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The public sector and civil society: A somewhat neglected issue in public sector reforms

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Abstract

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Introduction

What has to be done in order to increase citizen involvement in public affairs? This article addresses the issue of the publicness of public administration. It argues that when one wants to have greater involvement of the people in public policy development, public decision-making and service delivery, one should rethink whether it is really necessary to reform the public sector internally over and over again and at least rethink the direction of such reforms. Too often the cause of all problems encountered in governmental actions is sought in the internal structure of the public administrative arrangements with the consequence that one has to restructure and reform. Public sector reform is increasingly conceived as a panacea, a one-size-fits-all solution: 'Whatever the problem, administrative reform will solve it'. This article will argue that this is not necessarily so.

In order to make this claim this article first addresses the different roles of societal groups in their relation with the government. Societal groups are first of all a target group of government policies, in which the policies aim to control the behavior of citizens, business and other societal organizations in order to ensure that they act in accordance with the laws and regulations as set by the government. Secondly, societal groups and citizens can be seen as mainly customers receiving public services. But these are not the only roles possible for societal groups. They can also be seen as partners in the development of public policies and as interest groups. Why accomplishing such relations is a win-win situation for citizens as well as policy makers will be argued next. In order to accomplish such interactions between citizens and their government one needs specific actions by government taking shape in specific institutions.

Subsequently the article argues that there have been many reforms in the public sector over the last two decades of which the main goal was to run society like a business, and in which the attention for the public was one-sided in seeing citizens only as customers of public services. First the aim was to make the public sector more

conform to the principles of New Public Management (Osborne and Gaebler, 1992; Hood, 1991, Pollit and Bouckaert, 2004, 2011). Since the turn of the millennium new models have appeared, such as the model of good governance, the neo-Weberian state and the developmental state (cf. Drechsler, 2005). However, also in these models the emphasis is on the internal processes of the public sector, in which the role of citizens, especially in their relation to the public sector as interest groups and partners is rather limited. Hence, the objectives of the reforms of the last decades fail to reflect any attention for these two important roles for societal groups vis-à-vis the government.

Last but not least, this article argues that the consequences of the public sector reforms may well have been counterproductive in this regard, because the reforms have induced the dominance of an internal orientation among public administrators. An internal orientation implying that public administrators mainly worry about the developments within their organization and their own position within the organization and do care less about the main goal of the organization in relation to solve societal problems together with societal groups. It will be argued that continuous reorganizations within the public sector result in the making of a type of public officials who are constantly worried about their jobs, their working conditions, the changing relations to their colleagues, and the uncertainty about the new hierarchical relations within the administration.

Finally it is argued that reforms are likely to result in a standstill in policy development, an increase in interpersonal conflicts within the administration and increased conservatism, that is, resistance against a yet another reform within the public sector, which is the last thing one needs if one wants to improve the public side of public administration. The argumentation will be backed and illustrated by outcomes of previous research by the author (De Vries, 2002, 2008, 2011, 2012). These investigations took place mainly in his home-country, i.e. the Netherlands. The outcomes of this research might well be valid in a wider context, because public sector reforms have been frequent all over the world (cf. Pollitt and Bouckaert, 2011 and Nolan, 2001 for OECD countries; Weyland, 2007 for Latin America, Beschel et al,

2013 for Middle East countries; Ayeni et al, 2003 and Bangura and Larbi, 2006 for developing countries and Nemeč and De Vries, 2012a for reforms in countries in Central and Eastern Europe).

The publicness of the public sector

Four roles for societal groups in their relation with government

Interactions between government and societal groups are primarily characterized by power and interests. These two concepts determine who is included and excluded from the policy-making process and how and why actors are included or excluded. It refers to the congruence/ antagonism of interests between policy makers and societal groups, and the extent to which their mutual relations are hierarchical. This results in four possible forms of interactive policy making. Of course this is an ideal-type distinction. In practice all kinds of mixed forms might be visible.

