PART I

Introducing Hyper-active Governance

1 | *The 'Cult of the Expert'*

People in this country have had enough of experts.

(Michael Gove MP, June 2016)

We want not just to protect but to enhance the environment. And we want our decisions to be informed at all times by rigorous scientific evidence.

(Michael Gove MP, November 2017)

In October 2016, *The Guardian* published a story about what it called 'The Cult of the Expert', which had dominated the first decade of the twenty-first century (Mallaby, 2016). Following the global financial crisis, the chair of the US Federal Bank, Ben Bernanke, was asked by a congressional committee whether he had $85 billion to inject into the economy. 'I have $800 billion', he replied. 'Somehow', the *Guardian* noted, 'America's famous apparatus of democratic checks and balances did not apply to the monetary priesthood. Their authority derived from technocratic virtuosity'. Scholars have noted since the 1990s how political issues have tended to be put in the hands of so-called experts; scientists, lawyers, clinicians, economists and the like (Fischer, 1990; Barker and Peters, 1993; Hoppe, 1999; Maasen and Weingart, 2006). As political scientist Alasdair Roberts argued in his evocative 2011 book *The Logic of Discipline*, 'the pervading sense was that liberal democracies lacked the capacity to make hard choices and that mechanisms were necessary to force those choices or empower technocrat-guardians who would make them on society's behalf' (Roberts, 2011, p. 144). Following the fall of the Soviet Union and the rise of Francis Fukuyama's famously flawed 'End of History' thesis, 'by the turn of the 21st century, a new elite consensus had emerged: democracy had to be *managed*' (Mallaby, 2016).

This book is about precisely this issue of *management*: the efforts of governments to shift decision-making powers onto unelected technical experts, hence making those decisions more legitimate. Put simply, the

3

argument is that institutionalising expertise is not as easy as it appears. In the years following the crash, the public has become far more sceptical of so-called experts. On the one hand, central bankers and other technical experts in health, environment, planning, food, aviation, emergency management and all manner of other areas continue to be appointed to deal with complex governance problems. However, trust in science and expertise has deteriorated since the crash. The *Washington Post*, for example, reported a decline from 76 per cent to 52 per cent of survey respondents in the United States agreeing 'today is a good time for science', between 2009 and 2015 (Lynas, 2015). This scepticism culminated infamously during the United Kingdom's debate in June 2016 on membership of the European Union, with the famous claim by then Justice Secretary Michael Gove MP that the public had 'had enough of experts'.[1] Yet, a year and a half later in November 2017 – as Secretary of State for the Environment, Food and Rural Affairs – Gove moved to change Britain's policy on the use of insecticides in light of scientific, expert evidence about the harm they were causing to the environment.[2] Gove's about-face is just one prominent example of the contradictory relationship between politicians and experts; they appear as both a virtue and a vice of democratic governance (Barnett, 2016).

Gove's predicament generates a fascinating set of questions about how governments manage this contradiction. How do politicians navigate the tensions between wanting to involve experts in policy decisions, gaining legitimacy from their expertise and acting on popular demands? How do they incorporate experts into decision-making over publicly controversial issues? In the era leading up to what the *New Yorker* recently called the 'new populism', what signs were there of political opposition and government intervention in areas otherwise governed by experts (Lepore, 2016)? What are the socioeconomic roots of the current alleged 'rejection of expertise' in many advanced liberal democracies? This book aims to provide novel answers to these questions by exploring what it terms *hyper-active governance*.

1.1 Why Hyper-active Governance?

Terms like 'networked', 'polycentric', 'decentred' or 'multilevel' governance have proved useful metaphors for describing the growing

variety of non-state actors involved in governing liberal democracies (Kooiman, 1993; Rhodes, 1997; Peters and Pierre, 1998; Bache and Flinders, 2004; Provan and Kenis, 2008; Ostrom, 2010). In a seminal collection, *Modern Governance* edited by Jan Kooiman (1993), it was claimed that these pluralistic visions of governance emerged because of the expertise of non-state actors:

The main difference between government and [non-governmental] associations is, that government supplies goods and services authoritatively for society as a whole, which implies a huge bureaucracy and control by force, whereas associations supply goods and services for their members and they know best what their members want so they are *very flexible and expert organisations*. (Aquina and Bekke, 1993, p. 169, italics added)

While the terminology of 'associations' has broadened, the idea that governance has become 'differentiated' due to gains in expertise (real or imagined) offered by private or voluntary actors has become something of an academic 'orthodoxy' (Marsh, 2011). Torfing et al. (2012) encapsulate this view with their concept of 'interactive' governance, which describes the exchanges of information between the state and various 'stakeholders' in attempts to produce 'public value' through governance.

