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## Governance and the Processes of Inclusion/Exclusion: A Review of the Theory and Practice

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# **Governance and the processes of inclusion/exclusion: a review of the theory and practice**

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## **1. Introduction**

Governance as a narrative of change identifies a new institutional configuration emerging from the proliferation of new forms of governing outside and beyond the state, is taking place.

The literature on Governance is broad and diverse and it is not my purpose to give a complete account of it. My concern here is to highlight what I consider an under-theorised dimension in most of the perspectives from which the new forms of governance beyond the state are analysed. I embrace Newman's (2001, see also Daly, 2003) view that most of the literature on Governance suffers from an under-theorisation of a "social" dimension of the analysis or, of what she terms the "politics of the wider public realm and the patterns of inclusion and exclusion on which it is based." More specifically, I would (Benjamin, 2006, private conversation) argue, an important challenge for the field resides in the attempt to connect administrative and managerial issues with a broader set of issues concerning the nature of political participation in complex society where not only the borders of the nation states are blurred but the character of individual and collective identities becomes also relational and fluid. In this paper I concentrate in particular on themes of inclusion/exclusion and composition of consensus amidst diversity and complexity from within a governance perspective.

In the following section I will sketch some of the current debates taking place in the Governance literature. It is not my purpose to summarise this extensive literature but to critically examine the concepts I consider fruitful to problematise the social dimension of the state-citizen relationship and raise important questions with respect to the inclusionary and exclusionary practices on which it is based.

The analysis will then move to a level of empirical analysis and the conceptual themes developed through a critical perspective on the existing literature are applied to map New Labour's recent approach to Governance reforms and, specifically, its discourses of Social Inclusion, democratic renewal, networks and partnership governing.

## **2. Governance: a critical perspective on the main theoretical strands**

Governance, as a concept, has worldwide application and is now "an umbrella term for a wide range of phenomena" (Pierre and Peters, 2000). It has been applied at a micro level to address the management of networks and partnerships, whilst also being used to refer to a broad ranging social and economic phenomena.

One strand of theory, predominantly drawn from UK public administration (Newman, 2002), focuses on the 'hollowing out' of the state relating it to the emergence of multi-level governance and the fragmenting effects of the New Public Management (Rhodes 1994, 1997, 2000; Pierre and Peters 2000; Pierre 2000). It is argued that due to the flow of power away from traditional government institutions, upwards to trans-national bodies and downwards to regions and sub- regions, the state can no longer assume a monopoly either of expertise or of the resources necessary to govern. In adapting to change, governments have increasingly come to rely on influencing a multiplicity of interdependent agencies and actors drawn from within the public and the private sector. The resulting *networks* represent a solution to the failures of traditional forms of governance, state hierarchies and markets (Newman, 2002).

This perspective has been criticized on multiple levels. It has been suggested that the view that we are shifting from hierarchies to markets and then to networks represents a naive “*from-to*” dualistic vision of the past and the future that underplays the role of tensions and interactions and the complexity they add to the overall picture (Clarke, 2000).

Another set of critiques contest the extent to which state power has been actually eroded. Rather than as a decline of state power some authors see the new ways of governing as representing an adaptation by modern states to a changing environment (Pierre and Peters 2000). Others highlight how many of these networked organisations are established and directly or indirectly controlled by the state (Jessop, 1997, 2000).

The relative neglect of 'the social' in the analyses of state-society interactions has also been highlighted (Newman 2001). More generally, we can say that this perspective does not develop a macro level of analysis: networks are conceptualized within a complexity that remains un-contextualised in a relative neglect of macro economic, social and political dynamics (Marsh, 1998). For example, Rhodes's (1997) emphasis on the *self organising* capacities of networks has been subject to criticism for its underplaying of the supra-structures of power and in particular for dismissing the role of the state (Barnett, 2003). While it is helpful for the analysis to theorise a fragmentation of power, this seems to go too far when questions of power completely disappear from the analysis (Newman, 2001).

