thing as the 'social whole', just groups 'pressing one another, forming one another, and pushing out new groups...to mediate the adjustments' (1908, 1955 edn p. 269). Truman is less dogmatic, but is largely in agreement with his predecessor (1951). Later writers have refined some of the ideas of Bentley and Truman, and there is now a vast American, and more latterly British and European, literature on pluralism, with seminal works by Dahl and Lindblom, and on public choice, networks and more latterly 'partnership' (see for example, Beer, 1965, 1982; Dahl, 1961; Jordan and

Richardson, 1987; Lindblom, 1965, 1968, 1977; Rhodes, 1992, 1996, 1997; Richardson and Jordan, 1979). The common theme in all this work, a theme shared to some extent with Marxist interpretations of the state, is that governments and public officials accommodate the various interests and groups of society. In this pessimistic view of the world, governments and public officials have no concept of an overall common good. Public choice writers go further and develop the ideas of the Group Theorists to their ultimate conclusion: that public officials will maximise their own interests and those of the agencies and groups they represent (see for example, Buchanan, 1954, 1975; Downs, 1957; Dunleavy, 1985, 1986, 1989, 1991; Niskanen, 1971; Olsen, 1971).

This positivist approach does have some strengths. Indeed, it sits easily with a view that to expect public officials to set aside their own interests is *unnatural*. In that sense the empiricists share certain assumptions with some of those who are to be held up in the pages that follow as defenders of the idea of public service, most notably Aristotle and Rousseau. However, unlike Aristotle and Rousseau, and certainly unlike the British Idealists, some of whose ideas are also to be discussed in this book, the more recent writers seem to imply that their pessimistic view is of a world either as it should be or at least that there is nothing that can be done to prevent it so being. If we take the first implication, it might almost be argued that it is in the public interest that there is no public interest! If we take the second, then we are condemning ourselves to a corrupt future. At any event, even if it is accepted that some people *will not* set aside their personal interests, it is the contention here that some *will*, and that they *should* be so encouraged.

It may be argued that this is precisely what happened in British public life in the latter part of the nineteenth century and for most of the twentieth century. Corruption, which some see as being part of the natural human condition, was endemic in the public service of mid-nineteenth century Britain, and it often manifested itself as indolence, stupidity and incompetence. This led to national disasters, national introspection, and the establishment of public enquiries. It was an example of the latter, the Northcote–Trevelyan Report, which laid the foundations for a famously meritorious and apparently incorruptible civil service. These foundations were built upon by the creation of the Civil Service Commission, which established standards for new entrants to civil service departments, and by the gradual unification of those departments into a civil *service*, what, for Sir Warren Fisher was the fourth service of the Crown. These structural changes were accompanied by changes in the spirit of administration and by the emergence of an ethos of public service as embodied in numerous public officials, most notably, but most certainly not exclusively, Fisher and his distinguished successor Sir Edward Bridges. Both the structure and the

ethos remained largely intact until the 1980s. Since then, following precepts first laid down in the Fulton Report of 1968, the structure has largely been dismantled and the ethos has all but disappeared – despite the public protestations and denials of both ministers and officials themselves. Pluralism has taken the place of unity; and managerialism has taken the place of administration. The ideal and the practice of public duty are all but dead.

What follows in the next chapter is an elaboration of the themes touched upon in this introductory chapter. There will first be an in-depth study of the concept of public duty and the closely related idea of the public interest. Chapter 2 will be largely a normative chapter, exploring the thoughts of some of the leading political philosophers. Chapter 2 will also explore *criticisms* of the ideas of public duty and the public interest, and, insofar as it is critical of these ideas, it will deal with the work of the Group Theorists and those who have developed the basic ideas of pluralism by studying ‘networks’ and developing ‘public choice’ and other political science theories. Second, there will be an exploration of public service in the United Kingdom’s central administration in the nineteenth and twentieth centuries. Again, this chapter will not confine itself to a laudatory, uncritical view of those developments, but will deal with allegations of elitism and the lack of accountability which emerged towards the end of the period under review. Finally, there will be an analysis of the changes that have taken place in the last forty years or so, including an assessment of the so-called modernisation programme of the ‘New’ Labour Government. This will lead to a discussion of the role of public service, public duty and the public interest in the twenty-first century.

The emergence of the ‘new public management’, with its emphasis on the role of markets in the provision of public services, has led to the destabilisation of the organisational characteristics of public service and the destruction of the ethos which underpinned them. No serious attempt has been made by those who have undermined the ideas and practices of public services to answer the questions of ethics which their handy work has thrown up, notwithstanding the plethora of codes, frameworks and compliance bureaucracies that have become substitutes for ethical thinking on the part of individuals. This book is essentially about those questions. How *ought* public servants to behave; how *ought* they to be encouraged to think ethically; and how *ought* they to be motivated so to do?

References

- Aristotle (1946 edn), *Politics*, edited and translated by Sir Ernest Barker, Oxford, Oxford University Press

- Barberis, P. (1996), *The Elite of the Elite: Permanent Secretaries in the British Higher Civil Service*, Aldershot, Dartmouth
- Beer, S. H. (1965), *Modern British Politics*, London, Faber and Faber
- Beer, S. H. (1982), *Britain Against Itself: The Political Contradictions of Collectivism*, New York, W. W. Norton and Company
- Bentley, Arthur (1908, 1955 edn), *The Process of Government*, Evanston, IL, The Principia Press
- Bovens, M. (1998), *The Quest for Responsibility: Accountability and Citizenship in Complex Organisations*, Cambridge, Cambridge University Press
- Bryce, James (1921), *Modern Democracies*, New York, Macmillan
- Buchanan, J. M. (1954), 'Individual choice in voting and the market', in *Journal of Political Economy*, Vol. 62, pp. 334–43
- Buchanan, J. M. (1975), *The Limits of Liberty: Between Anarchy and Leviathan*, Chicago, IL, Chicago University Press
- Chapman, Brian (1963), *British Government Observed: Some European Reflections*, London, George Allen & Unwin
- Chapman, Richard A. (1984), *Leadership in the British Civil Service*, London, Croom Helm
- Chapman, Richard A. (1988), *Ethics in the British Civil Service*, London, Routledge
- Chapman, Richard A. (2004), *The Civil Service Commission 1855–1991: A Bureau Biography*, London, Routledge
- Dahl, Robert (1961), *Who Governs?*, New Haven, CT and London, Yale University Press
- Downs, A. (1957), *An Economic Theory of Democracy*, New York, Harper and Bros
- Dunleavy, P. (1985), 'Bureaucrats, Budgets and the Growth of the State: Reconstructing an Instrumental Model', in *British Journal of Political Science*, Vol. 15, 3, pp. 299–328
- Dunleavy, P. (1986), 'Explaining the Privatization Boom: Public Choice versus Radical Approaches', in *Public Administration*, Vol. 67, pp. 13–34
- Dunleavy, P. (1989), 'The Architecture of the British State', two articles in *Public Administration*, Vols 67 (pp. 249–75) and 68 (pp. 3–28)
- Dunleavy, P. (1991), *Democracy, Bureaucracy and Public Choice*, Hemel Hempstead, Harvester Wheatsheaf
- Flinders, M. (1991), *The Politics of Accountability in the Modern State*, Aldershot, Ashgate
- Flinders, M. (2004), *Multi-Level Governance*, Oxford, Oxford University Press
- Green, T. H. (1900), 'Faith', in Nettleship, R. L. (ed.), *The Works of Thomas Hill Green, Vol. III, Miscellanies and Memoirs*, London, Longman
- The Guardian* (2001), 'The Common Good', special supplements on 20 and 21 March 2001, London, Guardian Newspapers
- Jordan, G. and Richardson, J. J. (1987), *British Politics and the Policy Process*, London, Allen & Unwin
- Lindblom, C. E. (1965), *The Intelligence of Democracy*, New York, Free Press
- Lindblom, C. E. (1968), *The Policy Making Process*, New Jersey, Prentice Hall
- Lindblom, C. E. (1977), *Politics and Markets*, New York, Basic Books
- Maesschalk, J. (2004), 'The Impact of New Public Management Reforms on Public Servants' Ethics: towards a theory', in *Public Administration*, Vol. 82, pp. 465–89

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- Newman, J. (2004), 'Constructing Accountability: Network Governance and Managerial Agency', in *Public Policy and Administration*, Vol. 19, 4, pp. 17–33
- Niskanen, W. A. (1971), *Bureaucracy and Representative Government*, Chicago, IL, Aldine
- O'Halpin, E. (1989), *Head of the Civil Service: a Study of Sir Warren Fisher*, London, Routledge
- Olsen, M. (1965, 1971 edn), *The Logic of Collective Action: Public Goods and the Theory of Groups*, Cambridge, MA, Harvard University Press
- Plato (1941 edn), *The Republic*, edited and translated by F. M. Cornford, Oxford, The Clarendon Press
- Pyper, R. (ed.) (1996), *Aspects of Accountability in the British System of Government*, Eastham, Tudor
- Rhodes, R. A. W. (1992), *Policy Networks in British Government*, Oxford, The Clarendon Press
- Rhodes, R. A. W. (1996), 'The New Governance: Governing without Government', in *Political Studies*, Vol. 44, pp. 652–67
- Rhodes, R. A. W. (1997), *Understanding Governance: Policy Networks, Governance, Reflexivity and Accountability*, Buckingham, Open University Press
- Richardson, J. J. and Jordan, G. (eds) (1979), *Governing Under Pressure: The Policy Process in a Post-Parliamentary Democracy*, Oxford, Martin Robertson and Co.
- Theakston, K. (1999), *Leadership in Whitehall*, London, Macmillan
- Truman, David (1951), *The Governmental Process: Political Interest and Public Opinion*, New York, Alfred A. Knopf

2 Philosophy, politics and administration

The ideal of public service

The purpose of this chapter is to consider some of the works of political philosophy which have contributed to our understanding of ideas of public service as understood in British central administration. It is not an exhaustive survey, which is not necessary for the intentions of this book. Rather, it is the presentation of ideas of some of the key contributors to the canon of philosophy on this particular subject. It is not meant to be uncritical, though this book is sympathetic to ideas of public service. It is rather meant to bring together those strands of political philosophy relevant to the study of a particular aspect of public administration, to present them in an accessible manner and to deal with criticisms of them. To these ends the chapter is divided into three sections. The section on *Public duty and the ancients* deals with the most relevant works of the two most notable of the ancients, Plato's *Republic* and Aristotle's *Politics*. It also considers the observations of the latter's most important mediaeval commentator, St Thomas Aquinas. The section on *Public duty and the moderns* examines the work of the 'moderns', concentrating largely on Jean-Jacques Rousseau, some of whose work may be seen as being an advanced criticism of later writers on Group Theory, Pluralism, Public Choice Theory, Network Theory and Partnership Theory, and on the most important English Idealist, Thomas Hill Green. It also briefly assesses the work of others who have made contributions to the ideas considered here, for example, Kant and Hegel. The section on *Critics of the ideal of public service* presents criticisms of the ideal, and considers the work of those who first began to explore pluralism and laid the foundations for the later public choice, network and partnership theorists, Arthur Bentley and David Truman. These works and others have been chosen because they present the essence both of the public service ethos and of criticisms of it.

Public duty and the ancients

The ideal of public service has an ancient and noble pedigree. Indeed, it is as old as philosophy itself. It finds its most beautiful expositions in the works

of Plato and Aristotle, in particular Plato's *Republic* and Aristotle's *Politics*. The essence of it is that the public official, politician or administrator, sets aside his or her personal interests and is a public servant out of a perceived duty to serve 'the public'. It could be argued that such an ideal is unrealisable in the world as it actually is, both because it is inimical to human nature and because society is so complex that it is not possible for public officials to know what the public interest is. There is, of course, much that is valid in such arguments because, in the actual world, individuals will find it almost impossible either to set aside personal interests or to determine what the public interest is in any given circumstances. Aristotle himself recognised such truths in *Politics*. Indeed, he went further: 'moved by the profits to be derived from office and the handling of public property', he wrote, 'men want to hold office continually' (1946 edn, III.vi.11). Recognising such problems does not, however, negate the power of the *ideal*; indeed, it strengthens that power, for it presents the public servant with an aspiration and an inspiration. It is also part of an *education*.

Education was, of course, at the heart of Plato's ideas on public service and public duty. His views, particularly as set out in the *Republic*, are arguably the most influential in any consideration of ideas in public service. In the *Republic*, Plato did not create the 'ideal' state, because, for him, such a state could exist only in a primitive society, in which the members of that society would be self-sufficient in the basic necessities of life. Rather, he described a state which could exist in the actual world and which would be capable of incorporating some of the characteristics of the ideal. He was inspired to write the *Republic* because of his perception of corruption, in the widest sense, in contemporary Athenian society. The main question he sought to answer was: what does Justice mean, and how can it be realised in human society? His view was that society was a 'natural entity', into which men were not born self-sufficient or alike, but in which they were interdependent and different. Organised society, which would allow for specialisation according to differing aptitudes, was both natural and advantageous. Justice in such a society was not simply a technical legal term, but was a term for the *right ordering* of society: that each order in society 'keeps to its own proper business...and does its own proper work, that is justice and what makes a just society' (1941 edn, p. 126). His *Republic* would be one in which justice would most likely to be achieved, in which the three social functions, the deliberative and governing function, the executive and military function, and the production function, would be best ordered and least corrupt.

The state Plato described in the *Republic* was 'luxurious' or 'inflamed' (pp. 58–61). By luxurious Plato meant that 'we must not limit ourselves to those bare necessities of house and clothes; we shall have to set going the

arts of embroidery and painting, and collect rich materials, like gold and ivory' (p. 59). As this state grew it would become 'swollen up with a whole multitude of callings not ministering to any bare necessity', for example, hunters and fishermen, artists and poets, actors and reciters, dancers and producers, servants and barbers and a whole host of other specialists (p. 60). Above all there would be the need for soldiers, from whom would be derived the ruling elite. This need arose because, 'If we are to have enough pasture and plough land, we shall have to cut off a slice of our neighbour's territory; and if they too are not content with necessaries, but give themselves up to getting unlimited wealth, they will want a slice of ours' (p. 60). The work of these soldiers was 'the most important of all' and they would need 'the most complete freedom from other occupations and the greatest amount of skill and practice'. They were 'the guardians of the commonwealth' (p. 61).

These guardians would need to have 'a native aptitude for their calling', and Plato defines the temperament a young man would need to assume the role of a guardian. He 'must have quick senses to detect an enemy, swiftness in pursuing him, and strength... to fight him' (pp. 61–62). He would also need courage, which implied 'a spirited disposition', for that would make him 'fearless and indomitable in the face of any danger' (p. 63). However, guardians 'must be gentle to their own people and dangerous only to their enemies', which itself implies a 'philosophical element in [their] nature' (p. 63). Why? Because 'If a man is to be gentle towards his own people whom he knows, he must have an instinctive love of wisdom and understanding' (p. 64). The 'natural qualities' which make a 'really noble' guardian are that he should be 'swift and strong, spirited and philosophic' (p. 64). He must also, however, be educated, for 'we can be sure... that if they are to have the best chance of being gentle and humane to one another and their charges, they must have the right kind of education' (p. 105).

As is well known amongst students of politics, Plato divides the guardian class into two groups, the so-called Philosopher Rulers, who will perform what F. M. Cornford in his textual notes refers to as the 'legislative and deliberative' functions of the state, and the Auxiliaries, who will perform the 'executive' functions (p. 100). Nevertheless, all guardians will have undergone a rigorous education, similar to that which Athenian boys underwent in Plato's day. According to Cornford that education 'mainly consisted of reading and writing...; learning and reciting epic and dramatic poetry, lyre playing and singing lyric poetry, the rudiments of arithmetic and geometry; and athletic exercise' (p. 65). In the *Republic*, Plato simplifies that system, removing those elements not conducive to the promotion of the character of the guardians (chapter IX). This is part of the process which Cornford describes as 'ridding the luxurious state of unhealthy elements' (note on p. 65).

In the *Republic*, the education for guardianship would last until about the age of 20. There would be a primary education in literature, music and elementary mathematics until about the age of 17, followed by an intensive course of physical and military training, with little time for study. Those who would be Philosopher Rulers would then be selected by a series of tests for higher education. This higher education (outlined in chapters XXVI and XXVII) would have as its purpose the training of the guardians to look upwards towards 'the Good'. They would essentially need to be trained in abstract thinking. To this end they would undergo ten years of studying mathematics, by which Plato had in mind arithmetic, geometry, solid geometry, astronomy and harmonics (pp. 235–44). From this they would be able to have 'a comprehensive view of [the connexions of these subjects] with one another and with reality' (p. 253). At the age of 30 a further selection would be made, and those selected 'will be promoted to still higher privileges and tested by the power of Dialectic, to see which of them can dispense with sight and the other senses and follow truth into the region of pure reality' (p. 253). Dialectic was 'philosophic discussion by one who aspires, through the discourse of reason unaided by any of the senses, to make his way in every case to the essential reality and perseveres until he has grasped by pure intelligence the very nature of Goodness itself' (p. 247). The engagement with Dialectic would last about five years (p. 255). After that, those chosen would be sent back to the actual world where they would take military commands and other minor offices and 'once more be tested to see whether they will stand firm against all seductions' (pp. 255–56).

The argument that underpins the whole of this system of education and testing is that those who are to be the rulers 'will be those who, when we look at the whole course of their lives, are found to be full of zeal to do whatever they believe is for the good of the commonwealth and never willing to act against its interests' (p. 101). The tests used to select the rulers have as their intention to find out who 'are the best guardians of [the] inward conviction that they must always do what they believe to be the best for the commonwealth' (p. 102). Its 'good government and well being [would] depend entirely on them'. Their personal happiness would not be a consideration because genuine guardians would be the last to bring harm to the commonwealth. Happiness would be theirs simply because as the community grew into a well-ordered whole 'the several classes may be allowed such a measure of happiness as their nature will compass' (p. 108). What must never be forgotten is that 'the law is not concerned to make any one class especially happy, but to ensure the welfare of the commonwealth as a whole':

By persuasion or constraint it will unite the citizens in harmony, making them share whatever benefits each class can bring to the common

good; and its purpose in forming men of that spirit [is] not that each should be left to go his own way, but that they should be instrumental in binding the community into one.

(pp. 228–29)

There would thus be no real injustice in compelling the guardians to watch over and care for other citizens.

The conviction that the guardian class must always act in the best interests of the commonwealth would be fortified by what might be labelled the Spartan simplicity with which *all* such guardians (both the Philosopher Rulers and the Auxiliaries) would live. Plato regarded it as ‘only common sense that the dwellings and other belongings provided for them must be such as will neither make them less perfect Guardians nor encourage them to maltreat their fellow citizens’ (p. 106). This sentiment is followed by one of the most important and beautiful passages in philosophy about private interests and public duty:

First none of them must possess any private property beyond the barest necessities. Next, no one is to have any dwelling or store-house that is not open to all... Their food... they will receive from the other citizens as wages for their guardianship...; and they will have meals in common and live together like soldiers in a camp. Gold and silver... they will not need, having the divine counterparts of those metals always in their souls... whose purity it is not lawful to sully by the acquisition of that mortal dross, current among mankind, which has been the occasion for so many unholy deeds. They alone of all the citizens are forbidden to touch or handle silver or gold, or to come under the same roof with them, or wear them as ornaments or drink from vessels made from them. This manner of life will be their salvation and make them the saviours of the commonwealth. If ever they should come to possess land of their own and houses and money, they will give up their guardianship for the management of their farms and households and become tyrants at enmity with their fellow citizens instead of allies.

(p. 106)

This attitude to material possessions is coupled with a similar attitude to familial and personal connections. A whole chapter (chapter XVI) is devoted to the ‘Abolition of the family for Guardians’. In effect the guardian class is to form a single family. There seems to be a eugenic element here, as Cornford puts it: ‘to rear children of the highest type’ (p. 152). More importantly, from the present perspective, there is the intention ‘to free the Guardians from the temptation to prefer family interests to those of

the whole community' (p. 152). Such an intention:

agrees with [the] principle that they were not to have... any property of their own, but to receive sustenance from other citizens, as wages for their Guardianship, and to consume in common. Only so will they keep their own true character; and [the present] proposals will do still more to make them genuine Guardians. They will not rend the community asunder by each applying the word 'mine' to different things and dragging off whatever he can get for himself into a private home, where he will have his separate family, forming a centre for exclusive joys and sorrows. Rather they will all... feel together and aim at the same ends.

(p. 162)

Having been educated according to the strict regime Plato lays down, having lived under conditions of Spartan simplicity until the age of 50 and having served a sort of apprenticeship in junior positions of authority, those who are to be the Philosopher Rulers 'have come safely through and proved the best at all points in action and study...' They are ready at last to be 'brought to the goal':

They must lift up the eye of the soul to that which sheds light on all things; and when they have seen the Good itself, take it as a pattern for the right ordering of the state... For the rest of their lives, most of their time will be spent in study; but they will all take their turn at the troublesome duties of public life and act as Rulers for their country's sake, not regarding it as a distinction but as an unavoidable task. And so, when each generation has educated others like themselves to take their place... they will depart to dwell on the Island of the Blest. The state will set up monuments for them and sacrifices honouring them as divinities... or at least as men blest with a god-like spirit.

(p. 256)

Those who make only a vain show of being guardians, not following the precepts outlined here, will bring the state to utter ruin (pp. 107–08). The truth was that: 'you can have a well governed society only if':

you can discover for your future rulers a better way of life than being in office; then only will power be in the hands of men who are rich, not in gold, but in the wealth that brings happiness, a good and wise life. All goes wrong when, starved for lack of anything good in their own lives, men turn to public affairs hoping to snatch from thence the

happiness they hunger for. They set about fighting for power, and this internecine conflict ruins them and their country. The life of true philosophy is the only one that looks down upon offices of state; and access to power must be confined to men who are not in love with it; otherwise rivals will start fighting. So whom else can you compel to undertake guardianship of the commonwealth, if not those who, besides knowing the best principles of government, enjoy a nobler life than the politician's and look for rewards of a different kind?

(p. 230)

Aristotle, too, was concerned about the 'corruption' of politicians and some of his views echoed, if more prosaically, those of Plato. Sir Ernest Barker argues that Aristotle placed thoughts about public duty and the common interest at the centre of his ideas on *Politics*. According to Barker, whose 1946 translation is the basis for this discussion:

The common interest . . . is not only or mainly economic: it is an interest in the attainment of a *good* life (rather than a comfortable life) and it requires for its satisfaction those institutions, such as a system of justice, which are necessary for such a life.

(Aristotle, 1946 edn, note on p. 111)

In Aristotle's own words: 'A *natural* impulse is . . . one reason why men desire to live a social life . . . The good life is the chief end, both for the community as a whole and for each of us as individuals . . .' (III.vi.3, 4). Furthermore, 'Those constitutions which consider the common interest [in the good life] are *right* constitutions, judged by the standards of absolute justice. The constitutions which consider only the personal interests of the rulers are all wrong constitutions or *perversions* of the right forms' (III.vi.10).

Aristotle viewed his contemporary society as such a perversion. He railed against corruption and noted that 'Moved by the profits to be derived from office and the handling of public property, men want to hold office continually' (III.vi.11). This actual state of affairs was *unnatural* because it undermined the common interest. The *natural* system was an ideal or a system from what might now be described as a 'golden age', an age in which equal citizens took it as their duty to serve the community in turns, where 'the office of ruler [was] primarily for the ruled' and in which 'each assumed that others would take over the duty of considering his benefit, just as he had himself . . . considered the interests of others' (III.vi.9–10). The duty of rulers in the 'right' form of constitution is always to act in the common interest and promote the 'good' life. The legislator should understand 'that what is "right" should be understood as what is "equally right"; and that

what is “equally right” is what is for the benefit of the whole state and for the common good of its citizens’ (III.xiii.11–12).

There must be no illusions about Aristotle’s view of the world. It was, in today’s terms, elitist. The phrase ‘the common good of its citizens’ is the centrally important phrase in the quotation. The citizenry in Aristotle’s time would be a very small proportion of the total population of a given political entity. Slaves, women and children were not citizens (although the male children of citizens would become so); neither were farmers, labourers and craftsmen. Nevertheless, all these non-citizens were, if not part of the state, at least a ‘category’ of conditions necessary to constitute a state (see VII.ix). The ‘integral’ parts of the state were the military force and the deliberative body – both consisting of full citizens, from the propertied and leisured class. Nevertheless, to condemn this order is to read history backwards. As with Plato, there must be an attempt to appreciate that Aristotle was conditioned by the society in which he happened to live. From that perspective his ideas of the common good are as relevant now as then, and simply need to be interpreted for the society in which we now happen to live. Whereas Aristotle’s citizens were propertied men, contemporary society views virtually all individuals within the boundaries of a modern state as ‘citizens’ – and to the extent that such states are infinitely larger than anything with which Aristotle would have been familiar, their governments are themselves of necessity elitist, or rather consist of a small group who exercise political authority over others in the state. Were Aristotle alive now he would probably still argue that the governing elite should act for ‘the common good’, which would include all within the boundaries of the state.

Aristotle’s concept of the common good was, however, nebulous. Partly this derived from the nebulousness of his other intrinsically linked concepts, those being ‘the constitution’ and ‘the state’. For Aristotle, the constitution was not simply a set of rules governing the activities of the governors; it was, in Barker’s words, ‘a way of life’ (note on p. 333). In Aristotle’s own words ‘... the best way of life will go together with the best constitution’ (VII.i.1). This explains why much of *Politics* is devoted to education, and to the discussion of how ‘The true end which law-givers should keep in view... is the enjoyment of partnership in the good life and the felicity thereby attainable’ (VII.ii.17; see also chapters XIII and XIV). The ‘good life’ is a moral concept, involving justice and temperance, and the truest state would be one which develops such a morality both in individuals and collectively. The state is ‘an association of equals...; and its truest object is the best and the highest life possible’ (VIII.viii.4). For Aristotle, the highest good was ‘felicity’, which consisted in ‘the energy and perfect practice of goodness’ (VIII.viii.5). The best constitution was that ‘under which the state

can attain the greatest felicity, and that...cannot exist without goodness' (VII.ix.3). Furthermore, the morally best state was:

the state which is happy and 'does well'. To 'do well' is impossible unless you also 'do right', and there can be no doing right for a state, any more than there can for an individual, in the absence of goodness and wisdom.

(VII.i.11)

Again, the best constitution 'must be a political organisation which will enable all sorts of men [e.g. the "contemplative" as well as the "practical"] to be at their best and to live happily' (VII.ii.6). As noted earlier, 'The true end which any good law-giver should keep in view, for any state or... society... is the enjoyment of the partnership in the good life and the felicity thereby attainable' (VII.ii.17). For Aristotle, 'The good life, or felicity, is obviously the end at which all men aim' and thus the 'best constituted state is the state which possesses the greatest possibility of felicity'. Felicity is:

the energy and practice of goodness, to a degree of perfection, and in a mode which is absolute and not relative. By 'relative' we mean a mode of action which is necessary and enforced. By 'absolute' we mean a mode of action which possesses intrinsic value.

(VII.xiii.3-6)

It follows, though not in the text, that law-givers should be 'superior to others in goodness and... in capacity for actually doing good. Goodness by itself is not enough: there must also be a capacity for being active in doing good' (VII.iii.6-7).

In practical terms there are six services that a state performs. The first five are: the provision of food; arts and crafts; arms; property for domestic and military purposes; and public worship. The sixth service, 'and the most vitally necessary, is a method of deciding what is demanded by the public interest and what is just in men's private dealings', in other words some system of deliberation and jurisdiction (VII.viii.6). A state should 'accordingly be so constituted as to be competent for all these services'. It should contain farmers, craftsmen, soldiers, a propertied class, priests, 'and a body for deciding necessary issues and determining what is in the public interest' (VII.viii.9).

To Aristotle, the best constitution was one under which the state could obtain the greatest felicity, as noted in the previous paragraph, felicity being 'obviously the end at which all men aim' (VII.xiii.1). Such a state could not exist without 'goodness', by which was meant 'active goodness', which

consists of 'fortitude, temperance, justice and wisdom' (VII.ix.3). A state was good 'in virtue of the goodness of its citizens who share in government', and since all citizens had a share in government 'all citizens must therefore be good' (VII.xiii.9). Whilst it was possible for 'all to be good collectively, without each being individually good', it was better that 'each individual citizen be good'. To Aristotle, 'The goodness of all is necessarily involved in the goodness of each' (VII.xiii.10). However, '... no man can be just and temperate merely by accident or simply through chance' (VII.i.10), and there were three ways in which men could become good: because of their natural endowment, because of the habits they form and because of the rationality within each individual. Having previously established the natural endowment needed for citizens 'if they are to be easily moulded by the art of the legislator' the rest was 'entirely a matter of the education he provides' (VII.xiii.13). Indeed, 'All would agree that the legislator should make the education of the young his chief and foremost concern'. (VIII.i.1). As to what should be the purpose of this education, and who should receive it, Aristotle was clear: 'The Good is one and the same for individuals and communities; and it is the Good which the legislator ought to instil in the minds of his citizens' (VII.xiv.21). In other words, there was a moral as well as a political reason for making education the chief concern of the legislator. 'Men must... be trained and habituated before they can do acts of goodness, as members of a state should do' (VIII.i.2). Above all it had to be remembered that:

The whole state has a common End. Evidently, therefore, the system of education in a state must also be one and the same for all, and the provision of this system must be a matter for public concern. It cannot be left... to private enterprise, with each parent making provision privately for his own children, and having them privately instructed as he himself sees fit. Training for an end which is common should also be common... We must not regard a citizen as belonging just to himself: we must rather regard every citizen as belonging to the state. Each is part of the state; and the provision made for each part will naturally be adjusted to the provision of the Whole.

(VIII.i.4)

At first sight, the nature of the provision Aristotle calls for is uncontentious: reading and writing, physical training (which fostered courage and fortitude) and music. Training in music, he argued, was a matter of dispute. Some regarded it as if its object was pleasure. The real reason, however, was 'something higher': 'Our very nature has a tendency... to seek of itself for ways and means which will enable us to use our leisure rightly... which is

the basis of all our life' (VIII.iii.2; see also VII.iv.22 and VII.xv.1–2). Both occupation and leisure were necessary, but leisure was higher than occupation and was 'the end to which occupation is directed' (VIII.iii.3). Leisure was not, however, as we might understand it now. It was different from play, which was a relaxation from occupation, in that it had in itself 'intrinsic pleasure, intrinsic happiness, intrinsic felicity' (VIII.iii.4). In other words, leisure was intrinsically linked with the 'good life'. To Aristotle, it was clear:

that there are some branches of learning and education which ought to be studied with a view to the proper use of leisure in the cultivation of the mind. It is clear, too, that these studies should be regarded as ends in themselves, while studies pursued with a view to an occupation should be regarded merely as means and matters of necessity.

(VIII.iii.6)

Indeed, 'To aim at utility everywhere is unbecoming to high minded and liberal spirits' (VIII.iii.8). An education in music was, for Aristotle therefore, of considerable value in 'the cultivation of the mind in leisure' (VIII.iii.8). The *Politics*, indeed, ends with a discussion of musical education.

This interpretation of Aristotle's views on the ideal state has omitted much that is not directly relevant to the present discussion. For example, little here is mentioned of his crude eugenicism, shared with Plato – in which, for example, he seeks to ensure provision for 'a stock of healthy children', considers the optimum ages of men and women respectively for marriage, sexual congress and marital life, and declares that there should be laws against the rearing of deformed children (see VII.xvi). Little, too, is made here of his views that all citizens should perform military service, just as all citizens should be expected to share to some extent in government. Indeed, a military force was 'essential' and, along with the deliberative element of the state, was part of the state 'in a particular and special sense' (VII.ix.40). These were the 'integral' parts of the state (VII.ix.10). Aristotle actually refers to them as 'these constitutional powers' and vests them in one set of persons – but in two distinct age groups. In other words, those who are to be rulers will also have served in the military force in their youth (VII.ix.5–6). Again, partly because of shared experiences as inhabitants of a particular city state, these views are similar to those of Plato, whose Guardian class consisted of both soldiers (the 'Auxiliaries') and statesmen (the 'Philosopher Rulers'). Plato was more elitist and eugenic in the sense of separating out rulers from soldiers on the grounds of capabilities; but to the extent that military service and legislative deliberation were tasks to be shared by the citizens they were at one.

They were not at one, however, when it came to what might be regarded as the ‘communism’ of Plato (see Aristotle, II.i–v). As noted on page 14, Plato sought to remove material temptation from the Guardians. Aristotle, on the other hand, was clearly not of that opinion. ‘There is’, he argued:

one classification of the constitutional elements of the best life which it is certain no one would challenge. This is the classification of these elements into external goods; goods of the body; and goods of the soul. It will also be generally agreed that *all* of these different ‘goods’ should belong to the happy man.

(VII.i.3)

Nevertheless, Aristotle did believe that while there was no limit to the goods of the soul (fortitude, temperance, justice and wisdom – the elements of felicity), external goods ‘like all other instruments, have a necessary limit of size...any excessive amount of such things must either cause their possessor some injury or, at any rate, bring him no benefit’ (VII.i.7). Indeed, it was for the sake of the soul that these external goods, for example property, were desirable, ‘and should accordingly be desired by every man of good sense’ (VII.i.9). In other words, a ‘happy’ man is moderate in his material desires and wishes to seek the good life, in common with others, by seeking to achieve fortitude, temperance, justice and wisdom, the elements of felicity, which is the End of the state.

Plato’s *Republic* and Aristotle’s *Politics* have been discussed in some detail since it is these works that laid the foundations for all subsequent considerations on the common good and ideas of public service. In these works, the two greatest philosophers of the ancient world, the founders indeed of western philosophy, laid down in clear and at times beautiful language what ‘end’ rulers should have in sight when making decisions about the societies over which they rule and what considerations they should bear in mind in making such decisions. They were especially clear about the potentially detrimental effects of personal and group interests in the making of decisions by governors. Plato in particular sought to eliminate such interests. It is these observations that have been echoed and embroidered down the ages, and what follows is a discussion of the development of their arguments by some of the inheritors of their philosophic mantle.

The most important mediaeval commentator on Aristotle was St Thomas Aquinas. As with the ancients, Aquinas held that politics is more than about achievements and success: its practice is a moral responsibility that requires prudence on the part of political leaders. The aim of that prudence is the ‘common good’. Aquinas shared the view of the ancients that man is ‘a social and political animal, destined...to live in community’

(1954 edn, p. 3). Moreover, he is a political animal because he is a social being. According to A. P. D'Entrevés, this idea of the social and political nature of man leads to 'an emphatic assertion of the full and harmonious integration of individual life in the life of the community' (p. xviii). In Aquinas's own words, 'All men being part of the city, they cannot be truly good unless they adapt themselves to the common good' (pp. 118–19). Furthermore, 'Since every part bears the same relation to its whole as the imperfect to the perfect, and since one man is a part of that perfect whole that is the community, it follows that the law must have as its proper object the well-being of the whole community' (p. 111).

The purpose of this discussion is not to analyse whether or not Aquinas's views undermine Christian ideas of the absolute value of human personality. That is a question for theologians. The purpose here is to discuss Aquinas's view of the role of the state in the temporal world, and here it is clear that he shared the views of 'the Philosopher', Aristotle. As with Aristotle, and as D'Entrevés points out, there is no doubt that Aquinas 'conceives the state as an organism, of the individual as subordinate to the community, and of the common good as the supreme value to which all others are instrumental' (p. xix). Indeed, in his commentary on Aristotle's *Ethics*, Aquinas asserts that it is only by being part of the community that it becomes possible for man to be able to have a 'full and complete life'. His views on this are fully compatible with those of Aristotle, who could, indeed, have written the following passage himself. Aquinas writes:

life in a community further enables man to achieve a plenitude of life; not merely to exist, but to live fully, with all that is necessary to well-being. In this sense the political community... assists him not merely to obtain material comforts, such as are produced by the many diverse industries of a state, but also spiritual well-being....

(p. 191)

Such sentiments echo those of Aristotle about the 'good life'. They are also prescient of Enlightenment thinking and of the writings of the English Idealists in the nineteenth and early twentieth centuries.

Aquinas's ideas are fully developed in what are probably the most important sources of his thoughts on politics, *On Princely Government* and the *Summa Theologica* (the translations here being used by Dawson in D'Entrevés, 1954). In these works the references to the common good, and to the qualities needed in law-givers, are numerous. In *On Princely Government* he begins with an explanation of the necessity for a political regime. As noted on page 20 his view is that 'man is naturally a social and political animal, destined... to live in community'. Why? Because 'one man alone would not be able

to furnish himself with all that is necessary...For this reason the companionship of his fellows is naturally necessary to man' (p. 3). Indeed, 'nature has destined him to live in society, so that dividing the labour with his fellows each may devote himself to some branch of the sciences...' (p. 5). Having established that man is a social animal, Aquinas then asserts that 'it follows with equal necessity that there must be some principle of government within the society'; and further, because we differ in our particular interests and it is 'the common good that unites the community', such a community 'would surely disintegrate unless there were one of its number to have a care for the common good' (p. 5). Aquinas recognises that political rule is sometimes just and sometimes unjust; but his guiding principle is that justice will only be served if the common good is pursued by the ruler:

If, then, a community of free men is administered by the ruler for the common good, such government will be just and fitting to free men. If, on the other hand, the community is directed in the particular interest of the ruler and not for the common good, this is a perversion of government and no longer just.

(p. 17)

As with both Plato and Aristotle, a ruler must set aside his personal interests and rule for the common good of those over whom he is set to rule: 'The aim of any ruler should be to secure the well-being of the realm whose government he undertakes' (p. 11). This is undermined, and government becomes unjust, when 'the personal aims of the ruler are sought to the detriment of the common welfare' (p. 15).

The *Summa Theologica* echoes the views contained in *On Princely Government*. Aquinas remarks, for example, that:

man is a social animal; and in consequence men would have lived in society, even in a state of innocence. Now there could be no social life for many persons living together unless one of their number were set in authority to care for the common good.

(p. 105)

The purpose of this authority is to promote the common good through the making and execution of laws. He states clearly that 'The object of the law is the common good'; and again, 'Law strictly understood has as its first and principal object the ordering of the common good' (p. 111). The 'correct definition of law' is that 'it is nothing else than a rational ordering of things which concern the common good, promulgated by whoever is charged with the care of the community' (p. 113).

The expression of these thoughts may be repetitive, and more prosaic than the expression of similar views by Plato and Aristotle; but it is clear that the thoughts so expressed are central to Aquinas's ideas on earthly government. Equally central to those thoughts are his comments on the nature of 'law-givers'. His philosophy encompasses a conception of society that requires 'virtue' on the part of those who are charged with political authority in any given community. Essentially, 'virtue' in the law-giver means the setting aside of personal interests and the pursuit of the common good:

If the intention of the law-giver is directed to that which is truly good, that is to the common good . . . , it will follow that man will, by such a law, be made unconditionally good. If on the other hand the intention of the law-giver is directed, not to that which is absolutely good, but merely to what is useful – in that it is pleasurable to himself or contrary to divine justice – then such a law does not make men good unconditionally, but only in a certain respect; namely in so far as it has reference to some political regime.

(pp. 117–19)

While it would be helpful to the well-being of the community if all are truly virtuous, it is only absolutely necessary for the rulers so to be. For all others, it is necessary simply for them to adapt themselves to the common good, and it is sufficient that they are virtuous 'to the extent of obeying the commands of the ruler'.

Similar thoughts are expressed in *On Princely Government*. In particular, Aquinas is first concerned with the necessity of the law-giver to set aside his personal interests in favour of the interests of the wider community; and second, with the positive aspects of the nature of virtue in princes. For example, he argues time and again that what 'makes government unjust is the fact that the personal aims of the ruler are sought to the detriment of the common welfare' (p. 150). When the ruler is 'heedless of the common welfare [and] seeks his personal satisfaction . . . he oppresses his subjects in various ways . . . in the pursuit of personal indulgence' (p. 17). In so doing he 'fails in his duty to the common welfare . . . [and] puts the whole community in danger of strife' (p. 25). Compare such sentiments with those of Plato, who believed that his Guardians should not apply the word 'mine' to different things, and should set aside personal gain and familial interests, for to do otherwise would be to 'rend the community asunder' (Plato, 1941 edn, p. 162).

Comparison may also be made with Plato in relation to the rewards of 'virtue'. Aquinas believes that the just tasks of kingship 'would appear to be too heavy unless . . . accompanied by some commensurate reward', and

therefore asks the question, 'what is the particular reward for a good monarch'? Honour and glory are rejected, for 'in the whole range of human affairs nothing would seem to be more uncertain than the glory and honour of popular favour...'. Moreover,

The desire of human glory destroys magnanimity of the soul. For whoever seeks favour of men must consider their desires in all that he says and does: thus because of his desire to please men he becomes the servant of individuals... It is this in fact which destroys the liberty of spirit which should be the greatest aspiration of the magnanimous man.

(p. 37)

Indeed, honour and glory are hurtful to the community, for 'it is the duty of a just man to despise glory, together with all other temporal rewards' (p. 37). 'A virtuous and high-souled man should despise glory and even life itself for the sake of justice' (pp. 37–39). The conclusion is that 'there is a firm conviction in the minds of all who think rationally that blessedness is the reward of virtue' (pp. 43–45). Blessedness is 'the final aim of all desires'; indeed, it is 'the final perfection of man and the complete good which all try to attain'. However, 'there is nothing on earth that can make a man blessed; nor, in consequence, is there any earthly reward sufficient for a king' (p. 45). Instead, 'we consider them happy who rule wisely, who prefer the suppression of evil to the oppression of peoples, and who carry out their duties, not for the desire of empty glory but for love of eternal blessedness' (pp. 45–47).

There are, of course, Christian connotations to these ideas. Indeed, Aquinas concludes the passage just quoted with the sentence 'God alone is fitting reward for a king' (p. 47). Nevertheless, these considerations on the rewards for ruling virtuously bear comparison with those of Plato. He too ruled out earthly possessions and human glory as rewards for ruler-ship. The duties of guardianship were 'troublesome', and undertaken by the Guardians 'for their country's sake' (Plato, 1941 edn, p. 256). Those who govern will know the best principles of government and 'enjoy a nobler life than the politician's and look for rewards of a different kind' (p. 230). Their reward will be to know 'the Good' and on their departure from the burdens of office to 'dwell on the Island of the Blest' (p. 256).

Clearly, Aquinas was not as absolute as either Plato or Aristotle in his views on government and the governed. He seems to have been more concerned with the actual world than either of the ancients. Nevertheless, he had a clear philosophical conception of government: that its purpose was the common good. This belief was derived from his understanding of the

nature of man as being a social and political animal and that he is part of a natural and perfect system, the community. In practical terms, those set over the community must be completely virtuous, never acting in their own interest but for the common good; and those over whom authority was exercised must be virtuous to the extent that they must obey the laws decided by the law-givers. In essence, insofar as it applied to those set to govern, virtue was that sense of public duty intrinsic to the ideal public service.

Public duty and the moderns

Whilst the views of the ancients were based on a conception of society as being 'natural', those of the moderns were initially premised on a rather different construction, at least for those who immediately preceded the Enlightenment. It was Plato who originally mooted, and rejected, a 'social contract' theory of political society, but it was resurrected by, amongst others, the English philosophers of the seventeenth century and later by the great Genevan Enlightenment thinker Jean-Jacques Rousseau (Hobbes, 1651; Locke, 1690; Plato, 1941 edn, pp. 40–52; Rousseau, 1758, 1762a). To the later of these writers, society, or rather political community, was far from being natural – in some cases, indeed, it was a construct designed to master the savagery that nature implied. Thomas Hobbes famously described life in the state of nature as being 'solitary, poor, nasty, brutish and short' (1651, 1957 edn, p. 82). Government was an unnatural creation of man to alleviate the ills of nature. Hobbes' fellow English thinker, John Locke, took a different view of nature, as did the later writer Rousseau. Nevertheless, they too had a view of political society and of government as being unnatural.

The purpose of this discussion, however, is not to analyse the ideas of these writers on nature; rather it is to consider whether, like the ancients, they had some conception of the common good in society which it was the duty of the rulers to protect and preserve. In the case of Hobbes this was certainly the case; but it is with Rousseau that this discussion is primarily concerned. This is for two reasons: first, because of his influence on subsequent philosophers, including both the German and the English Idealists; and second, because, like the ancients, he placed an emphasis on education as the means by which both the rulers and the ruled could be made more suited to the conditions of society. For those who were in positions of political authority, this meant making them adapt to and protect the common interest out of a sense of duty to that interest.

It is not original to argue that Rousseau's writings are rife with contradictions, or that his arguments were sometimes flawed or illogical, or that he changed his mind. All this is true, and it makes an interpretation of his work more challenging. Nonetheless, there are some very clear lines of

thought which are relevant to the present discussion. It should be especially remembered that Rousseau's fundamental thesis was based on the natural goodness of man and the social origin of evil. The famous opening words of *Émile* reflect this conviction: 'God made all things good; man meddles with them and they become evil' (1762b, 1911 edn, p. 5). As André Boutet de Menvel puts it, in his introduction to *Émile*, by:

an imaginary reconstruction of primitive man and his subsequent evolution [Rousseau] strove in his early works to distinguish Nature from Society, and condemned the latter for having...artificially and accidentally perverted humanity. Nevertheless he was obliged to recognize that with this evolution an accomplished fact, it was no longer possible to consider human nature apart from its natural environment.

(p. vi)

In his mature works Rousseau sought to reconcile Nature with Society and thereby to create the conditions in which justice could be achieved for mankind. The purpose here, however, is not to analyse in detail his ideas on the state of nature, the development of society, the Social Contract or the General Will. All of these are, of course, centrally relevant, but will be referred to largely as given rather than examined in detail. The purpose is rather to analyse his views on public administration, or rather the executive functions of government, in modern societies, functions performed in such societies by an intermediate body between the 'Sovereign', by which Rousseau meant the collective society of all individuals, and the 'subjects', by which he meant the individuals in a given society *qua* individuals. Nevertheless, before such an analysis can take place, some reference ought to be made to Rousseau's views on nature. In particular, it should be noted that, for the individual, the 'first law is to provide for his own preservation, his first cares are those which he owes himself...; he is the sole judge of the proper means of preserving himself, and consequently becomes his own master' (1762a, 1913 edn, p. 4). This holds in civil society as well as in the state of nature. On the other hand, 'the social order is a sacred right which is the basis of all other rights' (p. 3). How are these apparent contradictions to be reconciled? In Rousseau's words:

The problem is to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which each, while uniting himself with all, may still obey himself alone, and remain as free as before.

(p. 12)

The solution is to be found in the social contract. Its clauses ‘although they have perhaps never been formally set forth . . . are everywhere the same and everywhere tacitly admitted and recognized’. The clauses can be summarised in one sentence: ‘the total alienation of each associate, together with all his rights, to the whole community’ (p. 12). The essence of the compact was thus that ‘Each of us puts his person and all his power in common under the supreme direction of the general will, and in our corporate capacity, we receive each member as an indivisible part of the whole’ (p. 13).

Rousseau answers the inevitable question about the rights of the individual in relation to this all-encompassing general will with the simple observation that all associates to the contract are in the same position. He argues that ‘as each gives himself absolutely, the conditions are the same for all; and this being so, no one has any interest in making them burdensome to others’ (p. 12). Moreover:

Each man, in giving himself to all, gives himself to nobody; and as there is no associate over which he does not acquire the same rights as he yields others over himself, he gains an equivalent for everything he loses, and an increase of force for the preservation of what he has.
(p. 12)

As he moves out of the state of nature to the civil state, he goes through a ‘very remarkable change’ (p. 15). He substitutes justice for instinct and achieves the morality his actions had formally lacked. What he loses by the social contract ‘is his natural liberty and an unlimited right to everything he tries to get and succeeds in getting; what he gains is civil liberty and the proprietorship of all he possesses’. Above all, he gains ‘moral liberty, which makes him truly master of himself’ (p. 16).

Such observations about the changes in the moral status of men as individuals leave open the question of government. Since Rousseau himself states that his inquiry is about whether ‘there can be any sure and legitimate rule of administration, men being taken as they are and laws as they might be’, this is a fundamental problem (p. 3). In particular, the questions of ‘sovereignty’, the natural inclinations of the individual in relation to sovereignty and the unnatural disposition of good rulers are central to this discussion. Before these questions can be addressed, however, before questions of the practical tasks of administration can be dealt with, the general will needs to be considered further.

Everybody associated with the social contract is a member of the ‘sovereign’. This sovereign is the embodiment of the general will. It is ‘the general will alone [that] can direct the State according to the object for

which it was instituted, i.e. the common good'. Indeed, it is 'solely on the basis of this common interest that every society should be governed' (p. 20). The general will 'is always right and tends to the public advantage' (p. 22). It 'considers only the common interest' (p. 23). However, 'each individual, as a man, may have a particular will contrary or dissimilar to the general will he has as a citizen' (p. 15). Moreover, there is what Rousseau refers to as 'the will of all' which 'takes private interests into account, and is no more than the sum of particular wills'. In this case factions arise 'and partial associations are formed at the expense of the great association'. The consequence of this is that 'the will of each of these associations becomes general in relation to its members, while it remains particular in relation to the State'. If any one of these groups becomes dominant and can prevail over the rest 'there is no longer a general will, and the opinion which prevails is purely particular' (p. 23). The inference must be that the common good is thereby undermined.

It could be argued, of course, that government itself is one of the factions that might arise in society; indeed, government may become the dominant faction, in which case the 'purely particular will' of the government is the one that prevails, and in this logic it, too, will undermine the common interest and the general will. Before discussing this possibility in detail, however, the meaning of government itself needs to be explored. For Rousseau, government was 'An intermediate body set up between the subjects and the Sovereign, to secure their mutual correspondence, charged with the execution of the laws and the maintenance of liberty, both civil and political' (pp. 46–47). Such a body performs the *function* of government 'or supreme administration, the legitimate exercise of the executive power'. The body or person who exercises this legitimate power is commissioned, or employed, by the sovereign for this purpose; they or he are merely officials of the sovereign which can 'limit, modify or recover' the power thus deposited. They cannot use the power against the sovereign because to do so would be 'incompatible with the nature of the social body, and contrary to the end of the association' (p. 47). The government is 'a new body within the State, distinct from the people and the Sovereign and intermediate between them' (p. 49).

Rousseau considers the various types of government that might exist, democracy, aristocracy or monarchy, but his discussion need not detain this present argument. Suffice to say, first, that government of any type occupies the intermediate position between Sovereign and subjects; and second, that, in most cases, it is unlikely that government will consist of just one person. Nevertheless, Rousseau contends that 'The more numerous the magistrates... the weaker the government' (p. 51). By this Rousseau essentially means that the more individuals there are involved in the government the more likely the general will, and thereby the common interest, will be undermined.

He states that in the person of a magistrate ‘we can distinguish three essentially different wills’:

first, the private will of the individual, tending only to his personal advantage; secondly, the common will of the magistrates, which is relative solely to the advantage of the [government], and may be called the corporate will, being general in relation to the government, and particular in relation to the State...; and in the third place the will of the people or the Sovereign will, which is general both in relation to the State regarded as a whole, and to the government regarded as part of the whole.

(p. 51)

If nature were to be followed as a guide to the activities of the government, the individual will of the magistrates would be the strongest, followed by the corporate will of the government, with the weakest being the general will. Conversely, a good act of government would be one in which the interests of the individual will would be ‘zero’, the corporate will of the government ‘very subordinate’ and ‘the general Sovereign will should always predominate and should be the sole guide to all the rest’ (pp. 51–52). A good administrator must always therefore act unnaturally: the common good can only be pursued if the administrator sets aside his particular will, and the corporate will of the government, and acts for the general will. This is no more clearly asserted than in the *Discourse on Political Economy*, when Rousseau, echoing Plato, asserts that, for the magistrate, nature ‘is a false guide, which continually prevents him from performing his [duty], and leads sooner or later to the ruin of himself and of the State...’ (Rousseau, 1758, 1913 edn, p. 235).

