

The limits of expertise

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It is Gordon Brown's unfortunate fate that history has revealed how much he relied on Tony Blair for his political success, but will never reveal quite how much Blair depended on Brown. Under Blair, Brown was insulated from all the aspects of governing that proved so uncomfortable for him – offering a story, controlling the news agenda, communicating to swing voters, asserting clear medium-term ambitions. Freed from the obligation to deal with these issues or foreign policy, Brown was privileged to focus exclusively on domestic policy formation.

Looking back, the dual leadership of Blair and Brown was, inadvertently, a political master-stroke, converting weaknesses into strengths. Compared to the number-crunching Brown, Blair was able to appear 'Presidential', even if that quality eventually did for him; compared to Blair, Brown was able to appear authentic and expert at policy-formation. It was the unglamorous, numbers-heavy Chancellor that was wheeled out during the 2005 election campaign to convince voters that Labour had real substance. It was this same unglamorous, numbers-heavy man that voters became so dissatisfied with.

One lesson that emerges from the Brown premiership is that there never was a contradiction between 'spin' and 'substance', but that the two are interdependent. It is precisely because naked policy does not result in a coherent political narrative that spin becomes necessary. At the same time, political positioning and story-telling is of little use inside the machinery of Whitehall bureaucracies, which makes policy-formation an indispensable part of politics.

Faced with a choice between *just* policy and *just* narrative, voters currently seem to prefer David Cameron's offer of the latter, though one wonders how the new-look Tories will cope with the chronic headaches of government such as designing social policy. In all likelihood they will stick as close to the Brownite methods and sources of expertise as possible. Take away webcameron, the bicycles and enforced cultural liberalism, and it is plain that, as a policy programme, 'modern' twenty-first century conservatism still does not exist.

The government believes its problem to be the opposite one. It needs better management of the media; it lacks vision; Brown was not human enough or a natural communicator. Some critics go even further, and suggest that the Tories are seizing control of a new post-policy politics. As Simon Jenkins put it following the May local elections:

The strategists of Brown's counter-revolution still miss the point about the new politics. They echo their leader about communicating policy messages as if all they needed was a touch of the Alastair Campbells. They demand that Brown rid the

Labour party of unpopular measures and take that old carthorse, 'the policy agenda', out of its shed, put young James Purnell in the saddle and feed it with Treasury hay. Small wonder the electorate's eyelids fall shut. (Jenkins 2008)

In the same piece, Jenkins applauds Boris Johnson for having grasped the nettle by 'camping it up in a policeman's hat at a Sikh festival in Trafalgar Square'. There are few on the left who would wish to see quite such a wholesale, post-modern abandonment of serious expertise as a basis for authority. But there is a real sense in which years of office have dulled the distinction between the mechanisms of Whitehall and the principles of the Labour Party. The concept of 'delivery', favoured by Ministers to assert their managerial sincerity, was never going to be a very effective political weapon when the political weather turned foul. At present, the only alternative is to reach for the Blairite media stunts that Brown initially promised to abandon.

A brief glance at the changing nature of the professional backgrounds of Labour cabinet members demonstrates fairly conclusively that the higher echelons of the Party have become dominated by the two wings of the spin-substance dichotomy, with a dramatic rise in journalists on the one hand, and policy advisors on the other (see Figure 1). Ed Balls, for instance, is both.

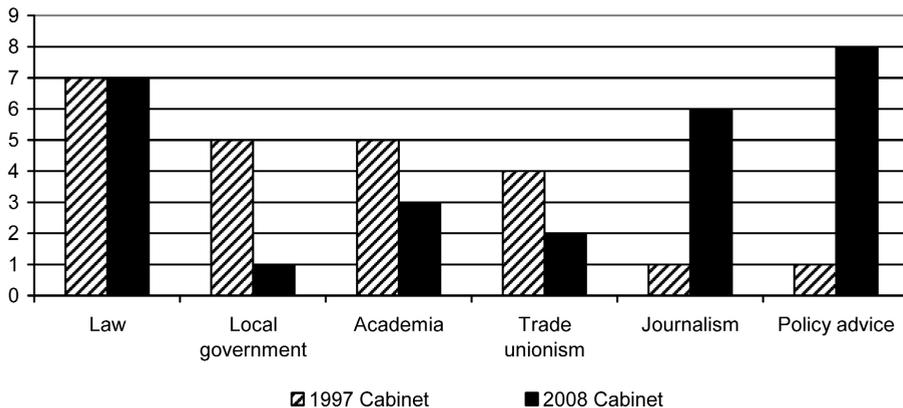


Figure 1: professional backgrounds of first Blair Cabinet and summer 2008 Brown cabinet