A completely different view on power emerges in another strand of the literature rooted in post-structuralist theory of *governmentality*.

Within this strand the emergence of new forms of governance capacity is analysed in the light of the associated changes in governmentality. The latter term refers to the “conduct of the conduct”, a concept of the *Foucaultian* tradition, and implies a specific governmental rationality combined with a set of technologies of power through which individuals are governed. Mitchell Dean (1999) distinguishes “technologies of agency” from “technologies of performance”. While the former refers to the creation of self

responsible individuals, the latter refers to the instrumental use of state-imposed evaluation rules against which self assessment can take place. Cruickshank (1999), refers to the use of “technologies of citizenship”, defined as “the multiple techniques of self-esteem, self-empowerment, and of consultation and negotiation used in activities as diverse as community development, health promotion campaigns, teaching at all levels, the combating of various kinds of dependencies and so on” (Dean, 1999 as cited in Swyngedouw, 2000). These technologies are viewed as instrumental in the process of consolidation of an imposed and authoritarian neo-liberalism, celebrating key values as self responsibility and self managed risk (Swyngedouw, 2000).

Therefore, this view of the power as productive rather than coercive challenges the normative notion of horizontal governance, conceived as the ideal remedy for both market and state failures. Moreover, the conception of the new forms of governance as “empowering” individuals and communities in the face of an “excessive” state is challenged by the view that the new arrangements are embedded within new technologies of “citizenship” as “means of disciplining forms of operation within an overall programme and responsabilization, individuation, calculation and pluralist fragmentation” (Swyngedouw, 1999).

As most governance theory, also this perspective avoids a deeper interest in the “social” (Newman, 2002). Despite the focus on discourse and the important issues raised in terms of the constitution of identity in neo-liberal regimes, the emphasis on tracing the attempts to create new forms of governable subjects lead to substantial under-theorisation of what we may call the “receptive side”. For example, little attention is paid to the potential complexity of the identifications produced and to the problems of governing in societies in which questions of culture and identity are becoming increasingly unsettled (Newman, 2002).

Versions of governance theory rooted in continental Europe finally bring the analysis on a *socio-political* level. While re - proposing a focus on network based patterns of co-ordination at the same time they move the analysis to a more normative plane where a

broader set of implications concerning the character of collective political engagement amidst growing diversity and complexity are brought up (Barnett, 2003).

Growing social complexity, the development of greater access to information and other social changes make the task of governing more difficult. Complexity, diversity and dynamics lead to a shrinking of external autonomy of the nation state and at the same time to a shrinking of its internal dominance with respect to social sub systems. No single agency, private or public has all the information required to deal with complex problems in a diverse and dynamic society and no single actor has the power to control all the variables at stake in a complex and diverse set of interactions. Therefore, rather than government acting alone it is increasingly engaging in co-regulation, co-steering, co-production, public-private partnerships and other forms of governing that cross the boundaries between government and society as well as between public and private sectors (Kooiman 1993, 1999).

Attention shifts from the central state to multiple sites of action, for Kooiman (1993, 1999) “it is important that governing remains an expression of the natural movements within the sub-system: to govern is to make use of social movements like making use of ebbs and floods” Kooiman (1993). It is the task of the state operating at a “meta” level of Governance to shape coordination rather than directing from the centre (Kooiman, 1993, 1999).

As mentioned above, the “network model” as theorized in Kooiman (1993, 1999, see also Kickert, Klijn and Koppenjan, 1999) shifts the focus of analysis beyond economic structures towards a *socio-political* level. However, it is important to focus on the way the concepts of complexity, diversity and dynamics are used. “Complexity” denotes the “architecture of the relations between parts”, however, in these relations patterns of power and conflict tends to be mostly under-theorised; “dynamics” are determined by the interplay of different forces at the same time but, the emphasis is on the self adaptive capacity of the system to reach “balance” and “agreement” and “diversity” is conceived as a formal property of actors within the system rather than as an outcome of social and political processes.