While speaking about governance using these metaphors may be descriptively useful, such metaphors often carry implicit assumptions about the 'efficiency' of expert networks or imply this interactivity exists in a state of 'equilibrium' when, in fact, it operates in a world of intractable socioeconomic crisis and disequilibrium (Streeck, 2014). While usually unintended, these metaphors can suggest that since non-state actors have specialised knowledge, their 'networked interaction' tends to produce optimal outcomes (Bell and Hindmoor, 2009; Davies, 2011; Davies and Spicer, 2015). At the same time, however, resorting to older notions of 'hierarchical control' or 'statecraft' is overly simplistic, assuming policymakers are entirely 'in control' of policymaking when in reality they face deep capacity issues (Howlett and Ramesh, 2016). Scholars have therefore reached for alternative metaphors. Examples include Ansell et al.'s (2017) notion of 'turbulent governance' focused on how interactive governance works in times of political shock, and Abbott et al.'s (2015) concept of 'orchestration' introduced to refer to the informal use of expert intermediaries to achieve policy goals.

This book introduces the notion of 'hyper-active governance' in a contribution to these efforts. It does so not to deny the existence of 'interactive' or complex governance relationships, but to highlight how they work in a way that reflects ingrained *pathologies* within liberal democratic societies. These pathologies are, for example, economic ideas that create environmental degradation and resource depletion and that create intermittent ruptures or controversies that are symptomatic of long-term deficiencies in the state's capacity to resolve contradictions inherent in contemporary economic growth models (Hay and Payne, 2015). 'Interactive' or 'networked' governance, underpinned by arm's-length delegated bodies, is often seen as a way of addressing these pathologies by mobilising various forms of expertise, but how governance works in practice often involves heavy central state involvement to coordinate responses to short-term political controversies that distract from the deeper challenges at stake. The 'hyper-active' terminology characterises these efforts at coordination as compulsive responses to systemic pathologies – more symptomatic of the pathologies underlying the policy problems they confront than ways of addressing them strategically.

The global financial crisis is a good example of why a language of hyper-active governance may be useful. Described by Jan Aart Scholte (2004, p. 7), pre-2008, global financial governance seemed to have 'provided efficiency and economies of scale' via 'intra-firm trade, offshore financial centres, derivatives and hedge funds'. This system was an archetypal example of 'networked' or 'interactive' governance operating at multiple levels. Throughout the 1990s and early 2000s, it appeared the system worked very well, supporting sustained economic growth throughout western political economies. The networked financial governance system was, however, masking or even perpetuating deep-seated contradictions: 'Very few bankers fully understood the scale and complexity of the new financial markets they had created, with their vulnerabilities and huge "systemic risks"' (Bell and Hindmoor, 2015, p. 1).

The complexity of the financial system lent itself to metaphors of 'networking', containing assumptions that this system, complex as it was, tended towards equilibrium (Streeck, 2014). Moreover, because the financial system was governed by rules designed by bankers themselves – these were the 'experts' entrusted by governments to draw up a

regulatory system via the 1988 Basel Accord – it was in their interests to maintain the governing system as it was, supported by the governments who had delegated them power at the international level. As Hay (2011) argues, the global financial crisis hence marked a moment where the '*accumulation of pathologies*' within the financial system became clear; previously unacknowledged systemic weaknesses created a dramatic collapse in financial institutions. However, the 'crisis' itself did not mark a moment of strategic intervention to address these weaknesses. Instead, states sought to protect the existing financial system by increasing the provision of credit and preventing savings being lost – namely, quantitative easing and (temporarily) bank nationalisation. This can be seen as a *compulsive* way of reacting to the pathologies embedded in the financial system. The aim was to 'steady the ship' of global financial markets to protect the system of private debt-led economic growth, through whatever short-term mechanism possible. State responses to the financial crisis might on this basis be seen as cases of 'hyper-active' governance – responses that are symptomatic, and somewhat revealing, of the problem itself.

This book argues the pathologies that led up to the financial crisis are endemic across policy areas where experts are heavily relied upon. In policy areas like public health, water resource management and electoral integrity, socioeconomic pathologies reflected through resource shortages and degradation, extreme weather patterns, technological risks and stagnating economic productivity have created what Rittel and Webber (1973) famously called 'wicked' policy problems. Governments increasingly appoint experts to address these pathologies, but they often become the subject of public controversy themselves and create imperatives for state 'coordination'. The book uses the term *hyper-active* to describe the compulsive way governments respond when experts face public outcry in these areas. 'Hyper-active' individuals, as the *Oxford English Dictionary* defines them, have 'more energy than is normal, [get] excited easily, and cannot stay still or think about work'. Hyper-activity is compulsive activity that moves in multiple, often contradictory directions and is driven by a need to control surface level problems rather than long-term strategic development. 'Hyper-active governance' describes how governments act in this compulsive manner, seeking to sustain the authoritative image they derive from delegating decisions to experts, while intervening with

experts' decisions to protect them from public criticism. Instances of
hyper-active governance may therefore be seen in situations when an
accumulation of pathologies underlying 'normal' interactive forms of
governance come to fruition and provoke differing styles of coordin-
ating the response to those accumulating pathologies.