In some ways the *Discourse on Political Economy* is more clear than the later and more famous *Social Contract*. The general will, for example, is summarised in one sentence: it ‘tends always to the preservation and welfare of the whole and of every part, and is the source of the laws, [and] constitutes for all the members of the State, in their relation to one another and to it, the rule of what is just or unjust’ (pp. 235–36). However, it is the discussion of the relationship between the general will and the particular wills, a discussion that pre-dates the work of the so-called Group Theorists by about 150 years and the public choice and network theorists by more than 200 years, which is more concisely expressed than in the *Social Contract*:

Every political society is composed of other smaller societies of different kinds, each of which has its interests and its rules of conduct: but those societies which everybody perceives, because they have an

external and authorized form, are not the only ones that actually exist in the State: all individuals who are united by a common interest compose as many others, either transitory or permanent, whose influence is none the less real because it is less apparent, and the proper observation of whose various relations is the true knowledge of public morals and manners. The influence of all these tacit or formal associations causes, by the influence of their will, as many different modifications of the public will. The will of these particular societies has always two relations; for the members of the association it is the general will; for the great society, it is a particular will; and it is often right for the first object, and wrong as to the second. An individual may be a devout priest, a brave soldier or a zealous senator, and yet a bad citizen. A particular resolution may be advantageous to the smaller community, but pernicious to the greater. It is true that particular societies, being always subordinate to the general society in preference to others, the duty of a citizen takes precedence over that of a senator, and a man's duty of that of a citizen; but unhappily personal interest is always found in inverse ratio to duty, and increases in proportion as the association grows narrower, and the engagement less sacred; which irrefragably proves that the most general will is always the most just also, and that the voice of the people is in fact the voice of God.

(pp. 237–38)

The analysis contained in the first part of this passage could easily have been written by Arthur Bentley in the early twentieth century or by any one of the public choice theorists of the later part of that century. Rousseau regarded such self- and group-interestedness as intrinsic to human nature. What makes his writings different from those of the later periods is contained in the second part of the analysis, from which it followed that the 'first and most important rule of legitimate government...of government whose object is the good of the people, is...to follow in everything the general will', a view which group and rational choice theorists would probably regard as anathema.

The problem is to know what the General Will is and 'to distinguish it from the particular will, beginning with oneself' (p. 239). The duty of the public administrator is always to set aside his personal or corporate interests and act in the public interest. Moreover, it is only when:

the citizens love their duty, and the guardians of the public authority sincerely apply themselves to the fostering of that love by their own

example and assiduity [that] every difficulty vanishes; and government becomes so easy that it needs none of that art of darkness, whose blackness is its only mystery.

(p. 245)

It should be noted at this point that in Rousseau's scheme, following Aristotle, it was not just rulers who should follow their duty, but citizens too. The common good was as dependent on the virtue of citizens as on that of the rulers. He asserts quite clearly that from 'the moment of their birth, men ought to begin learning to deserve to live; and, as at the instant of birth we partake of the rights of citizenship, that instant ought to be the beginning of the exercise of our duty' (p. 252). In this, education is paramount. Rousseau shared with Aristotle the view that education is 'most certainly the most important business of the State' and should not be left to parents. Indeed, public education 'is one of the fundamental rules of popular and legitimate government':

If children are brought up in common in the bosom of equality; if they are imbued with the laws of the State and the precepts of the general will; if they are taught to respect these above all things; if they are surrounded by examples and objects which constantly remind them of the tender mother who nourishes them, of the love she bears them, of the inestimable benefits they receive from her, we cannot doubt that they will learn to cherish one another mutually as brothers, to will nothing contrary to the will of society, to substitute the actions of men and citizens for the futile and vain babbling of sophists, and to become in time defenders and fathers of [their] country....

(p. 252)

It was in *Émile* that these views were expanded most clearly, if romantically, but the *Discourse on Political Economy* lays down the framework for education for citizenship – and who was to provide it. In line with his view that 'Those citizens who have deserved well of their country ought to be rewarded with honours, but never with privileges' (p. 241), the 'honour' of presiding over education would go to those who had served the state well:

It is easy to see that if such marks of public confidence were conferred on slight grounds, if this sublime function were not, for those who had worthily discharged their offices, the rewards of labour, the pleasant and honourable repose of old age, and the crown of all honours, the whole enterprise would be useless. For wherever the lesson is not

supported by authority, and the precept by example, all instruction is fruitless; and virtue itself loses its credit in the mouth of one who does not practice it. But let illustrious warriors...preach courage; let upright magistrates...teach justice. Such teachers as these would thus get themselves virtuous successors, and transmit...the experience and talents of rulers, the courage and virtue of citizens, and common emulation in all to live and die for their country.

(pp. 252–53)

In practical terms, Rousseau is arguing that in a good modern state *everyone* would be acting unnaturally. The best social institutions, most importantly educational institutions, were those designed to encourage individuals to regard themselves as part of the social whole. However, it was public administrators who were most expected to behave contrary to their nature, because it was they who had charge of the instruments of the state and it was they who were, in practical terms, the guardians of the state. They would be expected to behave unnaturally, that is to set aside their personal interests and the corporate interests of government, because, as Rousseau was always at pains to point out in different ways, ‘Nothing is more dangerous than the influence of private interests in public affairs...’ (1762a, p. 55).

Rousseau, despite being a sentimentalist, had a profound influence on the great thinkers of German Idealism, particularly on Emmanuel Kant and George Hegel. For example, Kant’s conception of moral rationality is in part derived from the idea of the general will, which is primarily a principle of moral conduct applied to political behaviour. Whilst Kant took that principle, applied it to human conduct generally and developed the doctrine into a system of moral philosophy, it was Hegel who was more concerned with the state *per se* than Kant, and the influence of Rousseau on Hegel’s analysis of the role of the state is nowhere revealed more clearly than by his observation that

What the service of the state really requires is that men shall forego the selfish and capricious satisfaction of their subjective ends; by this very sacrifice, they acquire the right to find their satisfaction in, but only in, the dutiful discharge of their public functions. In this fact, so far as public business is concerned, there lies the link between universal and particular interests which constitutes both the concept of the state and its inner stability.

(Hegel, 1821, 1967 edn, p. 191)

It is, however, to the English Idealists of the mid-nineteenth century, in particular the works of Thomas Hill Green, who was heavily influenced by

both Rousseau and Hegel, that this discussion now turns. It was their views, and in particular the ideas of Green, that had direct influence on the development of ideas about public service in Britain and, more indirectly, on public servants themselves. Green was the leading English moral philosopher of his generation. His lectures, though apparently impenetrable to the listener, and his personal conduct, inspired many of his Oxford pupils to public service careers; and they in turn inspired others of subsequent generations also to public service (see, for example, Boucher, 2000; Milne, 1962; Richter, 1964; Vincent and Plant, 1984). In the words of Melvin Richter, 'few, if any, other philosophers exerted a greater influence upon public thought and policy than did...Green'. He 'converted Philosophical Idealism into something close to a practical programme for the left wing of the Liberal Party'. His tutelage led to a 'stream of serious young men dedicated to reform in politics, social work and the civil service' (1964, p. 13). In his references, Richter gives a long list of people directly influenced by Green, including other idealist philosophers and teachers such as Bernard Bosanquet, A. C. Bradley, Edward Caird and D. G. Ritchie, and social reformers like Arnold Toynbee. These people in turn influenced others, for example, Lord Haldane and Sir Ernest Barker. This list is long and distinguished, and many occupied senior positions in the British civil service and in public service more widely in the first part of the twentieth century (see also Vincent and Plant, 1984, pp. 1–5). Indeed, it could be argued that, indirectly in tandem with the famous report by Sir Stafford Northcote and Sir Charles Trevelyan on the organisation of the civil service, Green may be seen as having laid the foundations of the modern civil service (at least that which existed until the 1980s). Green, in a less tangible sense than Northcote and Trevelyan, was responsible for part at least of the philosophical and ethical outlook of the people in that service, at least in the first part of the twentieth century. If that is accepted, then it can be further argued that, through the process of socialisation, so often referred to by students of British public administration, Green still exerted an influence at least until the onset of managerialism under both the Conservative and Labour Administrations of the 1980s and 1990s.

Despite his influence on practical politics and administration, it must be remembered that Green was a *moral* philosopher. Any discussion about his ideas of the role of the state must therefore be prefaced with some comments about his views on morality. For him morality was a social phenomenon, it is about the exercise of rights and duties in relation to society. In his famous sermon on *Faith*, Green puts it like this:

The existence of specific duties and the recognition of them, the spirit of self-sacrifice, the moral law and the reverence for it in its most

abstract and absolute form, all no doubt pre-suppose society; but society, of a kind to render them possible, is not the creature of appetite and fear, or of the most complicated and indirect result of these. It implies the action in man of a principle in virtue of which he projects himself into the future or into some other world as some more perfect being than he actually is, and thus seeks not merely to satisfy momentary wants but to become 'another man', to become more nearly as this perfect being. Under this influence wants and desires that have their root in the animal nature became an impulse of improvement, which forms, enlarges and recasts societies . . .

(p. 269)

It is clear that, in this passage, Green is dealing with concepts which he refers to in his more substantial writings as 'self-realisation' and the 'common good'. In such societies as would allow for the achievement of self-realisation the institutions of civil life, including government, would have a significant part to play.

For Green the purpose of institutions of civil life, most especially government, was the *moral* one of enabling individuals to achieve this version of morality. In his own words, the purpose of government was to enable the individual to 'give reality to the capacity [of] will: they [government] enable him to realise his reason i.e. his idea of self-perfection, by acting as a member of a social organisation' (1879, 1913 edn, pp. 32–33). In other words, there is a 'common good' in social organisation, without which an individual would not be able to realise himself. The practical question then arises as to what is this common good? Further, who is to be the judge and what are the sanctions for transgressions to the common good?

Green's argument in brief is as follows. Man is conscious of himself as an end in himself. He constantly seeks personal satisfaction, in the sense of moral fulfilment or 'self-realisation'. However, 'self-realisation' is dependent upon relations with others in society. Green argued that man 'cannot contemplate himself as in a better state or on the way to the best, without contemplating others, not merely as a means to that better state, but as sharing it with him' (Green, 1883, 1969 edn, p. 210). Thus:

Having found his pleasures and pains dependent upon the pleasures and pains of others, he must be able, in the contemplation of a possible satisfaction of himself, to include the satisfaction of those others, and . . . a satisfaction of them as ends in themselves and not as a means to his pleasure. He must, in short, be capable of conceiving and seeking a permanent well-being in which the permanent well-being of others is included.

(p. 212; see also Richter, 1964, pp. 191–221, especially 212–15)

In other words, man's nature is to be part of society, and anything which contributes to the creation, well-being or harmony of society is to be encouraged.

The 'common good' then is the mutual harmony of all in society, brought about by each seeking his own 'self-realisation' which includes the self-realisation of others. For Green, personal good, properly understood, is *part* of the common good, and does not take into account personal considerations (see Milne, 1962, pp. 100–06). In other words, the community comes first, and the common good is the mutual harmony of all in society seeking their own self-realisation through the self-realisation of others.

Green recognised that this meant that the function of government was to create the conditions in which this mutual harmony could come about. Of course, the currently prevailing climate is not idealist; it is utilitarian, both in government and increasingly in the civil service. The 'public interest' has become nothing more than the sum of the interests of the public (expressed specifically as the interests and policies of the duly elected government). The question is, should not the public interest be interpreted as the Idealist 'common good'? And could not the public official, politician and civil servant, look to Green as an inspiration in this respect?

In order that these questions can be dealt with more clearly, the nature of morality needs further investigation. Two questions need to be raised about this concept as the 'disinterested performance of self-imposed duties'. First, what are the sources of these duties? Are they divined internally, that is, are there immutable and natural laws which govern human impulse? Or are they perceived as a result of human experience, that is, are they conceived as a result of observing elements of what is *actually* good and then perceiving what the *real* good is? The answer to these questions probably lies in the nature of morality and its inseparability from the common good. If morality requires this social dimension then it can be argued that duties imposed are duties inspired by the need to seek the good of society.

The second question is this: what are the rewards and what are the sanctions for the performance or the non-performance of these self-imposed duties? Green would hold that the reward or sanction would be one of conscience: that is to say that to do good, to perform a moral duty, is reward in itself. The sanction would be the danger of living in a society that would hinder the individual's self-realisation.

The argument thus is as follows: first, morality is the disinterested performance of self-imposed duties. These duties are performed with the intention of self-realisation. Self-realisation involves not just the satisfaction of self, but satisfaction of self in a society which includes others who are also concerned with their own self-realisation. Thus, the ultimate end of morality is the mutual harmony of all in society, or to use Green's phrase

'the common good'. An act is moral insofar as it contributes to this common good, though it must have as its motive the common good to be counted as a moral act. That is, motive is important in determining the morality or otherwise of an act. Government exists to promote the common good by maintaining the conditions in which morality shall be possible: it does this by removing the hindrances to the achievement of self-realisation, which is the realisation of self in a society that includes others.

The observations of Harold Laski, another writer in the idealist tradition, might help to illuminate Green's more abstract thinking. Whilst Green was a moral philosopher, whose allusions to government were indirect, Laski was more concerned with the practicalities of government and dealt directly with those who exercise state power. His work is helpful in another sense, since, whilst he was concerned with the individuals who made decisions on behalf of the community, he nevertheless couched his questions in an almost Aristotelian manner and had much in common with Aquinas. Indeed, he was as clear about the idea of the promotion of the common interest in his 1925 work, *The Grammar of Politics*, as Aristotle was in the *Politics* or Aquinas was in his writings. In other words, there is a sense in which Laski brings together some of the themes developed by his more illustrious counterparts discussed earlier in this chapter.

'The State', Laski writes, '... is a fellowship of men aiming at the enrichment of the common life' (p. 37). Individual citizens of the state have certain rights, inherent in them as members of society, counterbalanced by certain duties. In Laski's words, 'I am given rights that I might enrich the common life' (pp. 39–40). Further, 'I judge the state, as a fundamental instrument of society, by the manner in which it seeks to secure for me the substance of those rights' (p. 39). Indeed, '...if those rights fail of realisation, I am entitled to examine the State upon the hypothesis that its will is directed to ends other than the common good' (p. 40). In other words, the state 'does not possess power without conditions. It possesses power because it has duties. It exists to enable men, at least potentially, to realise the best that is in themselves...The State...is subject to a moral test of adequacy' (pp. 27–28).

As noted earlier, Laski was concerned with those who exercise power in the actual world: it is not the state in an abstract sense, but the individuals who work in the corridors of power, those who constitute the elites of the state, who are the actual moral agents. As Laski puts it:

The effective source of State action is the small number of men whose decisions are legally binding on the community. They are at once the trustees and the governors of the whole. It is their business to

glean the needs of society and to translate those needs into terms of effective statutes. The purpose of the State finds its personification in them.

(p. 26)

In the same elitist vein, he goes on: 'A working theory of the State must be conceived in administrative terms. Its will is the decision arrived at by a small number of men to whom is confided the legal power of making decisions' (p. 35).

Clearly this is an oversimplification. Society is much more complex than this characterisation of the state allows. If it were simply that the holders of state power were able to glean clearly what the best interests of society are, then we would not have debates about what the public interest is, and Laski recognised this problem: 'The will of the state... is the will which is adopted out of the conflict of the myriad wills which contend with each other for the mastery of social forces...' (p. 35). More importantly, there are problems associated with personal or group interests which may interfere with the judgement of those who are charged with the determination of the public interest, problems of a much greater magnitude than Aristotle alluded to in his *Politics*. These themes, and the inherent elitism of much of the writing on public service, public duty and the public interest, will be re-visited in the conclusion to this chapter. It is however, to the 'myriad wills' that this chapter next turns.

Critics of the ideal of public service

To the English Idealists the common good is the mutual harmony of all in society, brought about by each seeking his own self-realisation, which includes the self-realisation of others. In practical terms Laski was probably more clear than the moral philosopher Green and the common good may be seen as the state's duty to enrich the common life and to allow each individual to share with others the full and rich existence that exists in a state which pursues that common good. It is, in essence, Aristotle's good life.

Other philosophers take quite a different view of the relationship between the community and the individual. Jeremy Bentham, for example, the father of Utilitarianism, viewed the concept of community with some scepticism. 'It is in vain', he wrote:

to talk of the interests of the community without understanding what is the interest of the individual. A thing is said to promote the interest,

or to be *for* the interest, of an individual, when it tends to add to the sum total of the pleasures: or, what comes to the same thing, to diminish the sum total of his pains.

(1789, 1948 edn, p. 3)

Moreover, the principle of utility, ‘to promote or oppose...happiness’ applies only to the individual, and to the community only insofar as the community is the sum of the individuals who make it up. Thus, for Bentham:

The community is a fictitious *body*, composed of the individual persons who are considered as constituting as it were its *members*. The interest of the community then is what? – the sum of the interests of the several members who make it up.

(p. 2)

Of course, this representation of Bentham’s views is an oversimplification, and it must never be forgotten that Bentham, like Green, inspired public servants, for example the great reformer and administrator Sir Edwin Chadwick (see Finer, 1952; Marston, 1925). Indeed, Bentham’s genius ‘had a great effect upon his contemporaries’, and the social philosophy of the English Utilitarians ‘had a profound effect on nineteenth century legislation’. Jeremy Bentham was ‘the pioneer of the idea of humanizing the law by making general happiness its avowed object’ (Marston, 1925, pp. 32–33). Nevertheless, Bentham was essentially an individualist and even Chadwick had difficulties reconciling the problems posed by utilitarianism of the relationship between private and public interests (see Finer, 1952, pp. 19–27).

The essentially individualist view of pure utilitarianism would have been anathema to Plato, Aristotle, Aquinas, Rousseau, Green, Laski and all those who believe both in society and in the common good of that society. Bentham’s view of the community is reminiscent of the, admittedly misrepresented, views of Margaret Thatcher, who, when, Prime Minister in the United Kingdom, said that ‘there is no such thing as society’. For the idealists in particular, but also for others, including perhaps even John Stuart Mill, personal good, properly understood, is *part* of the common good, and does not take into account personal considerations.

The idea that there is no such thing as society or the common good of society, and therefore that there cannot be a duty to serve the common good, was most forcefully expressed by the pioneering American political scientist Arthur Bentley and his distinguished disciple David Truman. Bentley published his seminal work *The Process of Government* in 1908. For him there is no such thing as ‘the social whole’. He derived this proposition from his

view of nations as comprising a myriad of groups. He writes that: 'Every classification of the elements of a population must involve the analysis of the population into groups' (p. 206). There is a 'limitless criss-cross of groups' (p. 208). These groups all have an 'interest'. Indeed, for Bentley, 'An interest... is the equivalent of a group... There exists only one thing, that is so many men bound together in or along the path of a certain activity' (p. 211). Furthermore, 'What we actually find in this world, what we can observe and study, is interested men, nothing more and nothing less' (p. 212). Indeed, the political process cannot be studied without the processes underlying such groups being studied first. His assertion is that political groups (such as organs of the state or political parties) are built out of or upon other groups. They are 'highly differentiated... reflecting or representing other groups, which latter can be more easily, and... for most purposes properly, be regarded as being more fundamental to society' (p. 209).

Furthermore, there is no such thing as 'the public interest', except as the interests of the groups which form political organisations. Bentley is quite clear. 'We are often told', he opines:

that social interests or social welfare demands this thing or that thing; that this custom or that institution has survived because it furthers the welfare of society... I think I am justified in asserting positively that no such group as 'the social whole' enters into the interpretation in any form whatsoever.

(p. 220)

He argues that it might be possible in the case of two nations at war to treat each nation as 'a separate group', 'but it is clear that under such circumstances neither nation is "the social whole"; it takes two together to make the society whose processes we are at the time studying' (p. 220).

In domestic terms Bentley is even more clear: 'we should never be justified in treating the interests of the whole nation as decisive. There are always some parts of the nation to be found arrayed against other parts'. He continues:

Usually we shall find, on testing 'the social whole', that it is merely the group tendency or demand represented by the man who talks of it, erected into the pretence of a universal demand of the society; and thereby, indeed, giving the lie to its own claims; for if it were such a comprehensive all-embracing interest of the society as a whole it would be an established condition, and not at all a subject of discussion by the man who calls it an interest of the society as a whole.

(p. 220)

Giving various examples, ranging from housing conditions to corporate murder, Bentley satisfies himself that the idea of ‘the social whole’, and thereby a national or public interest, should be abandoned:

Under any society in which we are called upon to study [political questions], we shall never find a group interest of the society as a whole. We shall always find that the political interests and activities of a given group – and there are no political phenomena except group phenomena – are directed against the activities of men...in other groups, political or other. The phenomena of political life...will always divide the society...along lines which are very real.... The society itself is nothing other than the complex of groups that compose it.

(p. 222)

The government is simply one such group: ‘it is a differentiated, representative group, or set of groups, performing specified governing functions for the underlying groups of the population’ (pp. 260–61). As a group, of course, the governing body also has its own interest. This is not, however, the public interest; nor is it ‘as prominent as it is made out to be’; it is rather and simply ‘the class activities of the persons who are most prominent in, or who make up, the governing body’ (p. 290). Government as an activity may simply be ‘considered as the adjustment or balance of interests’ (p. 264). To Bentley, ‘All phenomena of government are phenomena of groups pressing one another, forming one another, and pushing out new groups and group representatives (the organs or agencies of government) to mediate the adjustments’ (p. 269).

Truman, a writer in the same tradition as Bentley, also deals with what we might label in short hand ‘the public interest’, and essentially comes to the same conclusion. He considers the question as a means of heading off criticism of the group approach, the particular criticism being that the group explanation of the political process ‘inevitably must ignore some greater unity designated as society or the state’ (1951, p. 59):

Many of those who place particular emphasis on this difficulty assume...that there is an interest of the nation as a whole, universally and invariably held as standing apart from and superior to those of the various groups included within it. This assumption is close to the popular dogmas of democratic government based on the familiar notion that if only people are free and have access to ‘the facts’, they will all want the same thing in any political situation. It is no derogation of democratic preferences to state that such an assertion flies in the face of all that we know about the behavior of men.

(p. 50)

The conclusion is that ‘in developing a group interpretation of politics... we do not need to account for a totally inclusive interest, because one does not exist’ (p. 51). In reaching this conclusion, however, Truman accepts that he does not ‘completely dispose of the difficulty raised by those who insist that a group interpretation must omit “the state”’ (p. 51). Indeed, he accepts that groups are inevitably drawn towards government because they have ‘since the Renaissance, especially national governments,... become the most inclusive power concentrations in Western society...’ (p. 106). Nevertheless:

Within limits... organized interest groups, gravitating towards responsive points of decision, may play one segment of the structure against another as circumstances and strategic considerations permit. The total pattern of government over a period of time thus represents a protean complex of criss-crossing relationships that change in strength and direction with alterations in the power and standing of interests, organized and unorganized.

(p. 508)

Philosophy, politics and administration: the ideal of public service

The idea of public service is one to which constant lip-service is paid, by politicians and administrators, almost as if it were a given fact of public life. In some ways, the term has become a ‘hurrah’ phrase, used for exhortation purposes or, more sinisterly, to hide an entirely different, more selfish set of assumptions, which in fact undermine a commitment to the common good. The idea itself, however, is one of great significance in political philosophy, and raises fundamental questions about how any given society is governed. Indeed, the idea of public service and the sister notion of the common good or the public interest have been central to the thoughts of political philosophers throughout the ages. The purpose of this chapter has been to trace the development of such ideas and to present as far as possible a clear exposition of what the ideas mean. It is upon this basis that the rest of this book is built.

The focus of the book is the higher civil service in Britain. The reason is simple. These are the people who, at least in the past, had a view of themselves as guardians of the public interest. Politicians, whilst technically the guardians of that interest, have their horizons limited by the electoral cycle, and are simply the arbiters of the public interest in relation to particular decisions. Senior civil servants, on the other hand, did not have to pander to the passing whims of the electorate, and were imbued with a sense of public

duty and public service, inculcated through education and socialisation. The politicians may have been the arbiters of the public interest in any given situation; but it was the civil servants who were the guardians of the public interest in its general sense. They paid deference to politicians, given the apparently democratic nature of the British political system; but, in the end, the gentlemen in Whitehall knew best.

This characterisation is, of course, a parody. Nevertheless, there is an essential truth at its heart. There is an extensive literature on those who occupied positions at the very core of government that attests to this essential truth (see, for example, Barberis, 1996; Chapman, 1988; Dale, 1941; Kelsall, 1955; Theakston, 1999). Whilst this empirical work reveals that such people brought to bear an elitist and narrow view of the public interest to their work, it is nevertheless the case that they did indeed have a view of themselves as guardians of that interest. Whilst sub-consciously they may have pursued the class interests of their peers, they seem to have had an ideal of public service to which they aspired. In Platonic terms, in the world of ideas, these are the people who had seen and understood 'the Good' and sought to order society according to precepts derived from that understanding. They did not do so in their own interests; indeed, as Rousseau would have it, they set aside their individual wills and the corporate will of civil servants for the General Will. As Rousseau would also have it, had they behaved like this they would have been behaving unnaturally.

In Rousseau is to be found the basis for one of the essential, if unoriginal, criticisms of the idea of public service: that public administrators will act in their own interests and the interests of public administrators as a whole. Group Theorists, and pluralists generally, public choice theorists and network theorists have essentially developed their ideas from the Rousseauian concept of wills. Their pessimistic view, essentially contained in the work of Arthur Bentley, that there is no such thing as the common good and that it is interested groups that drive and determine how a particular political system operates, is both a perversion of and entirely derivative from Rousseau's observations. Rousseau recognised the presence of groups in society. He recognised that these groups had interests particular to themselves and perhaps contrary to the interests of the wider society. He recognised that individuals also have interests, and again that these individual interests might clash with both those of the groups to which they belong and those of the wider society. Indeed, anticipating Bentley completely, Rousseau recognised such interests in the governors of a particular society: they had both their individual wills and the corporate will of the governing group, and these could act to counter the General Will. Unlike the arid pessimists of modern social science, however, Rousseau insisted that there was a General Will and that those charged with government

should set aside their own and their group interests for that general interest. In this he was with Plato, Aristotle, Aquinas and with the later idealists. Why? Because, as with those others who value society and its common good, Rousseau believed in the value of education for citizenship.

It is education that is central to the work of those who believe in the common good and public service. The education of Plato's Guardians, such that through pure reasoning they would be able to determine the best interests of society, is perhaps most elitist. Marginally less so is that outlined by Aristotle. Nevertheless, what both seem to have had in mind is what we might now call education for citizenship, though with more noble content and intention than the rather narrow curriculum devised by modern educationalists. That concern for education was shared by Rousseau and, less directly, by those in the tradition of British Idealism, most notably T. H. Green.

It was Green and his disciples who most directly influenced those at the top of the British civil service in the late nineteenth and early twentieth centuries. In some senses Green personified the ideal of public service. His teachings, essentially that each individual is dependent on others for the achievement of his potential, and, derivatively, that there is a special duty on the institutions of social life to create the conditions in which this version of morality could be realised, are essential to understanding how some of the great public servants of the early years of the British civil service thought about their work. Green's own life, not just as a moral philosopher but as a teacher and a public servant himself, was an inspiration to such people and a valediction of the idea that individuals can think in terms beyond their own or their group interests.

These themes will be developed throughout the book. What follows is essentially an examination of the development of the British civil service at its higher levels as seen through the prism of the ideal of public service. The great reforms initiated by Sir Stafford Northcote and Sir Charles Trevelyan enabled the creation of a unified civil service, particularly at its upper echelons, and the development of ideas of public service. These ideas were epitomised in the leading members of the civil service, who by quiet leadership and example, promoted and encouraged those ideas right up until the 1960s. Since then the power of such ideas has gradually declined. The reason: an antipathy to perceived elitism. This, of course, is the most serious objection to the idea of public service at this level. It is the peculiar arrogance of unelected officials that they know best what the public interest is and that they alone are imbued with a sense of duty to that interest that has led to a decline in the valuing of the idea of public service itself. Unfortunately, as in human nature, an altogether more sinister elite has emerged with its own, more pernicious ideology. Perhaps the arid pessimists of the social sciences are right after all.

References

- Aquinas (1954 edn), *Selected Political Writings*, edited with an introduction by A. P. D'Entreves translated by J. G. Dawson, Oxford, Basil Blackwell
- Aristotle (1946 edn), *Politics*, edited and translated by Sir Ernest Barker, Oxford, Oxford University Press
- Barberis, P. (1996), *The Elite of the Elite: Permanent Secretaries in the British Higher Civil Service*, Aldershot, Ashgate
- Bentham, J. (1789, 1948 edn), *On the Principles of Morals and Legislation*, New York, Hafner Press
- Bentley, A. F. (1908, 1955 edn), *The Process of Government*, Evanston, IL, The Principia Press
- Boucher, D. and Vincent, A. (2000), *British Idealism and Political Theory*, Edinburgh, Edinburgh University Press
- Chapman, Richard A. (1988), *Ethics in the British Civil Service*, London, Routledge
- Dale, H. E. (1941), *The Higher Civil Service of Great Britain*, Oxford, Oxford University Press
- D'Entreves, A. P. (ed.) (1954), *Aquinas, Selected Political Writings*, translated by J. G. Dawson, Oxford, Basil Blackwell
- Finer, S. E. (1952), *The Life and Times of Sir Edwin Chadwick*, London, Methuen
- Green, Thomas Hill (1879, 1931 edn), *Lectures on the Principles of Political Obligation*, London, Longman
- Green, Thomas Hill (1883, 1969 edn), *Prolegomena to Ethics*, London, Thomas Y. Cromwell
- Green, Thomas Hill (1900 edn), 'Faith', in Nettleship, R. L. (ed.), *The Works of Thomas Hill Green Vol III, Miscellanies and Memoirs*, London, Longman
- Hegel, G. W. F. (1821, 1967 edn), *The Philosophy of Right*, translated by T. M. Knox, Oxford, Oxford University Press
- Hobbes, Thomas (1651, 1957 edn), *Leviathan*, edited with an introduction by Michael Oakeshott, Oxford, Basil Blackwell
- Kelsall, R. K. (1955), *Higher Civil Servants in Britain from 1870 to the Present Day*, London, Routledge and Kegan Paul
- Laski, H. J. (1925), *The Grammar of Politics*, London, George Allen & Unwin
- Locke, John (1690, 1946 edn), *The Second Treatise on Government*, edited with an introduction by J. W. Gough, Oxford, Basil Blackwell
- Marston, M. (1925), *Sir Edwin Chadwick*, London, Leonard Parsons
- Milne, A. J. M. (1962), *The Social Philosophy of English Idealism*, London, George and Allen & Unwin
- Plato (1941 edn), *The Republic*, edited and translated by F. M. Cornford, Oxford, The Clarendon Press
- Richter, M. (1964), *The Politics of Conscience: T. H. Green and His Age*, London, Weidenfeld and Nicolson
- Rousseau, Jean Jacques (1758, 1913 edn), *A Discourse on Political Economy*, London, J. M. Dent and Sons (Everyman edn)
- Rousseau, Jean Jacques (1762a, 1913 edn), *The Social Contract*, London, J. M. Dent and Sons (Everyman edn)

- Rousseau, Jean Jacques (1762b, 1911 edn), *Emile*, edited with an introduction by A. Boutet de Monvel, translated by B. Foxley, London, J. M. Dent and Sons (Everyman edn)
- Theakston, K. (1999), *Leadership in Whitehall*, London, Macmillan
- Truman, D. B. (1951), *The Governmental Process: Political Interests and Public Opinion*, New York, Alfred A. Knopf
- Vincent, A. and Plant, R. (1984), *Philosophy, Politics and Citizenship: The Life and Thought of the British Idealists*, Oxford, Basil Blackwell

3 British public administration and the ideal of public service

1855–1968

The purpose of this chapter is to trace the development of the modern British civil service between 1855 and 1968. The primary concern is with the senior ranks of the civil service. These two dates are important because they began the processes which marked the beginning and the end of the unified, anonymous, meritocratic, career civil service, the hallmark of which was generalist administration and the accompanying ideal of public service. The year 1855 saw the publication of the Northcote–Trevelyan Report, which laid the foundations of the career civil service; 1968 saw the publication of the Fulton Report, which reflected the growing disenchantment with that service and indirectly began the process which led to its *de facto* demise. These points will be argued more fully in this chapter and in Chapter 4. This chapter deals in detail with the background to the Northcote–Trevelyan Report, the report itself and the subsequent reforms. It proceeds to assess the contributions of notable individuals to the reform process and to the consolidation of those reforms, especially Sir Warren Fisher and Sir Edward Bridges. Finally, it paints a picture of the senior ranks of the civil service as it appeared in 1968, by considering both the nature of the work of those senior officials and the type of people they were. Throughout, the primary objective is to suggest that the predominant characteristic of the civil service in this period, at least in the upper echelons, was a concern with the public interest and a sense of duty to that interest, the defining characteristics of the ethos of public service, the manifestation in the actual world of the ideal of public service. The structures that were established, the type of people who staffed those structures and the nature of the work they did were all conducive to the development of a public service ethos along the lines indicated by the discussion in Chapter 2. The main problem with such an ethos was, indeed is, that it is both elitist, and, given the nature of public administration in Britain, procedurally unaccountable. Both are problems to be dealt with in Chapter 5.

The Indian civil service

In 1908, Graham Wallas published his now largely forgotten work, *Human Nature in Politics* (1908, 1920 edn). The comments he made then would probably now be regarded as ‘politically incorrect’, or even reactionary. Nevertheless, those comments still have resonance, not because they are any longer true, rather because they are not. In particular, the comments he made about democracy, and the role of civil servants in maintaining the state, should be read with care by anyone interested in our polity now. For example, he questioned whether the then recent adoption of representative democracy was a mistake, or whether the consent of the members of a community is a necessary condition for good government. In answer to these questions he considers what Plato would have said – and ‘Plato...unhesitatingly answered, no’. The reason was simple, that for Plato it would have been ‘incredible that any stable polity could be based upon the mere fleeting shadows of public opinion’ (p. 216). The reader of Wallas may feel that he held views similar to those of Plato. Indeed, he referred approvingly to the experience of the English ‘as rulers of India’, who were able to ‘bring an experiment in government without consent larger than any other that has ever been tried under conditions of modern civilisation’ (p. 217). Of course, there are what now would be regarded as racist undertones in these passages, to be expected given the era in which Wallas was writing. For example, he argues that the English were ‘set to rule... a continent in which the most numerous races, in spite of their intellectual subtlety, have given little evidence of their ability to govern’ (p. 218). The point he is making, however, is that what he refers to as the ‘Covenanted Civil Service of British India’ was selected under a system which ensured that ‘practically all of them... not only possess exceptional mental force, but will also belong to a race, which in spite of certain intellectual limitations, is strong in the special faculty of government’ (p. 217). While he concedes that governing without consent ‘is a complicated and ugly process’ he argues that governing with consent is not always possible and that the machinery of parliamentary representation is not the only possible, nor necessarily the best possible, method for securing consent (p. 220).

It is against this background that his later observations about the British civil service at home should be best understood. For, whilst he accepts that the British as a ‘race’ are strong in the faculty of government, and that representative democracy is acceptable in Britain, there is nevertheless an important question to be raised: ‘Do we aim at making election in fact as well as constitutional theory the sole base of political authority, or do we desire that non-elected officials should exert some amount of independent influence?’ (p. 258). To Wallas the answer was clear: ‘Most Englishmen... have

no feeling of disloyalty to the democratic idea in admitting that it is not safe to allow the efficiency of officials to depend upon the personal character of individual representatives' (p. 257). The reason?:

The real 'second chamber', the real 'constitutional' check in England, is provided, not by the House of Lords or the Monarchy, but by the existence of a permanent civil service, appointed on a system independent of the opinion and desires of any politician, and holding office during good behaviour... English civil servants in the present position have the right and duty of making their voice heard, without the necessity of making their will... prevail.

(p. 262)

This principle, long established, is now being undermined. Chapters 4 and 5 will deal with these matters in more detail. Suffice it to say at this point that the increasing politicisation of policy advice, the concomitant marginalisation of senior officials in the policy process and the triumph of the 'spin-doctor' and others motivated by party political or other ideological motivations, have all conspired to produce a system in which the fabled checks and balances of the British system no longer either check or balance.

It is, of course, to the 'Covenanted Indian Civil Service' that we must look for the antecedents to the 'Home' civil service. In particular, it is to the principles of recruitment established by T. B. (Lord) Macaulay for the Indian Civil Service that we must turn in understanding the civil service in the latter part of the nineteenth century and throughout most of the twentieth century. This is familiar material, and is well documented (see, for example, Chapman, 1970, pp. 8–17; Chapman, 2004, pp. 11–18; Cohen, 1941, 1965 edn, pp. 78–81; Gladden, 1967, pp. 229–30). Nevertheless, it is important to the current argument that it is examined here, for one of the reasons for the development of a public service ethos in British public administration relates to the *type* of people who staffed the civil establishments. As Richard Chapman wrote in 1970, 'For an understanding of the principles on which the British Civil Service has been selected, trained and organised, it is necessary first to consider the reforms in the Indian Civil Service' (p. 8).

To use the term 'civil service' here is premature. British influence in and rule over India was exercised by a body of private individuals whose original objects were to send trading ships to the East Indies and there to establish trading posts, with the 'permission' of the local rulers. This corporation, known as 'the Company', was chartered in 1600 by Elizabeth I and 'controlled' India until 1858, when what in 1833 became known as the East India Company was abolished because of the Mutiny. Gradually, the

Company was transformed from a commercial corporation into a 'full-blown governing institution' (Gladden, 1967, p. 229). It extended the territories over which the British had 'sovereignty' and introduced British ideas on government, in line with legislation passed by the British Parliament in 1773, 1784 and 1793 (see Blunt, 1937; Gladden, 1967; pp. 229–31; Woodruff, 1953, 1954). Over the years some of the Company's employees became administrators, and became referred to as its 'civil servants', to distinguish them from military and other non-administrative functionaries. The term 'civil service' thus originates from the East India Company. In 1833, the Company was stripped entirely of its commercial functions.

The civil servants of the Company were generally recruited as boy writers on the nomination of one of the directors. They were usually sent to India when they were about 15. They spent most of their time on routine administrative duties. However, as the Company developed from being largely a commercial enterprise into being a *de facto* government, so the responsibilities of its civil servants increased, and they performed a great variety of tasks: 'the administrator in his district was wont, as part of his ordinary work, to build his own roads and canals and bridges, to dig his own wells, to manage his own jail and to act as his own sanitary inspector' (Blunt, 1937, p. 3). It should be noted, too, that the various Acts of the British Parliament which supervised the activities of the Company made it increasingly clear that the servants of the Company were *de facto*, and sometimes *de jure*, Crown servants. For example, the Regulation Act of 1773 created a Governor General, a Council and a Supreme Court in Calcutta, with judges appointed directly by the Crown. The Act also made it illegal for servants of the Company responsible for collecting revenues to participate in trade. In addition, legislation in 1784 and 1793 created a Board of Control to regulate the Company's non-commercial affairs and established conditions of service for its employees. As E. N. Gladden notes: 'In these eventful decades a great public service was being moulded and a remarkable pattern laid down for the Civil Service at home, which was still a chaos of privileges based upon patronage' (1967, p. 229).

To carry out the administrative work of Empire, these civil servants received no training: they were expected to learn on the job. It was not until the early nineteenth century that Lord Wellesley perceived the need for more than just the basic knowledge then expected. In 1800, he founded a residential college at Fort William. Unfortunately for Wellesley, the directors thought his plan too elaborate and expensive and approved only the teaching of oriental languages (Gladden, 1967, p. 229). Nevertheless, the directors did value some of Wellesley's arguments and, in 1806, founded a College in England, housed first at Hertford Castle, but which found fame

as Haileybury, the location of the college from 1809. The minimum age for admission was originally 15, later raised to 17, and the maximum age was 20, later 21. The two-year curriculum included oriental languages, mathematics, natural history, classical and general literature, law, history and political economy. Wellesley's Fort William College was abolished in 1854. Haileybury was abolished in 1857, on the recommendation of a committee chaired by Macaulay which reported in 1855.

It was in 1833 that Macaulay, Secretary of the Board of Control, established his Parliamentary reputation. He steered the passage of the 1833 India Bill, which allowed what then became the East India Company to carry on its responsibilities for governing India. In particular, Macaulay was responsible for establishing for the Indian Civil Service the principle of appointment by generalist competitive examination. His explanation and defence of this principle was both a classical exposition of the case and a significant step towards open competition as a method of recruitment to all public offices. He said:

It is said, I know, that examinations in Latin, in Greek and in mathematics are no tests of what men will prove to be in life. I am perfectly aware that they are not infallible tests; but that they are tests I confidently maintain. Look at every walk of life – at this House – at the other House – at the Bar – at the Bench – at the Church – and see whether it be not true, that those that attain high distinction in the world are generally men that were distinguished in their academic career. Indeed, Sir, this objection would prove far too much for those who use it. It would prove, that there is no use at all in education. Why should we put boys out of their way? Why should we force a lad, who would far rather fly a kite or trundle a hoop, to learn his Latin grammar? Why should we keep a young man to his Thucydides or his Laplace, when he would be much rather shooting? Education would be a mere useless torture, if, at two or three and twenty, a man who has neglected his studies were exactly on a par with a man who has applied himself to them – exactly as likely to perform all the offices of public life with credit to himself and with advantage to society. Whether the English system of education be good or bad is not now the question. Perhaps I may think that too much time is given to the ancient languages and to the abstract sciences. But what then? Whatever be the languages – whatever be the sciences, which it is, in any age or country, the fashion to teach, those that become the greatest proficient in those languages, and those sciences will generally be the flower of the youth – the most astute – the most industrious – the most ambitious of honourable distinctions. If the Ptolemaic system were taught at

Cambridge, instead of the Newtonian, the senior wrangler would nevertheless be in general a superior man to the wooden spoon. If, instead of learning Greek, we learned the Cherokee, the man who understood the Cherokee best, who made the most correct and melodious Cherokee verses – who comprehended most accurately the effect of the Cherokee particles – would generally be a superior man to him who was destitute of these accomplishments. If astrology were taught at our Universities, the young man who cast nativities best would generally turn out a superior man. If alchemy were taught, the young man who showed most activity in the pursuit of the philosophers stone, would generally turn out a superior man.

(House of Commons, 1833, cols 525–526)

Notwithstanding Macaulay's passionate advocacy of the principle of open competition, which was, indeed, incorporated in the Act, the directors were able to delay its introduction. The practice of nomination continued to be the main method of recruitment until 1853, when the Charter Act abolished the practice and threw all appointments to the Indian Civil Service open to competitive examination. The methods to be used for such competitions were decided upon by Macaulay's 1854–5 committee (which also included the Rev. H. Melville, the principal of Haileybury, and the Rev. Benjamin Jowett, of Balliol College, Oxford, a notable crusader for reform). As noted on page 50, this committee recommended the abolition of Haileybury. It also recommended a period of probation for all those successful at the examination as well as the principle that the examination should be rigorous and test more than 'merely superficial knowledge' (Chapman, 1970, pp. 13–15). The examinations were 'designed to select candidates with educational attainments of the type and standard of a good Arts degree at Oxford or Cambridge' (Gladden, 1967, p. 230).

The Northcote–Trevelyan Report

Sir Charles Trevelyan, the great reformer of the home civil service, had himself been a member of the Indian Civil Service and was trained at Haileybury. He had a high regard for the reforms that had taken place in the Indian Civil Service in consequence of Macaulay's persistence, and was close to him. Indeed, he was married to Macaulay's sister. It is no surprise, then, that Macaulay's ideas about the Indian Civil Service influenced those of Trevelyan and his collaborator, Sir Stafford Northcote, for the home civil service. The latter was an influential friend and colleague of William Gladstone, then Chancellor of the Exchequer, and, perhaps more tellingly, a friend of Jowett, of whom he was a contemporary and who was an

energetic supporter of reform, if not a zealot. He had a great influence on both Macaulay and Trevelyan (for family and other connections see Chapman, 2004, pp. 13–15). It is the principle of open competition, so eloquently and tenaciously championed by Macaulay for the Indian Civil Service, which was at the heart of the famous Northcote–Trevelyan *Report on the Organisation of the Permanent Civil Service*.

There is a sense in which the Northcote–Trevelyan Report was not a free standing document. It was rather like the final chapter in a more wide-ranging inquiry into the public service. There were at least 11 prior reports on individual government offices (see Chapman, 2004, p. 15; Chapman and Greenaway, 1980, pp. 24–25). Nevertheless, it was the Northcote–Trevelyan Report which was to be the seminal document in laying the foundations for a unified, anonymous, career civil service. It did so by paving the way for the establishment in 1855 of that august, and now sadly demised, body, the Civil Service Commission, and by creating the conditions in which the principle of recruitment on merit by open, competitive examination could, eventually, be established at home as well as in the colonial public services. In fact, it was not until 1870 that the principle became firmly entrenched for the home civil service, and even then not absolutely.

Before considering the details of the Northcote–Trevelyan Report it is first important to understand the background to the report (see also Chapman, 2004, pp. 11–18; Chapman and Greenaway, 1980, pp. 22–27). Since 1848 there had been numerous inquiries into certain public offices. The proximate reason for these inquiries was that of ‘economy’. However, Trevelyan, who had been the Assistant (i.e. Permanent) Secretary to the Treasury since his appointment in 1840 at the tender age of 32, was determined that other criteria be adopted for any changes that might be made in government offices. He wanted a general overhaul of those offices, using the principle of promotion on merit, division between intellectual and mechanical work and the employment of temporary ‘copyists’ to perform much of the routine work. Because these inquiries had been occasioned by demands for economy, the Treasury was always invited to participate in the committees of inquiry, and Trevelyan or one of his associates sat on all the committees. Being ‘Energetic, incisive and intensely self-confident’, but also ‘impulsive, tactless and insensitive to the difficulties of others’, Trevelyan did not always get his own way (Chapman and Greenaway, 1980, p. 23). Indeed, it was not until after a series of scandals in the Customs in mid-1852, which had created the conditions in which reform of public offices became less contentious, and the appointment of Gladstone as Chancellor of the Exchequer in December 1852, that Trevelyan’s position was sufficiently strong for him to push harder for such reform. Gladstone was an indefatigable reformer and determined to carry on the departmental

reviews. He brought in Northcote, a former civil servant in the Board of Trade, who had suggested that he might assist in the inquiry into his old department. It was in the report of that inquiry that the following recommendation was made:

that the whole subject of the examination of candidates for public employment is well worthy of consideration, and that it would be of great advantage if a proper system was devised, and a Central Board of properly qualified examiners employed.

(quoted in Chapman and Greenaway, 1980, p. 25)

Gladstone, therefore, decided to seek a more general report. The terms of reference were that a general inquiry should be convened:

For the purpose of considering applications for increase of salary, abolishing or consolidating redundant offices, supplying additional assistance where it is required, getting rid of obsolete processes, and introducing more simple and compendious modes of transacting business, establishing a proper distinction between intellectual and mechanical labour, and generally, so revising and readjusting the public establishments as to place them on the footing best calculated for the efficient discharge of their important functions according to the actual circumstances of the present time... [It is] highly necessary that the conditions which are common to all the public offices, such as the preliminary testimonials of character and bodily health to be required from candidates for public employment, the examination into their intellectual attainments, and the regulation of the promotions, should be carefully considered, so as to attain every practical security for the public that none but qualified persons will be appointed, and that they will afterwards have every practicable inducement to the active discharge of their duties.

(Treasury, 1853; quoted in Chapman and Greenaway, 1980, pp. 25–26)

What, then, were the findings of the Northcote–Trevelyan Report? In the prior investigations into individual government offices, Trevelyan's primary concern had been with the internal organisation of those offices. However, from an early stage he had been unhappy about the quality of those recruited to public office. As he and Northcote proceeded with their general inquiry 'they became increasingly convinced that the whole problem of efficient organisation was aggravated by the low calibre of the recruits for the service and the harmful effects of the system of patronage'

(Chapman and Greenaway, 1980, pp. 26–27). It is thus not surprising that the main recommendations of the report concerned both the system by which civil servants should be recruited and the methods by which they should be promoted. The first should be on the basis of open, competitive, literary examination; the second should be on the basis of merit. At all events, patronage would be abolished – though the extent to which the report suggested that should come about was included at the insistence of Gladstone, who, when he saw the draft of the report wished the recommendations in this area to be more radical than Northcote or Trevelyan had originally envisaged. The findings and recommendations of the report are summarised in some detail in the following passages (the report was re-published as an appendix to the Fulton Report of 1968 and the page references here are to that re-printing of the earlier report).

The report begins by indicating the ‘high importance of the Permanent Civil Service of the country in the present day’ (Fulton, 1968, p. 108) and that ‘the Government of the country could not be carried on without the aid of an efficient body of permanent officers, occupying a position duly subordinate to that of Ministers...possessing sufficient independence, character, ability, and experience to be able to advise, assist, and to some extent influence, those who are from time to time set over them’ (p. 108). Given the importance of such a profession, it might have been natural to expect that it ‘would attract into its ranks the ablest and most ambitious of the youth of the country...and that such as were endowed with superior qualifications would rise rapidly to distinction and public eminence’ (p. 108). This was not the case, however, for, while admission to the civil service was, indeed, sought after, it was ‘for the unambitious, and the indolent or incapable, that it [was] so highly desired’ (p. 108). Why? Because, in the civil service, ‘they might obtain an honourable livelihood with little labour, and with no risk’ (p. 108). In particular, it was noted that:

the comparative lightness of the work, and the certainty of provision in the case of retirement owing to bodily incapacity, furnish strong inducements to the parents or friends of sickly youths to obtain for them employment in the service of Government.

(pp. 108–09)

The result naturally was, that the public service suffered both in internal efficiency and in public estimation (p. 109). These comments are followed by a long indictment of patronage as a means of recruitment to the civil service. At the lower levels it may lead to the appointment of people limited in ability, but who, because of the principle of seniority being the criterion for advancement, will be able to rise to senior positions, without the abilities

required to carry out the tasks assigned to those positions. At the higher levels, such practices lead to distinguished and meritorious public servants being denied to offices, and to salaries, which they might be expected to achieve given their merits.

There was another 'peculiarity' of the civil service to which the report drew attention: its 'fragmentary character'. Even though there were 16,000 men in the civil service in 1853, they were all 'regulated upon the principle of merely departmental promotion' (p. 110). Each civil servant was limited to the particular government office in which he had originally been employed. For Northcote and Trevelyan the effect was 'naturally...to cramp the energies of the whole body, to encourage the growth of narrow views and departmental prejudices, to limit the acquisition of experience, and to repress and almost extinguish the spirit of emulation and competition' (p. 110).

Having pointed out the problems of the civil service, the next step was to consider the fundamental question of the report: 'What is the best method of providing [the civil service] with a supply of good men and making the most of them after they have been admitted?' (p. 111). The first subordinate question was 'whether it is better to train young men...or to take men of mature age?' The view of Northcote and Trevelyan was that 'as a general rule, it is decidedly better to train young men' (p. 111). First, it would be easier to mould them into valuable public servants. Second, it would be easier to maintain discipline over younger, more docile, men than those advanced in years and therefore more experienced. Third, younger men would be cheaper, or rather would accept 'more moderate remuneration' (p. 111). The general principle was:

that the public service should be carried out by the admission into its lower ranks of a carefully selected body of young men, who should be employed from the first upon work suited to their capacities and education, and should be made constantly to feel that their promotion and future prospects depend entirely on the industry and ability with which they discharge their duties, that with average abilities and reasonable application they may look forward confidently to a certain provision for their lives, that with superior powers they may rationally hope to attain the highest prizes in the Service, while if they prove decidedly incompetent, or incurably indolent, they must expect to be removed from it.

(p. 111)

From this general principle the main recommendations of the Northcote-Trevelyan Report followed.

First, there should be established 'a proper system of examination' before appointment, followed by a 'period of probation' (p. 111). Second, because examinations 'cannot be conducted in an effective and consistent manner throughout the Service while it is left to each department to determine the nature of the examination and to examine the candidates', and for various other reasons, there should be 'a central Board...for conducting the examination of all candidates for the public service' (p. 111). The membership of this board should be 'composed of men holding an independent position, and capable of commanding general confidence' (p. 112). Third, 'it should be made imperative upon candidates for admission to any appointment... to pass an examination before the Board, and obtain from them a certificate of having done so' (p. 112). The only prior requirements were 'the necessity of their giving satisfactory references to persons able to speak of their moral conduct and character, and [the production of] medical certificates to the effect that they have no bodily infirmity likely to incapacitate them for public service' (p. 113). Fourth, the examination 'should be in all cases a competing literary examination...[which should] be so conducted as to test the intelligence as well as the mere attainments of the candidates' (p. 112). Because there was 'no limit to the demands which may ultimately be made upon the abilities of those who...gradually rise to the highest posts' it would be necessary that for entry to those grades which would lead to 'superior situations', 'endeavours should be made to secure the services of the most promising young men..., by a competing examination on a level with the highest description of education in this country' (p. 112). The choice of subjects would be left to the examiners, but there would be an advantage in 'making the subjects as numerous as may be found practicable, so as to secure the most varied amount of talent available for the public service' (p. 113). However, it would 'probably be right to include in the examination some exercises bearing upon official business', for example, a précis of a set of papers or a letter (p. 114). Nevertheless, the purpose should be to 'elicit young men of general ability', since those 'capable of distinguishing themselves in any of the subjects we have named...would probably make themselves useful wherever they might be placed' (p. 114). The examinations should be held periodically, rather than when vacancies arose, the advantages being that periodic examination 'economises the number, and also the time of the examiners, who, instead of being overworked half the year, have their employment regularly distributed' (p. 113). The number of vacancies would be notified in advance, but the method of distribution of successful candidates would be a matter for 'some consideration'. The age limits would be between 19 and 25 for candidates to 'superior positions', and 17 and 21 for 'inferior positions'.

