The Moran Report: Where have all the ministers gone?

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The relationship between ministers and public servants has been a longstanding topic among students of Australian public administration. Recent debate has centred on issues of supposed politicisation and excessive responsiveness in the APS, caused, in part, by the weakened tenure of department heads (secretaries). The recent Moran report endorses changes to the appointment processes for secretaries which are presumably designed to strengthen secretaries' independence from their political masters, but it does not refer specifically to the relationship with ministers. The report also adopts a view of citizen-centred service and strategic leadership that appears to marginalise ministers. Its approach to public sector leadership is taken from international management theory which works well in a business context and in the US government system but is less well-suited to Westminster-style systems.
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Ministers and public servants

Westminster-based systems of parliamentary government share a common set of features, though the commonalities are more in the form of loosely linked family resemblances than an essentialist core (Rhodes 2005; Rhodes, Wanna and Weller 2008). Among these common features are a strong political executive, based typically on a cohesive parliamentary majority, and a politically impartial professional public service expected to take its lead from the elected government of the day. The relationship between elected ministers and non-elected public servants, especially the heads of ministerial departments, is pivotal to the system’s successful operation. It is also a subject of periodic controversy as leading participants and commentators argue over the right balance between the twin, and sometime competing, claims of ministers’ democratic legitimacy and public servants’ professional expertise and integrity. A new report on the future development of the Australian Public Service (APS) (‘the Moran report’ (Moran 2010)) can therefore be expected to have its own particular take on this key relationship.

The main parameters of the relationship are reasonably clear and uncontroversial. Elections decide who forms a ministry and give the ministry a general mandate to govern which is respected by government bureaucrats, particularly in departmental agencies directly under ministerial control.

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Conventions of ministerial responsibility require ministers to act as the main point of public accountability for all actions of their departments and as the main rectifiers of perceived government mistakes. Departmental officials are expected to take their overall direction and particular instructions from their ministers (APSC 2009, ch 2).

These underlying facts about the controlling role of ministers are well-known to all experienced public servants and a key element in public service professional ethics. Ministerial briefings for incoming governments carefully outline how the new government’s policies could be implemented. Ministers’ chosen directions and preferences are accorded special authority. ‘The Minister insists on it’ or ‘the Minister is dead set against that’ are constant motifs in departmental chit-chat. Minister’s demands on the department’s attention, such as preparing answers for parliamentary questions or media briefings, take precedence over almost all other matters. Public servants appearing before parliamentary committees are very careful to defer to their minister’s right to decide policy and to paint their political masters in the best possible light. Saving ministers from political embarrassment is a key public service value. Responsiveness to the government, in the sense of ministers forming the government of the day, is a key component of the APS Values (Public Service Act 1999, 10 (1), (e) and (f)).

At the same time, responsiveness has its long-established limits. The legal requirements of a merit-based, professional service prevent ministers from intervening in most appointment and staffing matters, other than the appointment of department heads (secretaries). Ministers are also quarantined from intervening in many administrative decisions in relation to individual citizens, for instance decisions about taxation or welfare entitlements. Public servants are required to resist illegal or
ethically inappropriate requests from ministers. More broadly, traditions of independent (‘frank and fearless’) advice license public servants to criticise government proposals, to suggest alternatives, to evaluate existing policies and to conduct their own, policy-related research.

Within these agreed general limits, controversy has centred on the balance between responsiveness and independence, on whether public servants are too subservient to ministers or too independent of political direction. Australia’s most comprehensive inquiry into the public service, the report of the Coombs Royal Commission which was established in 1974 and reported in 1976, gave exhaustive attention to the relations between ministers and public servants and to the nature of ministerial responsibility (Coombs 1976, ch 4). The Commission was keen to move beyond traditional understandings of ministerial responsibility associated with Westminster (Uhr 1998, 165-6). It stressed the closeness of relations between ministers and departmental heads and the impossibility of segregating them into distinct spheres of policy and administration, an impossibility that had become a familiar nostrum of public administration (eg Spann 1959, 41-2). Public servants were encouraged to play an active and constructive role in policy-making and to be responsive not only to ministers but to all sections of society (see also Wilenski 1986, ch 10).

