

# Paradoxes of public-sector managerialism, old public management and public service bargains

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## Abstract

This chapter considers three paradoxes or apparent contradictions in contemporary public management reform—paradoxes of globalization or internationalization, *malade imaginaire* (or successful failure) paradoxes, and paradoxes of half-hearted managerialism. It suggests that these three paradoxes can be explained by a comparative historical institutionalism linked to a motive-and-opportunity analysis of what makes some public service systems more susceptible to reform than others. It further argues that such explanations can be usefully linked together by exploring public service reform from the perspective of ‘public service bargains’ or PSBs (that is, explicit or implicit bargains between public servants and other actors in the society). Accordingly, it seeks to account for the three paradoxes of public management reform by looking at the effect of different PSB starting-points on reform experience, and at the way politician calculations over institutional arrangements could account for PSB shifts in some circumstances but not others. © 2000 Elsevier Science Inc. All rights reserved.

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## 1. Introduction

### *1.1. ‘Universally acknowledged’ truths, apparent contradictions, possible explanations*

Everyone knows New Public Management is an international or even global phenomenon, that it represents an attempt to correct the shortcomings of traditional public organization in efficiency and service-delivery to citizens, and that one of its central themes is to stress the importance of public managers’ discretionary space or freedom to manage. At least, statements to that effect are so commonplace that it *seems* everyone knows they are true. But

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‘truths universally acknowledged’ usually merit some closer examination. And this conventional trio of observations is no exception. Several apparent contradictions, paradoxical for the orthodoxy set out above, call for some explanation.

One can be called the paradox of globalization and internationalization. Why, in spite of all the 1990s hype about overarching new ‘global paradigms’ of public service provision taking over the world, did we see substantial elements of diversity as well as commonality in public sector reforms across the developed world in the so-called ‘new public management’ era?

A second, closely related, apparent contradiction can be called the *malade imaginaire* paradox of contemporary public service reform. Why were many of the first and apparently more radical changes to public service structures (in the OECD world, at least) made in systems which had a reputation for being relatively honest and effective in service delivery, while many systems with the opposite reputation came late or not at all to the reform ‘party’?

A third is a set of paradoxes of managerialism (Maor, 1999; Jones & Thompson, 1999: 47–108). Why, even in most of the ‘reformist’ states, does there seem to have been a relatively half-hearted and ambiguous embrace of public service ‘managerialism’? If contemporary public sector structures are as exposed as some claim to inexorable pressures to adopt ‘business-like’ management models, why does there seem to have been so little genuine managerialism, in the sense of increased discretionary space or freedom to manage?

Other apparent contradictions (the dictionary definition of a paradox) could be added to this trio. For instance, if best practice in contemporary public management is as readily identifiable as is often suggested, why are there such different normative perceptions of the managerialist agenda for improving public service quality? Why do some see that agenda as central to modernizing democracy, others as a malign antidemocratic or neo-colonial conspiracy and still others as a wrong-problem problem? But the three questions stated earlier must suffice for this article. Each of them raises issues both of fact and interpretation and both are disputed. We will briefly return to the facts in the next section. But to the extent that those facts can be assumed to be true, how can they be explained?

The first observation seems most likely to be explicable by a comparative historical institutionalist analysis based on some form of path-dependency from different historical starting-points, or by the way cultural variety shapes reform agendas. The second observation also seems most likely to be explicable by a comparative-systems analysis focusing on those features that made some public service structures especially susceptible to reform pressures at a particular point in time while others were impervious. The same may apply to some extent to the third observation, but that observation refers more to commonalities than to differences in behavior. So it calls for a more general strategic analysis of what shapes politicians’ and top bureaucrats’ choices over their relationships with one another.

One way of linking these kinds of explanation together is to explore public service reform from the perspective of public service bargains or PSBs. A PSB angle enables the combined strength of historical institutionalist and strategic-interaction approaches to be brought to bear on public service reform experience. Accordingly, the aim of this article is a tentative exploration of how far the paradoxes noted above can be explained by a comparative and historical PSB approach. That means embarking on an analytic journey divided into three

stages: a brief elaboration of the three paradoxes stated above, an account of the PSB approach and an application of that approach in an attempt to explain the paradoxes.

## **2. Three paradoxes in comparative public service reform experience**

### *2.1. Paradoxes of globalization and internationalization*

It is commonplace to assert that pressures to change public management systems arise from imperatives of international competitiveness and represent an international or even global set of received ideas about institutional design and managerial best practice. Such claims are often advanced by champions of reform and are a recurrent theme in the writings of the OECD (see, for example, OECD, 1995). They appear in Osborne and Gaebler's (1992: 321–8) well-known proclamation of the advent of a new 'global paradigm' and commonly appear, albeit in more qualified form, in the work of other serious commentators (Aucoin, 1990; Savoie, 1994; Kaboolian, 1998).

However, numerous scholars have pointed to observations that seem to fly in the face of this 'globalized reform model' view of the world. Some have pointed out, in the spirit of Mueller's (1984) famous analysis of how Prussia and the UK adopted civil service exams, that the same reform measures have been adopted for different and even contradictory reasons in different contexts. An example is Anthony Cheung's (1996; 1997) argument that Hong Kong's 1990s public service reforms owed little to 'globalization' pressures but a great deal to political attempts to entrench a 'Hegelian' style of bureaucracy in Hong Kong as a partial substitute for democracy prior to Hong Kong's reversion to Chinese rule in 1997.

Some have highlighted the markedly different speeds and styles with which different states pursued the same measures, stressing the gulf between reform 'hares' and 'tortoises' (e.g., Hood, 1996; Olsen, 1996). Indeed, in the true spirit of Aesop's 'hare and tortoise' story, Derlien (2000) argues that reforms of the UK type merely amounted to a late catch-up with the more advanced Continental European systems, such that the ostensible reformers were in fact laggards, not leaders (see also Hood, 2000).

Others, however, saw the international runners in public sector reform as headed in different directions, not just hares and tortoises in the same race. Some Continental European observers dismissed the idea of a new 'global paradigm' as rooted in culturally specific 'Anglo-Saxon' or 'Anglo American' ideas and practices (Kickert, 1997). Whether even the US and Westminster-model cases had much in common beyond superficial buzzwords could itself be seriously questioned. Some pointed to major differences in reform strategy, for instance between centralized and decentralized approaches to public-service reform (Nunberg, 1995): splitting up national-level government into more separately-managed agencies with decentralized staff controls was a major reform theme in the UK and New Zealand, but not Singapore or Canada. And the agenda items that dominated the public-sector reform landscape were not in all cases the 'economic rationalist' preoccupations of the Antipodean states in the 1980s. For instance, the public-sector reform agenda in Northern Ireland in the 1990s was dominated by a search for some 'consociational' way to make the public service

(and particularly the police) serve as ‘social glue’ for a socially divided society. Unification and its consequences dominated the German agenda for most of that decade.

