

RE-THINKING LOCAL GOVERNMENT AS LOCAL GOVERNANCE

or

RE-THINKING LOCAL GOVERNMENT AS NATIONAL GOVERNANCE OF LOCALITIES

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Over the last five years there have been no new or updated textbooks on local government following Wilson and Game (2011) or Chandler (2010) and none on local governance. Both of these studies are seriously out of date given the changes to the structures, powers and funding of the institutions usually defined by the term 'local government'. Research in the area of local government or local governance also appears to be declining with the closure of centres for academic local government studies. This we argue is a symptom of a serious decline in the power and ethical purpose of local government to the extent that there needs to be a radical revision in how we approach the analysis of whether local government is a major player in patterns of local governance and liberal democracy in the United Kingdom.

There have been several critiques of what may be termed the hollowing out and diminution in local government powers since 2000 (Chisholm, 2000; Copus, Sweeting and Wingfield, 2013; Newman 2014) although from a different perspective John (2014) has argued that the death of local government is an exaggeration as local government is sufficiently robust to adapt and evolve into new areas of activity. The argument of this paper is that although local

government is far from dead as an institution it has become a much less significant element that determines what may be better termed as the 'governance of localities'. In reality, geographical communities in the United Kingdom are being increasingly subject to national networks of governance and local government is increasingly serving as a declining element in the networks of public, private and voluntary agencies administering regional and sub-regional areas. This trend is largely antipathetic to the ethical liberal democratic values that have been suggested by a number of theorists as a central element in the liberal democratic structuring of the United Kingdom constitution.

What is local government?

The term 'local government' is first recorded as being used in 1834 by the Whig economist Colonel Robert Torrens in a Parliamentary debate (Chandler 2007: xi)¹. He is reported as saying that 'A good system of local government he looked upon to be the perfection of all government'. He used the term when supporting an amendment to the Poor Law Reform Bill that 'No rules or regulations framed by the Commons should be binding on any parish without the concurrence of the majority of rate payers' (Hansard: Vol. 23, Col. 1340, 17 April 1834). 'Local government' has remained as a rather broad notion in much of the literature on the subject. Few accounts of the subject give a clear statement of what specifically 'local government' may mean in practice. In many

¹ The term 'local government' was used by Colonel Torrens as is quoted in Chandler (2007: xi). Subsequently Professor George Jones informed the author that this usage of local government predated the first known use of the term in the Oxford Dictionary.

studies it is introduced on the understanding that the interested reader would roughly know what local government is. Most studies that seek to define the subject matter do so in terms of institutional history. Stoker (1988, 3), for example, has observed, somewhat inaccurately, that:-

The rise of local government is closely tied to the process of industrialisation which gathered momentum in Britain from the middle of the eighteenth century...The immediate response to this was the creation of a series of *ad-hoc*, single purpose bodies...The prosperous entrepreneurs that increasingly dominated the expanding towns and cities resented their lack of control over the full range of civic affairs. In response to these pressures the 1835 Act created elected municipal councils and gave to them a range of powers and property. The creation of these municipal boroughs or corporations in many towns and cities is widely viewed as the beginning of our modern system of local government.

Cole and Boyne (1996, 91) have also noted the lack of attempts to offer formal definitions and observe that it is 'no longer clear what the term 'local government' means in the cotemporary British context. This, according to the authors, contrasts with the apparently clear idea that had been held traditionally amongst writers and commentators of which organisations were part of the local government structure. They noted that there was some distinctive variance in some of the classic accounts as to what should be included as 'local government, including in one case the inclusion of many 'unelected bodies' of the nineteenth century. Cole and Boyne were sceptical as to whether local government could be satisfactorily defined using classifications which hold firm, given changes of significance and meanings over time. They nevertheless defined local government as having:-

- jurisdiction over a substantially smaller area than that of the national government
- election by the popular vote

- powers of taxation
- genuine discretion over service provision.

Loughlin (1996) at the same time provided a similar list of defining local government as having characteristics of:-

- multi functionality
- broad discretion
- powers of taxation
- a representative function

Clearly Cole's and Boyne's definition would allow for single purpose/ single service authorities whereas Loughlin's appears to be more in tune with what we traditionally expect as organisations with a range of services. Moreover, Loughlin's definition requires a 'representative function' rather than direct election by popular vote and so could potentially include unelected delegate bodies. John Stewart provides a similar but more specific definition that 'Local authorities are multi-functional authorities responsible for a defined area and constituted by local election' (Stewart, 2000, 5). If we accept the definition of 'local government' at the level of these widely used institutional definitions of the term then we are referring to institutions that can be termed as being locally based, have powers to govern and are based on liberal democratic control either as directly elected institutions or institutions accountable to local directly elected assemblies.