Table 1. Four types of interaction between government and societal groups			
		(dis)parity of power and authority	
		<i>Hierarchical</i>	<i>Horizontal</i>
Perceived Interests	<i>Antagonism</i>	Type A Societal groups as target groups Government steers hierarchically	Type C Societal groups as interest groups Resolution of conflicting interests
	<i>Congruence</i>	Type B Societal groups as clients Government provides services	Type D Societal groups as partners Government becomes governance

The first design, type A, treats societal groups as target groups. The policy makers are dominant and fear that without their interference the population might act in undesirable ways. The policies are intended to make undesirable behavior less likely and desirable behavior more likely. In this way order and stability is maintained and societal problems can be resolved. It is because of the basic assumption that people might show unwanted behavior that a presumed antagonism between policy makers and population forms the point of departure in the policy making process. Given the powers invested in the politicians and the bureaucratic policy makers, the participation of societal groups is minimal. Policies are directed toward steering the behavior of the latter and not at getting consensus, which is hard to expect anyway if people have different interests.

Type B assumes that the interests between policy makers and societal groups are congruent. People as well as policy makers want quick, effective, efficient and well thought-out service delivery by the public sector. We all want our passports and driver's license as well as our permits to be delivered the same day we ask for them. In this case, it is about government as a service provider in which people in all their different roles are the clients. Underlying this model is a hierarchical relation, based on the relation between on the one side the service provider, in public services often a monopolist, and on the other hand the client being simultaneously voter and customer, but in this model seen first and foremost as the client. It is the client who might not be satisfied with the service delivery, in which case it is in the interest of the service provider and client that the service delivery is to be improved and opportunities are created to utter complaints.

Type C still departs from antagonism in interests, but the relations between policy makers and societal groups are less hierarchical. The latter try to influence the policy making process, and are involved in such processes because it is recognized that policy outcomes may be profitable for some groups while being harmful to others. Hence, the dominant view is that one has to deliberate and allow for participation by different societal groups before decisions are made in order to mitigate the possibly

disadvantageous impacts. In fact this type of interactive policy making involves different policies. It is not about the crook having a say in the conviction, but it's about the 'citoyen' having a say in policies which might be good for economic development, but not for the environment and vice versa.

Finally, type D is characterized by congruence of interests and equivalency in the mutual relations. It is what nowadays is depicted 'governance', referring to all organizations and institutions that are involved in the structuring of society, including governmental as well as non-governmental actors and independent agencies, without anyone being dominant (Raadschelders, 2003: 4), and central in modern day analyses of policy networks.

Why involve the public in other ways than just as a target group or customers?

The last decades have emphasized type A and B interactions, that is, seeing societal groups as customers and target groups respectively, implying a hierarchical relation between the service provider/ rule-maker and the population. The improvement of the actions involved is, of course, necessary and a lot has deservedly been done to improve the relations in this respect. However, there are many reasons to involve societal groups in policy processes also as partners and interest groups. The most important reasons therefore are that such interactions are basic to good governance, that it increases the stability of the system and that the quality of the policies developed increases (cf. De Vries, 2008).

First of all, it has everything to do with democracy (Linder, 1994). Policies which have an effect on groups in society have to be supported by these groups. It belongs to basic democratic rights that citizens can indirectly and directly influence, participate in and co-produce policy-making processes.

Second, it has to do with the stability of the political system. Support for the political system is next to the demands placed on it one of the most important inputs, which determines in the short or long run the viability of the political system. Trying to obtain external support does not slow down the policy-making process as is often

thought but may well reduce the time necessary to progress from identifying a policy problem, to developing a policy, making a decision about it and implementing the policy. Complex decision-making processes may well be speeded up if stakeholders are continuously involved at each step (Dukes, 1996; Susskind and Field, 1996). The alternative of neglecting public support at the beginning of the policy process often results in resistance and delays in later stages of the process.

