

Recasting leadership reform in Australian local government: a taxonomy from political theory

Abstract: Changes to elected leadership in Australian local government have seen greater authority assigned to mayors in several jurisdictions. A *Discussion Paper* released by the Australian Centre for Excellence in Local Government (ACELG) (Sansom, 2012) has recommended further reforms, arguing *inter alia* that mayors ought to enjoy a ‘personal mandate’ and a stronger strategic role. This paper places these suggested reforms into context by developing a typology of local government leadership from political theory. We argue that this quadrilateral typology provides a critical portrait of Sansom’s (2012) recommendations which, in this instance, have been transposed from two unitary systems of government (England and New Zealand) to the Australian federal system, without consideration of the literature examining stronger mayoral roles (see, for example, Mouritzen and Svava, 2002). It is argued that caution should be exercised when redrafting legislation governing mayoral authority, a process presently underway in New South Wales (NSW).

Keywords: Accountability; leadership; place-shaping; representation; strategic management

1. Introduction

In many countries, policy makers have increasingly turned to strengthening leadership in local government as a mechanism to improve the sector by introducing reformed roles for elected and appointed executives (Elcock, 2008; Borraz and John, 2004). This has been accompanied by additional scholarly attention being devoted to leadership in local government (see, for instance, Bochel and Bochel, 2010; Elcock, 2008; Stoker, 2006; Borraz and John, 2004). While some studies have focussed on executive functions (Mouritzen and Svara, 2002) a hybrid of other leadership ‘types’ can be located in both the reform process and the accompanying scholarly literature, including ‘place-based leadership’ (Hambleton, 2011), ‘community leadership’ (Sullivan et al. 2006), and the ethical dimensions of local leadership (Morrell and Hartley, 2006).

Australian local government has not been immune to these developments. A number of scholars have documented changes to the functions of appointed executives, noting the ‘professionalisation’ of these roles (Marshall, 2008; Newnham and Winston, 1997). Other work has deployed an ‘institutional approach’, and examined changes to legislative arrangements requiring, or providing the option for directly elected mayors (Grant, Dollery and Gow, 2011). Similarly, an emergent strand in this literature has adopted ethnographic methods, focussing on the relationships between elected officials and appointed executives (Martin and Aulich, 2012; Jones, 2011), while other scholars have argued for the applicability of Moore’s (1995) theory of public value creation to Australian local government (Evans, 2012; Grant and Fisher, 2011).

More recently, a *Discussion Paper* by Sansom (2012), produced under the auspices of the Australian Centre for Excellence in Local Government (ACELG), has provided an account of the legal authority of mayors and other elected executives across Australian local government jurisdictions. The *Discussion Paper* describes *inter alia* the range of powers for mayors in the

state's capital cities, as well as the arrangements for mayoral election and their responsibilities (Sansom, 2012). Further, in examining options for reform, Sansom (2012, 30) has ingeniously 'cherry-picked' elements of extant legislation from Australia and abroad, especially England and New Zealand, and suggested inserting these strands of law into pre-existing local government acts to achieve a reformed role for mayors (Appendix 1).

However, while comprehensive in its survey of relevant legislative arrangements, the *Discussion Paper* is flawed in its assumption that stronger executive leadership ought to guide reforms to mayoral roles across Australian local government jurisdictions. For example, while Sansom (2012, p. 19) insists that 'calls for more effective local leadership abound', he provides no examples of these purportedly plentiful 'calls'. Further, while the *Discussion Paper* noted at several points that 'trends' in foreign jurisdictions had moved toward legally encoding directly elected mayors, amongst other reforms, the *Discussion Paper* gave little explanation as to why these types of reforms ought to replace existing arrangements in Australian local government.