In some respects, this is simply the inevitable consequence of a long time spent governing. Opposition might provide an opportunity to reconsider why the Labour Party exists. The difficult thing for many figures in New Labour will be to recognise the grain of truth in Simon Jenkins' critique, namely that the next election will not be primarily about policy.

When looking beyond the next general election, and beyond even a possible period of opposition, the question is whether a different form of politics is possible, that overcomes the sharp divide between 'spin' and 'substance', between the symbolic and the economic. The most important achievements of governments cannot be easily placed into

either of these two camps, but transcend the distinction between image and reality. Is the NHS a symbol or a policy? It is both and neither. The same was true of the social liberalisations of the 1960s and the economic ones of the 1980s. This type of politics rests on different types of authority, that neither the Labour Party nor the Conservative Party currently possesses. The current problem, I argue in this essay, is with a politics in which utilitarianism has burst its limits.

The limits of utilitarianism

In 1994, Tony Blair wrote a pamphlet for the Fabian Society arguing that, in its commitment to the old Clause Four, the Labour Party had misidentified means as ends. Public ownership and management of the economy could be abandoned as inappropriate for the globalising, post-Cold War world, but without discarding or endangering the Party's original goals and values. Goals endure, but mechanisms for achieving them should be in constant flux. Later that year, he succeeded in convincing Labour Party Conference that Clause Four should be axed.

Immediately, a new split between means and ends opened up, ushering in an era of unprecedented quantity – and quality – of policy analysis and experimentation. 1994 was the equivalent for progressive policy-making as 1986 was for the City of London – a 'big bang' moment, following the shock of deregulation. The mechanisms and methods of government were suddenly up for grabs. The United States offered fifty-one (if you include the Federal government) laboratories for studying policy innovation. New expert networks developed between the LSE and the Labour Party throughout the nineties. Think-tanks thrived. Labour market research that would have been dismissed on principle by the old left became expertly studied, as the Brownite socio-economic model was put together, brick by brick.

Freed from the strait-jacket of socialist commitments, the social democratic left revelled in this opportunity to invent, borrow or steal policies in whichever way they chose. In this post-ideological environment, policies were to be evaluated not on their intrinsic qualities, but on their extrinsic effects. This was referred to constantly as 'evidence-based policy'; but it is also a manifestation of a utilitarian or 'consequentialist' mindset by which actions are judged only on their measurable outcomes.

If history is fair to the architects of New Labour, it will represent the considerable nobility and excitement of this project. Lacking America's pragmatist tradition, British universities are famed for their inability to convert scientific research into practice, a problem that is now being eroded by the growth of vocational degrees and business schools. Yet here was a case of an entire policy program being built on scientific foundations, with constant dialogue between academics and politicians. Whatever its successes and failures, it was nothing if not bold. Occasionally the technocratic nature of the venture led directly to very tangible problems, as when the Tax Credit system broke down due to insufficient sympathy with the lifestyles of those who would depend on it. But elsewhere a new empirical commonsense reigned in policy-making, which nullified less legitimate influences such as lobbyists, if not the press.

Despite all of this, it is doubtful that the new pragmatism will be remembered very fondly. Britain has changed culturally over the past eleven years, and got a great deal richer, but Labour has been largely a beneficiary of these changes, rather than an architect. Along the way, policy-making has been often imaginative and skilful, while at other times more clumsy. Some ambitious targets have been met, while others have been missed. Obviously it *matters* whether 600,000 or 500,000 children have been lifted out of poverty, and especially if more are exiting poverty than entering it. It *matters* that the government is not on course to meet its 2010 target for child poverty reduction. But what the government has discovered to its exasperation is that its political successes and failures do not seem to correspond to its policy successes and failures.