The debate between the ‘convergence on a global reform model’ and ‘parallel paths’ schools has not, to put it politely, been very productive up to this point. That is because we do not have any agreed metric on which to gauge administrative convergence from recognized points of origin, and we do not even have a precise language in which to debate the issues at stake (‘convergence’ and ‘resemblance’ are often treated as if they were the same thing). As often happens with this kind of ‘debate’, the protagonists have tended to argue past one another by noticing different phenomena that are not necessarily incompatible. Those who stress convergence and ‘global trends’ in paradigm change tend to focus on language and slogans, the use of technology in administration, the service-management issues linked to the development of postindustrial societies (Kaboolian, 1998). Those who stress path-dependency and ongoing historical differences tend to focus on state structures, political routines, legal and constitutional forms. It is not at all clear how these two sets of observations should be weighted relative to one another, that is, what is the relative importance of these different phenomena? And it is probably not an accident that those in the first camp tend to be management specialists while those in the second tend to be political scientists.

The real challenge for better common understanding of comparative public-sector reform is to get past the routine exchange of first principles about convergence or path-dependency to illuminate exactly what converges and how much, and what stays on parallel tracks. And that requires considerable development of the rigor with which we do comparative analysis of public management reforms (Barzelay, 2000). But for the argument being advanced here it is not necessary to grapple with the issues of how to comparatively describe different points of origin or to weight the different aspects of public management noted in the previous paragraph. All that is necessary here is to establish that there appear to be some nontrivial exceptions to the claim that public management everywhere has converged on some single global model, and that those exceptions largely consist of continuing variations in institutional structures. Of particular interest here are those exceptions that relate to senior public service tenure and responsibilities and the extent to which top public servants have a degree of recognized managerial ‘space’. Permanent positions, reward without reference to performance, indefinite or blurred responsibilities, a predisposition for rule-following or advice-giving on the part of those who head public organizations rather than taking personal responsibility for service provision strategies have been central targets of managerialist critics of traditional public services. So cases where managerial space has not been created, claimed or extended merit some attention. How can those apparent exceptions to a more managerial approach be explained?

## *2.2. Paradoxes of winners curse and malades imaginaires*

New public management is conventionally understood as a recipe for correcting the perceived failings of traditional public bureaucracies over efficiency, quality, customer-responsiveness and effective leadership. Public-management reform is often presented as a functional response to such shortcomings, although as noted, what some claim to be best practice is contested by others, and dismissed by yet others, including Frederickson (1996:

268) as a case of placation or a ‘wrong problems problem’. Indeed, the idea that public sector reform is prompted in some way by pressures of international global competitiveness (OECD, 1995) is often asserted.

Paradoxical for this commonplace interpretation of what prompts reform and why it takes the form that it does are apparent cases of *malade imaginaire* and *santé imaginaire* (Hesse, Hood & Peters, 2000). That is, several of the OECD countries that were first in line for substantial public-service reforms in the 1980s and 1990s tended to have public services that had a reputation for relative honesty and effectiveness, for example, the Netherlands, Australia and New Zealand, the Scandinavian countries, the UK. On the other hand, public services that were a byword for corruption and inefficiency and/or which barely functioned at all as effective administrative systems, were in many cases reformed late or not at all. In Italian central government, for example, public attitudes to bureaucratic performance were reflected in popular referenda initiatives calling for the abolition of specific ministries—indicating a degree of ‘bottom-up’ pressure for administrative reform that was not matched in any other OECD country—but Italy was a late and hesitant reformer of its central administration (della Cananea, 2000). Greece or Turkey might also be considered notable cases of public-service *santé imaginaire*. The EU bureaucracy was itself a notable example of ‘successful failure’, remaining untouched by reform up to the very end of the 1990s in spite of repeated major scandals and widespread concerns about its honesty and effectiveness (Metcalf, 1999).

Admittedly there is no index of comparative bureaucratic effectiveness either over time or across states that could be used to test the *malade imaginaire* hypothesis. But these observations suggest that palpable nonperformance was neither a necessary nor a sufficient condition for major or early public-service reforms, so something else must explain reform susceptibility, that is, how the political agenda for reform is established or fails to catch hold. The paradox cannot plausibly be stated in the simple form that the OECD public service systems with the best international reputation for effectiveness experienced the greatest reform pressures, since several developed countries with a reputation for relatively effective bureaucracies were latecomers or absentees from the reform party. The most notable case is that of Germany at federal-government level, and perhaps also states like Austria and Switzerland (Klöti, 1996). But it would seem that vulnerability to reform arose from features other than gross bureaucratic failure. It has often been noted that local-level governments were in many cases more exposed to reform pressures than central, and still less international, levels of government. And it has also been noted that many of the cases whose national-level public service structures were exposed to substantial reform were Westminster-model or Westminster-type parliamentary systems, prompting talk of the death of the ‘Whitehall model’ (Campbell & Wilson, 1995). Even so, not all Westminster-model countries were exposed to reform in the same way or to the same extent. For example, Canada’s federal public service could be bracketed with the German case as an example of endless hypochondriachal talk about reform but little or no major structural change (Savoie, 1999). So a satisfactory explanation of the ‘*malade imaginaire*’ paradox would need to explain why some but not all Westminster-type systems succumbed to structural reforms.

### 2.3. *Paradoxes of managerialism*

The new or renewed stress on the importance of management in public services in the 1980s is often seen as a movement to ‘let managers manage’ and to make them manage. That means the creation, or at least identification, in Moore’s (1995) well-known ‘strategic triangle’ approach, of some discretionary space or managerial freedom for those in positions of authority in public organizations. Making government more ‘business-like’ was also often seen as detaching operational or service-delivery functions from what was seen as the essentially political role of setting overall policy goals or targets (New Zealand Treasury, 1987).

Paradoxical for this interpretation of the central thrust of the public-sector management movement from the 1980s are two related observations. One is Maor’s (1999) claim that reforms ostensibly intended to make the service-delivery aspects of government more ‘business-like’ (by establishing various kinds of nominally arms-length relationships between goal-setters and managers) in fact produced more, not less, politicization of the bureaucracy. Maor argues that the images of depoliticized public-service management conjured up by advocates of managerial reform in fact produce the opposite result. On the basis of observation of changes in six parliamentary regimes between 1980 and 1996, he argues that politicians fear loss of control over policy implementation following managerial reforms and that senior public service positions thus become more, not less, ‘political’ (and insecure) as a result.

