



Court Politics in a Federal Polity

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COURT POLITICS IN A FEDERAL POLITY

Introduction

Australian political scientists have explored the core executive only episodically. Rhodes and Wanna's (2009) review of the literature found little research on Australian executive politics; it was 'almost devoid of theory, even controversies'.¹ Other characteristics include: the predominance of *realpolitik* in accounts of executive power and a tendency to emphasise 'practice over theory, commentary over fieldwork, and teaching over research' (Rhodes and Wanna 2009, 129-30). Weller (2005, 37) concurs, noting the academic literature provides 'slim pickings for a reader who wants to know how the executive system of government works in Australia'. The challenge for Australian political scientists, therefore, is to provide theoretically informed studies of the political executive based on original fieldwork.² Strangio, Hart and Walter (2013) also call for a greater focus on the political executive. They exhort the next generation of scholars to pursue an 'integrated approach to the study of prime ministerial leadership, focusing on the *interplay* between political circumstances, institutional possibilities, individual characteristics and social relations at the apex of executive government' (Strangio et al. 2013, 6, emphasis in original).

This article offers theory *and* fieldwork. We argue for a focus on court politics and we illustrate our argument with a case study of the court politics of Queensland under Labor premier Anna Bligh. We pose three key questions. First, why is court politics a useful approach in studying the Australian core executive? Second, what is the nature and extent of court politics in State politics? Finally, recognising that local traditions shape and inform the beliefs and practices of political elites, how does the court politics approach need to be modified for application in

¹ Their review included textbooks, journalism, biographies and memoirs.

² In the 2000s, there is evidence of a reinvigorated field in Australia. See: Bennister 2012; Strangio et al. 2013; and Rhodes and Tieman 2014a.

Australia? We highlight four dilemmas that characterised the court politics of Queensland's central networks. These are:

- Contingency, which continuously frustrates agenda-setting and other efforts to plan for the medium-term.
- The problem of fragmentation and coordination, which arguably is greater because of States' service delivery responsibilities.
- The primacy of coping and survival in the calculus of political-administrative elites, especially as electoral defeat looms; and
- The tendency of a besieged leader to rely on an ever decreasing circle of close advisers.

We also identify those features of the court politics approach that work in Australia and highlight some differences arising from local traditions and practices. These key differences are: the physical location of network members; the greater number of partisan staff near to leaders; and the close and closed relationships among network members over the course of long-term governments.

The court politics of the core executive

Court politics have existed throughout the ages (see Campbell 2010), but in its current incarnation the idea marries the core executive to the analysis of prime ministerial predominance and to the study of statecraft.³ It focuses on the beliefs and practices of core executive actors. Practices are actions that display a stable pattern; they are what a group of people do. So, a government department or a core executive network or the court is a set of embedded practices. We interpret these actions by ascribing beliefs to them. Practices

³ For a detailed account of the core executive debate, its criticisms and variants and its emergence as the 'new orthodoxy' in executive studies see Elgie (2011), Heffernan (2003 and 2005) and Rhodes (2006 and 2014).

presuppose apt beliefs, and beliefs do not make sense without the practices to which they refer. So, a government department is a set of embedded practices; so too a Cabinet, a Premier's or Prime Minister's office.

Beliefs and practices are passed on through inherited traditions. Central to analysis of traditions is the notion of *situated agency*: of individuals using local reasoning consciously and subconsciously to reflect on and modify their contingent heritage. So, analysis shifts to people's beliefs and practices, the traditions in which they are located, and the games interdependent people play to resolve dilemmas. A dilemma arises when a new idea stands in opposition to existing beliefs or practices, forcing individuals or institutions to reconsider their existing beliefs and associated tradition. To accept a new belief is to pose a dilemma that asks questions of existing traditions (Bevir and Rhodes 2003; 2006a). The court politics approach's emphasis on the beliefs, practices, traditions and dilemmas of courts provides the organising concepts for exploring how they work (see Rhodes 2011, chapter 1; Rhodes and Tiernan 2014a, chapter 2).

Court politics exists as journalists' reportage, in the autobiographies, biographies, diaries and memoirs of politicians.⁴ The nearest usage to that employed here is that of Savoie (2008, 16-7). He defines the court as 'the prime minister and a small group of carefully selected courtiers'. It also covers the 'shift from formal decision-making processes in cabinet ... to informal processes involving only a handful of actors.'

Such courts perform essential coordination and management tasks that hold the centre together (Rhodes and Tiernan 2014a). The court prioritises and coordinates the policy process. In the quest for coherence, it contains and manages conflicts. It is the keeper of the government's narrative; the gatekeeper and broker for internal and external networks.

⁴ On the reportage, auto/biographies, memoirs and diaries relevant to court politics, there are too many items for a complete listing here. Recent Australia, examples include: Blewett (1999); Fraser and Simons (2010); Howard (2010) and Watson (2011).

Court politics offers useful insights into the problems of effective government. For Walter (2010, 9-10), 'court politics' implies small, closed group decision-making. He is concerned about potential dysfunctions – poor decision-making, an inability and unwillingness to engage in 'rigorous reality-testing' and other pathologies, if this mode of decision-making should become routine. Rhodes and Tiernan (2014a, 196-204) report the siege mentality that gripped Julia Gillard's court as she faced the extreme contingency of a minority government, relentless destabilisation from her predecessor and the missteps of her own supporters as they became insular and defensive. However, it is a mistake to focus only on the pathologies of court politics. We should ask too about its several pros and cons. Thus, Savoie (2008, 232) argues that the court helps prime ministers 'to get things done, to see results, and to manage the news and the media better than when formal cabinet processes are respected'. It dispenses with the formalities of government; for example, records and minutes and other formal processes. Savoie (2008, 230 and 339) emphasises that the key adverse consequences are centralisation and the collapse of accountability; 'the centre has slowly but surely been made deliberately stronger'; ... and 'the chain of accountability ... has broken down at every level'.