Moreover, the *Discussion Paper* makes no reference to the fact that prior to the redrafting of all local government acts across Australian jurisdictions since 1989 (see, for example, Chapman, 1997; Marshall, 2008) a variety of elected executive mayoral types, or at least the option for them, was prescribed in the then legislation. For example, under section 87 [1-2] of the *Local Government Act 1919* [NSW], the mayor (of a municipality) or president (of a shire) was required to fulfil two roles, one as "first citizen" representing the local authority on all formal occasions and taking the lead in official functions... the second [as] the more powerful role of chief executive'. Further: 'According to the decision of each individual council, this role may be purely a titular function or it may confer upon the mayor/president complete control of the day-to-day-running of the council (Baines and Miles, 1981, 149; for accounts of executive

powers conferred upon mayors in all Australian local government jurisdictions prior to the redrafting of the acts, see Power, Wettenhall and Halligan, 1981). Nor does the *Discussion Paper* (Sansom, 2012) critically examine the claim that at the time, a clearer distinction between policy making and administration was deemed necessary due to councillors lacking the background and qualifications for executive tasks (see, for example, Newnham and Winston, 1997, 106).

Additionally, the *Discussion Paper* provided a list of ‘indicators of good political leadership’, inclusive of ‘articulating a clear vision for the area’, ‘promoting the qualities of the area’, ‘winning resources’, ‘developing partnerships’, ‘addressing complex social issues’ and ‘maintaining support and cohesion’ (Sansom, 2012, p. 9). However, whether these prescribed roles for mayors are desirable is by no means incontestable. On the contrary, the claim that such reforms are good can be located in other specific political-institutional settings; in particular the hotly contested and historically vexatious arena of English local government (Stoker et al. 2007; Lyons, 2007). These arguments have incorporated the advocacy of stronger executive leadership (Blair, 1997) and a stronger local government sector (Stoker, 2004). Yet such claims have to be carefully assessed when being transposed to Australia’s federal system, with its alternative structure of constitutionally prescribed authority.

Indeed, the overriding prescriptive relevance of the English experience (and to a lesser extent, New Zealand) to the Australian milieu evidenced in the ACELG Report Sansom (2012) is difficult to fathom, given the longstanding experience of strong mayoral models in federal systems of government, indeed more generally, and the extensive scholarship devoted to this. In the most comprehensive study to date, Mouritzen and Svava (2002, p. 1) focused upon what they designated as “constitutions” of local government; that is, the “form of government” and

examined the roles of appointed executives and their elected counterparts across 14 countries¹, deploying a variety of statistical techniques ('multiple regression analysis, factor analysis and cluster analysis' -- Mouritzen and Svara, 2002, p. 20). They evinced a four-part typology of mayoral forms:

- *Strong mayor* form, 'based upon an elected executive as the central figure of the government' (with or without an appointed chief administrative officer; see, for example, Svara, 2009, p. 114);
- *Committee leader* form, based upon 'the sharing of executive powers between a political leader and standing committees';
- *Collective* form, featuring 'the collective leadership of the executive committee of the council', and
- *Council-manager* form, which 'has a council headed by a non-executive mayor and an appointed executive – the city manager (Mouritzen and Svara, 2002, p. 5).

Similarly, the work of Svara and colleagues has examined several dimensions of local leadership in the United States, including the merits of both the council-manager and mayor-council forms with respect to accountability (Svara, 2009) and the relationship of the comparative types to municipal size (Svara and Hoene, 2008). Other work examining legislative options for local government have observed similar, although not identical, 4-part typologies (see, for example, Leach and Wilson's (2004) study of the four mayoral types in the *Local Government Act 2000* [England and Wales]). In his study of elected mayors in the United States, the Federal Republic of Germany, England and Greece, Elcock (2008, 795) summarised the view of several scholars

¹ The countries were: Australia, Belgium, Denmark, Finland, France, Ireland, Italy, the Netherlands, Norway, Portugal, Spain, Sweden, United Kingdom, and the United States (Mouritzen and Svara (2002, p. 5).

in observing that: ‘the idea of [an] elected executive mayor has thus become fashionable’ (see also Copus, 2006).