Two main line of criticism to this approach arise:

a) While question of inequality and power are not absent from the analysis, due to the emphasis on the “self-adaptive” nature of the system, they remain largely under-theorised. It does not take sufficient account of critiques of the deliberative form of participation on which it is based (Barnett, 2003) and issues of unequal access to networks are left, relatively uncritically, to be dealt by means of procedural fairness.

The feminist literature has highlighted the risk present in all attempts to produce “balance” and views of politics which have consensus formation as their basis that a “false we” could be created (Mansbridge quoted by Fraser, 1992). Such perspectives in fact, downplay the role of basic inequalities of power and resources within existing “structured settings”. Young (1990), for example, talks of the value of heterogeneity, difference and diversity, (the “new pluralism”), and welcomes developments in deliberative democracy. However, she also refers to the capacity of a system to produce a “general perspective” as an “establishment myth”: the process of consensus formation in fact can perpetrate subtle forms of control. Citizenship may mean organising politically around group identities, she argues, but then interacting with others. This point is further developed below through reference to the notion of “counter-publics” developed in Fraser (1997).

b) It underplays the role of conflict and exclusion to political participation as it has been identified for example in the “new social movements” tradition.

For example, Fraser (1997) argues for the importance of retaining “counter- publics” that are detached from mainstream institutions. “Parallel discursive arenas” which preserve a “necessary” critical distance of the civil society from the “official” participatory mechanisms, are seen as an essential element of the democratic process. In these arenas “members of subordinated social groups invent and circulate counter-discourses, which in turn permit them to formulate oppositional interpretations of their identities, interests and needs”(Fraser 1997).

The “proliferation of subaltern counter-publics” and the competition between them “means a widening of discursive contestation”, and, in a stratified society, that may result in greater “inclusiveness” than an over emphasis on consensus (Fraser ,1997).

Echoes of the above criticisms are present in Newman (2001) when she claims the inadequacy of most conceptualization of governance in taking into account “the dissolution of the post war social settlements around gender, race and class” that has “led to a broader set of issues around diversity, complexity and dynamics than that conceptualized by Kooiman and his colleagues (...)” Newman (2001).

Newman’s seems to recommend an engagement of governance theory with the social movement tradition when she suggests “a re-conceptualization of governance as a gendered and racialized domain, this requiring questioning the neutral nature of notions like “public”, “community” and “citizenship”, structured around particular (gendered) notions of family and the public and (racialised) notions of nation and citizenship. Other lines of division are equally important, around disability, class, sexuality and so on”(Newman, 2001). Therefore, “new social movement” theory has the potential to enrich the analysis of governance raising important issues in terms of the inclusionary and exclusionary practices on which it is based and, through which democracy and political citizenship rights and entitlements are potentially re-designed. In the next section we will attempt to address them in practice making reference to New Labour’s discourses of, democratic renewal, networks and partnership.

Although much of the debate around the new forms of governance we referred to has been at a theoretical and normative level, it is perhaps not surprising to find similar language permeating the rhetoric of the New Labour government in Britain.

### **3. New Labour and the practices of Governance**

In this section we will attempt to address the themes of inclusion and composition of consensus amidst diversity and complexity raised in the analysis of the literature developed in the previous paragraphs, in the light of New Labour’s approach to



Governance and specifically, of its discourses of Social Inclusion, democratic renewal, networks and partnership governing.

### 3.1 “What works for whom?”: New Labour and consultative government

The Labour Government established a large number of policy reviews, task forces and advisory groups, continuing the tradition established by Conservative Governments of bringing businesses representatives to advise on Governments’ policies, but also extending it beyond the business worlds (Newman 2002). For example, the policy action teams created by the Social Exclusion Unit, comprised staff drawn from voluntary, private sector and community bodies, the health sector and other sectors, as well as civil servants. A series of locality based initiatives on employment, education, the Sure Start programme focussing on children and families, initiatives on crime and disorder, local regeneration and a host of others have placed particular emphasis on local consultation and involvement (Newman 2002).

