CONTROLLING MODERN GOVERNMENT:

VARIETY, COMMONALITY AND CHANGE
CONTROLLING MODERN GOVERNMENT:
VARIETY, COMMONALITY AND CHANGE

Edited by
Christopher Hood, All Souls College Oxford,
Oliver James, University of Exeter
Guy Peters, University of Pittsburgh
Colin Scott, London School of Economics and Political Science
Contents

List of Tables
List of Figures
List of Contributors
Preface

Part I: Introduction

Chapter One: Controlling Public Services and Government: Towards a Cross-National Perspective

(Christopher Hood)

Part II: Control over Government in Three Domains

Chapter Two: Prisons: Varying Oversight And Mutuality, Much Tinkering, Limited Control

2.1: Overview (Oliver James and Christopher Hood)
2.2: Japan: Hierarchically Ordered Mutuality in a Semi-Hidden World (Takashi Nishio)
2.4. England and Wales: Combining Oversight with Public/Private Competition (Oliver James)
2.5: Germany: Tinkering with Oversight and Mutuality in a Legalistic State Tradition (Martin Lodge)
2.6. France: Ineffective Oversight in the Land of Inspections Générales (Nicole de Montricher and Marie Vogel)
2.7: The Netherlands: A Professional Mutuality/Oversight Hybrid under Pressure (Arjen Boin)
2.8. Norway: A Stable Oversight/Mutuality Hybrid amid Limited Diversification of Professional Mutuality (Ivar Bleiklie, Per Lægreid and Marjoleine H. Wik)
2.9: Australia: Variety in Reforms to Oversight alongside Increased Public/Private Competition (Colin Scott)

Chapter Three: Higher Education And University Research: Harnessing Competition And Mutuality To Oversight?

2.1: Overview (Colin Scott and Christopher Hood)
3.2: United States: Little Oversight, No Explosion (B. Guy Peters)
3.3: Japan: Adapting the American Model to Centralised Oversight (Katsyua Hirose)
3.4: France: Mutuality and Oversight in Tension? (Nicole de Montricher)
3.5: Germany: Growing competition at the expense of mutuality  (Hans-Ulrich Derlien)
3.6: Netherlands: A Mixed Pattern of Control (Jeroen Huisman and Theo Toonen)
3.7: Norway: Holding back competition? (Ivar Bleiklie)
3.8: Australia: Linking oversight to mutuality and competition (Colin Scott)
3.9: UK: Hyper-Regulation and Regulatory Reform (Colin Scott)

Chapter Four: Higher Civil Servants: Neither Mutuality Implosion nor Oversight Explosion

4.1: Overview (B. Guy Peters and Christopher Hood)
4.2: The United States: High on Oversight, Low on Mutuality? (B. Guy Peters)
4.3: Japan: Where Mutuality Rules Supreme? (Takashi Nishio)
4.4: France: High Mutuality, Some Randomness, Weak Oversight (Nicole de Montricher)
4.5: Germany: Village Life Becoming More Complicated (Hans-Ulrich Derlien)
4.6: The Netherlands: Edging Away from Pure Mutuality? (Theo Toonen and Marjoleine H. Wik)
4.7: Norway: Managerialism and Parliamentary Oversight in Lock-Step? (Per Laegreid)
4.8: The UK and Australia: Two Westminster Model States Compared (Christopher Hood and Colin Scott)

Part III: Conclusions

Chapter Five: Conclusion: Making Sense of Controls over Government

(Christopher Hood)

Bibliography

Index
List of Figures

Figure 1.1: Four Basic Types of Control over Executive Government and Public Services

Figure 1.2: Types of Overseers of Government and Public Services

Figure 2.1: Oversight of Prisons in Japan

Figure 2.2: Oversight of US Federal Prisons

Figure 2.3: Oversight of Prisons in England & Wales

Figure 2.4: Oversight of Prisons in ‘Typical’ German Länder

Figure 2.5: Oversight of Prisons in France

Figure 2.6: Oversight of Prisons in the Netherlands

Figure 2.7: Oversight of Prisons in Norway

Figure 2.8: Oversight of Prisons in a ‘Typical’ Australian State

Figure 5.1: Control over Government Revisited: Pure Types and Hybrids

Figure 5.2: Control of Government – Four Patterns of Development
List of Tables

Table 1.1: Five Selected State Traditions and Control Styles

Table 2.1: The Background of Prison Control in Eight Countries

Table 2.2: The Four Control Modes Operating in the World of Prisons

Table 2.3: Control of Prisons in Eight Countries

Table 3.1: The Four Control Modes Operating in the World of Higher Education and University Research

Table 3.2: Selected Higher Education Indicators for Eight Countries 1988-95

Table 3.3: The Four Control Modes Compared for Higher Education in Eight Countries

Table 4.1: Types of Control and the Higher Civil Service

Table 4.2: Some Summary Comparative Indicators of Control over Higher Civil Servants

Table 5.1: The Development of Central Oversight: Points of Departure and Degrees of Change, Selected Cases
List of Contributors

Christopher Hood is Gladstone Professor of Government, All Souls College, University of Oxford and a Programme Director in the ESRC Centre for Analysis of Risk and Regulation, London School of Economics and Political Science

B. Guy Peters is Maurice Falk Professor of American Government, University of Pittsburgh

Oliver James is Senior Lecturer in Politics, University of Exeter

Colin Scott is Reader in Law, ESRC Centre for the Analysis of Risk and Regulation, London School of Economics and Political Science

Ivar Bleiklie is Professor of Administration and Organization Theory and Director of Norwegian Research Centre in Organization and Management (LOS-senteret) at the University of Bergen