The managerial revolution beginning in the late 1980s built, in part, on Labor Party concerns that the bureaucratic mandarins had become too independent of ministers and the elected government of the day (Wilenski 1986, 193-5). It also drew on the international reform consensus (later known as the New Public Management0 which linked greater managerial autonomy to tighter political control over objectives and the specification of results (New Zealand Treasury 1987; Hood 1991; Rhodes,
It prompted a vigorous debate about whether the distinctive virtues of the public service were being sidelined (Considine and Painter 1997). Critics feared that public servants were being reduced to mere instruments of ministers’ directions and were being prevented from pursuing their own views of the public interest (eg Considine 1988). Defenders of the reforms, such as Dr Michael Keating (one of the reforms’ main architects), responded that formulating the public interest over matters of policy (as distinct from probity and legality) was the province of elected politicians not of unelected public servants (eg Keating 1990).

The managerial reforms saw the steady reduction in the security of tenure enjoyed by secretaries, particularly the introduction in the early 1990s of limited-term contracts of employment as a measure designed to emphasise government control over the public service (Parker and Nethercote 1996). The extent of this new control was vividly exemplified in 1996 by John Howard, the incoming Coalition Prime Minister, who summarily dismissed six incumbent secretaries as a means of stamping his own authority on the public service. The weakened tenure of secretaries prompted charges that the public service was being excessively politicised, though the issue of politicisation remained contested (Mulgan 1998; Weller 2001). For example, Dr Peter Shergold (Secretary of Prime Minister and Cabinet 2003-08), while supporting Michael Keating’s insistence on ministers’ right to decide political direction, vigorously defended the integrity of the APS, finding no evidence of improper subservience to government (Shergold 2004, 2007). On the other hand, Andrew Podger, a former Australian Public Service Commissioner, argued that the pendulum had swung too far away from independence towards responsiveness and called for greater security of tenure for secretaries (Podger 2007a, 2007b; Mulgan 2008). There could be little doubt that ministers were in control. The main issue was whether they
were too much in control, leaving insufficient room for the traditional public service values of frank advice and procedural integrity.

**The Moran Report and secretaries’ tenure**

Against this background, where does the ‘Moran Report’ stand on the issue of relations between ministers and senior public servants? The report begins with a succinct and unexceptionable summary of the constitutional structure of government, with emphasis on the role of the executive branch, made up of ministers, agencies and officials, as it operates in Australia’s version of the Westminster model (Moran 2010, 4-5). Ministers and the APS work in ‘partnership’ (a term also favoured by Coombs (Coombs 1976, 19) to develop policy and implement government programs and services. The APS ‘must be flexible enough to meet the needs of each Minister’. Policy advice is developed ‘to meet the government’s objectives’ and ‘after discussion on policy advice, the Minister has the last word’.

The body of the report is arranged around four major ‘components’: meeting the needs of citizens; providing strong leadership and strategic direction; containing a highly capable workforce; and operating efficiently and at a consistently high standard. Each of these components give rise to sets of reform (nine in total). The first component, ‘meeting the needs of citizens’, refers to relationships with individual citizens, local communities and other levels of government. The other three components focus on matters of internal organisation, on what the report refers to as ‘organisational strategy’ (20) and which it associates with the newly minted ‘stewardship’ role of protecting and improving the capability of departments (5). Thus, ‘providing strong leadership and strategic direction’ deals primarily with improving policy skills and staff development, along with strengthening the roles of secretaries and a revitalised Australian Public Service Commission (APSC).
'Containing a highly capable workforce’ leads into employment issues, including staff recruitment and development, more centralised employment conditions, and trimming of the SES. ‘Operating efficiently and at a consistently high standard’ recommends regular external reviews and improved internal efficiency.

Little mention is made of ministers. There are brief references to the importance of maintaining ‘productive relationships’ with ministers and their private offices (21) and to a ‘strong relationship’ between ministers and the APS. Ministers are the recipients of strategic advice from the APS (22). Ministers are to have the right to comment on secretaries’ performance, but only along with many others as part of a ‘360 degree’ feedback (47). Ministers, along with relevant secretaries and the APS Commission, will receive copies of the five-yearly agency capability reports, though they will not necessarily be consulted in the preparation of such reports. But beyond that, ministers are absent from discussion.