We argue that future studies of local government in the United Kingdom must now seriously question whether local governments in Britain are local or that they can be said to govern or that they are a particularly democratic adornment

to an over praised National constitution. 'Local Government' remains a weasel or wicked phrase, widely used, but, as Foucault pointed out in his study of madness, a term that can carry ideological positions that evolve over time and have several meanings dependent on the point of view of each individual. In contrast to these institutional definitions of 'local government' few theorists have considered deconstructing the term to show how far the concept has evolved into a myth that is generally useful to policy elites in central government but is far from being a political arrangement or idea that is actually practiced in the United Kingdom.

What does 'local' in 'local government' mean?

If the term 'local government' is deconstructed to its constituent parts it is possible to differentiate more clearly how the term has lost its original meaning to evolve into a name that is simply applied to the institutions that are constantly being re-created, through decisions evolved and regulated by central government to administer, more than govern, specified areas that are determined by national statute and orders. Certainly many of the structures of local government cannot easily be regarded as local. In the context of the early 19th century when Robert Torrens used the term, 'local' was a widely acceptable descriptor to encapsulate parish and most borough governments. However, like many terms, 'local' is at root a comparative term that cannot be fully understood except when juxtaposed to terms describing the non-local. Thus, a populous nation state is not considered to be local, and nor are most regions, or in the 21st century a unitary authority such as Northumberland,

whereas a small parish or French commune and perhaps smaller market towns in the United Kingdom may be seen as such. Local government in the United Kingdom is an institution increasingly dominated by regional rather than local organisations and it cannot be maintained that in the twenty first century it is appropriate to describe the institutional definition of 'local government' as local. We argue that this is the case despite, and in recognition, of the difficulties of pinning down what we mean by 'local'.

The malleability and essential contestability of the 'local' and associated terms, 'locality' and 'localism' has allowed it to be used by central government as much as a tool to encapsulate local government as to defend it. Traditionally local government studies have drawn on meanings of the local based on 'organic' communities. The understanding of its basic unit has changed over time from the folk moot, to the parish, and on to the local government units of the nineteenth century. The local is here normatively defended as the source of emotional attachment, autonomy self-organisation and practical knowledge, exemplified in the work of Toulmin Smith (Chandler, 2008). This position is continued, as discussed later, in more recent defences of the role of local government within a democratic context. However, the malleability of the term has facilitated what Cochrane calls the 'strange dance of the local' (2016 p.908) in which it has been used to label and add legitimacy to a range of central government initiatives, reforms and reorganisations aimed at local government. These have emphasised administrative and managerial decentralisation, efficiency and the promotion of alternative spatial scales. 'Local' has thus been redefined over time in line with central government policy preferences and

ideological predispositions- variously located at the level of the region, sub-region, neighbourhood or individual service (e.g.- school or hospital).

Here, the local could be seen in Foucauldian terms as technology of spatial governmentality, or as a tool in the exercise of 'scalecraft' and creation of 'New State Spaces' by states adjusting to global economic forces. The local is not unimportant here, but is contestable and created via an interplay of political forces with contested meanings and purposes assigned by various actors. The local is created via the essentially political act of boundary making, which will reflect prevailing balances of power and influence. In turn political geographers have emphasised relational meanings of the local and related concepts including scale, space, and place which stress movement and dynamism at the expense of fixity; continually subject to production and re-production, the local becomes open porous, permeable (Clarke, 2013 p.499). New forms of political alignment are envisaged which include both proximate and distantiated relations and interactions. As Clarke and Cochrane (2013: 20) note 'little about this new geography will be straightforwardly local'- meaning effective local politics must operate in multiple spaces, including supra-local ones- a 'politics of place beyond place' (2013: 22). It may be too much to try to 'capture [the local] in an administrative unit' (Painter et al 2011, p.308. Local governments, as 'container geographies' (Amin 2005, 619), here are seen to be territorially bounded in ways which are often not congruent with much lived experience.

The various interpretations of the local and the difficulty in pinning it down could be said, then, to cast doubt on our ability to use it to form the basis of a firm

underpinning for 'local' government or for us to identify clearly 'local' government when we see it. In practice, it could be whatever the powerful say it is, with this power enhanced by the very difficulty in pinning it down- making it ripe for constant re-organisation. However, the local still has meaning as the site in which issues of sometimes much broader scale 'touch down' and are experienced in lived space. Problems are experienced and become visible at this scale. Here the 'local' does matter because it provides 'situated places of transactional intensity' (Barnett and Bridge 2013, 1036), where challenges to meanings and contests are seen visibly and flows are temporarily halted. Proximity and interaction can facilitate the building of resistance, solidarity and connectivity- local activism still finds solace in the 'surety' of place (Chatterton, 2010). It is important not to over focus on movement at the expense of dwelling (Tomaney, 2013) nor to downplay the politics of affect, the emotional pull and attachments of lived space. Local government may have what Connolly (in Tomaney) refers to as resonance, shared memories and emotions which serve to again hold together assemblages to form a source of political action, an expression of practical solidarities emerging from shared ways of life (Escobar, in Tomaney), symbolic and cultural attachment (Long 2013), providing a focus for the practical 'doing' of politics; Town Halls, for example, act as symbols around which to rally, figuratively and literally.