Arjen Boin is Assistant Professor of Public Administration, Leiden University

Hans-Ulrich Derlien is Professor of Public Administration, University of Bamberg

Katsuya Hirose is Professor of Political Science at Hosei University

Jeroen Huisman is a Research Coordinator at the University of Twente

Per Laegreid is Professor of Administration and Organization Theory, University of Bergen

Martin Lodge is Lecturer in Government and Deputy Programme Director in the ESRC Centre for Analysis of Risk and Regulation, London School of Economics and Political Science

Frits M. van der Meer is Associate Professor of Comparative Public Administration, University of Leiden

Nicole De Montricher is a Research Scholar at Centre d'études et de Recherches de Science Administrative(CNRS and Paris 2) and Associate Professor of Comparative Administration, University of Paris 2, France

Takashi Nishio is Professor of Public Administration at the International Christian University, Tokyo

Theo Toonen is Professor of Public Administration, Leiden University

Marie Vogel is Maître de Conférence de Sociologie, Ecole Normale Aupérieure Lettres et Sciences Humaines (Lyon) and Research Associate (Groupe de Recherche sur la Socialisation, CNRS and ENS).

Marjoleine H. Wik is a Researcher and Consultant, at Crisisplan, Leiden.
Preface

Any group of academics setting out to write about institutional control is vulnerable to unkind jokes comparing them to eunuchs lecturing on the Kama Sutra, and the control of this project was both difficult and hard to analyze. To make it work we needed to develop extensive collaboration among 17 busy scholars in eight different countries over more than three years. At the same time we needed an operating style that allowed us to go back to the drawing board and refine our ideas in the light of what we discovered, rather than setting out a rigid framework in advance and getting specialists to fill in the gaps. It was a difficult balancing act, and to the extent that it was successfully achieved, it largely constituted control by mutuality.

The project started as a result of work that three of the editors had done together in the 1990s (Hood et al. 1999), in analysing a remarkable development of oversight systems in UK government over a twenty-year period. We found that a period of ‘reinventing government’ that was being widely marketed by its advocates as a move from rules-based, process-driven administration to results-based discretionary management was in fact creating a growing industry of overseers, inspectors, evaluators, auditors and complaint-handlers. We noted that some scholars in the United States, such as Paul Light and Joel Aberbach, seemed to be saying something similar, and we were curious to know how far such developments represented some atypical Anglo-American phenomenon and how far they were occurring in other countries.

But that required developing a conversation among a group of scholars who could collectively cover a wide canvas, to arrive at a common analytic language in which ‘control’ and its developments could be discussed across different state and language traditions. Accordingly, we started off with a preliminary discussion in 2000, in which we discovered that the British language of public-sector regulation in which three of us had been operating, did not travel very effectively across the different state traditions in which we were interested, and therefore had to abandon our original analytic approach and replace it with one that seemed to be more institutionally neutral. That decision was a product of the power of mutuality and the attribution of authorial responsibility in the text inevitably underplays the contribution the group as a whole made to the development of our ideas and lines of analysis.

Much of our meeting was ‘virtual’ in form of email exchanges, with the well-known advantages and frustrations that accompany that form of communication, but we met physically as a group on three occasions to refine our analysis and re-work our contributions – the initial meeting which was held at the then newly-established ESRC Centre for Analysis of Risk and Regulation, London School of Economics in October 2000, a further meeting in the following year in cloistered splendour of All Souls College, Oxford, and a final meeting in London again at the end of 2002. The editors met on several other occasions and clogged up each other’s inboxes with successive drafts and queries over a period of more than a year.

Mutuality as a system of control has its limits, of course, as our analysis shows, and we drew on the other basic forms of control that we analyze in this book.
The necessary ‘oversight’ element of control came in two forms. One took the form of an organizing editor for each of the main chapters of this book – Oliver James on prisons, Colin Scott on higher education and university research, and Guy Peters on the higher civil service - each of whom produced the first draft of the introductory sections to each of those chapters and interacted with the contributors to fit the quart of material each had produced into the pint pot of a conventional-length book. The other took the form of a general editor, Christopher Hood, who devised the overall control types framework that we used as the basis of the product, revised the introductory sections of each chapter for overall consistency and exercised a sometimes heavy editorial hand over the other sections too.

In bringing this complex project to fruition, we have many debts to acknowledge – intellectual, financial and operational. As for the first, in addition to the contribution that the overall group made to developing and testing our themes and lines of analysis, we had further assistance from a number of other scholars who gave most generously of their time in participating in meetings and commenting on drafts. We must mention, in particular, Terence Daintith, Edward Page, and Michael Power, whose ideas about a putative ‘audit explosion’ and ‘audit society’ formed part of the starting-point of our study, and especially Martin Lodge, who read the whole manuscript as it was produced and offered valuable critical comments. For the second, we are grateful to the British Academy for a grant that helped to finance our initial discussions, to All Souls College for providing us with the right kind of setting to pursue our discussions, and above all to the ESRC Centre for Analysis of Risk and Regulation, which generously gave continuing financial support to help us bring the project to a conclusion. Colin Scott’s contribution to the project was supported by his appointment to a Senior Research Fellowship in Public Law in the Law Program and Regulatory Institutions Network, Research School of Social Sciences, Australian National University between 2001 and 2003.

Operational support is vital too, and we are most grateful to Michèle Cohen of All Souls College for helping to organize our workshop there, to Edward Elgar for enthusiastically supporting this project and being understanding when September turned into December for the delivery of the manuscript, and to Milena Radoycheva and Lucy Scott for valuable research assistance. Above all, we are indebted to CARR for the excellent logistical support its administrative staff gave to organizing our workshops (Louise Newton-Clare, David Black, Sabrina Antao, Abigail Walmsely, Jessica Barraclough, Liz White Amy Eldon and Anna Pili).

Christopher Hood
Oliver James
Guy Peters
Colin Scott