On first sight, the relative absence of ministers may not be surprising, given that the report concentrates on internal matters that are largely in the direct control of secretaries. In fact, however, the report is keenly interested in some aspects of the relationship with ministers but chooses not to make this interest explicit. In particular, the report gives tacit support to the ‘politicisation’ critique of the Howard years, that secretaries and senior public servants had become too close to the political concerns of their political masters. It records (22, 46), and by implication endorses, feedback from public servants complaining that they are encouraged to give advice that ministers want to hear at the expense of being frank and fearless. A contrast is drawn between being merely ‘reactive’ rather than ‘strategic’ in developing policy advice (21) which is presumably code for meeting the short-term demands of ministers rather than concentrating on long-term priorities of the department.
More important, changes to secretaries’ conditions of appointment (48) implicitly accept the criticism of Podger (Podger 2007a; 2007b) and others that secretaries have become over-politicised because of the insecurity of their tenure. The Australian Public Service Commissioner is to be given a stronger role in secretary appointments, alongside the Secretary of Prime Minister and Cabinet. The length of appointment for secretaries is to be fixed at five years for all secretaries rather than, as at present, being allowed to vary up to five years. Equivalent employment or fair compensation is guaranteed for those whose tenure is terminated early. If these recommended changes to tenure are implemented and sustained, the Moran report will be seen to be an important turning point in the history of public service relations with ministers, marking a re-assertion of a more independent public service.

No specific rationale is given for these changes. They are simply included in a range of measures aimed at improving leadership, supporting secretaries in their role and discouraging too much risk aversion (45). Moran and his colleagues in the Advisory Group imply that secretaries’ tenure has become too weak for them to do their jobs properly. Greater security of tenure will presumably give secretaries more confidence to plan for the longer term and to assert their own judgment in preference to following the short-term demands from ministers and their advisers. In this case, the Advisory Group appear to have agreed that the balance between responsiveness and independence ought to be shifted back somewhat towards greater independence for secretaries, though they chose not to make this argument directly.

In effect, the Moran report is advocating a significant change in direction, away from the Keating/Shergold insistence on upwards political responsiveness to ministerial direction, and more towards the older, Coombs/Wilenski view of a policy-
driving, outward-looking public service. Perhaps the Advisory Group did not want to buy openly into debates about public service independence and about whether the current arrangements for appointing secretaries had led to undue politicisation. To locate their recommendations within these debates might have led the Group into unwanted public controversy. It would have underlined the fact that the Group was siding with Podger’s recent criticisms of excessive responsiveness against Shergold’s rebuttal of such criticisms. The Group may not have wished to draw public attention to the fact that it was repudiating Moran’s immediate predecessor while siding with the most authoritative critic of the Howard government’s treatment of the public service. Instead, it recommended the changes to tenure without any immediate context or argument.

A reluctance to provoke controversy may be understandable in view of the Advisory Group’s closeness to government and its members’ ingrained habits of public discretion. But the omission is none the less disappointing from the perspective of serious analysis of the APS. The relationship between ministers and senior public servants is an important and perennially contested topic which benefits from regular, authoritative re-examination, from insiders as well as from outside observers. Recent debate on this issue has centred on the question of secretaries’ tenure. By making important recommendations on tenure without explicitly confronting the question of responsiveness versus independence and the charges of undue politicisation, the Advisory Group has passed up the opportunity to contribute to the stock of substantial analysis on the topic.

The Group’s unwillingness to locate the changes in historical context or within a more clearly articulated vision of the relationship between ministers and public servants is a matter not just for academic regret. It can also be seen as a missed
chance to exercise leadership within the broader public service. No doubt, the history and values of the public service are so well known to the current leaders of the APS that they do not need spelling out. But the next generation of leaders needs its own sense of where the APS has come from and where it may be heading. It might expect a report such as this to offer a broader narrative of the APS’s role, including a history of its relationship with ministers.

**Managing without ministers**

In other respects, too, the report is silent about how ministers act in partnership with public servants in the task of government. For instance, the discussion of leadership and strategic advice casts public servants as the key drivers of policy development, taking initiatives and choosing priorities for study. Public servants are encouraged to consult widely with stakeholders in business, academia and the broader community to develop new policy initiatives (20, 43) but ministers and their offices are not explicitly involved in these processes. Ministers are left in the more passive role of recipients of completed advice and legitimators of final decisions.