The underlying principle of the report was always that there was a distinction between 'intellectual' and 'mechanical' work. Nevertheless, 'the proper maintenance of such a distinction depends more upon the discretion and the management of the chiefs of offices...than upon any general regulations that could be made by a central authority' (p. 115). This, coupled with the possibility of transfer both between government offices and between the departments of those offices, would 'exercise a beneficial influence upon the clerks themselves and upon the general efficiency of the establishment' (pp. 115–16).

It was thus that the report turned away from entry into the civil service towards a discussion of the internal personnel management of the offices of government – in particular of the principles of promotion. The then current principles rested on annual pay increments within classes, 'with no reference to the comparative merits of individuals'; and promotion from class to class on the basis of merit, or rather 'regulated by a consideration of the public interests...that those only are to be transferred from one class to a higher who have shown themselves capable of rendering valuable services in it' (p. 116). Northcote and Trevelyan, however, found that this 'salutary principle is often overlooked', and promotion 'is more commonly regulated by seniority than by merit' (p. 116). The report thought that many in the service would, in any case, object to promotion on merit on the grounds that it was rather 'promotion by favouritism'. Civil servants 'feel, and not unreasonably, that the recognition of their merits, even within their own department, is extremely uncertain, and that there is no appeal to any public tribunal if injustice is done to them there' (p. 116). Even setting aside 'the case of actual favouritism, there may be many instances in which the chief permanent officers fail to perceive...the valuable qualities of those beneath them' (p. 117). For example, a timid man may appear dull and is left over for promotion and preferment given to someone of inferior merit, or a superior officer has 'taken a particular fancy to a young man' and given him opportunities denied to others (p. 117).

Despite these misgivings, Northcote and Trevelyan nevertheless argued strongly that promotion on the basis of merit should be the principle for advancement, since the 'evil consequences of [the principle of seniority] are too obvious to require lengthened comment' (p. 116). 'It ought, therefore, to be a leading object of the Government so to regulate promotion by merit as to provide every security against its abuse' (p. 117). The report recommended methods by which this could be achieved: that where a vacancy occurs a list of at least three names of the senior people in the class below be forwarded to the secretary to the department, with their services and qualifications noted. This list may also include persons of less seniority, but who have displayed promise. The secretary would append any comments

he thought fit and pass the list to the head of the office, who would make the final decision and set forth the grounds on which he had made it. In addition, a book should be kept in every office:

in which should be entered the name and age of each Clerk...at the time of his appointment, the dates of his examination, first appointment and subsequent promotions, together with notes of all the reports made on him from time to time.... A reference to this book on the occasion of promotion to vacancies will enable the Head of Department to form a tolerably correct estimate of the merits of each individual.

(p. 117)

For ordinary incremental pay rises, each clerk, in order to receive his increment, should produce a certificate from his superior officers indicating 'that he has been punctual in his attendance, and has given satisfaction in the discharge of his duties' (p. 117). Such a certificate would not normally be withheld, but its mere requirement would act as an incentive to satisfactory performance.

The development of the civil service, 1855–1920

The civil service as we know it today may be said to have its origins in the famous Northcote–Trevelyan Report. In the words of the report of the MacDonnell Royal Commission on the Civil Service, the Northcote–Trevelyan Report was the 'first effective challenge to the system of patronage as governing appointments to the Home Service' (MacDonnell, 1914, para. 7). In summary, the Northcote–Trevelyan Report advocated the abolition of patronage and its replacement as a means of recruitment to the civil service by a system of competitive examination; drew a clear distinction between 'intellectual' and 'mechanical' or routine work and argued the need for a division of labour to correspond with this distinction; and suggested that two types of examination should be established following this distinction. A proper system of personnel management was also recommended, with merit as the basis of promotion and the provision of scope for transfer, both within and between departments, being advocated. All these changes were eventually adopted; but certainly not immediately.

It was the conviction of Northcote and Trevelyan that 'if any change of the importance of those which we have recommended is to be carried into effect, it can only be successfully done through the medium of an Act of

Parliament' (p. 118). As Richard Chapman notes, however, an Act of Parliament was not thought necessary by the new administration and much of the report was not, in any case, implemented immediately (2000, pp. 94–97; 2004, p. 17). Those recommendations that were immediately accepted were implemented by an Order in Council on 21 May 1855. This established the Civil Service Commission, consisting of three Commissioners charged with the duty of conducting the examinations of those nominated for appointment to the junior positions in the civil establishments. The Commissioners were to satisfy themselves as to the age, health and character of candidates for such situations and to ascertain that they had the requisite knowledge and ability to carry out such duties as might be imposed in the course of their work in such positions. However, the Commissioners were forbidden from interfering with the 'nomination or appointment of candidates by those who were or might be charged with the duty of nomination or appointment'; and they were ordered that:

in case the Chief of any Department should consider it desirable to appoint to any Situations for which there were no prescribed Limits of Age, a Person of mature age, having acquired special Qualifications for the Appointment in other pursuits, such Person shall not in virtue of this Order be required to obtain any Certificate from the said Commissioners in order to obtain any such Appointment, but the Chief of the Department shall cause the Appointment...to be formally recorded as having been made as a result of Special Qualification.

(Privy Council, 1855)

According to the MacDonnell Royal Commission on the Civil Service, the actual effects of the Order in Council were:

- (a) to limit the appointment of candidates holding the Commissioners' certificate to the junior positions in the Civil Establishments;
- (b) to make competition a permissive but not a compulsory method of selection for such certificates and
- (c) to leave the power of appointment in all cases where it had previously rested – with the political heads of the departments.

(MacDonnell, 1914, para. 11)

It was thus that the position remained until 1860 when, partly in response to criticisms made of the administration because of the disasters of the Crimean War, the House of Commons set up a select committee 'to inquire into the present mode of nominating and examining candidates for junior appointments in the Civil Service with a view to ascertaining whether

greater facility may not be afforded for the admission of properly qualified persons' (House of Commons, 1860).

Although the select committee declared that they had no doubt that 'the best mode of procuring competent persons to fill the junior clerkships in the Civil Service would be a thorough system of competitive examination open to all subjects of the Queen who fulfil certain definite conditions as to age, health and character', they were more cautious in their recommendations. Instead of full open competition they suggested that at least three qualified candidates should be nominated to compete for each vacancy; and that, where possible, vacancies should be pooled so that there might be a stronger field (House of Commons, 1860). These recommendations were accepted by the government, and for the following ten years the civil service was largely recruited by this limited system of competition (MacDonnell, 1914, paras 12–13). It was not until the Order in Council of 4 June 1870 that devices for preserving opportunities for patronage were finally, though not completely, swept away. With certain exceptions this Order in Council made open competition obligatory throughout the civil service.

It was the Order in Council of 4 June 1870 which formally paved the way for the eventual emergence of a unified, career civil service. For the first time the power of the Treasury was extended beyond its responsibilities for presenting to Parliament the estimates of the civil departments, and through its political officers, for defending the votes for these departments in committee of the House of Commons. These responsibilities of themselves necessitated some measure of control and co-ordination in financial matters over all other departments, including the numbers of clerks to be employed. However, the Order in Council extended this control beyond the region of finance and into the domain of departmental administration. The Treasury had the following specific duties imposed upon it:

- (a) To approve the rules respecting age, health, character, knowledge and ability which the Civil Service Commission and the departments were to frame for the examination;
- (b) To consent to the assessment of fees by the Commission payable by candidates for the examination;
- (c) To approve the times at which examinations should be held, the number of vacancies, and the groupings of positions to be competed for;
- (d) To approve the dispensation of the examination by the Civil Service Commissioners in cases where departments wished to employ a specific person;

- (e) To concur with the head of any department concerned in the removal of a position from the list of exceptions to the general rule of competitive examination (e.g. certain professional officers of a temporary or menial character).

(Privy Council, 1870)

These powers considerably strengthened the position of the Treasury vis-à-vis other departments of the public service in that they allowed the Treasury not only to control finance but also to control numbers and types of people to be employed in those departments. This position was recognised by the Playfair Commission of 1874–5, which, apart from recommending the division of labour and division of recruitment methods recommended in the Northcote–Trevelyan Report, made the following suggestion:

that the position of [the Treasury] in relation to other departments should be made as strong as possible; that it ought to have the means of making itself accurately acquainted with the wants and conditions of other departments; and that it should thus, whilst acquiring their confidence, be able to exercise an efficient and intelligent control. These objects might, we believe, be attained if the Treasury were from time to time, in revising the several offices, to summon to its aid a small Committee or Council composed of Heads of Departments, who would thus bring the experience of one office to bear upon another, and assist in introducing such an amount of uniformity as is practicable and desirable.

(Playfair, 1875, pp. 22–23)

This recommendation was not acted upon, but was later taken up by the Ridley Royal Commission on Civil Establishments in its second report of 1888. The following is, in full, what that Commission had to say about ‘Control over Civil Establishments’:

This brings us to a consideration of the question as to what should be the authority which should directly control the Establishments of the Civil Service. At present, no increase either in the numbers of clerks in an office, or in the scale of any salary, can be made without the consent of the Treasury. If any such unauthorised increase were attempted, the Comptroller and Auditor General, who is furnished with the authorised scales, would call attention to the first payment made in excess, the Treasury would be in a position to direct the Paymaster General to make no further payment of the kind, and the

Comptroller and Auditor General would disallow the payment already made. So far the Treasury control is sufficient, and occasion only rarely arises to put it into force, because the Departments now hardly ever neglect to observe the rule of coming to the Treasury to sanction proposed changes before they are made. If the proposed changes are of an extensive character, the common course is, for the Treasury to nominate one of its own principal officers, with a principal officer of the Department concerned, and perhaps a third independent and experienced officer, to form a Committee of Inquiry, and to report to the Treasury. No doubt, a good deal of friction is apt to arise before a decision is arrived at, and it will be seen that, in this process, no initiative rests with the Treasury, but that its decision is confined to each individual case as it arises.

With a view to improving this state of things, and of bringing the Treasury into more harmonious and efficient relations with the other Government departments, as well as instituting a more satisfactory control over establishments, we are of opinion that it would be desirable, in the first instance, to embody general regulations for the organisation of the Civil Service, in an Order in Council.

That every Department should then be called upon to formulate its normal establishment in accordance with the general directions of such an Order in Council.

That the establishments so formulated should be referred to a Permanent Consultative Committee, which we propose should be constituted, and that the best method of effecting gradually the necessary changes should be then determined, and, as far as possible, upon uniform lines.

That this Committee should have power to entertain all questions affecting establishments, including pensions, and all proposals for increased expenditure, and that it should be required to review periodically all offices, with the object of ascertaining whether any reductions can be made in the number of staff, or other economies effected, its recommendations being officially recorded.

We think that this Committee should be composed of a principal Treasury officer, and (say) four other permanent officers, one of whom should represent the Civil Service Commission, and another, one of the great Revenue Departments.

It might be desirable to change the composition of the Committee periodically, retaining always the representation of the Treasury, the Civil Service Commission, and one of the great Revenue Departments.

Such a body would, of course, report to the Treasury, and the final authority would continue to belong to the Government, but we believe

that it would be of great value in securing uniformity of regulations, in suggesting reforms, in facilitating transfers, and, not least, in bringing about harmonious action between the Treasury and other Departments.

(Ridley, 1888, paras 15–24)

These recommendations were partly put into effect by an Order in Council of 15 August 1890, which set up a Consultative Committee for one year, composed of ‘four principal officers of public departments’, one being the Permanent Secretary to the Treasury, another being a representative of the Civil Service Commission, and the other two selected at the discretion of the Treasury. According to the MacDonnell Royal Commission, however:

The history of this Committee is a narrative of failure. It failed partly because of its constitution, its members being otherwise fully occupied, partly, we understand, because of the misgivings with which the Treasury authorities of that day regarded such an innovation.

(MacDonnell, 1914, para. 94)

Nevertheless, the MacDonnell Commission felt that Treasury control over civil establishments should be extended. The following extract gives the full text of the MacDonnell Commission’s proposals:

We therefore propose that the Treasury should be strengthened for the purpose of establishing a more effective control over the organisation of the civil service.

The changes which we contemplate have two objects in view. The first object is the general oversight of the Civil Service, in order that its strengths and its component parts may be most effectively employed to meet the requirements of time and place; and in order that it may be recruited and organised along lines appropriate to each case, and adapted from time to time to meet developments in the work of the departments and in the educational and social conditions of the country.

The second object which we have in view is to secure that, through all the departments and grades, the principle shall be enforced that each division or class of Civil Servant shall be employed only on the kind of work suited to its capacity; that men of exceptional ability shall be promoted, when opportunity occurs, to situations in which their capacity may be turned to best account; that officers shall be transferred from one department to another in which they can be more usefully employed; and that when new offices are created, the Civil

Service may be prepared, if the men can be spared, to supply, if not the entire necessary staff of trained men, at all events, a *nucleus*, which may be supplemented by recruitment from outside.

We have indicated throughout the Report defects in the recruitment and organisation of the Civil Service which, in our judgement, could have been obviated by the existence in the controlling authority of more complete information and more effective means of oversight and initiative.

Of these defects the most important have been the want of co-ordination between methods of recruitment by examination and the changing educational system of the country, as illustrated, in particular, by the age limits and subjects of examination used in recruiting the large body of Second Division clerks; the introduction of new grades of public servants without full consideration of the full effects on the general system; the absence of any considered principles governing the recruitment and employment of women in the various departments; the 'blind alley' form taken by the employment of boys; the methods adopted in certain departments for making professional or semi-professional appointments; and the effect of the Treasury circular of 11 December 1899 in preventing in certain cases, promotions which would have increased the efficiency of the Service.

We therefore recommend the creation *within* the Treasury and subject to its administrative orders of a special section for the general supervision and control of the Civil Service. The functions of this section would be the following:

- (i) To watch over the general conditions and activities of the Civil Service, with a view to its effective and economical employment; and to make of its own initiative all inquiries that may be necessary to that end
- (ii) To bring to the notice of Heads of Departments concerned any matter of importance for them to know, with its recommendations
- (iii) To secure that in each department there shall exist efficient machinery for recognising and rewarding exceptional cases of ability and merit; and to ensure that such cases shall be brought to the notice of other departments when the interests of the public service require this to be done
- (iv) To secure that in cases where it would be to the advantage of the public service that transfers should be made from one department to another, such transfers take place
- (v) To carry out inquiries and investigations into any matters connected with departmental administration or methods of working.

We assume that in cases of differences of opinion between the Permanent Secretary to the Treasury and the Head of the Special Section on any matter falling within his functions, such matters will be laid before the Minister concerned for his ultimate decision.

The section should be so constituted as to possess experience so far as possible of various branches of the Service, and we think that it should consult periodically with the Heads of Departments or with officers deputed by them on all questions of organisation or other questions falling within the sphere of its functions, especially when some new departure is contemplated.

(MacDonnell, 1914, paras 99–102)

Although the outbreak of the First World War prevented the implementation of the MacDonnell Commission's proposals, it is clear that informed opinion was moving towards greater control of the Civil Service by the Treasury. The period immediately after the War saw this trend manifest itself in various reforms in the control of establishments.

Sir Warren Fisher was the moving force behind the development of an integrated civil service during his stewardship of the Treasury between 1919 and 1939. However, he had his predecessors as joint permanent secretaries to that august department, Sir John Bradbury and Sir Thomas Heath, to thank for facilitating that development by the new institutional arrangements which they oversaw and in some cases inspired in the years immediately after the War. These included the creation of an Establishments Department within the Treasury, the setting up of a standing committee of principal establishments officers under the auspices of the Treasury and the introduction of Whitleyism into the administrative departments of state.

The principle of Treasury control over civil establishments, so often affirmed before the War, was re-affirmed on many occasions both during and after the War. For example, in its second report of 1918 the House of Commons Select Committee on National Expenditure said:

With respect to the salaries paid to staffs there is a considerable measure of control exercised by the Treasury, and although this is sometimes resented by the departments, we think that this control is right; not only because it tends to prevent extravagance, but also because it should prevent differences in pay for similar work in different departments,...

(House of Commons, 1918, para. 11)

In the following paragraph, the Committee went on:

There is not the same control in most of the new departments over the number of staffs as distinct from their rates of pay. The Government

in their Bills establishing the Ministries of Munitions, Labour, Food, Shipping, Air and National Service, left to the Ministers at the heads of those departments the determination of the size of their staffs, and Parliament passed the Bills in that form. The Acts establishing the Ministries of Pensions and Reconstruction, on the other hand, included the provision, customary in legislation before the War when fresh duties were devolved upon the administration, that appointments of staff would be subject to Treasury sanction... We recommend that the Government should authorise the Treasury to hold inquiries, in which ever of the departments it may be thought desirable, into the staffs employed and the hours worked, in order to ensure that the strength should not be in excess of the work, and, on the other hand, that undue overtime should not be worked.

(House of Commons, 1918, para. 12; see also para. 15.3)

Indirectly, both of these recommendations did eventually come about. First, in 1919–20, each major department was 'subjected to a strict departmental scrutiny under the immediate direction of the Cabinet – the scrutiny was followed in certain cases by a further review by a specially selected committee' (The National Archives [TNA]/Public Record Office [PRO] 1920a). Second, on 12 January 1920, Fisher received a letter from Mr Thomas Jones, acting Secretary to the Cabinet, in which he was informed of the Cabinet's decision to restore the normal procedure whereby departments discussed all of their expenditure plans with the Treasury before submitting them to the Cabinet (TNA/PRO, 1920b).

Proposals contained in the National Expenditure Committee's First Report of 1919 were not to be implemented, even indirectly. The second paragraph, 'that Treasury control should not only be resumed as quickly as possible, but that it should be strengthened', was unexceptionable (House of Commons, 1919, para. 2). What did cause some eyebrows to be raised was the proposal contained in paragraph 9: 'Your Committee consider that the accounting officer in each spending department should be a Treasury Official appointed by and solely responsible to the Treasury'. Even officials in the Treasury were sceptical of such a radical extension of the control by the Treasury. One official noted in a memorandum to the Chancellor of the Exchequer: 'It is difficult to regard this curious document with the respect due to the Report of a Select Committee of the House of Commons' (TNA/PRO, 1919a). Nevertheless, on 10 December 1919, it was referred to the Finance Committee of the Cabinet. However, in its *Interim Report on the position of Accounting Officers*, the Finance Committee Council of Accounting Officers (under the chairmanship of Mr Stanley Baldwin, the then Financial Secretary to the Treasury, and thus known as the Baldwin

Council) finally quashed the idea: 'The proposal that the Accounting Officer should be a Treasury official does not commend itself to us' (TNA/PRO, 1920c, para. 6). The report did, however, suggest that the accounting officers in each department should have their appointments approved by the Prime Minister and the Chancellor of the Exchequer (TNA/PRO, 1920c, para. 10).

These recommendations were approved by the Cabinet on 11 February 1920. The decisions were subject to four provisos, all of which had implications for the unification of the civil service, and, because of the Treasury's role both in finance and establishments, for the Treasury's control over the civil service. The four provisos were, first, that the Permanent Secretary in each department had primary responsibility for all financial aspects of the department's work; second, that the Principal Finance Officer in each department was, in all cases, subordinate to the Permanent Secretary in matters of finance; third, that the Permanent Secretary was to be held responsible for economy in all establishment matters in his department; and finally, that the appointment and removal of the Permanent Secretary, Deputy Secretary, Principal Finance Officer and Principal Establishment Officer was subject to the approval of the Prime Minister (TNA/PRO, 1920d).

The role of the Principal Establishment Officer was not as contentious as that of the Principal Finance Officer. The role of this official was established because of various post-War reports, in particular recommendations from the Haldane Committee on the Machinery of Government, the Bradbury Committee on the Organisation and Staffing of Government Offices and the Baldwin Committee on the implementation of the Bradbury Committee's report.

In its final report, the Bradbury Committee, which acknowledged its debt to the Haldane Committee, suggested that an establishments division be set up within the Treasury, its function being 'to maintain close personal relations with the establishments officers of the various departments, acquire knowledge of their various office methods and act as a clearing house for information on all staff questions'. The committee also recommended the setting up of a standing committee of establishment officers 'for the purpose of assisting and advising the Treasury'. The establishment officers in all the major departments should be thoroughly experienced and 'be of a rank at least as high as the heads of the principal divisions of the department and be responsible *directly* to the permanent head of the department'. To reinforce these proposals the committee also called for regular scrutinies by the Treasury of 'the actual working methods of the departments in co-operation with the Establishments Officers as a recognised system' (Bradbury, 1919, para. 19; see also Bradbury, 1918; TNA/PRO, 1918a, minute 16).

In February 1919 an establishments division was set up within the Treasury under Sir Malcolm Ramsay. This was part of a wider reorganisation of the work of the Treasury. According to Chapman and Greenaway, the creation of the Finance Committee of the Cabinet was a development caused by the imminent retirement of a number of permanent secretaries and by the interest of Lord Milner in matters of the organisation and control of government machinery. He had begun work on a scheme to overcome the possible difficulties and David Lloyd George, the Prime Minister, had set up the Finance Committee to help him. The result of the Finance Committee's deliberations was the division of the Treasury into three separate departments to deal with Supply, Finance and Establishments, each headed by a controller with the status of a permanent secretary in a first class department. Over them all was a single permanent secretary with general powers of co-ordination, supervision and direction. He was also to be the Head of the Home Civil Service and would advise the Prime Minister on all senior civil service appointments (Chapman and Greenaway, 1980, p. 104; see also Hamilton, 1951; O'Halpin, 1989). This obviously gave whoever held that position enormous responsibility, authority and influence throughout the civil service and added considerably to the prestige of the Treasury. The first occupant of the position of Head of the Civil Service was Sir Warren Fisher.

The Establishments Division was a division whose energies 'were concentrated on that part of public expenditure which deals with the provision, payment and grading of officials throughout the public service'. Officers in the division were

very carefully selected for their experience of public administration as a whole.... It is the duty of these officers to get in the closest possible touch with departmental representatives and to confer with a view to setting up the most economical form of organisation possible for dealing with the business in hand.

(TNA/PRO, 1920a, para. (ii))

Moreover, the Treasury had 'sought and achieved' a situation in which the establishments officer in each department had a status 'at least as high as that of the heads of the principal divisions in the department' whose appointment was subject to the approval of the Prime Minister (TNA/PRO, 1920a, para. (i)).

At the same time as the setting up of the Establishments Division of the Treasury, an Advisory Committee of Heads of Department, under the chairmanship of Baldwin, was also set up. It investigated the possibility of the creation of the Bradbury Committee's suggested standing committee of

establishment officers, and in its report, dated 12 April 1919, it endorsed the suggestion. The recommendation was that the standing committee should be chaired by the Treasury's establishment officer and have members from the War Office, Inland Revenue, General Post Office, Ministry of Munitions, Admiralty, Customs and Excise, National Health Insurance Commission (England), Board of Education and Board of Trade. It should also have powers to invite representatives from other departments (TNA/PRO, 1919b). The Standing Committee of Establishments Officers was set up in April 1919.

A parallel and closely linked development to the extension to Treasury control over civil service establishments policy was the introduction of Whitleyism to the administrative departments of government. This development is examined in scholarly detail in White (1933), Chapman and Greenaway (1980, pp. 85–100) and Parris (1973). Apart from noting the central role of the Treasury in the mechanics of the Whitley system there is no need to further examine the details of Whitleyism. However, there is one aspect of the work of the National Whitley Council in its early years which is of relevance here, and that is the work of the Council's Reorganisation Committee, which reported on 17 February 1920. The Committee was established to examine recruitment, classification and grading, and pay and conditions of service in the civil service. Its most important and far reaching proposals were those concerning classification and grading – although these proposals were in fact adopted from the Gladstone Committee on the recruitment of civil servants which reported in 1919, and from a minority report to the MacDonnell Royal Commission (Gladstone, 1919; MacDonnell, 1914). The Reorganisation Committee report suggested that since 'An effective division of labour is the very essence of sound organisation' then clerical work in the civil service should be reclassified into four grades each with its own hierarchy (TNA/PRO, 1920e, para. 14). The four grades were to be the Writing Assistant Class for mechanical tasks; a Clerical Class to make routine decisions applying general rules to specific cases; an Executive Class for the work of supply and accounts departments; and an Administrative Class. 'The duties appropriate to this Class', read the report, 'are those concerned with the co-ordination and improvement of the government machinery and with the general administration and control of the Departments of the public service' (TNA/PRO, 1920e, para. 43). The Treasury was given responsibility for overseeing the implementation of the recommendations, and the Reorganisation Committee's report remained the basis, with some amendment, of civil service classification for the next 50 years.

Thus, by 1920, the Treasury not only had control over the civil service by virtue of its renewed control of public expenditure, it had also achieved,

with the co-operation of others in the service, the central position in the personnel management of the civil service. Establishments policy was henceforward to be directed by the central machinery recommended by the Bradbury and Baldwin committees, the Haldane Committee (Ministry of Reconstruction, 1918), and, of course, the various committees and commissions that had reported before the First World War. The dominant position that the Treasury had achieved by 1920 was of vital importance in the subsequent development of the civil service. It allowed the permanent secretary to the Treasury enormous influence over the whole service, and such influence in the hands of someone as forceful as Fisher was a key factor in the unification of the service in the period before the Second World War. Indeed, Fisher regarded the civil service as the fourth service of the Crown, with a distinct set of values, 'the ideal of public service'.

Another impetus to the growing unification of the civil service, associated with Whitleyism, was the development of civil service associations. Since the 1850s, there had been informal associations, but they had been based on departments, and had embryonic trade union aspirations. However, because of growing Treasury control over establishments policy in the civil service, some officials saw the need for an association to represent *all* civil servants. The objectives of such an association, however, were originally to be those of a professional association, as distinct from those of a trade union. It is against this background that both the Society of Civil Servants (SCS) and its sister organisation the Association of First Division Civil Servants (FDA) came into being. One hypothesis might be that the creation in particular of the FDA, which would represent the 450 civil servants closest to the heart of government, would be both sanctioned and positively encouraged by the Chancellor of the Exchequer and his senior advisers as a means of extending Treasury control even further. Less positively, the question might be: was the creation of an association for Upper or First Division men welcomed by the Treasury as providing the conditions in which a unified and professional civil service could come about? The evidence in the PRO files definitely contradicts the first hypothesis; and as far as the second hypothesis is concerned the evidence suggests Treasury cynicism to the proposed aims, both of the SCS and of the envisaged Upper Division Association. The Treasury believed that, despite the stated intentions of the proposed associations being 'a definite professional purpose' and the creation of 'a more highly developed *esprit de corps*, based on the dignity of the public service', the associations would essentially be trade union in character (TNA/PRO, 1918b).

It was on 20 July 1918 that the first overtures to the Treasury were made concerning the creation of the SCS and the FDA. J. P. Robinson, an Upper Division clerk in the Ministry of Shipping, wrote to H. P. (later Sir Horace)

Hamilton in the Treasury in which he sought to ascertain informally the attitude of the Treasury towards the creation of a society of civil servants. Such a society would be open to *all* non-manipulative grades and its intention would be to represent the civil service as a whole. According to Robinson, it would 'direct its energies to developing the status of the Civil Service and not the ventilation of sectional grievances'. Within the society:

The formation of separate Associations representing individual grades or sections of the Service will be encouraged and such Associations will be related to the Society in a loose system of federation... The Society is to be kept absolutely clear of what might be described as Class interests.

The letter asked if, bearing in mind the information presented, Hamilton would:

kindly put the proposal informally before the Chancellor of the Exchequer and obtain from him an assurance that he does not regard the scheme with disfavour. In the latter event, it is proposed to approach a number of Heads of Department who are believed to be sympathetic and enlist their support, after which a general appeal for membership will be made.

In justification for the idea of the creation of a society of civil servants, Robinson argued that it appeared to many civil servants 'that a Society of this kind, if properly run and wisely guided, ought to be a powerful instrument for good'. There was a 'strong body of opinion behind [the idea] already, but, clearly responsible civil servants [would] not wish to associate themselves with it unless they [could] be assured at least of the benevolent neutrality of the Treasury'. Having said that, however:

Some of the promoters of the scheme... are anxious to get on with the scheme without reference to the views of the Treasury. (It may be difficult to check their ardour for long, so I hope you will be able to let me have a reply to this letter fairly soon). I do not know how far they will succeed in forming the Society in such circumstances, but, if they succeed, it would, I feel convinced, do the Service a great deal of harm and be a considerable embarrassment to those responsible for the administration of the country.

(TNA/PRO, 1918c)

The second proposal contained in Robinson's letter was for the creation of an Upper Division association. Again he sought the advice of the

Treasury. The Upper Division men who were concerned with this idea (most of whom were also connected with the proposal for a society of civil servants) were anxious not to move on this proposal unless assured that the Treasury did not object, and the assurance was sought that there was indeed no objection (TNA/PRO, 1918c).

The aims, proposed constitution and reasons for the Upper Division association were explained in an appendix to Robinson's letter:

Apart...from the desirability of obtaining the representation for the Higher Division point of view in a general Society claiming to represent all ranks of the Civil Service, there are other good reasons for the formation of an Association of the Higher Division. Owing to the great expansion of government activities during the War, the new and complex character of the work involved and the large additional personnel which has been introduced into the Civil Service, questions of the first importance relating to the recruitment, professional conduct and methods of administration, have already arisen and are bound to assume a more pressing character during the transition period after the War. The Press, the Business Community and the Public generally are becoming increasingly interested in the methods of administration and the success or failure of particular departments as matters distinct from mere political controversy and various committees and public bodies are considering the whole position of the Civil Service after the War, with a view to securing greater efficiency and co-ordination in the machinery of government. In these circumstances it is clearly desirable that those that have had intimate experience of the inside working of the machine should be in a position to give a considered opinion which will represent the views of the Service as a whole...it is essential that an Association of the kind proposed should be safeguarded from either becoming, or appearing to be, a Trade Union of officials. The proposed Association is to have a definite professional purpose, and both on its own account and as a constituent unit of the proposed Society of Civil Servants would stand for the maintenance of the professional standards of the Civil Service in much the same way as the General Medical Council does for the medical profession.... Lastly, it may be urged that...the Home Civil Service has failed to develop a corporate feeling, or at any rate, to give adequate expression to the corporate feeling which exists. In meeting the altered conditions after the War and dealing with the highly complex problems that are bound to arise, a more highly developed esprit de corps, based on the dignity and prestige of the public service, would strengthen the Civil Service, and inspire its members to aim at a

higher efficiency and a more single minded devotion to the interests of the State.

(TNA/PRO, 1918d)

In consequence of this letter and its appendices Hamilton saw Robinson, and afterwards sent a memorandum to Heath, the joint Permanent Secretary to the Treasury. The following extract shows what the Treasury official most closely involved thought of the proposed Society of Civil Servants:

As regards the Society of Civil Servants I understand that the movement was at first in the direction of forming a sort of federation of Civil Service Associations on Trade Union and distinctly anti-Treasury lines, the chief object of which would have been to obtain the support of the whole Service for the demands of particular grades for additional pay. Mr Robinson and his friends were of opinion that this would be very undesirable and in order to prevent such a scheme, got in touch with the promoters of the scheme and the proposals described... are the results of their efforts.

In dealing with the proposed Upper Division Association, Hamilton went on:

This idea originated with the same persons who claim to have rescued the Society of Civil Servants from the Trade Union idea. They think that the existence of such an Association is necessary if the Upper Division is to exercise the influence in the Society which they consider is in the interests of the Service. However that might be, Mr Robinson admitted that the Association would essentially be a Trade Union. I suggested to him that even if the Treasury... were prepared to say that they saw no objection to the formation of the Society of Civil Servants, it was difficult to see how they could express approval, however faintly, of the proposed Association or return any reply except that it is not a matter on which we can express an opinion as it is one which must be left to the decision of the officials concerned. Otherwise, I added, it seemed to me that it would make our position difficult viz-a-viz other Associations of Government servants. I gather that this is the reply that Mr Robinson expected with regard to the Association.

A scrawled note on the memo, which may be from Heath, but which Nicholas Cox, an authority on the origins of the FDA, believes to be from Mr (later Sir) Frederick Leith Ross, the Assistant Secretary at the Treasury, reads:

I agree generally. We could say that the Treasury has no objection to the formation of an Association with aims such as those indicated, but

we would have to see how it developed before going any further. I should imagine that the professional ideals will tend not to make the association long lived and that it will become either an agitating body or expire.

(TNA/PRO, 1918b)

All this indicates very clearly the ambivalence, indeed the hostility of the Treasury to the creation of an Upper (or First) Division Association. This was reflected in the official letter in reply to Robinson's original enquiry. The Chancellor of the Exchequer had no objections to the creation of a Society of Civil Servants; however:

As regards the proposal for an Upper Division Association, Mr Bonar Law does not think that he can express an opinion as it seems to him that this is a matter which must be left to the officials themselves.

(TNA/PRO, 1918e)

It was thus that both the Society of Civil Servants and the First Division Association came into being; not with the sanction of the Treasury, not as part of a grand plan to re-orientate the civil service into an integrated and unified fourth service of the Crown, but against the background of a cynical, not to say hostile Treasury worried that both the Society and the Association would develop the traits of trade unionism. Nevertheless, the creation of these organisations was to have profound implications for the future of the civil service, and for the development of both an *esprit de corps* and an ethos of public service. The motto of the Society was 'We Serve the State'.

The role of individual officials: Sir Warren Fisher and Sir Edward Bridges

The motto 'We Serve the State' could equally have been that of Warren Fisher, the Permanent Secretary to the Treasury and Head of the Civil Service from 1919 until 1939. He was devoted to developing the civil service into the fourth service of the Crown, and was instrumental in advancing a unified career civil service and the ideal of public service which went with it. He took advantage of the conditions created by the re-organisation of the Treasury and the increasing control of the public finances and public offices exercised by it in order to mould the civil service according to his vision. His long occupancy of the headship of the civil service enabled him to further the interests of the service as a whole. He took his position as Head of the Civil Service more seriously than his duties as Permanent

Secretary to the Treasury, but used the latter position for the purposes of the former (see Chapman, 1988, pp. 29–30; O’Halpin, 1989, pp. 62–65). For example, he regarded the Treasury as both ‘the central department of government’ and ‘the financial department of government’; and this enabled him to claim that, since the Prime Minister was the First Lord of the Treasury, and was concerned thus with the first function, he, Fisher, was the ‘principal official adviser to the Prime Minister’. Given that the Prime Minister was ‘directly interested in all questions of magnitude, domestic and overseas, in their general and financial bearings’, and since he had ‘the final say as to Public Service appointments and Honours, for which purpose the permanent head of the Service is his adviser’, Fisher was claiming a great deal of influence, not to say power, for himself in his capacity as head of the civil service (TNA/PRO, 1924, pp. 60–65; see O’Halpin, 1989). He was also investing prestige in the office – and thereby in the civil service itself – notwithstanding the controversial nature of the claims he was making.

One of the ways in which he used this influence and power was in relation to senior appointments in the civil service and in the public service more widely. He was consulted about, and had significant influence over, the membership of Royal Commissions and other government inquiries and committees as well as appointments in the civil service. However, his main influence was over senior appointments in the civil service. He was especially concerned that ‘for the position of permanent heads of departments the whole public service must be the field of choice...’ (quoted in O’Halpin, 1989, p. 72). He worried that ‘unless each rare opportunity is seized, we shall not get the best men into the principal positions & departments so deprived will not become efficient’ (quoted in O’Halpin, 1989, p. 73). The main principle he was guided by was the maintenance of ‘team work’ across the civil service (Hamilton, 1951, p. 14). He thus encouraged the transference of senior officials from one department to another. He described this process in his evidence to the Tomlin Royal Commission on the Civil Service:

In the first place it is completely informal; the less formal, the greater the likelihood, in my opinion, of the eventual judgement being correct. My colleagues in Departments, whenever they may come into my room, in the course of the discussion sooner or later get on to this question, and they are themselves looking out for people. Names are canvassed; it may be that no vacancy is in sight. Thus in the most informal way a trend of opinion gradually forms itself as to the suitability of people, either particularly or generally, for this class of post.

(Tomlin, 1931, Q 18,693)

It is thus that Fisher can be seen as being largely responsible for the creation of what Richard Crossman later described as the ‘super bureaucrats’, officials who can be parachuted into departments of which they have little knowledge, but which they can run because of their skills as administrators (1972, p. 50).

The increasing prevalence of the ‘generalist’ administrator was part of the process whereby the civil service was being unified, something Fisher encouraged by attempting to create an *esprit de corps* across the service. He was heavily involved in the Civil Service Sports Association, and delighted that civil service sides entered matches with ‘the three other Crown services’ (Tomlin, 1931, p. 1267). He said of the Council that it ‘centralised, in the best sense; it makes them...feel a Service instead of a lot of Departments’ (House of Commons, 1936, Q 4483; quoted in Chapman, 1997, p. 37). He passionately believed in team work across the service, and his views on this were eloquently expressed to the Tomlin Royal Commission. For example, he claimed that ‘the expression “Civil Service” did not correspond either to the spirit or the facts of the organisation so described’. Instead, there had been individual departments with conditions of service which were significantly different from each other. These departments did not think of themselves as part of a unified whole. This ‘departmentalism’ was ‘the antithesis of a “service”’, and ‘an isolationist and capriciously disposed set of [such] entities could not compare with a Service inspired by a larger *esprit de corps* and cooperative sense and informed by the spontaneous interchange of experience and knowledge’. Such a service was clearly better for the ‘efficient conduct of the country’s business’. This is what Fisher believed the service existed for. It was service ‘animated by a common understanding of the objectives of its Government...and by a common desire to obtain those ends’. This would be achieved by an ‘ever growing team sense in all ranks’ (Tomlin, 1931, pp. 1267–70). As Richard Chapman puts it, ‘Fisher’s considerable achievement...was to advance the sense of unity in the service’ (1997, p. 37).

Parallel with this sense of unity, indeed, emanating from it, was the sense of public duty which is the main theme of this book. Again, an examination of the evidence Fisher gave to the Tomlin Royal Commission gives an insight into the principles which he expected civil servants to be guided by in their official work. He said in that evidence that:

The presentation of integrity, fearlessness, and independence of thought and utterance in their private communion with Ministers of the experienced officials selected to fill top posts in the Service is an essential principle in enlightened Government; as – whether or not Ministers accept the advice thus frankly placed at their disposal, and

acceptance or rejection of such advice is exclusively a matter for their judgement – it enables them to be assured that their decisions are reached only after the relevant facts and the various considerations have, so far as the machinery of Government can ensure, been definitely brought before their minds.

(Tomlin, 1931, p. 1268, para. 12)

He is also reported as having made similar comments at a meeting of senior military officers convened at the Staff College in about 1937 by the Chief of the Imperial General Staff. The recollection was made by Bishop Spencer Leeson in 1951 in a letter to Walter Oakeshott, his successor as Headmaster of Winchester. Leeson wrote:

The discussions ranged over a very wide range of public affairs – and Fisher spoke of his anxieties about the future of the Civil Service. He pleaded hard that the public schools should continue to send forward strong candidates – and I think he was anxious that, with the multiplication of candidates from the grammar schools, the old standards of independence and integrity in the service might be endangered. Whether he was right or wrong about this, the way he put it was interesting. It ran something like this... ‘We shall need men who will have the guts to stand up to their Ministers. As English politics gets increasingly Americanised, we shall find Ministers more and more disposed to do shady things – and the Civil Servants of that day will have to possess the courage to say to their political chiefs “That is a damned swindle, sir, and you can’t do it.” The public schools are likely to produce such men in greater numbers than the grammar schools, where the boys have not got the necessary background of tradition and independence of judgement’.

(TNA/PRO, 1951)

What these and other comments reveal is that Fisher had a strong sense of the public interest, in particular that it was in the public interest that senior civil servants were independent of ministers and should ‘speak truth unto power’. This reflects the thoughts of Graham Wallas referred to at the beginning of this chapter that British civil servants ‘have the right and duty of making their voice heard, without the necessity of making their will...prevail’ (1908, 1920 edn, p. 262). The duty of civil servants is to serve the government of the day, but to do so by exercising and articulating independent judgement in the common interest.

Of course, it is only when things go wrong that such ideas are tested, and they were most notably tested in Fisher’s time by the so-called Francs Case.

The details of that case are not relevant to the present discussion; what is relevant relates to the general precepts laid down by the subsequent report into the case, the board of inquiry consisting of 'three Civil Servants of some experience and jealous for the honour and traditions of the Service', and chaired by Fisher (Fisher *et al.*, 1928, para. 44). The most important statements in the report come in paragraphs 56 to 59:

A civil servant is not to subordinate his duty to his private interests, but neither is he to put himself into a position where his duty and his interests conflict. He is not to make use of his official position to further those interests; but neither is he to so order his private affairs as to allow the suspicion to arise that a trust has been abused or a confidence betrayed. . . . And lastly, his position imposes on him restrictions in matters of commerce and business from which the ordinary citizen is free. . . . Practical rules for the guidance of social conduct depend. . . as much upon the instinct and perception of the individual as upon cast-iron formulas; and the surest guide will, we hope, always be found in the nice and jealous honour of Civil Servants themselves. The public expects from them a standard of integrity and conduct that is not only inflexible but fastidious, and has not been disappointed in the past. . . .

Eunan O'Halpin notes that Fisher later commented that these standards of conduct existed 'long before' 1928 (1989, p. 162). Nevertheless, their embodiment in this statement was to form the basis of civil service ethics for decades to come. It became the definitive statement of the obligations of civil servants, circulated to all departments and published in the handbook that, later, all civil servants received on appointment. Indeed, the Civil Service Establishment Officers Guide *Estacode* contained such passages. For example, section K of the 1969 version, entitled 'Conduct and Discipline', read in parts as follows:

No attempt has ever been made to prepare a complete list of matters which, because of the particular character and duties of the Civil Service, require regulation, nor has it ever been thought necessary to lay down a precise code of conduct because civil servants jealously maintain their professional standards. In practice the distinctive character of the British Civil Service depends largely on the existence and maintenance of a general code of conduct which, although to some extent unwritten and intangible, is of very real importance. . . . There are however certain principles which apply to all members of the service. . . . They are as follows: (a) The first duty of a civil servant is to give his undivided allegiance to the State at all times and on all

occasions when the State has a claim on his services; (b) A civil servant must not subordinate his duty to his private interests, neither is he to put himself in a position where his duty and his private interests conflict and he must not make use of his official position to further those interests; (c) Though the State is in general not concerned with its servants' private activities, they must not be such as might bring discredit to the Service... particularly in departments which have access to information which could be turned to private gain; (d)... – the civil servant must not only be honest in fact, but also he must not lay himself open to the suspicion of dishonesty...

The sentiments expressed in this formal statement of the ideal of public service, and its application in British public administration, were personified in Sir Edward Bridges. Indeed, Fisher's most distinguished successor, though in some ways less formally powerful, was more assertive in proclaiming public duty, and, as an exemplar, was probably more important. Bridges was the arch proponent of generalist administration and the ideal of public service that went with it (see Chapman, 1988, especially pp. 33–43). Like Fisher, Bridges lauded 'teamwork'. His view of civil servants was that they had in common 'a disposition to find public affairs of interest; no desire or intention to take part in political life; and a readiness to work as a member of a team, rather than to seek personal glory' (Bridges, 1950).

Personal glory was anathema to Bridges. In his lectures he often quoted the advice the fictional Sir Gregory Hardlines from Anthony Trollope's *The Three Clerks* gave to civil service candidates, which was:

that they should look on none of their energies as applicable to private purposes, regard none of their hours as their own. They were devoted in a peculiar way to the Civil Service, and they should feel that such was their lot in life. They should know that their intellects were a sacred pledge entrusted to them for the good of that service, and should use them accordingly. This should be their highest ambition.

(1858, 1907 edn, p. 130)

In Bridges' own words, civil servants should be influenced 'by no thought of private advantage or advancement'; they should have 'no end in view but that the work be carried out faithfully and well' (Bridges, 1952; TNA/PRO, 1952; quoted in Chapman, 1988, p. 63).

The purpose of the work of the civil service was always to serve the public interest. As Chapman puts it 'it seems to have been normal to assume in conversations with Bridges that people always had uppermost in

their minds a general anxiety to do what was right or what was best in the public interest' (1988, p. 63). Again, in Bridges' own words:

A good civil servant has to be more anonymous and unselfish in his work than those in other walks of life... the traditional outlook of the modern civil service is one that recognises that the interest and welfare of the whole country come first...

(1952; TNA/PRO, 1952; quoted in
Chapman, 1988, p. 64)

Such sentiments sit easily with Platonic, Aristotelian or Rousseauian views of the world. They are also elitist, and questions need to be raised. They are, nevertheless, laudable.

There were, of course, other senior civil servants who exercised a 'leadership' role in the British civil service in this period (see for example, Barberis, 1996; Theakston, 1999). None, however, was as influential as Fisher or Bridges, both of whom were able to mould the civil service according to the vision they essentially shared of a unified, career bureaucracy, led by an elite corps of senior officials whose first duty was to the state, and whose purpose was to ensure the pursuit of the public interest. Their influence was enormous, partly because they held the highest offices in the civil service for long periods, partly because of their strong personalities and partly because of their sense of the history, tradition and destiny of the civil service. Fisher was mainly responsible for building on the work of his predecessors to unify the civil service and for the creation of the corps of 'super-bureaucrats', whilst Bridges was mainly responsible for building on the work of his predecessors to promote and defend generalist administration and the ideal of public service. Each had a powerful sense of duty to the ethos that ideal inspired; and both were responsible for its promotion throughout the civil service.

The role of socialisation

Fisher and Bridges, and before them Trevelyan and Northcote, are examples of individual public servants who happened to be in positions of extraordinary power. By their example and leadership they were part of the process that created the phenomenon of generalist administration and the ethos of public service that was its hallmark. Fisher and Bridges and other leading officials were not working in a vacuum. In essence, the leadership they exercised and the example they set were important elements of the socialisation process. They were able to use other factors to mould the civil service, not the least of which were related to the type of people who were

recruited into the senior ranks of the civil service and the work they were performing. Fundamentally, these people were 'concerned with the formulation of policy, with the co-ordination and the improvement of the government machinery, and with the general administration and control of the departments of the public service' (Dale, 1941, p. 43). After the reforms of the mid- and late-nineteenth century, the demise of the spoils system and its replacement with meritocratic principles of recruitment and promotion, they became accustomed to seeing themselves as being permanent career officials depending upon no political party or personage for their tenure and serving without fear or favour whichever political party happened to be in office. Their self-image was that of party politically disinterested men and women upon whom Ministers of the Crown depended and with whom they had their closest working relationships: they helped ministers run the country. Party political neutrality and disinterested service to the state were the hallmarks of their profession. Fisher and Bridges in particular encouraged such a self-image.

Notwithstanding the role of senior officials such as Fisher and Bridges in promoting the civil service and what they perceived as its virtues, the views of these people, the general inclination of whom was to remain anonymous, have been expressed by their association, the FDA, particularly in its evidence to Royal Commissions and other committees of inquiry. It has always been a conservative association, even after its decision to join the Trades Union Congress (TUC) in 1977 (see O'Toole, 1984, 1989). Its views were representative of its members, and most people who were eligible for membership, that is, virtually all members of the old Administrative Class, were indeed members. Generally, the FDA supported the *status quo*. Its evidence to the Fulton Committee in the late 1960s was very clear about, for example, the role of the professional or specialist in public administration, or, more importantly, about what administration is and about the qualities its members possessed which made them 'uniquely able' to carry it out, qualities such as 'their broad background, their intellectual capacity and experience of operating government' (FDA, 1968a).

Questions may be raised about the 'broad background' of senior civil servants in British government. What kind of people were these senior officials? What were their modes of thinking? What was the work they did? What was unique about the environment they worked in? From the present perspective, how does knowing something about these questions help in understanding the prevailing attitudes of these people to their work? If there was a 'Whitehall culture', an overall and universal philosophy of administration, encompassing the ethos of public service and promoting it as an ideal, what are the sociological factors likely to be the background from which it emerged? It is by trying to know something about the

attitudes and life experiences of the people who staffed the great offices of state at the highest levels that we might learn something about how their ideas, perceptions and outlooks were received.

For the purposes of this discussion two distinctions ought to be made. The first is between those civil servants who were promoted to those grades which before 1970 constituted the Administrative Class, and those who were direct entrants to that class as assistant principals (later administration trainees or ATs). In 1950, according to R. K. Kelsall, the former accounted for 35.9 per cent of the *total* number of Administrative Class civil servants, with 32 per cent of all *new entrants* to the Class between 1949 and 1953 being promoted from other classes (Kelsall, 1953, pp. 54–58). It should be noted, however, that Kelsall also found that whilst 41.6 per cent of people who attained the rank of assistant secretary were internal promotees, only 23.5 per cent of those in the three highest grades were in that category. In 1968, A. H. Halsey and I. M. Crewe found that between 1961 and 1965 the figures for internally promoted new entrants to the Administrative Class had fallen marginally to about 31 per cent (Halsey and Crewe, 1968, table 3.7). Later figures, published by the Civil Service Commission, were less comprehensive and dealt only with appointments to the AT grade and not with appointments to other administrative posts. Of appointments to AT about a quarter were usually internal. For example, in 1977, 32 of the 135 new ATs were recruited from within the civil service, some 26.3 per cent (Civil Service Commission, 1977, table 2). Given that, following Kelsall, it is likely to be direct entry assistant principals and ATs that would have been promoted to the three senior grades of the old Administrative Class, the grades of under secretary, deputy secretary and permanent secretary, and that in the less senior grades a substantial proportion, perhaps as many as 40 or 50 per cent probably entered the service lower down in the hierarchy and worked their way up, it is not likely that there would have been a decline in the proportion of administrative civil servants who were internal promotees. This gives rise to the second distinction which ought to be made, the distinction between those in the three senior grades, predominantly recruited into the old Administrative Class by direct entry, and those in the grades below. These distinctions have been made because the career attitudes and outlooks of the people recruited to the senior ranks of the civil service may have differed depending on the routes of entry to those ranks, especially if their socio-economic backgrounds also differed. The following passages, however, are concerned with the attitudes and social characteristics of those who occupied the most senior positions in the civil service, the under secretaries, the deputy secretaries and the permanent secretaries. These are the people who had real and direct influence on ministers, whose job it was to advise them about public

policy and who therefore occupied positions of trust in relation to the public interest. It is they who would be expected, in the words of Bridges quoted on page 80, to have a 'general anxiety to do what is right' in the pursuit of that interest. Until relatively recently the majority of these positions, though by no means all, would have been occupied by direct entry recruits to the AT or 'apprentice' grades. They would therefore have been open to the 'charge' of displaying certain social and educational characteristics that have led to allegations of 'bias' in selection to these grades.

In dealing with these allegations it is interesting to examine the social characteristics of those likely to have been the majority who occupied the top three positions in the civil service hierarchy in the post-War period¹. By fathers' occupation, for example, 85 per cent of direct entrants to the Administrative Class in the period between 1961 and 1965 had fathers who held higher and intermediate professional and managerial positions, 3 per cent fathers who held skilled non-manual jobs and 10 per cent fathers who were employed in skilled manual, semi-skilled or unskilled work (Halsey and Crewe, 1968, table 3.19). The type of schools they attended were predominantly private sector with 48 per cent of direct entrants in 1967 having attended a public school and a further 19 per cent a direct grant school. Some 30 per cent last attended a local authority grammar school. Thirty-four per cent attended a boarding school (table 3.34). Most direct entrants went on from school to take a first degree, some 87 per cent of direct entrants during the period 1961 to 1967 receiving such a degree and 25 per cent having gone on further (table 3.27). These figures were part of a trend indicating not a less middle class background for Administrative Class civil servants generally, but the opposite.