A tautology emerges: the great utilitarian experiment is only properly appreciated in utilitarian terms (and therefore by policy experts) and not in political terms (by the public). To argue that it is only the media that introduces a distinction between the two is a gross misunderstanding of what's at stake.

Utilitarianism as technique

To begin to understand why, it is necessary to see that utilitarianism is not a political or moral philosophy alone, but also an expert *technique*. It elevates a question of strategic calculation to the status of a political philosophy, and reduces political philosophy to questions of strategic calculation. The claim that the state ought to pursue the greatest good of the greatest number, while delivery mechanisms are themselves apolitical, leads immediately and seamlessly into calculative policy issues. Jeremy Bentham, the most famous utilitarian thinker, believed that morality could be replaced with policy. From the point of view of the expert policy-maker, utilitarianism is little more than common sense – how else would you design a policy other than to produce the best measurable outcome?

What Weber termed the 'instrumental rationality' of modern bureaucracies – their splitting of means from ends – is the organising principle of state departments, and the necessary basis for the delivery of mass public goods. But utilitarianism inflates bureaucratic management with political purpose, as if the optimal delivery of utilitarian outcomes were society's over-arching, substantive goal. As Weber observed, instrumental rationality contains a vicious paradox: a society dedicated to the most efficient delivery of outcomes will become more fixated on *how* to achieve these, and gradually lose sight of *what* it wants to achieve and *why*. Means may not carry any intrinsic political qualities, as Blair said, but they gradually become a preoccupation nevertheless, albeit on technical rather than ethical or ideological grounds.

The left has liked to define itself as being more favourably-inclined to state-led policy solutions than market-led ones. The former are indeed a better guarantee of equality of outcome. But the left has also conned itself that the state operates with a sunnier view of human nature than the market. In fact, the logic that operates in public policy formation is ultimately the same as that which operates in the marketplace. Human beings are assumed to be rational utility-maximisers, and resources are allocated to achieve the maximum aggregate utility. In this respect, the civil servant designing a welfare policy and

the trader moving dollars around the world share an identical worldview, just with different spheres of responsibility. The fact that Adam Smith studied utility maximisation in markets, while Jeremy Bentham did so in the realm of public policy, is not as significant a distinction as many people believe. It was only a matter of time before economics became the *lingua franca* of state bureaucracies, seeing as it is specifically designed to frame choices in rationalist, utilitarian terms. Neo-classical economics first burst its banks in the 1930s with Ronald Coase's explorations of non-market domains, and from there it was inevitable that the neo-classical lens of choice, incentives and efficiency would come to reign in the public sector.

This is not to say that there aren't moral and political decisions to be made about the respective sizes of the state and the market. The state can be expanded under the moral auspices of defending security, or it can be shrunk under those of upholding liberty. But utilitarian calculations can even be employed here if desired. The state can also be expanded thanks to the identification of a 'market failure' (a tangible inefficiency), now almost a *sine qua non* of any new policy intervention. Conversely it can be shrunk due to the identification of an inefficiency in the relevant delivery mechanism, the story behind so many privatisations and PFIs. The left may applaud the former, and bemoan the latter, but it cannot get away from the fact that the same efficiency-maximising logic is at work in each case.

To repeat, the calculative mentality is an absolutely necessary dimension of the bureaucracies via which social democracies deliver their most important public goods. It is wrong to admonish it, as if 'camping it up in a policeman's hat at a Sikh festival in Trafalgar Square' were sufficient to keep a city running. One task for New Labour is to understand the shortcomings of utilitarianism, and they are these.

Firstly, utilitarianism does not treat people as autonomous agents with rights, feelings or identities, but as inputs and outputs in a model. This is the unfortunate fact about bureaucracies that has inspired many a romantic critique of them. The cause and effect that is at work in society is viewed as not dissimilar to the one which is at work in the natural world. Any idiosyncrasy, irrationality or history to human behaviour fails to show up in the utilitarian model – but this doesn't mean it isn't there. The danger is that, oblivious to the complexity of its object of study, utilitarian policy-making fails to recognise its appropriate limits. Nobody doubts the good intentions of the new policies that aim to tackle anti-social behaviour through tweaking incentives, but there must at some point be a limit to how far the state is permitted to, or indeed equipped to, intervene in micro-social and private lives. The problem is that utilitarianism is incapable of determining where that line should be drawn.