However, rather than re-examining this corpus of work and its relevance to policy prescriptions for Australian local government, this paper supplements the political science approach adopted in the aforementioned literature, and critically examines the recommendations of Sanson (2012) by drawing upon political theory centred on the relationship between leadership and representation. While any thorough investigation of such a rich ground of theory lies well beyond the scope of this paper, fortunately nascent work in this area already exists. This embryonic literature provides the foundations for a typology of leadership, which together with its associated concept of representation, is developed in this paper. This typology stands some way back from any process of imminent reform being undertaken in any Australian local government jurisdiction, such as the redrafting of the *Local Government Act 1993* (DLG [NSW] 2012). It nevertheless allows for the examination of a broader suite of options when considering what form of leadership is desirable. Moreover, it is argued that the *Discussion Paper* (Sanson, 2012) comprises what Borraz and John (2004) referred to as ‘institutional mimesis’, and thus avoids a frank discussion of local government reform options based upon a variety of voices in Australia’s democratic polity. As much as local government reform is about the suitability – or otherwise – of models to particular jurisdictions, it is also about the legitimacy from which the perceived requirement for reform is derived.

The paper is divided into four main parts. Section 2 constructs a quadrilateral typology of what Mouritzen and Svava (2002, 51) characterised as ‘values for organising local government’. Section 3 utilises this taxonomy to examine the ‘six key dimensions’ of local government which – it is argued by Sansom (2012, 24-29) – ought to be the subject of reform. Section four critically

assesses the recommendations of Sansom (2012), arguing that the assumption that mayors are both able and willing to fulfil these roles across the diversity of Australian local government systems is questionable and that the conclusions reached by the *Discussion Paper* (Sanson 2012) do not necessarily reflect broader opinion of the Australian local government sector generally. If implemented, the recommendations have the potential to fundamentally alter the relationships between mayors, electorates and councils – in particular council managers/CEOs. Further, the recommendations do not take into account the normative, as well as instrumental hazards in seeking to replicate institutional forms across local government jurisdictions and that the *Discussion Paper* (Sanson, 2012) fails to take into account a primary good of local government itself; namely the democratic selection of local government forms for each jurisdiction.

2. Political theory in Australian local government literature

2.1. Development of quadrilateral typology

Any discussion of political theory and Australian local government is bound to be greeted with scepticism for two reasons. First, as emphasised by Aulich (2005) and others (Dollery and Grant, 2011; Grant and Dollery, 2012), Australian local government is conceived principally in an instrumental manner (i.e. as a vehicle through which to deliver a range of services) over and above its importance as a political institution. A. J. Brown (2008) has highlighted the historical reason for this; Australia has no tradition of non-indigenous self-governing local communities, unlike comparative Anglosphere national contexts (see, for example, Wickwar, 1970). Second, contemporary research into local government is largely driven by an overarching imperative to be ‘practitioner-driven’ (ACELG 2009) rather than being broadly reflective of local government’s place in Australia’s federal system.

However, recently some scholars have turned to political theory to characterise Australian local government arrangements. Within this literature, four stylised types of overall local government arrangements can be identified. Three of these types are derived from Hearfield and Dollery's (2009) discussion of representative arrangements in Australian local government, which we argue can be extended to incorporate Mouritzen and Svara's (2002, 51) broader characterisation of 'values for organising local government'. First, the 'trustee' or 'corporate' form. Hearfield and Dollery (2009, 64) attributed this type to Edmund Burke and James Madison. While committed to parliamentary democracy (see, for example Burke, 1770) this model is explicitly elitist, in that:

[F]reely-elected representatives should have the knowledge and character to make ... judgements, and, by virtue of election, are authorised to formulate policy and establish strategic directions on behalf of the social collective (Hearfield and Dollery, 2009; see in particular, Burke, 1790; Madison, 1787).