There are also more prosaic but no less important consequences – the loss of institutional memory and the tendency to 'organisational forgetting' (Pollitt 2000, 2008). Savoie (2008, 25) agrees 'senior civil servants no longer have the experience, the knowledge, or the institutional memory to speak truth to power' (see also Rhodes 2011, 293-5). We need to tease out both the intended and unintended consequences of court politics.

Research methods

This article draws on a larger study that assesses the nature and extent of court politics in Australia. It examines the everyday working practices of ministerial 'courts': the individuals, offices

and units that collectively comprise the system of support for ministers, with the aim of identifying their beliefs, practices, rituals and routines.

Observing the court politics of the core executive is challenging because of the secretive nature of government decision-making. However, there are now several ethnographic studies of governing elites, so it can be done (see for example Rhodes 2011; Rhodes and Tiernan 2014a). We use a distinctive mix of methods, drawn from the toolkit of interpretive political science (Rhodes 2015). Participant observation is a key tool of anthropology, but there are several ways to collect the stories of respondents who have 'been there'. They include intensive repeat interviews, focus groups, informal conversation, and the analysis of official documents, biographies and memoirs, oral histories, interviews and speeches to recover beliefs and stories (and see Rhodes et al. 2007: chapter 9 on the pros and cons of ethnographic methods). These stories are the collective memory of institutions; a retelling of yesterday to make sense of today. Such stories serve to socialise not only officials to 'how things work around here', they play a similar role with Ministers and their staff who bring their own stories to the task of governing. The defeat of the Bligh Labor government in March 2012 offered an opportunity to conduct interviews with members of the various central networks. We conducted 25 semi-structured interviews (ranging between ninety minutes and two hours in duration) with a sample equally divided between ministers, senior officials and political staffers. In several cases, we conducted repeat interviews with respondents. We draw also on data from media interviews with Anna Bligh and former members of her government. Finally, we had access to the review of the 2012 Queensland election campaign (Wright, Lee and Tebbutt 2012); and to documents and testimony to the Commission of Inquiry into the Queensland Health payroll initiated by Liberal-National Party (LNP) Premier Campbell Newman.

Court politics in Queensland

The inheritance

Queensland has an eccentric administrative history. Its unorthodox development is, in part attributable to its unicameral parliament. It provides few checks on the power of the executive and sustains a tradition of long-term majoritarian governments. This combination of executive dominance and personalised governance by long-term governments has fostered a political culture that seems to favour the ‘strong leader’ tradition of the Premier as ‘the boss’ (see Davis 1995).

Following the landmark Fitzgerald Inquiry into political corruption in the National Party government of Sir Joh Bjelke-Petersen, there were significant reforms, including reforms of the Cabinet processes, which were codified in a *Cabinet Handbook*, formally adopted by Labor Premier Wayne Goss, elected in December 1989. The aim was to ensure Cabinet deliberations were informed by policy advice and policies were coordinated; that there was a whole-of-government perspective (Scott et al. 2001, 249-52). Davis (1995) describes the Goss government’s (1989-96) approach to managing Cabinet and the business of government more broadly as ‘a government of routines’.

In February 1996, the Goss government lost office following a bi-election in the seat of Mundingburra. A Liberal-National Party coalition under the leadership of Rob Borbidge formed a minority government with support from conservative independents. The new government consciously and symbolically dismantled Labor’s central coordinating arrangements. It quickly encountered difficulties in maintaining discipline and coherence. A former Director-General noted that ‘as a government they quickly showed all the signs of what happens when you have lost a central policy function’. After just two years, the Coalition lost the 1998 state election to Labor, now led by Peter Beattie.

While aware of the benefits of centralised coordination for disciplined decision-making, Beattie eschewed the punitive style that had so alienated ministers under Goss (Wanna and Williams 2005, 65-66). His was a more 'inclusive', collegial Cabinet, with transparent briefing processes from the public service through his Department of the Premier and Cabinet (DPC) to ensure ministers would not be 'ambushed', nor would Cabinet's time be wasted in disputes about 'facts'. Relatively few ministers had served under Goss, nonetheless the emphasis on 'routines' permeates the stories of a subsequent generation of Queensland ministers and officials.

The core executive

Davis (1995) identifies three domains of coordination within Queensland government: the political, the policy and the administrative. Cabinet deliberations are supported by an extensive machinery of advice and briefing from departments and ministers' private offices, coordinated by DPC. Other policy structures include ministerial and interdepartmental committees and task forces intended to provide a whole-of-government perspective for the state. A further set of coordinating arrangements spans intergovernmental relations in Australia's federal structure. The domain of administration involves the public service, responding individually to ministers and collectively to Cabinet. The Premier is predominant, since he or she holds agency Chief Executives' employment contracts.