A related paradox is the observation by Hood, Scott, James, Jones and Travers (1999) and others (such as Hoggett, 1996) that along with the emphasis on creating more ‘space’ for managerial discretion in the UK went a substantial increase in new process rules and additional oversight through arms-length regulators of public services. Light (1993) makes similar observations for the US federal bureaucracy, and Jones and Thompson (1999: 62–4) in their work on the US Department of Defense ‘reinvention’ initiatives under the National Performance Review also observed often more rather than fewer rules and constraints on management. This observation is arguably more paradoxical for public-service managerialism as a ‘project’ than Maor’s findings. Greater security of tenure for top managers, after all, was not a central plank of that project—in fact, as noted, managerial reformers tended to be critical of what they saw as excessive security of tenure in traditional bureaucracies. Such security can only be rather indirectly read into the central themes of the managerial project as an implied entailment of the idea of creating managerial ‘space’ quasi-autonomous from *ad hoc* politician intervention. But ostensible moves to liberate managers from a much-berated ‘rules-based, process-driven’ style of bureaucracy that end up producing yet more compliance-oriented oversight and regulation over the public service look like a modern-day equivalent to de Tocqueville’s (1949) famous paradox of administrative reform in postrevolutionary France. It may be recalled that de Toqueville’s paradox was that postrevolutionary France, apparently sweeping away all the administrative practices and methods of the *ancien regime*, only succeeded in developing them to a higher degree. We do not yet know if that will prove to be the epitaph for new public management.

We do not know how widespread this outcome was, since no systematic comparative studies have yet been conducted, although recent comparative work by Pollitt, Girre,

Lonsdale, Mul, Summa and Waerness (1999) suggests evaluation focused on compliance rather than results continued to be the norm across a number of countries, in spite of the rhetoric of moving towards results-based evaluation. But some explanation seems to be needed of why managerial freedoms seem in a number of cases to have either been strangled at birth or subject to a process of attrition through proliferating process rules and regulatory oversight. If public-service reform in the direction of more ‘businesslike’ government was indeed closely shaped by inexorable pressures for international competitiveness and greater consumer-orientation, we might expect a less half-hearted and ambiguous embrace of managerialism in practice.

### 3. Old public management revisited: public service bargains

Ideas about new managerialism often start from an undifferentiated vision of what ‘old public management’ or ‘the traditional model’ of public administration was like across the world. Indeed, for the notion of a global new public management to be plausible there has to be a relatively generalized view of the old public management. Accordingly, a generalized account of ‘the traditional model’ (or ‘paradigm’) appears in many texts and treatises on public management (see, for example, Hughes, 1998). What tends to be stressed in these accounts of traditional bureaucratic styles are Weberian notions of general rule-boundedness – ‘rigid hierarchy’ often appears as a key element – ‘machine bureaucracy’ (Barzelay & Armajani, 1992) and focuses on compliance with processes rather than results. In addition, professional rather than corporate or managerial orientations, and an insulation of public from private management, with an absence of business values and techniques in public service routines, are often stressed as features of old-style public management.

Such assumptions, though commonplace, deserve closer historical and comparative scrutiny than they have received. In fact, they run the risk of embracing several of the pitfalls of historical analysis identified by Fischer (1971). They can blind us to the variety of structural and other administrative practices built into traditional public service arrangements by universalizing particular historical experiences. For instance, what is striking about some forms of traditional administration is the *absence* of clear-cut rules over matters like conflict of interest. And the relative indefiniteness of some traditional public bureaucracies on such matters was not found only in settings like those of the former communist states of the USSR and Eastern Europe; it was a marked feature of traditional public administration in countries like Japan and the UK as well. More broadly, Silberman (1993) has stressed the variety of structural forms that ‘traditional’ bureaucratic rationalization took, pointing out a paradox of nonconvergence on what was expected by some to be an emerging global model at the start of the twentieth century. He claims (1993: ix): “Weber’s expectations with regard to the convergence of bureaucratic structure throughout modern industrial societies . . . have been disappointed,” and argues that bureaucratic rationalization took at least two different forms, one focusing on a professional orientation and another based on institutionally-specific skills. The latter type of orientation developed markedly in countries including Japan and the UK, while the US took a different track in bureaucratic development.

As with the ideas of convergence and path-dependence in the contemporary world, the

idea of a relatively homogenous style of traditional bureaucracy may be more plausible for some features of bureaucratic operation than others. Some elements seem likely to have been near-universals: they include forms of communication technology, gender bias, some specific management techniques like time and motion study and many of the rules, conventions and procedures governing budgetary processes (Wildavsky, 1964). But such homogeneity seems unlikely to apply to bureaucratic culture or to those structural features of public organization that join them to the wider society or the political system. And those features are what Silberman chooses to emphasize. Indeed, contemporary theorists of governance stress the way that the macromanagement arrangements of each society have been connected to and rooted in its specific cultural, institutional and power-distribution characteristics (Cheung, 2000; Rhodes, 1997). Such an interpretation ought to apply to at least as much to historical patterns of governance as to contemporary ones (Finer, 1997).

One way of focusing on the link between public bureaucracies and their social or political environment is to explore varieties of public service bargain (hereafter PSB for convenience). The notion of a public service bargain is taken from Schaffer (1973: 252). But the term is here extended to denote *any explicit or implicit understanding between (senior) public servants and other actors in a political system over their duties and entitlements relating to responsibility, autonomy and political identity, and expressed in convention or formal law or a mixture of both*. Viewing the relationship between public servants and other social actors as some form of bargain is not incompatible with ‘role’ analysis (Anton, 1980: x; Aberbach, Putnam and Rockman, 1981). But it puts the spotlight on the balance between inducements and contributions (March and Simon, 1958; Barnard, 1938) faced by each of the actors, and so lends itself both to strategic-interaction or ‘gaming’ analysis and to constitutional and historical analysis of the part played by public servants in a society.

There is no agreed way to characterize or compare PSBs in political or administrative science. But, without denying that there might well be common features in aspects of traditional bureaucratic operations not related to PSBs, there do seem to be good reasons to believe there was no single and uniform type of PSB under the ‘old public management’ in different countries. In some cases the public service conceived itself (and/or was conceived by others) as a quasi-autonomous trustee of the constitutional or social order, like an autonomous judiciary, not simply an agent of a political ‘principal’. The German public service (which under the 1949 Basic Law is obliged to be loyal to the constitution rather than to the government of the day) is a case in point. So is the European Commission, with its commitment to ‘building Europe’ rather than acting as a mere agent of the Council of Ministers. Some colonial bureaucracies might be considered to have a similar basis.

