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LOCAL GOVERNMENT REFORMS UNDER NEW LABOUR

Abstract:

The years 1997-2010 were a period of changes and political reforms in the United Kingdom. The initial years saw some important reforms, such as the ratification of the European Convention on Human Rights and the creation of elected assemblies in Wales, Scotland and Northern Ireland. Devolution has consolidated and augmented differences in the practices of local governments and in legal regulations amongst different parts of Britain. The Labour government has laid strong emphasis on modernization of English local government. Apart from reforms of structures of representative democracy, the government promoted forms of participatory and deliberative democracy. Under New Labour the reforms of local government introduced in England were predominantly implemented according to the concept of local governance. The basic objective of practical implementation of this concept was to reach the two main purposes, i.e. democratic renewal and improvement of services. The New Labour have displayed a tremendous faith in social engineering. All consultation procedures underscored New Labour`s preference for strictly supervised democratic participation. The governmental reform programme aimed at reaching democratic renewal has not produced expected results. In spite of the many reforms, initiatives and funds, political and civil involvement of citizens has not increased. “Democratization” resulted in the mobilization of small groups with greater exercise of government control. In the years 1997-2010 strong emphasis was put on modernization of services. The government was able to make massive investments in public services. The results of national surveys show that there were increases in public satisfaction with most services delivered by local government (but not with local government itself). A substantial factor in improvement of services was the use of instruments of the new public management, in particular top-down performance management and exceptionally restrictive regime of inspection imposed by the central authorities. However, whether these practices actually improved the quality of public services is a matter of considerable dispute.
The concept of local governance is not easy to put in practice and to achieve the expected effect. This does not mean that networks are not viable in th

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The years 1997-2010 were a period of changes and political reforms in the United Kingdom. The initial years of the New Labour government saw some important reforms, such as the ratification of the European Convention on Human Rights, the removal of most of the hereditary members of the House of Lords and the creation of elected assemblies in Wales, Scotland and Northern Ireland. Devolution has consolidated and augmented differences in the practices of local governments and in legal regulations amongst different parts of Britain. The Labour government has laid strong emphasis on modernization of English local government. In England, the 1997-2010 reforms included, among other things:

- introduction of directly electing a Mayor of London and London Assembly;
- substantial changes in the system of political management, consisting in introduction of a separate executive body;
- introduction of England's first directly elected mayors;
- reinforcement of the role of councillors in a community;
- granting the role of community leadership to local authorities;
- transferring the power to promote well-being;
- extending partnership structures and the requirement of co-operation in a partnership;
- changes in electoral procedures;
- another territorial reorganization towards a unitary structure of local government in England;
- increasing control and inspection of local government;
- firmer actions to better meet the needs of local communities and to improve the quality of services through intensive use of performance management methods;
- introduction of solutions orientated at improvement of ethical standards;
- financial reforms aimed predominantly at reduction of independence of local authorities and reinforcement of central government control.

The government had tried to create an elected regional level of government in northern England, but this idea was massively rejected in a referendum. Apart from reforms of structures of representative democracy, in the years 1997-2010 the government promoted forms of participatory and deliberative democracy, there was substantial growth of participatory initiatives. The communitarian train in the Labour programme emphasized on solutions pertaining to neighbourhoods and concern about community cohesion.

In the post-war period the local government adopted a traditional public administration form in management of local services. Within its role as provider of services in the welfare state, local government was a dominant player. This way of managing services changed under the influence of the concept of New Public Management (NPM) which contributed to introducing rules of management and marketing as well as outsourcing in local self-government. Under New Labour the reforms of local government introduced in England in 1997-2010 were predominantly implemented according to the concept of local governance. The British reforms are an example of an innovative and dynamic approach to the public sector. It is now commonplace to describe local government as a 'networked polity' undertaking governance (Durose 2009). The networks potentially open up a 'third space' between government and the other two sectors, extending the public sphere, engaging and empowering communities and fostering inclusive policy making (Deakin and Taylor). The basic objective of the paper is a study of the results of these reforms and evaluation whether practical implementation of the concept of local governance

proved to be an efficient method to reach the two main purposes of the reforms, i.e. democratic renewal and improvement of services.