Halsey and Crewe also made some interesting discoveries about the higher education backgrounds of direct entry members of the Administrative Class (94 per cent of whom were graduates, according to table 3.26). They found that 73 per cent of graduate direct entrants established between 1961 and 1965 had been to Oxford or Cambridge (Table 3.46). Arts and humanities graduates predominated amongst the group generally, with 77 per cent having such degrees. Only 28 per cent of direct entrants with degrees studied a social science discipline as the main subject of their degree (table 3.51). The number of direct entrant graduates in the Administrative Class who had achieved first-class honours in their degrees was 33 per cent. The number of thirds awarded was 9 per cent (table 3.53).

The picture which emerges for the pre-Fulton higher civil service (a picture which remained unchanged at least until the 1980s, as Chapter 4 will indicate) is one of individual civil servants who were privately educated, Oxbridge arts graduates with good degrees. It is this picture which led many commentators, most notably Lord Crowther-Hunt, to accuse the

Civil Service Commission of bias in the selection procedures. Bias clearly did exist. Perhaps, however, it was 'bias in a statistical sense', in the words of Sir Douglas Allen (House of Commons, 1977, Q. 1982). The question remains, nevertheless, why did it arise and what were the implications of it in terms of the process of attitude formation in the senior ranks of the civil service?

The answer probably lies in the criteria which the Civil Service Commission used in choosing the administrators of the future and in the methods of selection. The criteria for selection have always included an evaluation of such qualities as intellectual penetration, fertility of ideas, drive and determination, and emotional stability. Before the creation of the Civil Service Selection Board (CSSB) in 1945, these were tested by written examinations of the sort (and in the subjects) with which Oxford and Cambridge candidates would be familiar, and then by a short interview. Chapman deals with this in a chapter specifically on bias in his book on the Civil Service Commission (Chapman, 2004, chapter eleven). What emerges from his discussion is that there was indeed bias, but that it did not exist in the deliberate sense of discrimination against particular candidates or types of candidates. Rather, bias existed in the sense that the social and educational backgrounds of the selectors, the 'networks' they developed with educational institutions (primarily Oxford and Cambridge) and the apparent belief in any case that Oxford and Cambridge were best, and that therefore their examination procedures and subject choices should predominate, combined to produce an apparent preference for candidates with a certain social and educational background. In other words, the higher civil service was a self-perpetuating elite (at second hand, given the 'independence' of the Commission). A little vignette from the Chapman book serves to illustrate the point. In evidence to the Tomlin Royal Commission in the early 1930s, the then First Civil Service Commissioner, Sir Roderick Meiklejohn, answered questions about the then recently introduced interview for candidates for the Administrative Class, and explained his approach:

There are five of us, and directly the young man comes in I try to put him at his ease, by looking at his record, and saying: 'You were at Rugby; you went on from there to Corpus; you got a scholarship there'. Then I should say 'What schools did you read?' He says 'Greats and Mods'. I ask: 'Have you any preference for history or philosophy?' and he says what he has a preference for. I do not want to take all the questioning myself, so one of the others says: 'Have you been abroad much?' He may say: 'I have been to Germany'. Then he is asked: 'Did you notice any difference between Bavaria and Saxony, and the people and the customs?' The other people ask him, has he done any social

work in the East End, or has he been interested in the Boy Scouts. Then we might try to find out whether he has an interest in natural history. Has he read much German or Italian literature, or any other languages. You might ask him almost anything which occurs to you, to find out what his interests are, and how he reacts to other people and things. It is as wide as we can make it. Of course, you ask him about his games and his sports: everything under the sun really.

(Tomlin, 1931, Q. 1419; quoted in Chapman, 2004, pp. 222–23)

Such comments speak for themselves, revealing much about the attitudes of those who were in charge of selection to the civil service.

After the Second World War the Civil Service Commission tried to make more ‘scientific’ the approach to the selection of candidates for the higher civil service, and adapted the approach used by the War Office for the recruitment of Army officers. The result was the CSSB and the associated Final Selection Board. From the late 1940s, the type of qualities or skills thought necessary for work in the higher reaches of the civil service described earlier were tested in a series of very demanding assessment stages including oral and written examinations and a programme of cognitive exercises and tests to assess how candidates behave under the sort of pressures imposed by civil service work. Again, however, the allegations of bias continued. Chapman deals with this in the chapter of his 2004 work referred to here, and has suggested elsewhere, for example, in his 1984 book on the CSSB, that candidates of a certain type have a much better chance of success in the selection procedure, not necessarily because they are more intelligent or have a better academic education than others, but rather because their education fosters qualities which enable them to present themselves in a more favourable light to the selectors. ‘It may be’, he writes, ‘that candidates from Oxford and Cambridge and from fee paying schools acquire feelings of superiority which enable them more easily to give of their best in the selection procedures... [and] that other universities and colleges teach by methods which develop their academic abilities but do not also develop other qualities thought desirable by the Civil Service’ (Chapman, 1984, pp. 161–64).

Other factors might be taken into account too. For example, it might be that Oxford and Cambridge tutors gave greater encouragement to their students to consider careers in the civil service than academics elsewhere (Chapman, 2004, pp. 226–30). In addition, there was, and still is, a tradition of Oxford and Cambridge people attaining the highest positions in the civil service, and, conversely, of those holding the highest positions in the civil service becoming the principals and fellows of Oxford and Cambridge

colleges. Lord Butler is the most prominent recent example, he having moved from being the Secretary to the Cabinet to being the Master of University College, Oxford. Similarly, his successor Sir Richard (now Lord) Wilson is now President of Emmanuel College, Cambridge. Moreover, the old Civil Service Commission fostered such links with the two ancient English universities by sending each year a liaison officer educated at Oxford or Cambridge to *each* Oxford and Cambridge college (sometimes with an appropriate college background). For the other universities there was usually only one of these young civil servants for each of them (Chapman, 2004, pp. 238–41). Another factor may have been that the various committees of enquiry into the civil service and its selection procedures were dominated by people with similar backgrounds to the people they were enquiring about. Finally, many people generally considered a university career at Oxford or Cambridge as being superior to one elsewhere. This was a state of affairs encouraged by schools, parents and university teachers (some of whom themselves yearned to be at the ancient English universities) alike. All these factors may well have combined to have made it more difficult for a person without a degree from one of these ancient institutions to join the civil service. Most of those who did make it to the top shared a highly elite, community-based education, unlike most of the promotees to administrative posts, and they shared the values and relationship attitudes fostered by such an education. They had a background which the Civil Service Commission thought prepared them more fully for a career in Her Majesty's civil establishments. This background was thought desirable essentially because of the work such people were going to do and the environment they were going to work in.

The work was described by the First Division Association in its evidence to the Fulton Committee as being to 'bring together the disparate issues involved in taking major decisions of policy, to advise on what those policies should be and subsequently to put them into effect' (FDA, 1968a, para. 14). As Richard Rose argued, 'The distinctive contribution of British higher civil servants is to resolve conflicts articulated by parties and pressure groups and to engage in consensus mongering' (Rose, 1981, p. 4). They were, to use his words, 'cloistered politicians' (p. 38). Their involvement with the technical aspects of policy was constrained by the more general consideration of what is politically practicable. Thus, specialists who became administrators 'thereby cease[d] to be specialists' (FDA, 1968a, para. 14). They became people whose prime need was 'the power of seeing facts in their perspective, of handling men, [and] of modifying the technically sound judgement of others in the light of non-technical considerations' (Menzler, 1937, p. 173; see also Pellew, 1982, chapter nine). Their peculiar skill was an appreciation of the political environment in which they worked. The 'cult

of the generalist' prevailed (Fulton, 1968, para. 15). Such a 'cult' allowed for little formal preparation for public office and it largely explained the criteria outlined earlier used in the Civil Service Commission's selection procedures. What preparation there was may simply be described as a process of socialisation, a process which, according to James Christoph, was encouraged by 'The relatively...closed nature of the higher bureaucracy':

Most of the members of the higher Civil Service enter at a tender age with the implicit assurance that theirs will be a single life time career.... Until recently the idea of training in either the substance of policy or the techniques of administration found little more than lukewarm favour, the view being that in his formative years the newcomer could be expected to learn on the job, picking up his cues from wherever he could find them, much as the apprentice does from the younger craftsman, if not from the master. The crash courses in economics and management techniques to which he is now exposed are not likely to replace the influence of behaviour norms transmitted by peers from the stock of long-standing departmental tradition.

(Christoph, 1975, p. 32)

The 'cult' of the amateur, or to give it a slightly less pejorative tone, the 'cult of the generalist' was admirably portrayed by C. H. Sisson in his book *The Spirit of British Administration*:

the British administrator travelling abroad is shocked to discover that many countries are administered by men who read books about public administration. This, in the British view, is not only a surprising but a very unfortunate state of affairs, and goes some way to explain the disabilities under which foreigners, in the matter of government, notoriously suffer. The British civil servant does not want to suppress books of this nature. With his professional tolerance he is not even altogether against them being read even in this country – by other people. The real turpitude is for people engaged or about to engage in administration to read them. Such people are committing the crime of learning from books something that one just does.

(Sisson, 1952, p. 28)

More detailed descriptions than that quoted earlier by the FDA to the Fulton Committee of the work that civil servants 'just did' were provided in a survey the FDA carried out on its members before submitting its evidence to the Committee, in Chapman, 1968, 1970, in Aberbach, Putnam and Rockman, 1981, and in the *Report of a Management Consultancy Group*

appointed by the Fulton Committee. The latter supplied the most detailed analysis, although the other surveys more or less supported the group's findings. They found that administrative civil servants were:

- 1 forecasting expenditure
- 2 exercising financial and other control over the work of departments, including the work of government architects, engineers and other specialists
- 3 reviewing the investment programmes of nationalised industries
- 4 recommending, or advising on, new policies and policy options and writing appropriate papers
- 5 preparing legislation in consultation with members of the legal class
- 6 negotiating with local authorities, nationalised industries, private industry and members of the public concerning the operation of existing government policies and on new policies and regulations
- 7 preparing explanatory briefs on current policy
- 8 preparing material for ministerial speeches
- 9 preparing answers to Parliamentary Questions and to letters from MPs etc.
- 10 making decisions on individual casework arising from legislation
- 11 acting as chairmen and secretaries of, and representatives on, Departmental and Inter-Departmental Committees
- 12 directing and operating Establishment divisions
- 13 managing large blocks of staff.

This description of the work of senior officials, and those supplied by other writers, essentially portrayed them as advising ministers on policy, preparing the ground for those policies, drafting legislation and keeping the machinery of government running smoothly. The argument was that the qualities needed to perform such tasks were not technical skills but skills that demanded an intellectual capacity for understanding technical considerations and putting them into the wider political context. Amongst practitioners the view was that these were not skills that could be acquired by formal training but rather by trial and error and through feel and sensitivity. They were skills acquired through the process of socialisation and learning on the job. The people likely to possess the attributes necessary to go through these years of trial and error were those who could be recruited using the criteria of the Civil Service Commission outlined briefly earlier. Once selected they were socialised into the civil service and became members of Crossman's 'like-minded group of super-bureaucrats' (1972, p. 50). They became part of the so-called Whitehall village, a close knit community with shared skills, values and expectations (see Hecló and Wildavsky, 1974). Top civil servants were a group of intellectually confident

and competent people in a powerful and closed community who acquired over the years considerable expertise in government administration. It was a community centred around ministers, whom they advised on policy and on high politics. These were the people largely responsible for pursuing 'the public interest' and who might be regarded as having the most astute sense of public duty. It was their position which was most criticised by the antagonists of the civil service, most notably the Fulton Committee, which reported in 1968.

The Fulton committee and its aftermath

The publication of the Fulton Report in 1968 was a watershed in the history of the civil service. Its impact was not as radical as that of the Northcote–Trevelyan report, in the sense that, despite its intentions and the perceived radicalism of its proposals, the Fulton Report had little direct impact either on the *activities* of civil servants or on the *type of people* recruited to the civil service. Its impact was primarily on the *morale* of civil servants. Senior officials in particular resented the implication, indeed the assertion, that they were in some way 'amateur'. This is illustrated by using the evidence of the attitudes of senior civil servants provided indirectly by their professional association, the FDA, acting in its capacity as a 'protective' association (Millerson, 1964, pp. 39–41). The Association's reaction to the Fulton Report read:

It turns out to be very much like the curate's egg... Upon first reading, a lot of the Committee's recommendations seem sensible. However, we must deplore the general criticisms of the administration which they make in their opening chapter and which seem to us quite unjustified. The Administrative Class has worked wonders with a creaking government machine for years. Understaffed... overworked, housed in conditions which sometimes border on the squalid, and often lacking essential secretarial services our members have nonetheless managed to provide a service to Ministers and Parliament and equity to the public which, taken altogether is regarded by our foreign colleagues as the best in the world. It would have been unrealistic to have expected the report to begin with a song of praise, but we had at least hoped that the Committee would not turn down the once fashionable blind alley of 'specialisation'; in fact they have rushed down it headlong. We say it was once fashionable since we know that the leaders of thought on management in the big world outside have now discovered that the alley has a very dead end and have lately been proclaiming the gospel of generalisation and the broad approach!

(FDA, 1968b)

Other staff associations were more cautious in their approach; nevertheless the reaction of civil servants was at best neutral (see Fry, 1993, pp. 251–52). Why? The answer lies not just in the recommendations of the report but more importantly in its *tone*, particularly that of the first chapter. As Geoffrey Fry points out in his detailed study of the work of the Fulton Committee, that chapter was largely written by Norman Hunt (later Lord Crowther-Hunt), who was to become one of the most virulent critics of the civil service, and Robert Neild, who, although technically a civil servant, was actually a political appointee of the Labour Government (Fry, 1993, p. 6 and pp. 231–41). It was Neild who composed the first draft of the famous opening paragraph of the report, the published version of which read:

The Home Civil Service is still fundamentally the product of the nineteenth-century philosophy of the Northcote Trevelyan Report. The tasks it faces are those of the second half of the twentieth century. This is what we have found; it is what we seek to remedy.

(Fulton, 1968, para. 1)

These sentiments set the tone of the whole report, a tone which reflected the committee's view that the civil service was anachronistic and 'in need of fundamental change'. It was 'inadequate in six main respects for the most efficient discharge of the present and prospective responsibilities of government' (para. 14). In the first place the civil service was 'still essentially based on the philosophy of the amateur (or "generalist" or "all-rounder")', an inadequacy 'most evident in the Administrative Class'. Such a philosophy, in which the ideal administrator was seen 'as a gifted layman [who] can take a practical view of any problem... in the light of his knowledge and experience of the government machine', had 'most damaging consequences'. This 'cult of the generalist' was 'obsolete at all levels and in all parts of the civil service' (para. 15).

The second inadequacy related to the system of classes, which seriously impeded the work of the civil service because of 'the rigid and prolific compartmentalism' it engendered, which led to:

the setting up of cumbersome organisational forms, seriously hamper[ed] the Service in adapting to new tasks, prevent[ed] the best use of individual talent, contribut[ed] to the inequality of promotion prospects, cause[d] frustration and resentment, and impede[d] the entry into wider management of those well fitted for it.

(para. 16)

The third problem was that the role of scientists, engineers and other specialists was too often restricted to the practice of their own specialisms, and such specialists were denied 'the full responsibilities and corresponding authority, ... [and] the opportunities they ought to have' (para. 17).

Fourth, too few civil servants were 'skilled managers'. Again, this was a criticism aimed particularly at the Administrative Class, since they had the major managerial role in the service. The problem was that officials in that Class tended 'to think of themselves as advisers on policy to the people above them, rather than as managers of the administrative machine below them' (para. 18).

Fifth, there was 'not enough contact between the Service and the rest of the community'. This was partly a consequence of the 'social and educational composition' of the civil service. The Committee felt that 'The public interest may suffer from any exclusiveness or isolation which hinders a full understanding of contemporary problems or unduly restricts the flow of men, knowledge and ideas between the Service and the outside world' (para. 19).

Finally, the Committee had 'serious criticisms' of personnel management in the civil service. Career planning was 'not sufficiently purposive or properly conceived', there was too much movement between jobs and there was 'not enough encouragement and reward for individual initiative and objectively measured performance' (para. 20).

For these and other failings the Treasury, as the central management department of the service, had to accept its share of the responsibility. Its failings had led to the service being 'left behind' as the 'nature of the task' changed after the Second World War. The Treasury had 'failed to keep the Service up-to-date' (para. 21). There were, of course, 'very considerable strengths' in the civil service. These included its 'capacity for improvisation', the fact that it was staffed by exceptionally able men and women at all levels who had 'a strong sense of public service', and unquestioned integrity and impartiality. Indeed, the Committee believed that 'the country does not recognise enough how impressively conscientious many civil servants are in the personal service they give to the public'. It was 'of high importance that these and other qualities should be preserved'. Nevertheless, they had 'obscured' the 'urgent need for fundamental reform' (para. 22).

What, then, were the fundamental reforms the Fulton Committee recommended to address these failings? In the first place, there should be one basic guiding principle to govern the future development of the civil service, the principle being to 'look at the job first':

The Civil Service must continuously review the tasks it is called upon to perform and the possible ways in which it might perform them;

it should then think out what new skills and kinds of men are needed, and how these men can be found, trained and deployed.

(para. 24)

These jobs were 'immensely various' (para. 26), and had 'no counterpart in business or, indeed, anywhere outside the government service' (para. 27). Civil servants had 'to be equipped to tackle the political, scientific, social, economic and technical problems of our time. They have to be aware of interests and opinions throughout the country and many developments abroad'. There was 'no place for the amateur' and the service had to be staffed by 'men and women who are truly professional' (para. 31). By professional the Fulton Committee had in mind two concepts: the first was professionalism as in being 'skilled in one's job'; the second was 'having the fundamental knowledge of and deep familiarity with a subject' (para. 32). The Committee also had in mind two broad types of professionalism which they believed the civil service needed. The first was the professionalism of those who had specific skills, for example architects, lawyers, doctors or engineers (para. 35). Such people had to be employed in the right numbers and should be allowed to carry more responsibility. To enable this to happen there would 'need to be a deliberate policy of training in administration and management' (para. 38). The second type of professionalism was that of 'administration', as practised by 'generalist administrators'. This form of professionalism needed to be 'much more fully developed' (para. 39). Many administrators lacked 'the fully developed professionalism' that their work demanded (para. 40). What was needed was for administrators to become subject specialists within two broad categories of specialisation, these being 'economic and financial' and 'social' (paras 44–47). The economic and financial administrators 'should be men and women who, in addition to their skill in administration, also have appropriate experience and training in economics, finance, business administration and statistics, especially as applied to government work' (para. 49). The social administrators 'would be broader...[and in addition] to their administrative skills [should] also have training and experience in social studies relevant to modern government'. From all these professionals, the administrators and the specialists alike, would come 'the future top management of the Service' (para. 57). The professionalism of civil servants would be based on training and specialisation in the early years of their careers, and this would require the careful planning of postings and specially designed training courses (para. 58).

In order to facilitate most of the implementation of the recommendations in this part of the report, the Fulton Committee made far-reaching suggestions about the overall structure of the civil service. In particular it

recommended that all classes be abolished and that there should be a single, unified grading structure covering all civil servants from top to bottom. The Committee said there were 47 'general service' and similar classes and 1,400 departmental classes, and argued that this division hampered movement both between classes and departments, militated against specialists becoming administrators and generally hampered the efficiency of the service (see paras 192–243).

Many of the changes suggested by Fulton would depend on the appropriate recruitment of civil servants and on post-entry training and career planning. As far as recruitment was concerned the view of the Committee was that the independent Civil Service Commission, responsible for the actual selection and initial posting of candidates, was remote and could not 'know enough of the needs of individual departments and [was] too little connected with the training and early management' of new recruits (para. 62). In addition, responsibility for recruitment *policy* rested with the Treasury. For the Committee 'recruitment, training and career development [ought to be] parts of a single process to be as closely integrated as possible' (para. 62). They therefore recommended that a new Civil Service Department (CSD) be created and that the Civil Service Commission should cease to be a separate and independent organisation and be part of the new department (para. 63). The selection of recruits would continue to be independent of any form of patronage and the Commissioners would not be subjected to ministerial or parliamentary interference in the work of selecting candidates (para. 64). However, some of the Commission's functions would be shared with individual departments, and those departments would have a greater influence on the selection of individuals; and the CSD would be responsible for manpower planning throughout the service (see paras 65–67, 85 and 249–268). People seeking graduate positions would be recruited to the service according to the types of professionalism outlined on page 92. In other words, they would be employed in their early years at least either as specialists, for example, doctors, lawyers or engineers, or as economic and financial or social administrators (para. 71). Men and women should no longer be recruited as 'generalists'; instead 'they should be recruited to do a specified range of jobs' (para. 74). It followed that the service should 'aim to recruit those with the best qualifications, aptitudes and qualities' for those jobs (para. 75). There should be, in one of the most famous phrases of the report 'a preference for relevance' in the recruitment process (para. 76). Nevertheless, there was a great need for significant in-service training, and while the training effort was 'impressive', it was also the case that there was 'little certainty that the subjects and techniques [being] taught on training programmes [was]...relevant or applicable' to the work (para. 97). It was not enough for civil servants to be skilled in the

techniques of administration; 'they must also have a thorough knowledge of the subject matter of their field of administration and keep up to date in it'. Training was therefore needed to cater for this need as it was to allow specialists 'to be equipped to an appropriate degree for administration and management' (para. 98). The Committee therefore recommended the creation of a Civil Service College (para. 99). The College was to have three major functions: first, to provide 'major training programmes in administration and management', including courses for specialists, both new and established, post-entry training for administrative civil servants, and management courses for top managers; second, to provide shorter courses in general management and vocational subjects for more junior civil servants; and third, to engage in research both into the problems of administration and into problems of specific areas of policy (paras 100–102).

The Fulton Committee believed that the civil service should remain a career service, with people joining at 'young ages with the expectation, but not the guarantee, of a life time's employment' (para. 134). There should be a clear system of career management (paras 115–122). One of the main advantages of such a service was that career officials would 'be able to give forthright advice to their superiors and Ministers without fearing that a clash of views might lead to dismissal' (para. 134 (b)). Nevertheless, there should be greater mobility into and out of the service. The Committee therefore recommended an expanded late entry, temporary appointments for fixed periods, short-term interchanges of staff and freer movement out of the service (paras 134–143, para. 289 and para. 11 of the summary at pp. 104–07). There should also be a greater delegation of responsibility to autonomous public boards, to which areas of civil service work would be 'hived off'. These boards would be 'wholly responsible in their own fields within the powers delegated to them'. They would be outside the day-to-day control of ministers but ministers 'would retain powers to give them directions when necessary'. This organisational form was sensible for both commercial and non-commercial activities in the public sector (para. 188). This partial separation of policy making from execution would allow for the most convenient introduction of efficiency techniques.

After dealing with recruitment and career planning the Committee went on to make recommendations about the structure of the civil service and of departments and the promotion of efficiency. In relation to the latter the Committee devoted a whole section to 'Accountable and Efficient Management' (paras 150–162). In paragraph 149 the recommendation was that '(a)...the principle of accountable management can be applied'. By this the Committee meant 'holding individuals and units responsible for performance measured as objectively as possible' (para. 150). It required 'the identification of those parts of the organisation that form convenient

groupings (or “centres”) to which costs can be precisely allocated as the responsibility of the man in charge’ (para. 151). For such groupings there was a complementary need for the establishment of ‘standards of achievement’ by which their performance could be judged (para. 152). This was ‘practicable over a very wide range of executive work’. Such ‘accountable units’ corresponded to the ‘budget centres’ which had been widely adopted ‘as an instrument of management control in progressive industry’ (para. 153). Even where measurable output could not be made the criterion for assessing performance it was still important ‘that those engaged on administrative work... should know what their objectives are and that their performance should be judged by their results’. The underlying principle to be applied should be management by objectives, which ‘should be the normal practice everywhere’ for administrative work. Individuals at all levels ‘should know what they are responsible for and what authority they have’ (para. 156).

In addition to these recommendations the Fulton Committee suggested that the civil service would ‘need to devise the right machinery for ensuring that each department keeps its organisation up to date, conducts a regular audit of its efficiency, and constantly applies the best available methods and techniques to its tasks’, including the use of outside management consultants (para. 163). The main onus for efficiency, however, should rest with departments, each of which was enjoined to establish a ‘management services unit’ and pursue ‘Organisation and Management’ and staff inspection objectives (para. 165). Such units should be ‘properly staffed’ with ‘men and women with high qualifications’ (para. 166). Their main purpose would be ‘to ensure that all unnecessary work is eliminated and that staffs are kept to the absolute minimum’ (para. 170).

Moving on from administrative efficiency the Fulton Committee also considered ‘long term policy planning’. Too much of the time of Administrative Class civil servants was devoted to the parliamentary and public duties of ministers and not enough time was devoted to long-term policy thinking and planning (para. 172). To remedy this problem the Committee suggested the creation within departments of planning and research units (‘Planning Units’), which should be relatively small. Their main task would be ‘to identify and study the problems and needs of the future and the possible means to meet them’ (para. 173). These units should be staffed by ‘comparatively young men and women’ so that ‘some of the most able, vigorous and suitably qualified young civil servants [could] have an early and direct impact on top policy-making’ (para. 175). Because of the cross-departmental boundary nature of some of the work these units might perform there should be some central mechanism to ensure co-ordination between them (para. 177). The head of each unit should be

a Senior Policy Adviser, who would assist the minister and whose primary objective 'would be to look to, and prepare for, the future and to ensure that day-to-day policy decisions are taken with as full a recognition as possible of likely future developments'. Such a person could be appointed from outside, but most often would be a career civil servant (para. 182). Senior Policy Advisers would have 'direct and unrestricted access' to the minister, and would have 'the chief responsibility for planning and longer-term departmental policy'. The day-to-day operation of the department would remain under the direct control of the permanent secretary (para. 183). The latter would be more free to devote his or her time to personnel and organisational management and the promotion of efficiency (paras 178–181).

The Labour Government accepted most of the major proposals of the Fulton Committee. The CSD was created, along with the Civil Service College, and the Civil Service Commission was absorbed within the CSD. Work began on removing barriers to movement both within the civil service and between the service and the outside world, and this included the unifying of the grading structure. The CSD, whose permanent secretary was also the Head of the Civil Service, was led by Sir William (later Lord) Armstrong, who became dedicated to overseeing the implementation of the Fulton proposals.

Superficially, at least, the Fulton Committee may be seen as further strengthening the unity of the civil service. The central management of the service was streamlined and barriers to movement, both horizontal and vertical, began to be removed. The Civil Service College was intended both to ease the movement of civil servants across professional barriers and to help to improve the management of the service. More insidiously, the effect of Fulton was both a reduction in the morale of civil servants, particularly at the senior levels, and the sowing of the seeds which led to the demise of a unified, meritocratic, non-party-political body of officials motivated by the ideal of public service. In particular, the Fulton Committee's obsession with management 'efficiency', accountable management techniques, 'hiving-off' and the 'preference for relevance' fertilised the ground in which later could be sowed the seeds of 'pluralist' management systems, politicisation and privatisation. The fruits of these were to be the emergence of a culture of private gain rather than public duty.

British public administration and the ideal of public service

Insofar as there was a civil service in mid-nineteenth-century Britain, it was characterised by nepotism, corruption and incompetence. It was a highly fragmented 'organisation', with no central management and no unifying ethos. The great reformers of the period, most notably Gladstone,

Northcote and Trevelyan, created the conditions in which, over time, a unified, career civil service could be created. By the mid-twentieth century it was a service staffed at its core by its share of the most able and ambitious members of society. By then there was a profession of administration and an ethic of public service. The creation of the independent Civil Service Commission, and the gradual establishment of a common and open method of recruitment for the civil service, requiring high standards of attainment for employment therein, meant that the all-pervasive problems of nepotism, corruption and incompetence were painstakingly reduced. The process was aided by the increasingly dominant role of the Treasury, not just in financing the civil service, but in its management, a dominance which was central to its unification. These organisational changes were driven by a desire to improve the 'efficiency' of the public service in achieving its central purpose, that being to pursue the interests of the state. These interests may in practice have been those of the leaders of the state, including the leaders of the civil service, but they were apparently interpreted by those leaders as being 'the public interest'. Those who were the elite civil servants were driven by a desire to serve the public interest and by motivations of public service. Essentially their professional ethic may be characterised as the ideal of public service.

The ethos this ideal inspired became apparent in numerous ways. For example, the development of staff associations in the first quarter of the twentieth century was not just about trade unionism; it was also about the development of professional ethics. This was particularly true of the FDA and the Society of Civil Servants. As indicated earlier, their concern was to promote an *esprit de corps* in the civil service and promote knowledge about administration as a profession. The FDA in particular, the association which eventually came to represent nearly all senior civil servants, was primarily concerned with professional matters. As Chapter 4 will demonstrate, it was at the forefront of the later debates about the profession of administration and the ethical underpinning of that profession. Ironically, it may be argued that it was the undermining of the profession of administration, a process epitomised in the Association's view by the Fulton report, which led it to adopt a more trade union like stance in more recent years.

Another way in which the ethos of public service became apparent was in the example set by the leaders of the service. Two in particular have been highlighted in this chapter, Warren Fisher and Edward Bridges. These two have been chosen simply because they were the leaders of the service in what might be described now as its 'golden age'. Few people would have known who they were, since they were not public figures. They were, however, leaders in the true sense: they were inspirational, hard-working in the interests of their organisation and adept at the internal politics of

bureaucracy. They exercised considerable power and influence, were well known and respected within the government machine and set admirable examples for those who worked with them. They actively promoted the idea of the civil service as a unified 'service', sought to downplay ideas of personal gain and glorified 'team work', and sought always to work in the public interest.

It may be argued that figures such as Fisher and Bridges were exceptional characters, and this indeed explains why scholars have concentrated on them, and a few others, as exemplars of civil servants and of public service. This should not, however, be taken to underestimate their importance as leaders of the service or to question the contribution they made to the development of that service. They, with others, were responsible for the development of the service during the twentieth century and for the ideals which underpinned it. They, with others, were exemplars of those ideals, and through a process of socialisation, those ideals permeated the civil service, particularly at the highest level, staffed as it was by an elite of highly educated, highly motivated, generalist administrators.

It was the elitism of this cadre of senior public servants that inspired much of the criticism levelled at them in the period leading up to the establishment of the Fulton Committee. In particular, their generalist skills, a product of their elitist education in the arts and humanities at the public schools and the ancient universities, were thought by some to be inappropriate for the modern problems faced by government. This was exacerbated by the nature of career patterns within the civil service, with little emphasis placed on the attainment of so-called 'management' skills by generalist administrators and with those who were specialists in a technical sense largely being denied positions of real authority in the corridors of power. Instead, decision-making authority and policy advice were the province of Crossman's 'super bureaucrats', a group of highly able men with acute 'political' skills whose profession was based on an understanding of the political environment, whose activities were about arbitrating between various competing interests in developing public policy and whose professional ethic was to determine and to act in the public interest.

Setting aside, for the time being, the question of competencies, elitism of this sort is anathema in a democracy. Platonic ideas of educated and gifted experts in government determining and pursuing the 'Good' of society, and Aristotelian and Thomist ideas of the 'good life' and the public interest in pursuing such a life, are deemed undemocratic. Idealist philosophy, generally the idea that we are all part of society and that we achieve what we are capable of being in cooperation with others, is considered illiberal. Instead, we are all individuals and groups, pursuing our own interests in a pluralistic society in which individual values must always have priority.

The primary source of legitimacy in a democracy is derived from the ballot box. The values by which the bureaucratic and governmental system operates must be in line with those of the society the bureaucracy and government serve. In a democracy, those values are communicated by elected politicians, and it is politicians who are both responsible and accountable for not just the work of government officials and of the government machine generally, but the values that inform that work. In short, it is the responsibility of politicians to determine what the public interest is. Given this, the question must be by what right do non-elected officials seek to play any part in the determination of the public interest?

The answer is simply this, that the public officials, elected and non-elected, share the responsibilities of office and thus share the responsibility of determining the public interest. Democracy implies pluralism, and although the primary source of legitimacy in a democracy is election, it is not the only source, nor is it over-riding. Forms of legitimacy deriving from competence or experience or professional qualifications or from various other sources are also of considerable importance in the complex system that is a modern society. It is the relationship between these various elements that informs the processes of government. More importantly, it is the relationship between the various actors in the political process that determines the nature of a particular democracy. There is little evidence to suggest that, at least up until the 1960s, civil servants and politicians, despite minor hiccoughs in their relationship, had anything other than a mutual respect for the role played by each other in the British system of government. Politicians increasingly derived their legitimacy from the ballot box; civil servants increasingly derived their legitimacy from their professionalism as administrators. Notwithstanding the fact that each group had its own interests, and that sub-groups and individuals also had their interests, both politicians and officials apparently shared in a sense of public service. By the 1960s, however, the relationship was beginning to break down.

Chapter 4 examines the changing nature of the relationship between civil servants and their political masters in the period since the Fulton Report. Since then there has been an increasing emphasis put on the acquisition by civil servants of 'management' skills and the adoption of 'business-like' methods by the civil service. In the process, the traditional values and skills of senior civil servants have been called into question. Moreover, it is increasingly the case that the role of senior officials as the conduit through which advice to ministers was channelled has been seriously undermined. As politics first became more ideological, under Margaret Thatcher, and then became more 'managerial', under Tony Blair, the need for party politically neutral advisers has apparently become anachronistic. Instead, politicians have increasingly relied on 'independent' so-called think

tanks, policy ‘Czars’ and individually appointed special advisers as sources of advice and support. In the process, the ideal of public service and public service ethos inspired by it, despite the ministrations of the Committee on Standards in Public Life and the House of Commons Public Administration Select Committee, have ceased to play an important part in public life.

Note

1 Although Halsey and Crewe also provide figures for those who occupied what they refer to as ‘Higher Grades’, this is an imprecise term. The figures used here are for direct entrants to the Administrative Class because these are comparable with later figures published by the Civil Service Commission, to be referred to in Chapter 4.

References

- Aberbach, J. D., Putnam, R. D. and Rockman, B. A. (1981), *Bureaucrats and Politicians in Western Democracies*, Cambridge, MA, Harvard University Press
- Barberis, P. (1996), *The Elite of the Elite: Permanent Secretaries in the British Higher Civil Service*, Aldershot, Dartmouth
- Blunt, Sir Edward (1937), *IGS: The Indian Civil Service*, London, Faber and Faber
- Bradbury, Sir John (1918), *Interim Report of the Committee on Organisation and Staffing in Government Offices (the Bradbury Committee)*, Cd. 9074, London, HMSO
- Bradbury, Sir John (1919), *Final Report of the Committee on Organisation and Staffing in Government Offices (the Bradbury Committee)*, Cmd. 62, London, HMSO
- Bridges, Sir Edward (1950), ‘The Relationship between Ministers and the Permanent Departmental Head’, published in *The W. Clifford Clark Memorial Lectures*, Toronto, Institute of Public Administration of Canada
- Bridges, Sir Edward (1952), *Professional Standards: The Civil Service*, BBC (GOS) broadcast talk, manuscript in TNA/PRO, T/273/222
- Chapman, Richard A. (1968), ‘Profile of a Profession: the Administrative Class of the Civil Service’, Memorandum number 2 in *The Civil Service, Vol. 3(2) Surveys and Investigations, Evidence Submitted to the Committee under the Chairmanship of Lord Fulton 1966–1968 (the Fulton Committee)*, pp. 1–29, Cmnd. 3638, London, HMSO
- Chapman, Richard A. (1970), *The Higher Civil Service in Britain*, London, Constable
- Chapman, Richard A. (1984), *Leadership in the British Civil Service*, London, Croom Helm
- Chapman, Richard A. (1988), *Ethics in the British Civil Service*, London, Routledge
- Chapman, Richard A. (1997), *The Treasury in Public Policy Making*, London, Routledge
- Chapman, Richard A. (ed.) (2000), *Ethics in Public Service for the New Millennium*, Aldershot, Ashgate
- Chapman, Richard A. (2004), *The Civil Service Commission: A Bureau Biography*, London, Routledge
- Chapman, Richard A. and Greenaway, J. R. (1980), *The Dynamics of Administrative Reform*, London, Croom Helm

- Christoph, J. B. (1975), 'Higher Civil Servants and the Politics of Consensualism in Great Britain', in Dogan, M. (ed.), *The Mandarins of Western Europe: The Political Role of Top Civil Servants*, pp. 25–62, New York, John Wiley and Sons
- Civil Service Commission (1977), *Annual Report*, London, HMSO
- Cohen, Emmeline (1941, 1965 edn), *The Growth of the British Civil Service, 1780–1939*, London, Frank Cass
- Crossman, R. H. S. (1972), *Inside View: Three Lectures on Prime Ministerial Government*, London, Cape
- Dale, H. E. (1941), *The Higher Civil Service of Great Britain*, Oxford, Oxford University Press
- FDA (1968a), Memorandum 15 in *The Civil Service, Vol. 5(1), Proposals and Opinions (the Fulton Report)*, Cmnd. 3638, London, HMSO
- FDA (1968b), *Monthly Notes*, June, London, Archive of the Association of First Division Civil Servants
- Fisher, Sir Warren *et al.* (1928), *Report of the Board of Enquiry Appointed by the Prime Minister to Investigate Certain Statements Affecting Civil Servants*, Cmd. 3037, London, HMSO
- Fry, G. K. (1993), *Reforming the Civil Service: The Fulton Committee on the British Home Civil Service 1966–1968*, Edinburgh, Edinburgh University Press
- Fulton, Lord (1968), *The Civil Service, Vol. 1, Report of the Committee 1966–1968 (the Fulton Report)*, Cmnd. 3638, London, HMSO
- Gladden, E. N. (1967), *Civil Services of the United Kingdom 1853–1970*, London, Frank Cass
- Gladstone (1919), *Report of the Committee on Recruitment for the Civil Service after the War (the Gladstone Report)*, Cmd. 34, 35, 36, 164, London, HMSO
- Halsey, A. H. and Crewe, I. M. (1968), *The Civil Service, Vol. 3(1), Surveys and Investigations: Social Survey of the British Civil Service (the Fulton Report)*, Cmnd. 3638, London, HMSO
- Hamilton, Sir H. P. (1951), 'Sir Warren Fisher and the Public Service', in *Public Administration*, Vol. 29, pp. 3–38
- Hecló, H. and Wildavsky, A. (1974), *The Private Government of Public Money*, London, Macmillan
- House of Commons (1833), *Parliamentary Debates, Commons, 3rd series, Vol. XIX, 10 July*, London, House of Commons
- House of Commons (1860), *Report from the Select Committee on Civil Service Appointments*, Parliamentary Papers, IX, London, House of Commons
- House of Commons (1918), *Select Committee on National Expenditure, Second Report 1918, Treasury Control*, London, HMSO
- House of Commons (1919), *Select Committee on National Expenditure, First Report 1919*, London, HMSO
- House of Commons (1936), *First and Second Reports from the Committee of Public Accounts, together with the proceedings of the Committee, Minutes of Evidence, Appendices and Index, Session 1935–6*, HC 45, 144, London, HMSO
- House of Commons (1977), *Eleventh Report from the Expenditure Committee, Session 1976–77, The Civil Service*, HC 535 I and II, London HMSO

- Kelsall, R. K. (1953), *Higher Civil Servants in Britain, from 1870 to the Present Day*, London, Routledge and Kegan Paul
- MacDonnell, Lord (1914), *Royal Commission on the Civil Service, Fourth Report (the MacDonnell Report)*, Cd. 7338, London, HMSO
- Menzler (1937), 'The Expert in the Civil Service', in William A. Robson (ed.), *The British Civil Servant*, pp. 165–86, London, George Allen & Unwin
- Millerson, G. (1964), *The Qualifying Associations*, London, Routledge and Kegan Paul
- Ministry of Reconstruction (1918), *Report of the Machinery of Government Committee (the Haldane Report)*, Cd. 9230, London, HMSO
- Northcote, Sir Stafford and Trevelyan, Sir Charles (1854), *Report on the Organisation of the Permanent Civil Service (the Northcote Trevelyan Report)*, to be found in Fulton, Lord (1968), *The Civil Service, Vol. 1, Report of the Committee 1966–1968 (the Fulton Report)*, Cmnd. 3638, London, HMSO
- O'Halpin, E. (1989), *Head of the Civil Service: A Study of Sir Warren Fisher*, London, Routledge
- O'Toole, Barry J. (1985), 'Morale in the Higher Civil Service: the symbolic importance of the FDA's decision to join the TUC', *Public Administration Bulletin*, Vol. 47, April, pp. 18–38
- O'Toole, Barry J. (1989), *Private Gain and Public Service: the Association of First Division Civil Servants*, London, Routledge
- Parris, H. (1973), *Staff Relations in the Civil Service: fifty years of Whitleyism*, London, George Allen & Unwin
- Pellew, J. (1982), *The Home Office, 1848–1914: From Clerks to Bureaucrats*, London, Heinemann
- Playfair, Sir Lyon (1875), *Report of the Civil Service Inquiry Commission, First Report (the Playfair Report)*, C. 1113, London, HMSO
- Privy Council (1855), 'Civil Service Order in Council of 21 May 1855', London, the Privy Council
- Privy Council (1870), 'Civil Service Order in Council of 4 June 1870', London, the Privy Council
- Ridley (1888), *Second Report of the Royal Commission to inquire into the Civil Establishments of the Different Offices of State at Home and Abroad, with Minutes of Evidence, Appendices etc. (the Ridley Report)*, C. 5545, London, HMSO
- Rose, Richard (1981), *The Political Status of Higher Civil Servants in Britain* (Studies in Public Policy, no. 92), Glasgow, Strathclyde University, Centre for the Study of Public Policy
- Sisson, C. H. (1952), *The Spirit of British Administration*, London, Faber
- Theakston, K. (1999), *Leadership in Whitehall*, London, Macmillan
- TNA/PRO (1918a), T1/12261/50284/1918, War Cabinet 415, 23 May 1918, Minute 16
- TNA/PRO (1918b), T1/1281/30535/1918, Memorandum from Mr H. P. Hamilton to Sir Thomas Heath, 27 July 1918
- TNA/PRO (1918c), T1/12181/30535/1918, Letter from Mr J. P. Robinson to Mr H. P. Hamilton, 20 July 1918
- TNA/PRO (1918d), T1/12181/30535/1918, Appendix C of Robinson's letter to Hamilton

- TNA/PRO (1918e), T1/12181/30535/1918, Official letter in response to J. P. Robinson, 3 August 1918
- TNA/PRO (1919a), T1/12368/35534/1919, Memorandum to Chancellor of the Exchequer, December 1919
- TNA/PRO (1919b), T1/12306/14598/1919, *Report of the Advisory Committee of Heads of Department (Chairman, Stanley Baldwin)*, 12 April 1919
- TNA/PRO (1920a), T162/59/5083, Note on steps taken by the Treasury and Government in regard to establishments, 1920
- TNA/PRO (1920b), T1/12466/3122/1920, Letter dated 12 January 1920 from Thomas Jones, acting Secretary to the Cabinet, to Sir Warren Fisher, Permanent Secretary to the Treasury
- TNA/PRO (1920c), T1/12564/20935/1920, Cabinet Finance Committee, Council of Financial Officers (the Baldwin Council), *Interim Report on the Position of Accounting Officers*, FC33, December 1919
- TNA/PRO (1920d), T1/12564/20935/1920, Cabinet 10(20), 11 February 1920, promulgated in Treasury Circular TC10855/20, 12 March 1920
- TNA/PRO (1920e), T1/12542/17744/1920, *Report on the organisation & c of the Civil Service by the Joint National Committee (the Reorganisation Report)*, 17 February 1920
- TNA/PRO (1924), T199/50b 'Note on Treasury Organisation' unsigned
- TNA/PRO (1951), T/110
- TNA/PRO (1952), T273/222, script of the BBC (GOS) Broadcast talk by Sir Edward Bridges, 'Professional Standards: the Civil Service'
- Tomlin, Lord (1931), *Royal Commission on the Civil Service 1929–1931, Report and Minutes of Evidence (the Tomlin Report)*, Cmd. 3909
- Treasury (1853), *Treasury Minute appointing Committee for Inquiring into the Public Establishments*, 12 April 1853 (Parliamentary Papers, Session 1854–5) London, House of Commons
- Trollope, Anthony (1858, 1907 edn), *The Three Clerks* (The World's Classics edition), Oxford, Oxford University Press
- Wallas, Graham (1908, 1920 edn), *Human Nature in Politics*, London, Constable
- White, Leonard D. (1933), *Whitley Councils in the British Civil Service: A Study in Conciliation and Arbitration*, Chicago, IL, University of Chicago Press
- Woodruff, P. (1953–4), *The Men Who Ruled India*, 2 vols, London, Jonathan Cape

4 Morals, markets and modernisation

Public administration post-Fulton

The practical application of the ideal of public service in British central administration was at its zenith in the middle of the twentieth century. By 1956, the year in which Sir Edward Bridges retired as Head of the Civil Service, the work of the nineteenth-century reformers and of the great public servants of the twentieth century had come to full fruition. By that time the British civil service was a unified, career bureaucracy. An elite of able, politically impartial and largely anonymous mandarins staffed its centre. Their work was to help ministers, with whom they had their closest working relationships, to make and implement public policies. The leaders of the service professed an ethic of duty to serve the public interest. In some ways, these senior officials resembled Platonic Guardians: many of them had been taken away from their parents at a young age to receive a classical education in the Spartan conditions then offered by the so-called public schools; they had then moved to higher education in the secluded groves of that particular type of academe embodied in the Oxbridge collegiate system; and whilst in these ivory towers their classical education was further strengthened, often in the study of the ancient philosophers. Upon graduation they immediately entered the equally cloistered corridors of power of the Whitehall 'village', where they served a sort of apprenticeship in junior positions of authority and in which they were socialised into the traditions and values of those who had already seen the 'Good' and taken it 'as a pattern of the right ordering of the state' (Plato, 1941 edn, p. 256). These values were most poetically articulated by Plato himself. They have been echoed down the ages by some of the greatest of political philosophers, from Aristotle, through his most illustrious mediaeval interpreter, Aquinas, to Rousseau, Kant, Hegel and Green in the nineteenth century and to the communitarians of the late twentieth century. These values are essentially about the setting aside of personal interests and of endeavouring to serve the common good. Thomas Hill Green was the most important British philosopher of the idealist tradition. His view was that the purpose of social

organisations, including government, was to create the conditions in which individuals could fully achieve what they were capable of achieving. He inspired a generation who thought public service the best way of ensuring that vision. His ideas went hand in hand with the organisational changes contemporaneously being wrought on the civil service. The two together forged the civil service that was the legacy of Sir Edward Bridges and of the great reformers of the late nineteenth and early twentieth centuries.

Fulton: the seeds of change

As Bridges was demitting office his beloved civil service was increasingly under attack. This was not a new phenomenon, and the modern civil service has never been free of its detractors. For example, in the 1920s and 1930s, the First Division Association was concerned at low morale amongst its members because of the constant attacks on the civil service ‘bureaucracy’, ‘the cumulative effect of which [had] been to lower the prestige of the Service’ (FDA, 1930, para. 104; see O’Toole, 1989, pp. 37–46). During his own headship of the service Bridges himself occasionally felt the need to defend it from its detractors, even if discreetly (see Chapman, 1988, p. 13). Nevertheless, by the late 1950s and early 1960s the extent and virulence of the attacks was considerable. Perhaps the most provocative examples were the attacks by Thomas Balogh in his essay ‘The Apotheosis of the Dilettante’ (1959) and Brian Chapman in his book *British Government Observed* (1963). More balanced was a tract by the Fabian Society entitled *The Administrators* (1964). In essence, these critical observations were about the perceived elitism of the civil service at its highest levels and the role its detractors believed the service had played in the relative decline of Britain in the post-War period. In turn, these criticisms formed part of the backcloth both to the establishment of the Fulton Committee and to its findings. Indeed, the most virulent attack on the civil service was the first chapter of the Fulton Report itself (Fry, 1993, p. 6 and pp. 231–41; Fulton, 1968, chapter one). It was the Fulton Report that marked the beginning of the process by which the ideal of public service at the core of the values of the civil service slowly passed away.

Before examining why, it is important to deal with the changes that actually occurred in consequence of, or following on from, the Fulton Report. Most importantly, the Civil Service Department (CSD) was established almost immediately, with the permanent secretary accorded the status of Head of the Civil Service. The Prime Minister was the political head of the department – though with a Minister for the Civil Service in day-to-day control. The CSD was given responsibility for the ‘management’ of the civil service, including recruitment, with the Civil Service Commission coming

within its ambit (though technically remaining independent). The CSD was charged with making the management changes recommended by Fulton. Within a matter of only a couple of years, the so-called Open Structure was created, consisting of the top three grades in the civil service hierarchy of permanent secretary, deputy secretary and under secretary. This reorganisation at the top of the hierarchy, with concurrent reform of the grading arrangements lower down, was meant to encourage promotion of specialists into the senior ranks of the Administrative Class as it was then called. The CSD was also given the responsibility for professionalizing the personnel management of the civil service, by improving career planning, encouraging the movement of civil servants between departments and the creation of conditions in which civil servants could spend time in other organisations (and in which outsiders could be seconded into the civil service). These changes were also facilitated to some extent by the reorganisation of central government inaugurated by Edward Heath, the Conservative Prime Minister who succeeded Harold Wilson in June 1970. Heath was responsible for the White Paper on so-called Giant Departments (Prime Minister, 1970). This White Paper, and the rationalist approach adopted by Heath for the management of government in the early years of his administration, also facilitated other developments inspired by the Fulton Committee. Examples were the introduction of 'accountable management' and related techniques, and the 'hiving-off' from the core civil service of certain government activities. The most important examples of the latter were the various agencies of the Department of Employment such as the Employment Services Agency and later the Manpower Services Commission. These changes were prescient of those introduced in consequence of the 'Next Steps' programme inaugurated in 1988 by the Thatcher government.

In addition to its overall management responsibilities, the CSD was also charged with the establishment and operation of the Civil Service College, which also became a reality. It was meant to encourage civil servants to develop 'management' skills, both on entry to the civil service and in mid-career, with training programmes provided for all ranks of the civil service. Originally, the intention was to create a prestigious organisation, with the status of a university or research institute, and the first principal of the College was given the rank of deputy secretary. Apart from providing education and training programmes, the College was also meant to undertake research into improving management and administration in government. Premises were acquired at Sunningdale Park near Ascot, a rather delightful country house with extensive grounds, and in Belgrave Square in central London, with an outpost in Edinburgh. In its early years the College did not live up to the initial high expectations, and essentially became a glorified training college. The principalship was effectively downgraded to under

secretary level after the first principal, an academic, retired early in 1976 on the grounds of limited efficiency following a review of the management of the College (Chapman and Greenaway, 1980, p. 156). The College never really recovered status, and never did any substantial research, especially since many of its staff have been civil servants themselves rather than academics or teachers. The subsequent development of the College, now the National School of Government, has been one of constant change.

In recruitment and career management, which the Fulton Committee had recommended should be reformed so that there was a 'preference for relevance', both at the entry stage and in terms of promotion (bringing in and promoting people with educational and career backgrounds other than the arts generalist Oxbridge type), a further committee was created. The Davies Committee on the Method II System of Selection for the Administrative Class of the Home Civil Service reported in 1969 (Civil Service Department, 1969a). Its remit was to consider what Fulton had said and to make recommendations. The Method II system had been introduced just after the Second World War and used in parallel with the original or Method I system (see Chapman, 1984). The older system relied on academic type examinations and interviews, and was thought to lead to the bias identified and roundly criticised in the Fulton Report (see Chapman, 2004, chapter eleven). Method II was essentially based on psychometric testing, and the first two elements of the three-stage process, the qualifying test and the interviews and exercises of the Civil Service Selection Board (CSSB) system are outlined in Chapter 3. Candidates successful at the CSSB stage would proceed to a Final Selection Board (FSB), an extended interview by a group consisting of one of the Civil Service Commissioners, some very senior civil servants and people from outside, such as academics or business people. The panel considered the recommendations of CSSB, reviewed all the evidence about FSB candidates and decided whether a candidate was suitable for fast stream employment in the civil service. This system had itself been accused of bias by the Fulton Committee. The Davies Committee, however, found little fault with the Method II system and recommended the phasing out of Method I, which it thought more open to allegations of bias. In addition, new arrangements for an expanded graduate entry were introduced in 1971, the administration trainee (AT) scheme. However, even under the new scheme, those who were destined for the highest echelons of the civil service continued to display similar social and academic characteristics to those of the assistant principals they replaced. Thus, by 1979, of the 73 AT direct entrants recruited that year, 45 (about 60 per cent) had been to Oxford or Cambridge, and 28 (about 40 per cent) had graduated from other universities or polytechnics or had other relevant career experience (Civil Service Commission, 1980).