This book argues hyper-active governance occurs primarily in areas
where expertise is required for complex technical decision-making, but
where policy outcomes often have potent political consequences
reflecting profound limits in state capacity to address accumulating
pathologies. While the term is primarily metaphorical, it is more than
this because it points to theoretical explanations for *why* governments
act in the way they do. Hyper-active governance is intended in this
book as a portent – that is, a sign or warning that the way 'interactive'
governance arrangements work in practice is primarily based around
managing the risks of delegating decisions to experts and maintaining
state authority in the wake of accumulating contradictions and limited
state capacity. This interactivity displaces profound social and eco-
nomic challenges (see Chapter 7). Deploying detailed process-tracing
case studies and analysing fresh international empirical data sets, the
book shows the practices involved in hyper-active governing. This
includes, inter alia, providing facilitation, dialogue and resources;
initiating parliamentary inquiries; elaborating stories of 'intervention'
and enforcing and following institutional rules. While many existing
studies have focused on these 'steering' functions of the state (Sørensen,
2006), this book sheds novel light on them by making a link to the
contradictions of a reliance on expertise.

The metaphor of 'hyper-active' should not be taken too far. It is not
a deductively derived 'typology' and is not intended to describe all
forms of interactive governance relationships. Instead, it is intended as
a metaphor for the compulsive styles of governing which emerge when
experts are given power but where long-term systemic pathologies
create imperatives for the state to intervene in their work. During
moments of political stress, the pathologies become more visible as
ministers and civil servants seek to maintain political legitimacy by
managing the situation, using different institutional levers and forms of
persuasion. The book analyses this compulsiveness by developing a
conceptual map that captures the multiple dimensions of relationships
between elected politicians and delegated experts. In doing so, it
bridges existing approaches to studying expertise, bringing together

work on delegated governance (Flinders, 2008) and science–policy relations (Hoppe, 2005). In the delegation literature, four approaches (principal–agent, credible commitment, blame avoidance and interpretive theories) suggest either delegation to experts depoliticises decision-making or paradoxically creates politicisation. The science–policy literature, however, assumes a constant, iterative relationship between experts and 'principals'. Integrating the two enables the book to capture the iterative relationship but, importantly, incorporate how it plays out in differentiated ways, in distinct policy contexts.

Lastly, metaphors are useful in leading to distinct theoretical or conceptual innovations. In this regard, the 'hyper-active' metaphor encourages us to see the empirical dynamics identified in the empirical sections as 'compulsive' forms of action, drawing a link to structural changes in advanced industrial democracies – or, in the pathology language evoked in this book, a developing physical or mental trauma. It is no accident, the book argues, that we see this compulsiveness manifested in an era of supposed technocratic dominance, because the increasing need for advanced technological and scientific expertise, and growing demands for popular accountability and control, created the need for state-led strategic direction. In other words, through their obsessive ways of managing experts, politicians give us a window into the deeper pathologies of contemporary liberal democratic societies. Following the empirical analysis, the book offers a distinctive approach to theorising this pathological state by introducing the concept of *social acceleration* (Rosa, 2013). This suggests that the styles of coordination identified in the book are aimed at strengthening responses to technological change and growing demands for accountability and control. The book maps each of the case studies onto Rosa's theory and shows that, in each case, policy change in wake of the controversies analysed did not reach the 'deep core' of policy ideas. As such, the book also provides an important addition to contemporary theories of governance by linking different styles of governing to responses to profound technological, economic and social challenges and a lack of deep policy change.

1.2 Hyper-active Governance: The Argument and Contribution of This Book

The core argument of this book is that there are three styles of hyper-active governance: defending, empowering and reforming expert

delegated bodies.[3] Where experts have been given control over public policy and governance through delegation (the creation of 'arm's-length' or 'independent' agencies, boards or commissions), government departments manage their relationship with those experts in three distinct ways:

1. *Defending*: involves protecting experts from public scrutiny, claiming to be intervening in their work publicly while letting existing procedures of expert governance take place as usual.
2. *Empowering*: involves giving experts extra resources and capacities through using special executive levers and mechanisms (like declarations of emergency).
3. *Including*: involves introducing requirements for experts to consult a broader range of actors in society than they usually would.

Each of these styles is a way of protecting the authority of expertise (the 'cult' in *The Guardian*'s terms) when it is challenged during public controversies. The styles, as Chapter 6 shows, emerge even in the most highly institutionalised expert areas of monetary policy and electoral administration where we would expect to see experts have large levels of autonomy. Rather than allowed extensive autonomy or being brought under the constant gaze of executive scrutiny, experts are better understood to be involved in constant and ongoing coordination of their roles, to maintain the authority and legitimacy of the system as a whole. Hyper-active governance can hence be defined specifically as *a set of styles of governing in which governments manage simultaneous pressures to distance themselves from expert decision-making and to take a more hands-on role in those decisions*. This definition informs the creation of a conceptual map of expert–politics relationships that frames the empirical questions of how these styles of governing work in practice, covering where they are managed with greater reliance on expertise, reliance on politics, or a balance between the two (see Chapter 2).

The empirical chapters show these dynamics in three policy areas: health technology regulation, flood emergency management and water resource governance. The book analyses global data sets and presents detailed process tracing case studies in each chapter to show how the three styles in question work, taking the United Kingdom and Australia – two majoritarian political systems at the national level – as key countries for studying this dynamic. It then further demonstrates the presence of these styles in 'most difficult' cases where it is likely