The idea of “opening-up” policy making to include those who are responsible for its delivery, resonates with the Prime Ministerial dictum of “effective” policy making ( or “what works”) and, has the potential to make the voices of the traditionally marginalized groups finally heard. However, while the concept of “holder” is inclusive and potentially exhaustive, the actual concrete forms of inclusive policy processes are necessarily constrained and limited in terms of who can, is, or will be allowed to participate (Swyngedouw, 2005). From this perspective a number of important issues arise concerning what Barker, Byrne and Veall, (2000) call the “new elites”:

- who is to be included in;
- at what level of the decision making process;
- in whose terms;
- with what form of accountability.

The difficulty of addressing the above issues resides essentially in the elusive nature of task forces. This is explained in Swyngedouw (2005): “In lieu of the democratic representation that characterises liberal democratic state forms the formal or informal

institutional ensembles are organised around interest-groups of “stake holders”. While the democratic lacunae of pluralist liberal democracy have been widely explored, the procedures of democratic governing are formally codified, transparent, and easily legible, the modus operandi of these networked associations are less clear”. As a consequence, the processes of inclusion or exclusion and the system of representation often takes place in “non-transparent, ad-hoc, and context dependent manners” Swyngedouw (2005). The latter observation then, leads to problematize New Labour’s post-ideological dictum “what matters is what works” and demand the question: “what matters for whom?”(Barker, Byrne and Veall, 2000).

### 3.2 Legitimation: New Labour and Social Exclusion

The difficulties raised above bring the argument to the centrality of legitimation. The latter has been a long running problem for many of the new forms of governance. Kooiman solves it arguing that legitimacy has to be sought after “in the linguistic coding of problems definition and patterns of action” (Kooiman, cited in Swyngedouw, 2004). This analysis echoes post-modern theories on political consensus formation and the use of discourse as hegemony strategy that entails the discursive constructions of an image, a representation of a desirable good, while, at the same time, ignoring or silencing alternatives (Hajer, 2003; Swyngedouw, 2004).

A valid example of discursive constructions of a problem leading to the production of a powerful imagery is Labour’s discourse of social exclusion. The specific discourse elaborated by Giddens (1998) and on which Labour’s welfare policy is based, is no more, as suggested by the new social movements of the late twentieth century, concerned with redistribution of material resources, but, with a deficit located in the capability to make use of these resources (Levitas, 2005). . Within this discursive construction a twofold separation is created between the “socially excluded” and the mainstream society, the latter operating as the norm from which other groups differed.

On one level the “mainstream” society is constructed essentially as the world of work and, therefore, around a notion of citizenship based on the norm of active, working citizens for which opportunities have to be matched by responsibility.

On another level operates the mobilisation of cultural and moral values: the nature of the groups labelled as “socially excluded” is defined substantially in terms of “deficits” from the norm: lack of aspiration, confidence, etc. (Levitas, 2005). There is a shift in the localisation of the problem of social exclusion, a tendency to overlook the role played by wider economic and social forces and to see it instead as the product of cultural processes localised within families and communities formations (Franklin, 1998).

What is important for us to highlight is the specific form of Governance the above discourse of Social Exclusion involve.

Instead of a focus on state driven institutional reforms or redistribution policies, the “excluded” become now the target of “influencing” policies. Intervention for particular groups, become a question of better coordination among different agencies and development of network based forms of governance. The strategy to tackle Social Exclusion is constructed around an “enabling” role of the state combined with “self governance” by individuals, families and communities participating in their own transformation by setting up self-help groups, mobilising resources within the community to develop entrepreneurial solutions or entering education and employment (Newman, 2001).