Loss of locality

Despite the buffeting it has taken, then we can still turn to the local to provide us with a justification for local government, and we can use it, if not with exact precision, as a means by which to judge the extent to which we have local government in the United Kingdom. In practice, as noted above, the local government we have will enlighten us as to power, history and constitutional settlements, and on-going struggles, and as such looking at it will tell us an awful lot about a polity (Clarke and Cochrane: 2013; Pemberton: 2016). In the history of local government reform in the United Kingdom this reflects the preferred positions of dominant central policy actors, aided often by influential local government leaders and think-tanks, in the construction of ever larger local councils based on changing notions of managerial efficiency and political expediency.

In the 1960's in particular the 'local' began to be re-interpreted to be associated with patterns of socio-economic interaction reaching beyond established conceptions of 'locality'. In line with managerial fashion, larger units were held to be more efficient and to provide greater congruence with 'modern' living patterns. The largely unproven efficiency savings associated with this trumped any prevailing interest in 'community' sentiment or felt sense of place. Thus the findings of the Redcliffe-Maud Commission (1969) effectively dismissed its own research findings in favour of accepting 'a conventional belief that fewer, larger authorities would be more effective' (Young and Rao, 1997: 200). This was on the basis of evidence 'largely orchestrated by the Whitehall machine' (Young and Rao, 1997: 200). The subsequent reorganisation in 1972 was a political compromise from a Conservative administration seeking to square a desire to

'modernise' government via larger scale whilst appeasing the lobby from within the Party which sought the preservation of the County Councils. Administrative theory and political expediency led to the creation of a two-tier system.

The on-going pattern of trajectory has been along similar lines, if anything relegating any consideration of the meaning of the 'local' even further. Re-organisation in the 1990's led to the creation of more single-tier, unitary councils, in a process which essentially pre-judged the appropriateness of such councils at the expense of any serious consideration of the nature or scope of local attachments whilst again underlining the centre's preference for dealing with fewer, single-tier authorities. Further amalgamations of Councils into Unitary authorities in the mid-late 2000's under New Labour administrations appeared to have brought the process to its nadir- with the manipulation of the process by the centre being labelled 'dishonest' by Chisholm and Leach (2011). Overall, these various reorganisations have left the UK with the largest local authorities, on average, in Europe (Wilson and Game, 2011) a cumulative process which has left the UK with 'Fewer Councillors on Supersized Councils' (Bottom and Game, 2012)

This process has continued under the Coalition and Conservative Governments, where austerity has driven efficiency-seeking mergers of Councils such as the recent decisions to replace nine councils with two unitary councils in Dorset and reductions in councils opting to reduce their councillor's numbers. Again, localism has been drawn upon to legitimate the creation of even larger strategic bodies at the sub-regional level, in the form of combined

authorities. Effectively via the amalgamation of existing local authority areas— firstly in city-region areas such as notably Greater Manchester, with an on-going debate concerning the extension of the approach to combine shire or metropolitan counties as for example in the current proposal to create a Yorkshire-wide Combined Authority. This process which has seen no public and little council engagement save from a select number of council leaders (Blunkett et al 2106), has been conducted according to rules and priorities set by the Treasury (Bailey, D and Wood, M, 2017) and has been referred to as ‘centralisation on steroids’ (Hambleton, 2015). This process of ‘devolution’ to the regions has been seen to be firmly within the *British Political Tradition* with Westminster/ Whitehall dominated and favouring elite-elite negotiation and compromise (Richards and Smith, 2016).

The changing relevance of the term 'government in 'local government'

In as much as it can be seriously questioned how much the salient areas of local government is, as now constituted in the United Kingdom, local, it may similarly be problematised how far the term 'government' can be applied to the institutional structures that are bundled into the term 'local government'. As with 'local', 'government' is a term that carries with it many nuances of meaning but popularly is a signifier of a body with sufficient power to make and control through, either a sense of legitimacy from its subjects, and/ or capacity to enforce through sanctions, decisions affecting people and resources within a specified boundary. Thus a popular usage of the term relates to sovereign institutions that have the capacity of, for example, a state to make and unmake

the rules for a polity. The term 'government' may also be used in relation to the sub-units of a national government. These are usually seen as the institutions of local or federal government which, subject to a constitution or laws approved by central government, have some discretion to determine public administration within their sphere of their operation. How far can 'government' in this sense be distinguished from 'administration' or more latterly 'public sector management' is a matter for further debate. In as much as the meaning of government is connected to the idea of sovereignty then there is, at least in the United Kingdom, as discussed below, little reality in describing local government as 'government'. Jones and Stewart (1983, 8-10) maintained that an important defence for local governments should be their capacity to create a framework where one local authority is sufficiently sovereign that it can ensure different rules from other local authorities and hence create diversity within a national polity. Magnusson (2005, 898) has further observed we should found local government on one that 'recognizes the possibility and (necessity) for different sorts of political authority to co-exist with one another' rather than fearing that any loss of sovereignty by the state may result in anarchy.