Whilst slightly less pronounced, these figures can be compared with statistics about direct entry assistant principals supplied to the Fulton Committee by A. H. Halsey and Ivor Crewe, which also indicated a heavy preponderance of direct entrants from Oxford and Cambridge universities (about 67 per cent) (derived from Halsey and Crewe, 1968, tables 3.25 and 3.46).

There was another aspect of the work of government departments and of the government more generally about which Fulton had made recommendations, which was concerned with departmental research and the employment of 'special advisers'. The Committee recommended that ministers should be able to employ more people from outside the civil service as special advisers. Their remit would be to advise ministers about policy areas and also about political matters. In addition, Fulton thought that departments should have departmental 'planning units', headed by senior policy advisors and largely staffed by young 'high flying' officials (people recently recruited but perceived to be destined for the 'top'), who would undertake 'blue skies' thinking about the policy areas included in the remits of their departments. Similar units had appeared before Fulton reported and they became quite common throughout Whitehall. However, there was a general antipathy to such approaches amongst senior officials, who regarded themselves as the conduit through which ministers should be advised. The exceptional case was the most important planning unit of all, the Prime Minister's Policy Unit, established in 1974, which in different guise is still an integral part of the machinery of government, and which consisted of relatively young senior civil servants and some outsiders. Nevertheless, these innovations were contentious because, as noted earlier, policy advice had hitherto been the almost exclusive preserve of senior officials, through whom the views of pressure groups, experts and other interested parties were channelled. The growth in the numbers and political influence of special advisers in particular, especially those employed by the Prime Minister, has been a cause of some controversy in recent years, controversy to which this book shall return.

A further important development along these lines, though not directly related to Fulton's recommendations, was the creation by Heath of the Central Policy Review Staff (CPRS), popularly known as the 'Think Tank'. The CPRS was to undertake 'blue skies' and 'strategic' thinking for the government as a whole. Formally, the CPRS was responsible to the Cabinet, but in practice it enjoyed the imprimatur of the Prime Minister and its prestige rested on his patronage. It was staffed by a small group of gifted and relatively young civil servants and outsiders. Its first director was the scientist and business leader, Lord Rothschild, and its members included such luminaries as Tessa (now Baroness) Blackstone and William Plowden. During Heath's premiership the CPRS enjoyed considerable influence,

with Rothschild becoming one of the Prime Minister's most significant advisers, and with he and his deputy having rights of attendance and participation in Cabinet committees. Its functions were numerous, ranging from providing 'independent' briefs for the Cabinet collectively on departmental policies and activities, to producing more detailed and wide-ranging reports on specific projects, such as Concorde, or on wider matters affecting government generally, such as energy policy or the economic role of the City of London. Perhaps most importantly, the CPRS had a central role in terms of the 'strategy' and overall direction of the government as a whole. In this role it made biannual presentations to the Cabinet in 'retreat' meetings at Chequers, the Prime Minister's country residence. At these meetings the government's achievements were measured against its aims and objectives and future potential problems identified. Such a role fitted easily with Heath's concern with the rationalisation of government, but was contentious because some regarded this strategic function as being the preserve of the Cabinet itself, and not of what was essentially a group of Cabinet Office civil servants. The less rationalist and more politically pragmatic governments of Harold Wilson and his successor James Callaghan increasingly sidelined the CPRS, and by 1983 its 'rationalist' functions had become even less relevant as the more ideologically driven government of Margaret Thatcher became more confident. In 1983 she abolished it.¹

Superficially at least, the changes inspired by Fulton and Heath seem relatively marginal. Their importance lies, not in the direct effect they had on civil servants and on the ideal of public service, but in the seeds of change which they sowed. Some of these seeds had more direct, if long term, effects than others, for example, the introduction into the civil service of special advisers or the establishment of the notions of 'hiving-off' or 'accountable management'. Others were simply ideas that were taken up later and developed in ways unimaginable to the people who made the suggestions in the first place, for example, the notion of bringing in people from outside the service – an idea recently transformed into open competition for many senior positions in the civil service (see Cabinet Office, 2004a; Efficiency Unit, 1993a; Levitt and Solesbury, 2005; Prime Minister, 1994, 1995). Yet more were about establishing precedents for new and radical ideas about the ways in which policy advice and policy formulation could be delivered, for example, through partisan think tanks, a prototype of which was the non-partisan CPRS. All of these will be considered in this chapter, particularly in relation to the ideal of public service. First, however, the most indirect of all the possible effects will be considered: the effect on the morale of senior civil servants.

The question of morale is not easily susceptible to measurement. Nor, indeed, was there any attempt to consider such matters 'scientifically',

either before or after 1968. In this case, however, there is a proxy for 'scientific' measurement. It is a proxy derived from the work of the professional association representing senior civil servants, the Association of First Division Civil Servants (FDA). In addition, there is evidence from the public records that specific groups of civil servants, for example, those working in the Civil Service Commission, were especially upset by the Fulton Committee (see Chapman, 2004, chapter nine). Whilst the reaction of the FDA to Fulton and its immediate aftermath needs to be considered in context, it is nevertheless true that it was the considerations of the Association about certain aspects of the Committee's report which had a profound effect on the way in which the Association viewed the relationship between its members and government ministers.

The initial response of the FDA to Fulton was ambivalent. Their view was that the report was 'very much like the curate's egg'. Initial reading indicated that there was much in it that seemed sensible. As noted in Chapter 3, however, the Association deplored the general criticisms of the administration which the Committee made, particularly in the opening chapter, which were thought to be unjustified. The Association was especially unhappy with, indeed, offended by, Fulton's implication that senior civil servants, with their generalist approaches, were 'amateurs', especially given the perception that leaders of management thought outside the civil service were now proclaiming the benefits of generalist approaches (FDA, 1968).

It was indeed the Fulton Report's allegation of 'amateurism', related to the concept and practice of 'generalist administration', that truly offended the FDA, and by extension its members. One consequence was the growing concern in the years immediately after the publication of the report with the professional standing and standards of the civil service. For the first time the FDA became *overtly* concerned about the ethics of the profession of administration as practised by senior civil servants. Of course, such matters had been dealt with implicitly in relation to evidence to Royal commissions and parliamentary enquiries (see O'Toole, 1989). Rarely, however, had the representatives of senior officials had to face questions about the assumptions these senior officials had about their professional role and the underlying ethos which sustained it. Since that time such matters have exercised, not just the FDA and its members, but government, Parliament and the wider public.

The professional standing of civil servants

The professional standing and standards of senior officials were first seriously discussed at the 1969 Annual General Meeting of the First Division

Association, which passed the following motion:

To call attention to the need to define the professional standards expected of public servants in the light of their constitutional role and developments in government administration, and to ask the Executive Committee to play its part in stimulating discussion of this question within the public service and more widely.

(FDA, 1970, para. 1)

This resolution was moved by Mr D. H. Morrell of the Home Office in a remarkable speech. In it he argued fiercely that civil servants were not amateurs:

We are professionals. Ever since the great reforms of the [nineteenth] century we have exhibited the two primary characteristics of a true profession. We profess an ethic regulating our work; and we possess knowledge and know-how specific to that work. Our ethic is simply stated. We stand committed to neutrality of process. We profess that public power is not to be used to further the private purposes of those to whom it is entrusted. It is solely to be used for the furtherance of public purposes as defined by constitutional process.

Such a view is essentially the traditional view expected of senior officials, a view that sits easily with a conception of civil servants as having a sense of public duty and acting in the public interest narrowly defined. Morrell, however, seems to have had a wider and more interesting view about what the public interest is and about the relationship of officials to it. For him the difficulty lay in the practical application of neutrality of process, what he referred to as a 'principle of universal validity'. In particular he recognised the problems involved in evolving a set of procedural rules such that officials who were applying them, people who were 'not in themselves value neutral – because they are human beings with needs and aspirations', could by accepting them contribute to the process of determining and administering public policies. He argued:

We still do not accept the reality of our individual humanity; we have not therefore evolved rules of procedure such that we can contribute all that we are to a process having public not private outcomes. And the price which we and the public pay for pursuing a myth is heavy. Speaking personally, I find it yearly more difficult to reconcile personal integrity with a view of my role which requires the deliberate

suppression of part of what I am...But the price which the public has to pay is even heavier. For the part of ourselves we are asked to suppress is the creative part.

He went on:

our professional commitment to neutrality of process needs to be worked out afresh in rules of procedure which will liberate, and make available for the public good, the immense store of human sensitivity and creativity which I believe to be imprisoned by an outmoded myth of personal objectivity.

(FDA, 1969)

His immediate plea was that the FDA should sit down with politicians, representatives of other professions and the public at large to 'thrash out...freely and openly' the issues he had raised. The Association decided instead to establish a sub-committee on Professional Standards in Public Service.

This sub-committee was interesting, not because of its recommendations but because of its discussions, which were wide-ranging and sometimes radical. The sub-committee's starting point was where the Fulton Committee had left off. Fulton had not considered some organisational problems of the civil service, 'such as relations between departments with overlapping interests'. More importantly, the committee had not explored 'the difficult boundary of what Ministers have a right to expect and Civil Servants a duty to provide'. Above all, they had 'left completely untouched the question of ethical standards which determine how civil servants perform their work in relation to the loyalties they observe and the conflicts they perceive' (FDA, 1970, para. 4). The sub-committee felt that this was in line with a lack of serious comment on such matters in academic and other interested circles, and a dearth of thought about professional standards in official circles since 1928 and the famous report by Sir Warren Fisher and others on the so-called Francs affair (paras 5–6). *Estacode* (which was the equivalent of what later became the *Civil Service Pay and Conditions of Service Code*, and then the *Civil Service Management Code*) merely stated that:

It has never been thought necessary to lay down a precise code of conduct because civil servants jealously maintain their professional standards. In practice the distinctive character of the British Civil Service depends largely on the existence of a general code of conduct which, although to some extent intangible and unwritten, is of very real importance.

(Civil Service Department, 1969b, section K, quoted in FDA, 1970, para. 7; see also Fisher *et al.*, 1928)

For the FDA, even in 1970, the existence of such an intangible code was 'hard to verify and runs counter to many people's experience'. Moreover, 'reliance on it leads to dangerous complacency' (para. 7). In essence, the FDA's professional standards sub-committee report then sets out, if not the first code of ethics for civil servants, at least a coherent discussion of what such a document might contain. It is the first modern discussion of ideas of public service in the British civil service.

What then were the issues the sub-committee considered? First, it seemed sensible to state what responsibilities a civil servant had. His primary duty was to his minister and to the ministerial office which he (the civil servant) was concerned to maintain (para. 9). Second, he had a *de facto* duty towards his official superiors (para. 10). Third, he arguably had a duty to the administration as a whole – however, 'with executive powers vested in individual Ministers, and the power to reward and punish individual civil servants vested in their official head, the system is biased in favour of the interests of the part where they may conflict with the interests of the whole' (para. 11). More debatable than these duties was whether civil servants had still wider responsibilities, to Parliament and to the democratic system, and whether they 'should be conscious of [the democratic process] and the rights and desires of the individuals who make up the community' (paras 12–13).

The views of the members of the sub-committee on these matters were not unanimous. One view, *not* shared by the majority, was that:

any discussion of professional standards for civil servants must be based on the proposition that civil servants have a duty only towards the government whom they serve and that this duty is fully discharged by loyal, truthful and objective service to Ministers... Ministers would be answerable for their policies to Parliament and the electorate and civil servants would be debarred from altering, applying or presenting government policy so as to take account of anything other than the wishes of the government.

(para. 30)

The sub-committee's report described this as a 'restricted view', which might lead civil servants 'in certain circumstances [to] find it difficult to act in a manner which was honourable, truthful and in accordance with their conscience'. For example:

they might believe the government's policy to be against the public interest, unfair, or simply irrelevant to the real facts. They might be reluctant to defend government policy when, in their opinion, the

arguments against it were stronger and more in accordance with the facts than the arguments for it. They might find it hard, in presenting government policy, to present all the facts in perspective.

(para. 31)

Within this restricted view it would be a mistake to seek conflicts by widening the duties of civil servants. Such a move 'would introduce the notion that officials become in some sense the trustees of Parliament and the public when Ministerial policies fail adequately to take these interests into account'. That would be contrary to the constitutional position (para. 32). Efforts should instead be made to make the opposition, pressure groups and the press more concerned to obtain the facts from government; there should be a move towards leaving ministers to present public policies; and:

above all efforts should be directed towards maintaining and developing, but only as part of the internal dialogue between Ministers and civil servants and among civil servants themselves, the wide freedom of expression, and the right to disagree constructively, which have traditionally been tolerated in many parts of the higher Civil Service.

(para. 33)

However, the majority of the sub-committee took a wider view of the duties of civil servants. They did not believe that duty to the minister and duty to wider institutions were mutually exclusive or that in all conceivable circumstances the primacy of the duty to the minister was beyond all dispute: to suppose that was to oversimplify the position of civil servants (para. 34). 'The majority of us feel' read the report, 'that the possibility of conflict between Ministers' wishes and professional standards must be faced, and that making the departmental Minister the final judge in all circumstances does not provide a sufficient practical guide to solving such problems' (para. 37).

Within this majority there were several strands of opinion. One was that the civil servant had a duty to the 'public interest'. Despite the many problems in defining what the public interest was, some of the sub-committee felt that the civil service.

should recognise a professional task of ascertaining objectively what is the public interest in a particular context. Individual responsibility would be an important component and formative element in this ethic: the erosion of anonymity should be accepted as one consequence, and management by objectives adopted widely so as to ensure that responsibility was not diffused. New methods of consultation on policy such as Green

Papers would lead to wider agreement on the aims of departments, and thus provide more objective criteria of the public interest.

(para. 39)

Another view was that action might be required to preserve the integrity of the service against threats arising from ‘tendentious briefing, the corruption of power, and inattention to the true interests of the people’. This action would involve a new charter or ‘contract of service to the people’, laying down a code of conduct which neither senior officials nor ministers could overrule. It would forbid censorship of facts or opinion, insist on merit rather than conformity as the criterion for promotion and institute machinery in which there was staff participation to deal with discipline and grievances (para. 41).

Despite these radical strands of opinion, the sub-committee went no further than to suggest more discussions which would involve interested people inside and outside government service, discussions which only really began to take place after the establishment of the Committee on Standards in Public Life in 1994. Nevertheless, the FDA’s report on the professional standards of their members, the most senior civil servants, was significant in term of the ideal of public service and the ethos it inspired. For the first time, explicit questions were raised about the nature of the relationships between civil servants and their work, civil servants and their duties, and, most importantly civil servants and their ministers. It is this latter relationship, until recently the central ethical relationship of government, to which this discussion now turns.

Ministers and civil servants: the formal position I

The British system of government is unlike that of any other democratic society in that there is no codified constitution. Instead, there are important statutes, legal principles, including obligations acquired in consequence of membership of international organisations, and conventions, working methods and approaches evolved over time, which govern the relationships between the various actors in the system. The overarching principles are the rule of law and the implied democracy of the so-called sovereignty of Parliament. This organic approach to government reflects the fact that those who govern are real people and not political machines that can be governed by precise constitutional rules. The people charged with government, parliamentarians, ministers and officials, have developed relationships to enable them to function in their roles as governors. To the extent that these are professional relationships, they have ethical implications, and

are therefore subject to ethical principles. The central ethical relationship of government is, or at least was, that between ministers and their officials, since, in the British system, despite the sovereignty of Parliament, it is the executive, ministers of the Crown and their civil servants, which carries the burden of action in government. Ministers are both drawn from and accountable to Parliament; but it is civil servants who share the power and responsibilities of office and who in practice deliver public policies. Technically, of course, civil servants have no constitutional personality of their own; everything they do is done in the name of a minister of the Crown. Ministers are responsible in Parliament for every official act or omission of their civil servants. In practical terms, however, civil servants are advisers to ministers and exercise considerable power in the policy and decision-making processes. Their central ethic is that such power be exercised in the public interest and not to further their own personal or sectional interest. That ethic was regulated by what was *until* recently the most important convention of the constitution, the convention of ministerial responsibility.

The constitutional convention governing the relationship between ministers and civil servants, the convention of individual ministerial responsibility, is, according to Sir Ivor Jennings, 'the most essential characteristic of the civil service' (1936, 1959 edn, p. 499). It regulates the relationship through the concomitant principles in relation to officials of anonymity and party political impartiality. Together, these principles perform two major functions. First, they give protection to the advice civil servants give to ministers, thus allowing it to be free, frank and comprehensive; second, they give the minister confidence that he has the loyalty of his officials. Over the years, the convention has changed. Government has assumed so many tasks that it is impossible for ministers to know everything that is done by their officials. The result has been that one of the features of the convention, that ministers should resign for significant errors in their departments, no longer holds. However, at least in constitutional terms, ministers are still responsible and accountable to Parliament for the policies and activities of their departments, and only ministers are responsible and accountable in this way. For this reason, civil servants do not defend policies or activities; they merely explain them. This is not to say that they cannot be reprimanded for errors nor praised for success, simply that these should be internal matters for the department concerned. In a very real sense the minister is the personification of his department. If he is criticised, or praised, then it is his department that is criticised or praised. Loyalty to the minister on the part of civil servants is loyalty to the department.

Until the late 1960s, the requirements of the convention held for ministers and civil servants alike, and two examples illustrate the point. The first

example is that of Herbert Morrison who, when he was Home Secretary, had to explain to the House of Commons about ‘an unfortunate blunder in connection with the creation of the National Fire Service’, and to apologise for the blunder. Morrison later explained:

Somebody must be held responsible to Parliament and the public. It has to be the Minister, for it is he, and neither Parliament nor the public, who has official control over his civil servants. One of the fundamentals of our system of government is that some Minister of the Crown is responsible to Parliament, and through Parliament to the public, for every act of the Executive. This is a cornerstone of our system of parliamentary government... Now and again the House demands to know the name of the officer responsible for the occurrence. The proper answer of the Minister is that if the House wants anybody’s head it must be his as the responsible Minister, and it must leave him to deal with the officer concerned in the Department.

(1954, p. 323)

The second example is from the parliamentary debate on a report by the Parliamentary Commissioner for Administration on the Sachsenhausen concentration camp case, held on 5 February 1968. The details of the case are not directly relevant to the discussion here, but what is important is a passage from the speech of the then Foreign Secretary, George Brown, who said, in relation to the convention of ministerial responsibility:

we will breach a very serious constitutional position if we start holding officials responsible for things that are done wrong. In this country... our Ministers are responsible to Parliament. If things are wrongly done, they are wrongly done by Ministers... I accept my full share of the responsibility in this case. It happens that I am the last of a series of Ministers who have looked at this matter and I am the one who got caught with the ball when the lights went up... It is Ministers who must be attacked not officials.

(Foreign Secretary, 1968)

Only a few years later the Vehicle and General Insurance Company case seemed to reveal that such ideas seem to have been abandoned. The episode was of great significance to civil servants generally and must be judged as being a watershed of vital importance in altering the attitudes of civil servants towards their political masters (see for example, Baker, 1972; Chapman, 1973; FDA, 1972a,b, 1973; FDA/SCS, 1972; Gunn, 1972). The Vehicle and General Company was incorporated in 1923 as a private

company; in 1960 it went public and began its motor insurance business; in 1971 it collapsed. It was estimated that about one million policy-holders became uninsured, many of them therefore becoming liable for third party claims for damage to vehicles the charges for which they had already paid. Government supervision and control of insurance companies rested with the Department of Trade and Industry (DTI). Within the DTI the first permanent secretary himself took responsibility for a group of divisions which included the Insurance Companies Division. Most of the routine work of the division, however, was dealt with at the level of under secretary or below. The under secretary in charge of the Insurance Companies Division estimated that only one-third of his time was spent on insurance matters and only about one-half of that on aspects of solvency and supervision of insurance companies. The work of supervising insurance companies was carried out by generalist administrators, not by accountants or people who had experience of working in the insurance industry. They were, however, allowed to remain in their posts longer than the normal period of time before moving to other duties. Part of the work of these civil servants involved examining the accounts of insurance companies, and the Insurance Branch of the Insurance Companies Division dealt with about 700 companies.

The Vehicle and General Tribunal was appointed by the Home Secretary on 28 April 1971 to 'inquire into certain issues relating to the circumstances leading to the cessation of trading by the Vehicle and General Company Limited'. It began public hearings on 5 July and heard evidence on 56 days. It submitted its report on 15 January 1972. The main reason for the setting up of the Tribunal was that there had been allegations of a leak of information from the DTI concerning the company. As a secondary reason there were suggestions that there may have been negligence or misconduct by civil servants with responsibilities under the Insurance Companies Acts 1958–67. Some people thought that, given the responsibility of the Insurance Branch to monitor the accounts of insurance companies, and given the fact that the Vehicle and General Company had indeed been brought to the attention of the DTI on several occasions since its incorporation in 1961, the civil servants ought to have known that the company was in more serious financial difficulty than they in fact realised and could have taken action to prevent the subsequent failure of the company.

For the present purpose the findings of the report which are of most value are those which criticised two named assistant secretaries for errors of judgement and accused the named under secretary of 'negligence'. Of the two assistant secretaries, the Tribunal found one to have made wrong decisions because 'his thinking had got into a groove', he adopted an 'over-rigid

approach' and 'his mind had become closed to any approach or action which lay outside the policy line to which he had devoted his efforts over a period of years, and which he seriously believed to be the correct one'. The other assistant secretary, according to the Tribunal, had a tendency to be over-cautious and insufficiently firm, and to look for reasons for inaction rather than action. Neither was thought to be guilty of incompetence or negligence (Home Secretary, 1972, para. 339).

The under secretary concerned, however, *was* found guilty of negligence by the Tribunal. Negligence was present if it was:

shown quite clearly, that there was a departure from the ordinary competence of a reasonable person exercising his particular skill to such an extent that the departure must be regarded, in common sense, as deserving condemnation beyond mere criticism.

(para. 319)

Whilst this did not imply carelessness or idleness, nevertheless the under secretary's performance as whole:

fell so far below the standard that could be reasonably expected from someone in his position and with his experience (or opportunity to acquire experience) that it cannot escape the definition of 'negligence'... [and] we would call it incompetence.

There were three reasons for this: first, he allowed decisions to be made about suspect companies by his subordinates; second, he allowed the Department to become ineffective and the Vehicle and General Company to become complacent because he did not lay down a sufficiently firm and clear policy nor did he instil the appropriate feeling of urgency or danger; and third, he did not have the technical knowledge to be able to apply an independent judgement on a case by case consideration of companies (para. 311).

Ministers, on the other hand, were exonerated from all blame and were not even called upon to give evidence to the Tribunal. This fact led to comment from former ministers at the Board of Trade. For example, Edmund Dell, the minister of state between 1968 and 1969, wrote in an article in *The Times* of 22 February 1972 that the Tribunal had taken a 'narrow, legalistic view of what constitutes the responsibility of Ministers'. He argued that ministers had responsibility for the fact that 'over many years, and despite repeated warnings, the Insurance Companies Division of DTI was left lacking many of the resources of experience and expertise to do its job properly'. However, the Secretary of State, John Davies, did not accept

any responsibility. Although he shared many of the anxieties of MPs, and paid tribute to the many years of meritorious work of the officials named by the Tribunal, he even went so far as to state that the officials named in the report would 'in no sense be forbidden' from speaking publicly in defence of their position (Secretary of State for Trade, 1972, col. 62). This was a remarkable statement, entirely at odds with the convention of ministerial responsibility.

Given the convention of ministerial responsibility, individual civil servants themselves were not allowed to make public comments about the wider implications of the Vehicle and General Affair. Instead, it was left to their professional association, the FDA, to make representations. Indeed, such was the apparent anger amongst members that much of the Association's work in 1972 was devoted to matters connected with the report by the Tribunal of Inquiry. There were two linked strands to that work. The first was what might be described as 'trade union' work, in relation to the findings of the Tribunal concerning the individual members of the Association (see FDA, 1972a,b). The second was the 'professional' work, in relation to the wider implications of the report for the relations between ministers and their officials (FDA, 1973; FDA/SCS 1972). From the perspective of this chapter, the second strand is more directly relevant, since it is entirely about the central ethical relationship in government. Both strands will be discussed in some detail here, however, since, first, they are closely linked, and second, each has significant bearing on this discussion in relation to the morale of senior civil servants and the consequences of that for the decline in aspiring to the ideal of public service amongst their ranks. The discussions the FDA had about the matters raised in consequence of the report into the Vehicle and General Affair reveal a great deal of uncertainty about the relationships between ministers and their members, an uncertainty which clearly exercised them greatly. As this chapter will later demonstrate, it was an uncertainty that has remained, and been exacerbated, ever since.

One of the first actions of the FDA after the publication of the Tribunal of Inquiry report was to prepare a brief for MPs, jointly with the Society of Civil Servants (SCS, the other 'trade union' with members involved). Naturally, this initial reaction was essentially about the report of the Tribunal as it related to the individual civil servants named in it, though some comments had wider implications. There were five major criticisms in the brief. First, it was argued that a Tribunal of Inquiry was inappropriate as a device for investigating the performance of the administrative machine. Second, the Tribunal's terms of reference were too narrow in that the part played by the Vehicle and General Company in its own collapse was omitted. Third, there were no set rules of procedure and this had led to

counsel making witnesses uneasy and to there being no advance notice of allegations. Fourth, neither ministers nor DTI solicitors were asked to give evidence. Finally, there were numerous injustices in the conduct of the inquiry, notably the definition of the term ‘negligence’, which was ‘unacceptable and absurd’ (FDA/SCS, 1972). Clearly, the First Division Association and the Society of Civil Servants believed that the rules of natural justice had not been adhered to as well as they ought to have been, and this belief was amplified at the annual delegate conference in May 1972. However, the main thrust of this briefing note for MPs was about the administrative machine, and it concluded that

Politicians should think carefully of the consequences of this report. If Under Secretaries and Assistant Secretaries are to be treated in this way, no one should be surprised if either they take action to cover everything they do by reference upwards for decision and confirmation, or demand to answer to Parliament direct.

(FDA/SCS, 1972, p. 3)

Over the months following the report of the Tribunal of Inquiry these points were expanded upon. First came a circular to all members of the Association in March 1972. It argued that the report, in relation to the three civil servants named, was:

regarded as nothing short of outrageous by those with any knowledge of the history of the V & G collapse, and as a travesty of justice by those who have in any way been concerned with the interests of the official DTI witnesses in membership of the Association.

Moreover, there were several ‘cogent’ reasons why the Association ‘totally rejected’ the Tribunal’s findings.

The first, and ‘not least important’ of these reasons was the ‘omission from the Terms of Reference of a requirement to examine the extent to which the Vehicle and General Company and its management were responsible for its own collapse’. The whole emphasis of the report was on negligence and misconduct by civil servants. This meant that the inquiry was ‘incomplete’. There was to be a statutory enquiry into Vehicle and General under the Insurance Company Acts, but the Tribunal of Inquiry had already published its report and:

The publication of the report has allowed the more prejudiced contributors to the national press to pontificate, before we have heard the outcome of the statutory enquiry, even though the Tribunal has

roundly declared that the real cause of any loss to shareholders and policy holders was the mismanagement of the Company's affairs and the weakness of its financial structures.

(FDA, 1972a, para. 1)

Second, although the Tribunal was fully empowered to call witnesses before it to give evidence, some of the most important potential witnesses had not been called. These included DTI solicitors, who had not been called despite 'references during the hearing to the importance of [their] advice...' regarding the exercise of the powers of the Department under the Insurance Companies Acts. Similarly:

In spite of references during the hearing of matters brought to the attention of a number of officials senior to Under Secretary level, and to Ministers from time to time, the only senior officials who gave evidence were the present Permanent Secretary and the Permanent Secretary in 1964. The Tribunal did not ask to see other senior officials, and positively decided that they did not wish to see any Ministers.

The consequence was that, although the report found that responsibility as well as authority rested with the under secretary, 'No one in the ranks of the FDA in the Department believes that there was any real examination by the Tribunal of the responsibility of ministers and top officials' (para. 2).

Third, the Vehicle and General Tribunal's procedure was 'entirely different' from that recommended by the Salmon Royal Commission on Tribunals in 1966 (Salmon, 1966). That Commission had recommended that witnesses to be called before tribunals should be given notification in advance, together with the substance of the supporting evidence, of any allegations that might be made and a proper opportunity for preparing a defence to such allegations. In the case of the Vehicle and General Tribunal:

Official witnesses were called for first and examined for 27 days. In the course of the daily hearings all sorts of allegations were made from time to time in histrionic forays, but in a wild, imprecise way, and the nature of the allegations shifted constantly. On day 49 of a 56 day hearing Counsel for the Tribunal gave a brief indication of the allegations he proposed to make finally, but these were still imprecise and inadequate, with no supporting evidence. The official witnesses sought, through the Department's Counsel, to get a fuller statement, but this was refused. At no time during the hearing were the witnesses given a proper notification of the allegations against them... In consequence, no official witness was able to prepare a proper

defence...because he never knew precisely what was alleged and in what way he was supposed to be negligent. In spite of this denial of natural justice, the Tribunal say that they 'are satisfied that every point that could be made on behalf of the Department and the individual officers was brought to our attention, and that no injustice was caused by the procedure adopted.' The staff associations concerned are in no doubt that, contrary to this assertion, a gross injustice has been perpetrated on official witnesses.

(FDA, 1972a, para. 3)

In a concluding paragraph, the circular re-emphasised this allegation of injustice. Commenting on the procedures adopted and the report itself, the circular ended thus:

Unless the Department and its head, the Secretary of State, stand behind their officials, now unfairly and unjustly exposed and indicted by a demonstrably unbalanced report, this grave injustice may have *incalculable effects on future civil service morale* and the efficient despatch of business.
(emphasis added) (FDA, 1972a, conclusion)

Since the Secretary of State was not inclined to 'stand behind' his officials, it is little wonder that the Annual Delegate Conference revealed that members of the association were very angry about the way in which their fellow officials had been treated. Moreover, they were extremely concerned about the apparent erosion of the relationship between ministers and civil servants and, *inter alia*, of the convention of ministerial responsibility.

At the Annual Delegate Conference, held on 10 May 1972, the FDA's Secretary gave a report on the actions taken by the Association and outlined the methods and findings of the Tribunal as described earlier in relation to the circular to members of March 1972. The rest of the debate was conducted with reference to the following motions. First:

That this conference calls on the Executive Committee to make the strongest possible representations at the national level on the conduct, report and findings of the V & G Tribunal, and to take actions to clarify the relations between Parliament, Ministers and officials.

(FDA, 1972b, para. 139)

and second:

That this conference is gravely concerned that it should have been deemed just that members of the Association should be pilloried in

public and on the basis of the reasoning of the [Tribunal's] report without their being able to defend themselves. Conference calls on the Executive Committee to discuss with the Head of the Civil Service steps to ensure that similar procedures are not followed in future; and in particular to ensure that civil servants, who may be the subject of criticism by a similar inquiry in the future, should be given a clear statement of the case they have to answer and should be allowed a hearing with facilities for defence, including individual legal representation, before that inquiry publishes its report; and, if they are then criticised publicly, should be allowed to refer publicly to their evidence before the inquiry.

(paras 152–154)

Both motions were carried by the conference.

The debate was notable for the strength of feeling displayed by ordinary members of the Association, that is by senior civil servants, over the Vehicle and General Affairs, and its implications for their relationship with ministers. One speaker argued that:

a new and pernicious doctrine appears to have emerged: that when matters are going well Ministers and the Government took the credit but that when they went less well a Tribunal could be established with terms of reference, dictated by the Government, which allowed individual civil servants to carry the odium of what had been a ministerial and governmental responsibility.

(para. 139)

Another believed that:

It was most important to get from the Government a satisfactory redefinition of the doctrine of Ministerial Responsibility; if it were not forthcoming then members would have to consider very seriously *whether they would continue to do business in the way they had traditionally done it...*

(emphasis added) (para. 144)

This view went further than most, but, in the words of another delegate who 'hoped it would not be necessary to go to the extremes suggested...', this was 'the ultimate sanction to which members might ultimately be driven' (para. 148). This theme was to be repeated some years later at the time of the so-called Ponting and Westland affairs, to be discussed at pages 143–46.

The main result of the debate was that the FDA's Executive Committee established a sub-committee on Tribunals of Enquiry, which produced two reports. The first, which was sent to the then Head of the Home Civil Service, Sir William Armstrong, contained comments about the use of tribunals which essentially followed the criticisms already articulated in other places and in other FDA documents (FDA, 1972c). The second report was more controversial in that it dealt with the relative responsibilities of ministers and civil servants. It was entitled *Ministers and the Civil Service*, and again it was sent to Armstrong.

This second report traced the history and the importance of the convention of ministerial responsibility. The growth of government meant that ministers could no longer acquaint themselves with every aspect of their departments' work and that there was an increasing tendency for civil servants to be examined by parliamentary committees. Nevertheless, the convention had remained. To the FDA, however, the Vehicle and General report marked a 'new situation' (FDA, 1973, para. 1). For example, whilst the Home Secretary had reaffirmed the convention in his speech on the Tribunal's report, he had not explained why the Tribunal had not examined ministers. Moreover, he had accepted that a tribunal of this sort would inevitably ascribe responsibility to named individual civil servants, an ascription that would not otherwise occur. Thus, despite his conclusion that the tribunal had not set a precedent and that the general responsibility of the government still rested squarely on the shoulders of ministers, the position remained 'very confused' and had not been clarified by him (para. 3).

The report also noted that a previous Home Secretary, Sir David Maxwell-Fyfe, *had* attempted to clarify the position in 1954 in a debate on the Crichel Down affair. Maxwell-Fyfe had distinguished four categories of action where different considerations applied:

- a There is an explicit order by a Minister: the Minister must protect the civil servant who has carried out that order.
- b A civil servant acts properly in accordance with the policy laid down by a Minister: the Minister must protect and defend him.
- c An official makes a mistake or causes a delay, but not on an important issue of policy and not where a claim to individual rights is seriously involved: the Minister acknowledges the mistake and accepts responsibility although he is not personally involved. He states that corrective action will be taken in the Department.
- d Action has been taken of which the Minister disapproves and has no prior knowledge and the conduct of the official is reprehensible: there is no obligation on the Minister to endorse what he believes to be wrong or to defend what are clearly shown to be the errors of his

officers, and he is not bound to defend such actions. He, of course, remains constitutionally responsible to Parliament for the fact that something has gone wrong, and he alone can tell Parliament what has occurred and render an account of his stewardship. This does not affect his power to control and discipline his staff.

At the same time Maxwell-Fyfe:

referred to suggestions in the debate and in the press that the work... of Government now permeated so many spheres of national life that it was impossible for a Minister to keep track of them all. But this was a matter which could be dealt with by the standing instructions which a Minister gave in his Department to see that his policy was carried out: so that matters of importance, of difficulty or of political dangers were brought to his attention.

Thus, in spite of the changing conditions of government, the 1954 position was that ministers remained fully responsible in Parliament, and this had then been accepted on all sides of the House of Commons (FDA, 1973, para. 4).

The report recognised, however, that there had been several developments since 1954 which needed to be taken into account when considering the position in 1972–3. These included: the recommendations of the Fulton report, including that of applying techniques of accountable management to the civil service; new parliamentary committees; the creation of giant departments; hiving-off; and the creation of the office of Parliamentary Commissioner of Administration (the ‘Ombudsman’). In addition, there had been the acknowledgment that although a minister was responsible for his department he would only resign in the event of his personal involvement in any error, or in circumstances where he no longer had the confidence of the House of Commons (para. 5).

There was, however, one unchanging feature of administrative/political practice, that being:

the determination of Parliament to exercise its traditional role of examining the Executive, and there has been no significant modification of the wish of Ministers to remain responsible to the House... The exposition of Government policies and decisions is still the responsibility of Ministers and it is regarded as improper for individual civil servants to be personally identified in public with any line in conflict with declared Government policy.

(para. 6)

At the same time the report argued that there had been a tendency towards greater delegation without adequate definition of the responsibilities at various levels. The creation of huge departments and the continued growth of state activity meant that civil servants had heavier responsibilities and less contact with their superior officers or with ministers. With the Vehicle and General Affairs they had found themselves:

uncertain whether they have the backing of Ministers and their superiors, [and] find themselves exposed to criticism and attack, forbidden to defend themselves and without defences. They are ready to answer for their errors of commission or omission through normal internal machinery. But if they are subject to public examination for errors that are attributable to the system, to the means placed, or not placed, at their disposal, or to genuine mistake or misjudgement, they believe that they are entitled to the support and protection of their superiors unless they have committed any impropriety or criminal act.

(para. 7)

This was the situation that the FDA believed senior civil servants faced in 1972: the handling of the Vehicle and General Affairs implied a move away from the convention of ministerial responsibility:

The underlying cause of this confused situation may be that the volume of government business and changes in the machinery of government have run ahead of...definitions of responsibility and working conventions which are essential to the efficient operation of an organisation: definitions and conventions which must take account of the traditions of Parliamentary democracy and of human factors.

(para. 8)

In conclusion, the FDA's report on *Ministers and Civil Servants* made the recommendation that there be an urgent review of the respective responsibilities of ministers and civil servants. Among the questions to which the review should address itself were: the extent of the answerability to Parliament of civil servants; the effects of the creation of the very large departments; the need for adequate definitions of responsibilities; the extent of the convention of anonymity; and the circumstances in which a civil servant might be expected 'to stand alone and unsupported by his superiors' (para. 9).

As this chapter will demonstrate, these questions, which remained unanswered at the time, have re-occurred on numerous occasions since – again largely unanswered. In essence, whilst ministers have consistently

reaffirmed their commitment to the convention of ministerial responsibility, it remains the case that they appear increasingly reluctant to defend their civil servants. To that extent the convention has been eroded. This has happened to some degree indirectly in that politicians are not averse to criticising civil servants for their ‘amateurism’ or lack of ‘efficiency’ or for their alleged inability to ‘deliver’ government policies. It has also happened directly, however, and the notable example in the early 1970s was the Vehicle and General Affair. Previously individual civil servants had been identified, either as being at fault in a particular case or as being the moving force behind certain policies. Never before the Vehicle and General Affair, however, had civil servants been told that they were at liberty to defend themselves in public against allegations made about the legitimate conduct of their work. Never before, indeed, had a minister absolved himself of his responsibilities. That was the first time it had happened; as this chapter will indicate it was certainly not the last time.

Ministers and civil servants: employers and employees

Whilst the seeds of constitutional change were being sown there were also profound changes in the relationships between ministers and civil servants as employers and employees, in particular in relation to the ways in which salaries were determined. These changes, too, had an effect on the perception that civil servants had of their relationship with ministers, a perception, it can be surmised, that must have affected morale. From about the 1930s, the government was regarded as being a ‘model’ employer. This meant that, although it did not pay the highest salaries, it did pay respectable salaries and offered good employment terms and conditions. One of the purposes was to encourage private sector organisations to treat their employees well too. The post-War period, however, was one in which the United Kingdom’s economic performance was outshone by that of other European economies, and by the 1960s economic problems meant that government was increasingly interventionist in economic activity, especially in relation to controlling the inflation problem that had become increasingly apparent. The pay of civil servants, and particularly those of higher civil servants, became a ‘weapon’ in the ‘battle’ against inflation.

Until 1971, the salary scales of those in the grades above principal (then the lowest non-cadet grade in the Administrative Class) were decided by the Prime Minister after consultation with the Standing Advisory Committee on Civil Service Pay. For the grades of principal and downwards, the National Whitley Council, established in 1919 and consisting of representatives of the staff associations (the National Staff Side or NSS) and the

employers (the Official Side), was the forum in which pay negotiations took place. The guiding principle of this organisation was that of 'fair comparison' with employees in similar occupations outside the civil service, as expounded in the report of the Priestley Royal Commission in 1955 and the various pay agreements that were from time to time negotiated. The Pay Research Unit (PRU), established in consequence of the Priestley Commission's recommendations, was the body which determined what were fair comparisons. Senior civil servants were subject to either procedure depending on where their grade was in the hierarchy.

In 1971, the Standing Advisory Committee was replaced by the Top Salaries Review Body (TSRB), under the chairmanship of Lord Boyle. Its terms of reference went wider than just the civil service and included such people as judges, MPs and leading military personnel. Under this system, the group of civil servants whose salaries the committee had responsibility for reviewing was limited to under secretaries and above, that is the three grades of the new 'Open Structure' at the very top of the civil service. Assistant secretaries joined principals in having their pay subject to the PRU system.

Matters were further complicated by the inauguration in 1965 of a series of national incomes policies. Only for short periods immediately after taking office, in 1970 and 1974, did governments decide not to have explicit pay policies. On many occasions, therefore, both TSRB and PRU were either suspended or ignored. The problem for those in the senior ranks of the civil service, from principals upwards, was that their pay was in salary brackets about which governments were increasingly sensitive. Such sensitivity, coupled with a genuine widespread alarm at the escalations in the rate of inflation, led to pay policies that were harder on those in high salary brackets. This problem was particularly acute in 1975–6 when those earning £8,500 per annum or more were disallowed salary increases. This included many assistant secretaries and all those in the 'Open Structure'. Difficulties consequently arose not just because of lowering living standards, but also because of the non-payment of increments, the squeezing of differentials and the criteria to be adopted, both in that year and in subsequent years, for pension arrangements. Again, it is the FDA that can be regarded as a proxy for senior officials in government, essentially as their trade union, and they were unhappy about the situation thus created. The Association was especially worried about the problem of differentials. The methods which both the pre-1970 Wilson government and the Heath government of 1970–4 had adopted to regulate incomes were of a progressive nature, so that those at the lower end of the incomes scale were treated more favourably than those higher up. The FDA found the main consequence to be 'the irritating anomaly whereby pay levels moved out of line

with seniority' (FDA, 1977, p. 13). It was a consequence compounded by, and having its worst effects as a result of, the 1975–6 policy referred to earlier when interference with incremental progression also arose.

A second strand of resentment was caused by the actual mechanics of deciding civil service pay. There were two problems in particular associated with two separate methods of assessing salary scales. Trouble emerged, first, because there was no coordination between the two, either in timing or in the level of awards; and second, since TSRB was concerned with those who received the highest salaries in the civil service, its work and recommendations were more subject to political interference than the PRU system. Thus, assistant secretaries at the top of the scale of PRU determined pay were squeezed between, and sometimes overlapped, their senior colleagues, whose pay was under constant political scrutiny, and therefore depressed, and their junior colleagues, whose pay was rising, despite incomes policies, faster than that of the higher grades. In terms of remuneration, then, most senior civil servants had something to resent, particularly after 1970 and the increasing intervention of government by way of progressive pay policies.

Such feelings in the civil service more widely led in the 1970s and 1980s to a greater tendency to resort to industrial militancy and, in consequence of seriously deteriorating industrial relations in 1980 and 1981, to the establishment of the Megaw inquiry into civil service pay. The Megaw report noted that one of the reasons for such increased militancy was that 'on a number of occasions since 1956 [when PRU was created] Governments of both parties... have found it necessary to override the Civil Service National Pay Agreements... or to modify settlements reached under them on grounds of policy' (Megaw, 1982, para. 23). These agreements, formulated in the years 1960, 1964, 1967, 1974 and 1977, were all based on the Priestley report's recommendations of fair comparison and pay research, and successively extended the terms of those recommendations and the remit of the PRU. Civil servants came to expect that such recommendations ought to be implemented. It is not unreasonable to assume that civil servants might feel that the bargains struck up were between honourable people reached after honest negotiations, and when they were not adhered to by the employer, because of incomes policy or some other political interference, their expectations, reasonable expectations based on the views of a very distinguished Royal Commission and the outcomes of transparent negotiation, were dashed. Evidence from the FDA's *Monthly Notes*, *Annual Reports* and other documents supports this view (see O'Toole, 1989, chapters five and six; see also Civil Service Department, 1975; for an alternative view see Fry, 1985, chapter five).

In real terms the salaries of senior civil servants declined in this period (see Kelly, 1980, pp. 43–46; O'Toole, 1989, appendix 1). The real cause for

concern was not this, although it was undoubtedly a factor, but that civil service pay was so often subject to considerations not discussed between the parties to the National Whitley Council negotiations. Expectations of fair comparison with outside salaries, of differentials according to skills and experience, and of the payment of increments, were not met because of the government's broader policy considerations. This was especially true for those at the very top of the civil service because of the enormous political scrutiny of their salaries. Worse still, because civil servants are employed directly by the government they had restraints placed upon incomes generally placed more tightly on them. The FDA found this to be 'quite unacceptable' (FDA, 1971, p. 5). In a sense, of course, senior civil servants were partly responsible for economic and incomes policies and should have been prepared to abide by them; by the same token they were perhaps more aware than anyone else of the anomalies in such policies and about their failings and failure. They could see how these policies were being broken, and, as ordinary citizens, they were as aware as anyone else of the very high rates of inflation. Thus the dashing of expectations over pay was not something which civil servants, no matter their responsibility for policy or ethical considerations regarding their position in the public sector, could reasonably be expected simply to ignore. Even Plato, who expected his guardians to eschew material wealth, nevertheless expected society to provide for their welfare, and to do so fairly. In the actual world of mid-twentieth-century Britain, civil servants felt that they had 'been mucked about a lot' (Civil Service Department, 1975, para. 68c).

The document in which this sentiment was expressed was published in consequence of a joint working party between the CSD and the trade unions, the so-called Wider Issues Review Team, established in 1973 'to identify the factors which increasingly affect the attitudes to work and the sense of satisfaction derived from it to the staff'. It was set up because 'The National Staff Side...made it quite clear that while they were primarily concerned about pay and other conditions of service, there were other aspects of discontent in the Civil Service that were more intangible' (Civil Service Department, 1975, para. 1). In the team's report, *Civil Servants and Change*, one of the main findings was that the economic and social status of civil servants had declined since the war. The authors wrote that 'In discussions with staff associations, and in the course of our visits, we have met many who recall that a civil servant once enjoyed pay and conditions which made him well off compared with people in other occupations who are now better off than he is' (para. 18). More jobs had become available with the rise of the tertiary sector of the economy and more people who would previously have entered the civil service could gain both higher salaries and greater social respect by seeking these other forms of employment.

Measurable differences over time, however, were not the only important points to be noted. The civil service had ‘had a disturbing time’ not just in relation to pay and conditions, but in the sense that the reasonable expectations about the relationship of civil servants to society and to their political masters had been disturbed. They were reasonable in that they stemmed from well-established and not easily changed conventions of the constitution which had always governed these relationships. As the authors of *Civil Servants and Change* pointed out, ‘Any organisation can work well only if its purposes, style and values are accepted’ (para. 47). They argued that ‘If they are to give of their best, people in work need to know that their employers respect them, consider their needs and treat them fairly’ (para. 35). As Sir Douglas Allen, then Head of the Civil Service, and John Dryden, the Chairman of the NSS, wrote in their preface to the Wider Issues Review Team report:

the confidence and effectiveness of the Service depend very much on Ministers, and on how far they can give practical recognition to their responsibilities as employers in the exercise of their wider responsibilities as government. *Otherwise there is the risk of imposing greater burdens and stresses on the Service than it can in practice bear.*

(emphasis added) (Civil Service Department, 1975, preface)

At that time, and subsequently, respect was not really forthcoming, and the burdens and stresses, not just in employment terms but also in terms of the overall relationship between civil servants and ministers, have increased to the point where significant scholars can say there is no longer a unified civil service (Chapman, 1992, 1997). Certainly, the burdens and stresses that had accumulated by 1977, when the FDA decided to join the Trades Union Congress (TUC), itself a reflection of the changing nature of the relationship between ministers and their officials, have increased enormously (see O’Toole, 1985, 1989). Most importantly, ‘reforms’ that have taken place since *Civil Servants and Change* was published have put a severe strain on the values of the civil service, in particular the ideal of public service.

Public service challenged: the Thatcher revolution

Most of these changes were set in train in the early 1980s through the ‘Financial Management Initiative’ (FMI) and culminated in the administrative revolution inaugurated by the ‘Next Steps’ programme of 1988. There had been little further management change in the civil service since the initial flurry of activity in the years immediately following the publication of

the Fulton Report. It was the election of the Conservative Government in 1979, under the radical leadership of Margaret (now Baroness) Thatcher that signalled a period of constant change in public administration. That government was determined to 'roll back the frontiers of the state'. Several ad hoc measures in relation to civil service management were undertaken almost immediately, for example, a moratorium on civil service recruitment. In addition, the CSD and the CPRS were both abolished – in 1981 and 1983 respectively. As noted on page 109, the CPRS had become less important after the departure of Heath from Downing Street, so the CSD was the more important 'casualty': and one reason was that Thatcher regarded it as if it were an 'interest group' for civil servants, which she saw as having a vested interest in hindering her mission to roll back the frontiers of the state and reduce public spending.

More importantly in the long run, Thatcher established the 'Efficiency Unit' in pursuit of this mission, headed by Sir Derek Rayner, the Joint Managing Director of Marks and Spencer – who had also helped Heath in the 1970s. The Efficiency Unit, which consisted of relatively young high-flying civil servants, developed an 'efficiency strategy', which sought to bring 'business-like' methods into the operations of the civil service. This involved what might be described as 'hit squads' of about 3 or 4 of these people going into the departments for a few days and examining their methods of management and administration and their policy priorities, to see whether they were using resources efficiently and whether their priorities were appropriate. The intention was to achieve better 'value for money'.

In addition to these 'scrutinies', the Efficiency Unit sought to encourage ministers to become more involved in the management of their departments. There was one minister in particular who was very keen on management, Michael (now Lord) Heseltine, who served in various Cabinet positions in the Thatcher Ministries until they both became involved in a scandal over the supply of helicopters to the Royal Navy, over which he decided to resign as Secretary of State for Defence. It was before that, as Secretary of State for the Environment, that he developed his interest in management in government, and one of the ways in which he increased control over his civil servants was through the use of management information systems, which essentially meant that he was informed about the work of his Department and in particular about financial management within it. The purpose was to enable him more effectively to establish the priorities for the Department and to carry out his function as its 'chief executive'. He thought that the lines of accountability were confused and that there was inadequate information for assessing data and costs. He developed a scheme first devised by the Efficiency Unit and became

an evangelist for it. Under this system, the heads of each division in a government department would prepare statements about their activities, costs, priorities etc. and then meet with senior management in the department, including ministers, to consider how best to improve performance. The generic term for these systems was Management Information Systems for Ministers (MINIS), and they were entrenched in each department as a symbol of the government's commitment to management reform of the civil service (which, of course, Fulton had wanted in 1968). Naturally, some ministers were more interested than others, and Heseltine was much the most convinced of them (but then he was a businessman by profession) (Metcalf and Richards, 1987, 1990 edn).

These management methods were all associated with the introduction and development by the Efficiency Unit of the FMI, elements of which, as with the introduction of MINIS, can be traced back to the Fulton recommendation on 'accountable management' – which had suggested that individual civil servants should be personally accountable for monies they were allocated for the purposes of pursuing public policies (Fulton, 1968, paras 150–162). The FMI was launched in 1982 in a White Paper on 'Efficiency and Effectiveness in the Civil Service', which laid down the FMI's three basic principles, to:

Promote in each department an organisation and a system in which managers at all levels have

- (a) a clear view of their objectives, and means to assess and, wherever possible, measure outputs and performance in relation to those objectives;
- (b) well-defined responsibility for making the best use of their resources, including a critical scrutiny of output and value for money; and
- (c) the information (particularly about costs), the training and the expert advice that they need to exercise their responsibilities effectively.

(Prime Minister, 1982, para. 13)

Superficially, this all seems eminently sensible. Any business organisation will have such procedures in place. The question that might be posed, however, is about whether government can be treated as if it were a business.

This question has come to the fore ever since the creation of the Efficiency Unit, and was made all the more relevant after the creation of the so-called Next Steps Agencies in 1988.² Indeed, the most important

change consequent upon the work of the Efficiency Unit, by now under the direction of Sir Robin Ibbs, another businessman, was the widespread introduction of these executive agencies. The agencies, widely known as 'Next Steps Agencies' after the title of the report in which they were recommended, were created following an efficiency scrutiny of the type referred to earlier. Their creation was the 'next step' in the efficiency strategy. The scrutiny which led to their creation took a comparatively short time of 90 days, involved relatively junior civil servants, cost about £50,000 to conduct and yet led to the biggest shake-up in the British civil service since the great reforms of the nineteenth century. Indeed, it can be argued that the emergence of the pluralistic civil service the Next Steps report encouraged has been partly responsible for creating the circumstances in which the conditions of the mid-nineteenth century can be re-created.

