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[Editorial/Introduction]

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Testing the limits of elective dictatorship

The Johnson government has no talent for avoiding responsibility for failure. The outbreak of the pandemic should have brought blame-avoiding instincts to the fore. There were no gains in sight, only losses to be allocated: deaths and economic damage in unforgiving ratios. True, the experts were wheeled out, but they could not be asked to judge difficult trade-offs. The insistence of the Scottish and Welsh governments on raising their voices should have provided a clue about a workable blame-avoidance strategy: involve everyone and seek consensus.

How should we understand the government's uncanny ability to ensure that failures knock at its door? Hubris is one possible explanation. Perhaps senior ministers really believed that the test and trace service would be better run by a loyal Tory than by local public health departments. Perhaps they thought that a centralised tech-driven solution that relied on people answering their phones and then doing as instructed was workable. Certainly this would fit with the language of 'moonshot' and the anachronistic creation of a NASA-style control room at 70 Whitehall, looking like something out of an old episode of Star Trek.

Corruption also lurks in the background as another possibility. The pandemic has seen the suspension of standard principles of competition and transparency in procurement. Contracts are being awarded without being put out to tender, and are then taking months to be posted on Contracts Finder. There is a furious storm in the twittersphere about calling the service 'NHS Test and Trace' when it is dominated by private companies. People are annoyed because they feel that its poor performance may reflect badly on the NHS, instead of Serco and other large companies being called to account. But the use of private companies also means that there is no political shelter for the government: their failures come home to roost at the centre. Local control of testing and tracing would have meant fewer lucrative contracts for large providers, but it would also have provided some opportunities to deflect failure. It is but one short step to draw the conclusion that political shelter matters less to ministers than oiling the revolving door that will see them comfortably ensconced on the boards of large companies when they leave office.

The third possible explanation, not necessary exclusive of the other two, is that leading members of this government believe in taking risks in policy-making, not only (or even) because it brings results but because it fits with their conception of a vibrant democracy. In his Ditchley lecture earlier this year, Michael Gove argued for 'bold and persistent experimentation'. Mistakes will be made, and Gove disarmingly acknowledged some of his own, but in each case the eventual outcome was somehow better than what had gone before. A concern with the health of democracy framed the lecture: politicians need to offer the electorate bold plans, and they will be judged by the electorate five years later on whether they have delivered on their promises. Between one election and the next, the government should just get on with it, supported by civil servants who are equally adventurous. Without ever getting a mention, the subtext of the lecture was Brexit, a hugely risky policy, but one which, in Gove's eyes, has re-engaged the electorate and combated public disillusionment.

Leaving aside this view of what the electorate wants, we can ask what motivates politicians to embrace risk-taking. The strategy makes a kind of sense for individuals, although it is problematic for the reputation of their party. If leading incumbents make the right calls, they will still be in office come the election and they will be judged favourably. If fate goes the other way, they will be pursuing other careers. In other words, the love of risk-taking is intimately tied up with a preoccupation with personal trajectories and a lack of interest in the fate of the governing party.

We have seen this plenty of times before. Tony Blair gambled disastrously on war in Iraq. While he insisted that this was his decision and his responsibility, he moved on to a new career, leaving the party in disarray. When leaders place great weight on their personal judgment, it is time for the rest of us to take cover. What is unusual about Goveian risk-taking is that it is presented as a programme for government in every area. Most governments operate on the assumption that the electorate would prefer competence to experimentation, and they pitch their policies accordingly. Gove presents experimentation as a virtue. Policy analysis is sweepingly dismissed: 'no-one can predict at the start of a policy what its end will be'. Knowledge and experience are replaced with data and probability. If their throws of the dice work out, and their bold experiments produce good outcomes, those in government will thrive. If not, they will move on.

This vision for government is now running into difficulties: some familiar, but others thrown up by the particular nature of the coronavirus pandemic. The familiar problem is that a strategy that puts at risk the reputation of the governing party may suit its leading members but is stoutly resisted by its foot soldiers in Parliament. Johnson may feel that the Conservative Party owes its 2019 victory to him, but MPs have a stronger loyalty to their party than to his leadership. Normally, he would be able to secure compliance with the promise of future favours, but a surprisingly large number of MPs seem to be placing little value on that promise, whether because they do not plan careers in government or because they already see the Johnson team as a busted flush. Executive clientelism may itself be a victim of the government's experimental tendencies, as these render its grip on power too insecure.

But if we rest our gaze only on Parliament, we miss other fascinating insights yielded by the long march of the pandemic. In the early weeks of lockdown, it appeared that the government could act as the elective dictatorship that Lord Hailsham bemoaned. Draconian restrictions were introduced with little consultation and discussion, and people largely shrugged and complied. It must have been tempting for the government to imagine that it was in a familiar world of unbridled authority: getting Brexit done would be followed by beating the virus through sheer force of central government decision-making.

But ever since the lockdown was eased, the exercise of authority has waned. First it turned out that you can order people to stay at home but it is much harder to order them out and about. People felt the impact of competing sources of authority. The government wanted workers back in their offices, but employers didn't. It was time to visit public attractions, but local authorities urged continuing caution. Differences in the rules among the four nations, while not in themselves inherently bad, further unsettled the English public, unused as it is to such devolutionary displays.