The key element of the programme of modernisation of local government was "democratic renewal". Because of increasing distrust in democratic institutions, low turnout, particularly at local elections, and consequently the weakening of social support for local government, democratic renewal was an important rationale for the governmental reform programme. Democratic renewal was also essentially related to the concept of "the Third Way", creating a welfare system where citizens' rights are connected with active participation (Barnett 2002). Democratic renewal was the subject of the Labour programme of modernisation of local government throughout the whole period 1997-2010, which was reflected in the many initiatives. The New Labour have displayed a tremendous faith in social engineering. All consultation procedures underscored New Labour`s preference for strictly supervised democratic participation.

The governmental reform programme aimed at reaching democratic renewal has not produced expected results. In spite of the many reforms, initiatives and funds, political and civil involvement of citizens has not increased (DCLG 2010a, p. 7, Hansard Society 2010, p. 71, Hansard Society 2011). Turnouts at local elections as well as control of authorities by the society have remained at a low level (House of Commons Library 2009, Politics.co.uk.). The actions taken for the sake of empowerment of citizens such as discussion forums, citizens' juries, participatory budgeting, strategies of sustainable development for communities, facilitating participation in elections, referendums, petitioning, assessing public services, interviewing citizens, surveys, public meetings have not yielded a growth of subjective empowerment measured as the feeling of influence on the process of decision making (DCLG 2010a, p. 5). English local authorities were not efficient in creating possibilities to learn active citizenship. "Democratization" resulted in the mobilization of small groups with greater exercise of government control. Implementation of the concept of governance has not proved an effective means to complement representative democracy, which was the government's assumption, neither has it become an alternative to democratic procedures. In the 1980s and early 1990s conservative governments put emphasis on active citizenship as a method of promoting individual responsibility and discouraging dependence on the welfare state. The New Labour developed another facet of active citizenship, basing more on communitarian theories of democracy and concentrating on democratic renewal – reunion between the power and the people.

In the years 1997-2010 strong emphasis was put on modernization of services. The government was able to make massive investments in public services. The results of national surveys of public satisfaction with local services in England show that there were increases in public satisfaction with most services delivered by local government (Audit Commission 2009, p. 24) but not with local government itself (Ipsos MORI 2009, p. 12). Research done to investigate the causes of these improvements indicates inspections as an important external stimulus. In Wales and Scotland, which eschewed the English method of exerting pressure in favour of less confrontational approaches to assess performance, the results achieved by local government have not improved as rapidly as it happened in England (Andrews and Martin 2010). Notwithstanding the success of the government`s approach in encouraging performance improvements, local government representatives claim that the costs and dysfunctions of external inspections outweighed any gains, eventually prevailed. In the field of provision of services, the dominating element was central control by national agencies. Emphasis was put on promoting competition, efficiency

and satisfaction of consumers. Citizens were still treated as service consumers rather than co-decision-makers or partners. A substantial factor in improvement of services was the use of instruments of the New Public Management, in particular top-down management and exceptionally restrictive regime of inspection imposed by the central authorities. However, as points Jonah Levy, whether these practices actually improved the quality of public services is a matter of considerable dispute **(**Levy 2010, p.xiii)**.**

Reconstruction of the constitutional position of local government, which had been announced by the New Labour in the 1990s, has not been effectively implemented. Local government continued its functioning within the *ultra vires* doctrine. Despite a difference in the Labour approach to the citizens, the New Labour, like their predecessors, were not ready to grant local self-governance based on the concept of a local government as a community self-governing in their area, which concept dominates in many European states. The "competence to promote well-being" it had been granted but was not commonly used (House of Commons Library 2011, p. 12). Local government was still treated as central government's local agency. As a consequence, the political function of local government was reduced. New institutions of local government were not able to change significantly the process of decision-making due to strongly rooted British political culture and submission of English local government to party-based politics. Despite some important changes and challenges that accompany implementation of the concept of local governance – there are not enough clear symptoms of a weakening role of political parties. In the predictable future it will probably remain unchanged (Wilson and Game 2011, p. 309-331).

