

# **'Do Nothing'**

**Westminster, Governance and the Politics of  
Policy Inaction**

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# Abstracts

**Introduction, a systemic problem for Westminster government:** The systemic problem in Westminster government is political hyperactivity or 'initiativitus' rather than inaction. Ministers and permanent Officials are motivated to act decisively and be seen to be doing so. Drawing on expert testimony, it shows that there are a myriad of incentives principally being the political imperative to react, Ministerial and Civil Servant short-termism, reshuffles and intergovernmental competition. The research demonstrates that there are few structural incentives to do less of nothing.

**Chapter 1, why do nothing and who does it?:** The section compares two core incentives for political inaction – ideological and resource. It compares the experiences of two respective periods of government. The 1980s when the Thatcher administration was driven by an ideological belief in a smaller state and post credit crunch where after 2008 ministers were faced with a squeeze on public spending and promised pragmatically 'more for less'. The research argues that small state ideology still meant ministerial hyperactivity and ultimately a stronger state. Even the most significant post-war recession of international proportions including sovereign debt crises across the world did not seriously curtail the reach of government. In the context of the Westminster model, the section goes on to discuss how the professionalization of politicians means an unspoken consensus that limits what governments are prepared to do despite a political class committed to action,

**Chapter 2, why does do nothing politics matter?:** Viewed through the prism of key historical episodes of the contemporary British political experience, this section takes a longitudinal approach to show that policy inaction has been crucial in securing significant social and economic change. Taking as instances the decisions of those administrations to follow Attlee and Thatcher respectively, it argues that the legacies owe much to the inaction of political opponents to unwind change. Elsewhere Harold Wilson's policy on Vietnam and Tony Blair's attitudes towards the European Single Currency demonstrate that 'do nothing' politics can be as significant as the active. Reflecting on Peter Hall's concept of third order policy change, it suggests the possibility of an additional driver in 'no order' 'change'.

**Chapter 3, how is do nothing politics held to account?:** By analysing the implications of the Westminster Model and its constitutional apparatus, this section argues that combative opposition with poor cooperation and minimal consensual discussion ensures government inaction across crucial policy areas. Democratic checks and balances, it is argued amount to a disincentive to take necessary but unpopular action. Meanwhile mechanisms such as independent inquiries give the semblance of action but the ability to do nothing about given issues while Parliamentary Select Committees themselves create public interest and demand action of ministers. By taking a longer view of spending commitments across a series of elections, it demonstrates that the Westminster system incentivises parties to match rather than depart from incumbents' plans making such change largely incremental. Parliamentary government in Westminster can both incentivise inaction and provide the tools to 'do nothing'.

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## Foreword

As Prime Minister David Cameron put the final touches to the first majority Conservative government in eighteen years, a dividing line was drawn between the coalition he had led alongside the Liberal Democrats from 2010 and the single party administration formed with a slim majority in 2015. It was not only the 'quad' that was gone; the formal mechanism for Conservatives David Cameron and George Osborne and Liberal Democrats Nick Clegg and Danny Alexander to meet in order to thrash out policy, strategy and governance issues. Gone now was also a barrier to political action.

Clegg's power as Deputy Prime Minister was less the ability to instigate policy in government (though he was not entirely without such influence) than it was to stop policy. His was ultimately the power of veto. Bennister and Heffernan illustrate that Cameron remained the 'resource rich' actor in the coalition<sup>1</sup> but Clegg's Liberal Democrats had what Matthews refers to as 'watchdog' powers to moderate and ultimately block policy<sup>2</sup>.

As Cameron despatched his new Ministers to their departments clutching their policy briefs, he was naturally signalling the direction and priorities for the administration. In looking forward, the episode demonstrated simultaneously that one crucial significance of the outgoing coalition's record in office was not simply what it achieved in the course of five years but also what it did *not* do. Alas, for all of Clegg's attempts to convince voters of the preventative influence of his party, it was a point largely lost by the electorate which punished the Liberal Democrats at the 2015 polls. And yet here in the dawn of a new government committed to policies including repealing the Human Rights Act and introducing a Counter-Extremism Bill, political inaction can be seen to be a hugely important aspect of understanding the period.

It is also a neat illustration of the importance of understanding the idea of political inaction, or 'do nothing' policy. And that is what this short book is committed to do. Organised thematically, it explores political inaction in a number of guises examining its motivations, its legacy and the role played by the combative Westminster model in ensuring policy makers do nothing. By taking an historical perspective, it illustrates that this contemporary instance of inaction is not exceptional and that do nothing politics shapes the world we live in today.