Secondly, policy utilitarianism, unlike market utilitarianism, tends to be clandestine. Interventions in society never quite do what they say on the tin. It may, for instance, be discovered that active church congregations lead to less road accidents in the local area. An entirely secular policy-making machinery will then seek to minimise road accidents through offering a new religion tax credit. In the aggregate, this is a useful contribution to society (at least, viewed from the perspective of government), but it is not something that

can be easily communicated. Policies may be very successful in the aggregate, but unfortunately the view of 'the aggregate' is a view from nowhere. Evidence-based policy making is not exactly dishonest, but its merits – in particular, the causal chain being exploited – are only on view to those in Westminster and Whitehall.

The neo-liberal attack on the state then exploits this fact. The reason Chicago School economists favoured markets over other social mechanisms was not that they are the only institutions which involve prices (Chicago economists see prices *everywhere*) but that they are the only ones whose prices are explicit. As Milton Friedman's most revered colleague, George Stigler, put it 'the price system lays the cards face up on the table' (Stigler, 1975, 36). Utilitarians are constantly challenged to explain why markets should not replace bureaucracies, and often their own logic leaves them unable to do this.

These two features of the utilitarian worldview are growing more acute as advances occur in the human sciences. Explanations of behaviour are growing more scientifically sophisticated, thanks to advances in genomics, neuroscience and experimental psychology. The latter has already become the basis for a new field of policy-making, promoted in *Nudge*, Cass Sunstein and Richard Thaler's best-selling look at how individual behaviour can be 'improved' without the conscious efforts of the agent (Sunstein and Thaler, 2008). Policy-making is moving increasingly 'behind the backs' of the voters, and this trend looks set to accelerate in the next decade. Even if we adopt an optimistic view of the state, and view these new fields of knowledge as the basis for greater aggregate utility, anyone concerned with core Aristotelian questions of human virtue and democracy must surely want to know how far we will permit this aspect of governing to go. By definition, that question is not answerable on the basis of evidence.

Thirdly, utilitarianism suffers a problem of an endless quest for legitimation from some external, non-utilitarian source. Talk about expanding the state due to a 'market failure' or shrinking it due to 'inefficiency' is never wholly convincing. Beneath the surface is some smuggled political philosophy, which is often the remnant of some half-abandoned ideology. Organisations such as the BBC pay lip service to utilitarianism, by pretending that their *raison d'être* can be grounded in mathematics, but everybody knows that the institution exists due to a set of democratic preferences and political relationships (there is even now an oxymoronic metric – 'public value' – used to quantify these unquantifiable elements).

As Weber recognised, 'at the top of a bureaucratic organisation, there is necessarily an element which is at least not purely bureaucratic' (Weber, 1978, 222). This might be the 'charismatic authority' of a great leader, which Weber held out hopes for, and which is now what spin-doctors are tasked with achieving in a more day-to-day fashion. Or it might be the democratic legitimacy provided by elections or the constitutional legitimacy provided by law. But it has to be something other than simply *more utilitarian calculation*.

The problem for New Labour

Fourteen years on from Blair's bold proclamation that ends and means can be neatly separated, the New Labour project appears to have run its course for the time being. It is no

good arguing over what precisely were its policy successes and failures, in the hope of finding the best route forward under a pile of statistics. As Weber warned, those who profess to be politically agnostic in the face of competing means, as Blair did in 1994, can end up becoming fixated on the choice, and lose sight of their substantive ends.

What's needed is a reining in of the utilitarian worldview in which society is treated as little more than a policy riddle to be solved. Yet the critique of utilitarianism also contains hints of how this politics might be achieved. It is worth reflecting on the three critiques just outlined, in the hope of imagining a politics that was not entirely reducible to policy.