The strong leader tradition has ensured a prominent role for DPC since its establishment in 1859 (Scott et al. 2001). DPC and the Premier's private office comprise the centre of Queensland's core executive networks. Anna Bligh's Premier's office had 32 ministerial staff - a mix of personal appointees covering administrative, policy, political and media advising roles. It was led by a Chief of Staff, with a Deputy Chief of Staff, a separate head of the Government Media Unit and policy advisers mirroring DPC. Bligh noted the inevitability of a leader relying on a small core group:

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... if you look at the people who have influence over a Premier, or a minister, it's really down to about five or six. The Chief of Staff, the Deputy Chief of Staff, the media staff - in my office, I had four. So, it's a handful of people who have daily contact with you and who help you form your views and influence your thinking.

As Premier from 2007 to 2012, Bligh maintained a Cabinet of 18. The routine was a weekly Monday meeting in the Cabinet room on Level 13 of the Executive Building, which also houses DPC and the Premier's office. The Director-General (DG) of DPC is Queensland's most senior public servant. His responsibilities - there has never been a female head - invariably come as a surprise to the new appointee, who perhaps envisaged the job as driving policy across government. Instead, he is the ultimate coordinator; the 'fixer' of a litany of problems and conflicts that cannot be resolved elsewhere. According to a senior official:

The reality is that [DGs of DPC] are often caught up in the minutia of small problems that if unsolved could become big problems. So, instead of their job being to sit back with a pipe and have big ideas and write big policy papers, their job is running from crisis to crisis and fixing things whether it be on behalf of the Premier, whether it be something that's in *The Courier-Mail*, whether it be a problem in another Director-General's office. It doesn't matter what it is, often times their day is caught up with what seem to be small issues, but [which] if escalated, would be quite terrible issues and managing the personalities of all of that - and that's not even bringing into account the private sector and other businesses and things like that who are looking to that person as their key interface with the Premier and the key influence.

As this comment suggests, the DG DPC plays a major coordinating role. The incumbent chairs key coordinating forums, including *inter alia*: the weekly meeting of all DGs; the Performance Leadership Group (which dealt with CEO performance agreements) and the

State Disaster Management Group (SDMG). The DG DPC sits at ‘the pointy end’ of the political-administrative interface. A member of the DG’s court described his job as follows:

So he has a job almost as a – in a funny way, as a call centre and as a central problem solver and the busyness of his job will often be a reflection of the relationship of the other directors-general and their ministers and the relationship of the other ministers with the Premier’s office. So sometimes, depending on the dynamic, his job changes in relation to the dynamics that exist in those other systems.

We found an inner and an outer court in Queensland’s core executive. There was the inner court of the Premier comprising her Chief of Staff and private office, selected senior ministers (Andrew Fraser and Paul Lucas) and the DG of DPC and his private office. In early 2012, it comprised: two executive assistants to manage his diary and meeting papers; a receptionist; and an Executive Officer. The Executive Annexe, linked to the Executive Building by glass walkways, housed the Treasurer’s office and his departmental court. Such co-location facilitates closeness, as we will see.

The outer court comprised members of Cabinet and its support staff. The Cabinet Secretary (an official, conventionally an SES officer of DPC, who reports to the DG) was also part of this network, along with Cabinet Liaison and Legislation Officers (in each of the departments, each trying to maintain the integrity of government routines. Other members of this outer court included the Assistant Director-General Policy, the Executive Directors of key parts of Policy Division: Economic Policy, Law and Justice, Environment and Social Policy; and the Deputy Director-General Governance.

Finally, individual ministers had their departmental courts to support their links with the outer circle. These courts were clustered along and around George Street, mostly in walking distance of the Premier’s office. The contrast with the Commonwealth is sharp where

political staffers are in parliament house with their minister but public servants are a taxi ride away in the suburbs of Canberra.

Political staffers were key members of each court. Bligh's inner court had 35 appointments, including her Chief of Staff Nicole Scurrah. Andrew Fraser had 14. Paul Lucas had 12. The number of ministerial staffers varied from 9 to 16. There were 223 in total.⁵ Strikingly, Queensland government has many more advisers than British Ministers who, on average, appoint two Special Advisers (SpAds), although the prime minister has significantly more. In July 2012, there were 79 appointments in total with 19 in the Office of the Prime Minister.⁶

Not only were there multiple courts, but each court was subject to change, often at the behest of the Premier. Anna Bligh succeeded Peter Beattie when he retired as Premier in September 2007. She narrowly won the 2009 election. Bligh's authority increased after her electoral victory, but she achieved neither Beattie's political authority in the government, nor his electoral popularity outside it. Victory enabled her to reshape the Cabinet she had been forced to retain after her mid-term accession to the premiership - enemies and rivals were isolated. Bligh argued such personnel and other changes were necessary because:

In changing leader, we [the Labor Party] were giving ourselves an opportunity for a fresh start... All of our polling was telling us that people were tired of us - at that stage we had been there for 10 years. That's a long time; most governments don't last that long. They [the public] were getting very tired of us. If we wanted to have another opportunity to remain in government, we felt we had to renew and completely refresh the show.

⁵ 2011-12 Queensland State Budget - Service Delivery Statements -Department of the Premier and Cabinet, 13.

⁶ On political staffers in Australia see Tiernan 2007. On special advisers in the UK see Blick 2004. On the growth of such political appointments internationally see Eichbaum and Shaw 2010.