Support for policies also increases support for the policy-makers themselves. The elected ones, in particular, gain in the probability of being re-elected. It is clear that when the policies they have proposed, enacted and implemented are judged favorably by the public in general, the public will be more inclined to re-elect them. Furthermore, external support and 'co-production' prevent paternalism. People are more susceptible to recommendations when they have been involved in the process which resulted in the recommendations than when the recommendation has been dictated to them. According to Terry (1995), public administrators need external as well as internal support. They have to maintain a favorable public image and should (internally) bind parochial group egotism to larger loyalties and aspirations (see also Perrow, 1961; Pfeffer & Salancik, 1978). External support for policies results in a favorable public image which is crucial for success (Terry, 1995: 146). Perrow pointed at the necessity of a predominantly favorable public image which, in his words, translates into 'prestige' which, in turn, increases the likelihood that administrative agencies will continue to secure vital resources from the external environment (Perrow, 1961: 335; Terry, 1995: 146).

Policies also tend to become better and more moderate in a qualitative sense if they are co-produced by the policy-makers and the target groups. The variety of ideas implies that more information is gathered and taken into account before reaching a decision. The transparency of the policy is also enhanced and therefore its controllability and accountability. As such, public participation is a strong form of 'checks and balances'. It ensures that policies are better thought through, well-argued and legitimate. In this regard it is important to note that public participation can result in a decrease in the ambiguity policy-makers might face. As March and Feldman

argued, policy problems and solutions often suffer from ambiguity about the concepts. The main problem is often the differing interpretations and valuations of the problem at stake and then the policy-making process becomes a process of issue interpretation.

The importance of this point is especially seen in redistributive policies where the distribution of the benefits and costs over different groups in society is at stake. To seek support from all involved parties will result in a more reasonable distribution of the costs and benefits over advantaged and disadvantaged groups in society. Lindblom (1965) calls this the ‘potential intelligence of democracy’. Public participation may have an intended side-effect on increased knowledge of all participants. It may reduce the risk of violent confrontation and may make it clear which options to consider and why options are considered (Dukes, 1996: 64).

The needed institutions for involving societal groups as partners and interest groups

What is helpful in achieving such public participation is the creation of institutions. The emphasis and neglect of the four types of interaction can be seen in the emphasis and neglect in building and extending the functions of specific institutions. An overview thereof is seen in table 2.

Table 2. Four types of interaction between societal groups and government and the functions of specific institutions

	<i>Societal groups as target groups</i>	<i>Societal groups as clients</i>	<i>Societal groups as interest groups</i>	<i>Societal groups as partners</i>
<i>Procedural measures</i>	Extensive regulation Maintenance by sanctions.	Simplification of regulation, deregulation, language improvement, redesign of forms, cutting red tape. Staff training to enhance efficiency	Regulation to insure democratization. Laws on work councils. Public inquiry proc. Constitutional rights, freedom of press	Negotiated agreements instead of laws. Self-regulation.

<i>Information Measures</i>	Registration. Socio-graphic and demographic research. Information as means of government control.	Polls on client satisfaction. Advertising, brochures, guides, public relations. Advice, surveys, focus- groups. Information as communication service.	Freedom of inform. Hearings, public meetings, community outreach, committees, forums, referenda. Information as a right for societal groups.	Deliberation. Joint project teams, lobbying, negotiation. Information as means for mutual understanding.
<i>Consultative Measures</i>	In order to get more insight into effectiveness of policies, the need for new regulations, and control.	In order to get feedback from consumers with a view to improving services.	In order to confront different interests.	In order to know where interests meet and win-win situation can be created.
<i>Institutional measures</i>	National statistical and planning agencies.	Ombudsmen. Special commissions.	Work councils. Appeal courts, tribunals.	Consultative bodies. National boards.
<i>Restructuring measures</i>	Standardization	Deregulation, one-shop system.	Democratization.	Privatization. Public private partnerships.

The table gives an overview of which regulations and laws are made and emphasized in order to induce one of the four forms of interaction between the government and societal groups, the procedural measures, what information is gathered by government and why – the informational measures; why the societal groups are consulted and in which way – consultative measures, what institutions are build – the institutional measures and what is the main objective of all the measures –the restructuring measures.