Another form of quasi-trustee arrangement consists of those ‘consociational’ bureaucracies in which the basic role of the public service is to perform the *de facto* constitutional task of holding the society together (just as citizens of the former Austro-Hungarian empire could only be citizens of the empire and not of any of its component countries). ‘Consociational’ bargains include the inclusion of representatives of different racial or ethnic groups within the bureaucracy and/or a convention in which the public service shares power with key social stakeholders (Christensen, 1993). Sometimes the expressive role of a multiethnic public bureaucracy as a bulwark against ‘ethnocracy’ (Horowitz, 1985) can be more important than its efficiency or competence in concrete service provision or policy advice. In extreme cases



of consociational bureaucracy the PSB consists of an obligation to act as a form of social glue in exchange for a share of administrative power (Horowitz, 1985: 443; Page, 1997; Krislov, 1974: 82–103).

In all such cases, public servants obtain quasi-autonomous status as a fundamental part of some official or *de facto* constitutional order in exchange for the obligation to behave like a trustee in the service of beneficiaries. Obligations go wider than the service of the elected government of the day (or its equivalent) and the status of a subordinate able to be commanded at will. This ‘trustee bargain’ remains important, in the continuing appeal of quasi-autonomous regulatory and central banking institutions to those who believe such arrangements deliver more enlightened and expert government than agency arrangements under directly-elected principals.

In other cases, however, public servants were placed more in the position of agents whose job was to do their ‘principal’s’ bidding with very limited notions of autonomy. Such is the PSB as described by Schaffer (1973) for the UK, in which civil servants exchange a public political profile for relative permanence in office. That model, of obligation to serve the government of the day (with some constitutional role in managing the transition between one political party and another in office), was followed with variants in other Westminster-model countries and similar parliamentary regimes, for instance, in the Scandinavian countries. The PSB in such cases is a product of what is mainly perceived as a convenient principal-agent relationship between politicians and bureaucrats. The extent to which it is an integral part of some wider social or constitutional settlement is debatable.

The Schafferian PSB is not the only available form of ‘agency’ bargain. The US party-spoils tradition and the more muted variant of it found in European *Cabinet* arrangements and other ‘posts of confidence’ (Chapman, 1959: 276) in many of the European countries represents a different sort of agency-oriented PSB. Indeed, a PSB with some resemblance to that form applied to the ‘quango’ part of the UK’s public sector, namely the numerous public bodies outside the civil service and departmental framework. In the spoils-type bargain, public servants retain public political identity but with tenure limited to that of the party or individual who appointed them, and the bargain involves loyalty to the personal or party ‘principal’ in exchange for a confidant role, plus the perquisites of public office, of course. Evidently, there can be ambiguous cases where it is uncertain whether an individual or group is appointed under a Schafferian or spoils-type bargain (Christensen, 1999).

An additional form of agency bargain is found in the US city-manager tradition and its analogues, in which a public official is given a degree of autonomous decision space by the principal in exchange for the obligation to take direct responsibility for errors and misjudgments made within that space. There are regulatory entailments of such a PSB too, in that the corollary of arms-length approach to control is transparency requirements and process rules governing abuse of discretion. But for this managerial type of PSB the autonomy does not stem from some Hegelian view of public servants as constitutional guardians or ethnic bonding agents for a divided society. Rather, it results from a more downstream, pragmatic agency arrangement, reflecting a judgment by the principal on the appropriate tradeoff between blame shift and credit slippage (Fiorina, 1986).

The routes by which PSBs were arrived at and the form in which they were expressed can

vary too. In some cases, notably that of the UK civil service, the PSB was entirely ‘constructive’ or implicit, based more on unwritten agreements or mutual adjustment through ‘conversation’ among the parties than any formal enactment (Hecló & Wildavsky, 1974; Foster, 1996). But in others, the PSB was formally enacted at least to some degree, in the form of constitutional provisions or public-service statutes setting out the obligations and entitlements of civil servants. The German PSB was unusual in being partly written into the constitution, with the 1949 Basic Law setting out key obligations of public servants and recognizing the traditional *Beamtentum*. Somewhere in between are the numerous cases like the USA and France where public service duties and obligations were partly set out in public service statutes but were not entrenched in a formal constitutional document.

A third distinction, applying particularly to the ‘agency’ PSBs, concerns the number of ‘parties’ or principal actors involved in the bargain. Schaffer (1973) conceived the nineteenth-century British PSB as an arrangement between only two main parties, namely elected politicians and bureaucrats. A similar characterization could plausibly be applied to numerous other traditional Parliamentary systems, both in the Westminster-model tradition, such as New Zealand and similar types, for example, Denmark. But in other cases something more like a *ménage à trois* (or more) applies. That *ménage à trois* situation can arise where ‘elected politicians’ cannot be regarded as a single group of ‘principals’ even at the level of analytic simplification Schaffer was aiming for. A clear case is that of the US where the federal civil service lives in a *ménage à trois* with Congress and the Presidency and the PSB is consequently convoluted (there are parallels at state-government level). The unwritten bargain between public servants and Congress is at least as important as that with the President, who can formally shape the civil service by Executive Order. But something similar can happen, as we shall see later, when there is more than one group of public servants who have to relate to one another as well as to elected politicians –for example, party-spoils and merit/career bureaucrats.

Table 1 summarizes this trio of distinctions made above with some examples of contemporary and historical specimens, most of which have been referred to above. This characterization of PSBs is not intended or claimed to be complete. Many further refinements and other categories could, and no doubt should, be added to the simple distinctions made in Table 1. Nor is it claimed or assumed that each PSB is unambiguous or that each state or political system necessarily incorporates only one single type of PSB. Who sees what as the essence of the bargain may be culturally variable. Many systems may be hybrid, with different PSBs applying to different parts or levels of the public service, as in the US, where the city-manager form of PSB existed alongside other types both at city level and at other levels of government, or in the many cases (e.g., Turkey before 1999) where the military assumed a PSB rather different from that applying to the civilian bureaucracy. However, for the purpose of the present argument it is not necessary to produce a definitive characterization of PSBs. It is only necessary to establish two propositions. One is that the ‘old public management’ incorporated a variety of PSBs rather than a single one, whatever might have been commonalities in technology or operating routines across different countries. The other is that PSB variety included how far the public service was seen as an agent of some principal rather than a trustee, how far its role was enacted or entrenched in legal/constitutional form, and how far any agreement involved interaction among two parties or more.