There is no emphasis on the right of ministers to drive the processes of policy-making and policy-implementation. No mention is made of the obligation to be responsive to the priorities of ministers as democratically elected leaders. No formal consideration is given to meeting the accountability requirements of ministers who must answer for all the activities of the department.

At the same time, the newly emphasised ‘stewardship’ role for secretaries (5, 22, 47), linked with their function as ‘the custodians of the public sector’ (21), appears to give them sole responsibility for the general capacity of the public service, beyond serving the interests of the government of the day (5). Such language could be read as significant departure from Australian constitutional norms in which departments are
administered by ministers (Constitution of Australia s 64) and in which the formal role of secretaries is to assist ministers in all aspects of such administration. No legal or ethical barrier prevents ministers from taking an interest in their departments’ long-term capacity and, indeed, some ministers have done so. In practice, certainly, ministers are more likely to be focusing on more immediate issues and will be content to rely on their secretaries to further the stewardship function. But, formally speaking, this will be a role in which secretaries assist their ministers rather than one where they exercise sole responsibility. The Advisory Group, presumably, did not intend not wish to deny the constitutional right of ministers to oversee their departments. But its language of stewardship and custodianship comes close to implying such as an assertion..

Another area where ministers are overlooked is in the general thrust to make the public service better meet the needs of citizens through greater engagement with citizens as well as with local interests and communities. The present system of service delivery to citizens is said to be overly uniform and at the same time excessively fragmented between different agencies and levels of government. Service delivery needs to be re-engineered to allow for policy ‘co-production’ between government and citizens, as well as greater local integration and better feedback from citizens at the coalface (17-19).

Through adopting the language of citizen engagement, the report hints at the familiar critique of top-down government that its ‘one-size-fits-all’ approach fails to meet the diverse needs of citizens. Central control therefore needs to replaced, or, at the very least, significantly supplemented, by direct, bottom-up responsiveness to the grass roots. Public management reformers, drawing on private-sector attention to the demands of consumers in a market, have talked of improving the client or customer
focus of public service delivery (eg OECD 1987; Lodge 2001; Pollitt 2003, 98-102).

In its political science versions, the bottom-up critique has questioned the democratic credentials of representative democracy, which relies on elected politicians as the main conduit for relaying the citizens’ demands from their government (Dryzek 2000). Elected leaders are seen as distant and elitist, far removed from the concerns of ordinary citizens (Mansbridge 1999). Democracy and the wishes of the people will be better served by allowing the citizens more direct control over government at the local level.

By emphasising citizen engagement, while being almost silent on service to elected ministers, the Moran report implicitly endorses a preference for grass-roots responsiveness over popular responsiveness via elected ministers. Indeed, the key terms ‘responsive’ and ‘responsiveness’, while banished from the lexicon of ministerial-departmental relations, are used freely (18, 32, 33, 49) to refer to the need for public servants to listen to local communities (another echo of Coombs). The report also embraces the language of ‘whole-of-government’ which stresses coordination within a single level (horizontal coordination).

In practice, it should be noted, the proposed extent of engagement with local communities and citizens is modest. Most emphasis is placed on improved coordination with other levels of government, which are presumably more closer attuned to local needs, and on a larger and more flexible role for community sector organisations that can engage directly with local communities. Expanded use of information technology will lead to better and faster communication and collaboration. On-line surveys of opinion will provide better information for head-office policy-makers who need to have a better understanding of implementation issues.
While some potentially useful initiatives are suggested in the direction of greater community involvement, there is little hint of the more radical devolution of decision-making envisaged by most champions of citizen-centred government and grass-roots participation. Even on the vexed issue of Commonwealth-State cooperation, the report appears to leave most initiative with the Commonwealth through the use of Commonwealth funding agreements (36). Much of the new coordination will happen at the centre, with whole-of-government initiatives centred on the new Secretaries Board convened by the Secretary of PM& C (but with no explicit role for the Prime Minister). The central government remains firmly in control of both policy and implementation.

A major, unspoken, reason for this centralising tendency lies in the political environment in which the APS operates. The conventions of ministerial responsibility require ministers to answer for their departments and to take charge in response to public concerns. The federal opposition’s obsession with claiming ministerial scalps, eagerly reported by the national media as part of the continuous election campaign, means that ministers are always in the frontline of government accountability, particularly when issues become controversial. In Australia’s top-down political culture, ministers cannot readily pass the buck down the line to junior officials, subordinate levels of government or local communities.