There were limits to Bligh's authority. Like most leaders, she was constrained in selecting her ministerial 'team'. Bligh was forced to retain factional powerbroker Robert Swarten as Minister for Public Works and Housing and to appoint his close ally Judy Spence as Leader of Government in the House. One respondent described the personal relations between Bligh and these two colleagues as 'very unpleasant'; both were constant irritants and persistent critics. Serious internal tensions were contained rather than resolved, only occasionally becoming public. For example, when Bligh authorised controversial changes that removed the powers of the Speaker of the Parliament, John Mickel, a rival from the right faction, became an outspoken critic of Bligh's leadership, both publicly and privately.

To protect our several respondents, the following, brief 'composite' portrait of the Bligh court uses the unattributed words of key critics. We are not suggesting these views are accurate. However, we believe they show the climate in which the Bligh court worked and that, to some extent, it engendered. To a significant degree it does not matter if the allegations are true because they changed behaviour both inside and outside the court. The court became 'defensive', the critics went public.⁷ In short, the consequences were real.

Our respondents characterised the Bligh court as 'highly centralised'. They claimed it was the Premier's fault because her interpersonal style was 'awkward', 'cold' and 'transactional'. Members of Bligh's court were 'bullies'; prone to undermining and giving people 'the pineapple'. There was 'no respect or deference for ministers' who were 'interfered with', 'micro-managed' and sometimes 'abused' by a 'media obsessed' Premier's office. An experienced minister explained: 'You went from professionalism

⁷ Bligh supporters and critics each had favoured journalists and commentators who became protagonists in Labor's internal battles. Ross Fitzgerald, a vociferous critic, channelled Bligh's ministerial detractors in a newspaper column, in which he claimed 'The blunt reality is that Bligh's government is one of the worst in Queensland history. Neither the Premier nor her government is up to the job. Its defeat will be primarily because of its incompetence. It is little wonder that eight members of the Bligh team, including six former ministers, are retiring at the state election. They have simply given up on Bligh and Queensland Labor' (Fitzgerald 2011).

with Beattie to knee-jerk reaction every day'. Moreover, according to the critics, Bligh's court was 'tribal'. They grew up together in Young Labor and followed similar paths to become career politicians. A former minister told us: 'I always maintained you didn't get a Premier. What you got was a student union leader'.

The various proponents offered different explanations for why the court behaved as it did. For court members, it was the lack of talent and experience in the 'small gene pool' available 'after 15 years in government'; the problem of 'the factions'; the need to control ill-disciplined MPs who, anticipating defeat became a 'permanent opposition'. The critics the leadership group was pathological. The court had to spend, some might say wasted, much time on managing tensions that, in part, it created through its very existence.

A noticeable feature of Queensland's courts is that their members are always together because of co-location and government routines. The governing elite is relatively small. It became smaller in 2009 when machinery of government changes reduced the number of DGs from 24 to 13. Labor held office in Queensland for almost 20 years from 1989-2012. Thus, court members had known each other a long time. They were contemporaries from university; grew up in the same towns; had children at the same schools; were part of the same professional networks; and had friends or associates in common. They had forged long professional relationships. For example, the DG of DPC, Ken Smith, served as Bligh's department head in four portfolios over 13 years.⁸ As a university student, Treasurer Andrew Fraser, completed an internship with Neil Roberts, later a Cabinet colleague. Fraser was a junior staffer to Peter Beattie in Opposition and later worked in Beattie's Premier's office, where he met and dealt with public servants who would later advise him.

⁸ These were: Family Services, Education, State Development and finally DPC.

Under Labor, the political-administrative elite met regularly; they travelled together, usually on the government jet, to Community Cabinet meetings held across the state, Council of Australian Governments and other intergovernmental meetings. Ken Smith, explained that as head of DPC:

I met with the Premier twice a day, morning and afternoon and then basically often in between times with meetings with ministers, with a range of meetings around crisis situations. We were on the same floor in the Executive Building. The phone would ring – your time literally wasn't your own. When I was running a line department, I managed my own diary. I could travel within the state; I could go and visit schools; I could do a range of things. In the central agency, I had to always be there and in fact, even during times of disasters. It wasn't my role to get up in a helicopter, or to go and visit a particular community... I had to be there to chair a process and then communicate with the Premier about what was happening.

Such frequent, often informal interaction contrast sharply with experience in Canberra (Rhodes and Tiernan 2014a).

Dilemmas

This section highlights four dilemmas that characterised the court politics of Queensland's core executive from Beattie's retirement in September 2007 to Labor's defeat in March 2012. We discuss the dilemmas under the headings of: contingency and agenda-setting; fragmentation and coordination; crises, coping and survival; and ever decreasing circles. These dilemmas demonstrate the utility of the court politics approach for analysing the dynamics of relationships in and between the core executive's central networks.

Contingency and agenda setting

The spectre of defeat loomed over Anna Bligh's government from the outset. She failed to secure the majority of votes at the 2009 election, having gone to the polls early, cognisant the budget was deteriorating rapidly after the global financial crisis. Constrained by an earlier commitment to maintain capital spending to sustain employment, but under pressure from Ratings Agencies about the extent of the State's borrowings, Bligh, from the ALP's Left faction, was forced to privatise state assets. The decision was taken by the Strategy group comprising Bligh, Paul Lucas, Andrew Fraser and Bligh's Chief of Staff, Nicole Scurrah, without consultation with the Cabinet or the party room. It prompted outrage from the unions - Labor's traditional base and a key funder, from the media and the community. Bligh was alleged to have 'lied' to the people of Queensland by not revealing the budget position before the election and seeking a mandate to privatise assets (see, for example, Wright et al 2012, 12-15).