It is possible to suggest that historical localities can indeed be seen as sovereign governments. In Europe, in the 18th Century the many city states, in what is now Germany or possibly in Italy Venice or Florence could be said to local city states that could claim in all senses over the term to be local governments. In the United Kingdom, as late as the eighteenth century local government arguably had a dominant role in some urban and, to a lesser extent rural areas. As Redlich and Hirst (1903), the Webbs (1908) and later Keith

Lucas (1986) chronicled at length, localities in Britain could have immense governing powers over commerce and justice within their areas, even as far as Banbury's right to use capital punishment (S. and B. Webb, 1908: 281fn). However, they could hardly be regarded as sovereign governments capable of establishing armies or raising taxes solely for their own rather than the nation's use. The *ad-hoc* localised structures of local governance were gradually restructured in the nineteenth century to create a more nationally homogeneous system with the creation of elected county councils, municipalities, districts and parishes but with the creation of a more nationally structured system of local government there emerged through the legal understanding of *ultra vires* a requirement that local authorities must justify their powers by reference to statute law and hence the agreement of Parliament (Chandler, 2007: 63). Until the 1920s larger municipalities with strong representation in Parliament were able to secure private acts that gave them considerable power in their communities to the extent of reaching the zenith of their power in Edwardian Britain. Since then they have experienced an erratic diminution in their powers with the loss of productive services that could bring in substantial revenue to the best-run cities such as Birmingham. The convention of *ultra vires* was used extensively from the 1920s to the 1950s to prevent further development of many productive services developed by local authorities such as electricity and gas generation, telephone services, or, in a crucial ruling, savings banks in favour of nationally controlled public agencies that, following new-right ideology post 1980 have in turn been privatised. Following the extension of the welfare state local government local authorities were provided with new redistributive and planning control powers and became predominantly an institution providing

education, social services with responsibility for housing and care of the elderly, road maintenance and local transport, but most of these portfolios have also been privatised leaving the public sector with the most problematic elements of such services from which it is difficult for capital investment to extract profit. The process of hollowing out local government now extends to contracting out many back office tasks such as accountancy and personnel management to private sector businesses.

The principle of subordination of local government to a central Westminster Parliament and Government continued and was further emphasised in the twentieth century in, for example, the Widdicombe Inquiry, which asserted that 'the position of local government...is governed by constitutional convention as well as by the simple fact that it derives its existence and its powers from Parliament' (1986: 46, para. 3.5). Following the Report, which in part was occasioned by the refusal of several local authorities to accept legislation from the Thatcher Governments that undermined their powers over public housing, legislation was passed to prevent the exercise of local democratic values that could allow local councils to publically criticise the national government. The efficacy of local governments as agencies serving and being responsible to local communities has also been comprehensively undermined by the continuing powers accruing to the central state to veto and regulate the activities of local government and, also community governance. Such a framework should be viewed as but an element in the growth since the 1980s of what may be termed the regulative state. In the sphere of local government the regulatory system has effectively replaced the role of the regulation by the

civil courts control through the application of the more arms length principle of *ultra vires*. Following the 2000 Local Government Act (section 5), central government has the power to annul actions by any local authority that contravenes its powers to promote the economic, social or environmental well being of its community. The Act also allows a Secretary of State (section 87) to restructure its electoral system. These provide last resort options for a Secretary of State with responsibility for local government but have been applied following critical auditors reports or revelations of service failures or electoral corruption in, for example, Doncaster and Tower Hamlets respectively. In practice this ruling can deter many a local authority from taking steps that run counter to central governments view of what may be good governance.

It may be suggested Local Government Act 2011 may seem a radical move given its adoption of the principle of giving local authorities powers of general competence but in reality this is largely an acknowledgement of the shift from regulation through the Courts using the convention of *ultra vires* to more direct regulation by central government. Since the 1980s central government has become much more skilled in framing legislation that rules out local government from establishing innovative new local activities. Moreover, major innovations by local authorities to develop profit making productive services on a large scale requires funding that is not likely to be forthcoming from the post 2010 governments. A number of large authorities have ventured into provision of gas and electricity services to households in their areas of jurisdiction but it remains to be seen whether this can ever be rolled out on a large scale. Similarly, some

tentative examples of local government finding a renewed role have evolved. Preston Council, for example, is being held up as a possible template for 'new municipalism': however, this requires continuing central government tolerance of the kinds of interventions in the local economy which are being pursued there. Provision of re-distributive services is being so eroded by the financial squeeze on local authorities that many are having to sell what public services and assets that they have to avoid bankruptcy and possible take over by central governments agencies. Innovation is more confined in this sector by organising some services so as to save costs, such as library provision, on a volunteer rather than professional basis.