Writing in mid-October 2020, this unsettlement has exploded into a full-scale contest for political authority. The governments of Scotland and Wales, let alone Manchester, Liverpool and London, could not stop the UK leaving the EU, but they can enter the contest to influence public behaviour with a vengeance. Giving the police more power will not make much difference: they operate on the basis of general public compliance and are not inclined to enforce the law in the face of widespread dissent. Furthermore, governance of the police has become more localised since Thatcher mobilised them against mining communities. Faced with a choice between rigorous enforcement and community support, they are likely to opt for the latter.

We have become so used to the unbridled authority of central government that this episode of contestation comes as a shock. It is also providing a striking demonstration of how dysfunctional government can become when constitutional norms are regarded as mere flummery and every relationship is approached opportunistically. The country has lacked sound principles for allocating resources between levels of government for some time. Every allocation of funds has been turned

into a political opportunity by central government, which since 2010 has massively defunded poorer areas, many under Labour control, while selectively rewarding its allies. But now that local cooperation is needed, the balance of power has shifted, and central government finds that its fiscal resources have turned from opportunity to liability.

It is a nice irony that this Conservative government faces this challenge at just the time that the 'Red Wall' has been breached and the so-called Blue Battalions are marching. The new crop of Conservative MPs was elected on a platform of culture war, but they have proved themselves quick to adapt to the more secure and prosaic ground of demanding more resources for their constituencies. The culture war has not gone away, but now the identity politics of the north is being mobilised against the government, heightening the sense of grievance and raising the fiscal stakes. Strikingly, the government's experimentalism has become part of the grievance: local politicians in Manchester object to the region's inhabitants being the 'guinea pigs' for unproven measures.

Another part of the constitutional settlement which is under pressure is the government's relationship with the civil service. For years now, the civil service has endured complaints from the higher echelons of the executive branch that the levers of power are disconnected from developments on the ground. Decisions made are not carried through into effective implementation. In his Ditchley lecture, Gove restated this complaint and proposed that the civil service should be absorbed into the executive agenda, embracing its risk-loving tendencies. Entirely absent from Gove's account was any sense that the civil service is accountable to Parliament for its loyal pursuit of government policies. Indeed, Gove took a swipe at the leading instruments of that accountability: 'if things go wrong, you will face the wrath of the National Audit Office, the criticism of self-righteous chairs of parliamentary select committees, the hindsight-rich rancour of newspaper columnists as well as the disappointed froideur of your Permanent Secretary'. Even the Treasury, linchpin of collective fiscal responsibility, did not escape criticism for being 'very good at questioning the cost of policies, but not their broader social value'.

Gove attributed civil service caution to cultural factors, but it is better understood as a constitutional imperative. Permanent secretaries who ask for a ministerial direction when asked to undertake expenditure which fails to meet established standards of value and propriety, as Sam Beckett did recently over the government's decision to spend £400 million on the bankrupt satellite company OneWeb, have in mind their duty to Parliament to account for the use of public money. More generally, civil servants have to think not about one electoral moment, but about the ongoing accountability imposed by select committees and representation of constituency concerns by MPs.

Consider the impact of the 'hostile environment' introduced by Theresa May at the Home Office. This was a 'genuinely transformative' policy in Gove's terms, that replaced legal processes with administrative harassment, and forced landlords, employers and the health service to become immigration enforcement officers. It supported a headline electoral promise to reduce net immigration to the tens of thousands. The promise was not honoured, but the government could tell the electorate that it was trying its best, foiled only by the insistence of courts and lawyers that people might have rights. Now that the policy is mired in scandal, the responsible ministers have moved on, leaving civil servants in the Home Office to contemplate a demoralised and dysfunctional organisation.

Local authorities are currently in the unusual position of being able to challenge the government's political authority by refusing to support coronavirus control measures. The government can go ahead anyway, but there is a cost to its failure to build consensus, in the form of a worse trade-off between maintaining public health and limiting economic damage. The civil service cannot itself directly contest political authority, although it can heighten the difficulties that the government

faces in Parliament. And it can certainly undermine political authority indirectly, leaving the government exposed by its failed experiments.

Collective action is needed to control the pandemic. Central government is the linchpin of this action, but its effectiveness against coronavirus depends on coordination and cooperation, not unbridled power. It is a misfortune of British political culture that effective government is so often equated with elective dictatorship. The Johnson government expresses these tendencies in their most reductive form, regarding dissent as disloyalty and treating checks and balances as obstacles to the programme it was elected to implement. Michael Gove's image of accountability and responsibility is also a reductive expression of widely held beliefs. Responsibility is treated as a question of who should resign when things go wrong, while accountability happens just once every five years. But it is small comfort for failure that we know who to blame. The bigger lesson of the last few months is that we should not scoff at politicians who seek wide participation and endorsement when difficult decisions have to be made. The Johnson government evidently has no patience for that. It has taken all the worst tendencies in British government and stretched them to breaking point. Sadly, we are seeing the cracks in political authority at the worst possible time for the country.