Table 1  
Varieties of Public Service Bargain

Public service role	'Enactedness'			
	Enacted or Quasi-Enacted		Constructive or Implicit	
Trustee (autonomy) or systemic bargain	Explicit Trustee PSBs Example: German 'Hegelian' bargain		Constructive Trustee PSBs Example: EU 'consociational' bargain	
Agency or pragmatic bargain	Two main parties	<i>Ménage à trois</i> or more	Two main parties	<i>Ménage à trois</i> or more
	Quasi/formal bilateral agency PSBs Example: New Zealand 'agency' bargain of 1988 with principal-agent relationship set into statute	Quasi/formal multilateral agency PSBs Example: US federal PSB (only quasi-enacted) involving Congress, federal bureaucrats and the Presidency	Constructive bilateral agency PSBs Example: Traditional UK Schafferian PSB based on implicit understandings between politicians & civil servants	Constructive multilateral agency PSBs Example: UK dual-track (agency and departmental) civil service PSB after 1989

#### 4. The paradoxes revisited: a PSB perspective

Having looked at some of the international variety of PSBs in the 'old public management', we now return to see how far a PSB perspective can help to explain the three paradoxes that were outlined earlier.

##### 4.1. *Paradoxes of globalization and internationalization*

It was argued earlier that the variety of public-sector reform behavior over recent decades seemed to apply to some domains of reform activity more than to others. Whereas the vocabulary of reform and some processual features tended to display strong elements of commonality and international borrowing, there was more variety in the constitutional features of the public service and the related political structures and processes.

As was noted above, some of that variety consisted of 'tortoise and hare' differences, i.e., countries moving at different speeds from different starting-points in the same direction, for instance in senior civil service employment conditions. No major country moved to strengthen job tenure of top public servants but countries varied in the extent to which they weakened it. Still, as noted, some of it consisted of differences in the direction taken, not the speed at which the road was traveled. And how far it is plausible to expect globalization to lead to similarity in all public management developments is debatable even in theory. The most direct impact of globalization might be expected to occur over regulatory transparency, the scope of public enterprise, level of outsourcing and overall levels of public expenditure and employment, because large global business interests are directly at stake over such issues. But (consultancy firms aside) such business interests are much less directly at stake

over issues such as the management style of the nonoutsourcable parts of public services or the links between top public servants and the political system or the society at large. Any impact of globalization on such matters could be expected to take place at the level of ideas without a strong underpinning of interests.

As noted, the most obvious way of explaining these structural differences in public sector reform seems to be through some form of historical institutionalism. The cases where different agendas dominated reform in different contexts, appear to reflect the variety of historical legacies playing on the reform age. And the same may apply to the difference between tortoise-like and hare-like behavior over changing PSBs. From a PSB perspective, reform tortoises tended to be cases where the pre-existing PSB created low motive and/or low opportunity for politicians to remodel the top-level bureaucratic structure, and the hares tended to have the opposite characteristics. Systemic or constitutionally-rooted PSBs, as in the German or EU case, offered less opportunity to politicians to undermine public service tenure than the more pragmatic agency-type PSBs. And pre-existing PSBs that gave substantial opportunities for politicians to control senior bureaucratic appointments, for example, Canadian deputy ministers or French *Cabinets*, offered politicians lower motivations to change the system than those that traditionally restricted or eliminated politicians' ability to shape the process, as in the Australian or New Zealand systems. And to the familiar detective-story duo of motive and opportunity might possibly be added a third element of capacity (possibly a subset of opportunity) in the sense of some imported or domestic institutional capacity to undertake reforms. Some of the more inert public service systems may have reflected a capacity deficit as much as a deficit of motive or opportunity.

#### 4.2. *Paradoxes of malades imaginaires and winners curse*

The same line of analysis can be pursued for the second paradox discussed earlier. That paradox was the observation that many of the OECD administrative systems that were the first or the most heavily reformed (in terms of senior public service structure) in the NPM era were not those which were most obviously underperforming on the dimension most heavily stressed by managerialists, that is, the quality of service delivery to public sector customers at large. Substantial service-delivery deficits seem to have been neither a necessary or sufficient condition for precipitating structural reform. Accounting for the timing and style of the structural aspects of public-service reform therefore seems to require some explanation other than the degree of service-management deficit prior to the reform era.

Several possible candidates might be advanced for such an explanation. For instance, it might be argued that the *malades imaginaires* are better conceived as learning organizations striving for ever-greater improvement while others stagnate. For example, the official account of Hong Kong's preoccupation with administrative reform in the 1990s stressed this feature. But political scientists are more inclined to look for the explanation in terms of the attempts by the various actors in the process to affect the allocation of control, blame and accountability. Savoie (1994) and Maor (1999) see administrative reform as the product of attempts by elected politicians to increase their discretionary control over the upper ranks of the bureaucracy. Horn (1995) sees it as an outcome of politicians' aim to maximize commitment – durability of their policies over time – while minimizing agency costs – what

it takes to keep agents under control – and uncertainty costs – the liabilities that may accrue if unexpected developments occur. As Christensen (1999: 2) correctly points out, such an analysis applies only to the public service role in policy implementation, not to policy or political advice, but the implementation rather than advice function is what was central to the ‘managerial-reform’ agenda.

From political-science viewpoints of the type mentioned earlier, susceptibility to structural reform could be expected to occur when there is some political misalignment of the bureaucracy against the politicians’ optimum position on agency, commitment and uncertainty costs. Such a misalignment will occur in one or both of two circumstances. One is when politicians perceive that they could lower agency or uncertainty costs by moving from a *status quo* PSB to a new one that will make the bureaucracy easier for them to control and/or transfer blame for errors or other unexpected outcomes to other actors. The other possible form of misalignment is when politicians perceive that they could increase commitment by moving from one PSB to another, so that the policies they favor will be entrenched even if they go out of office.

It was suggested earlier that the trustee or systemic PSBs afforded less reform opportunity for politicians than the agency or pragmatic PSBs. Even if there had been strong motive for politicians to reform trustee or systemic PSBs, the way those PSBs are constitutionally or socially entrenched made the transaction costs of unilateral reform high in ordinary circumstances. However, those transaction costs can be expected to be lower for agency or pragmatic PSBs, creating greater opportunity for politicians to undertake reforms. So, for this class of PSBs it is politicians’ motives that can be expected to determine whether reform is undertaken. Accordingly, Table 2 compares the three types of costs to politicians identified by Horn (as discussed earlier) for three PSBs of the ‘agency’ type. It will be recalled that those three types of costs are the costs of achieving policy commitment, the costs of uncertainty in policy outcomes and the agency costs of keeping bureaucrats under control. The three types of PSBs compared in Table 2 are the Schafferian bargain and the managerial bargain as discussed earlier, plus a hybrid bargain of the spoils type somewhere between the Schafferian and managerial bargain.