Perhaps the most damaging restrictions imposed on local government, has since the 1984 Rates Act, been the capacity of central government to restrict local government spending. During the lifetime of the Coalition Government, the Local Government Association (LGA) calculated that local government core funding would fall by 43 per cent during the current Parliament (LGA, 2013, 2). This is one of the most severe cuts faced by any agency in terms of public funding in the post 2008 austerity years. Given that, funding for some major local authority service sectors, such as social services and education, has been favoured by the centre, all other aspects of local government activity, such as recreation and the arts, libraries, or highways will by 2020 receive 60% less support than in 2010 (LGA, 2013, 3). The LGA now estimate a £5.8 billion funding gap by 2020 as overall there is now on average 26% less being spent, in real terms, by councils than in 2010 (REF).

In theory it can be argued that the Government has embarked on a process that frees up local government by making them less reliant on central government grants. Historically the sources of Gross income (revenue and capital) have changed considerably over time, with share of locally raised sources being, for example, 100% in 1800; 75% in 1900; 67% in 1960; 31% in 1993. (Travers and Esposito, 2003). Locally determined expenditure was 25% in 2008/9. On the face of it, this trend is being reversed. By 2019-20, it is estimated that 92% of local council funding will come from locally sourced council tax, fees and charges, and the, now to be retained, local Business Rates. This compares with the earlier figures and a figure of 46% for 2010-11. The Business Rate proportion of the 2020 figure is equal to 20% of the local income; Council Tax will make up 51% of the total as opposed to 36% in 2010-11².

Giving the 'freedom' to local authorities to keep locally collected revenue than rely heavily on central grants is, however, merely smoke and mirrors given that the Conservative Governments post 2015 have retained the ruling that Local Authorities seeking to increase Council Tax by more than 2% have to put the matter to a referendum unless hypothecated for social care, whilst District Councils can increase by up to the greater of £5 on an average bill or by 2%, which ever is the greater. (National Audit Office, 2016). The lee-way has been given to Councils in 2018 to increase council tax beyond 2% in order to meet

² (This excludes money which is ring-fenced and is paid via local authorities directly to others- mostly to schools).

the rising costs of care for the elderly is largely an attempt to ensure that local authorities are seen as the source of increasing expenditure to maintain this essential service rather than the central government. Moreover, changes to the distribution of the business rate as set by central Government that enables each local authority to retain the funding received from this source demonstrates the lack of concern over the fate of de-industrialising areas of Britain at the expense of London and much of the South East.

Governance

It has since the 1930s been argued that the extent to which local government can govern misses the point that the institution does not so much rule in itself but is a means through which powerful interests within and also external to a locality shape the policies of urban and rural communities. Under the banner of community studies and later urban studies the basic concerns among the proponents of governance had previously been widely appreciated since the 1950s, in the United Kingdom and in the United States Studies by the 1930s. Sociologically orientated analysis of power relationships affecting city politics such as the Lynds' studies of 'Middletown' (1929) and Hunter's (1953) depiction of elitism in Atlanta and Dahl's riposte in *Who Governs?* (1961) demonstrate that local power was not necessarily wholly centred in city governments. This dialogue when translated to Britain fostered studies such as Birch's ground breaking research on the town of Glossop in which it was argued that:-

In local politics the smaller authorities have lost most of their more important powers to the county councils, the national government, and the various

regional boards established by the national government. In the realm of party politics the two great national party organizations have grown so strong that they have seemed to control the political life of the whole country. These developments have inevitably had a disintegrative effect on local community life. Communities which in the past were mainly dependent on their own efforts for their prosperity, welfare and government now find themselves at the mercy of external authorities. (Birch, 1959: 2).

The plethora of community power studies and urban political studies in Britain in the 1960s to the 1980s is too great to detail further in this analysis but in most cases, as with Birch, studies fully accepted the notion that the levers of power in urban or some rural areas rested far more widely than the membership and employees of a local council. By the 1980s, with the popularisation of new right theory criticism of publically owned community ownership of productive and distributive activity, the wider views of the power of local government in a liberal democratic society became muddied by studies that see local government as a centre of corrupt self serving interest (Green, 1981; Henney, 1984). From an opposed direction are post-Marxist conclusions that wider national and international forces of capitalist power were constantly undermining local freedom and initiative (Cockburn, 1977; Hindess, 1971). It is perhaps because the substantial work on power in localities were problematised in unresolved underlying debates on the ethics of democracy and equality that the term 'local governance' has traction as a heuristic but less normative term to re-discover what had already been a highly populated area of study and debate.

These debates on where power lay within communities has been re-invented and popularised in the United Kingdom in the 1980s under the term 'governance' that purported to focus studies on localities away from a concern for the structure and powers within local government as an institution to an

interest in the many organisations external to local government that shaped sub-national government in Britain. Among the most prominent initiatives in this context was Rod Rhodes's *Beyond Westminster and Whitehall* (1988) that led to an enthusiasm to view local government more properly as 'local governance'. The idea was developed into an ESRC research programme 'To document the transformation of the government beyond Westminster and Whitehall from a system of local government into a system of local governance involving complex sets of organisations drawn from the public and private sectors' (Rhodes, 1999, xiv). The research initiative produced a number of valuable edited studies reviewing aspects of local governance and later a few textbooks on the subject of local governance such as Gray (1994) and Leach and Percy-Smith (2001). Leach and Percy-Smith, (2001: 1-2) argue in their preface that:-

The literature on local government has only, slowly painfully and partially adjusted to the new complex reality of local community governance. The space generally devoted to 'non-elected local government' suggests that it is much less important than traditional local government and it is explored in considerably less depth, and often with a marked absence of community.