Similarly, in their pioneering study *Leadership at the Apex, Politicians and Administrators in Western Local Governments*, Mouritzen and Svara (2002, 51) also identified what they referred to as Madisonian 'values for organising [local] government'. According to Mouritzen and Svara (2002, 51), these values emphasise 'the importance of a wide range of actors in the political process ... valu[ing] competition and checks and balances ... [and] encourag[ing] a higher level of pluralism in the governmental process'. For these reasons, the first 'type' in our quadrilateral typology can be defined in terms of its 'trustee' or 'corporate' characterisation of the role of leadership and representation.

The second type Hearfield and Dollery (2009, 64) denoted as the 'phonographic' or 'interest' type, and which they also described as 'populism'. For Hearfield and Dollery (2009, 64), this type 'place[s] great value on personal contact with the elected representative and the

direct accountability of a member of parliament to those s/he represents'. In his broader discussion of populism, Wells (1997) emphasised the anti-elite nature of populist rhetoric and argued that populist leaders frequently claim to be the 'voice of the people'. The second type identified in this context we will thus designate as the 'populist' type.

The third cluster of values for organising local government literature is again identified by Hearfield and Dollery (2009, 64). They described this as the 'mirror' form, which they closely associate with the work of J. S. Mill, who 'argued that the electoral system should make it possible for minority interests and opinions to be represented, or "mirrored" according to their numbers in the electorate'. This form of leadership closely resembles that we have associated with Madisonian conception of representation, where a plurality of interests is represented in decision-making and accountability procedures within a robust, plural parliamentary sphere. According to this type, elected leaders still exercise a degree of trusteeship over the population. However, their task is to mirror the interests of the electorate (see, for example, Mill, 1859, 171); including those of minorities (see, for example, Mill, 1861, 277-298) rather than act as trustees, which implies a strategic interpretation of what these interests are, rather than a (utilitarian) calculation and balancing of these interests.

The tripartite typology derived principally from Hearfield and Dollery (2009) can be augmented by what Mouritzen and Svara (2002, 51) label as the 'Hamiltonian' type, which they defined as contrasting with the Madisonian perspective in that it 'focus[es] on centralised leadership, that is, the contributions of the political leader'. This type entails far greater autonomy for the leader from constituents than is the case under the 'trustee', 'populist' or 'mirror' types (see, for example, Kettl, 2000). It is noteworthy that the Hamiltonian type as identified by Mouritzen and Svara (2002, 51) resonates strongly with Pocock's (1975, 472)

description of civic virtue in this regard, in that '[i]t is a Machiavellian *virtu*', in the sense that the civic does not always accord with personal morality' ... but into which they may equally be transformed'. This blending of personal and public interests denotes a very strong role for executive leadership.

We have thus arrived at a quadrilateral typology of models leadership in Australian local government as depicted in Figure 1.

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Examining Figure 1, the horizontal axis sets type 1 – the trustee, or corporate model of representation of both Burke and Madison – against type 3, the foundation for which is the metaphor of ‘mirroring’ interests grounded in the utilitarianism of J. S. Mill. Nevertheless, these two types clearly denote an approximately equivalent role for leaders in terms of their relationship with their constituents: They are responsive enough and both comprise a ‘middle ground’ in the typology. Alternatively, type 2 – populism (at base) – is directly juxtaposed against type 4 – the Hamiltonian ‘values for organising government’. In terms of the concepts of both representation and leadership, it is also necessary to recognise the tension between types 1 (trustee) and 3 (mirror) on the one hand and the populism of type 2 *and* the (legitimate) blurring of public and private interests entailed in type 4 (Hamiltonian).

2.2 Evaluation of typology

At first blush, this quadrilateral typology may appear problematic. Firstly, it makes extremely short shrift of some rich traditions in political theory, especially the work of Burke, J. S. Mill,

Madison and Hamilton. While this point is well taken, the proposed typology constitutes a framework for broadening the debate on the desirable shape of leadership in Australian local government. Furthermore, it examines leadership arrangements principally as relational phenomena rather than merely focussing on institutional design. It also provides for the possibility of examining leadership as an ethical practice, since ethical behaviour is embedded in institutional forms, while at the same time it is *constitutive of* those institutions. It can be argued that contemporary discussion of local government theory is largely deficient in this respect.