As a result, the practicable extent of genuine devolution away from central government is severely circumscribed. Secretaries are under pressure to see that policies and programs are administered in ways that ministers will be able to defend publicly. They cannot afford to relinquish much control, even if they genuinely wished to. The Moran report, however, by omitting direct reference to the pervasive influence of ministers, glosses over this political context and over the unresolved
tensions between top-down and bottom-up responsiveness. In doing so, it gives the impression that secretaries remain in sole charge at the centre, occasionally accountable to the public through grass-roots responsiveness to citizens and communities but otherwise answerable only to themselves, the stewards of their own fiefdoms.

Again, presumably, the Advisory Group would not endorse such a partial view of the role of secretaries. As the report’s introductory preamble makes clear, senior public servants will still operate within Westminster principles of public administration. In that case, secretaries and their colleagues will still be under more or less continuous direction from the minister and the minister’s office on many matters, both large and small (Rhodes and Wanna 2009, 170). Ministers will still exercise their right to direct strategic priorities and to intervene in details of policy implementation. Public expectations of ministerial responsibility, driven by opposition politicians and the media, will still force ministers to be accountable for actions of their departments, thus helping to cement the loyalty of officials to their ministers (as well as frustrating any sustained attempt to devolve power from the centre to the grass-roots).

The Advisory Group, no doubt, takes the practical reality of continuous ministerial direction for granted. In their report, however, they have chosen not to openly acknowledge this political reality or to spell out their own view of how ministers, and the political dimension generally, should fit into the role of secretaries and the public service. Again, their reticence is politically understandable and, paradoxically, may be read as a testament to their deeply imbued habits of public deference to ministers. None the less, by giving an incomplete picture of their
environment, they have missed an opportunity to educate others in the public service and beyond who lack their institutional memory and depth of understanding.

**A misleading model of management**

Another, broader reason for questioning an account of the public service that marginalises the impact of ministers is that such an approach tends to reinforce a dominant and misleading model of public management. In current management discourse, the manager is seen as a relatively autonomous leader exercising a considerable degree of discretion. How far such a view is applicable to the average department head in a Westminster jurisdiction is open to serious doubt.

Management theory originates in business schools and focuses on the paradigmatic role of the company CEO and senior managers who are in day-to-day control of large organisations. Company managers are responsible for shaping their organisation’s strategic direction and for overseeing the implementation of its chosen projects and programs. They may be subject to the ultimate authority of owners and shareholders but such oversight is relatively distant. It is typically exercised through a board of part-time directors who do not intervene in management decisions and leave the managers free to exercise decisive, strategic leadership within their organisations.

Working from within a business context, management theory offers generalised models of how managers should perform the various functions of organisational leadership, such as strategic planning, project management, and human resource management and so on, and how they should engage proactively with their various stakeholders. These management models have been applied to public sector organisations, firstly in the United States, where business enjoys particular prestige as a benchmark for government performance (Downs and Larkey 1986), and then
internationally where they have become part of the staple toolkit of public
management consultants.

Whether private sector models of management can be successfully transferred to
public organisations has been a matter of controversy (Allison 1983; Rainey and Chun
2005, 92-5). The public sector has certain unique features that affect the conduct of
management, for instance the lack of economic objectives and price signals, greater
scrutiny and accountability because of government’s coercive powers, and greater
goal ambiguity. None the less, making allowance for differences in context, many
generic management skills and techniques are applicable to both public and private
organisations (Hughes 2003, 6; Hood 2005, 8).

More important than a general contrast between the two sectors are differences
between types of organisation within each sector which significantly affect their style
of management and the relevance of management models developed for large
commercial companies. In particular, public agencies differ markedly in the degree of
discretionary freedom enjoyed by chief executives and other senior managers.