The term 'local governance', nevertheless, has value as a term encapsulating the complex of networks and institutions that make up the political and social structuring and operation of a local area and, perhaps, drawing a veil over a rather arid debate on whether students were studying power in communities or urban studies. However, any claim that the discovery of 'governance' suggested that this was a new beginning in the analysis of sub-national and local politics ought to be seriously questioned.

Recently the term 'local governance' does not seem, outside academic circles, to have gained much attention in the wider political or populist arena of social

discourse and even in academic debate is perhaps losing widespread appeal. 'Local governance' just as much as 'local government' is a portmanteau term that is used without reference to its component elements. As discussed above, the term 'local' is difficult to apply to the regional and sub-regional entities that make up the top tiers of the institutional structure of government and public administration in the United Kingdom. Moreover, it may be argued that the agencies involved in governance for local and regional communities do not themselves have sufficiently substantial independent powers to claim that they govern, that is are rule makers over matters of principle, rather than serve as administrators of national political will determined by national governing networks.

The national governance of localities

It may be argued that local governance rather than local government was the basis of power in the United Kingdom from Tudor times when, at least for England, the monarchy and then Parliament became a unifying force.

Some structuring of the local governance system in Britain had been established by the late middle ages in respect to county governments through the development of a national systems of courts and a constabulary to keep the peace through the quarter sessions managed by justices of the peace, normally landed gentry selected by Lord Lieutenants who were in turn appointed by the Privy Council. Social security, such that it was, had been established on a formal basis as a duty of parishes during the reign of Elizabeth 1st. In practice, much of the governance as well as the government of small towns and rural areas was in the hands of the private interests of substantive landowners who

as magistrates administered parish government and, as a collective at the quarter sessions, county wide public administration and justice. In many of the chartered boroughs power rested with closed vestries representing only the commercial interests of town guilds of craftsmen who co-opted rather than elected their councillors. In some parishes it was even possible to discern democratic local governance in the form of open vestry meetings that probably influenced the founding of the community governments of New England much praised by De Tocqueville. However, the nineteenth century evolution of local government ended up with the virtual disappearance of such forums apart from the community meetings that could take place within the least populated parishes.

Whilst instruments of private governance have always shaped the capacity of local governments to have a measure of sovereign powers over their territories what has gradually emerged over the last two hundred years is that the impact of private and corporate interest has been exerted on localities less from a local perspective rather than at a national or even global level with less reference to local impact and more to the capacity to generate profit and capital. Following this trend national governments since the 1980s have, as outlined above, been swayed by the demands of corporate business elites. Thus, to take the once local socialist city of Sheffield, that in the 1980s rebelled unsuccessfully against the new-right restrictions on funding and privatisation, many of the decisions of the City Council are now determined in 'consultation' with corporate 'partners' as opposed to its electorate. Amey, a multi-national contracting company with Spanish origins, can demand, against strenuous local opposition, to remove

many of the trees that made the city one of the greenest in the country and have sufficient hold over the local government cabinet to ensure they follow the demands of the business rather than strong opposition of some of its local residents. Though somewhat less controversial, Veolia, a multi-national with French origins decide effectively how refuse is to be collected and the charges to be made for collecting garden waste. Once a city promoting in the 1970s a cheap transport policy subsidising a local bus service from the rates is now subject to the fare and bus transport policies of two major national companies. Similarly renovation of the housing stock that remains in theory under local control is subject to Kier, a multi-national building and property company.

In other sectors 'local' may still be applicable within Sheffield for initiatives to mitigate the damage caused by the relentless requirement to cut costs but in these respects it is only through the surrender of the local authorities power to govern over what were once regarded as quintessential standing local government services. Some 15 branch libraries in Sheffield have wholly or in part been transferred to local voluntary organisations concerned to ensure their community has these facilities. Similarly parks and remnants of the archaeology of industrial Sheffield like its Botanical Gardens or the Abbeydale Industrial Hamlet are reliant on voluntary rather council labour for their up keep.

This transfer of resources to corporate businesses or to voluntary local trusts is replicated throughout what remains of local government system of Britain but at present there is no text book or even monograph to fully show students and the public in general the extent to which this process has taken place or the

extent to which this undermines any pretence of the institutions of 'local government' to govern as the democratic voice for local opinion. There is, therefore, not so much local governance but national governance of localities.

Local government and local governance as a democratic institution.