On Horn’s assumptions, the politicians’ ‘dream ticket’ for the structuring of bureaucracy would be an agency PSB that was consistently low on all three types of costs. But none of the three PSB types summarized in Table 2 seems to offer that dream ticket, so politicians face tradeoffs and contingencies in choosing among them. The analysis summarized in Table 2 suggests the Schafferian bargain only outpoints the other two agency PSBs for politicians if agency costs are perceived by politicians to be lower for the Schafferian bargain, and the assumption is that those agency costs will only be lower for the Schafferian bargain in conditions of high mutual trust and cultural alignment between ‘principal’ and ‘agent’. In all other circumstances, politicians would be better-off or at least equally well off in shifting to one of the other two types.

The managerial PSB is only preferable to the hybrid type, where bureaucratic agents have no managerial space and limited tenure, in two circumstances. One is where the managerial PSB is perceived to offer a greater degree of policy commitment (lower commitment costs, in other words) than the hybrid type of PSB. Such commitment seems to be difficult to achieve in parliamentary systems, where there are no special legislative/institutional barriers

Table 2

Three types of agency PSBS compared: Commitment, uncertainty and agency costs to politicians

Dimensions of Cost to Politicians	Type of Agency Bargain		
	Schafferian	Hybrid	Managerial
Commitment costs (Costs of maintaining policy beyond the lifetime of a governing coalition)	Higher (public servants' loyalty to the government of the day)	Higher (public servants' loyalty to the party or minister)	Variable (but normally high in a parliamentary system)
Uncertainty costs (Costs of liability for policy errors or unexpected effects)	Higher (public servants notionally anonymous)	Higher (minister shares blame with team)	Variable (lower if blame is transferable to managers, but high or higher if blame boomerangs)
Agency costs (Costs of preventing bureaucratic drift and keeping bureaucrats under control)	Variable (set-up costs are low but public servants are permanent, so have to be steered through time-intensive Minister-bureaucrat conversations etc.)	Medium (no armslength framework costs, public servants' tenure aligned with politicians' but there are costs of selection & appointment)	Higher (armslength control regime means time-consuming contract management and frameworking unless politicians plan to cheat from the start)
Conditions of switch to other types of agency PSB	Politicians are better off or no worse off with hybrid or managerial PSB if agency costs perceived to be high	Politicians are better off with Schafferian PSB if Schafferian agency costs perceived to be low, and better off with managerial PSB if uncertainty costs of managerial PSB are perceived to be low	Politicians better off with hybrid or Schafferian PSB if blame boomerangs make uncertainty costs of managerial PSB high

to an incoming government to alter 'agency' PSB arrangements, although the quasi-independent utility regulators adopted by the UK and other countries like Jamaica are an example of an attempt to do so (see Levy & Spiller, 1996; Hall, Scott & Hood, 1999). The other circumstance when a managerial PSB might be preferred to a hybrid one is when the former is seen as a way of shifting blame for policy error to bureaucrats, therefore lowering politicians' uncertainty costs. If managerial PSBs do not in fact lower such costs, the reasons for politicians to prefer them to hybrid bargains (or even Schafferian bargains) largely disappears.

On this analysis of the political conditions for susceptibility to reform, the conditions for a switch to an alternative type of agency PSB seem to have applied in particular to the Schafferian PSB. In the 1970s, according to Polidano (1998) and others, many politicians working with some variant of the Schafferian PSB perceived bureaucrats to have cheated on the implicit bargain and to have escaped from politician control to pursue their own agendas (see also Niskanen, 1971). While as noted earlier there were numerous cases of managerial

bargains at outset of the reform era, for instance for public enterprise structures and regulation, Schafferian and hybrid PSBs seem to have been more numerous. But on the analysis summarized in Table 2, hybrid PSBs had a lower ‘downside’ on agency costs than Schafferian PSBs. So from a political-susceptibility viewpoint, it is not surprising that the OECD reform-era *malades imaginaires* seem to have been largely Westminster-model or Westminster-type parliamentary systems operating some variant of the Schafferian PSB. Such a result would be consistent with a relatively high incidence of Schafferian-type PSBs coupled with the precarious agency cost advantages of Schafferian PSBs compared to the other agency-type PSBs.

However, not all Westminster-type countries experienced a high degree of structural reform of the bureaucracy, and even those that did so did not adopt the same structural arrangements. So it seems that we have to look beyond the general characteristics of the Westminster-type family to explain the *malades imaginaires* satisfactorily. Arguably it was those Westminster-type countries with the most extreme forms of Schafferian PSB, rather than those where the bargain gave more scope for politicians to influence the selection and deployment of senior bureaucrats, that produced the greatest pressure for changing senior civil service tenure arrangements. To go beyond explanation of changes in civil service tenure arrangements to account for why most countries making changes in public service tenure did not adopt a full-bore managerial PSB instead takes us to the third paradox, to be considered in the next section.

#### 4.3. *Paradoxes of half-hearted managerialism*

The third paradox noted earlier was the surprisingly ‘half-hearted’ incidence of public-sector managerialism in an age of strong managerial rhetoric. That means that the exchange of managerial space for direct responsibility for error was limited even in the Westminster-type countries that seem to have been more predisposed to changes in the PSB than other types. The case of New Zealand, where the whole public service moved into a quasi-managerial bargain in 1988, is much discussed because it is the exception, not the rule. More common seems to have been some weakening or dilution of Schafferian PSBs, but not the adoption of managerial PSBs with clearly-delineated managerial space.

Maor (1999) explains half-hearted managerialism as a result of actions by politicians seeking to correct unintended effects. His argument is that politicians perceived dangers in ceding control of implementation processes to bureaucrats, and so moved to tighten their political grip on those bureaucrats by exposing them to more, not less, political pressure over job security. As he puts it (Maor, 1999: 13): ‘[Changes in employment conditions of senior civil servants that] were intended to be solutions to managerial problems have developed into solutions to political problems.’

As noted, frequent changes of manager are not incompatible in principle with the basic logic of a managerial PSB. Indeed, less rather than more security of tenure on the part of agency heads might just as well be taken as *prima facie* evidence that a managerial PSB was working as intended rather than somehow being subverted, as Maor implies. After all, managerialist doctrine as discussed earlier would suggest that a managerial PSB ought to be designed to lay direct responsibility on managers for their performance within their mana-

gerial ‘space’, typically with renewal of employment contracts (and remuneration packages) linked to that performance. So arguably Maor is looking in the wrong place for the paradox of managerialism. The kernel of half-hearted public-sector managerialism does not lie in restriction of the managers’ tenure as such, but rather in the failure to cede or respect the managerial ‘space’ that is at the heart of the managerial PSB. It may be recalled that a managerial PSB involves public servants assuming direct responsibility for errors and performance within their bailiwick in exchange for a zone of managerial space that politicians cannot enter, except by some formal directive overriding what is conceived as an arms-length relationship governed by some sort of contract.