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the insightful comments of my two anonymous reviewers whose thought improved the research considerably.

# Introduction – A Systemic Problem for Westminster Government

There has to be a choice in policymaking. Where there is no option, there is no decision and consequently an event cannot be legitimately described as a policy. The ability to make choices is very often far more constrained than political actors would like to admit but nonetheless, every day decisions are made in government; some minor and administrative, others of great magnitude and import to many lives and lifestyles. The range of choices, though, includes a frequently overlooked option: do nothing.

In this sense policy involves negative preference as well as positive and gives rise to an early and oft reproduced definition of public policy offered by Thomas Dye back in 1972 as being 'what government chooses to do or not to do'<sup>3</sup>. There is some limited coverage of the 'not to do' part of this description in the existing literature, but on the whole the topic is largely overlooked in favour of its more positive, active, brethren. Michael Howlett's excellent assessment of policy design<sup>4</sup>, public policy implementation appraised by Hill and Hupe as well as Taylor and Balloch's edited volume on policy evaluation<sup>5</sup> are good examples of academic attention to the (active) topic. John encapsulates this approach in *Analyzing Public Policy* by describing the academic topic thus: 'Research on public policy seeks to explain how decision makers, working within or close to the machinery of government and other political institutions, produce public actions that are intended to have an impact outside the political system. The subject focusses on the decisions that generate outputs...'<sup>6</sup>

But policy can be seen at times as deliberate omission, that is the intentional act of not doing something and conscious of the implications. Here there has also been a longstanding debate which is of relevance around the idea of policy making as an 'incremental' process<sup>7</sup>, often pragmatically conceived and based upon adjusting the status quo versus those who see it as essentially stable and 'punctuated' by bursts of radical change<sup>8</sup>. There is a suggestion that radicalism means change in a way that pragmatism is more about adjustments and stability. But this raises questions about what is not done either in the case of incrementalism or indeed the opportunity cost of punctuating the equilibrium.

And understanding this idea of political inaction is the prime focus of this short book. Concentrating on the experience of politics in Britain, the study is grounded in the constitutional apparatus of what has been termed the 'Westminster Model' of oppositional, parliamentary government to consider not only what politicians do but just as importantly, what they choose not to do.

As such, in what remains a relatively narrow focus, the book contributes to a literature wider than that around policy development. The book draws in and adds to emerging academic debate on the professionalisation of politics, the nature of Westminster opposition and constitutional change. In this sense, the idea of 'do nothing' politics is a conceptual lens through which it is possible to look afresh at some of these debates.

Nonetheless, the distinct contribution of this book is to dissect the concept of 'do nothing' politics as defined here. Its methodology is longitudinal, based on the practice of government in Britain and organised around three broad perspectives of the topic. Firstly it explores the philosophical and practical reasons for inaction alongside the implications of professionalization of politics. Secondly it steps back to set the subject in its historical context and to demonstrate the legacy of doing nothing given the seventy year experience of post war government. Thirdly it considers how 'doing nothing' is and can be held to account by widening the study from the narrower actions of the executive to the more far-reaching functions of the Westminster Parliament. Consequently the research addresses three big questions around these perspectives: what is 'do nothing' politics and who does it? Why does 'do nothing' politics matter? How is 'doing nothing' held to account in the Westminster system?

The analysis in parts one and three is supplemented by interviews with three elite informants who have direct experience of the policy making process and its accountabilities. Peter Lilley<sup>9</sup> held posts in the Treasury during the Thatcher government and Cabinet positions at Social Security and Trade and Industry under John Major in the 1990s. He was later Shadow Chancellor when the Conservatives went into opposition after 1997. Latterly at the Institute for Government, Jill Rutter<sup>10</sup> was a senior civil servant. With spells in the Treasury as Communications Director and in the Private Office, DEFRA and the Number 10 Policy Unit, she experienced the Thatcher, Major and Blair administrations. Margaret Hodge<sup>11</sup> was a Minister throughout the governments of Tony Blair and Gordon Brown, holding a variety of briefs from Disabled People, Universities, Children, Work and finally as Minister of State for Culture and Tourism. But her most prominent role was perhaps upon leaving office when she became the elected and prominent Chair of the House of Commons Public Accounts Committee.

The book makes the case that political inaction can be as significant as policy action and that doing nothing has shaped the politics and society recognizable today. But it also demonstrates that to properly understand the significance of doing nothing in British politics, one has to appreciate the impact of the adversarial Westminster model which can be seen as the source of policy 'hyperactivity' as well as political inaction. Government actors are incentivised to be active and even doing less sometimes means doing more.