Local government has not restored its prestige, since the society's general satisfaction from its functioning has decreased while confidence in this institution has risen only by a small margin (DCLG 2010a, p. 12, DCLG 2010b, p. 39, 110). The attitude of residents to their councillors has not improved (DCLG 2006a, p. 5-7, 10), neither has the profile of councillors or their representativeness (DCLG 2006b, p. 2, Wilson and Game 2011, p. 268, Game 2009). Numerous experiments had destabilized and undermined local institutions and gradually led them to adapt to constant reforms. Some developments have diminished the status and power of local government. The most prominent example is the strengthening of central regulations and inspections, which have reduced the autonomy of local authorities. Other initiatives were aimed at the strengthening of the status and power of local governments. Some noteworthy examples are: the assignment of the power to promote well-being; rewarding authorities, especially those achieving very good results, with new liberties by the government; the loosening of control over borrowing; and actions to improve services. Generally, however, while other countries were transferring authority to local levels, the government in the United Kingdom took the opposite direction (Goldsmith 2002, p. 109). The paradox that should be emphasized is that the government which introduced devolution, afterwards led policies resulting in limitation of local government in England (Game (forthcoming).

Noticeable in many areas of local government was continuation of the policy of the Conservatives over the entire period 1997-2010 (Wilson and Game 2011, p. 367). To a large degree there still existed consensus between the conservative and the labour administration. That consensus could be noticed in seeking to improve public services and treating local government predominantly as a provider of services meeting national standards. The political function – the resolution of the conflict which

arises out of the issues involved in the public provision of services, collective taking decisions about the scale and quality of public services and the manner in which their costs should be met – was relatively neglected. Services were to be delivered in a more economical, efficient and competitive way, like during the period of Margaret Thatcher's government. Like their predecessors, the Labour encouraged the private sector and partnerships to provide public services. Central-local relations were characterized, similarly to the previous period, by central government's sceptical attitude to local government, detailed regulations as well as control and intervention concerning the results of performance. In the field of territorial reorganization of local government, the consensus included support for unitary local authorities. With respect to reorganization of internal structures of local government, the consensus concerned the establishment of a separate executive body and direct mayoral elections. Not only did the Labour continue the Conservative policies in those areas, but they developed them as well (Cole 2008, p. 101-102). As a matter of fact, the Conservative and Labour attitudes to the most important questions concerning the functioning of local government were similar (Wilson and Game 2011, chapter 19) – what confirm a new "political consensus" in British politics (Zięba 2002, p. 202).

The positive aspects of the reforms should be stressed. Apart from the mentioned improvement in provision of services, there appeared strategic partnerships to join up services and solve complex (wicked) issues. As Peter Matthews points, 'These partnerships were meant to break down the barriers between different public sector organisations and prioritise action based on a strategy agreed with the community'(Matthews 2014, p. 452). However, the researches have been critical regarding the outcomes of collaboration in practice (Darlow, Percy-Smith & Wells 2007, p. 127, Lamie and Ball 2010, Glasby & Dickinson 2008, p. 27). The model of local leadership in England underwent transformation. Because of reluctance of councillors and generally of the British to introduce changes, and because of domination of party politics in local government, the transformation took place but to a lesser degree than the government had expected. Nevertheless, considering the tradition and stability of the British system, it has to be appreciated as a remarkable development in English local government. For the first time in their history, the British society gained a possibility to elect the mayor directly, as well as to choose a model of executive authority. In terms of political life there occurred new unprecedented phenomena. The highly party-based British local government had to habituate to independent mayors and to the previously unknown cohabitation, where the mayor comes from a political option different than the council majority. There were some positive results of the policy of increasing cohesion of communities and levelling disproportionality of development between neighbourhoods (DCLG 2010c, p.109), which reflects the strategy aimed at more humanitarian conditions in social life and reduction of social exclusion – in that case retreat from Thatcherism towards interventionism enabled the state to accomplish specific social goals. There was a slow but steady improvement in most of the indexes which are favourable to building social capital in English neighbourhoods (DCLG 2010a, p. 13, DCLG 2010d, p. 29). Despite their inefficiency, one should not disdain the initiatives towards increase of turnouts in local elections through changes in electoral procedures and through actions for the involvement and empowerment of local communities. In the thirteen years of the rule of the Labour Party numerous reforms of local government were undertaken. These reforms, particularly the institutional ones, were a brave attempt to break perennial tradition and modernize local government. Although their result did not fulfil the expectations of the central government, that did not mean complete failure. New Labour initiated an ambitious reform program, but there was the lack of