Having alienated its base and facing internal dissent, the government became defensive and reactive. Queensland's media market is small and concentrated, but 'feeding the media beast' dominated key court members' thinking. This constant preoccupation was reflected in the time Bligh's office devoted to media monitoring and planning. A senior staffer told us work began at 3.30 am with a review of the national news, ahead of a 4.30 am phone hook-up with the head of the Government Media Unit. Ministers reported similarly that media management dominated. They were lined up for interviews on early morning radio from home or in the car, to an increasingly hostile reception.

Directors-General felt this pressure keenly because it escalated the demands from ministers' offices:

My day was governed by what was in *The Courier Mail* in the morning or the 6 o'clock news at night. If they ran a story that was critical of the department, if I hadn't already

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had a phone call from the Minister's office or one of his staffers, I soon would and for the first few hours, that's what I'd be concentrating on.

On reflection, Bligh's staffers conceded the ineffectiveness of their approach:

[By the end] we were jumping at shadows and that's what long-term government is about.... It's kind of like Stockholm Syndrome. We got to the point where we jumped at everything...

It is moot whether, in a different context and having secured re-election in her own right, Bligh might have asserted a more coherent policy direction. Almost immediately her government was confronted by one damn thing after another.

Between December 2010 and February 2011, a series of natural disasters devastated 80 per cent of Queensland's landmass; each of the state's 73 local government areas was declared a disaster area. The government's response was effective, but the demands of dealing with a series of severe, unpredictable and geographically dispersed threats, understandably were enormous. It required twice-daily meetings of the SDMG and a huge response effort at the height of the crisis and its aftermath, and in recovery of affected communities. The beleaguered Premier's decisive and empathetic leadership drew national and international plaudits. It prompted many to wonder why, if she had this capacity in a so serious a crisis, Bligh was unable to demonstrate these qualities earlier in her premiership.

Fragmentation and coordination

Sub-national governments are focused on delivering public services. They operate large and complex delivery systems - in cooperation and at times in conflict, with other tiers of government. The coordination challenges are immense; the potential for problems, failures and mistakes is omnipresent. This potential is especially acute in Queensland, which is large, diverse and decentralised, and experienced rapid economic and population growth over the past 20 years, creating pressures on infrastructure and service provision.

Queensland's 'strong leader' tradition, and deeply entrenched tradition of government intervention, creates strong expectations on the state's leaders, which have implications for administration and political management. The tendency for every problem and issue to land on the Premier's desk is exacerbated by their predictable knee-jerk reaction. Members of Queensland's inner and outer courts insisted on the importance of routines while simultaneously reflecting on the gap between this normative value and the practices of the Bligh government, especially towards the end of its tenure. A Director-General described the clash between government routines and political-administrative reality:

More and more I found that you needed to push some of the routines and wish lists of agencies and ministers back as you dealt with really urgent and often complex issues, which ironically, need more time to resolve. But governments are put into very pressured situations, I think by the media, but also by new media through tweets, through commentaries and blogs, through direct communication that ministers now have with the electorate and wanting to see particular solutions put in place.

A close observer explained that '... many [Cabinet] submissions were prepared outside of that normal routine... That meant there wasn't necessarily the early circulation of submissions or of the advice that was provided'. Others acknowledged the pressures, but argued the erosion of Cabinet processes meant the agenda became overcrowded and the government was unable 'at a decision-making level to really prioritise what we were doing'. It is an article of faith in Queensland that Cabinet should never debate 'facts' - such issues should be resolved between departments in the various coordination processes that prepare for Cabinet meetings. Yet submissions were coming forward before facts and value conflicts had been resolved.

Such difficulties are consistent with experience in other core executives. Despite strong pressures for more coordination, the practice is 'modest'. It is 'largely negative', 'anchored at

the lower levels of the state machine' 'rarely strategic', 'intermittent' and 'selective' 'improvised late in the policy process', 'politicised', 'issue-oriented' and 'reactive' (Wright and Hayward 2000, 33). A former senior official was critical of Bligh's reactive ways, insisting that routines help to insulate leaders from relentless pressures:

Every government has so many bombs going off around them, which is why you have the rock solid processes underneath, because it enables you to deal with the bombs.

Thus, while both the academic literature and practitioner experience suggest coordination remains the 'holy grail' of modern government, Queensland officials still felt beholden to try to achieve it. Their efforts to devise and maintain their own messy, informal, decentralised arrangements were characterised nicely by a member of the departmental court of DPC:

[This] job is all process. There's not a lot of content. It's fixing things. Nothing is yours probably for more than a day. It might be yours for ten minutes. The skill is to make it someone else's problem, or to fix it in a short period of time. So it's helpful having corporate knowledge and having relationships across government... that helps in being able to fix things quickly or being able to look at something and go 'it's not going to be fixed. They can't do it this way' or whatever. So, having people across government I can call about things or call in favours or who I have capital with across government [is very helpful]...

You're doing favours to get favours... You're procuring stuff on the black market for people... finding stuff and trading stuff and doing favours for people to get things done.

[It's] just to grease the wheels and get things done in the informal market, so that the formal market can function. There's always stuff you can do to keep everyone happy on the informal side...

Crises, coping and survival

In the British context, Rhodes (2011) found that politicians and civil servants find the distinction between policy and management meaningless when confronted by the imperative to cope and survive. Every rude surprise demonstrates their mutual dependence. Their priority and their skills are about surviving in a world of 'rude surprises'. They have to juggle the contradictory demands posed by recurring dilemmas. They must appear to be in control. Of course, they are not and cannot hope to be. Anna Bligh's experience in Queensland is a case in point.