The historical dynamics of half-hearted managerialism in this sense involve at least two separate paths, rather than the single (rather indefinite) one implied by Maor’s analysis. One is where the kernel ‘space’ element of public-sector managerialism is strangled at birth, such that no managerial PSB is ever established. The other is a ‘rake’s progress’ route where that space is ostensibly ceded but in practice remains ambiguous or comes to be whittled away. The ‘rake’s progress’ route can arise in one or more of at least two ways: through ‘cheating’ by one or more parties to the managerial PSB and through attrition by egregious regulation. The concept of ‘cheating’ is itself potentially ambiguous when PSBs are implicit and who sees whom to have cheated varies among the parties (as with the Schafferian cases in the 1970s, noted above). But we are on stronger ground in applying the term to covert behavior by politicians or public servants that conflicts with formally-agreed frameworks or codes. It involves elements of deception and unacknowledged rule-breaking over the terms of the bargain. And since, as argued earlier, the core of the managerial bargain is conventionally seen as a new set of rules or institutional conventions about ‘managerial space’, the concept of cheating is particularly appropriate to this type of PSB.

The mechanism Maor uses to explain his managerial paradox - politician regret about loss of territory to managers that was not intended by politicians - may well play a key part in the second ‘rake’s progress’ path to half-hearted managerialism. But dismissal or replacement of managers is not the only way politicians could respond to the managerial PSB. An alternative or supplementary approach to that bargain would be for politicians to ‘cheat’, as described above, by unacknowledged incursions into the managerial ‘space’ or backdoor deals with managers outside the terms of the agreed formal framework (Barker, 1998). After all, such politician behavior was endemic in spite of official frameworks prescribing arms-length relationships between Ministers and public corporations over the four decades of the Morrisonian public-enterprise era in the UK. It is also a notable feature of recent Danish experience (Christensen, 1993). Similar flouting of the official framework establishing managerial space was dramatically exposed for the Prison Service Agency, one of the most important of the UK executive agencies, after the CEO was sacked in 1995 following a prison-escapes scandal. The CEO later gave an account of how the Minister had extensively but surreptitiously intervened in the details of prison management while publicly maintaining that under the managerial PSB he had no responsibility for ‘operational’ issues within the CEO’s managerial space (Lewis, 1997; Barker, 1998).

Indeed, a cheating perspective (in the form of unacknowledged politician incursions into managerial space) may account for part of Maor’s paradox—the puzzle as to why elected politicians should ever assent to PSB changes that appear to threaten their ability to control



the details of implementation processes in the first place. Maor implies it was a case of miscalculation or unintended consequences, with politicians somehow beguiled by managerial arguments into making changes that later created loss-of-control problems for them, requiring corrections in the form of dismissing public managers. But there is an alternative explanation to that offered by Maor, and one that assumes less *naïveté* on the part of politicians. The alternative explanation is that politicians are attracted to managerial PSBs precisely because *they always expect to be able to cheat on the bargain* (as described above) by covertly trespassing on managerial space when they need to do so. After all, if politicians can cheat on the official rules of behavior in this way, they no longer face an ineluctable tradeoff between hands-on control over policy implementation and ‘blame shift’ (Fiorina, 1986) over operational errors and mistakes. They can achieve both.

If there is an unintended effect in this *realpolitik* route to politician acceptance of managerial PSBs, it can come in at least two ways. One is when the managers choose to cheat on the bargain too . . . for instance, by evasion of responsibility even when politicians have kept off the managerial grass or by evasion of arms-length control frameworks, as Foster (1992) claims was commonly achieved by many UK public corporations in the public-enterprise era. The other is a move likely to be made by managers only as a last-ditch strategy after politicians have sacked them. That is when politicians seek to make managers take the rap for operational errors that the politicians’ covert interventions have helped to create, and managers respond by exposing those interventions, so that blame boomerangs back to the politicians. But firing managers – the second-round politician response to managerialism, according to Maor – seem unlikely to help politicians to escape from unintended agency problems, and may well intensify those problems by the low-trust atmosphere between politicians and public servants that such moves will tend to produce. Structural changes in the managerial PSB may be the only effective politician response to unintended effects of this type.

Accordingly, if unintended effects can play a part in explaining the paradox of half-hearted managerialism, it is not clear that those effects work in the way Maor implies. But one feature that may be common to both routes to half-hearted managerialism – the strangled-at-birth route and the ‘rake’s progress’ route – may be the *ménage à trois* aspects of PSBs discussed earlier. Full-bore managerialist PSBs seem difficult to develop or sustain in *ménage à trois* conditions. So, it may be the comparative paucity of *ménage à deux* conditions combined with the other ecological conditions necessary for the sustenance of managerial PSBs that accounts for several features of half-hearted managerialism.

A *ménage à trois* relationship can produce the strangled-at-birth route to half-hearted managerialism when the third party chooses to veto a space-responsibility exchange between the two other parties. Such a process seems to have been central to half-hearted managerialism in the US federal civil service. During the ‘reinvention’ era some NPR attempts to move parts of the federal public service into a more managerial PSB by creating agencies operating according to performance agreements incorporating managerial ‘space’ for their CEOs were resisted by Congress because it feared a loss of its capacity to direct federal organizations. And conversely there seem to have been many occasions (especially after 1994–95 with a Republican-dominated Congress) when Congress supported NPR measures but federal departments resisted and the Presidency failed to support the Congressional stand

(Jones & Thompson, 1999: 63). Both of these processes are ways in which a third member of the *ménage à trois* in which the US federal PSB operates prevented a managerial PSB from coming to birth, either by veto action or by failure to act.

A *ménage à trois* relationship can also help to push public-sector relationships into the ‘rake’s progress’ route to half-hearted managerialism. Such a process is observable in the UK’s experience of executive agencies in central government, often cited as a leading example of contemporary public-sector managerialism. In this case, a *ménage à trois* was created by a process of institutional differentiation that split the top civil service into two (unequal) parts. One group worked in Ministerial departments on some approximation of the Schafferian PSB and the other worked as CEOs of executive agencies on some approximation of the managerial PSB. The departmental group thus had an incentive to expose the agency CEOs to elaborate surveillance and regulation . . . to prevent agency CEOs from cheating on the managerial PSB by colluding with Ministers outside the terms of their framework agreements. But that sort of regulation can itself erode and dilute a managerial PSB. It was suggested earlier that a managerial PSB has regulatory entailments over information provision and rules over conflicts of interest and the like. But the elaborate regulation to which the UK agency CEOs were subjected, as documented for instance by Trosa (1994) and Hogwood, Judge and McVicar (1998) was seen by many to have gone well beyond the minimum regulatory entailments of a managerial PSB. And some of that regulatory incursion into managerial space seems to spring from the dynamics of the *ménage à trois* consisting of Ministers, agency CEOs and senior departmental public servants.