For instance, regarding the first row, when government sees societal groups as target groups, procedural measures are introduced to regulate and sanction them, to tell them what is allowed and what is forbidden. When societal groups are seen as customers the emphasis is on simplification of regulation, deregulation, regulations to improve the language used by public administrators, the redesign of forms, cutting red

tape and staff training to enhance speed and efficiency of service delivery. But when societal groups are seen as interest groups or partners, procedures emphasize the need for negotiation and self-regulation and regulation is to ensure democratic processes such as given in laws on work councils, public inquiries, constitutional rights and freedom of the press.

The absent publicness of public sector reforms

Above it was explained that there are different ways in which the relations between societal groups and government can be conceived. Below it will be argued that the public sector reforms as seen in the last decades one-sidedly emphasized the role of societal groups as customers and target groups respectively, neglecting and even being counterproductive for societal groups' role as interest groups and partners. This is firstly seen in the goals of these reforms and secondly in the unintended consequences of the reforms.

The goals of public sector reforms in the last three decades

The main trend in public sector reform has been in the direction of New Public Management of which the basic idea is that society should be run like a business. Osborne and Gaebler (1992) wanted to reinvent US government in order that it works better and costs less. Their ideas on New Public Management were summarized in Denhart (2004: 136) under ten principles: Government under NPM should be catalytic (steering rather than rowing), community-owned (empowering rather than serving); competitive by injecting competition into service delivery, mission-driven instead of rule-driven, results-oriented, customer-driven, enterprising, anticipatory, decentralized and market-oriented. This view on the public sector is based on a very critical stance towards it. One has to leave the rowing to those organizations that know how to deliver services, i.e. the free market. Society would be better off if the public sector as such would be downsized and the number of public officials could be decreased by privatization, outsourcing and economic liberalization. At approximately the same time

Hood (1991) identified as typical for New Public Management as it developed in the UK elements such as hands-on management, performance measures, emphasis on output and controls that objectives are met, disaggregation of and competition within the public sector, copying private sector management styles and input discipline (Hood, 1991). Public services could be in the hands of the public sector if only the way they are delivered would be improved, i.e., if it would be more product instead of function-oriented, if internally it would become merit-based and careers would be organized on a professional instead of formal-legal basis, if management-objectives would become dominant over legal arrangements, if mobility would increase and flexible work contracts would replace seniority principles, if the bureaucratic ethos would disappear and the emphasis would be on the quality of service delivery and e-government. Both interpretations of NPM emphasize the crucial role of efficient and speedy service delivery, thus emphasizing the role of societal groups as customers of those services. Essential were improvements such as deregulation, development of one-shop systems, of performance measures measuring client satisfaction and the productivity of the public sector, and giving information as a communication service to the clients. It one-sidedly interprets the values and norms of the public sector as the added value in economic terms and the norms as set by performance indicators instead of understanding these in terms of ethics, integrity and basic moral values.

Since a couple of years there have been alternatives for this reform model, especially in the good governance model, the developmental state model and the neo-Weberian state model. In the *developmental state model* it is all about giving priority to protect the national economy and especially its core industry. It emphasizes protection of domestic industry over foreign direct investments, technology transfer instead of capital transfer, a capable state apparatus over privatization, corporatism instead of the strict divide between public and private sector, output legitimacy (effectiveness) over input legitimacy (efficiency) and economic growth over political reform. However, the citizens in their role of interest groups or partners are hardly mentioned in this model. That is to a lesser degree, but still predominantly the case for the so-called *Neo*

Weberian state model which emphasizes a rather different approach than NPM, but still pays hardly any attention to the role of citizen. This model calls for a reaffirmation of the role of the state as the main facilitator of solutions to the new problems, of representative democracy as the legitimating element, of administrative law in preserving the basic principles, and of the idea of a public service with a distinct status and culture. It is called Neo, because of its ‘neo’ elements such as a shift from an internal towards external orientation, consultation with citizens, a modernization of the relevant laws, to encourage a greater orientation on the achievements of results rather than merely the correct following of procedure, and the professionalization of the public service (Pollit and Bouckaert, 2004; Drechsler, 2005). It is still very process oriented with as the main distinction to NPM that it recognizes the unique character of the public sector. But it are all still just deliberate attempts to change the structure and processes of public sector organizations with the objective of getting them run better” (Pollitt & Bouckaert, 2011).