Coping and survival are the twin imperatives that confront the political-administrative elite (Rhodes 2011). The demands of political accountability and the media spotlight overwhelm their interest in and capacity for longer-term thinking and planning. This is perhaps especially so as they approach a much-anticipated defeat. Much government is, Rhodes notes, quoting Lynn and Jay (1984, 454) 'about stability. Keeping things going, preventing anarchy, stopping society falling to bits. Still being here tomorrow'.

This observation is as true of the Australian states as in the departmental courts of Whitehall. But the risks of implementation deficits that threaten governments' survival, and the vulnerability of premiers who try to sustain the fiction that they are in control or can 'fix' things, may be more acute in sub-national government. The much-publicised Queensland Health payroll fiasco, an IT project failure that resulted in thousands of health and public hospital workers being either not paid, or incorrectly paid, was the final nail in the Bligh government's coffin (Wright et al. 2012, 15). The government's incapacity to 'solve' the problem was demonstrated every fortnight for more than two years, despite the investment of enormous effort and resources. A senior ministerial staffer described the Health payroll debacle as 'the thing I personally feel most ashamed of in my time [in government]'. Another argued it exposed ministers' dependence and utter powerlessness:

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4 ...there's a certain point where, as a minister, you are helpless in terms of
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6 technical stuff. You have to rely on the best advice from the Department... You
7
8 had to sit back and say, 'how did you buy this product?' How did this happen?
9

10 Senior staffers were scathing of the public service's unwillingness to accept responsibility
11
12 for so serious an implementation failure. According to one:

13
14 The thing I found most frustrating about the Health payroll was - and it's
15
16 perpetrated by the media in Queensland is - that decision, to change the payroll
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18 system, isn't made by the Premier. Yet it's taken as a direct reflection on the
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20 government. Should it be? Yes, because the government - the DG of DPC, the
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22 Premier, and then the Ministers, sign off on senior appointments...
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24 It's almost like, by the time a poor decision in the public service gets to [the
25
26 Premier's office] you're in a crisis... I'm not bitter about that. It's just the reality
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28 of the job. By the time someone has got the courage to say 'we've got a
29
30 problem' and this is both at a public service level and up through the ministerial
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32 office, you don't have a problem; you've got a massive crisis on your hands. It's
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34 got to the stage where everyone has said 'Oh, we now can't fix this and we'd
35
36 better tell someone'.
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42 **Ever decreasing circles**

43 Controversy over asset sales and questions about Bligh's honesty and integrity dogged her
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45 administration, sapping the energy and commitment of her Cabinet, which, as noted earlier,
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47 contained several rivals. The unions ran a spirited and sustained campaign against her. Wright
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49 et al. (2012, 14) report that:

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52 A number of submissions [to their Review] contended that some unions spent more on
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54 this campaign against asset sales than they had spent on supporting Labor's efforts to
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56 defeat the LNP at both the 2009 and 2012 elections combined.
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With the government already in a politically weak position, this campaign by some unions was effective and damaging. Having previously been seen as open and transparent, the Labor Government came to be perceived as inward looking, defensive and under siege.

One consequence of court in-fighting was an increasingly defensive leader and a siege mentality. The Premier began to rely on a steadily diminishing circle of close advisers. Under the pressures of crisis and longevity the government became highly centralised. Our research suggests this reflected a combination of personalities and circumstances; but there were concerns too about trust. We asked a senior staffer, who agreed the government became centralised, why this was so:

I think it's essential to get direction... Without naming names, the whole reason you become central is because you don't have the skill set around you to deliver...

The whole reason it was very centralised, particularly in our government around Anna [the Premier] and Andrew [Treasurer] for example, was because they were always the smartest people in the room.

Reliance on 'inner circles' is a consequence of the trends to centralisation and personalisation noted by scholars in Australia and internationally (Strangio et al. 2013, 11; Peters, Rhodes and Wright 2000). The tendency to turn to a small group of trusted loyalists is characteristic of beleaguered leaders during crises (see, for example, Rhodes and Tiernan 2014a, 144-49). Such turning inward is understandable and may help leaders to cope, but it is pathological when it becomes the standard operating procedure of governing. Such was the case under Bligh throughout her final term.

After Labor's defeat, outgoing Cabinet ministers lambasted Bligh's Strategy Group. Energy Minister, Stephen Robertson argued the ALP had run 'a terrible campaign', for which he blamed the party's 'inner sanctum'- Bligh, Fraser, former Deputy Premier Paul Lucas and