The terms of reference for the Efficiency Unit's scrutiny were innocuous, and again seemingly eminently sensible. They were:

to assess the progress achieved in managing the civil service; to identify what measures have been successful in changing attitudes and practices; to identify institutional, administrative, political and attitudinal obstacles to better management and efficiency that still remain; and to report to the Prime Minister on what further measures should be taken.

(Efficiency Unit, 1988, Annex C)

The main findings of the report were sevenfold:

First, the management and staff concerned with the delivery of government services (some 95 per cent of the Civil Service) are generally convinced that the developments towards more clearly defined and budgeted management are positive and helpful.

Secondly, most civil servants are very conscious that senior management is dominated by people whose skills are in policy formation and who have relatively little experience of managing or working where services are actually being delivered.

Third, senior civil servants inevitably and rightly respond to priorities set by their Ministers, which tend to be dominated by the demands of Parliament and communicating Government policies.

Fourth, the greater diversity and complexity of work in many departments, together with demands from Parliament, the media and the public for more information, have added to Ministerial overload.

Fifth, the pressures on departments are mainly on expenditure and activities; there is too little attention paid to the results to be achieved with the resources.

Sixth, there are relatively few external pressures demanding improvement in performance.

Seventh, the Civil Service is too big and too diverse to manage as a single entity. With 600,000 employees it is an enormous organization compared with any private sector company and most public sector organizations.

(Efficiency Unit, 1988, paras 3–10)

In addition to these specific findings the report described how the freedom of an individual manager to manage effectively and responsibly in the civil service was circumscribed because managers were controlled not just on objectives and resources, but also in the way in which objectives could be managed. In particular, managers were constrained in terms of recruitment and dismissal, choice of staff, pay and grading, promotion, organisation, accommodation and the use of information technology. All this was attributed to the over-centralisation of the civil service. The report argued that:

In our discussions it was clear that the advantages which a unified civil service are intended to bring are seen as outweighed by the practical disadvantages. We were told that the advantages of an all-embracing pay structure are breaking down, the uniformity of grading frequently inhibits effective management and that the concept of career in a unified Civil Service has little relevance for most civil servants, whose horizons are bounded by their local office.

(para. 12)

The major recommendation to rectify the problems identified in this analysis was that ‘agencies should be established to carry out the executive functions of government within a policy and resources framework set by a department’ (para. 19). The report proposed that the civil service be restructured so that as far as possible the delivery of services is separated from policy work and executed by agencies operating under business-like regimes (whether within the public service or contracted out to private organisations). To achieve these ends each agency when in the public service is headed by a ‘chief executive’, usually recruited by open competition, employed on a fixed term contract, and paid not according to traditional civil service scales but on the basis of an individually negotiated contract usually containing a clause on performance related pay (indeed these employment practices are now common throughout the higher ranks

of the civil service). The chief executives are responsible for managing their agencies within policy and resources frameworks agreed between them and the sponsoring departments. Within the constraints of those frameworks the chief executives have, in theory, complete discretion to manage in ways that they believe to be appropriate for the delivery of the service for which they are responsible. The framework documents may be seen as pseudo-contracts, and in this sense the agencies are contracted by their parent departments to provide specified services.

The Next Steps reforms were introduced at an astonishing pace, despite the fundamental changes they made to the system. There was a Panglossian approach to their presentation in the various *Briefing Notes* and other publications which monitored the progress of their implementation (see for example, Efficiency Unit 1991; Office of the Minister for the Civil Service, 1988, 1989, 1990, 1991; Prime Minister, 1990). The permanent secretary in charge of the programme, Sir Peter Kemp, was an evangelist for it, and went about his work with relish and zeal. He was the epitome of the 'can do' type of civil servant Thatcher preferred, an enthusiast who would simply get on with the job set to him by ministers. Thus, although the first *Annual Report* on the initiative, published in February 1989, indicated that there were only three agencies in place, the Vehicle Inspectorate, Companies House and HMSO, and all three were in any case outside the departmental mainstream, by 1994 considerably more than half of all civil servants worked in agencies. That number now exceeds three quarters.

In bringing such vigour to his role as the 'project manager' for the introduction of executive agencies, Kemp was displaying 'the real qualities of leadership' which the Next Steps report encouraged. He was also demonstrating his 'ability to back [his own] judgement and to take and defend unpopular decisions' (Efficiency Unit, 1988, para. 35). This approach to management was alien to the civil service tradition, developed in consequence of constitutional and political requirements, that showing real qualities of leadership and taking and defending unpopular decisions lie within the province of ministers, who could answer in Parliament and to the public for those decisions. The Next Steps report, and the agency revolution that followed, raised fundamental questions about this aspect of accountability: the convention of ministerial responsibility, as noted earlier, long under informal attack, was now in a sense officially challenged.

Ministers and civil servants: the formal position II

The Next Steps report was a watershed in the history of the civil service. In conjunction with associated management changes it created the

circumstances in which some of the conditions prevailing before the Northcote–Trevelyan Report could be re-instated. The pluralism it encouraged, the ghettoisation of civil servants into agency silos, the development of the contract state and the first serious assault on the career civil service even allowed such an august body as the Committee of Public Accounts to suggest the possibility of corruption in the conduct of public business (Committee of Public Accounts, 1994, paras 1–3). The report also challenged the convention of ministerial responsibility. It did so by reinventing the long discredited policy/administration dichotomy and sought to introduce it across Whitehall. This is clear from several passages in the report. For example, paragraph 23 states that ‘it is possible for Parliament, through Ministers, to regard managers as *directly* responsible for operational matters’ (emphasis added). The use of the phrase ‘through Ministers’, of course, allowed ministers to deny that there was a change in the constitutional relationship, and Thatcher did precisely that when announcing the implementation of the report on 18 February 1988: ‘There will be no change in the arrangements for accountability. Ministers will continue to account to Parliament for all the work of their Departments, including the work of their agencies...’ (Prime Minister, 1988, col. 1151). This was parroted by the Head of the Civil Service, Sir Robin (now Lord) Butler, in evidence to the Treasury and Civil Service Committee on 29 June in the same year: ‘The structure of accountability will remain the same, in the sense that there will be reporting through Ministers to Parliament and there will be...no change in that’. Nevertheless, Butler implicitly recognised some confusion: He thought that:

Where...there will be a change...is that there will be a clearer definition of responsibility of chief executives which will make it easier for Parliament...to know what their responsibilities are and to question them about them...that should not be confused with saying that a chief executive becomes directly responsible to Parliament – he does not. If Parliament wanted to criticise the activities of a chief executive, it would be a matter for the Minister. If Parliament were dissatisfied with the action that was being taken it would then take it up with the Minister. I think the structure of accountability remains; its operation will be changed and, I hope, improved.

(emphasis added) (TCSC, 1988, Q. 277)

Unfortunately, this answer raised further question, which Butler did not answer. For example, would it be acceptable for Parliament to publicly criticise named civil servants for their official actions, and in effect deny ministerial responsibility? Would it be proper to call for the resignation of

chief executives? Would ministers still be accountable through parliamentary questions for the activities of chief executives? Such questions gained even more currency because of statements by the then Minister for the Civil Service, Richard Luce, at the same session of the committee. In particular he argued that 'For the [Next Steps] exercise to succeed... there must be maximum freedom on day-to-day operational matters for the Chief Executive' (Q. 302). Michael Heseltine's suggestion at an earlier session of the committee was even more clear: 'If you really want accountable units, you want them as far removed from the disciplines of the classical public sector arrangements as possible' (Q. 201).

Much of this implicitly accepted that policy and operational matters can be separated. If only obliquely even the Next Steps report itself, however, recognised that the civil service operates in a political environment. For example, paragraph 6 of the report reads:

Senior civil servants inevitably and rightly respond to the priorities set by Ministers which tend to be dominated by the demands of Parliament and communicating Government policies... the ability of Ministers supported by their senior officials to handle political sensitivities effectively is a crucial part of any government's credibility.

(Efficiency Unit, 1988, para. 6)

Even if the context of this statement is that managers should be given as much freedom as possible in managing their organisations, at least it reflects the fact that occasionally politics plays a part in all government activities. In its evidence to the Treasury and Civil Service Committee the First Division Association was more direct and more realistic:

It is our view that ministers will be unable to resist interfering in the management of agencies for political reasons... [If] ministers adopt a genuinely hands-off approach they will be unable to answer to Parliament and civil servants will need to have a more direct relationship with select committees scrutinising the use of public funds by those agencies. We fear that senior civil servants... will find themselves cast in the role of scapegoats when things go wrong. Senior civil servants are unable to speak in public... without jeopardising political neutrality.

(TCSC, 1988, 'Memorandum submitted by the Association of First Division Civil Servants')

These observations were also prescient, not in the sense that political neutrality has been jeopardised, but in the sense that civil servants were indeed to become scapegoats. The case of the Child Support Agency was

one such example, as was the more controversial case of the Prison Service Agency. In this latter case, the Home Secretary, Michael Howard was quite clear that he was responsible for policy and the Director General of the agency, as its chief executive, was responsible for operational matters. A series of events in 1994 and 1995 had conspired to bring the agency into the full glare of publicity. These included, first, the controversy over the transfer of IRA prisoners from mainland prisons to prisons closer to their families in Northern Ireland, a policy announced in 1992. Howard originally objected to the policy when he became Home Secretary, but was forced to accept it. Some of these transfers took place just prior to the announcement by the IRA of a ceasefire in late August 1994 and were perceived by some as a 'bribe' to Sinn Fein and the IRA. Derek Lewis, the then Director General of the Prison Service, claims that he had been given instructions by the Prime Minister, whose office had briefed the press that the Prime Minister was 'livid' at the transfers, to appear on the BBC's main news bulletin to give a public explanation. In essence, both Howard and John Major, the then Prime Minister, were content to allow Lewis to answer in public for the politically sensitive actions of the Prison Service in transferring prisoners to Northern Ireland at a particularly inopportune moment. The transfers were technically an 'operational' matter, and as such not the responsibility of the Home Secretary, who refused to support his beleaguered Director General (Lewis, 1997, pp. 144–50).

The second major problem faced by the Prison Service at this time was related to the breakout of prisoners, first on 9 September 2004 at Whitmore prison, from which six prisoners escaped, including five IRA men, shooting a prison officer whilst doing so, and second at Parkhurst prison on 3 January 2005, when three prisoners escaped. After this second escape, the Home Secretary announced in Parliament that the Parkhurst governor, John Marriot, was to be moved to other duties, pending 'the outcome of a disciplinary investigation'. It was on this occasion that Howard first made the statement that 'I am responsible for policy. The Director General is responsible for operational matters' (Home Secretary, 1995a, col. 33). These events led to two major inquiries, the first into the Whitmore escape, led by Sir John Woodcock, the former Chief Inspector of Constabulary, and the second on prison security generally, by General Sir John Learmont. It was this second report, commissioned before the Parkhurst escape but able to comment on it, which led to the dismissal of Lewis as Director General of the Prison Service on 16 October 2005. The Learmont report was critical of the senior management of the prison service, including the Director General, and this led Howard to seek Lewis's resignation, and when that was not forthcoming to dismiss him (Learmont, 1995; Lewis, 1997, pp. 190–204).

The furore that followed was pivotal in the discussion of the implications for ministerial responsibility of the creation of executive agencies. In fact it was an infamous interview which Howard gave to BBC television's *Newsnight* programme on 16 October, conducted by Jeremy Paxman, which fuelled the row. In that interview, the Home Secretary refused several times to give Paxman an answer to the question 'Hasn't [Lewis] been sacked to save your skin, Mr Howard?'. He also refused to answer questions about whether he had ordered that Mariott, the governor of Parkhurst, be removed from his duties there. The main point was that made by Lewis, reiterated by Paxman, that 'under the agency status available to the Prison Service [Lewis] actually had less freedom than when the service was run directly by your department' (BBC, 1995). The main attack in Parliament took place on 19 October, when the Learmont report was debated. The then Shadow Home Secretary, Jack Straw, led the assault, but, hampered by tinnitus, he was less effective than he might have been, and the debate was less damaging to Howard than the Paxman interview had been. The charge was that Howard had not just overall responsibility for the Prison Service, but had also constantly interfered in its day-to-day management. Since there had clearly been major problems in that service, Howard should resign. The government and the Conservative backbenchers rallied and he was not forced to resign. He denied that he had interfered in the operational management of the service, and his claim remained that:

I am personally accountable to the House for all matters concerning the Prison Service. I am accountable and responsible for all policy decisions relating to the service. The Director General is responsible for day-to-day operations.

(Home Secretary, 1995b, col. 517)

After these events, Lewis, unconstrained by the rules implied by the convention of ministerial responsibility, and, having been a television executive prior to his appointment as Director General of the Prison Service, unencumbered by not having been a career civil servant, published his reflections on his time in the Prison Agency. Those reflections were clearly not disinterested; nevertheless they were both revealing and damning of Howard's control of the Home Office and of the Prison Service. It seems clear that the Home Secretary constantly interfered in the operations of the agency, and not just when things went wrong (Lewis, 1997). The irony is that, given the politically sensitive nature of the Prison Agency, this is as it should be.

There is little doubt that the Next Steps report inaugurated major changes in the convention of ministerial responsibility, regardless of the

denials by ministers and their senior advisers. These included, for example, the new practical arrangements for chief executives to become the accounting officers for their agencies and for written Parliamentary questions to be directed at those chief executives about the 'operational' aspects of their agencies (see O'Toole and Chapman, 1995). More controversially, the Next Steps revolution allowed ministers to deny responsibility for the actions of the agencies over which their departments presided. As the Howard case showed, ministers could retain control over those agencies and intervene in so-called operational matters and then claim that whilst they were accountable, they were not 'responsible'. Responsibility for such matters was the preserve of chief executives, who could be sacrificed, indeed humiliated, when things went wrong. That distinction, was, and is, a political fiction. As the FDA recognised and predicted in 1988, the creation of executive agencies allowed civil servants to become scapegoats. Writing about nationalised industries in 1960, William Robson argued that the 'hands off' approach that ministers technically had to the management of such industries meant 'Their main preoccupation has been to exercise power while avoiding responsibility in public' (1960, 1962 edn, p. 160). He could as easily have been writing about ministers in the 1990s as ministers in the 1960s. This time, however, the 'arms length' principle undermined the very foundation of the relationship between civil servants and ministers. Even if the permanent, deputy and under secretaries were not directly affected, the cavalier attitude of ministers to conventions of the constitution demonstrated a lack of commitment to those who served them.

Whilst the Howard case derived from a quasi-official questioning of the convention of ministerial responsibility, and of the relationship between ministers and their officials, other events both prior to and concurrent with the Next Steps report also added to the sense that ministers no longer particularly valued their relationship either with Parliament or with their civil servants. As noted earlier, the Vehicle and General Affair had stimulated debate amongst civil servants about their roles and relationships, and this came on top of other questions affecting their morale, for example about pay or questions deriving from the criticisms of the civil service exemplified in the Fulton Report. In particular, senior civil servants, through their professional association, the First Division Association, started to raise questions about their professional standards. These questions lay dormant until the 1980s. They were reawakened not just by the management changes referred to here, but also by a series of events which seemed to undermine the integrity of both ministers and civil servants, and thus re-opened the debate about the ethics of public officials. In due course, this debate contributed to a fundamental recasting of the ethical framework within which all public servants work.

These matters achieved special prominence in consequence of a particular episode of the so-called Falklands War, the sinking by the Royal Navy of the Argentine battle cruiser the *Belgrano*. Clive Ponting, a senior official in the Ministry of Defence, ‘blew the whistle’ on his minister, Heseltine, whom Ponting, through Tam Dalyell MP, accused of misleading Parliament about the sinking of the Argentine ship. The details of that affair are well known, but the most important ramification from the perspective of this chapter was the publication in 1985 of the so-called Armstrong Memorandum, the *Note of Guidance on the Duties and Responsibilities of Civil Servants*. After the unsuccessful prosecution of Ponting for breach of the Official Secrets Act, 1911, Sir Robert (now Lord) Armstrong, then Head of the Civil Service, was moved to issue his memorandum, in which he essentially restated a view of the duties and responsibilities of civil servants with which his more illustrious predecessors Fisher and Bridges would have been comfortable. In the memorandum, Armstrong noted that ‘Civil servants are servants of the Crown [the Government of the day]... The duty of the individual civil servant is first and foremost to the Minister of the Crown who is in charge of the Department in which he or she is serving’ (Armstrong, 1985, paras 2–4). Others, including the FDA, were not happy with this statement, but it was the Armstrong Memorandum that began the process of the increasingly formal codification of the activities of civil servants. In some ways the Armstrong Memorandum was similar to that issued by Fisher in relation to the Francs case referred to on page 78. The difference this time was that the occasion for the issue of the statement was related to a question of professional conduct as distinct from corrupt activity. The Armstrong Memorandum was in consequence of a *cause celebre*; and the result was the beginning of a long and stimulating debate, which still reverberates.

The publication of the memorandum led to a discussion about the relationship between ministers and their officials, the central ethical relationship of government. The House of Commons Treasury and Civil Service Select Committee conducted an inquiry into the wider questions raised by the memorandum, spurred on not just by the Ponting case but by the so-called Westland Affair, in which various leaks had been made to the press about the activities of ministers and civil servants in relation to decisions about defence equipment matters (and in which a particular civil servant, the press officer at the Department of Trade and Industry, was allowed by the Secretary of State there, Leon [now Lord] Brittan, to explain his eventually untenable position). The deliberations of that committee allowed the FDA to consider afresh their views on the ethics of senior officials, and to make some serious observations and recommendations. The Association was extremely critical of the Armstrong Memorandum,

which it described as ‘a narrow statement of existing conventions with heavy emphasis on a civil servant’s duty and little about resolving ethical dilemmas’ (FDA, 1986, pp. 59–60). More positively, the FDA submitted its own draft code of ethics, drawn up in 1985, for consideration by the Treasury and Civil Service Committee.

In some ways this code was more conservative than the considerations of its own Committee on Professional Standards in 1970. For example, in the statement of general principles to the 1985 draft code the following rather traditional passages appear:

Civil Servants in the United Kingdom are servants of the Queen in Parliament. The civil service is politically neutral and individual civil servants may be expected to serve a succession of administrations. Their conduct should be such that a new administration need have no reason to suppose that that they are unable or unwilling to implement its policies or to serve it loyally; this implies that in their official duties they should avoid personal identification with the political philosophy of any particular administration. Civil servants have a professional duty to provide Ministers with honest and impartial advice whether or not this accords with the Minister’s or Government’s views; advice which in any way departs from this is in breach of civil servants’ duty and damages their integrity as servants of the Crown.

It goes on:

Civil servants are also servants of the executive, which is a function of the Crown carried out by Ministers who are accountable to Parliament. It follows that civil servants should diligently pursue the implementation of government policies... They should not seek to obstruct these policies by delay, by withholding relevant information or by misusing delegated powers in a manner contrary to the spirit or the letter of government policy. It also follows that civil servants should preserve the confidences of Ministers and should not divulge them without authorization.

(FDA, 1985a, preamble)

Superficially this statement of general principles, particularly the second passage quoted, is similar to those expressed in the Armstrong Memorandum. The main difference is that the FDA’s proposed code laid down extra-civil service procedures, perhaps involving appeal to the chairmen of relevant parliamentary committees or to the Parliamentary Commissioner for Administration, to resolve difficulties which might arise

where a civil servant's conscience renders him incapable of serving the minister in the manner expected or where he is asked to perform an illegal act. Such an external appeals mechanism was rejected both by the Treasury and Civil Service Committee and the Government (see Prime Minister, 1986, para. 19; TCSC, 1986, paras 4.12–4.16).

It should be noted that the FDA had also recently called for the repeal of the Official Secrets Act 1911 and the introduction of a Freedom of Information Act, and had affiliated itself to the Campaign for Freedom of Information (FDA, 1983; O'Toole, 1989, pp. 185–88). These recommendations and actions were directly related to the Ponting case, which had greatly exercised the Association, and again, as far as the Association was concerned, had damaged the relationship between their members and ministers. The FDA condemned leaks 'whatever the circumstances', but felt that Ponting, rather than being prosecuted should have been dealt with 'through civil service disciplinary channels'. He had simply brought 'political embarrassment' (FDA, 1985b, para. 56). It was another example of the reason for the loosening of the relationship between ministers and senior civil servants. Indeed, the Association argued that the actions of individuals such as Ponting might be directly attributable to ministers behaving unreasonably in their role as employers in relation to civil servants generally:

As far as civil servants themselves are concerned, in the past decade there have been conflicts on collective matters with governments in their role as employer, conflicts exacerbated by the lack of a stable system of pay determination. These may have reduced the commitment amongst civil servants to serving impartially the government of the day.

(FDA, 1983, p. 6)

This statement echoes statements made by members of the FDA at the time of the Vehicle and General affair.

As noted earlier, the declining morale of civil servants can be linked with changes in both the employer–employee relationship and in the decline in the constitutional relationship, both exemplified to some degree by the Ponting case. One consequence may have been that when governments did something which was contrary to the conscience, beliefs or politics of individual officials, there was now less inclination than previously to loyalty and discretion. That feeling can only have been exacerbated in January 1984, when the government, without prior consultation, banned both independent trade unions and rights of access to industrial tribunals for workers at the Government Communication Headquarters (GCHQ). This decision, which the FDA described as 'arbitrary and brutal', was contrary

to long-standing government policy of encouraging trade union membership amongst civil servants (FDA, 1984a). It was a decision which soured industrial relations in the civil service for well over a decade, and which many in the FDA regarded as epitomising the view that ministers had of their officials (FDA, 1984b; see O'Toole, 1989, pp. 188–91).

The recommendations of the FDA made in relation to the Ponting and Westland affairs, represented a significant step on the road to the codification of civil service ethics. In formal terms, however, the main consequence of the deliberations of the Treasury and Civil Service Committee, and in response to those deliberations, was the publication in 1987 of a revised version of the Armstrong Memorandum. Whilst it largely read as previously, the new version did, however, deal with a major omission from the original version, an omission to which the FDA had objected. The new version dealt not just with civil servants, it also paid lip service to the duties and obligations of Ministers, and included the following passage: 'The Government believes that Ministers are well aware of the principles that should govern their duties and responsibilities in relation to Parliament and to civil servants. It goes without saying that these include the obligations of integrity' (Armstrong, 1987, para. 2; see also Prime Minister, 1986, para. 11). This point is important since it is impossible to consider the ethics of civil servants without also bearing in mind the obligations of Ministers. In considering the increasing codification of the civil service, the codes and conventions that govern ministerial behaviour must also be considered. A matter to which this chapter shall return. Nevertheless, the Armstrong Memorandum essentially restated the traditional constitutional position. That position, soon to be undermined by the Next Steps programme referred to earlier, as well as by the general attitude of ministers to civil servants, was becoming increasingly untenable.

'Business is best': the end of public service

The other aspect of the changing view which ministers had of their officials was the increasingly prevalent view that the skills for which they had been highly regarded in the past were no longer valuable. Generalist administration and the values associated with it, criticised so roundly by Fulton, were increasingly denigrated during the Thatcher period. The idea that 'business is best', and that skills associated with businesses are superior to administrative skills, took a firm hold under Thatcher. It is a hold that has, if anything, tightened since she demitted office. The Next Steps programme encouraged agencies to develop business plans and, as noted earlier, started the process by which outsiders were brought into the civil service to run the operational side of government. In addition, there were changes which

encouraged the contracting out of services, including privatisation and the development of the so-called Private Finance Initiative (PFI), all of which were instrumental in creating 'consumer-led' government. The 'market testing' of government activities, to determine whether they could be best 'delivered' outside of government, was accompanied by the 'Citizens' Charter', designed essentially to give the users of government services consumer rights (Efficiency Unit, 1993b; Prime Minister, 1991; Treasury, 1991). Citizens became customers, ministers became the clients of their officials, who themselves became the clients of pressure groups, think tanks and private companies, and the public interest became nothing more than the sum of the short-term desires of the public. It is a view of the world which would have given Rousseau nightmares.

These developments were entrenched and enhanced by two white papers on the future of the civil service in 1994 and 1995 respectively (Prime Minister, 1994; Prime Minister, 1995). These two documents are important in any discussion of the ideal of public service, especially that published in 1995, because they led to the establishment of the Civil Service Code, which is essentially an explicit code of ethics for civil servants, and this will be dealt with in some detail later in this chapter. For this present discussion, these white papers, especially the earlier one, are important because of their focus on the benefits of competition, performance and delivery, the further delegation of responsibility for pay, and increased personnel management flexibility (see especially Prime Minister, 1994, chapter three). In particular, the 1994 white paper heralded the creation of a Senior Civil Service, consisting of the top five grades and including most agency chief executives, which should 'give a lead in sustaining key Civil Service values' at the same time as 'showing, like the rest of the Civil Service, they can adapt to change' (Prime Minister, 1994, paras 4.13 and 4.14). The white paper indicated that the government would accept most of the recommendations of an Efficiency Unit report on career management and succession planning, which was essentially about the development of staff for senior posts (Efficiency Unit, 1993a). Whilst the government accepted that most senior posts would continue to be filled with internal appointments, it also believed that 'the Senior Civil Service should consider systematically on each occasion whether to use competition for filling vacancies, either by internal advertisement across the Civil Service or by full open competition' (Prime Minister, 1994, para. 4.24). The Prime Minister would continue to approve the appointments to the most senior positions, but it was for departments to make appointments both to and within the new Senior Civil Service (paras 4.25–4.27). All officials in the Senior Civil Service would be subject to explicit written employment contracts – as distinct from the implied contracts that previously characterised employment in the civil

service – and a more flexible pay structure would be introduced to ensure that the best people from outside the civil service would apply for openly advertised jobs (paras 4.32 and 4.36–4.39). The Civil Service Commissioners would approve appointments to the Senior Civil Service, and this would ensure that open competition for senior posts would not compromise the maintenance of a non-political civil service (para. 4.30).

Whilst these changes followed on from those already established because of the Next Steps initiative, the market testing programme and the citizens' charter, they were nevertheless fundamentally important in themselves: in effect they marked the end of the career civil service. The earlier initiatives had created a more plural civil service, in which government policies and programmes were delivered through diverse agencies or by the private sector under contract and in which private sector practices in terms of pay and conditions had been introduced. The new recommendations emphasised, if only obliquely, the idea that private sector practices were best, and heralded fully open competition to allow the best outside people to compete for the most senior positions. Indeed, the recognition essentially that 'market rates' of pay should be offered to encourage applications from people outside the civil service may be seen as the signal of the end of the ideal of public service. Whilst public service values were lauded, the idea of a 'non-political' civil service explicitly retained, and internal career and succession planning extolled, at least some of the leaders of the civil service would now come from outside, and be paid competitive salaries for doing so. The old idea of a cadre of young officials, recruited at an early age and trained in the arts of administration, whilst not abandoned, was certainly undermined by these changes, which have had a profound impact on the modern civil service.

This has been augmented by more recent rhetoric and reform. The current Labour government is apparently even more keen than its Conservative predecessors to bring business-like methods into the civil service. If anything, the criticisms of civil servants are more explicit, and whilst lip-service is paid to public service values, it is clear from both their rhetoric and their actions that such values are increasingly unimportant to Labour ministers. This is evident from even a cursory examination of the documents that have been published since 1997 and from an examination of the further reforms that have taken place since then.

Most notable in this regard are the 1999 White Paper, *Modernising Government*, the documents published immediately afterwards with the intention of 'driving forward' the modernisation programme, and the 2004 document on *Delivery and Values* (Cabinet Office, 1999a, b, 2004a; Prime Minister, 1999). Those documents clearly reveal that what really drives that programme is the belief that business methods and business values are best.

Take, for example, a series of documents published in 1999 to help the 'Management Board', the 'leaders' of the civil service to create a 'strategy' for modernisation. The most important of those documents was published in the name of Sir Richard (now Lord) Wilson, the then Head of the Civil Service, entitled *Civil Service Reform* (Cabinet Office, 1999a). Its purpose was to bring together the various strands of thought that had been undertaken by Wilson and his fellow permanent secretaries. It set out the action agreed upon, action which would be taken on six key themes, these being:

- i. stronger *leadership* with a clear sense of purpose
- ii. better *business planning* from top to bottom
- iii. sharper *performance* management
- iv. a dramatic improvement in *diversity*
- v. a service *more open* to people and ideas, which brings on talent
- vi. a better *deal for staff*.

(Cabinet Office, 1999a, para. 2,
emphasis in original)

The 'goal is to create a more open, diverse and professional Civil Service in which': people will put the public's interest first; innovate, create and learn; take personal responsibility; work in partnership with others and use new technology to deliver results of high quality and good value (Cabinet Office, 1999a, para. 4).

Each department was to prepare a 'Departmental Action Plan' to 'drive through' action in the six areas outlined, and the members of the Civil Service Management Board 'pledged themselves personally to drive forward [the] new agenda, both corporately and in modernising their own departments' (p. 5). 'Corporate leadership' would be developed through the Management Board, heads of department would 'take on personal responsibility for spearheading parts of the reform agenda', and Wilson was himself to nominate 'champions' to lead on the six themes (para. 5, iv). The banal language used in these documents and others published since is suffuse with the jargon used in business schools, management textbooks and the exhortations of business gurus. It is language the very use of which implies a view that 'business is best'.

In relation to the theme of this book the most important document in the 1999 series is that entitled *Vision and Values* (Cabinet Office, 1999b). In it are set out the values which should underpin the civil service and the vision by which it should be guided. The statement of vision is this: 'Our aim is to make the UK a better place for everyone to live in, and support its success in the world. We want to be the best at everything we do' (para. 6). This is meaningless and unworthy – yet it is revealing: it reveals an obsession

with by then outdated Total Quality Management jargon; and it reveals a distinct lack of ‘vision’. The ‘values’ are even less enlightening, these being that civil servants will:

- i. act with *integrity*, propriety and political impartiality, and select on merit
- ii. put the *public’s* interest first
- iii. achieve *results* of high quality and good value
- iv. show *leadership* and take personal responsibility
- v. value the *people* we work with and their diversity
- vi. *innovate* and learn
- vii. work in *partnership*
- viii. be *professional* in all we do
- ix. be open and *communicate* well.

(Annex A, emphasis in original)

This statement brings to mind the famous incantation by Butler, Wilson’s predecessor as Head of the Civil Service, that the values of the civil service are ‘integrity, impartiality, objectivity, selection and promotion on merit and accountability through Ministers to Parliament’ (Cabinet Office, 1994, para. 27). Indeed, this statement is more or less re-iterated in *Vision and Values*: ‘We have a high reputation for integrity, propriety and providing objective, politically impartial advice, and for the principle of recruitment and promotion based on merit’ (Cabinet Office, 1999b, para. 7). The question in relation to both statements is ‘how do these values differ from those in any decent organisation, public or otherwise?’ The answer is that, in the main, these values could and should apply to almost any organisation. The exceptions relate to Parliamentary accountability, political neutrality and ‘the public’s interest’. However, on further inspection, this latter exception reveals a view of public service through the eyes of business gurus, for the manifestation of ‘the public’s interest’ is linked with one of the ‘fundamental concepts which underpin the...Excellence Model’ of the European Foundation for Quality Management, the ‘concept’ being ‘Public Responsibility, *Customer Focus*’ (Cabinet Office, 1999b, Annex C, emphasis added).

These passages, and many others that could be cited, reveal a distinct *lack* of vision. What vision there is, is based on the dogma of what are *thought to be* private sector values. As noted earlier, the government (including by implication some of its most senior *officials*) has an attitude towards public service which views it as being inimical to efficiency. Given this, it seems hypocritical for *Vision and Values* to claim that the vision and values

statement ‘provides a framework for improved performance, building on tested principles of public service’ (Cabinet Office, 1999b, para. 16). Ideas of public service are undermined by the very existence of these documents, especially the *Modernising Government* White Paper from which they all emanate. The premise of that White Paper, and therefore of the government’s entire change programme, is that public servants are *not* doing a good job. That document is littered with statements of how much the government values public servants, yet the whole tone is one of denigration and exhortations to be more like the private sector (Prime Minister, 1999, see for example, chapter one, para. 11, or chapter seven, paras 7 and 8). Such denigration is endorsed, if only implicitly, by repetition of the meaningless jargon of management textbooks, by the very persons who should be leading the civil service and seeking to improve its morale.

The 2004 document, *Civil Service Reform: Delivery and Values*, is equally at fault in this respect (Cabinet Office, 2004a). Its publication coincided with a so-called Civil Service Reform Event hosted by Sir Andrew Turnbull, the then Head of the Civil Service, in February 2004. The principal guest was the Prime Minister, who again lauded the civil service and its values, but again can only have undermined both by his speech (Prime Minister, 2004). The Prime Minister’s belief in the superiority of the private sector over the public sector becomes apparent in various passages of his speech, passages in which he dealt with the interim recommendations of Sir Peter Gershon’s review of public sector efficiency and anticipated its later findings – findings which are to a large extent derived from private sector models, and based on the idea of what he referred to as ‘consumer expectations’ of government services.

The Prime Minister, Tony Blair, and the Chancellor of the Exchequer, Gordon Brown, had commissioned the Gershon report jointly in August 2003. Its purpose was to achieve the objective set by the Prime Minister and the Chancellor ‘to release major resources out of activities which can be undertaken more efficiently into front line services that meet the public’s highest priorities...’ (Gershon, 2004, p. 3). Efficiency is defined in the report in the wide sense of ‘making the best use of resources available for the provision of public services’, but ‘efficiencies’ are defined in the rather more narrow sense of being:

reforms to delivery processes and resource (including workforce) utilisation that achieve: reduced numbers of inputs (e.g. people or assets), whilst maintaining the same level of service provision; or lower prices for the resources needed to provide public services; or additional outputs...for the same level of inputs; or improved ratio of output per

unit cost of input; or changing the balance between different outputs aimed at delivering a similar overall objective in a way which achieves a greater overall output for the same inputs ('allocative efficiency').
(para. 1.7)

Arguably, these are essentially cost-containment measures or economies rather than efficiencies.

The report indicates where efficiencies of this sort have already taken place and seeks to build on such efficiencies and other changes. Based on the activities of Gershon's review team, the report then identifies scope for further efficiencies. The review team gathered evidence from several 'workstreams' – namely, 'back office' (for example human resources, finance, IT support); 'procurement' (i.e. purchasing the necessary capital and equipment and other resources to enable the delivery of public services); 'transactional services' (for example, the payment of benefits and the collection of taxes); 'policy, funding and regulation' (separate workstreams for the public and private sectors); and the 'productive time of front-line public servants' (i.e. the time spent on professional activities such as teaching or nursing rather than time spent on non-core activities, implicitly associated with bureaucracy) (para. 2.2). In developing these workstreams, the review team sought to 'base analysis... on existing organisational structures', 'identify generic areas of activity across all parts of the public sector' and 'reflect the underlying drive of the Efficiency review to release resources to the front line' (para. 2.3). The report proceeded to provide illustrations across the workstreams of good practice. For example, in procurement the Office of Government Commerce (OGC) and the National Health Service (NHS) are singled out (box 2.2, p. 14), and in transactional services the Department of Work and Pensions' 'Payment Modernisation Programme' is praised (box 2.3, p. 16). From these and other examples, deriving lessons from each of the workstreams and developing generic proposals within each, the review team was able to assess the general potential for efficiencies across the civil service. The interim figure arrived at was some 15 to £20 billions by 2007–8 and up to 80,000 posts 'saved' (para. 2.26). Departments were asked to consider these recommendations and respond with further analysis and proposals, which would in turn be considered by the review team and which would be followed by further generic changes to departmental practices and incentives 'to promote a culture of efficiency' (para. 2.27). The details of this work are set out in chapter three of the report (pp. 21–28). Chapter four sets out the 'agreed' efficiency targets and the methods by which efficiencies are to be delivered (pp. 29–34). A table (p. 30) lists the savings to be expected from each department by 2007–8, a total forecast saving of £21,480 millions (table 4.1).

Another table (p. 31) indicates the estimated 'reductions' in the civil service workforce because of 'efficiency' by department between April 2004 and April 2008, a net reduction, after taking into account relocation of 70,600 posts (table 4.2). These reductions did not include an estimated 20,000 in Scotland, Wales and Northern Ireland (though the Scottish Executive's efficiency review sets no specific job 'saving' targets – see Scottish Executive, 2004). The conclusion of the report is that the proposals described 'will deliver over £20 billion of efficiencies in public spending by 2007–08, which will either directly increase the output of public services or will free up resources which can be recycled into front line delivery' (para. 5.1)

The Chancellor of the Exchequer announced these figures in Parliament on the same day as the publication of the report (Chancellor of the Exchequer, 2004). They formed part of the background to his 2004 spending review, along with associated plans for the relocation of civil servants away from London, enabling him to claim that he was 'releasing substantial new money for front line services' (Chancellor of the Exchequer, 2004, col. 1129) and to 'renew our public services' (col. 1131). Not unnaturally, the civil service trade unions took a slightly different view. *The Times* of 13 July referred to union leaders as describing the cuts as 'devastating', and claimed that the unions were 'stunned' by the 'carnage', which would 'damage public services' (p. 4 of the supplement 'The Big Spend'). Given these apparent attitudes it is not surprising that the civil service unions decided to take industrial action against the proposed cuts.

Just before he announced the 'saving' of over 100,000 jobs in the United Kingdom civil service, Gordon Brown expressed his appreciation of the work of civil servants and of their 'commitment to the ethos of public service' (col. 1130). Those civil servants who took industrial action in consequence of his announcement probably regarded such sentiments as adding insult to the injury of their potential unemployment. They are sentiments often expressed by the present government (and by its Conservative predecessor), always with the same degree of apparent sincerity. As indicated earlier, this was true of the *Modernising Government* White Paper and of the plethora of documents produced in consequence of the modernisation process it inspired. It is also true of the more recent utterances of the Prime Minister on the future of the civil service. As noted earlier, in February 2004 the then Head of the Civil Service hosted a 'Civil Service Reform Event', at which the Prime Minister delivered a speech (Prime Minister, 2004). His first comments were in praise of the Northcote–Trevelyan Report of 1854, a report that had encouraged the 'enduring values' that had 'underpinned' the civil service. 'Those values', he said, 'of integrity, impartiality and merit have proved timeless and are a decisive legacy of Gladstone and his officials'. He went on that the civil

service ‘has strengths that are priceless. The greatest is indeed its integrity’. Moreover, it is not just the ‘lofty ideals of integrity and political impartiality’ that are the hallmarks of the civil service. It has the ‘ability to master complex negotiations not just with attention to detail but sublime skill’, abilities and skills which the Prime Minister had witnessed and ‘been grateful for’ on many occasions. The service ‘provides expert advice, intelligently crafted and usually utterly sensitive to political reality’. Why then, asked the Prime Minister, does the civil service need radical reform?

The answer to this question was simply this: ‘The world has changed and the civil service must change with it’. Underlying this apparent simplicity is the assumption that the private sector is better than the public sector. This can be seen even in the apparent praise the Prime Minister heaped on civil servants, ‘the calibre’ of whom ‘is enormously high; *in many respects every bit as good as their private sector counterparts*’ (emphasis added). It becomes even more apparent in the subsequent passages, passages in which the Prime Minister deals with the interim recommendations of the Gershon review and anticipates its later findings – findings which are to a large extent derived from private sector models, and based on the idea of what the Prime Minister refers to as ‘consumer expectations’ of government services. The challenge was how to sustain the values so lauded by the Prime Minister, while bringing about ‘the radical transformation our times demand’.

The transformation anticipated by the Prime Minister is indeed radical. It emanates from his belief, not in ‘the minimalist state’, nor in ‘Big Government’, but in ‘Enabling Government’, helping people to help themselves. Government has to become ‘an instrument of empowerment’. In terms that could have been transposed from Philosophical Idealism, the Prime Minister talks of government having ‘a vital role in equipping people to survive and prosper’, setting the ‘right conditions for economic stability and the climate for business and investment’. Unlike with Idealist philosophy, however, citizenship is not referred to in the speech; instead, and at its heart, is consumerism. The implication appears to be that citizens are consumers, consumers are taxpayers, and taxpayers ‘expect a return’.

The way in which this transformation from an apparently unresponsive civil service to a civil service acting in ‘partnership’ with the private and voluntary sectors, is to be achieved is to move from a focus on ‘policy advice’, the very strength the Prime Minister referred to earlier, to ‘delivery’. Delivery means:

Outcomes. It means project management. It means adapting to new situations and altering rules and practice accordingly. It means not working in traditional departmental silos. It means working naturally

with partners outside government. It's not that many individual civil servants aren't capable of this. It is that doing it requires a change of operation and of culture that goes to the core of the Civil Service.

This is to be achieved: 'By changing the law; by innovating; by setting targets; by leadership; by focusing on results'.

The Prime Minister recognised that one of the obstacles to the emergence of a new breed of civil servant, 'more entrepreneurial, ... more adventurous like their private sector counterparts', is politicians themselves, who seek vast amounts of information and prevent civil servants from taking risks. Politicians, he argued, should be accountable, but 'sometimes we can be so frightened of the process of accountability, we opt for inertia'. Nevertheless, the civil service and civil servants should in the future display the following characteristics, characteristics that had enabled many successful examples of policy initiatives:

A sense of ambition, including crucially the belief that apparently intractable problems can be solved; a relentless focus on outcomes; clarity including the application of the programme and project management techniques that have transformed business; urgency including finding out quickly what's working and what isn't and adapting accordingly; and finally seeing things through until change is irreversible.

These are all attributes derived from the private sector model, and confirm that the Prime Minister and others in the government regard that model as being the way forward for the civil service.

In the concluding passages of his speech the Prime Minister sets out how his vision for the civil service is to come about, what it means in practical terms. The Prime Minister lists seven 'keys to transformation':

- a smaller strategic centre
- a Civil Service with professional and specialist skills
- a Civil Service open to the public, private and voluntary sector and encouraging
- more rapid promotion within the Civil Service and an end to tenure for senior posts
- a Civil Service equipped to lead, with proven leadership in management and
- a more innovative approach to policy
- Government organised around problems, not problems around Government

The Prime Minister expands on these points and they are dealt with in even more detail in the document published at the same time as the 'Event' at which the Prime Minister gave this speech (Cabinet Office, 2004a). Many of these 'keys' seem sensible and bring back memories of previous reports now deemed old fashioned: the recommendations of the 1968 Fulton Committee come to mind in relation to at least two of the bullet points and the 'Next Steps' report of 1988 made some similar recommendations.

Some, however, are more radical and even startling, for example, the possible end of tenure for senior positions or the emphasis on 'visible' leadership – in a democracy a function expected of politicians (Cabinet Office, 2004a, para. 5.2). The former seems to have emanated from permanent secretaries themselves, and a 'four-year posting norm' is being applied to the Senior Civil Service retrospectively, depending on the 'business needs' of the departments (Cabinet Office, 2004a, para. 5.10). If tenure is to be ended, then the possibility of political interference in such postings cannot be ruled out. This change is taking place at the same time as an increasing number of senior officials are appointed from outside the civil service, a trend first established in consequence of the previous government's white paper *The Civil Service, Continuity and Change* (Prime Minister, 1994). By 2002–3 it seems that 1 in 6 members of the Senior Civil Service had been recruited from outside the civil service and that 1 in 3 entrants into the Senior Civil Service was recruited from outside (up from 1 in 5 in 1998–9) (Cabinet Office, 2004a, para. 5.5; see also Levitt and Solesbury, 2005).

The career civil service is further undermined by such trends, for, whilst the Civil Service Commissioners are involved in the appointment of all entrants to the Senior Civil Service, much depends on the independence of the Commissioners and their willingness and ability to prevent influences and practices contrary to recruitment by fair and open competition and on the basis of merit. There is no evidence that the Commissioners are not protecting the integrity of the recruitment procedures, but as the changes envisaged take shape the task of the Commissioners is likely to become more complicated. Even then it should be noted that the Commissioners have no role in the posting of officials within the Senior Civil Service. Perhaps the Public Administration Select Committee's call for the recreation of the Civil Service Commission, the independence of which would be enshrined in an Act of Parliament, would aid the Commissioners in their tasks, but the potential problems of patronage would nevertheless remain real (see Public Administration Select Committee, 2003).

The reforms and rhetoric outlined here have sought to bring so-called business-like techniques and attitudes to the civil service. The Labour government is as enthusiastic as its predecessor in promoting the private sector as a model for public sector activity. Personal gain, in the form of

performance related pay and promotion depending on personal performance rather than collegial decision making, has come to play a dominant role in the work of civil servants. They have been encouraged to move away from thinking of themselves as civil servants and towards thinking of themselves as ‘owning’ their departments or agencies or ‘owning’ the policies which those departments and agencies are responsible for. They treat each other, their ministers and their fellow citizens as ‘customers’. This may have had beneficial effects in relation to resource usage efficiency. One of the consequences, however, has also been that the distinctive ideals of the civil service, which in the past encouraged ideas of public service and public duty, has all but disappeared (for further discussion of these themes see O’Toole, 2004). It is partly for this reason that civil service ethics have become increasingly formalised in recent years.

The formalisation of civil service ethics

Numerous factors have combined to create the conditions in which the ideal of public service no longer has any real influence on public administration in Britain. Not only have private sector values been promoted over public values in terms of the management of the civil service, but the central relationship of the civil service, that between ministers and officials, has been undermined by the changes outlined earlier to the convention of ministerial responsibility. There is one other way in which public service has been undermined, and that relates to the apparent decline in the integrity of politicians. Examples of cases in which ministers seemed to be unaware of their duties and responsibilities in relation to Parliament and/or to their civil servants include the Arms to Iraq affair, investigated by the famous Scott Inquiry, and, most recently, the debacle over Dr David Kelly and the wider issues surrounding the 2003 invasion of Iraq. These are *causes celebres*, which either directly or indirectly have conspired to reduce trust in politicians, and have further contributed to the demise of public service in Britain. Politicians have set a bad example both to citizens and to their officials. One consequence has been the increasing codification of ethics in government and the creation of a whole framework of ethical compliance which is in itself inimical to the ideal of public service.

Because of sexual scandals and cases of financial corruption, by the 1990s there was an increasing perception amongst the public that standards in government were declining. Ignoring such superficial reasons for the perception of ‘sleaze’, there was yet further evidence that politicians and officials had scant regard for the conventions upon which the system of government had been built. The sexual proclivities of ministers and other politicians and the fact that certain politicians could be ‘bought’ were of

minor consequence compared to this aspect of 'sleaze'. It was the Scott Inquiry into the sale of defence and other equipment to Iraq, established after the collapse of related trials in Britain, which was most revealing about the attitudes of ministers, both to the public and to Parliament. The publication of the Scott Report in 1996 nearly led to the collapse of the Major Government (and is regarded by many as having been the final nail in the coffin of that government); however, it was the mere fact of the establishment of the inquiry, and the subsequent drip of unfortunate publicity caused by much of the evidence being given in public, which is important from the perspective of this chapter. The inquiry revealed that ministers and senior officials would do almost anything to prevent themselves from political embarrassment or administrative inconvenience. Briefly, the inquiry was established essentially for two reasons. The first reason, and most immediate in the sense that this was the proximate occasion for the establishment of the Scott Inquiry, was because of the collapse of the trial of three directors of the Matrix Churchill company, who had been 'charged with export control offences based on the deliberate deception of the government as to the intended use of machine tools for which export licences had been sought' (Scott, 1996, A1.6). The maximum sentence for such offences was seven years' imprisonment. The trial collapsed for various complex reasons, most notably because the government was portrayed by the defence counsel as having sought to 'suppress and keep from disclosure documents which, if disclosed, would be an embarrassment to the Government' (A1.10). There was thus a perception that the government would have allowed innocent men to go to prison simply to protect its own reputation. The second reason was that accusations had appeared in the press that 'the export by United Kingdom companies of military and defence related equipment to Iraq had been surreptitiously encouraged by officials in the Department of Trade and Industry... and in particular by Mr Alan Clark MP during his time as Minister for Trade at the DTI' (A1.4). This had happened despite the professed policy of the government to remain neutral in the Iran-Iraq war to which all of these allegations pertained. Such had been the parliamentary and public outcry in relation to these allegations that the collapse of the Matrix Churchill trial led to the decision by the Attorney General and the Prime Minister to establish the Scott Inquiry.

In addition to the cumulative negative publicity for the government occasioned by the public nature of the inquiry, the report itself was damning of ministers, particularly in terms of their relationship with Parliament. It is not necessary here to go into the details of the report; however, the report makes it quite clear that, in the British system of government, the public interest is derived from parliamentary democracy. For democracy to

work, ministers must be held accountable. For them to be held accountable they are under an obligation to disclose as full information as possible about their activities and the activities of their departments. In Scott's words, 'The public interest in a full discharge of this obligation should be a constant heavy weight in the balance'. For Scott, in relation to the actions of ministers and officials concerning the sale of defence equipment to Iran and Iraq, 'in circumstances where disclosure might be politically and administratively inconvenient, the balance struck by the government [came] down, time and time again, against full disclosure' (D1.165). The main criticism of ministers was that they had, on innumerable occasions, and over many years, connived to prevent the full story from emerging about the sale of defence equipment to Iran and Iraq, and in particular, they had not kept Parliament, MPs and the public as fully informed as they should have. Ministers had, indeed, failed 'to comply with the standards set by paragraph 27 of *Questions of Procedure for Ministers* and, more important, failed to discharge the obligations imposed by the constitutional principle of ministerial accountability' (D4.63; for further discussion of these issues, see O'Toole, 1997).

Questions of Procedure for Ministers was one of the most important documents in British government. It was first drafted by Prime Minister Clement Attlee after the Second World War, and it was up-dated and revised by his successors. It was replaced in 1997 by *The Ministerial Code*. It was first made public by the then Prime Minister John Major in 1992, partly because of his professed belief in openness, but partly because he was becoming increasingly concerned by the apparent lack of trust between the governed and the governors. This is reflected in the opening paragraph, in which Major writes that the arrangements contained in the document 'must...be seen in the context of protecting the integrity of public life' (Prime Minister, 1992, para. 1). This concern was also apparent when Major's successor as Prime Minister, Tony Blair, included in the foreword to the 1997 version of *The Ministerial Code* the following passage:

In issuing this code, I should like to reaffirm my strong personal commitment to restoring the bond of trust between the British people and their Government. We are all here to serve and we must all serve honestly and in the interests of those who gave us our positions of trust.
(Prime Minister, 1997, foreword)

Notwithstanding this laudable end, repeated in all subsequent versions, *The Ministerial Code*, with some notable additions is essentially a restatement of the principles contained in *Questions of Procedure for Ministers*. In other words it contains statements about the acceptance of gifts, conflicts of

interest and other matters that might be regarded as being ‘ethical’, and it restates the traditional constitutional arrangements about the relationship between civil servants and ministers. In addition it makes comments about the presentation of government policies, comments that lie at the heart of some of the more recent ethical problems concerning civil servants and to which this chapter shall return.

The main passages in *The Ministerial Code* about the relationship between ministers and civil servants are those that deal with ‘Ministers and Appointments’, ‘Ministers and Civil Servants’ and ‘Ministers and their Departments’ (Prime Minister, 1997, 2005 edn, pp. 3–6, especially paras 2.11–2.14, 7–8 and 29–32). The *Code* also has a set of general principles, stated at the outset, which requires Ministers ‘to behave according to the highest standards of constitutional and personal conduct in the performance of their duties’ (para. 1.1). These general principles include upholding the principles of collective responsibility and individual responsibility to Parliament, including the requirement to resign for knowingly misleading Parliament, and upholding ‘the political impartiality of the Civil Service, and not ask[ing] civil servants to act in any way which would conflict with the Civil Service Code’ (para. 1 i, ii, iii and ix). This latter passage is reinforced by an important paragraph in the section on ‘Ministers and Civil Servants’, which reads:

Ministers have a duty to give fair consideration and due weight to informed and impartial advice from civil servants... in reaching policy decisions; a duty to uphold the political impartiality of the Civil Service, and not to ask civil servants to act in any way which would conflict with the Civil Service Code; a duty to ensure that influence over appointments is not abused for partisan purposes; and a duty to observe the obligations of a good employer with regard to terms and conditions of those who serve them. Civil servants should not be asked to engage in activities likely to call into question their political impartiality, or to give rise to the criticism that people paid from public funds are being used for Party political purposes.