A central concern of this paper is not simply to suggest that local government as a political activity is neither local nor government and may be better expressed as national governance of localities. There should if this is the case be a serious concern for the central purpose of local government as a means of ensuring effective democracy within the United Kingdom. The meaning of terms attached to institutions and practices of social action is not simply built through descriptions of how individuals behave in practice but often contain within them a normative concern with how individuals within an institution ought to behave. Local government has within the United Kingdom considerable meaning as an element in support of the dominant perception of the value of what is most often perceived as 'liberal democracy'. This third element encapsulated in the term 'local government' as identified above, assumes that in the United Kingdom, at least, since the beginning of the 20th century local government was based on a liberal democratic framework.

It must be firstly observed in this context that as an institution supposedly built on democratic principle the capacity to ensure that this is maintained has been seriously eroded in the last twenty years. Fewer and larger authorities that do not represent areas that can be seriously described as local is but one element

of this decline. The centrally mandated restructuring of the system of government in principal local authorities further weakens the democratic potential of the system. Control of local governments through cabinets de-franchises most elected councillors to minor and overlooked roles of scrutineers whose findings are seldom reported in what remains of the local press. Elected mayors, which is an institution forced on most local authorities rather than welcomed, further dilute the value in any democracy of establishing forums for popular discourse among citizens for resolving problems. At the regional level there are virtually non-existent means to require the elected mayors to account for their policies and also the encouragement in both major political parties to promote into these posts their own candidates drawn from the national political party elite.

The restructuring of the role of councillors, council committees, leaders and mayors, is perhaps not the worst of the damaging erosion of local government as an element of the liberal democratic pretensions of the United Kingdom polity. By its very nature the trend towards national governance of localities is a characteristic that is largely autocratic. As indicated above many of the interests that now are shaping the recent and continuing restructuring of local government are private sector national or multi-national agencies. As a consequence of funding austerity, demands to contract out services and privatisation form an even more powerful lobby within central government, seeking to re-order the geography and the powers of localities to their own interest rather than that of any community apart from those who are major shareholders. It also should be further emphasised that many of these public-

private contracts are arranged to cover far longer periods than is given to councillors and executive mayors who must face re-election every four years. The ability of an admittedly self interested but locally based politician such as Joseph Chamberlain to change the shape of Birmingham is impossible in the political climate of the 21st century.

There is a long history of attempts to show that institutions for local government have value in the development of liberal democracy by the fact they were local. De Tocqueville in the 19th century admired the town governments in New England that were based on participative meetings open to all adults in their communities that determined local laws and, elected on an annual basis, their executive officers empowered to implement the rules of the community. In Britain, Toulmin Smith praised the open vestry style of Parish Government whilst J. S. Mill popularised support for local democratic institutions based on the need to educate local electors into developing political tolerance from being close to the centres and personnel involved in determining policies for their community. A defence of the local in liberal democratic theory has continued in the 20th century based on its contribution to liberty as a stage for participation, allowing for the protection of individual interests whilst also providing civic education; as a counterweight to a potentially autocratic centre, ensuring a plural dispersal of power; and allowing an accessible platform for group participation and resolution of conflict (Sharpe, 1970; Wolman, 1996). Innes Newman (2014, 119) further observes that 'a lack of power over local government policy making is bound to result in a lack of interest and involvement in representative democracy'.

The values of liberal democratic functions assigned to the institutions of local government for the benefit of democracy at nation level are further re-asserted in the 20th century by, for example Jones and Stewart's (1983, 10) five points that include the need 'For diffusion of power in a society which cannot afford concentrating power in one specific location' and the capacity to spread power in society rather than centralise decision making in a small number of interests, and the power of 'place shaping' to ensure diversity in local politics. Beetham (1996: 40) argues that the local is seen to have intrinsically democratic qualities and that:-

the case for elected local government on grounds of accountability, responsiveness and representativeness alike, must be judged to be a strong one, when compared with the alternative of a local government system that that is accountable upwards to a national elected parliament, and downwards to individual 'consumer' through an ombudsman, citizens' charter or the like.

The local here is associated, then, with self-determination, autonomy, and perhaps resistance. (Madanipour and Davoudi, 2015). Chandler (2010) emphasises the right of individuals to influence decisions that directly affect them to the exclusion of those who have little or no stake in the issue and has more recently suggested that for the well being of liberal democratic governance, local government, is to be valued on strong moral grounds that transcend any rationale for the dominance of national governments based on

nationalist values (Chandler 2017). Copus et. Al. (2017) similarly argue for a local government with 'state's rights on the basis of the greatest proximity between government and governed, the dispersal of power, and the shared interests of identifiable geographical communities. These arguments are, however, ideal scenarios given that they are not practised in reality. As we have indicated in the preceding analysis of the evolution of local government it is now, as an institution, an entity that, if it has any power of governance it is not local, and even as non-local regional or sub-regional entities is increasingly an administrative adjunct to the networks of central government.