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4 their advisers (ABC 2012). A former minister was similarly scathing, arguing Bligh surrounded
5 herself with ‘sycophants’, ‘chaotic people’ who ‘reinforced her prejudices’.
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9 Bligh’s Chief of Staff conceded the leadership group became insular but offered a
10 different explanation:
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13 I think working the hours that are required [of people in these jobs], that you
14 become unable to – you stop speaking to people. So, you think of all the things
15 that influence your thinking and influence your ability to make clear decisions...
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20 Once you are actually in that cocoon – this goes to the loneliness and isolation
21 of these roles – you don’t talk to people because they always want to know what
22 is going on. So you enclose even more, you stop being able to take on new
23 ideas... So your ability to bring to the job all of those skills that actually you need
24 to generate new ideas – dissipate. Just through the nature of the job.
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31 Such inward looking is not peculiar to Bligh, nor to Queensland (Rhodes 2011, 275-6).
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33 This ‘group think’ is an oft remarked feature of most Western governments (t Hart et al. 1997).
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35 Its characteristics are that a group under stress becomes cohesive and insulated. It values
36 unanimity over a realistic assessment of the available options; and makes decisions
37 characterised by stereotyping others, rationalising past behaviour, and belief in one’s own
38 correctness. Whether we call it siege mentality or group think, it came to characterise
39 Queensland’s court politics. It was a ‘perfect storm’ caused by a combination of fiscal stress,
40 political crises not necessarily of their own making, pressure from 24/7 media, and the
41 personalities involved.
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53 Conclusions

54 This paper has examined three questions. First, is court politics a useful idea? Second,
55 what is the nature and extent of court politics? Finally, given that local traditions shape beliefs
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and practices, to what extent can we apply the court politics perspective to Australian government?

Our Queensland case demonstrates the utility of the court politics perspective in highlighting the fluidity of relationships in the core executive; and the contingency and shifting allegiances that characterise life at the centre of government. Premiers, ministers, their political staff and officials occupy positions that are assumed to be powerful. Yet each is keenly aware of their dependence: on one another and on so many things - events, political fortunes, public opinion - that they can neither influence nor control.

While Walter (2010, 8) agrees that contingency and dependence characterise relations in the core executive, he questions whether:

... contingent changes, favouring strong leadership, have altered the potentials of those dependency relationships, engendering loyalist courts (insider circles) rather than the more modulated departmental/interdepartmental/private office negotiations that characterise the courts that Rhodes (2009) describes.

For Walter, 'court politics' implies small, closed group decision-making, with their inherent potential for dysfunction (Walter 2010, 9-10). Our use of 'court politics' is different. We have no normative agenda. Rather, we seek to map, to understand, and to characterise how executive politics works in Australia and to determine whether it travels well. Our work on court politics in Queensland suggests that as the Bligh government confronted defeat, decision-making was concentrated within a small, insular group. This group demonstrated many of the pathologies that Walter identifies, producing decisions and outcomes that indeed did undermine the quality of government. But we would argue this represented the prevailing pattern of executive politics in Queensland then. Far from entrenching a dominant leader, the election result indicated that an administration perceived as being insular and out-of-touch would get its comeuppance at the ballot box. There was a democratic correction. Moreover,

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4 the story of those dysfunctions is likely to enter the institutional memory of the court. Just as
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6 Peter Beattie eschewed the pathologies of command and control that he experienced as a
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8 member of the Goss government, lessons will be drawn from Anna Bligh's leadership. Indeed,
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10 it has already begun in the narrative of the government's failings published in the Review of the
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12 2012 election campaign. It illustrates Rhodes' (2013, 19) observation that:

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15 The key point about the performance of a prime minister [or Premier] is that it is
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17 socially constructed - usually both other members of the elite - and historically
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19 contingent. No matter how good or bad a prime minister's standing when he or she
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21 leaves office, the revisionist biographer is just around the corner.
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24 We have shown that the court politics framework 'travels' effectively to the Australian
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26 context. However, we have identified some key local differences that must be taken account of
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28 in seeking to apply the approach outside the United Kingdom. These differences are the
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30 colocation of network members; the greater numbers of partisan staff supporting ministers; and
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32 the close and closed relationships among network members developed over the course of long-
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34 term governments.
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37 We started with Savoie's (2008) definition of the court as 'the prime minister and a
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39 small group of carefully selected courtiers'. We accept there is often such an inner sanctum but
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41 find Savoie's conception too narrow; participants in core executive politics are rarely so few.
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44 We prefer a more expansive definition that distinguishes between an inner and an outer court;
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46 between circles of influence. Like Burch and Holliday's (1996, 104-6), we see the prime
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48 minister (and premier) at the core of the core networks. However, their effectiveness depends
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50 on contingent factors, and on the personalities and preferences of key actors. Moreover, prime
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52 ministers and their courts are subject to many constraints (and for a review see Rhodes 2014).
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54 Baronial ministers persist, and prime ministers depend on these senior colleagues. No leader
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56 can intervene continuously in everything. They are overwhelmed by the complexity of
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government and the massive demands on their time from both the international and the domestic arenas. He or she has to be selective. It is also important to distinguish between intentions and outcomes, intervention and effect. As Savoie concedes (personal interview 22 July 2014), there is much ebb and flow both within and between ministries. The court government approach seeks to map that ebb and flow.

References

- Bennister, M., 2012, *Prime Ministers in Power: Blair and Howard compared*, Houndmills, Basingstoke: Palgrave
- Bevir, M. and Rhodes R.A.W. 2003, *Interpreting British Governance*. London: Routledge.
- Bevir, M. and Rhodes, R.A.W. 2006, *Governance Stories*. Abingdon, Oxon: Routledge.
- Blewett, N. 1999, *A Cabinet Diary: A Personal Record of the First Keating Government* Adelaide: Wakefield Press.
- Blick, A. 2004, *People Who Live In The Dark: The Special Adviser In British Politics* London: Politico's.
- Burch, M. and Holliday, I. 1996. *The British Cabinet System*. Englewood Cliffs, NJ & Hemel Hempstead: Prentice Hall/Harvester Wheatsheaf.
- Campbell, John 2010, *Pistols at Dawn. Two Hundred Years of Political Rivalry from Pitt & Fox to Blair & Brown*. London: Vintage
- Davis, G. 1995, *A Government of Routines*. Melbourne: Macmillan Education.