preparation of institutional reforms and contradictions between different elements of innovations that were never fully delivered (Flinders 2006).

At the beginning of their rule, the New Labour opted for relatively small state, limiting its expenditure and implementing decentralization. After the thirteen years, however, the scale and function of the state has been largely extended. The government used various methods of ruling (hierarchies, markets, networks) in order to accomplish the appointed goals, but hierarchic methods were dominating. Research shows that processes of centralization were intensified. What is more, the state was able to influence some previously non-government spheres of social life. The result was consolidation of the decisive centre rather than development of autonomic network structures. Thus, the thesis of the "hollowing out" of the state in a system based on governance is not true. The central government was the originator and executor of the strategy of governance. While administering the networks, the government continued a hierarchical style of exercising authority, but in a non-traditional manner. It seems that thanks to this it also had greater possibility to control the society. In the discussed period the British state was involved in an ambitious project of social engineering in which distribution of hierarchies, orders and interventionism were prevalent. The research questioned the basic assumption that the state's (central authority's) capacity decreased due to the emergence of political networks (Crawford 2006, Greenaway, Salter and Hart 2007, p. 725). However, traditional bureaucratic institutions underwent reconfiguration so that the central government could manage local structures of governance. In the age of network governance, traditional hierarchical methods are not always adequate – governance generates the necessity of new forms of rule which should be based on a network of complex interdependences between various centres of public, economic and social authority and on mechanisms of collective decision-making, as well as on public consultation. This is why the British government also used indirect ("soft") instruments of power (Kelly 2006). Selecting new methods of rule, the government actually strengthened its ability to reach its political goals. The implementation of the concept of governance was accompanied by reinforcement of the central government. After 13-years of reforms, Britain is still the most centralised country in Western Europe (Faucher-King and Le Galès 2010, p. 71).

The concept of local governance seemed a firm basis for the role of contemporary local government (Stoker 2004, p. 15-21). Nevertheless, as the researches show, it is not easy to put this theory in practice and to achieve the expected effect. The gap between the academic theorising, policy rhetoric and the reality has led to something of a *mea culpa* by Rhodes (Rhodes 2011, Matthews 2014, p.453) and Stoker on networked governance. In 2011 Stoker conceded that "The community governance role – promoted by Rhodes and Stoker - is vulnerable because it lacks depth to its social embedding. It is deficient in both the hard and soft power to sustain its role" (Stoker 2011, p. 29). Local governance is an intellectually attractive idea, but it cannot constitute a base for the role of elected local government. This perspective involves a tendency to concentration on the soft power of persuasion and negligence of the hard reality of rule. Moreover, the soft prerogatives were not supported by citizens (Stoker 2011, p. 29).