The tensions between democracy, expedience and governance of localities

As critical realists or post modern social thinkers such as Foucault observe different terms may have wholly different meanings and values to differing interests at different historic times. 'Local government' must be analysed in such a framework. As Copus, Sweeting and Wingfield (2013) imply local government in Britain is subject to two very different conceptions of its role as a representing institution supporting and enhancing the democratic framework of the Constitution and an expediential view that it is a sub-division of the nation state with a function of ensuring what is deemed by central governance to be in the nation's interest. Local government as an institution has within the evolution of the United Kingdom polity moved from an arrangement where the institution had considerable predominance in the regime of local governance to a marginalised, and largely administrative role in the national governance for localities. Institutional local government is largely shaped by a network of

national public organisations and private profit making national and multi-national businesses and, in some sectors, favoured non-national voluntary agencies. As Hindess (1971: 164-5) realised nearly fifty years ago 'Changes in the local level in politics are intimately related to changes at other levels of the political system, and also to the increasing centralization of the British economy'. Since Hindess's observation, centrally dominated political and economic changes in Britain have, in the area of production and service provision post 1945, accelerated the surrender of local governments' ability to make changes for their area. This capacity is now largely in the hands of either central government and its network of agencies or the private sector that is composed increasingly of multi-national corporations with little loyalty to any specific country let alone locality. The tend to governance for localities cannot be compatible with ethical demand for local governments that have the capacity to ensure local democracy in which those affected by local issues have the ability through discourse to determine how conflict relating to such issues should be resolved.

What remains of local government as an institution is to serve functions which are far removed from the ethical ideals that are part and parcel of the popular notion of the meaning of the term. In reality governance for local government, both in the sphere of public or private decision making runs counter to these ideas and are antipathetic to, and deliberately undermined by, the dominant political and economic power makers operating at a national level. Local government for nationally policy makers has its uses and can be tolerated, as a theory, by the political and business elites as one of the myths used to

socialise popular opinion to support a fractured and unequal system of governance for their localities. In practice, however, the elite perceive a role for local government of a highly instrumental and far from ethically democratic founded direction. From the perspective of the governing political elites local governance institutions have value as servants that are obliged to implement the instructions that are handed down from on high and, as Mill (1975: 364) foresaw and, perhaps, supported, administer the details involved in applying principles to local circumstance.

Local governance may also serve for many self-serving national politicians as a scapegoat for unpopular decisions such as shifting wealth and assets from the wider public to the power elite. Thus, local government may get the blame for the decline in housing, or cultural facilities such as local libraries, as opposed to the Whitehall and Westminster's decision to cut taxes to the wealthy by cutting local revenue to the institutions of local governance. Governance for localities, as opposed to local government, is a means of setting up confused and often internally conflicting spheres of provision within communities that undermine any sense of a clear leadership structure that facilitates the centre to more easily divide and rule. A new strategy in this direction is to incorporate into its decision making structure metropolitan city leaders and 'regional' executive mayors into its inner circles.

At a socio-economic level it may also be debated, from a neo-Marxist point of view, how far there is underlying national governance in a capitalist society a concern to ensure an educational and health care system that may supply an

exploitable pool of labour suitable for their business interests. Finally we should not underestimate the strength of self interest among those in positions of power to drive any polity in a direction that favours their personal interests for self enrichment and fame (Chandler, 2017, 50-64). From a more self serving new-right perspective, local government may for some be a valuable means to ensure that profit may be made for the private sector suppliers of localised social and productive services through procedures that ensure that resources, supposedly being distributed within in a community, are extracted to add to the assets and wealth of those with little knowledge let alone affinity for any particular locality.

Conclusion

'Local government' is an ambiguous term and its meaning is further complicated when it is related to the functions it ought to perform in society. On one side is an ethical case for local governance in a democratic polity based on the potential capacity of such institutions to allow individuals in closely linked geographical communities to deliberate and have a vote in determining policies for those issue that affect them but not those external to that community, to ensure that localities can determine how their political community is shaped and thus allow variety to suit concerned interests and to ensure that central governments are less dominant over our societies. In contrast as shown above are instrumental visions of the possible role of local government that are predominantly embedded in the interests of capital formation and continuation of inequality in resources and power among national elites. However as Barnett

(2011, 276) observes 'Local government is unable to challenge the structural issues which must be addressed if it is to truly generate meaningful inclusion and deliberation and is being incorporated in admittedly changing ways into the state welfare system'

We argue that we can only understand the history and present political decline of local government as an institution in the context of the more self serving elitist vision of local government overriding the ethical democratic vision of what local government should be about. Future text books are necessary on both the institution of local government to up date the rapidly changed position of local government since 1910 and these need to be located within the burgeoning framework of national governance for and of localities. Such texts must also be rooted in an analysis of the role local government institutions in securing a far deeper democracy than is presently established in post 1950s restructuring of the territories and layers and powers of local government institutions. It must also discuss how far institutions concerned with local governance also need greater democratisation and control to avoid the excesses of national governance of localities.

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