Second, the typology may appear to imply that no explicitly normative work in contemporary local government scholarship is available. On the contrary, much of the theoretical work in local government involves normative argumentation in the sense that it advocates particular reforms. Although the *Discussion Paper* almost entirely overlooks its intellectual antecedents, the claims made by Sansom (2012) on reforms to leadership structures has a lineage in the advocacy of specific local government reforms in the English context (see, for instance, Jones and Stewart, 1983; Stoker, 2004; Stoker, 2006). This literature also contains a defence of the sector against what, in some instances, was regarded as wholesale destruction of local government in England (Young, 1986). Further, as an interdisciplinary field of public policy, local government reflects arguments in broader moral and political theory (Grant and Dollery, 2011a), as well as containing a kernel of theorising that seeks an ethical justification for local government, both in analytic terms (Young, 1986) and as an important element to a set of historically identifiable practices (Chandler, 2008; Crane, Rigos and Hill, 2001).

In response to the criticism that our quadrilateral typology seems somewhat threadbare when compared with these traditions of theorising in local government, we counter that the typology is a mechanism by which to ‘reframe’ discussions of leadership reforms in Australian

local government, not as a template for a defence of the sector *per se*. In addition, contemporary normative theorising of local government can be placed with respect to the typology offered here. For example, the defence of the applicability of Moore's (1995) theory of public value to the Australian local government context (Evans, 2012) clearly designates a role for local appointed executives akin to type 1 – the trustee type – and is clearly defined against types 2 (populist) and 4 (Hamiltonian) (Grant and Fisher, 2011). Similarly, other discussions of the political theory of local government could be placed in relation to the four points in the typology presented here. For example, one can invoke Haus and Sweeting's (2006) four models of local democracy: 'representative', 'participatory', 'user-pays' and 'network'. When superimposed upon the typology presented here, their 'representative' type would fall along the horizontal axis between the 'trustee' and 'mirror' forms; their 'user pays' type would be similarly placed, but would verge toward the 'mirror' quadrant in that individual preferences for public goods are reflected through the market mechanism; local 'participatory' democracy as discussed by them would be roughly matched with the 'populist' quadrant in our typology, while 'network' democracy, with its emphasis on leadership, would verge toward the fourth 'Hamiltonian' type.

Finally, the typology may appear too abstract to be of any use in analysing institutional reforms. This criticism is countered by the fact that in their discussion, Hearfield and Dollery (2009, 66) linked electoral procedures for Australian local government to the forms of representation they identified. For example, the 'simple majority' or 'first-past-the-post' system of vote counting with no preferences being distributed (as in the case of Queensland and Western Australia) can be linked to populist representation (type 2). With respect to the proportional representation characteristic of NSW, Victoria, South Australia and Tasmania, Dollery and Hearfield (2009, 66) argued that this 'generally gives rise to a "mirror" form of representation'.

We now move to apply the typology to Sansom's (2012) preferred model for mayors in Australian local government.

3. Application of typology to Sansom's (2012) 'semi-executive' model for Australian Mayors

Sansom (2012, 24) identified 'six key dimensions' underlying his recommendations for a 'semi-executive' model for mayors:

- The merits of popular election;
- The need for stronger community leadership;
- Ensuring effective strategic and community planning;
- Enhancing political governance;
- The respective roles of mayors and chief executives [and]
- Intergovernmental relations

Sansom (2012, 24) first discussed 'the merits of popular election', noting that 'almost all the mayors interviewed affirmed the value and importance of having a *personal mandate*' (emphasis added):

Even though mayors may not enjoy specific additional powers ... a personal mandate was seen to enable them to appeal directly to constituents, to represent a diverse range of community interests, to work more effectively with central governments, business and other key partners, and to exercise more influence within the council organisation, both in negotiations with other councillors and with senior management.