In the United States, for instance, heads of government departments exercise a
comparatively wide discretion not unlike that of corporate CEOs. The separation of
powers between the legislature and the executive means that department heads,
though technically part of the executive and under the direction of the president or
governor, are in practice also directly accountable to the legislature. The legislature
controls their budget and its committees exercise direct control over their activities.
Department heads deal directly with both the White House and Congress and must try
to maintain the confidence of both. In the words of a respected United States scholar,
the leader of a federal department acts as an ‘accountable juggler’ because of the need
to juggle conflicting responsibilities to the President and to Congress (Radin 2002).
Moreover, once a department head is seen as relatively independent of both President and Congress, he or she also has more freedom to relate directly to other organisations whose interests overlap, for instance, lobby groups and representatives of state and local governments. In such a heavily pluralised system, the agency is located at the centre of a constellation of competing organisations, private as well as public. The agency head is not directly responsible or accountable to a single authority but instead charts his or her own separate course, taking care to manage all the key relationships accordingly.

In such a context, it makes good sense to apply a private sector-management model of executive discretion and entrepreneurial initiative. The political and legal context may be different from that faced by a company CEO. But the essential feature of operating in an environment of conflicting pressures with a relatively high degree of leadership autonomy is common to both. For this reason, the United States version of the New Public Management movement in the 1990s stressed the entrepreneurial autonomy of agency heads rather than any need to bring them under political control (Osborne and Gaebler 1992; Moore 1995; Pollitt and Bouckaert 2004). It is this US-friendly approach to public management and leadership that is now dominant among international consultants and is being applied to the Australian public sector, for example in the Moran report.

By contrast, the head of a government department in a Westminster-style parliamentary system is unequivocally under the minister’s direct control and answers directly to the minister. The relationship with the minister dominates all other relationships and cannot be placed on an equal footing with them. Concepts such as ‘negotiation’ or ‘managing’ are misleading terms to describe dealings with a minister who has the right to demand compliance. Department heads, while exercising a
degree of professional independence, act as their ministers’ loyal assistants (a relationship well captured in the Canadians’ use of the term ‘deputy minister’ for their equivalent of Australia’s secretaries).

Significantly, the version of the New Public Management applied to Westminster regimes such as the United Kingdom, New Zealand and Australia, was partly designed to curb the independence of professional bureaucrats (Halligan 1997). Managers were to be given more autonomy by being held accountable in terms of results rather than inputs and processes. But the desired results were to be decided by democratically elected politicians, not captured by public servants (Keating 1990).

In Westminster systems, upwards accountability to the minister, through conventions of ministerial responsibility, remains the dominant mechanism of accountability and control. Accountability to ministers may be supplemented by other accountability avenues, such as parliamentary committees and audit, but always in ways that do not threaten the status of departmental officials as the servants of ministers (Mulgan 2003, ch 2). The United States, on the other hand, lacks any direct equivalent of ministerial responsibility. Upward chains of accountability certainly apply within agencies up to the agency head but agency heads themselves operate in a less monolithic, and more pluralist, political environment. For this reason, analyses of public service accountability developed in the United States remain fundamentally distinct from those applicable to Westminster-style regimes (and other closely similar European systems such as the Netherlands) (Bovens 2007).

Thus, international management theory and its models of strategic leadership, though well suited to the United States, where they were first developed, can be potentially misleading when applied to Westminster government departments. By placing the minister on the margins they give a distorted picture of how department
heads actually operate. Indeed, within Westminster systems such as Australia’s, the models are much more applicable to non-departmental public agencies, such as statutory authorities (not the main focus of the Moran report) than to government departments. Chief executives of arms-length statutory authorities, such as the Reserve Bank or the Australian Broadcasting Corporation, are responsible to boards of part-time directors in much the same way as company chief executives are responsible to their boards of directors (indeed, the institutional structure of statutory authorities is closely modelled on that of publicly listed companies (Uhrig 2003)).

While the managers of statutory authorities often operate in a highly political environment, the extent of their formal discretion as managers is still essentially similar to that enjoyed by the CEOs of large companies. It therefore makes sense for them to adopt international management theories of strategic leadership. Such theories, on the other hand, as the Moran report illustrates, are seriously deficient when applied to the heads of core public service departments within a Westminster-style system.

The public value debate

Many of these issues have been recently canvassed by Rod Rhodes and John Wanna in articles attacking the concept of ‘public value’, as developed by the US public management academic Michael Moore (Moore 1995; Rhodes and Wanna, 2007; 2009). Moore’s theory seeks to empower public servants by encouraging them to see themselves as creating public value rather than simply following instructions or pursuing their own institutional self-interest. ‘Public value’ is deliberately vague in content, not unlike the longstanding notion of the public interest. Its main purpose is to indicate a concern for the good of the community, however defined, as the dominant motivation of public servants, particularly public managers. Rhodes and
Wanna argue that Moore casts public servants in the role of Platonic guardians whose monopoly of wisdom gives them the right to determine the direction the state. Such empowerment, they argue, usurps the democratic influence of party politics and ministers, particularly in Westminster systems.