In an effort to demonstrate relevance from the research, a postscript is included which categorises some of the shortfalls in the political system highlighted by this publication and makes some modest recommendations for change.

This book is far from comprehensive. Viewing the topic at a conceptual level grounded in the political and historical record, the analysis presented is complete but, as always with this type of research, limited. As such, this study is offered as an opening critique and represents an invitation to other scholars to contribute to the topic. There already appears to be an emerging interest from academics in the broad subject area. As this book was in its latter drafting stage, a working paper was published by Allan McConnell and Paul Hart. *Public Policy as Inaction: the politics of doing nothing*<sup>12</sup>, primarily tackles the definition and methodological issues with the topic but the research represents a useful guide to scholars tackling these questions. Alas, it emerged too late to benefit this publication but will no doubt support future studies of this kind.

Further research would explore the subject from within Whitehall itself, examine the historical practice in more detail by way of public records and accounts, or widen the terms to compare experiences across the democratic world. That being said, this research is a self-contained critique of the 'who, what and why' of inaction in British politics. Such an academic critique is made possible by the particular format represented by Palgrave's Pivot publications. A short book rather than a long article, the outcome is different to either the traditional monograph or journal publication and that has allowed for a more generous discussion than is possible in a narrow academic article without the grander, all-encompassing, demands of a book. Indeed, the format means that 'Do Nothing' is a focussed study which addresses a series of research questions but with an alacrity and pace otherwise unobtainable. It has also provided a vehicle to draw together and link recently published research produced by the author around Westminster politics.

It is in part the format which has allowed for this investigation into an important but overlooked area of academic inquiry. It is hoped the research will provoke discussion about the nature of the governance system, widen academic understanding of policy decision making, and inform the debate about practical reforms.

Political inaction is wound up in our conceptions of power and just what politicians do when they win power. Before settling on a definition of 'do nothing' politics, however, the remainder of this opening section will acknowledge the more often cited criticism of Westminster government: that it does too much.

**'What are we going to do?' The problem of 'Political Inactivity' and the 'Lilley Option'**



One possible reason for the under-exploration of political inaction is that the systemic problem would appear to be the contrary. That is overwhelmingly the behaviour of politicians is to act and to be seen to act, comment and legislate across a range of policy areas. What might be termed political 'initiativitus' not only sees governments extending their reach in areas which perhaps should not concern them, but more seriously the action can sometimes be counter-productive. That is doing nothing might have produced 'better' outcomes.

Former BP Executive John Manzoni was appointed Chief Executive of the Civil Service in October 2014. A month into his tenure he gave MPs his views on Whitehall. Giving evidence to the House of Commons Public Accounts Committee, he put it starkly: 'We are doing 30% too much across the board anyway — we always have done...Too much activity. No company would undertake the level of transformative change that this Government have undertaken....We have to stop people having great ideas and everybody saying yes to them, I think.'<sup>13</sup> But this is how democratic government works and how Ministers and Officials are incentivised to act. The systemic problem is described by Peter Lilley when he reflected upon his first taste of government in the 1980s:

In my first ever role of miniscule importance I was PPS to the Ministers for Local Government and I had the tremendous privilege of sitting in on ministerial meetings in the Department of the Environment. I by and large kept quiet but I noticed after a while that there would be some problem, ministers would ask officials to come up with proposals and they would come up with proposals or for some reason proposals would emerge and I would see them. There would be option one and two and three a, b, c and so on. They would eventually decide that one of them was the best and after a while I ventured to suggest there was one option they had never considered and that was the option of doing nothing. So they then decided to put it on the agenda always and it became known as 'Lilley's Option' and persisted for a while under that title for a while after I left. And subsequently I became more aware of it when I became a minister myself that officials are goaded into action by Ministers or events or the newspapers or whatever and so they came up with proposals for change and there are two great problems. One is it never occurs to them or anyone else that doing nothing may be the least bad option and two that ministers themselves are not necessarily terribly well aware of how the present system works. Where it doesn't work, you've got a problem but they don't understand the mechanics of it. But they will be told in great detail the mechanics of how the proposed alternative works<sup>14</sup>.