(para. 56)

These injunctions should be seen in the light of the Civil Service Code itself.

The idea of a Code of Ethics for civil servants had been rejected by the 1986 Treasury and Civil Service Committee report and in the Government’s response to that report since the Armstrong Memorandum, as amended, was considered adequate. Substantial change was also ruled out by the Treasury and Civil Service Committee in 1990 (TCSC, 1986;

TCSC, 1990, paras 39–43). However, the same Committee came to a different conclusion in 1994. By then the radical changes in which the civil service was embroiled, discussed earlier, encouraged the Committee to undertake a significant inquiry into ‘The Role of the Civil Service’ (TCSC, 1994).

The stated purpose of the management changes was to improve the efficiency and effectiveness of the civil service. The Treasury and Civil Service Committee was, however, concerned that ‘traditional standards of probity and integrity should not be relaxed’ to secure this purpose (TCSC, 1994, para. 69). The Committee disagreed with the view of the government that existing mechanisms for upholding standards were adequate and argued that ‘there is convincing evidence that the existing procedures do not command the confidence of all civil servants.’ Indeed, the ‘preservation of the principles and values of the Civil Service is too important to be left to Ministers and civil servants alone’ (paras 101–102). Following the FDA they found the case for a new Civil Service Code convincing. The reason was that the changes in the way in which the civil service was managed, including its fragmentation because of the introduction of Next Steps agencies and other management reforms, were in danger of undermining the traditional values of the civil service, about the preservation of which the Committee found there was ‘almost universal agreement’ (para. 86; see also paras 78–86). These values, values which ‘should act as the unifying features of the British Civil Service’, were ‘impartiality, integrity, objectivity, selection and promotion on merit and accountability’ (para. 73). The Committee shared the government’s view that such values could be maintained in the ‘new’ civil service, however:

The devolution of authority within the Civil Service and the disappearance of traditional structures of control reinforces the need for greater vigilance about standards.... The disappearance of many tangible common features of careers in different parts of the Civil Service reinforces the importance of the less tangible shared values, and emphasises the need to make those shared characteristics better known and understood throughout the service.

(para. 84)

The Committee did not share the view of the government, which was that the then existing framework, consisting of various documents such as the *Management Code*, the Armstrong Memorandum and *Questions of Procedure for Ministers*, and of procedures for upholding their contents, provided ‘a satisfactory framework for maintaining the essential values of the Civil Service’:

None of the documents examined states the essential values of the Civil Service with sufficient clarity. Each document is directed at a

particular audience: the Armstrong Memorandum to civil servants dealing with Ministers; The Civil Service Management Code to managers...; Questions of Procedure for Ministers to Ministers. None communicates a clear and simple message to all civil servants and to the wider public about the standards to be upheld.

(para. 101)

Moreover, as noted earlier, the Committee had doubts about the existing mechanisms for upholding the standards enunciated in the various documents it examined (para. 102). In consequence, it recommended that 'there should be a new Civil Service Code and that it should be a condition of employment of all civil servants that they read the Code and conduct themselves in accordance with its provisions' (para. 105). The Committee drafted a code, published as an appendix to their report and asked that the government should respond to the recommendation (para. 107, annex at pp. cxxvi–cxxvii of the report).

The government's response came in its White Paper *The Civil Service, Taking Forward Continuity and Change* (Prime Minister, 1995). Perhaps because that White Paper (and its sister document, *The Civil Service, Continuity and Change* [Prime Minister, 1994]) signalled yet more change for the Civil Service, the government accepted the need for a Civil Service Code and published a revised version of that published by the Treasury and Civil Service Committee (Prime Minister, 1995, paras 2.1–2.16, especially paras 2.7–2.9, and pp. 43–53). The government's version of the Code was subsequently amended and is that which now governs the activities of established civil servants. It may also, of course, be that the government was partly driven by the need to accede to the wishes of another committee, the Committee on Standards in Public Life, the first report of which was also to recommend greater codification for the civil service and for ministers (see Committee on Standards in Public Life, 1995, paras 50–54; Prime Minister, 1995, para. 2.9; for further discussion of these matters see O'Toole, 2006a). The Civil Service Code remains the basis for regulating the work of civil servants from an ethical perspective. However, the increasing importance of special advisers in the policy process, despite the regulation of their work by a similar code, has raised questions about the efficacy of such codes. More importantly from the perspective of this book, the rise of special advisers has further undermined the ideal of public service.

The role of special advisers

The Committee on Standards in Public Life has largely been responsible for creating the conditions in which the recent burgeoning of the bureaucracy

of ethical compliance throughout the public sector has taken place, and this includes the civil service. As well as the first report of the committee, most of the recommendations of which were accepted by the government, the committee also made recommendations about the civil service in its sixth and ninth reports (see Committee on Standards in Public Life, 2000, 2001, 2003). In particular, the committee has been very concerned about the role of 'special advisers', and the reports have been very critical of the government. This concern mirrored a more general unhappiness at the role of special advisers, and especially the part played by so-called spin-doctors. This unhappiness was particularly evident after the Jo Moore debacle, when the spin-doctor to the Secretary of State for Trade and Industry sent an e-mail after the tragic events in the United States of 11 September 2001, in which she suggested that 'today would be a good day to bury bad news'. That e-mail, and subsequent developments, led to an inquiry by the Public Administration Select Committee and a report entitled '*These Unfortunate Events: Lessons of Recent Events at the former DTLR*' (Public Administration Select Committee, 2002). However, it was a previous report by the Public Administration Select Committee, on the role of special advisers generally, that led to changes in the way in which they conducted their work (Public Administration Select Committee, 2001). In particular the government published both a model contract and a code of conduct for special advisers, both of which were in place before September 2001 (Cabinet Office, 2001a,b). These changes, however, did not satisfy the Committee on Standards in Public Life, which, in the ninth report made several recommendations.

The reason why the committee was so exercised centred on the fact that the 'defining characteristic' of special advisers 'is their personal appointment', a characteristic making them 'fundamentally different' from permanent civil servants (Committee on Standards in Public Life, 2003, para. 7.13; see also paras 7.9–7.12). Such a status reflected 'the fact that their role is to serve Ministers in a more personal capacity [than civil servants] and... with political commitment' (para. 7.13). Their recommendation was that special advisers should not be temporary civil servants but be in a category of government servants distinct from civil servants (para. 7.14). In addition, this special category of government service should have terms of service 'which preserve the relevant elements from the Civil Service Code, the Civil Service Management Code and the Code of Conduct for Special Advisers' (para. 7.19). Furthermore, the committee recommended that 'a clear statement of what special advisers cannot do should be set out in primary legislation'. This should include not acting in a line management capacity over permanent civil servants; not asking civil servants to do anything improper or illegal and not undermining the political impartiality

of civil servants (para. 7.29, see also recommendation R18 on p. 48). The legislation would cover both the civil service and special advisers (para. 10.26). These recommendations have not been implemented, and the Committee on Standards in Public Life has commented on the fact that, notwithstanding its apparent commitment to legislation (dating back to before the 1997 General Election), 'the Government's progress in this area is disappointingly slow' (para. 10.17, see also paras 10.14–10.16). Indeed, although the government is still considering the possibility of legislation, they seem to remain reluctant to introduce a Bill in the near future (see Chancellor of the Duchy of Lancaster, 2005, cols 155–156; see also House of Lords, 2005a, cols 1459–1462).

It was in the report of a committee that itself was established as part of the 'modernisation' programme of a previous Labour government, that headed by Harold Wilson in the 1960s, that the idea of special advisers first acquired respectability. The Fulton committee on the civil service made various suggestions about such matters, including, for example, bringing in middle-ranking engineering and scientific appointees in an advisory capacity 'whose special contribution would be up-to-date knowledge and practical experience of work outside government'. The practice of bringing in other professionals for similar purposes, for example economists, had been of 'great value' (Fulton, 1968, para. 125). More important from the perspective of this chapter were the recommendations about policy advisers. The Fulton Committee noted that some ministers had already made personal appointments of individuals known to them on the basis of a judgement 'that their individual qualities and experience could be of special help to them in their departments'. The committee welcomed this practice, in that it helped 'as a means of bringing new men and ideas into the service of the State'. Further, the committee was 'satisfied that a Minister should be able to employ on a temporary basis such small numbers of experts as he personally considers he needs to help and advise him'. They 'should be men and women of experience'. The committee considered, however, that the practice of making such appointments 'should be put on to a regular and clearly understood basis'. Nevertheless they thought 'it inappropriate to propose any precise limitation of numbers of these appointments or any defined procedures' (para. 129). Such appointments became commonplace in government after 1974, but it is precisely the lack of clarity about numbers and about roles that has become a major source of contention about the existence of special advisers in the period since 1997. Special advisers appear to have taken on a much greater role than that anticipated by Fulton, and the roles of special advisers in the Fulton sense have become entwined with significant aspects of policy planning, most notably, but not exclusively, at the very apex of government. These are

people who have an enormous influence on government policy, who largely conduct their work in secrecy and who are accountable to no one apart from their patron, that is, to their minister or to the Prime Minister (for a full discussion of the history of special advisers, see Blick, 2004).

The type of special advisers that seems most influential is not the technical expert, or the expert in specific areas of public policy. Rather, the dominant type of special adviser is the 'political' adviser, for example Philip Gould, Blair's former adviser on public opinion, Jonathan Powell, his 'Chief of Staff', and most notably, Alastair Campbell, until 2004 the 10 Downing Street Director of Communications. These figures advise about political matters, both in the wider sense of policy and in the more narrow sense of party politics – and their 'prototype' was not, as is popularly supposed, Sir Bernard Ingham, but a member of Harold Wilson's so-called kitchen cabinet, Marcia Williams (Lady Falkender) and later Bernard (later Lord) Donaghue, Wilson's 'chief of staff'. In these respects they are concerned with the promotion of the political party from which their employers come. It is this one category of specialist advice, spin-doctoring, that has acquired the most notoriety. In recent years, spin-doctors have also apparently acquired the most influence. As the Public Administration Select Committee pointed out in 2002, while just 11 of 81 special advisers employed in that year were engaged primarily in the area of communication, 'the challenges they pose to the effective management of the public service and the potential damage to the reputation of Government are out of all proportion to that number and to their contribution' (Public Administration Select Committee, 2002, chapter four, para. 1).

Perhaps because of the long period of opposition which the Labour Party endured in the 1980s and 1990s, largely as a result of in-fighting, indiscipline and policy divisions, the leadership wished to ensure that their policies and approach were presented in the best possible light and that members of the Party were 'singing from the same hymn sheet', to use a colloquialism. However, it cannot be known accurately whether it was the professionalism of the spin-doctors that won Labour the election, whether the electors simply wanted change from what was perceived as a tired and 'sleazy' government or whether there are other more complex reasons. It is equally impossible to determine how the various perceptions that might have influenced electors came about. What does seem to be the case, however, is that the leaders of the Labour Party, and especially the Prime Minister himself, were in the thrall of the media and determined that the discipline shown by the Labour Party in opposition should be maintained and strengthened in government. The government was to speak with one voice, and that voice emanated from 10 Downing Street. This is clear from one document in particular, *The Ministerial Code*. As noted earlier, the *Code*,

written and policed by Blair himself, succeeded *Questions of Procedure for Ministers*. This is one of the most important of all constitutional documents for it lays down how ministers of the Crown should behave in relation to virtually every aspect of their work. Of particular relevance to this discussion is that part covering relations with the media. In large parts this section of the *Code* is merely common sense, and the 1997 version refers, for example, to ministers being required to consult fellow ministers when making speeches or giving interviews that might impinge on the work of other ministers (Prime Minister, 1997, paras 90, 93, 94, 99). However, the role of the Downing Street Press Office and the private office are given prominence at the beginning of these passages, and paragraph 88 is particularly important. It reads:

In order to ensure effective presentation of government policy, all major interviews and media appearances, both in print and broadcast, should be agreed with the No 10 Press Office before any commitments are entered into. The policy content of all major speeches, press releases and new policy initiatives should be cleared in good time with the No 10 Private Office; the timing and the form of announcements should be cleared with the No 10 Press Office. Each Department should keep a record of media contacts by both Ministers and officials.
(this passage also appears at para. 9.2 of the
2005 edition of the *Code*)

In the *Code*, this tight oversight of media contacts is related to the convention of collective responsibility, since ‘Ministers cannot speak on public affairs for themselves alone... they speak as Ministers; and the principle of collective responsibility applies’. They should be sure ‘that their statements are consistent with collective Government policy and should not anticipate decisions not yet made’ (para. 93, 1997 edn; para. 9.7, 2005 edn). It is clear from the context that this section of the *Code* is not about constitutional propriety but about presenting a united front to the media.

Part of the context relates to the controversy, in the early years of the Labour government, about the role of press officers in departments. In particular, the role of Campbell, the Prime Minister’s then Chief Press Secretary and later the No 10 Director of Communications, became a matter of concern. Both he and the Prime Minister’s ‘Chief of Staff’, Powell, acquired line management authority over career civil servants under the Civil Service Order in Council of 1995 (as amended in 1997). The fear was that special advisers, in these cases political advisers, would have undue influence over permanent officials, particularly those who were concerned with government information – the press officers in the departments and in

Downing Street employed through the Government Information and Communication Service. This concern was given impetus by the enormous growth in the numbers of special advisers, particularly in the Prime Minister's Office. When John Major left office in May 1997 there were 38 special advisers in the government as a whole; by January 2001 there were 78. In No 10 itself the growth in numbers was even more startling. There were apparently just six in 1997; by February 2000 that number had jumped to 27 (out of a total of 149 staff). Of the 14 staff in the Press Office, five were special advisers, and two of the eight members of staff in the Strategic Communication Unit were also not career civil servants (Public Administration Select Committee, 2001, Appendix 1). As the Public Administration Select Committee noted in 2001:

These posts would not appear to be dissimilar from the positions in the Government Communication and Information Service and we question whether they really need to be filled by special advisers. The whole area of communication is a difficult one, especially the line between effective communication of policy and party propaganda. There might seem to be some advantages for government in having special advisers in this area but such advantages will soon disappear if the information disseminated comes to be seen as partial or unreliable.

Given the brouhaha over the information released as part of the case for going to war against Iraq, these comments seem prescient. The Select Committee's recommendation was that the government 'consider whether these posts really need to be classified as special adviser posts or whether they too could be subject to open competition' (Public Administration Select Committee, 2001, para. 38).

Although the Public Administration Select Committee generally viewed the role of special advisers in a positive light, and did not see them as necessarily being a threat to the traditional role of the civil service, they did express reservations about the roles of individuals, including Campbell and Powell. The Committee was especially concerned about whether such individuals, who were employed as government servants, could erect 'Chinese walls' between their official roles and their party political origins (see for example, Public Administration Select Committee, 2001, paras 79–80). They therefore called for the implementation of the recommendation of the sixth report from the Committee on Standards in Public Life that there should be a code of conduct for special advisers (Public Administration Select Committee, 2001, para. 74). Overall the Select Committee's view, echoing that of the Fulton Committee some 22 years earlier, was that the position of special advisers should be put on a firmer footing: 'This means

recognising them as a distinct category; funding them in an appropriate way; appointing them on merit; and putting a proper framework of accountability around their activities' (para. 81). It is this latter aspect of the work of special advisers which is of primary importance to this chapter: special advisers have essentially replaced career civil servants as the main advisers to ministers, and their motivations have little to do with ideas of public service.

This can be illustrated by the series of events which occurred in the former Department of Transport, Local Government and the Regions (DTLR) between September 2001 and May 2002. They began with an e-mail sent on 11 September 2001 by Ms Jo Moore, a politically appointed special adviser to the then Secretary of State, Stephen Byers, urging the release of 'anything we want to bury' in the aftermath of the terrorist attacks in the United States that day. This e-mail was reported in the press on 9 October 2001, after which Moore was reprimanded by Sir Richard Mottram, the Permanent Secretary, and by Byers himself. What followed was a series of confrontations between Moore and Martin Sixsmith, the recently appointed Director of Communications at the DTLR, about the handling of information by the Department. These culminated in the resignation of Moore on 15 February 2002, the apparent resignation of Sixsmith on 24 February, and his actual resignation in May. The Public Administration Select Committee conducted an inquiry into 'these unfortunate events', as they had been dubbed by Sixsmith, and found that they revealed 'serious flaws in the management and accountability of special advisers' caused partly because Moore 'took on a series of executive and, in effect, managerial tasks without reference to proper procedures'. Things were made worse because 'a number of civil servants abandoned professional standards by leaking information and misinformation in an attempt to undermine Ms Moore' (Public Administration Select Committee, 2002, p. 1). Mottram, though in a difficult position since he had no line management control over Moore, was criticised in the report, essentially on the grounds that he gave the impression of special treatment for special advisers. The Committee's view was that 'some [civil servants] may have concluded that they were entitled to administer special treatment of their own' (Public Administration Select Committee, 2002, chapter two, para. 7). The Committee refers particularly to 'discontent' with Moore, which seems to have 'inspired a series of leaks, probably...initiated from the press office...aimed at undermining' her (chapter two, para. 17). Partly this may have been explained by what the First Division Association referred to as Moore's 'bullying' (Public Administration Select Committee, 2002, Q. 121). The Select Committee, however, took the view that the criticism of Moore

‘must be tempered by the fact that, in the highest reaches of the Government and the Civil Service, there is insufficient clarity about the appropriate role for special advisers, notwithstanding the [new] code of conduct’ (chapter two, para. 24).

Perhaps, as with other codes, the reason for this is that the Code of Conduct for Special Advisers is a series of exhortations without much in the way of practical guidance as to how those covered by it should behave. It was published partly in consequence of the earlier report of the Public Administration Select Committee and partly as a response to the sixth report by the Committee on Standards in Public Life (2001, chapter six). As with other codes published in consequence of the work of that august committee, the code for special advisers encourages them to abide by the so-called seven principles of public life, and reinforces this with the requirement that they ‘conduct themselves with integrity and honesty’ and that they ‘should not deceive or knowingly mislead Parliament or the public’ (Cabinet Office, 2001a, para. 5). Otherwise the code reveals nothing other than the confusion at the heart of the problem of special advisers, a confusion which was typified in the handling by Mottram of the Moore/Sixsmith affair: though temporary civil servants they ‘are exempt from the general requirement that civil servants should be appointed on merit and behave with political impartiality and objectivity...’ (para. 4). They are also expected to abide by the code of conduct for civil servants, an expectation augmented in the Model Contract for Special Advisers (Cabinet Office, 2001b; see for example, paras 5 and 14). It is appointment on merit and a requirement to behave with political impartiality and objectivity which are the very essence of what it is to be a civil servant in the British tradition, fundamental to any ideas of disinterested public service. Special advisers are partisan; more than that they are completely beholden to the ministers who employ them. Their loyalty is not to the ministerial office, but to the person who occupies that office. Their duty is not to the public interest, but to the private interests of those they serve (for further discussion of these matters see O’Toole, 2006a,b).

This is an acute problem in government, made even more acute by the increasing importance of special advisers in the policy process. The problems investigated by the Public Administration Select Committee revealed this up to a point; but it was the investigations by the Hutton and Butler inquiries into various matters associated with the war against Iraq that were most revealing in this context. It is clear from reading the reports of Lords Hutton and Butler that political appointees are now at the heart of the policy process and are increasingly replacing career civil servants as the chief advisers to ministers. This has fundamental implications for the ideal of public service.

The Hutton and Butler reports

Arguably the most notable event for British public administration in recent years was the publication of the Hutton report in January 2004. Lord Hutton, a Lord of Appeal in Ordinary, had been commissioned by the Secretary of State for Constitutional Affairs, Lord Falconer of Thoroton, to investigate the circumstances surrounding the tragic death on 18 July 2003 of Dr David Kelly, a civil servant in the Ministry of Defence. The report found that Kelly had committed suicide (Hutton, 2004a, paras 14 and 157). Essentially Kelly had been identified by government sources as the informant for a story by the then BBC correspondent, Andrew Gilligan, that the government knew that a claim they had made in order to strengthen the case for war against Iraq was untrue. The identification of Kelly, and the pressure to which he had been subject in the preceding period by the Ministry of Defence, senior officials in Downing Street and the Intelligence Services, led to media speculation that these were proximate causes of his apparent suicide. The intensity of media pressure, combined with the political sensitivity of the matters in question, led to the commissioning of Lord Hutton to conduct the inquiry. It should be noted that, at the outset of his report, Lord Hutton specifically stated that he was satisfied that no one realised or should have realised that the pressures referred to earlier might drive Kelly to take his own life or contribute to his decision to do so (para. 15). It should also be noted that the government was largely exonerated of any wrong doing in relation to the circumstances surrounding Kelly's death, and that it was the BBC that was most severely criticised in the report (para. 467).

From the perspective of this book, the most important aspects of the Hutton report were the revelations made in written and oral evidence to the inquiry, published fully on the inquiry's web-site and substantially in the report itself, about the actual workings of government (Hutton, 2004a,b). In particular, the evidence provided fascinating details about the relationships between the Prime Minister's Office and other government departments, between ministers and their officials and, most illuminatingly, between permanent officials and special advisers. In essence, the Hutton inquiry published material which seemed to give credence to the view that the civil service had been 'politicised'.

Prima facie it may seem extraordinary that an inquiry into the circumstances surrounding the death of a middle-ranking civil servant should lead to revelations that could allow such an interpretation. The reason is that the evidence presented to Hutton concerned matters of grave national importance and that those involved were the highest-ranking politicians and officials. Most importantly, the evidence has been interpreted by some as

revealing the importance of particular special advisers, not just in the presentation of government policy, but in its formation and implementation. The special advisers in question were Campbell, at the time the Prime Minister's Director of Communication and Strategy, and Powell, the Chief of Staff at 10 Downing Street, both of whom, as noted earlier, had line management powers over permanent officials as a consequence of the 1997 amendment to the 1995 Civil Service Order in Council (a fact clearly revealed in evidence to the Hutton inquiry).

The most contentious issue was that surrounding Campbell's role in the preparation of government dossiers on Iraq's military capabilities. The question was essentially whether he was involved simply in terms of presenting the government's policy or whether his involvement went much further in terms of policy making and in presenting the intelligence and other material on the government's case for military action against Iraq in such a way that it was, to use Gilligan's phrase, 'sexed-up'. That phrase was used specifically in relation to a claim made in one of the dossiers that Iraq had so-called weapons of mass destruction (WMD – biological, chemical and nuclear/radiological weapons) that could be deployed in 45 minutes. On 29 May 2003, Gilligan had reported that a senior source in the government, later revealed to be Kelly, had said that the government knew such claims to be untrue. These matters are discussed most clearly in chapter six of the Hutton report, in which much of the evidence by the various parties involved is presented, and in the conclusions reached by Lord Hutton in chapter twelve (2004a, pp. 105–51 and 319–26). In essence, Hutton concluded that the allegations of improper involvement by Campbell and others in the drafting of documents presented to Parliament and the public by the Prime Minister in making the case for military action against Iraq were unfounded (para. 467(1)).

Whilst Lord Hutton's conclusion is unambiguous (and the cause of much controversy upon the publication of the report, leading to the resignation of both the Chairman and the Director General of the BBC), the evidence upon which it was based seems less so. The relevant evidence is contained in various memoranda published by the Inquiry in appendices to the report and in oral evidence by the various parties involved, including Campbell and Powell, and John Scarlett, the Chairman of the Joint Intelligence Committee (JIC), which was technically responsible for drawing up the dossiers. There is not sufficient space here to go into the detail of the correspondence between Campbell and Scarlett or Campbell, Powell and other members of the Prime Minister's personal staff: suffice to say that there is clearly room for interpretation about the role played by these people in developing the dossiers which were to form the basis for the government's case for military action against Iraq. It is this room for interpretation, taken

together with other evidence made apparent in the report, for example the dominant role of Number 10 and officials in the Prime Minister's Office, almost to the exclusion of other departments, in the policy process, which forms the basis of the renewed speculation about the apparent politicisation of the civil service. The problem is not that permanent civil servants have ceased to be party politically neutral; it is rather that decision making has become increasingly politicised because of the role of special advisors (see Hutton, 2004a, appendices 8 and 13 for the e-mail correspondence between the various parties involved, and appendices 7 and 9–12 for the dossiers themselves; see Hutton, 2004b for the full oral evidence of the various parties – parts of which are also published in Hutton, 2004a).

At the time the government might have thought that the Hutton report would end their embarrassment over the war in Iraq. However, the report was so critical of the BBC and so uncritical of the government that many regarded it as a 'whitewash'. The brouhaha surrounding its publication, and other problems in relation to the intelligence about, and the government's case for, military action against Iraq meant that the Prime Minister was more or less forced into setting up another inquiry, this time into the intelligence that led the government to believe that action against Iraq was necessary. The Prime Minister asked Lord Butler (formerly the Head of the Civil Service and currently the Master of University College, Oxford) to chair a committee of Privy Counsellors charged with investigating

the intelligence coverage available in respect of WMD in countries of concern and on the global trade in WMD...the accuracy of intelligence on Iraqi WMD up to March 2003...to examine any discrepancies between the intelligence gathered, evaluated and used by the Government before the conflict, and between that intelligence and what has been discovered by the Iraq survey group since the end of the conflict [and] to make recommendations to the Prime Minister for the future on the gathering, evaluation and use of intelligence on WMD, in the light of the difficulties of operating in countries of concern.

(Butler, 2004a, para. 1)

Unlike Hutton, the Butler inquiry conducted its deliberations in private and took a relatively short time to report. Whilst Hutton revealed what many thought of as evidence of the perennial question of the politicisation of the civil service, Butler raised questions about the perennial question of accountability. As with Hutton, there is no need to go into great detail about findings of the Butler report. Its findings, again as with the earlier report, were covered substantially in the press, suggested that: (a) in general the original intelligence material was correctly reported in the JIC assessments;

(b) that an exception to this was the so-called 45 minute claim (at the centre of the Hutton inquiry) and (c) that there was no evidence of deliberate distortion or of culpable negligence (para. 449). The committee found that there was ‘a tendency for assessments [of intelligence] to be coloured by over-reaction to previous errors’ and that ‘as a result there was a risk of over-cautious or worst case estimates shorn of their caveats becoming the prevailing wisdom’ (para. 458). On the whole the committee agreed with Hutton that the JIC had not been overly influenced by political interference or the presentational and other requirements of special advisers in the Number 10 hierarchy, and that in any case the most questionable dossier:

was not intended to make the case for a particular course of action in relation to Iraq [rather] it *was* intended by the Government to inform the domestic and international understanding of the need for stronger action...away from containment to a more pro-active approach to enforcing Iraqi disarmament.

(para. 462)

Nevertheless the committee was critical of the government for placing the integrity of the JIC in jeopardy by publishing the dossier without ensuring that the caveats the JIC would normally require were made clear (see paras 460–469).

These comments on the work of the intelligence services and the use of intelligence by the government may seem irrelevant to the state of the civil service at the beginning of the twenty-first century. The point is that the committee was investigating the work of civil servants, including members of the intelligence service, and their relationships with ministers and special advisers. Perhaps, of more direct relevance to this chapter are the committee’s related findings on the machinery of government – in particular the committee indicated concern at the apparent increasing tendency, revealed publicly in consequence of the Hutton Inquiry, for significant decisions to be made in informal and un-minuted meetings. In evidence to the Butler committee two former ministers, one a previous member of Blair’s government, commented on this and the relative lack of use of established Cabinet committee machinery (para. 606). The Butler committee was also concerned that two changes had exacerbated this tendency. One was the splitting of the Cabinet Secretary’s responsibilities because of the appointment of a separate Security and Intelligence Coordinator. This had seemed sensible because the Cabinet Secretary has an enormous workload; but, unlike the Cabinet Secretary, the Security Coordinator did not attend all Cabinet meetings, and therefore was not part of the supporting mechanisms for ministers in the discharge of their duties in relation to such

matters. Concomitantly, the Cabinet Secretary, who is in charge of the mechanisms for supporting ministers in the discharge of all their duties, was no longer directly involved in the chain through which intelligence reaches the Prime Minister and senior ministers (para. 607).

The second change about which the Butler Committee had concerns was that two key posts at the top of the Cabinet Secretariat, the Head of the Defence and Overseas Secretariat and the Head of European Affairs, both positions held by permanent career officials, had been combined with the posts of the Prime Minister's special advisers on Foreign Affairs and European Affairs respectively, thus ensuring a situation which 'acts to concentrate detailed knowledge and effective decision-making in fewer minds at the top' (para. 608). The comments made by the Butler committee on these changes, though they are not overtly critical, seem to imply that decision-making generally was confined to too few people. This inference is even more sustainable when taken together with the observation by the committee that, despite there being no lack of opportunity for ministers to discuss Iraq in Cabinet, the Ministerial Committee on Defence did not meet once during the period from April 2002 until hostilities opened up against Iraq in March 2003. Instead, over the same period there were 25 meetings attended by a 'small number of key Ministers, officials and military officers most closely involved [which] provided the framework of discussion and decision making within Government'. The 'inescapable consequence' was 'to limit wider collective discussion and consideration by the Cabinet to the frequent but unscripted occasions when the Prime Minister, Foreign Secretary and Defence Secretary briefed the Cabinet orally'. Whilst there were some excellent papers written by officials, these were not discussed by the Cabinet or in Cabinet Committee. The view of the Butler committee was that in consequence it was 'obviously much more difficult for members of the Cabinet outside the small circle directly involved to bring their political judgement and experience to bear on the major decisions for which the Cabinet as a whole must carry responsibility'. The committee's conclusion was that these changes 'lessened the support of the machinery of government for the collective responsibility of the Cabinet in the vital matter of war and peace' (paras 609–610). The question must be asked: if the informality portrayed by Butler in relation to decisions about Iraq is replicated throughout government what are the consequences for decision-making generally?

The general tone of the report is critical of the government. The intelligence upon which the government made its case for military action against Iraq was not as robust as it might have been. In particular, the 45 minute assertion was unwarranted. The dossier upon which the government's case rested, and the way in which the Prime Minister had presented it to Parliament and the public, was not sufficiently carefully worded, and the

caveats that the JIC should have insisted be used were not. Those within the intelligence services who had objected to some aspects of the use of intelligence were admonished for their objections. Links between Al Qaida and Iraq, links used by the government in part to justify its action against Iraq, were not proven. Despite all this, however, no one person, or even specified group of persons, is blamed in the report, and thus no one is held responsible. As *The Independent* newspaper put it: the report 'is full of specific revelations that in more honourable times, would have had ministers and intelligence chiefs rushing out their resignation letters' (15 July 2004, p. 19).

The conventions which govern the relationships between ministers and Parliament and ministers and their officials are essential to understanding accountability and responsibility. As noted earlier, however, these conventions, the convention of collective responsibility and especially the convention of individual ministerial responsibility have long been undermined. The Butler report further calls into question aspects of both of these conventions. The report does not raise these matters explicitly, but they are implicit in the findings the report makes; it is difficult to see how the principles underlining the conventions can be maintained. First, it is important to recognise, as *The Independent* does, that where there are significant policy or administrative errors the minister(s) concerned ought to resign – though, as the newspaper also recognises, such principled action is increasingly rare. Second, there is the problem of *accountability*. For ministers and officials it is important that sound records are kept. The increasingly informal methods of decision-making, highlighted in both the Hutton and the Butler reports, and apparently quite normal in business contexts, are inimical to proper record keeping and therefore to bureaucratic lines of accountability in government. This is related to the downgrading of permanent officials in the decision-making processes and the rise of the special adviser in the decision-making hierarchies, trends highlighted again in both reports. Third, and relatedly, if decision-making is confined to small groups of directly involved ministers and officials, meeting informally and often apparently without the aid of minute-takers, this is inimical to collective decision-making. This is not just a matter of the collective responsibility of the Cabinet, but essential to the coordination of government activities, to 'joined-up' government to use a phrase pre-eminent in the government's own modernisation programme (for further discussion of these matters, see Butler, 2004b; Hennessy, 2004a,b; see also O'Toole, 2004).

Morals, markets and modernisation: the need for a Civil Service Act?

One of the most notable features of the Public Administration Select Committee's 2001 report on the role of special advisers was a lamentation

that the Committee found it very difficult to get either ministers or special advisers themselves to appear before it (see for examples of this lament Public Administration Committee, 2001, paras 15, 16 and 62). This is a reflection of the fact that one of the main causes of concern in relation to special advisers is the problem of accountability. The Hutton and Butler reports clearly indicate that the problem of accountability has been exacerbated since then. In addition to the expressed concern of the Public Administration Select Committee, the Committee on Standards in Public Life has also been exercised by such matters (see for example, Committee on Standards in Public Life, 2000, chapter six, 2003, chapters seven, eight and nine). The main problem for that Committee was the lack of clarity and openness in the relationships between the various parts of the system of government, the three they identified being ministers, the civil service and special advisers (see Committee on Standards in Public Life, 2003, chapter two, paras 2.9 and 2.10). Their call was for primary legislation to govern these relationships (see para. 6.22, recommendations 18, p. 48 and 34, p. 71, and chapter ten). In particular, an act would define the status of special advisers, establish what they can and cannot do and state the upper limit of the numbers of special advisers (recommendation 34, p. 71). The Committee was especially concerned that the relationship between special advisers and permanent civil servants should be made more clear. More specifically, special advisers should: not ask civil servants 'to do anything improper or illegal, or anything which might undermine [their] roles and duties'; nor should they have powers of spending government money; nor should they have line management control over civil servants; and finally, nor should they have direction or charge over GICS (recommendation 18, p. 48). These recommendations are in line with similar recommendations from the Public Administration Select Committee, which published a draft Civil Service Bill in 2003 (Public Administration Select Committee, 2003). The findings of the Hutton and Butler reports would seem to make the consideration of such matters even more urgent.

The idea of a Civil Service Act is as old as the modern civil service itself. The Northcote–Trevelyan Report believed that such an act was necessary to implement its recommendations. Instead, the Civil Service Commission, the bedrock of the modern civil service, was created by Order in Council, and this is the way in which the civil service has been regulated ever since (see Chapman, 2004, especially chapter two). As this chapter has indicated, however, there has been increasing concern at the perceived politicisation of the civil service (see for example, Committee on Standards in Public Life, 2000, paras 5.35–5.41). As noted, this has in turn led to calls for a Civil Service Act so that the roles, responsibilities and relationships of civil servants (the latter in relation to both ministers and special advisers) would

be clear and codified in law. Whilst the Committee on Standards in Public Life has stated that it is not within its remit to suggest in detail what should be in such an act, the Public Administration Select Committee's bill, and the report in which it is embedded, contains detailed proposals. The bill incorporates the Civil Service Code and would establish a new Civil Service Commission, with powers similar to that abolished in 1991 (Public Administration Select Committee, 2003, pp. 7, 12 and 17). This is a very interesting proposal indeed since, as Richard Chapman has argued, it was the Commission that played a large part in setting the standards of the civil service (Chapman, 2000, 2004, chapters two, three and six). It did so, first by ensuring that its own standards were appropriate, and second by being rigorous in the standards it set for recruitment and in defending its independence from ministers. In the period of its decline, from about the mid-1960s, especially after it was incorporated into the CSD, until its actual abolition by Thatcher in 1991, such standards and independence were under increasing pressure (Chapman, 2004, chapter four and section three). It is that period, which coincided almost exactly with a decline in the ideal of public service and the ethos of public service it inspired. One of the hopes of the Public Administration Select Committee was that, in enshrining in legislation the duties and obligations of the various parties involved, ministers, civil servants and special advisers, the public service ethos would thereby be protected.

The government's response reveals a rather different set of priorities. As noted earlier, they too have published their own draft Civil Service Bill (Cabinet Office, 2004b). It differs from the recommendations of the Committee on Standards in Public Life and from the draft bill published by the Public Administration Select Committee, not just in content, but also in the tone with which it is presented. In terms of the content of the bill, the government specifically excludes a limit on the numbers of special advisers, and whilst it allows that, with the exception of two advisers in the Prime Minister's office, no special adviser can authorise expenditure or exercise line management functions over permanent civil servants, it also states that special advisers can 'commission work from civil servants' (paras 38–39 and footnote 15 on p. 13). Moreover, whilst the government's bill proposed the creation of a Civil Service Commission, their version would have a more circumscribed role, particularly in relation to the potential oversight of the Civil Service Code and the Code of Conduct for Special Advisers (see Cabinet Office, 2004b, paras 27–34, especially para. 32).

The main divergence between the government and both the Public Administration Select Committee and the Committee on Standards in Public Life, lies, not in the differences in detail, but in the tone of the government's consultation document (in which its draft bill is presented).

For example, the government ‘does not consider that the occasional difficulties and rare breakdowns in these relationships can be said to constitute a systematic or structural problem’ (para. 37). More generally, the government’s discussion document is suffused with the language of flexibility. In essence there is a degree of ambivalence on the need for an act in the first place. The non-statutory approach ‘has stood the test of time’ and the current arrangements ‘remain workable and afford a welcome flexibility in the way in which the Civil Service can be organised and managed’. The government ‘would want to ensure that these advantages would be preserved’ (para. 14).

The Chairman of the Public Administration Select Committee welcomed the publication of the government’s draft bill and the consultation document and regarded it as ‘a significant constitutional moment’ (Public Administration Select Committee, 2004). Reports in the press since the 2005 general election, however, indicate that the government is not of the same view. For example, on 29 July 2005, *The Independent* reported, ‘Although the Government is committed “in principle” to a Civil Service Act it has been quietly dropped by Mr Blair’ (p. 24). In the same article, Andrew Grice reported that, in his valedictory speech, the outgoing Head of the Civil Service, Sir Andrew Turnbull, had said that an Act ‘could “do actual harm” and “is likely to disappoint its champions and could bring unwanted problems”’. The government seems at most lukewarm about the possibility of a Civil Service Act, notwithstanding answers to questions in the House of Lords on 20 July and 27 October 2005, and in which the government spokesperson Lord Bassam indicated that consultation was still underway and that no decision had been reached on the question of a Civil Service Act (House of Lords, 2005a,b). In the meantime, the government has indeed used the flexibility of the Royal Prerogative to make changes to the status of special advisers, such that they may now ‘assist’ ministers rather than ‘advise’ them (Privy Council, 2005). This apparently minor change has significant implications for the role of special advisers, and for their relationship with civil servants, which shall be dealt with in Chapter 5.

Calls for a Civil Service Act reflect a growing malaise in public service, and in the attitudes of citizens towards government and the political system more widely. As recently as 2004, the Committee on Standards in Public Life commissioned a survey which explored these attitudes. The results should be a cause for grave concern for all interested in our system of government, and especially for those directly involved. For example, the survey revealed that it is public servants in the ‘front line’ who receive the highest ratings of trust by members of the public, expressed in terms of ‘truth telling’. The more politically ‘disinterested’ a type of public servant is perceived to be and the less senior in ‘hierarchical’ terms, the greater the

amount of trust (Committee on Standards in Public Life, 2004, pp. 27–29). In terms of acting in the public interest similar findings emerge. For example, only 20 per cent of members of the public believed top civil servants to be ‘dedicated to public service’ (compared to 60 per cent for head teachers and 45 per cent for senior police officers) (Committee on Standards in Public Life, figure 9, p. 42). Similar though not entirely comparable figures apply to MPs and to government ministers (figures 5 and 6, p. 38).

It may be that one of the effects of these perceptions about the lack of disinterested public service has been the increasing demand for legislation to regulate the relationships between the various participants in the political and administrative process. Legislation, however, is simply a more formal type of the increasing codification witnessed over the period considered by this chapter. As with ordinary codes, legislation cannot be a substitute for ethical thinking or ethical behaviour. Had such codes as have appeared been created in a vacuum they would merely have been useless. In the present case, however, the codes that have emerged were established, not in a vacuum, but in a set of circumstances in which the ethos of public service has been undermined. Whilst ministers and others, including the most senior of civil servants, have exhorted public workers to act in the public interest and apparently lauded the values of public service they have, at the same time, revolutionised the ways in which public service works. Private sector models have been held up as exemplars. The basic premise both of the Thatcher government’s FMI and the current government’s modernisation programme is that civil servants have in some way failed to deliver efficient, ‘modern’ government, and that they would do well to learn from the private sector model. Public service values are not being lauded, they are being paid lip-service. The exhortation is not to act in the public interest, but ‘to make sure that government services are brought forward using the best and most modern techniques, *to match the best of the private sector*’ (Prime Minister, 1999, ‘introduction’ by Dr Jack Cunningham, then Minister for the Civil Service, emphasis added). The values of the commercial sector have thus inevitably seeped into the public sector. This is not just in the sense that career civil servants are expected to behave as if they were managers in business organisations, but because many senior officials have built their careers in that sector or in other non-government sectors (see Levitt and Solesbury, 2005). In addition, senior civil servants generally have seen their prestige and influence over public affairs decline. Special advisers and others from outside the public service have seen their influence grow. The advice received by government has thus been ‘politicised’. By the same token accountability, already lessened by the increasing reluctance of ministers to abide by the traditional conventions of the constitution, has been undermined. At the same time senior politicians are increasingly treated as

if they were ‘celebrities’. Their every activity is reported and exaggerated through the ever-intrusive media. Their motivations are constantly questioned. It is little wonder that the perception is that they are mainly self-interested. Small indiscretions are blown out of all proportion. In those apparently rare cases where it does occur, actually corrupt or ‘sleazy’ activity is accepted almost as if it were a natural part of public life. All this has led to confusion about what public service is and what its values are. As an attempt to alleviate such confusion politicians and others have created the various bodies and codes discussed here, including the Committee on Standards in Public Life itself, and mooted legislation. As noted earlier, however, these cannot be substituted for ethical thinking and ethical behaviour. Those are dependent on the socialisation process, education and training, and the example set by others. This is where the actions of ministers and senior politicians are relevant: it is not just that politicians of all parties have *denigrated* public service; it is also that they have themselves *undermined* it. They have undermined it in two ways: first, by refusing to abide by the constitutional rules that have traditionally guided the public service; and second, by allowing the perception to flourish that they are forever indulging in activities which come under the general heading of ‘sleaze’. It is little wonder that the ideal of public service is dead.

Notes

- 1 For more detailed discussions of the role of the CPRS see Blackstone and Plowden, 1988; and Hennessy, Morrison and Townsend, 1985; detailed descriptions of the management and other changes referred to here and later in this chapter can be found in various textbooks, for example, Drewry and Butcher, 1988, 1991 edn; Fry, 1995; Massey and Pyper, 2005; Pyper, 1995; Theakston, 1995.
- 2 For further discussion of the management changes introduced in the 1980s and early 1990s, including FMI and Next Steps and changes immediately subsequent to those, see for example, Drewry and Butcher, 1988, 1991 edn; Farnham and Horton, 1990; Fry, 1995; Greenwood, J., Pyper, R. and Wilson, D. 2002; Greer, 1994; James, 2003; Jordan, 1994; Metcalfe and Richards, 1987, 1990 edn; O’Toole and Jordan, 1995; Theakston, 1995.

References

- Armstrong, Sir Robert (1985, 1987 edn), *Note by the Head of the Home Civil Service, the duties and responsibilities of civil servants in relation to Ministers*, London, Cabinet Office (25 February 1985, 2 December 1987, 2nd edition)
- Baker, R. G. S. (1972), ‘The V and G Affair and Ministerial Responsibility’, in *The Political Quarterly*, Vol. 43, pp. 340–45
- Balogh, Thomas (1959), ‘The Apotheosis of the Dilettante, the Establishment of Mandarins’, in Thomas, H. (ed.), *The Establishment*, pp. 72–115, London, Anthony Blond

- BBC (1995), 'Interview with Michael Howard, Conducted by Jeremy Paxman', *Newsnight*, 16 October 1995, London, BBC
- Blackstone, T. and Plowden, W. (1988), *Inside the Think Tank*, London, Heinemann
- Blick, A. (2004), *People Who Live in the Dark: the History of Special Advisers in British Politics*, London, Politico's
- Butler, Lord (2004a), *Review of Intelligence on Weapons of Mass Destruction, Report of a Committee of Privy Counsellors, (the Butler Report)*, HC 898, London, The Stationery Office
- Butler, Lord (2004b), 'How Not to Run a Country', in *The Spectator*, 11 December, pp. 12–13
- Cabinet Office (1994), *The Civil Service: Continuity and Change*, Cm. 2627, London, HMSO
- Cabinet Office (1999a), *Civil Service Reform*, London, Cabinet Office
- Cabinet Office (1999b), *Vision and Values*, London, Cabinet Office
- Cabinet Office (2001a), *Model Contract for Special Advisers*, London, Cabinet Office
- Cabinet Office (2001b), *Code of Conduct for Special Advisers*, London, Cabinet Office
- Cabinet Office (2004a), *Civil Service Reform: Delivery and Values*, London, Cabinet Office
- Cabinet Office (2004b), *A Draft Civil Service Bill: a consultation document*, Cm. 6373, London, The Stationery Office
- Chancellor of the Duchy of Lancaster (2005), 'Oral Answers (Question 16805), 11 October 2005', *Parliamentary Debates (House of Commons, Daily Record)*, cols 155–156, London, The Stationery Office
- Chancellor of the Exchequer (2004), *Statement by the Chancellor of the Exchequer: 2004 Spending Review, Parliamentary Debates (House of Commons, 6th Series)*, Vol. 423, cols 1129–1139, London, The Stationery Office (the debate on the Chancellor's statement can be found in the same volume at cols 1129–1155)
- Chapman, Brian (1963), *British Government Observed: some European reflections*, London, George Allen & Unwin
- Chapman, Richard A. (1973), 'The Vehicle and General Affairs', in *Public Administration*, Vol. 51, pp. 273–90
- Chapman, Richard A. (1984), *Leadership in the British Civil Service*, London, Croom Helm
- Chapman, Richard A. (1988), *Ethics in the British Civil Service*, London, Routledge
- Chapman, Richard A. (1992), 'The End of the British Civil Service?', in *Teaching Public Administration*, Vol. 12, 2, pp. 1–5
- Chapman, Richard A. (1997), 'The End of the British Civil Service', in Barberis, P. (ed.), *The Civil Service in an Era of Change*, pp. 23–37, Aldershot, Dartmouth
- Chapman, Richard A. (2000), 'Setting Standards in a New Organisation: the Case of the British Civil Service Commission', in Chapman, Richard A. (ed.) *Ethics in Public Service for the New Millennium*, pp. 93–110, Aldershot, Ashgate
- Chapman, Richard A. (2004), *The Civil Service Commission 1854–1991: a biography*, London, Routledge
- Chapman, Richard A. and Greenaway, J. R. (1980), *The Dynamics of Administrative Reform*, London, Croom Helm

- Civil Service Commission (1980), *Annual Report 1979*, London, Civil Service Commission
- Civil Service Department (1969a), *The Method II System of Selection (for the Administrative Class of the Home Civil Service), Report of the Committee of Inquiry (the Davies Committee)*, Cmnd. 4156, London, HMSO
- Civil Service Department (1969b), 'Civil Service Establishment Officers' Guide' *Estacode*, London, CSD
- Civil Service Department (1975), *Civil Servants and Change: Joint Statement by the National Whitley Council and First Report of the Wider Issues Review Team*, London, CSD
- Committee of Public Accounts (1994), *Eighth Report, Session 1993–4, The Proper Conduct of Public Business*, HC 154, London, HMSO
- Committee on Standards in Public Life (1995), *Standards in Public Life, First report of the Committee on Standards in Public Life, Volume 1, Report*, Cm. 2850-I, London, HMSO
- Committee on Standards in Public Life (2000), *Reinforcing Standards: Sixth report of the Committee on Standards in Public Life*, Cm. 4557, London, The Stationery Office
- Committee on Standards in Public Life (2001), *The First Seven Reports: A Review of Progress*, London, Committee on Standards in Public Life
- Committee on Standards in Public Life (2003), *Defining the Boundaries within the Executive: Ministers, Special Advisers and the Permanent Civil Service, Ninth report of the Committee*, Cm. 5755, London, The Stationery Office
- Committee on Standards in Public Life (2004), *Survey of Public Attitudes Towards Conduct in Public Life*, London, Committee on Standards in Public Life
- Drewry, G. and Butcher, T. (1988, 1991 edn), *The Civil Service Today*, Oxford, Blackwell
- Efficiency Unit (1988), *Improving Management in Government: the Next Steps*, London, HMSO
- Efficiency Unit (1991), *Making the Most of Next Steps: The management of Ministers' departments and agencies*, London, HMSO
- Efficiency Unit (1993a), *Career Management and Succession Planning Study*, London, HMSO
- Efficiency Unit (1993b), *The Government's Guide to Market Testing*, London, HMSO
- Fabian Society (1964), *The Administrators, the Reform of the Civil Service*, Fabian Tract 355, London, The Fabian Society
- Farnham, D. and Horton, S. (1999), *Public Management in Britain*, London, Macmillan
- FDA (1930), *Statement Submitted by the Association of First Division Civil Servants to the Royal Commission on the Civil Service (the Tomlin Commission)*, London, Archive of the Association of First Division Civil Servants
- FDA (1968), *Monthly Notes* (June), London, Archive of the Association of First Division Civil Servants
- FDA (1969), *Minutes of the Annual General Meeting held on 10 May 1969* (speech by Mr D. H. Morrell, Home Office), London, Archive of the Association of First Division Civil Servants
- FDA (1970), *Report of the Sub-Committee on Professional Standards in the Public Service, File Reference A00082*, London, Archive of the Association of First Division Civil Servants

- FDA (1971), *Fifty Second Annual Report*, London, Archive of the Association of First Division Civil Servants
- FDA (1972a), *The Vehicle and General Tribunal Report (circular to members) File reference A00077, Part 1*, London, Archive of the Association of First Division Civil Servants
- FDA (1972b), *Minutes of the Annual Delegate Conference (1972)*, London, Archive of the Association of First Division Civil Servants
- FDA (1972c), *Tribunals of Enquiry: Memorandum by the First Division Association, File reference A00077, Part 5*, London, Archive of the Association of First Division Civil Servants
- FDA (1973), *Second Report of the Sub-Committee on Tribunals of Enquiry: Ministers and the Civil Service, File Reference A00077*, London, Archive of the Association of First Division Civil Servants
- FDA (1977), *Fifty Eighth Annual Report*, London, Archive of the Association of First Division Civil Servants
- FDA (1983), 'Discussion Paper: Open Government' in, *FDA Monthly Notes*, October 1983, London, Archive of the Association of First Division Civil Servants
- FDA (1984a), Minutes of the FDA's Executive Committee, February 1984, file reference I80 350, London, Archive of the Association of First Division Civil Servants
- FDA (1984b), *Minutes of the Sixty Fifth Annual Delegate Conference*, June 1984, London, Archive of the Association of First Division Civil Servants
- FDA (1985a), *Conference Paper Number 2: Code of Ethics: Report of the 1985 Annual General Meeting* (April), London, Archive of the Association of First Division Civil Servants
- FDA (1985b), *Sixty Sixth Annual Report*, London, Archive of the Association of First Division Civil Servants
- FDA (1986), Memorandum submitted to the Treasury and Civil Service Committee, 'Civil Servants: Duties and responsibilities', *Seventh Report from the Treasury and Civil Service Select Committee, Session 1985-6, Civil Servants and Ministers: duties and responsibilities, Volume II*, pp. 59-64, HC 92-II, London HMSO
- FDA/SCS (1972), *Brief for MPs: The Vehicle and General Tribunal of Inquiry Report, (FDA file reference A00077, Part 1)*, London, Archive of the Association of First Division Civil Servants
- Fisher, Sir Warren *et al.* (1928), *Report of the Board of Inquiry appointed by the Prime Minister to investigate certain statements affecting civil servants*, Cmnd. 3037, London, HMSO
- Foreign Secretary (1968), 'Statement by the Foreign Secretary on the Report by the Parliamentary Commissioner for Administration on the Sachsenhausen Concentration Camp Compensation Case', *Official Reports, Fifth Series, Parliamentary Debates, Commons 1967-68*, Vol. 758, cols 107-117 (5 February 1968), London, HMSO
- Fry, G. K. (1985), *The Changing Civil Service*, London, George Allen & Unwin
- Fry, G. K. (1993), *Reforming the Civil Service: the Fulton Report on the British Civil Service 1966-1968*, Edinburgh, Edinburgh University press