Firstly, there is a need for a more rounded, more political recognition of the agency of citizens, be it individual or collective. Unforeseen by the policy architects who designed the New Labour platform, the defining problem of the past decade has turned out to be an ethical-political one: antisocial behaviour. Utilitarian calculations can only conceive of the world in economic terms ('economic' in the sense of weighing up profit and loss), and as such are entirely ill-equipped to deal with this problem. It can be bracketed as an aspect of poverty or even biology; it can be tackled through an extension of police and surveillance technologies; or it can be swept under the carpet through mystical references to 'communities' and the voluntary sector. All the while, it looks set to rise in the future, thwarting all our expert analyses of the psychology and economics that supposedly determine it.

For the foreseeable future, our politicians will treat it like crime or unemployment: quantitative phenomena that rise and fall as outcomes of policy and/or the economic weather. In time, however, it may have to be treated as an ethical and political issue. At an ethical level, Richard Reeves points out that there is a growing need to revive respect for 'character'. He points to three dimensions of this:

a sense of personal agency or self-direction; an acceptance of personal responsibility; and effective regulation of one's own emotions, in particular the ability to resist temptation or at least defer gratification. (Reeves, 2008)

If this is to be taken seriously, as it should, an apparent paradox needs addressing: how can personal agency and self-control be increased through policy instruments which do not, fundamentally, recognise or tolerate either?

As a political question, this issue is yet more challenging – how are individuals at odds with mainstream society to be represented? At present, recognising the validity of inefficient, antisocial lifestyles is inconceivable, but then political engagement with Gerry Adams was equally inconceivable twenty years ago. It may well take a period in opposition to reach such a conclusion, and should New Labour face such a period, it might be well spent attempting to create new forms of dialogue or institutional mediation with excluded individuals and teenagers, rather than hope that social science will solve this thorny problem for them. Most challengingly of all, Labour could try and conceive of 'irrational' choices as occasionally legitimate, and not simply in need of correcting by policy. To current New Labour ears, this will sound like crazed libertarianism, and scarcely a vote-

winner. If this is the case, the question needs to be asked – what do we mean by ‘democracy’, and in particular ‘social democracy’, if not offering voice to those on the margins of society and the market?

Secondly, it needs to be recognised that there is a politics of means as well as ends. New Labour is roundly attacked for being either too statist or too enamoured with the market, whereas the truth is it is often both. The holy grail of the ‘Third Way’ was the ‘public private partnership’, often in the form of the Private Finance Initiative. Hugely complex attempts to blend incentives in the public and private sectors, built upon rational choice psychological assumptions in pursuit of optimally efficient outcomes, have preoccupied ministers to the point where they have lost sight of the grand, public institution-building capacity of government. The occasional drift towards market-led policy solutions is not, as the traditional left claims, a result of Labour’s political lurch to the right, but due to the government’s relentless focus on statistical outcomes. Once politics is presented in utilitarian, scientific terms, market mechanisms become increasingly hard to challenge.

The question ‘state or market?’ may no longer be a helpful one. Framing the choice in this way makes it tempting for politicians to opt for the latter. Even where they resist, it encourages them to view the state as merely a more equitable, if often less efficient, alternative to the market. In these respects, the neo-liberal redefinition of the state as a market substitute is almost irreversible. What neo-liberalism finds it much harder to redefine are *those things which only government can do*. Issues such as criminal justice, constitutional reform, war, human rights, fairness in the workplace, political representation have all been targets for a neo-liberal re-definition – especially via the Chicago School ‘Law and Economics’ movement – but they have proved the most elusive. It is also notable that these are precisely the areas of politics in which legacies are formed.

Tony Blair hoped that his legacy would be a utilitarian one, that of public service reform. The fact that his legacy turned out to be an ill-conceived war is no accident – governments are remembered for doing things that governments alone can do. Where the government is defined purely as the ‘deliverer’ of ‘outcomes’, the identity of the deliverer starts to appear a little irrelevant. By contrast, waging wars, making laws and founding of public institutions are things that states do and are judged on. It is inconceivable and undesirable that a managerial restructuring of the NHS should steal the limelight from such activities.