Here the democratic Westminster system, combined with the pressures of twenty four hour news cycle and social media, must take some of the blame for incentivising such behaviour. After all, parties forming new administrations bring swathes of plans and initiatives, many claiming the democratic mandate of the people. Jill Rutter offers a subtly different perspective from the experience of the Civil Servants whose job it is to carry out the wishes of Ministers:

I think there's a bias to action. There's the sense that a lot of policy comes out of the idea that 'something must be done'... we have to act – the newspapers are baying for us we can't just say 'rubbish happens and the sensible thing is not to act'. I was in the Chief Secretary's office in the Summer of Disasters in 1987 when we had the Piper Alpha explosion, we had the Hungerford Massacre. Mrs Thatcher wanted to give away money for everything. We were working out the, we've killed 50 people there so how much is that worth? And there were just a series of things where the reaction was always, go!... I remember having this argument with Number 10 over Hungerford and saying there are loads of murders, there is a thing called the Criminal Injuries Compensation Scheme. Just because one man went and murdered a load of people on one day doesn't mean that we do something different.... The dynamic goes that a minister says I'm worried about X, I need to do something and then I think it's quite a brave move for an official to contradict. Political advisers can say, 'are you really sure?', but if you have relatively unconfident officials who aren't sure of their relationship with ministers and who've been told that the Civil Service is blocking ministerial action and are a bunch of obstructionists then the moment the minister says 'something must be done' or 'I'm interested in X what should we do?' then there's a bias towards doing something<sup>15</sup>.

This tension in Whitehall between Ministers and officials can be seen as a conduit for political action. Civil Servants can be seen as reacting to the wishes of their elected masters even if their own instincts would be to think again. Here are to actors incentivised to behave in different ways. Sometimes a minister is hyperactive because of inexperience of office and officials carry out their wishes because of a lack of political confidence to advise otherwise. Reflecting on more than a decade holding various government portfolios below Cabinet rank, Margaret Hodge identifies a real systemic problem in the way Whitehall operates. In part the incentives

that drive a Minister to act are coupled with limited preparedness for the job they have assumed:

I was a minister for most of the Blair/Brown years and I only really got it in the last job. I knew we had a year left and I just set myself seven priorities; I set myself seven things to do this year and that's it. And it was incredibly successful. It's not what most ministers do and that is what we ought to be supported into realising. You can only achieve a few priorities<sup>16</sup>.

As Peter Hennessy put it in his study of *Whitehall*, governments 'descend with manifestos, policy papers of varying degrees of sophistication and, in the case of more zealous new ministers, a conviction that some of the great intractables will at last yield to the force of correct policy and political will.'<sup>17</sup> This leaves the Civil Service in a delicate position about whether they should challenge a new minister or even suggest doing less. Jill Rutter, now at the think tank the Institute for Government, continues:

One of the messages we give to oppositions is that they need to make it clear to Civil Servants that they are open for challenge early on because the first thing the civil service is trying to do is to overcome scepticisms and I'll give you an example. I was in the Treasury in 1997 when Gordon Brown came in. Our Permanent Secretary had been appointed as a monetarist by Margaret Thatcher – Terry Burns. Within three days Gordon Brown wanted to make the Bank of England independent- that was fine – but he also wanted to strip it of its banking supervisory powers. Terry said you need to go more slowly on this, there are lots of issues – Eddie George the Governor won't like it and we need to think carefully. That ended Terry's career effectively he was marginalised for the next year because Gordon didn't like anyone saying 'no' to him so the message goes out<sup>18</sup>.

The position here no doubts constitutes sound advice but as a prerequisite puts the onus on the politician to invite dissent even when they have a worked out plan of action, a clear mandate and political authority. Added to this could be the circumstances where they are unfamiliar with the workings of Whitehall. Margaret Hodge counters the argument with a call for improvements in the quality of Civil Service advice arguing that at the top level there is a similar systemic motivation for Officials to act as there is for Ministers.

The only route to it would be a civil service which is much more skilled. One which has that sort of intelligence there at the heart of what they're doing. I mean they are the same as the politicians at a senior level; they will make their reputations on initiatives rather than delivering more effectively on existing programmes. You need more confident, competent, independent civil servants willing to challenge and that would be a transformation of the civil service.<sup>19</sup>

While this is a clear problem for any early period of office, when headstrong new ministers meet permanent officials, the problem would not appear to dissipate with time. Older governments feel the need to demonstrate they have not run out of steam. A case in point was the final year of the 2010 Parliament which led up to a general election date known in advance for the first time because of the Fixed Term Parliament Act. The final Queen's speech was legislatively light despite some later attempts to counter the damaging accusation that it was a 'Zombie Parliament'. Nevertheless, it led Chief Whip Michael Gove to spring to its defence: 'When this parliament is dissolved – on March 30<sup>th</sup>', he told an audience at the think tank Policy Exchange, 'we will have sat for 734 days, 16 more than in the 2005-10 parliament, 91 more than in the 1997-2001 parliament and 149 more than in the 2001-05 parliament. On average, we will have sat on more days per year in this parliament than either of the previous two. In this last session of Parliament – shorter than usual sessions because thanks to the fixed-term Parliament Act it only runs from June to March – we are busier than the last – much longer – session of the 2005-10 Parliament.'<sup>20</sup> Here the defence of government represented not a record of accomplishments but rather a boast about the sheer volume of work it had undertaken. What this amounts to in the round is more activity, more initiatives.