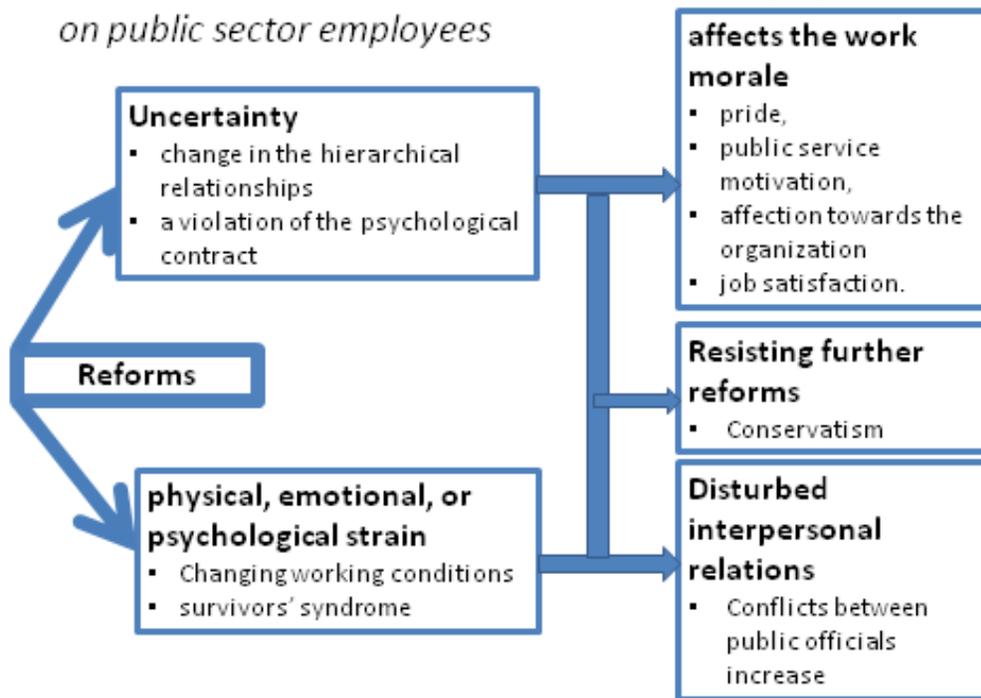
This is especially the case for the good governance agenda in which government is asked to do what it is supposed to do instead of leaving this to market forces, that is, create security, protect property rights, reduce societal problems and take back its leading role in controlling and steering societal developments, but the criteria according to which good governance is distinguished from bad governance are mainly procedural. These include legitimacy and voice, direction (including strategic vision), performance (including responsiveness, effectiveness and efficiency), accountability (including transparency) and fairness (including equity and rule of law).

Although the alternatives for NPM leave some more room for the participatory role of societal groups, the attention therefore is still somewhat meager. They still don’t talk about co-production, enhancing direct democracy, taking into account conflicting interests when developing new policies nor do they pay sufficient attention to the need of more horizontal relations between state and society instead of pure hierarchy.

The unintended effects of the reforms

As serious as the lack of intentions to enhance the role of civic society in public policy processes in the reforms mentioned is that the actual reforms that did take place had effects which are counterproductive in this regard. Especially when organizations experience repeated reforms this is detrimental for the much needed external orientation of its employees towards society instead of internally towards their organization and their own position. The basic model in which these unintended effects are presented is given in figure 1.

Figure 1. *A conceptual model of the effects of reforms on public sector employees*



The literature on the unintended consequences of continues reforms shows that such processes go hand in hand with uncertainty, physical, emotional and psychological strain among the employees in the organization, because during reorganizations positions are shuffled around, colleagues even subordinates may become bosses and bosses can be degraded, pushed aside or even fired, resulting in new and unknown relationships. The second way in which reorganizations result in uncertainty is because

reorganizations can be seen as a violation of the psychological contract, e.g. “the actions employees believe are expected of them and what response they expect in return from the employer” (Wellin, 2007: 27). Pollard (2001) found that workplace reorganization causes significant increases in distress and in systolic blood pressure and that uncertainty contributes to these effects.