Eichbaum, C. and Shaw, R. 2010, *Partisan Appointees and Public Servants: An International Analysis of the Role of the Political Adviser*. Cheltenham: Edward Elgar Publishing Limited.

Elgie, R. 2011 'Core Executive Studies Two Decades On', *Public Administration*, 89 (1): 64-77.

Fitzgerald, R. 2011, 'The party is over and Bligh is to blame'. *The Australian*. 31 December.

Fraser, M. and Simons, M. 2010, *Malcolm Fraser: The Political Memoirs*. Carlton: The Miegunya Press.

't Hart, P., Stern, E. K. and Sundelius, B., Eds. 1997, *Beyond groupthink. Political group dynamics and foreign policy making*. Ann Arbor: University of Michigan Press.

Heffernan, R. 2003, Prime Ministerial Predominance? Core Executive Politics in the UK. *British Journal of Politics and International Relations*. 5 (3): 347-72.

Heffernan, R. 2005, Exploring (and explaining) the British Prime Minister. *The British Journal of Politics and International Relations*, 7 (4): 605-620.

Howard, J. 2010. *Lazarus Rising*. Harper Collins: Sydney.

Peters, B.G., Rhodes, R.A.W. and Wright, V., Eds. 2000, *Administering the Summit: administration of the core executive in developed countries*, Houndmills, Basingstoke: Macmillan.

Rhodes, R. A. W. 2006, 'Executive government in Parliamentary Systems'. In R. A. W. Rhodes, S. Binder and B. Rockman, Eds. *The Oxford Handbook of Political Institutions*. Oxford: Oxford University Press: 324-45.

Rhodes, R. A. W. 2011, *Everyday Life in British Government*. Oxford: Oxford University Press

Rhodes, R. A. W. 2013, 'From Prime Ministerial Leadership to Court Politics'. In Paul Strangio, Paul 't Hart and James Walter, Eds., *Prime Ministerial Leadership: power, party and performance in Westminster system*. Oxford: Oxford University Press 2013: 318-33.

Rhodes, R. A. W. 2014, 'Core Executives, Prime Ministers, Statecraft, and Court Politics; Towards Convergence'. In Glyn Davis and R. A. W. Rhodes, Eds. *The Craft of Governing: essays in honour of Professor Patrick Weller*. Crows Nest, NSW: Allen & Unwin 2014: 53-72. .

Rhodes, R. A. W. and Tiernan, A. 2014a, *Lessons in Governing: A Profile of Prime Ministers' Chiefs of Staff*. Carlton: Melbourne University Press.

Rhodes, R. A. W. (2015) 'Ethnography'. In Mark Bevir and R. A. W. Rhodes (Eds.) *The Routledge Handbook of Interpretive Political Science*. Abingdon, Oxon: Routledge: forthcoming.

R. A. W. Rhodes and Tiernan, A. 2014b, 'Executive governance' in Andrew Massey and Karen Miller, Eds., *International Handbook of Public Administration and Governance*. Chelmsford: Edward Elgar, forthcoming

Rhodes, R. A. W. and Wanna J. 2009, 'The Core Executive'. In R. A. W. Rhodes, Ed. *The Australian Study of Politics*. Houndmills, Basingstoke: Palgrave-Macmillan: 119-30.

Rhodes, R. A. W., Hart, Paul 't and Noordegraaf, M., Eds. 2007, *Observing Government Elites: Up Close and Personal*. Houndmills, Basingstoke: Palgrave-Macmillan.

Savoie, D. 2008. *Court Government and the Collapse of Accountability in Canada and the United Kingdom*. Toronto: University of Toronto Press.

Scott, J., Laurie, R., Stevens, B. and Weller, P. 2001 *The Engine Room of Government: The Queensland Premier's Department*. St. Lucia: University of Queensland Press,

Strangio, P., 't Hart, P., and Walter, J., 2013 'Prime Ministers and the Performance of Public Leadership', in Paul Strangio, Paul 't Hart and James Walter, Eds. *Understanding Prime Ministerial Performance: Comparative Perspectives*. Oxford: Oxford University Press: 1-28.

Tiernan, A. 2007, *Power without Responsibility: ministerial staffers in Australian governments from Whitlam to Howard*, Sydney: University of New South Wales Press.

Walter, J. 2010, 'Elite Decision Processes: The "Court Politics" Debate', paper to the Australian Political Studies Association Annual Conference, University of Melbourne, 27-29 September.

Watson, D. 2011 [2002], *Anniversary Edition, Recollections of a bleeding heart: a portrait of Paul Keating PM*. North Sydney: Vintage.

Weller, P. 2005, 'Investigating power at the centre of government: surveying research on the Australian executive', *Australian Journal of Public Administration* 64 (1): 35-40.

1
2
3
4 Wright, G., Lee, M. and Tebbutt, C. 2012 *Report of the 2012 Queensland State*
5
6
7 *Election Campaign Review*. Brisbane: Queensland Labor.

8
9
10 Wright, V. and Hayward, J. E. S. 2000. 'Governing from the centre: policy co-ordination
11
12 in six European core executives'. In R. A. W. Rhodes, Ed. *Transforming British government*.
13
14 *Volume 2. Changing roles and relationships*. London Macmillan: 27-46.
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