Advances in the human sciences will raise the urgency of these challenges. These advances will occur come what may, but it is up to the democratic forces in our society to stipulate how much we are governed by them. The liberal-legal critique of the surveillance state is weak at the moment, but rights and constitutional constraints are not the only basis for ethical politics. If modern democracy is to survive in any meaningful sense, public spheres of debate will be required in which policy *mechanisms* can be critically evaluated, and treated as politically imbued. A government that only judges actions on their outcomes is compatible with democracy, so long as those actions are *visible*. When they become *invisible*, operating at a nano-scale, via the unconscious mind or highly complex causal

chains, something changes. For Hannah Arendt, the essence of political action is to bring things into being in public spaces, because that is where they are *seen* (Arendt, 1998). To ignore the politics of mechanisms in the emerging technological age will be, in certain respects, to abandon democratic politics.

All of the above ultimately leads towards serious consideration of the final critique of utilitarianism, its inability to derive legitimacy from itself. Fears about the rise of a professional political class date back at least to Max Weber, so we should be wary of exaggerating the current threat. Many people have expressed concern over the years when political leaders appear to have spent their entire lives working in politics, either for a political party or an MP.

But a new threshold has recently been crossed with the rise of the civil servant-politician – as Figure 1 indicates, the Labour Party is now led by figures with expertise in the science of government and communications. These individuals have not spent their lives in politics as Weber feared, but in policy and communications. The fact that ministers need also to be competent managers makes promoting economic and organisational experts irresistible. In the process, however, the umbilical chord linking state bureaucracy with civil society and democracy is broken, and the former starts to become governed purely by its own scientific logic, like a dog chasing its tail.

It is a matter of political urgency that the Labour Party somehow manages to discover other, broader criteria for political success than the current ones that dominate it. Economic and business experts such as Ruth Kelly and Liam Byrne should be welcome members of a tapestry of personalities and qualities, but the claim of such individuals to the very highest offices is treated as much too obvious. Figures such as Hazel Blears are right to express concern about the distance separating political leaders from everyday life. However this problem is more than symbolic: by what route could a young person today possibly hope to move from a 'normal' job to a successful career in politics, in the way that John Prescott did? Forget the economy for one moment – New Labour has overseen a *politically* regressive phase in Britain's history, and it needs reversing.

Democracy and dissonance

None of this is to suggest that the utilitarian, calculative dimension of the state is unnecessary or undesirable. On the contrary, it is a component part of modernity, of the services and assurances that we now expect of government. But something has been lost, namely the supplement to it, which acts as a buffer between the hard, number-crunching delivery machines and the public sphere.

Policy-makers are not a suitable source of political direction; economics cannot specify the best economic model. The error New Labour has made has been analogous to offering engineers a free reign to design buildings. The rise of the civil servant-politician is worrying, not least because it raises serious questions about how our political system will remain open to non-experts in the future.

Just as Michael Walzer observes of society, the state contains multiple 'spheres of

justice' (Walzer, 1984). There are various ways of judging action, and they are – or should be – in some form of tension with each other, mutually antagonistic without any one of them becoming dominant. Dissonance is productive. The current intolerance expressed by experts in the executive branch of government towards all other modes of judgement has become stifling. Judges are considered 'out of touch' and 'inefficient'; parliament and parliamentary bodies treated as inconveniences; grass-roots democracy and civil society are there to be instrumentalised to achieve utilitarian goals. The single sphere of democracy whose agency and opinion is respected is the media, which leads to the spin-substance dichotomy. But this dichotomy is not a case of productive dissonance, but of two worlds operating in parallel, the world of image and the world of aggregate outcomes.

The Labour Party needs to rediscover democracy, but it also needs to discover the virtues of 'heterarchy'. Heterarchy refers to models of organisation in which there are multiple sources of value and authority at work within one coherent whole, but without being ranked in order of merit. There are multiple reasons to identify as a social democrat or for that matter a liberal or a socialist. These will each be a mixture of ethical stances, rational self-interests and cultural identities, although rarely will they be a great deal to do with aggregate outcomes or efficiency. Here is the buffer zone between expertise and public that modern political parties need to understand and represent.

Only through a sincere re-opening of the Labour Party and the government to the possibility of dissonance can a new direction be found. Expertise alone, be it in policy design or in communications strategy, is unable to be so accommodating of others.

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