Rhodes and Wanna may be guilty of some rhetorical overstatement, particularly in their first article (Rhodes and Wanna 2007) where they certainly downplay the extent to which Moore’s public managers are sensitive to their political environment and obliged to negotiate with politicians as well as other stakeholders (Alford and O’Flynn 2009, 176-8). Moore envisages public managers working in a ‘strategic triangle’, one element of which is the authorising environment which provides legitimacy and support and in which elected political leaders play a key role. Indeed, his analysis of public leadership fits well with Radin’s notion of the ‘accountable juggler’ in which agency heads negotiate their way through a minefield of conflicting pressures. Such a model is significantly different from Plato’s theory of all-powerful, unaccountable guardians.

However, Rhodes and Wanna are on much surer ground when they later confine their criticism of Moore to the context of Westminster-based government systems (Rhodes and Wanna 2009). Moore’s theory of public value, they concede, may be applicable in a United States political context but it is not appropriate, either empirically or normatively, in a Westminster setting. To place Westminster ministers in the same category as other stakeholders with whom departmental heads must deal or to describe Westminster departmental heads as ‘negotiating’ with their ministers is to seriously misdescribe and distort the relationship between ministers and their senior public servants.
The Moran report, perhaps wary of unnecessarily fanning the flames of academic controversy, does not openly espouse the concept of public value and, indeed, wholly avoids the term. But its emphasis on concepts of leadership and strategic planning appears to share Moore’s willingness to place senior public servants in the role of key architects of government policy as well as key controllers of public service delivery. For that reason, the report lays itself open to some of the same charges of distorting the role of public servants in Westminster systems that Rhodes and Wanna make against the use of public value, and the for the same reason – the uncritical adoption of a US-based model of public management.

**The need for new model**

Westminster systems require their own model of public service management. The generic concept of management itself, with its emphasis on goal-oriented leadership and decision-making, is not the problem. Departmental heads clearly focus much of their effort on clarifying priorities and driving change, the classic functions of management. The notion of a public service ‘manager’, as distinct from a departmental ‘officer’, has proved its value in focusing senior public servants on the important goals of greater efficiency and effectiveness. Indeed, notions of the public interest and public value can also have their proper place in the public servant’s lexicon, provided they allow for the central role of ministers and the conventions of ministerial responsibility. The difficulties arise not from a managerial approach *per se* but from misapplying particular management models to inappropriate constitutional settings.

Arguably, the use of a misleading model may not do much harm if it is not taken literally. As already noted, most successful senior public servants are fully aware of the political straitjacket that constrains most of their activities. They would not last
long in their positions if they actually exercised the degree of managerial autonomy implied by the management models espoused on their behalf. Long years of experience in ascending the ladder of bureaucratic hierarchy have taught them how to anticipate and internalise the demands of successive ministers. They learn to talk the rhetoric of autonomous management while carefully taking on board the minister’s (and the prime minister’s) directions.

On the other hand, to expect an important constitutional value, such as democratic responsiveness to ministerial direction, to persist without explicit reaffirmation may be over-optimistic. It may reinforce the view, already common in parts of the public service (Mulgan 2008, 347), that acceding to the political demands of ministers is selling out to disreputable politics at the expense of good policy and the public interest. Public servants need constant reminders that politicians are legitimate partners in policy-making and service delivery. At a time when the relations between public servants and ministerial offices are becoming increasingly fraught (Tiernan 2007), both sides require guidance in how to navigate their mutual dealings.

Australia has a long tradition, both academic and professional, of debating the relationship between elected politicians and permanent public servants. The relationship is complex and subtle and requires situational judgments about striking a balance between conflicting principles, such as deference to democratically elected politicians, respect for political neutrality, defence of constitutional priority and so on. The Moran report has implicitly contributed to these debates, particularly by its recommendations on secretaries’ tenure and a strengthened role for the APSC. That it did so within the framework of an incomplete and inappropriate model of public management will inevitably limit its wider impact.
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