- Fry, G. K. (1995), *Policy and Management in the British Civil Service*, London, Prentice Hall/Harvester Wheatsheaf
- Fulton, Lord (1968), *The Civil Service, Vol. 1, Report of the Committee (the Fulton Report)*, Cmnd. 3638, London, HMSO
- Gershon, Sir Peter (2004), *Releasing resources to the front line: Independent Review of Public Sector Efficiency (the Gershon Report)*, London, The Stationery Office
- Greenwood, J., Pyper, R. and Wilson D. (2002), *New Public Administration in Britain*, London, Routledge
- Greer, P. (1994), *Transforming Central Government: the Next Steps Initiative*, Buckingham, The Open University Press
- Gunn, L. A. (1972), 'Politician or Official – who is answerable?', in *The Political Quarterly*, Vol. 43, pp. 253–60
- Halsey, A. H. and Crewe, I. (1968), *The Civil Service, Vol. 3 (1), Surveys and Investigations: Social Survey of the Civil Service (the Fulton Report)*, Cmnd. 3638, London, HMSO
- Hennessy, P. (2004a), *Rulers and Servants: the Blair Style of Government 1997–2004*, London, The Office of Public Management
- Hennessy, P. (2004b), 'The Lightening Flash on the Road to Baghdad: issues of evidence', in Runciman, W. G. (ed.), *Hutton and Butler: Lifting the Lid on the Workings of Power*, pp. 61–81, London, The British Academy/Oxford University Press
- Hennessy, P., Morrison, S. and Townsend, R. (1985), *Routine Punctuated by Orgies: the Central Policy Review Staff 1970–1983* (Strathclyde Papers on Government and Politics, No. 31), Glasgow, Centre for the Study of Public Policy
- Home Secretary (1972), *Report of the Tribunal appointed by the Home Secretary to inquire into certain issues in relation to the circumstances leading up to the cessation of trading by the Vehicle and General Company Limited*, HL 80, HC 133, London, HMSO
- Home Secretary (1995a), 'Statement by the Home Secretary on the escape of prisoners from H. M. Prison, Parkhurst', *Official Reports, Sixth Series, Parliamentary Debates, Commons 1994–95*, Vol. 252, 10 January, cols 31–34, London, HMSO
- Home Secretary (1995b), 'Speech by the Home Secretary in the Debate on the Learmont Report on Prison Security', *Official Reports, Sixth Series, Parliamentary Debates, Commons 1994–95*, Vol. 264, 19 October, cols 516–526, London, HMSO
- House of Commons (1972), 'Speech by the Secretary of State for Trade and Industry: the Vehicle and General Insurance Company Ltd (Tribunal Report)', *Official Reports, Fifth Series, Parliamentary Debates, Commons 1971–72*, Vol. 836, cols 61–76, London, HMSO
- House of Lords (2005a), 'Civil Service Draft Bill, 20 July, 2005', *Parliamentary Debates (House of Lords Daily Record)*, cols 1459–1462, London, The Stationery Office
- House of Lords (2005b), 'Draft Civil Service Bill, 27 October, 2005', *Parliamentary Debates (House of Lords Daily Record)*, cols 1302–1304, London, The Stationery Office
- Hutton, Lord (2004a), *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G. (the Hutton Report)*, HC 247, London, The Stationery Office
- Hutton, Lord (2004b), www.the-hutton-inquiry.org.uk, 22 February 2006
- James, O. (2003), *The Executive Agency Revolution in Whitehall: public interest versus bureaucratic perspectives*, Basingstoke, Palgrave

- Jennings, Sir Ivor (1936, 1959 edn), *Cabinet Government*, Cambridge, Cambridge University Press
- Jordan, G. (1994), *The British Administrative System, Principles and Practice*, London, Routledge
- Kelly, M. P. (1980), *White Collar Proletariat: The Industrial Behaviour of British Civil Servants*, London, Kegan Paul
- Learmont, Sir John (1995), *Review of Prison Service Security in England and Wales and The Escape from Parkhurst Prison on Tuesday 3rd January 1995 (the Learmont Report)*, Cm. 3020, London, HMSO
- Levitt, R. and Solesbury, W. (2005), *Evidence-informed policy: what difference do outsiders make in Whitehall?*, Working paper 23, London, ESRC UK Centre for Evidence Based Policy and Practice
- Lewis, D. (1997), *Hidden Agendas: politics, law and disorder*, Hamish Hamilton, London
- Massey, A. and Pyper, R. (2005), *Public Management and Modernisation in Britain*, Basingstoke, Palgrave.
- Megaw, Sir John (1982), *Inquiry into Civil Service Pay (the Megaw Report)*, Cmnd. 9590, London, HMSO
- Metcalfe, L. and Richards, S. (1987, 1990 edn), *Improving Public Management*, London, Sage
- Morrison, H. (1954), *Government and Parliament*, Oxford, Oxford University Press
- Office of the Minister for the Civil Service (1988), *Civil Service Management Reform: The Next Steps – The Government's Reply to the Eighth Report from the Treasury and Civil Service Committee, Session 1987–88, HC 494 I*, Cm. 524, London, HMSO
- Office of the Minister for the Civil Service (1989), *Developments in the Next Steps Programme – The Government's Reply to the Fifth Report from the Treasury and Civil Service Committee, Session 1988–89, HC 348*, Cm. 841, London, HMSO
- Office of the Minister for the Civil Service (1990), *Progress in the Next Steps Initiative – the Government's Reply to the Eighth Report from the Treasury and Civil Service Committee, Session 1989–90, HC 481*, Cm. 1263, London, HMSO
- Office of the Minister for the Civil Service (1991), *The Next Steps Initiative – the Government's Reply to the Seventh Report from the Treasury and Civil Service Committee, Session 1990–91, HC 496*, Cm. 1761, London, HMSO
- O'Halpin, E. (1987), *Head of the Civil Service: a portrait of Sir Warren Fisher*, London, Routledge
- O'Toole, Barry J. (1985), 'Morale in the Higher Civil Service: the Symbolic Importance of the FDA's Decision to Join the TUC', in *Public Administration Bulletin*, Vol. 47, April, pp. 18–38
- O'Toole, Barry J. (1989), *Private Gain and Public Service: the Association of First Division Civil Servants*, London, Routledge
- O'Toole, Barry J. (1997), 'Ethics in Government', in *Parliamentary Affairs*, Vol. 50, 1, pp. 130–42
- O'Toole, Barry J. (2004), 'The Challenge of Change in the Civil Service: 2004 in retrospect', in *Public Policy and Administration*, Vol. 19, 4, pp. 1–18
- O'Toole, Barry J. (2006a), 'The Emergence of a "New" Ethical Framework for Civil Servants', in *Public Money and Management*, Vol. 26, 1, pp. 39–46

- O'Toole, Barry J. (2006b), 'Freedom with or Freedom of Information: the role of "spin doctors" in British central government', in Chapman, Richard A. and Hunt, M. (eds), *Open Government in a Theoretical and Practical Context*, Aldershot, Ashgate
- O'Toole, Barry J. and Chapman, Richard A. (1995), 'Parliamentary Accountability', in O'Toole, Barry J. and Jordan, G. (eds), *Next Steps: Improving Management in Government?*, pp. 118–41, Aldershot, Dartmouth
- O'Toole, Barry J. and Jordan, G. (eds) (1995), *Next Steps: Improving Management in Government?*, Aldershot, Dartmouth
- Plato (1941 edn), *The Republic*, edited and translated by F. M. Cornford, Oxford, Oxford University Press
- Prime Minister (1970), *The Reorganisation of Central Government*, Cmnd. 4506, London, HMSO
- Prime Minister (1982), *Efficiency and Effectiveness in the Civil Service, Government Observations on the Third Report from the Treasury and Civil Service Committee, 1981–82*, Cmnd. 8616, London, HMSO
- Prime Minister (1986), *Civil Servants and Ministers: Duties and Responsibilities, Government Response to the Seventh Report from the Treasury and Civil Service Committee, Session 1985–86, HC92*, Cmnd. 9841, London, HMSO
- Prime Minister (1988), 'Statement by the Prime Minister: Civil Service Management', *Official Reports, Sixth Series, Parliamentary Debates, Commons*, Vol. 127, col. 1149, 18 February, London, HMSO
- Prime Minister (1990), *Progress in the Next Steps Initiative*, Cm. 1263, London, HMSO
- Prime Minister (1991), *The Citizen's Charter*, Cm. 1599, London, HMSO
- Prime Minister (1992), *Questions of Procedure for Ministers*, London, Cabinet Office
- Prime Minister (1994), *The Civil Service, Continuity and Change*, Cm. 2627, London, HMSO
- Prime Minister (1995), *The Civil Service, Taking Forward Continuity and Change*, Cm. 2748, London, HMSO
- Prime Minister (1997, 2005), *The Ministerial Code*, London, Cabinet Office
- Prime Minister (1999), *Modernising Government*, Cm. 4310, London, The Stationery Office
- Prime Minister (2004), *Reforming the Civil Service*, speech by the Prime Minister to 'Civil Service Reform Event', 24 February 2004, <http://www.pm.gov.uk/output/Page5399.asp>, 22 February 2006
- Privy Council (2005), 'Civil Service (Amendment) Order in Council, 2005', 22 June, London, The Privy Council
- Public Administration Select Committee (2001), *Fourth Report, Session 2000–2001, Special Advisers, Boon or Bane?* HC 293, London, The Stationery Office
- Public Administration Select Committee (2002), *Eighth Report, Session 2001–2002, 'These Unfortunate Events': Lessons of recent events at the former DTLR*, HC 303, London, The Stationery Office
- Public Administration Select Committee (2003), *First Report, Session 2003–4, A Draft Civil Service Bill: Completing the Reform*, HC 128, London, The Stationery Office
- Public Administration Select Committee (2004), *Press Notice, Session 2003–04/21*, London, House of Commons

- Pyper, R. (1995), *The British Civil Service*, Hemel Hempstead: Prentice Hall/Harvester Wheatsheaf
- Robson, W. A. (1960, 1962 edn), *Nationalized Industry and Public Ownership*, London, George Allen and Unwin
- Runciman, W. G. (ed.) (2004), *Hutton and Butler: Lifting the Lid on the Workings of Power*, London, The British Academy/Oxford University Press
- Salmon, Lord (1966), *The Royal Commission on Tribunals of Enquiry, Report (the Salmon Report)*, Cmnd. 3121, London, HMSO
- Scott, Mr Justice (1996), *Report of the Inquiry into the Export of Defence Equipment and Dual-Use Goods to Iraq and Related Prosecutions (session 1995–6) (the Scott Report)*, HC 115, London, HMSO
- Scottish Executive (2004), *Building a Better Scotland: Efficient Government – Securing Efficiency, Effectiveness and Productivity*, Edinburgh, The Scottish Executive
- TCSC (1986), *Seventh Report from the Treasury and Civil Service Select Committee, Session 1985–86, Civil Servants and Ministers: duties and responsibilities, Volumes I and II*, HC 92, London, HMSO
- TCSC (1988), *Eighth Report from the Treasury and Civil Service Select Committee, Session 1987–88, Civil Service Management Reform: the Next Steps*, HC 494, London, HMSO
- TCSC (1990), *Fifth Report from the Treasury and Civil Service Select Committee, Session 1989–90, The Civil Service Pay and Conditions of Service Code*, HC 260, London, HMSO
- TCSC (1994), *Fifth Report from the Treasury and Civil Service Select Committee, Session 1993–94, The Role of the Civil Service, Volumes I and II*, HC 27 I and II, London, HMSO
- Theakston, K. (1995), *The Civil Service Since 1945*, Oxford, Blackwell
- Treasury (1991), *Competing for Quality*, Cm. 1730, London, HMSO

5 The ideal of public service

Some reflections on the higher civil service in Britain

Senior civil servants in Britain are part of our political elite. Their status was developed over the decades following the Northcote–Trevelyan Report, and they came to play an increasingly important part in the government of the country. Indeed, they were the handmaidens of ministers. They were guided in their activities by an ideal of public service inspired by the great idealist philosophers, from Plato and Aristotle to Jean-Jacques Rousseau and Thomas Hill Green. That ideal was essentially that there is such a thing as the public interest or common good, that the purpose of government is to ensure the preservation of that common good, and that those fortunate enough to have been endowed with certain intellectual capacities should set aside their own and their group interests for that purpose. Some regard this as being anti-democratic, even with totalitarian undertones, and question whether senior officials should arrogate to themselves the right to determine what the public interest is or even to think in such terms. Such critics are, of course, correct that in a democracy it is elected officials, not civil servants, who are responsible for such matters, for it is they, and only they, who are accountable to the electorate for the decisions of government. The views of political philosophers cannot be accepted absolutely as the basis for practical action in government. Questions may indeed be raised about the necessity in a democracy for appointed officials to pursue the settled will of the electorate as expressed through the ballot box. Civil servants' ideas of the public interest have to be reconciled with the intentions of elected politicians. In other words, the necessity for accountability is also central to the notion of an ethic of public service. However, the necessity for accountability in a formal, democratic sense, does not negate the requirement for moral accountability and for public officials to act in ways which accord with such requirements. Examples from history indicate that sometimes public officials ought to exercise independent moral judgement; and the inculcation of such an independent spirit, a spirit inspired by the ideal of public service outlined in Chapter 1, was, in the past, central to socialisation

of senior civil servants in Britain. In the words of Graham Wallas, there can be 'no feeling of disloyalty to the democratic idea in admitting that it is not safe to allow the efficiency of officials to depend on the personal character of individual representatives' and that one of the checks on the possible failings of such representatives is 'the existence of a permanent civil service [in which civil servants] have the right and duty of making their voice heard, without the necessity of making their will prevail' (Wallas, 1908, 1920 edn, pp. 257 and 262).

In 1979, the notable civil servant Richard Wilding was able to write about the ethic of the administrator in terms that fit admirably with this view of public service. Wilding, a civil servant from the mould fashioned in consequence of the Northcote–Trevelyan Report and the work of Fisher and Bridges in promoting the classical spirit of administration, wrote:

I believe that it *is* possible to care, and to care passionately, to throw in the last ounce of commitment, for the idea of service itself; and to invest that commitment in... the Civil Service. When Lord Armstrong was head of the Civil Service, he was asked... what he looked to to guide his conduct. He said he supposed that it was his own ideal of what a civil servant should be... I suspect that if one could inspect the ideal of the civil servant as it is in his mind, in mine and in the minds of many... colleagues, one would find it very much the same. What are the main ingredients of that idea?... they include: the belief that the good government of this country is a matter of high importance and the opportunity to contribute to it is a privilege; the belief that it therefore demands the best you can give it, in all matters and all the time; a professional pride in making sure that [ministers'] objectives are objectives that can in practice be achieved; the courage to give unwelcome advice; ... the willingness to listen to other people, to learn from your own mistakes and to work in collaboration rather than competition; two spoonfuls each of honesty, tenacity and obedience; and one spoonful of humility. Season with common sense, a dash of political judgement... and simmer for 40 years.

(Wilding, 1979, pp. 184–85)

He believed that this 'recipe' had not 'served the country badly'. He wondered, however, whether it would remain serviceable. That depended on a number of things, some of which appeared to him to be shaky, for example:

A general consensus about what actually constitutes decent behaviour and fair administration; a continuing acceptance of collective Cabinet

responsibility; a continuing acceptance of Ministerial accountability; a continuing acceptance that a commitment to service as such is possible, has value and is what the country needs in its civil servants rather than a commitment to the particular policies and beliefs of the political party in office; some degree at least of readiness to trust civil servants, and other functionaries...to observe the generally accepted rules of decent behaviour.

(pp. 185–86)

His argument was that, if these things disappear, 'we shall have a different sort of Civil Service with a different sort of ethos', and that if the framework he described 'slides apart', 'we shall inevitably be in for an era of legal and legalistic attempts to find substitutes for the ethos in statutes, codes, restrictions, investigations and surveillance' (p. 186). His comments were indeed prescient.

Wilding would not recognise today's civil service. The pace of change in British public administration has increased enormously over the period since 1968, and especially since 1979. Senior officials in government, once the established and permanent elite of the political system, have become steadily marginalised in the decision-making process. Rather than being the chief advisers, the confidantes, almost the intimates, of ministers, have been relegated to the outer circles of the policy process. They are no longer the makers of policy, but the 'deliverers' of 'results'. The new intimates of ministers, the new *eminences grises*, are their special advisers and 'spin-doctors', a new breed of 'professional' policy analysts, of apprentice politicians. Unlike permanent officials, these people have no pretence to party political neutrality; nor are they 'disinterested' in policy outcomes. These are people who may well enter electoral politics themselves, one day perhaps even to replace the ministers they now serve. Politics, once a profession entered in maturity, has become just like any other profession. Young people straight from university become policy specialists, or join 'think tanks', or personally assist MPs and ministers. It might almost be said such people undergo a sort of apprenticeship in the art of politics, similar to legal tutelage or acting as a house doctor in a large hospital, making them ready to join the party fray in their late twenties or early thirties. David Cameron, the leader of the Conservative Party, is a perfect example of this. In essence, this new breed of professional political adviser has interposed itself between ministers and civil servants, consolidating and confirming the loosening of the relationship between them. Spin-doctors and policy advisers are the new 'Sir Humphries'. Sir Humphrey himself has been relegated to the role of 'Weizel'. Unlike the Sir Humphries of the past the new confidantes of ministers have little sense of public duty or of public interest. Their loyalty

is entirely to the ministers who have appointed them, a loyalty that dissipates once those ministers leave office. Their eyes are on their own, possibly elected, futures, not on the future of society, or even of the departments or policy areas in which they work. This is not even ‘bureau-shaping’ – it is career-shaping. In any case, this role reversal between permanent officials and policy advisers reflects profound changes in the political-administrative system: it is confirmation that the ideal of public service is dead, at least at the heart of government.

The reasons for these fundamental changes are many and complex. The rise of the policy adviser and the spin-doctor is a relatively recent phenomenon and is not the reason for the death of the ideal of public service. It merely reflects broader changes in the political-administrative system since the 1960s. In particular, the traditions, the skills and the values of senior officials have been consistently undermined. As noted in Chapter 4 this is not a new development. It is true, however, that the onslaught has been unrelenting since the 1960s – not just in the sense that civil servants have been overtly criticised, but more covertly through the pursuit of the ‘reform’ and ‘modernisation’ of the administrative system. Such changes, apparently motivated by a laudable desire to improve the ‘efficiency’ of public service, have fundamental *constitutional* implications which have yet to be fully assessed.

It was the Fulton Committee, ironically served by Wilding as its secretary, which began the processes of reform and modernisation that have led to these fundamental changes in the political and constitutional arrangements in the United Kingdom. More notorious for its criticism of the ‘gifted amateurs’ whom the committee perceived inhabited the corridors of power, than for the constitutional and political changes that followed, if indirectly, the Fulton Report nevertheless first mooted some of the most significant of those changes. For example, the idea of special advisers gained credence in consequence of the report (though, despite the use of special advisers under Harold Wilson, it was not really until the election of the ‘New’ Labour government in 1997 that such appointments became widespread) (Blick, 2004). Equally as important were the recommendations of the committee for accountable management and the ‘hiving-off’ of certain ‘non-core’ government activities (Fulton, 1968, paras 150–162). These recommendations, hardly acted upon at the time, were at the heart of the 1988 so-called Next Steps report (and indeed of the Financial Management Initiative from which that report emanated). The Next Steps report fundamentally altered the constitutional position of both civil servants and ministers in relation to accountability. Given the separation of policy from ‘operational’ aspects of departmental work, with the new agency ‘chief executives’ having operational ‘control’, it was nonsense for Margaret Thatcher, the then

Prime Minister, to announce in Parliament that the constitutional position remained the same (Prime Minister, 1988, col. 1149). The new arrangements gave licence to ministers to deny responsibility for the day-to-day management of the agencies within the ambit of their departments, as the then Home Secretary, Michael Howard, infamously displayed in 1995. Whether or not ministers had control over the agencies set up in consequence of the Next Steps report is besides the point: clearly they did. The real point is that once the agencies were established, ministers had 'plausible deniability' as defence in the political and parliamentary battle. Moreover, in purely technical terms, civil servants, particularly the chief executives of the Next Steps agencies, became financially accountable for their activities in ways which departed from traditional approaches. Whilst permanent secretaries, as accounting officers, were required to ensure that their departments were spending their parliamentary 'vote' in accordance with Parliament's desires, chief executives, with their financial and other freedoms, were clearly not in that position – some of them even being awarded 'trading-fund' status and able to treat aspects of the agencies as if they were businesses. Whilst in actuality there remained a great deal of Treasury control over finances, these technical and constitutional changes nevertheless represented and reflected an enormous cultural shift in central administration (see Chapman, 1997, chapter four).

A considerable part of this cultural change is related to the idea that 'business is best', that techniques and approaches used in the private commercial sector are necessarily more efficient and should be used as the basis for reform in the public sector. This premise certainly informed the considerations of the Fulton Committee and has infused political thinking on such matters since. Edward Heath, whose rationalist approach identifies him as being of the 'modernising' tendency, appointed Derek Rayner to advise him on efficiency in government, as did Thatcher (when Sir Derek became head of the Efficiency Unit and spearheaded the attack on perceived 'waste' and 'bureaucracy'). The methods used in business organisations were increasingly aped by government departments and then agencies throughout the 1980s and 1990s, encouraged by the evangelising of Michael Heseltine. The election of the New Labour government in 1997 did nothing to halt the spread of such methods; indeed, the great moderniser himself, Tony Blair, is an even greater evangelist for them than Heseltine. The momentum of change has intensified under his leadership. Douglas Hurd's view that the constant reform of the 1980s was in danger of heralding a 'permanent revolution' in public administration seems a magnificent exaggeration in comparison with the revolution that has taken place since New Labour took office, a revolution that has indeed become permanent.

When making his comments about the pace of public administration reform under the Conservative government of which he was a leading member, Hurd was in fact warning about the dangers associated with it. In particular, he was concerned about the demoralising effects of constant change (Hurd, 1993). It is this aspect of cultural change which is as important as the 'business is best' approach itself. As noted above, the traditions, the skills and the values of senior officials have been consistently undermined. This is partly directly linked with the rise of business-like approaches; but it also related to the decline in the relationship between ministers and their senior officials.

The emergence, after the reforms initiated by the Northcote–Trevelyan Report, of a merit-based, permanent career civil service, in which those at the very top were an elite of anonymous, objective, disinterested, party politically neutral officials, who were able, by virtue of these characteristics, to give ministers sound, direct and honest advice and always to act in the public interest, is a powerful myth. The higher civil service such a characterisation portrays is an ideal-type. As Brian Chapman noted, the senior officials of the British civil service were not 'faceless, pliable, sexless creatures' (Chapman, 1963, p. 39). They were more like Sir Hector Rose, the fictional permanent secretary in the famous C. P. Snow novels (1959, 1966). In the words of an actual official, D. H. Morrell, civil servants are 'not in themselves value neutral – because they are human beings with needs and aspirations' (FDA, 1969). They had ambitions, desires, wants, the same as any other people. Indeed, given their intelligence and the fact that they held positions of considerable influence and power, their ambitions, their desires and their wants might have been even more intense than those of other people. No doubt their work was an outlet for pursuing those ambitions, desires and wants; and no doubt, too, private and public virtues and vices clashed. The examples of the Francs case, referred to in Chapter 2, attest to this observation. As with all ideal-types, however, there is an essential truth in the characterisation of senior civil servants outlined earlier. Most appear to have had a genuine desire to be good public servants (see for example, Barberis, 1996; Chapman, 1970; Chapman, 1988; Dale, 1941; Fry, 1969; Kelsall, 1953; Theakston, 1999). In this they largely had the trust of their ministers, each of whom, as the personification of the departments in which the civil servants worked, relied on their loyalty and support. The relationship was mutually beneficial: civil servants remained largely anonymous, and thus were able to be free and frank in their advice; ministers could reject or accept that advice and take either the credit or the blame for its fruit. The effect was one of collegiality and mutual respect. The constitutional position was clear, at least up until the 1960s, and was encapsulated in the famous statement that Sir David Maxwell-Fyfe gave in the House of

Commons on 20 July 1954, a statement in fact drafted by Sir Edward Bridges, the then Head of the Civil Service and de facto the 'Guardian' of the constitution (Bridges, 1954; Chapman, 1988, pp. 275–76). The Constitutional position outlined by Maxwell-Fyfe, and discussed fully in Chapter 4, was the safeguard of the disinterestedness, the neutrality and the loyalty of senior officials in British central government, an implied contract between ministers and their advisers. The very fact of its statement in Parliament may well have been the signal for the slow unravelling of the very disinterestedness, neutrality and loyalty it guaranteed. Since then, when the convention of ministerial responsibility was at its zenith, various factors have combined to undermine its value.

The traditional objection to the convention, that it is impossible for ministers to know everything that is being done in their departments and therefore cannot be held responsible, is irrelevant. Of course ministers cannot know everything that is being done in their names. Ministers in the past, when the objection was equally valid, clearly understood this – but it did not prevent them from accepting responsibility and adhering to the convention. The two examples of Herbert Morrison and George Brown, referred to in Chapter 4, illustrate this point. What has happened since Brown's time is that ministers have either simply ignored the convention or have lazily used the fact that ministers cannot know everything as a defence for not being held responsible. The Vehicle and General case referred to in Chapter 4 is the best example of the first scenario. The best example of the second scenario is that of Michael Howard who, as Home Secretary, insisted that he could not guard the cells of every in-mate in Her Majesty's prisons. Instead civil servants take public responsibility or at least are made publicly responsible. Compare this with Aneurin Bevan who, as Minister for Health in the great post-War Labour government proclaimed that 'every time a maid kicks over a bucket of slops in a ward an agonised wail will go through Whitehall' (quoted in Foot, 1973, p. 195). It is no use arguing that Howard's view is practically true, or that the world is much more complex and sophisticated now, or that management reforms have meant more 'efficiency'. The fact remains that prisons, regardless of whether they are run privately or directly by the prison service, are public institutions, financed from taxes, governed by rules determined by the Home Office and subject to the policy and financial constraints determined centrally by the Home Secretary. The same is true of National Health Service (NHS) hospitals. The same is true of local benefits offices. In Britain it is Parliament that is the ultimate arbiter of such matters, and it is only ministers who can answer in Parliament – not civil servants, not prison governors, not hospital administrators. This is not to say that civil servants, prison governors and hospital administrators cannot be held to account for poor performance, nor given

incentives and rewards for excellent results. Such accountability, however, is – or at least would be were the convention of ministerial responsibility operating – internal and hierarchical, part of the employment conditions of being public servants. In this context, the words of William Robson in relation to the former nationalised industries are as apt now in relation to government departments and agencies as they were then:

Ministers have carefully hidden their activities, doubtless from a desire to have to answer in Parliament for the great variety of matters about which they intervene or are consulted by the public corporations, but for which they do not wish to be responsible either to the Parliament or the public.

(1960, 1962 edn, p. 142)

The formal separation of the policy and operational aspects of government, even more fallacious now than when Woodrow Wilson wrote about such matters about a century ago, has facilitated the Howardian approach to responsibility. The Next Steps report and other elements of the so-called New Public Management approaches to public administration have, as noted earlier, made nonsense of the claim that the convention of ministerial responsibility remains as valid as ever. Values alien to the traditional approaches to public administration have seeped into the system in consequence of the more ‘modern’ techniques and methods of marketisation and consumerism. Civil servants are now required to ‘show real qualities of leadership and to make and defend difficult decisions’ (Efficiency Unit, 1988, para. 35; see also for example, Cabinet Office, 1999, 2004; Prime Minister, 2004; Turnbull, 2004). Numerous civil servants have become public figures, particularly the chief executives of the Next Steps agencies. Some of them have been publicly humiliated and dismissed or resigned in a fanfare of publicity – with no recourse, at the time, to a public defence of their positions.

It could be argued that the examples highlighted simply reflect a bedding down for the agency approach to government. Indeed, it is the case that since New Labour took office there has been a re-assertion of the central management of the agencies (see Gains, 2003). This just reflects the ‘control-freakery’ of the latest set of ministers, and the increasing, and increasingly futile, attempt to control information. It may simply be that Labour ministers saw the bad publicity generated for their Conservative predecessors by the various cases referred to here and realised the potential harm such cases could cause them. The problems generated for ministerial responsibility and for the relationship between ministers and their civil servants by the increasing marketisation, consumerism and incentivism of

public services have not, however, disappeared. Indeed, they have been exacerbated by other problems referred to earlier and to which this chapter shall return shortly.

The consequence of the decline of the convention of ministerial responsibility is the further loosening of the relationship between the ministers and the officials. Old ideas of anonymity, and with them disinterestedness and objectivity, and possibly even party political neutrality, have been seriously undermined. Some may see this as positive. Why should civil servants be anonymous? Why should they be disinterested and objective? Effective public management depends upon openness about who is responsible for what. Those who are lazy or incompetent should be publicly accountable for their failings. Most importantly, it is good for open government and therefore democracy to know what advice civil servants have given and to know what part they played in the development of public policy. Or is it? How can knowing the role of appointed officials be good for democracy in a parliamentary system in which ministers ultimately make policy and are answerable in Parliament for that policy? The question might well be, what is the purpose of ministers if it is not to act as the public personas of their departments? Officials are not elected. They do not sit at the Cabinet table determining the priorities of the government or the financial framework within which they have to operate. They cannot defend or promote themselves either in Parliament or to the electorate. They cannot claim credit for policies. Indeed, in the new circumstances they can only take blame. In short, officials have acquired responsibility but no real power. In a system in which officials are publicly known, however, the converse is true of ministers: they have power without responsibility. Such a situation can only undermine morale.

Morale has been consistently undermined in recent years. The changes that have occurred in ministerial responsibility in consequence of the Next Steps report merely served to enhance the general decline in adherence to the convention. This mainly relates to ministerial resignations. Of course, there have been some honourable cases of ministers taking their responsibility seriously. Only two, however, come to mind: Lord Carrington, Foreign Secretary in the first Thatcher Ministry, over the failures of the Foreign Office prior to the invasion of the Falkland Islands; and Estelle (now Baroness) Morris who heroically resigned as Secretary of State for Education because she apparently felt she was not up to the job. Other resignations for policy or departmental failings in the period since 1979 have only taken place after periods of intense public and media pressure, often when named civil servants had to publicly defend the positions of their ministers or departments. It would hardly be surprising if civil servants, and not just those individuals directly affected, felt some resentment

towards ministers, and not just those directly involved. The First Division Association's response to the report of the Tribunal of Inquiry into the collapse of the Vehicle and General insurance company, in which civil servants were named and blamed, is an example of such feelings, even if indirectly expressed (explored fully in Chapter 4; O'Toole, 1989, pp. 142–54).

As noted earlier, the convention of ministerial responsibility forms an integral part of the implied contract between senior civil servants and ministers. It governs the official and constitutional relationship between the two groups at the heart of central government (as well as that between ministers and Parliament). There are, however, other aspects of the minister/civil servant relationship that need to be taken into account, in particular their respective roles as employer and employee. Here, too, there is indirect evidence, at least in the recent past, of a decline in that aspect of the relationship. Again the FDA can be used as a surrogate for the views of its members, and its 1977 decision by ballot to join the Trades Union Congress (TUC) as a signal of their declining trust in government as an employer. For much of the twentieth century government was regarded, with some justification, as a 'model' employer – not in the sense that it paid its workers more than other employers, but in the sense that it treated them well and paid them reasonable salaries. The purpose was not just altruism in relation to civil servants, but to set an example to other employers. This role was recognised by both the Tomlin and Priestley Royal Commissions of 1931 and 1955 respectively. To this end government encouraged all civil servants to belong to the relevant trade unions, developed enlightened policies in terms of pay and especially conditions of service, including generous pension schemes, and had recruitment, retention and promotions procedures that were highly sophisticated. All this fitted in well with the idea of a unified civil service that was almost the fourth service of the Crown (as Warren Fisher certainly saw it). In the period after about 1960 this 'model' employer approach became increasingly threatened as economic circumstances deteriorated. In particular, wage inflation was seen as a major cause of economic instability, and income policies became an integral aspect of wider economic policy. Governments were determined to persevere with these policies and, not unnaturally, they used their own employees as examples: the government was a 'model' employer in a different, and altogether less enlightened sense. Income policies were imposed much more rigorously on public servants, especially civil servants, over whom ministers had direct employer control. Civil servants, and particularly senior officials, saw their salaries fall both in real terms and in comparison with other occupations. It was against this background that the FDA and its members took the decision to join the TUC (O'Toole, 1985, 1989, pp. 162–72). Events subsequent to that seemed to confirm the government's unwillingness to continue

in its traditional role as a model employer, for example, the unilateral banning of trade unions at the Government's Communications Headquarters in 1984 and the abolition of the Civil Service Department in 1981. Such actions seemed to reflect the general antipathy of ministers towards their civil servants. Thatcher herself disliked what she perceived as the patrician and elitist nature of senior officials and preferred what became known as 'can-do' types. These are people who would apply all of their energy and enthusiasm to their work and achieve the aims of the government as determined by ministers. This was not the 'politicisation' of the civil service, in the sense of civil servants becoming adherents of party policy; it was rather the first signs of politicisation in the wider sense of ministers regarding civil servants simply as tools to achieve their political and ideological ends. This concept of the role of civil servants gave impetus to the reform of the civil service. It also signalled the overt assault on the traditions, skills and values of senior officials in government. It is the conjunction of these factors, the general demoralisation of civil servants caused by the changes to the implied contract with their employers, both at the constitutional level and the practical, day-to-day employment level, and the attack on their traditions, skills and values implicit in management reform of the civil service, that has created the conditions in which the ideal of public service has been allowed to wither and die.

The observations of the first chapter of the Fulton Report on the 'amateurism' of the generalist administrator are probably the most famous derogatory remarks about higher civil servants in Britain. They were not, however, the first; and they most certainly were not the last. Their fame amongst those interested in such matters derives mainly from the fact that they were direct. To that extent they were honest. Subsequent attacks on the traditions, skills and values of senior officials have been more subtle and insidious, almost dishonest. Indeed, the more profound the changes that have taken place in the civil service, the more shrill has become the mantra mouthed by both politicians and civil servants that the values of the civil service remain as strong as ever, those values being 'integrity, impartiality, objectivity and accountability through ministers to Parliament' (Cabinet Office, 1994, para. 27). This list is hardly unique to the civil service. The mantra is almost entirely meaningless. Only the requirement that civil servants be accountable through ministers to Parliament, which is not a value but a constitutional stipulation, is unique to civil servants – and even that, as noted here, has been severely undermined, not least by the very changes over which Butler and his most immediate predecessors and successors have presided. Having said that, it is the requirements of accountability through ministers to Parliament from which were derived the main features of the traditions and values of civil servants and to which their generalist skills

were most suited. Indeed, it is the political skills of the generalist administrator, skills of political judgement, intellectual rigour and the ability to consider all factors in decision-making in a proper and disinterested perspective, that have fostered in them the traditions and values which constitute the ideal of public service. It is these skills that have been consistently undermined and under-valued in recent years.

Again, the Fulton Committee may be held partly responsible. It first mooted the idea of 'preference for relevance' and that generalist administrators should develop management skills. The old Civil Service College was established largely with the development of such skills in mind. The Civil Service Department was to ensure career development for individuals such that management skills were promoted. Subsequent changes also placed a premium on management techniques, not least the creation of the so-called giant departments and other developments during the Heath government of the early 1970s. Change in this direction moved apace under the Thatcher ministries of the 1980s and under her successor, John Major. The Financial Management Initiative (FMI), the Next Steps, Market Testing, privatisation, contracting out, the citizen's charter and other initiatives all had at their core the idea that business approaches, with the customer replacing the citizen as the object of public administration, were more 'efficient' and 'effective' in the delivery of public services. Under the Blair administration the pace of change has quickened. Ministers are obsessed with 'delivery'. The 'Modernising Government' initiative is all about improving management in government so that 'services' can be 'delivered' more 'efficiently'. The career civil service has been dismembered to that end. Many senior positions in the civil service are now advertised and recruitment made by open competition at the appropriate level (rather than promotion based on merit within the civil service after open competition at the post-university entry level). Within a matter of 4 or 5 years most senior positions will be occupied by people recruited from outside the civil service (Cabinet Office, 2004; see also Levitt and Solesbury, 2005). Their pay and conditions are increasingly negotiated individually and there is little sense of collegiality or public service. Ironically, given the demoralisation caused to civil servants by low pay in the 1960s, 1970s and 1980s, pay for such people is negotiated at 'market' rates, thus potentially causing demoralisation to those, who, as career civil servants, may not be able to command such rates. Again, all this is being done with ministers and the most senior officials extolling the virtues of public servants and of the public service ethos. The current Prime Minister, and his most likely successor, the Chancellor of the Exchequer, Gordon Brown, prettily sing the praises of public servants and public service – in the very same breath as either sacking them in their thousands or promoting the very policies which

undermine ideas of public service (Chancellor of the Exchequer, 2004; Prime Minister, 2004).

Recent events in relation to the Iraq war have served to reinforce this ambivalent attitude to civil servants. They have also provided direct evidence of the attitude to decision-making of the Blair administration. The Hutton report on the death of Dr David Kelly and the Butler report on intelligence gathering prior to the war against Iraq provided insights into how government actually works that are both fascinating and frightening. Hutton's whitewash of the government bears little relationship to the evidence gathered, which clearly shows that Kelly, a civil servant, was used as a scapegoat for ministers, including the Prime Minister. His treatment is one more example of the public humiliation to which civil servants are routinely and cavalierly subject by ministers and senior colleagues. The evidence provided for the Hutton and Butler inquiries and the reports themselves provide detailed accounts of how decisions in relation to the war on Iraq were taken, and indicate quite clearly the increasingly dominant role of special advisers and spin-doctors in the process. Butler's characterisation of the Blair style of government decision-making essentially as 'sofa government', whereby small groups of ministers and their advisers make momentous decisions in informal meetings, often without minute-takers, is especially startling (Butler, 2004a,b). It nevertheless sits easily with the 'can-do' approach he seems to have adopted from Thatcher and with a view of government as if it were a business. The niceties of consultation, discussion, recording – all factors in the traditional style of public administration – are, it seems, inhibiting to the 'efficient' dispatch of affairs. Not just individual ministerial responsibility has been undermined, so too has the collective responsibility of ministers as a group, along with the benefits of the collective discussion of significant problems (Butler, 2004a; Hutton, 2004a,b). Clare Short, who resigned from the Cabinet in protest, amongst other things, at the lack of consultation about the war against Iraq, attests to such an approach to decision-making (Short, 2004). Indeed, her account reveals that it may not just be career civil servants that have been relegated to the outer circles of the policy process, but certain ministers too – and reinforces the view that special advisers have taken their place. For example, part of the reason for the resignation of Estelle Morris as Education Secretary was apparently related to the influence on education matters of Andrew (now Lord) Adonis, then one of the Prime Minister's senior special advisers, now a minister of the Crown. Morris is reported by her former cabinet colleague Short as having been unhappy with the policies developed by Adonis and other special advisers at Number 10, which had the support of the Prime Minister, and felt her position untenable. Alistair Campbell, the Prime Minister's then chief spin-doctor, apparently 'helped' with Morris's resignation statement (Short, 2004, p. 154).

It is the influence of these spin-doctors and special advisers over the period of the New Labour Government that is the most sinister aspect of the developments in public administration in the same period, and emblematic of the declining influence of career civil servants and of the ideal of public service to which they once aspired. At the beginning of the Blair period it was understandable, bearing in mind the long wilderness years of Labour's period in opposition, that the new government should wish to present itself in the best possible light – and this was reflected in the appointment of people like Campbell as 'communications' specialists. Their status may also have reflected the contribution they made to the election victory. Over the years, however, problems have emerged because of this apparent obsession with information. In particular, the manipulative aspects of the management of information, which can only be described as propaganda, has caused the government innumerable problems. The events that may be conveniently labelled the 'Byers-Moore-Sixsmith affair' referred to in Chapter 4, with the most notorious of these problems leading either directly or indirectly to two parliamentary select committee inquiries, was not unique. Campbell himself became a controversial figure, and not only because of his perceived involvement in the decision-making process leading to the war on Iraq. The news reports, the reports of parliamentary inquiries and the evidence and reports and findings of the Hutton and Butler inquiries, all give credence to the view outlined here that special advisers and spin-doctors now have an increasingly pre-eminent role in decision-making.

Given its apparent commitment to an impartial career civil service, the government naturally denies these charges. For example, on two occasions over the summer and autumn of 2005, Lord Bassam, the government's House of Lords spokesman on civil service matters, pointed out that the numbers of special advisers are small compared with the numbers of senior civil servants. In July, he reported that there were only 77 or 78 special advisers compared with over 3,500 senior officials. He argued that critics of the government needed 'to have a sense of proportion' (House of Lords, 2005a, col. 1462). His figures were slightly different in October, with 82 or 84 special advisers and 3,900 senior civil servants; but his point was exactly the same: 'We must have a sense of proportion here. To suggest that there is some sort of political infiltration, I am afraid, is nonsense' (House of Lords, 2005b, col. 1302). In the House of Commons, the Chancellor of the Duchy of Lancaster made similar points, arguing that 'I do not think that the biggest challenge facing the civil service and its professionalism and independence is the role of special advisers' (Chancellor of the Duchy of Lancaster, 2005, col. 156).

In both cases, the ministers concerned were responding to unease at the way in which changes to the role of special advisers had been introduced

on 22 June 2005. On that day, the Privy Council amended the ‘Civil Service Order in Council, 1995’ (as amended in 1997 to accommodate the increasing use of special advisers) which regulates the civil service. The 2005 amendment, on the face of it, was minor. It affected those passages of the Civil Service Order in Council relating to special advisers, and changed their role from ‘advising’ ministers to ‘assisting’ them (Privy Council, 2005). Peers and MPs were very worried that this apparently innocent change, which they accused ministers of introducing surreptitiously, would allow special advisers management authority over civil servants. The ministers denied these accusations; but at least some MPs and peers were not convinced. Neither was Sir Alistair Graham, the current chairman of the Committee on Standards in Public Life was:

very disappointed that the Government has chosen to make changes to the legislation governing the role of Special Advisers using prerogative powers without any proper parliamentary and public debate on an issue which has been a clear concern to the public, Parliament and the media for some time. On this important constitutional matter, not only has the Government not consulted Parliament, it has chosen not to tell them about the changes. Even if the intention is not to extend special advisers’ powers, the manner in which the changes have been made could lead to this very perception and consequently a loss of trust in the machinery of Government... Our concern about the ‘hole in the corner’ way in which the changes were proposed has been reinforced by the failure to inform Parliament or to make a public announcement...
(2005)

He and the Committee on Standards in Public Life, and many members of both Houses of Parliament, remain convinced of the need for a Civil Service Act. In the words of Lord MacLennan of Rogart, ‘the constitutional position of the Civil Service and the core values which underpin the Civil Service are not suitable to be supported by Orders in Council and need to be embodied in a Bill’ (House of Lords, 2005b, cols 1302–1303).

Only a few years ago there would have been no appetite for legislation for the civil service. A number of factors, however, have combined to put the possibility onto the political agenda. For example, the constitutional conventions that govern the relationships between ministers and civil servants have been consistently undermined by governments of both parties. Individual ministers ignore those conventions and the codes which seek to maintain them, and when they behave reprehensibly they submit to them only when their position becomes untenable. The example they set is shoddy. The introduction of management reforms, and the underlying premise of them being that ‘business is

best', have fundamentally changed the way in which civil servants work. Moreover, the fundamental questioning of the traditions, values and skills of the most senior officials implied by these reforms has been exacerbated by the fact that special advisers, regardless of their limited numbers, have become the real source of advice and authority in many areas of public policy. All these factors and others have conspired to create the conditions in which ideas of public service cannot be fostered. As noted, they have combined to create the conditions in which some of our legislators and other members of the political and administrative elite firmly believe that legislation is indeed now imperative. These are the conditions, and the consequences, which Richard Wilding in essence foretold in 1979 and which he argued would lead to a different ethos for civil servants. These changes have undermined the public service and the ideal of public service which inspired that ethos.

As Wilding implied, however, the problem with legislation and other codes, and the compliance bureaucracies they spawn, is that they are no substitute for ethical thinking and ethical behaviour on the part of individual officials. The Committee on Standards in Public Life and the Public Administration Select Committee, worthy though they may be, can only issue fine words and stand on the side-lines cheering and booing as those they observe break the rules. The so-called seven principles of public life, formulated by the Committee on Standards in Public Life in its first report, and repeated ad nauseum in all their reports and all the codes their work has inspired, are merely 'hurrah' words, applicable in all organisations, public or private. The Public Administration Select Committee's work, particularly in relation to the role of special advisers, is admirable. In addition, in a report specifically on the 'public service ethos' the committee calls for a 'Public Service Code' and a 'Public Service Academy' to champion public values (Public Administration Select Committee, 2002a, paras 54 and 79). Of course, the government failed to act on such recommendations, mainly because, as demonstrated in this book, the government and its special advisers have no interest in, still less care about, public service values (see Public Administration Select Committee, 2002b).

As for career civil servants themselves, there is now little incentive to think or behave in ethical terms. Such codes as have appeared are useless in the climate in which civil servants now work. Given this, it may therefore be that, if some semblance of public service is to be guaranteed, special legislation is indeed necessary. Ordinary legislation will not do: as with other codes, such legislation can only be fine words unless there is some means by which those words can instil ethical thinking and ethical behaviour. What is now needed is a new constitutional settlement. In addition to a politically embedded Act of Parliament to put the standing of ministers, the civil service and special advisers on an open and transparent basis, and incorporating the Ministerial

Code, the Civil Service Code and the Code of Conduct for Special Advisers, there is a need for a standing Royal Commission on the Constitution to oversee it. Such a Royal Commission should have real powers to enforce the requirements of the legislation, including perhaps the ability to recommend to Parliament the dismissal of ministers as well as civil servants. It should be composed of distinguished former public servants appointed by, and accountable to, Parliament. These should be people who, ‘when we look at the whole course of their lives, are found to be full of zeal to do whatever they believe to be the good of the commonwealth and never willing to act against its interests’ (Plato, 1941 edn, p. 101). These would be the Guardians of the Common Good. Their guiding light would be the ideal of public service.

References

- Barberis, P. (1996), *The Elite of the Elite: Permanent Secretaries in the British Higher Civil Service*, Aldershot, Dartmouth
- Blick, A. (2004), *People Who Live in the Dark: the History of Special Advisers in British Politics*, London, Politicos
- Bridges, Sir Edward (1954), ‘Ministerial Responsibility’, in TNA/PRO T273/209, dated 8 July 1954
- Butler, Lord (2004a), *Review of Intelligence on Weapons of Mass Destruction, Report of a Committee of Privy Councillors (the Butler Report)*, HC 898, London, The Stationery Office
- Butler, Lord (2004b), ‘How not to Run a Country’, in *The Spectator*, 11 December, pp. 12–13
- Cabinet Office (1994), *The Civil Service: Continuity and Change*, Cm. 2627, London, HMSO
- Cabinet Office (1999), *Vision and Values*, London, Cabinet Office
- Cabinet Office (2004), *Civil Service Reform: Delivery and Values*, London, Cabinet Office
- Chancellor of the Duchy of Lancaster (2005), ‘Oral Answers (Question 16805), 11 October 2005’, *Parliamentary Debates (House of Commons, Daily Record)*, cols 155–156, London, The Stationery Office
- Chancellor of the Exchequer (2004), *Statement by the Chancellor of the Exchequer: 2004 Spending Review, Parliamentary Debates, House of Commons, Sixth Series*, Vol. 423, cols 1129–1139, London, The Stationery Office (the debate on the Chancellor’s statement can be found in the same volume at cols 1129–1155)
- Chapman, B. (1963), *British Government Observed: some European reflections*, London, George Allen & Unwin
- Chapman, Richard A. (1970), *The Higher Civil Service in Britain*, London, Constable
- Chapman, Richard A. (1988), *Ethics in the British Civil Service*, London, Routledge
- Chapman, Richard A. (1997), *The Treasury in Public Policy Making*, London, Routledge
- Committee on Standards in Public Life (1995), *First Report: Standards in Public Life (the Nolan Report)*, Cm. 2850-I, London, HMSO

- Dale, H. E. (1941), *The Higher Civil Service of Great Britain*, Oxford, Oxford University Press
- Efficiency Unit (1988), *Improving Management in Government: the Next Steps*, London, HMSO
- FDA (1969), *Minutes of the Annual General Meeting held on 10 May, 1969*, (speech by Mr D. H. Morrell, Home Office), London, Archive of the Association of First Division Civil Servants
- Foot, M. (1973), *Aneurin Bevan 1945–1960*, London, Davis-Poynter
- Fry, G. K. (1969), *Statesmen in Disguise: the changing role of the Administrative Class of the British Home Civil Service 1853–1966*, London, Macmillan
- Fulton, Lord (1968), *The Civil Service, Vol. 1, Report of the Committee (the Fulton Report)*, Cmnd. 3638, London, HMSO
- Gains, F. (2003), 'Surveying the Landscape of Modernisation: Executive Agencies under New Labour', in *Public Policy and Administration*, Vol. 18, 2, pp. 4–20
- Graham, Sir A. (2005), 'Changes to the law on special advisers: Statement by Sir Alistair Graham, Chairman of the Committee on Standards in Public Life', London, Committee on Standards in Public Life
- House of Lords (2005a), 'Civil Service Draft Bill, 20 July, 2005', *Parliamentary Debates (House of Lords, Daily Record)*, cols 1459–1462, London, The Stationery Office
- House of Lords (2005b), 'Draft Civil Service Bill, 27 October, 2005', *Parliamentary Debates (House of Lords, Daily Record)*, cols 1302–1304, London, The Stationery Office
- Hurd, Douglas (1993), Speech to the Conservative Reform Group, reported in *The Independent*, 8 October 1993
- Hutton, Lord (2004a), *Report of the Inquiry into the Circumstances surrounding the death of Dr David Kelly C.M.G. (the Hutton Report)*, H.C. 247, London, The Stationery Office
- Hutton, Lord (2004b), www.the-hutton-inquiry.org.uk, 22 February 2006
- Kelsall, R. K. (1953), *Higher Civil Servants in Britain, from 1870 to the present day*, London, Routledge and Kegan Paul
- Levitt, R. and Solesbury, W. (2005), *Evidence-informed policy: what difference do outsiders make in Whitehall?*, Working Paper 23, London, ESRC UK Centre for Evidence Based Policy and Practice
- O'Toole, Barry J. (1985), 'Morale in the Higher Civil Service: the Symbolic Importance of the FDA's Decision to join the TUC', in *Public Administration Bulletin*, Vol. 47, April, pp. 18–38
- O'Toole, Barry J. (1989), *Private Gain and Public Service: the Association of First Division Civil Servants*, London, Routledge
- Plato (1941 edn), *The Republic*, edited and translated by F. M. Cornford, Oxford, The Clarendon Press
- Prime Minister (1988), 'Statement by the Prime Minister: Civil Service Management', *Official Report, Sixth Series, Parliamentary Debates, Commons*, Vol. 127, 18 February 1988, London, HMSO
- Prime Minister (2004), *Reforming the Civil Service*, speech by the Prime Minister to 'Civil Service Reform Event', 24 February 2004, <http://www.pm.gov.uk/output/page5399.asp>, 22 February 2006

- Privy Council (2005), 'Civil Service (Amendment) Order in Council 2005', London, The Privy Council
- Public Administration Select Committee (2002a), *Seventh Report, session 2001–02, The Public Service Ethos*, HC 263, London, The Stationery Office
- Public Administration Select Committee (2002b), *First Special Report, session 2002–03, The Public Service Ethos: Government's Response to the Committee's Seventh Report of the session 2001–02*, HC 61, London, The Stationery Office
- Robson, William A. (1960, 1962 edn), *Nationalised Industry and Public Ownership*, London, George Allen & Unwin
- Short, Clare (2004), *An Honourable Deception? New Labour, Iraq and the misuse of power*, London, Free Press
- Snow, C. P. (1959), *The New Men*, London, Penguin
- Snow, C. P. (1966), *Corridors of Power*, London, Penguin
- Theakston, K. (1999), *Leadership in Whitehall*, London, Macmillan
- Turnbull, Sir Andrew (2004), *Opening Remarks by Sir Andrew Turnbull*, speech by Sir Andrew Turnbull to 'Civil Service Reform Event', 24 February 2004
- Wallas, G. (1908, 1920 edn), *Human Nature in Politics*, London, Constable
- Wilding, R. (1979), 'The Professional Ethic of the Administrator', in *Management Services in Government*, Vol. 34, 4, pp. 181–86

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