And within government there is competition between ministers for parliamentary time and financial resources which fuel action. The result is near constant reform of policy and public services with projects which will often never reach their conclusion before the emergence of another new initiative. Peter Lilley gives some sense of that competition:

There is competition for resources in the normal sense of finance but there's also competition for legislative time. So if a department gets a Bill and it appears in the Queen's Speech, that's considered good and if it gets two Bills that appear in the Queen's Speech that really puts it up the pecking order in Whitehall. But no Bills is sad. When you do get a Bill – because you don't get one every year – there's a great temptation to put everything in it so it becomes a sort of portmanteau bill.

That competition for legislative time and space either encourages ministers to go for portmanteau bills that cover all sorts of problems the department thinks needs tackling and the minister may not even be aware of or to go for big bang solutions rather than to tweak the present system and make it work a bit better and if that doesn't work go for something more radical. You say, 'We'd better do it now or we might not get another Bill for another three years'<sup>21</sup>.

This experience of intra-government competition also gives rise to a greater understanding of policy inaction. And that is that the things that do not get done are often not premediated or strategic deliberate omission but rather more practical decisions relating to the legislative process. Jill Rutter picks up the trail:

There are limits to what government does, for instance we had this draft piece of legislation ready to go which we hoped ministers would want but it failed to make the cut on priorities for the legislative programme which is an example of when everybody agrees it's a sensible thing to do but while there's no downside, it's not quite enough of a priority. Government has a legislative capacity and you get that every time and you see it in the Bills put forward for the legislative programme that there will be some serial ones which come up time and time again as nice to do and sometimes they make it into the last session of a Parliament when nobody has very much to do.... So something that everyone agrees should be done, doesn't cut through or doesn't fit the themes even though there's no real active decision that we don't want to do it<sup>22</sup>.

Perhaps the hyperactivity to which Gove refers is a case in point since the government to which he belonged engaged in a radical reorganisation of the Health service at a time when it was trying to curb public spending. According to analysis from the Heath Foundation and the Financial Times, the shake-up meant that hospital productivity 'tumbled' undermining policymakers' desire to protect the NHS from budget cuts<sup>23</sup>. All this came on top of near constant reform during the previous governments led by Tony Blair and Gordon Brown<sup>24</sup>. Might doing nothing have actually produced better outcomes?

Before moving on to the examination of doing nothing or political inaction, this section acknowledges and categorises this phenomenon of doing too much. It reflects on debates played out in sometimes disconnected existing research.

There is a longstanding, if limited, literature on ‘ministerial overload’; policymakers trying to do more than is possible without the space to reflect. Some of this can be blamed on the permanent civil service and their desire to ‘keep their minister’ busy’. Margaret Hodge alludes to this from her own departmental experience:

So what are the pressures? You would be surprised at how mundane it is and it depends where you are, it depends on the civil servants you’re working with, it depends on your own priorities. There is a certain culture in the Civil Service which is about keeping junior ministers busy doing nothing – signing off PQs, signing off letters, doing the nothing, nothing jobs and if they can do that, no-one worries about policy.<sup>25</sup>

Indeed didactically drawn from rational choice theory Anthony Downs’ much cited classic *Inside Bureaucracy* considers the manifestation of politicians who ‘go native’, behaving as advocates for their departments over their government or party<sup>26</sup>. But more precisely overload is a systemic problem. Former civil servant turned academic, David Laughrin, believes that ‘government ministers are more likely to be subject to an unacceptable degree of overload than almost any other profession. Sadly, however, they, those who work for them and those they represent often do not recognise this until it is too late. Overload matters because it can sometimes affect some leaders’ ability to think clearly and strategically and take good decisions on our behalf. It matters now because overload is getting worse’<sup>27</sup>. Former ministers frequently report working non-stop 16 hour days with diaries crammed full of meetings and engagements. ‘Ministers not only live in a fishbowl, they also have to be adaptable. They move from meeting to meeting, engagement to engagement, and topic to topic with barely time to read, let alone digest, their briefing. The diversity can be breathtaking.’<sup>28</sup> There remains a shortfall of knowledge about just what ministers do with their time and naturally experiences differ between holders of different posts in different administrations. It is possible to say, however, that the system requires a minister to head a department, develop policy, attend Cabinet and Cabinet Committees, advocate plans in government, parliament and in the country, act as a media spokesperson, be a party figure, represent their constituents and defend their parliamentary seat amongst other activities. Marsh, Richards and Smith distilled these down to four key roles: policy, political, executive and public relations<sup>29</sup>. Of those pressures, Cheong argues that policy capacity is the most appropriate skill for ministerial success<sup>30</sup> and this makes sense if one considers the purpose of forming a government. However, in terms of overload and doing too much, accountability perhaps presents the greatest pressure. Laughrin identifies this as the pressure on ministers ‘of constantly having to explain what they are thinking and planning, sometimes before they have had time to think it through fully. Today that is often