A weak position of English local government and lack of "the rooting of governance" in the society had undoubtedly an impact on implementation of the concept of local governance in England. However, it is noteworthy that the theory itself suffers from substantial weaknesses. First of all, local governance in a

community assumes activeness and possession of deliberative (persuasive) skills – these qualities are not common, therefore citizens' involvement is beyond their capabilities. Deliberation requires a level of people's empowerment which local governments cannot ensure because of the existing social inequality of fundamental nature (Barnett 2011, p. 286). Studies almost consistently show that processes and results of network governance are disappointing, or even misleading for weaker and marginalized actors (Taylor 2007). Secondly, decision-making in the networks of governance should be carried out through negotiations aimed at reaching consensus, but such negotiations may result in decisions favouring specific interests rather than common good. In local governance, stronger actors can protect their interests better than others. If some actors are allowed to influence directly the shape of public decisions, basic rules of representative democracy will be broken. Here appears the problem of democratic legitimation of such decisions. Due to lack of resources, non-government actors may be unable to push ahead their projects which can be perceived by the authority as divergent from its objectives (interests). Thirdly, there is also a problem of coordination because of a multitude of agents rendering services. Finally, governance entails reduction of responsibility for decisions taken in the name of the society. As can be seen, departing from the principle of democratic representation towards horizontal coordination between different agents from the public, private and social sector can have serious consequences. As Florence Faucher-King and Patrick Le Galès suggest, 'British political life and civil society have been profoundly transformed by the New Labour governments, because the new tools of governance have accelerated processes of individualization and deepened the crisis of representative institutions in the Westminster system' (Faucher-King and Le Galès 2010, p. 130). Under New Labour guidance, Britain has moved toward the "post-democracy" model, deeply eroding the collective sense and purpose (Faucher-King and Le Galès 2010, p.141).

This all does not mean that networks are not viable in the 21st century. This means that networks can only complement bureaucratic authority, but not replace it. Moreover, it seems that decisive networks can only function effectively in favourable conditions, for instance, equal positions of partners as well as rules of co-operation and confidence. Therefore scepticism about statements announcing a new 21st century paradigm is justified. At the beginning of the new millennium organizations of the public sector seem to apply a complicated and unstable mixture of all the three styles: hierarchies, markets and networks, which in a broad sense can be named governance or – as Bob Jessop wants it – metagovernance or collibration (Jessop 2003, Jessop 2011). Analyses conducted in this paper, as well as the fact that Gerry Stoker distances himself from his own conception, imply that the theory of governance requires profound consideration, since there is no link between theory and practice. As research shows, statements of transformational potential of network decision-making are much exaggerated. Researchers contest the scope of the transformation associated with government networks and underline their instrumentalisation by political elites (Davies 2011, Kołomycew and Pawłowska 2013). The inclusive approach that was constantly invoked as a method of improvement of democracy 'is often seen as an artifice designed to legitimate decisions that had already been taken' (Faucher-King and Le Galès 2010, p. 138). As Jonathan S. Davies argues: 'contemporary governance has little in common with the visionary regulative ideal of networks. Rather, 'networked' governance institutions look very like the 'modernist' hierarchies they were supposed to replace' (Davies 2011).

In the light of British experience and reservations with respect to network governance, it seems that prudence is justified about implementation of this concept in Poland, especially since Polish society does not readily participate in public life and still is characterized by a low level of development of social capital, which is not in favour of efficient functioning of decisive networks. Poland still lacks active civil society. Involvement in activities of associations, foundations and other public organizations is low, and there is no sense of responsibility for the common good. Such forms of deliberative democracy as citizens' juries are not practiced. The low level of public debate often does not work in favour of reaching consensus. The culture of public dialogue at the stage of creation of policies is underdeveloped, which results in the feeling that citizens do not influence public decisions. These circumstances are a serious obstacle in building voluntary horizontal structures of co-operation between local government and non-public actors in accordance with the principles of the concept of governance. Another important factor is traditional hierarchy-based culture of administration. There is no doubt that the mentioned factors have an influence on the low share of the third sector in providing public services and the hitherto unsatisfactory experience of public-private partnerships. It appears that adoption of governance in Poland at present would be an attempt to disregard social, political and administrative culture and as such would be quite hazardous. The theory of governance assumes that some standards of confidence already exist or can be built by networks, but institutions often depend on the existing culture, tradition and change only by degrees. Without taking a national culture into consideration, transfer of a method of rule, even a successfully implemented one, from one country to another entails large probability of failure. Therefore it is better to develop a country's original approach to public management, of course, including other countries' experiences.

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