### 3.3 Limits to public participation: New labour and democratic renewal

The Labour Government built on and extended an agenda of experiments in democracy and participation that had been developing under previous Conservative governments<sup>1</sup>. The Modernising Government White Paper talked of “responsive public services” that provided for the needs of different groups (Cabinet Office,1999) and the government

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<sup>1</sup> These developments were linked to the consumerist ethos of the late 80’s and 90’s. Through this period public services experimented with democratic innovation and public participation, involving the public in local decision making fora, in the planning and commissioning of health and social care, in urban renewal initiatives and other arenas (DETR 1998; Stewart 1995, 1996, 1997). Some o these experiments where based developments in USA, Europe and elsewhere

introduced a range of direct consultative processes with stakeholders and citizens. For example, the Social Exclusion Unit focused on the need for better strategies of public involvement as a means of building “social capital” and overcoming social exclusion.

Great emphasis has been put on the role of citizen and user involvement in the process of transforming local government. The White paper introduced mandatory reforms of local government political structure, and made it a statutory duty for council to consult and engage with local communities on a range of issues including the production of local community plans, and talked of wishing to see consultation and participation “embedded into the culture of all councils” (Cabinet Office,1999).

In some documents the nature of participation was tightly prescribed (for example, Best Value surveys), while in others, there was ambiguity about what consultation meant leading to variation in the scale and depth of participation.

Various strategies to “control, resist and deflect the change” have been highlighted (Newman, 2001). One strategy of containment has been to focus innovation around local initiatives or marginal innovations; a second has been the constitution of participation within a consumerist discourse. It is on these issues that we will focus our attention now starting with the latter.

Those taking part in the consultation exercises can in fact be asked to play a range of roles, depending on the issue under scrutiny and the methodology being used. Drawing on the literature on local government and consultation two broad categories of participant can be identified: the consumer and the citizen. For some authors, “it is the *method* of consultation which marks it out to be consumer-oriented or citizen-oriented; for others, it is the *issue* being consulted on which defines the consumer or citizen focus”( Needham, 2003).

Dibben and Bartlett (2001) argue that “Empowering the public as a customer involves extending choices or clarifying the service to which they are entitled, giving them the means to complain and providing equality and ease of access. In contrast, by empowering people as citizens, the public are entitled to a share in decision-making” (Dibben and Bartlett, 2001 as cited in Needham, 2003).

Consumerist methods can then be understood as those which confine to the public a narrow form of voice, such as the expression of complaint or the provision of information, whereas the citizen can draw on a wider set of resources, proposing initiatives, determining priorities and becoming effectively involved in the shaping of policy. It is important to observe how two different notion of “representativeness” are at stake here. While citizen oriented models have the potential to address the critic to the liberal democrat notion of representation raised by alternative models derived from theories of diversity and difference; more expansive and collective conceptions of diversity are not easily accommodated within the “representative sampling” framework of consumerist models. Issues of diversity are acknowledged in the latter in the form of attempts to respond to the diversity of consumer choices and preferences, but more expansive conceptions of diversity are not easily accommodated (Needham, 2002).

Alongside methodological distinctions between consumer and citizen-oriented consultation it is possible to develop an issue-based dimension. Consumers are being targeted as service users, and hence, it can be assumed, are being consulted on service issues. Where consultation exercises ask participants to give a view on policy questions, these can be conceived as citizen-oriented. Stoker argues that in consulting consumers councils are asking for short-term impressions of service use, whereas consulting citizens involves consideration of longer-term strategic questions (Stoker, 1997)<sup>2</sup>

Perrons and Skyers (2003) claim that issues of empowerment must be always linked to questions of resources: inclusion cannot be confined to “consumer feedback” forms of