As a consequence of the uncertainty, threats and physical problems amongst employees caused by reorganizations, indirect effects of reorganizations are also likely to occur. Several authors pointed to the probability that reorganizations may affect the work morale, such as shown in pride, public service motivation, affection towards the organization and job satisfaction. This is the case, among other things, because they force employees to shift attention from their daily work to organizational developments and to check whether the reorganization will affect the nature of their work and working conditions. Especially when employees perceive the outcomes of the reform as unjust for themselves, they are more likely to leave their jobs, are less likely to cooperate, show lower levels of morale and higher levels of work stress and overt and covert disobedience, are more likely to initiate lawsuits, and may even start behaving in anti-social ways.

A second probable indirect effect of reorganizations is found in the inclination of employees to prevent further reorganizations and reforms. One might expect them to show conservatism, or in terms of the rationalities distinguished by Max Weber to adhere more and more to a traditional rationality. Preferring the way things are arranged at present even though further reforms might be advantageous to their organization.

A third probable indirect consequence of reorganizations is that interpersonal relations between public administrators become disturbed. Previous research pointed to the probability that such conflicts are related to characteristics of the context in which people are employed (cf. Waite Miller, Malis & Roloff, 2009). Important for our research is that it was pointed out that especially hectic and dynamism in the work environment are causes of interpersonal conflicts (Marcellisen, 1988). Furthermore, if there are large power differences it becomes harder to arrive at solutions and conflicts

are more persistent (Kriesberg, 1993). This is especially the case when dominant positions are in dispute and ambiguous (Smyth, 1994), when power shifts occur, or otherwise fundamental changes take place in the context (Putnam & Wodolleck, 2003), and especially if the workplace is perceived as chaotic (Crocker, Hampson & Aall, 2004). Especially reorganizations may have the side-effect that they result in a division within the organization between people who profit from and people who are disadvantaged by the change. As said above, reorganizations may result in (temporary) uncertainty and ambiguity about the new situation and consequently result in behavioral mistakes by individual public officials, which in turn can be interpreted by others as resistance to the new situation the newly established hierarchy, thus resulting in an interpersonal conflict between public officials (cf. de Vries, 2012). For the Netherlands the author found clear evidence that these effects do indeed result from frequent and repeated reorganizations (de Vries, 2011, 2012).

Conclusions

This article addressed the problems involved in constructing a civil society which actively participates in public policy development and decision-making. It pointed especially at the unintended but nevertheless detrimental effects of the reforms and subsequent reorganizations as witnessed in the last decades. It was argued that especially reforms in the name of New Public Management are one-sided in that they emphasize civil society's role only as client or customer of public service delivery. Besides the role of customer civil society can also be conceived as a target group of public policies, a composition of interest groups or as a partner in the coproduction of policies. Especially these last two roles were neglected in the last decades resulting in a civil society that is only allowed to say that government service delivery can be faster and better, but is unable to interact as 'citoyen' with government in order to say they want different policies, attention for major problems and what is in their interest besides the basic services.

Furthermore, it was argued that the reorganizations resulting from the reforms may have had the effect that public officials turned away from society and were mainly internally oriented at their jobs, position and the position of the organization they work for. This is a consequence of the direction of such reforms, but also of the frequency with which reorganizations occur.

As a scholar working in academia it may not be possible to achieve that the reforms and reorganizations, which are repeated again and again, do indeed stop. Our profession lacks political power, but we can and must speak truth to power. The main message is therefore: *“If you want an active civil society with a mature relationship between government and civil society, in which both can express their interests on an equal basis with the goal to make for a better society, stop the repeated public sector reforms”*. These reforms are only aimed at optimizing the internal workings of the public sector and at repeatedly changing the inter- and intra-governmental arrangements and not at involving societal groups in any way. These reorganizations also result in uncertainty and physical, emotional and psychological strain among the public employees and have a negative impact on their external orientation and public service motivation, result in more interpersonal conflicts within the public sector and into increased conservatism. Therefore, stop it!

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