The argument that a 'personal mandate' enables mayors to 'to directly appeal to constituents' conforms to Wells' (1997) account of populist politics, where the direction of 'phonographic interests' is projected not from below, but where the interests of the populace are initially claimed, then voiced by leaders, who then call upon constituents to support them. Representing

‘a diverse range of community interests’ conforms precisely to a utilitarian or ‘mirror’ interpretation of balancing interests, while exercising personal influence over the organisation suggests that it is assumed that the mayor is virtuous enough – in a Hamiltonian sense – to do so successfully and without personal interests ‘corrupting’ the council.

Sansom (2012, 24) stressed that there are several arguments against the popular election of mayors: (a) that ‘council leaders’ (or indirectly elected mayors) can be just as effective; (b) that election by a cabinet model can also help avoiding ‘personality politics and the potential for candidates with greater resources to “buy” the mayoralty’; and (c) that a mayor with a popular mandate might run a ‘personal agenda’ which could be at logger-heads with other council members. It is important to note that these are malevolent characteristics associated with the Hamiltonian type in our quadrilateral typology. Sansom (2012, 24) also argued that in jurisdictions where mayors are popularly elected, ‘regular and effective scrutiny is also essential’, and that while this is usually the case in Australia, with state governments exercising a high degree of oversight (see, for example, Dollery, O’Keefe and Crase 2009; Grant and Dollery 2012) a form of question time could be introduced at local government level alongside other procedural reforms.

Yet despite these reservations, Sansom (2012 25) is clearly in favour of installing directly elected mayors with a ‘popular mandate’, even arguing that ‘it is difficult to see how indirect election for extended periods would be democratically justified ... since the mayor would still lack a personal mandate’. This reveals strong support for a concept of leadership and political representation derived from the populist and Hamiltonian (i.e. types 2 and 4) values for organising local government.

The second ‘key dimension’ to proposed reforms to mayoral roles which Sansom (2012, 24) identified resides in ‘the need for stronger community leadership’. For Sansom, community leadership is ‘*entwined* with the issue of popular election’ (emphasis added). Furthermore, stronger community leadership is ‘supported by the literature on facilitative and place-based leadership’. On this point, Sansom (2012, 25) suggested that ‘a key issue is how to best construct such leadership: to what extent should the power to lead be vested in the mayor as opposed to a broader collective of councillors and indeed other non-elected community representatives’. Moreover, Sansom (2012, 25) argued that ‘of particular relevance’ to mooted reforms in the Australian context are the legislative requirements for Greater Auckland Council and for Greater London, both of which require that the popularly elected mayor ‘engage with the people’.

Sansom (2012) clearly favours a direct relationship between the mayor and residents in terms of stronger community leadership. Once again, this conforms to type 2 in our taxonomy; the ‘phonographic’ form of representation and leadership. However, this would appear to be at odds with the legislation mandating community strategic planning in all Australian local government jurisdictions, where the goal is to bring together a miscellaneous array of opinions to inform planning, rather than an individual leader advocating a particular plan. Furthermore, the question of to what extent community engagement *ought* to be ‘an on-going political function’ of Australian local governments is not canvassed. It is arguable, for example, that both mayors and councillors ought to exercise a trustee role, or corporate duty of care, over the interests of the constituency. The *Discussion Paper* (2012, 26) noted that in the case of Australia’s three largest states, residents are obliged to exercise their preferences periodically in the form of compulsory voting. Conversely, the model favoured by the *Discussion Paper* is one where a mayor holds engagement responsibilities that are both legislatively-required and continual.