## 5. Summary and conclusion

No single method of analysis can explain everything. But an appreciable part of the paradoxes of public-sector reform that were noted at the outset seems to be explicable by the historical legacy of PSBs and strategic interaction over such bargains. The observed variety in structural patterns of reform can be explained in large part by the way that PSBs have varied historically, providing different jumping-off points to the reform era. So, a better understanding of the different forms of ‘old public management’ can help us to understand the variety of reform behavior in the ‘new public management’ era. The *malade imaginaire* phenomenon is explicable to the extent that structural reform in the public service was triggered by a coincidence of political motive and opportunity rather than service-management deficits alone. Motive can be understood as politician desires to increase their control over bureaucracy in the face of perceived high agency costs, while opportunity was presented by pre-existing PSBs of an agency type that could be changed by reforming politicians. The relatively half-hearted nature of the shift to public-service managerialism in most cases in the reform era may be explicable in part by politician attempts to correct unintended loss of control over policy implementation, as Maor suggests. But it may also be explicable by the way institutional *ménage à trois* effects work either to strangle public-sector managerialism at birth – by a third party obstructing a space-responsibility exchange between the other two – or to set off a ‘rake’s progress’ effect through regulatory strikes at managerial space.

This interpretation has focused mainly on politicians’ preferences over PSBs and the

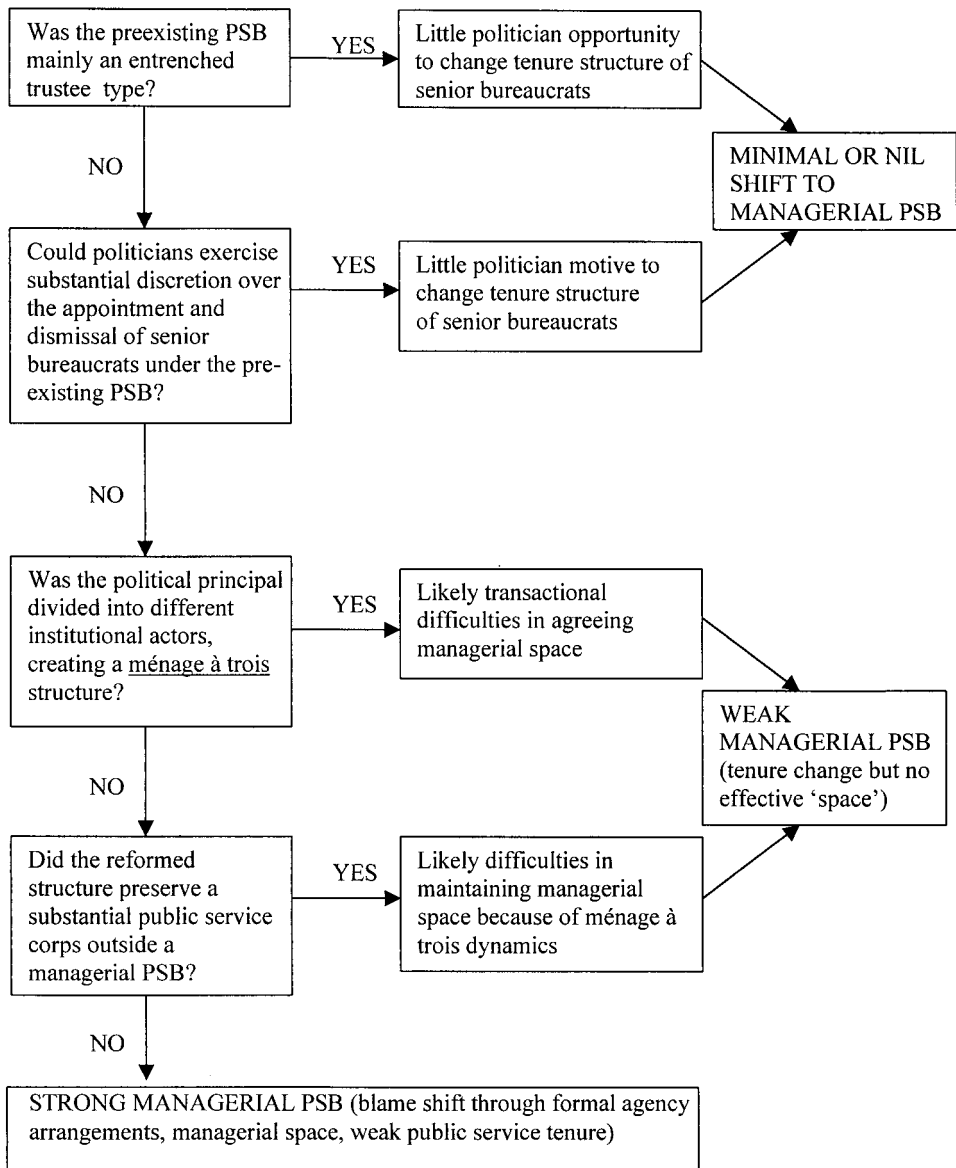


Fig. 1. Some institutional factors shaping reform of PSBs.

opportunities available to them to change PSBs. In a fuller analysis the preferences of public servants over bureaucratic structures and control systems would need to be given equal attention (Dunleavy, 1991). Attempts at bureau-shaping or resistance to more rigorous control frameworks seem to be common in the politics of public-service managerialism. But, following Horn's analysis, the focus here has been on the preferences of those who control the legislative, and delegated-legislative or equivalent, framework of public service arrangements.

Fig. 1 summarizes the argument. It suggests a PSB-based analysis can help to bring historical institutionalist and strategic interaction approaches to bear to predict or retrodict both shifts in senior public servants' tenure conditions and shifts towards agency-type arrangements incorporating increased managerial space. It is not claimed that this approach can explain every feature of bureaucratic reform experience, nor is it necessary to do so. As suggested earlier, many aspects of that experience, including the vital question of the language and conceptual frames in which public-sector management is presented, appear not to be PSB-specific and do indeed seem to have strong features of internationalization. And even for structural reforms, at some point the fine detail of reform experience can only be explained in terms of the force, skill and life histories of individual personalities among the players in the reform game. Nevertheless, a PSB approach seems to merit inclusion in the analytic toolkit for understanding some of the middle-level patterns of reform experience and testing hypotheses about some of the effects of reform.

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