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<sup>2</sup> The two models emerge in the empirical assessment of the implementation of Best Value legislation made by Martin and Davis (2001): “Value is defined in narrow terms that focus on financial cost inputs, throughputs and immediate outputs that are used, often inappropriately, as surrogates for outcomes. This approach to Best Value is encouraged, and enforced, by the imposition of statutory national targets, performance measures and inspection services. It leads to the adoption of fairly standardised approaches designed to reduce spatial variations in service standards. There is, however, an alternative vision of Best Value. This allows for a range of different interpretations of what constitutes value and for whom, and acknowledges the legitimacy of variations in local priorities and service standards. Defined in this broader sense Best Value principles make the difficult trade-offs between the interests of different groups and communities more explicit (...).It may also encourage new approaches to public participation and perhaps, over time persuade the public that there is something to play for and that it is therefore worth their while becoming involved. This second model requires central government to be less ‘hands-on’ and local government to be far less timid (...)”(Martin and Davis ,2001).

consultation but, to be effective, it needs to occur at the key levels of policy making where the decisions over the allocation of material resources are made. To support her case she draws theoretically upon the analysis of Nancy Fraser (1997; 2000) on the connections between economic and cultural injustices and their practical manifestation in mal-distribution and mis-recognition, and empirically on a case study. The potential of locality based initiatives, she argues, is very limited, they can do little to re-dress the processes leading to the social disadvantage they are seeking to remedy. The reason resides in the power imbalance between the powers of local political institutions and the site of political economic power which has greater influence over the problems they are confronting and, in turn this may lead to disillusionment with the political process.

Finally, in the previous section we referred to the concern raised by feminist literature with those approaches that in name of an elusive “representativeness” might end up removing differences of identity and interests in the constitution of an homogeneous whole. The same risk develops in many experiments in democratic innovation and public participation. Most of them in fact, are locality based and assume commonality of interest and identity rooted in the concept of “community”. The concepts of community normally rests on the notion of “the people” as an un-differentiated domain with no reference to race, gender and class characteristics (Hugh and Mooney, 1998). New Labour’s “communitarian ethos” (Newman, 2001) as set in some policy documents embraces and reinforces this consensual view of “the public”.

#### 3.4 The risk co-optation: New labour and partnership

The third focus of analysis is the proliferation of partnership under New Labour. Partnership working is a distinctive feature of Labour’s approach to governance, but it is also rooted in wider social and economic developments. The contract culture produced by the reforms of the Thatcher and Major governments led to an increased roles for third sectors organisations (voluntary and community groups) in the provision of mainstream services on behalf of state agencies. Organisations providing support to or advocacy on behalf of women, black an ethnic minorities, the disabled, mental health services users

and other, had to adapt to the requisites set by funders and inspection bodies. This produced a process of isomorphism, through which they sometimes came to take on the managerial and professional logics of state agencies to secure legitimacy. This did not necessarily weaken their advocacy role, but it tended to dangerously strengthen informal networks between workers and state agencies. The risks of creating these “dangerous liaisons” (Taylor, 2002) were further strengthened under Labour with the inclusion of voluntary and community organisations within partnerships with the public and private sectors to deliver social policy objectives. Such objectives have been cast within the Government’s political priorities like addressing crime and disorder and health inequalities, overcoming social exclusion etc. Where agencies engage in partnership with community or voluntary organisations with radical agendas, there is the risk of conflicts of politics and culture. But potential tensions may be muted as a result of the relation of dependence of voluntary or community organisations on statutory bodies, or because of the presence of subtle strategies of exclusion underpinning what may be an overt claim of inclusiveness (Newman, 2002).

#### **4. Conclusions**

In this essay, I have attempted to highlight a dimension of the new forms of governance beyond the state that I think is under-theorised in most of the perspectives from which these forms are analysed. Specifically, I adopted Newman’s (2001) concern that most of the literature on Governance suffers from an under-theorisation of a “social” dimension of the analysis.

The themes of inclusion and composition of consensus amidst diversity and complexity raised in the analysis of the literature were further analysed in the light of New Labour’s discourses of social inclusion, democratic renewal, networks and partnership governing.

Every analysis attempting to trace the potential patterns of inclusion and exclusion, besides administrative and managerial issues, will inevitably come to raise a broader set

of issues concerning the nature of political participation and citizenship in complex societies where not only the borders of the national states are blurred but the character of individual and collective identities must be considered relational and fluid.



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