under fierce daily or hourly questioning from media inquisitors... If this can be a strength in democratic terms, it is certainly an added stress factor in decision making'.<sup>31</sup>

For this reason, in Britain's Westminster system, a 'good' Minister is not one who displays expertise over the area for which his or her department has responsibility; Britain has rarely seen professional ministers appointed from outside of Parliament (though Gordon Brown engaged in a limited experiment after 2007)<sup>32</sup>. Indeed in comparison to their European counterparts Blondel demonstrates that historically a British Minister is much less likely to be appointed to office because of their subject expertise<sup>33</sup>. Rather, government Ministers are expected to have the requisite political skills<sup>34</sup> to deal with competing ministerial colleagues, the confrontation of Parliament and an often hostile media. In Whitehall, politicians are moved frequently from one department to another. This is an observation long made from those who experienced it such as Richard Crossman<sup>35</sup> and Nigel Lawson<sup>36</sup> and empirically by academics such as Valentine Herman<sup>37</sup> or Berlinski, Dewan and Dowding<sup>38</sup> who demonstrate that British ministers are likely to find themselves reshuffled with a degree of frequency and have historically held office for shorter periods than their international equivalents.

Furthermore, the major motivation in conducting reshuffles is for Prime Ministers to exert power over government and consequently they 'attach great importance to maximizing the political advantages to be gained from them. This factor is the chief determinant of their logistics.'<sup>39</sup> The constraints of coalition after 2010 made reshuffles less likely since it diluted the power of patronage enjoyed by the prime minister. That is, while the prime minister retains the right to appoint and dismiss Ministers, in coalition it can only be done within the framework of what has been agreed with the coalition partner. In this instance, that partner was the Liberal Democrats led by deputy prime minister Nick Clegg who enjoyed the right to be consulted on reshuffles and the right to appoint his own colleagues to particular posts<sup>40</sup>. This meant that constitutional arrangements were stretched while one major motivation for engaging in reshuffles, to assert prime ministerial authority, was weakened. Nonetheless, it is perhaps the criticism of frequent reshuffles, where ministers are shifted before they can grasp their brief, which led Prime Minister Cameron to be rather reserved in moving ministers during 2010-2015 engaging in only one minor set of changes in 2012 and a more comprehensive reshuffle in July 2014 to refresh his (Conservative) team ahead of the general election a year later (Liberal Democrat Ministers were left untouched). In his first majority government formed in May 2015, many of the portfolios and all of the top ministries remained in the same hands with changes largely initiated by the departing Liberal Democrats

Given Michael Gove's boast, this would not have seemed to have curtailed overall government activity but in departments at least, there will have been greater continuity. Time will tell if successor premiers choose or are required to exert similar restraint. While future prime

ministers might not move their ministers with the frequency of Tony Blair or Gordon Brown (who between them were responsible for five Secretaries of State for Defence between 2005 and 2010), there seems every motivation to use this lever of power even if it means undermining ministerial responsibility, expertise, grasp of the brief or mastery of their departments.

Alderman offers a spirited defence of frequent ministerial turnover. 'Short-stay ministers', he says, 'can be much more positively characterized as *active foreign bodies* whose function is to produce *creative friction*'<sup>41</sup>. He rejects the fear that politicians risk acting without mastering their brief with the counter-argument that by that time they have become creatures of their departments. Furthermore while reshuffles can mean (unnecessary) shifts in policy at the whim of the new minister in charge, Prime Ministers can use the reorganisation to deliberately alter direction, tone or policy altogether. Arguably this happened when David Cameron replaced controversial Health Secretary Andrew Lansley with the more low Key Jeremy Hunt in 2012, neutralising somewhat the tensions which had resulted from NHS reform and the unpopular Health and Social Care Bill<sup>42</sup>. A new minister can, therefore, change policy because of the 'power of initiative' even without the authority of expertise. Alderman continues with the case that the 'need to regularly *freshen* their administrations figures prominently in prime ministers' calculations. Leaving many ministers in the same posts for prolonged periods may convey the impression not of continuity and stability but rather, of immobilism'<sup>43</sup>. That is governments need to act and to be seen to be acting.

Whether or not these arguments are considered convincing, they amount to a simple truth: it means ministers doing more not less. There is a systemic motivation for a new minister to make their mark, push through a policy change, pilot a piece of legislation through Parliament, demonstrate their political skills to a prime minister capable of promoting them, safe in the knowledge they are unlikely to be in post to be held accountable for the consequences. As Lilley puts it, 'You're more likely to be known for doing something than for doing nothing. You might heroically have saved the nation from going down some dreadful path but because you haven't gone down that path, no-one will know about it'<sup>44</sup>. Margaret Hodge adds weight to this view with a subtle distinction between the short timespan in office and the 'fear' of being moved:

There is this time imperative, the whole time – and I noticed this when I became Chair of PAC because I had five years allowing me to pace myself and do things in a much more rational way – but if you had a ministerial job under Blair/Brown, you had a year and you just had to get on with it and try to do as much as you could. And of course it all because very ephemeral; in a sense doing a lot meant we did nothing... There is no assessment of your capability in a ministerial role – it's another thing that's wrong with



the system, there's no support, no career development – you had no idea whether you were doing well or badly. Did that put pressure to act? I wouldn't correlate it entirely but there was certainly nervousness about getting reshuffled out but pressure to act, not particularly. You kept thinking 'I hope he thinks I'm competent' but you had no idea.<sup>45</sup>

For Rhodes, an overriding observation was Ministers 'concern with publicly visible performance and being seen to make a difference. Making a difference has distinct, if related, meanings. Obviously, it refers to legislation and policy that changes the lives of citizens. It also refers to the minister's standing in the pecking order of the governing party. Ministers seek to be onside with the prime minister and the chancellor and look, first, to survive in the Cabinet and, second, to move to one of the great departments of state such as the Treasury or the Home Office.'<sup>46</sup>

Partly because of the confrontational Westminster system, ministers are expected to act decisively. There is very often little room for deliberation and Ministers who are seen to be inactive can expect to be 'punished' at reshuffles just as the legislative stars can expect promotion. Budgets are naturally finite which means ministerial competition to 'win' resource for their department and the consequence of this is action. While it would be an exaggeration to suggest that policy objectives are absent from the motivation in attracting and spending public monies for ministers, sometimes the incentives can be more closely aligned with this inter-government ministerial competition.

Moreover, politicians need to be seen to do something; whether it is dangerous dogs, which resulted in the classic piece of pointless legislation in 1991, floods which had every party leader wading through the countryside in wellington boots in 2013, or terrorism which after the US twin towers attack in 2001 saw an ineffective assault on civil liberties, getting to the heart of a complex problem is rarely as big a priority as being seen to take action. Jill Rutter suggests much of the action is unnecessary from a policy perspective:

You do quite a lot of things where you don't need to do them. For instance an awful lot of Home Office legislation, they never move the clauses to put it into law... The Home office legislates for a lot of new criminal offences which are completely covered by existing offences but is there because there's quite a lot of gesture legislation. So there's quite a lot of things you do for the purpose of being seen to do something, signalling in legislation that this is now important but there's no substantive change<sup>47</sup>.

The recently released files on 1980s football hooliganism is a case in point for they reveal this pressure to be seen to be taking action as a phenomenon which reaches the very top of government. The explanations for football violence are complex and run deeper in society than the tribal support of a team. There are studies on this<sup>48</sup> and here is not the place for a discussion suffice that the focus of government surrounded simply tackling the manifestation of violence rather than the social root causes. In frenzied correspondence between the game's governing body and government, the emphasis was firmly placed on visible changes around crowd control and banning the sale of alcohol in grounds. The systemic pressure is given away by a handwritten note on the subject dating from 1986. Here Prime Minister Margaret Thatcher insisted that 'we must press ahead and be seen to do so... I know we must not relax now. If we do, one more bad incident and we shall be culpable'<sup>49</sup>

The manifestation is all too often the tool to hand for policymakers: legislation. The instinct to be seen to take action makes law irresistible even if new legislation is incapable of tackling the problem. This was an issue which came to the fore as Tony Blair's premiership neared its end. The Independent reported in 2006 that there had been 'frenzied law making' with 'an offence for every day spent in office'. As the report highlighted, the '3,000-plus offences have been driven on to the statute book by an administration that has faced repeated charges of meddling in the everyday lives of citizens, from restricting freedom of speech to planning to issue identity cards to all adults.'<sup>50</sup> Sweet & Maxwell put this into some perspective when their analysis showed that the Blair government had enacted 11% more laws per year than the Major government which preceded it and that the Major government itself introduced 39% more laws per year than the Thatcher government it replaced<sup>51</sup>. But laws are not the only way to assess government action. While the pace of new legislation slowed after 2010, government became interested in other ideas. With the publication of Thaler and Sunstein's popular book of the same title<sup>52</sup> 'nudge' became rather attractive to policymakers existing in an environment where public funds were scarcer than before. The Behavioural Insight Unit was established within the Cabinet Office to explore these sorts of possibilities and is noteworthy for a study of 'do nothing' politics. Nudge perhaps represents the semblance of government inaction but still achieves policy change. Rather than legislating or regulating activity this approach can subtly shift behaviour in people by adjusting the 'information architecture' but is judged by those citizens to be their own decisions. Critics of the approach point out that 'the extent that it lessens the control agents have over their own evaluations, shaping people's choices for their own benefit seems to us to be alarmingly intrusive.'<sup>53</sup>

The systemic problem in British politics is policymakers doing too much rather than too little. Indeed, there are very few structural incentives to do less or nothing. This book explains this sensation but also shows how there can be power in policy inaction. Before that, a simple definition is required.

## So what is Inaction and Why Study it?

'Do nothing' politics has to mean the deliberate decision of policy makers not to take action and where there would have been the option to have done so.

'Initiativitus' suggests that government should not always feel obliged to act and that 'doing nothing' can even produce better results. A fuller appreciation of the pressures to act can help develop our understanding of the decision making process and ultimately improve policy. Furthermore, it stands to reason that in choosing how to use resources and in taking decisions, politicians are engaging in inaction; either in prioritisation (doing this means not doing that) or by more deliberate negative preference. Overload in itself means ministers are at capacity so some things cannot be done. As Weller and Grattan point out in their seminal study of Australian government three decades ago: 'Even working fifteen or more hours a day, choices have to be made; not everything can be done, not everyone can be seen.'<sup>54</sup> Jill Rutter puts it as a series of questions, 'How do you prioritise? You have a limited amount of time and political capital potentially a limited part of a programme and how do you deploy those limited bits of ministerial capital and how do you achieve a sufficiently sensible regime for everything else?'<sup>55</sup>

Do nothing politics should not be confused with the status quo. Whether intentional or simply as a consequence, inaction does not mean that nothing changes. Government is undertaken in a volatile environment. However big a player in that environment, much of what politicians do represents reaction to changes in the world. Inaction does not mean that those changes do not take place; indeed it can mean their effects are more pronounced. Whether it is the economy, demographic changes, globalisation or natural phenomena, society is constantly changing and inaction can exacerbate that change.

There is also the idea that the state can 'crowd out' and disincentivise action at society's level. Following a decade of significant increases in public expenditure beginning in earnest in 2000, there were other motivations to political inaction than balancing the books. The 2010 coalition came to power with a mission to reduce departmental spending overall and one way of mitigating the effects of less well funded public services was to look to society itself. Jesse Norman sums it up in his defence of 'Big Society': 'we have reached the limits of the idea of the state as a remedy for social and economic failure', he says, 'What is so striking is how impoverished political debate has become on these issues and how reliant we are on a single and inflexible model of state provision of public services to solve our social ills'<sup>56</sup> State action and resource, he suggests, has been ineffective in tackling some of society's social ills. But this does not mean it is a zero sum game. That is, inaction might not have meant that outcomes did

not improve at all and might even have meant better outcomes. The question for policymakers should be therefore: 'will state action produce better outcomes than the market or civil society left to their own devices?' Where the state claims a monopoly, near monopoly or controlling regulatory interest, whether that is in the form of healthcare, welfare, education, housing or any number of other areas of life, it can prevent non-state actor involvement or discretion. If policy makers do nothing, there are circumstances where it can mean that other actors become energised.

The decisions that politicians take in office are often important and the decision to do nothing can be as significant as the more obvious policy pronouncements, legislation and initiatives. Inaction is in part a necessary pre-condition of action, since doing one thing means not doing another. Indeed, some inaction masquerades as small piecemeal change which has the power to prevent bigger transformations. But the option to do nothing, where action is an option, can be meaningful and have long-lasting implications. For this reason it is a worthy area of academic investigation.

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