The question of whether or not citizens desire this form of local government in Australia is not canvassed in the *Discussion Paper*. However, it is notable that in England, where referenda were conducted in May 2012 for directly elected mayors for the twelve largest cities, electors revealed a clear preference *against* the introduction of such reforms, with only Bristol opting for a directly elected mayor. Two of the twelfth largest English cities, Leicester and Liverpool, had acquired directly elected mayors following resolutions by their respective councils. The other nine cities have retained council leaders elected by the cabinet model (House of Commons Library, 2012). This throws into sharp relief the putative requirement for directly elected mayors continually engaging with their communities.

The third 'key dimension' for reform proposed by Sansom (2012, 26) is described as 'ensuring effective strategic and corporate planning'. Noting that 'recent amendments to most Australian Local Government Acts have placed considerable emphasis on the importance of long-term strategic plans', the *Discussion Paper* nevertheless pointed out that 'only in NSW and Tasmania does the legislation indicate explicitly that one of the functions of councillors is to involve themselves in the preparation of strategic plans, and none of the Acts suggests leadership by the mayor in this regard'. In addition, Sansom (2012, 26) pointed to the fact that only the current Queensland Act requires mayors to give CEOs 'strategic direction', and only the Greater Brisbane Act requires mayors to be involved in 'developing policies and *preparing* the budget' (emphasis added). The *Discussion Paper* (2012, 26) again pointed to both the Auckland and English local government acts as being exemplary in this regard, observing that in these jurisdictions mayors 'are charged with formulating and promoting a vision for the city or area, and with leading the preparation of plans and budgets'. Moreover, the *Discussion Paper* (2012, 27) held that:

Like community engagement, strategic planning is fundamentally political rather than technical: it is about community preferences and expectations, setting objectives, and balancing competing claims on resources. If legislation requires such planning but does not require and enable elected representatives to lead the process, then it is not difficult to understand why plans prepared largely by officials are adopted by councillors without sufficient consideration of their implications and with little solid commitment to their implementation.

While Sansom (2012) has formulated an idea of representation closely resembling the ‘mirror’ type from our quadrilateral typology at the core of strategic planning – in that it is ‘fundamentally political’ and involves ‘balancing competing claims on resources’ – the *Discussion Paper* was clearly insistent that a heightened role for leadership be appended to the role, not merely in terms of operational strategy, but also in terms of a ‘vision for the city or area’.

In this regard, the emphasis on what might be labelled ‘ideational’ strategic leadership is equivalent to that recommended Sir Michael Lyons as an essential component to his normative argument for local government entities as ‘place-shapers’, and the central role that this view gave to political leadership (Grant and Dollery, 2011a). Further, we would suggest that involving as it does claims of identity and difference, this element to leadership can be distinguished from mere ‘planning’ or indeed ‘strategy’. Instead, it moves the functions of elected executives beyond those described by an instrumentalist, or even ‘procedural-political’ view of local leadership, to entail concepts such as local identity formation (Grant and Dollery, 2011a).

In the context of dialogue concerned with the normatively desirable role of Australian local government, this view of strategic local leadership – one that clearly conforms to the Hamiltonian quadrant of our typology – is controversial. However, Sansom’s (2012) recommendations extend beyond this to incorporate a ‘hands-on’ approach by the mayor with respect to corporate activities, such as the preparation of budgets. While it is difficult to ascertain

the extent of this ‘hands-on’ *modus operandi*, in this context it ought to be noted that the recommendation entails a significant departure from the Westminster distinction between elected and appointed officials. As pointed out by Rhodes and Wanna (2007), a recommendation of this kind is far from uncontroversial. This is particularly the case in electorates where mayors are directly elected and can thus achieve the ‘mandate’ which Sansom (2012, 24) contends is desirable.

The fourth ‘key dimension’ to the *Discussion Paper’s* model for Australian mayors Sansom (2012, 27) labelled ‘enhancing political governance’, defined as ‘the way the body politic of the council organises and conducts itself to ensure sound decision-making’. Some elements of this view of mayoral responsibilities resound with a comfortable logic – for example, the mayor ensuring the probity of councillors and taking a guiding role in their work. Again, the recommendations of the *Discussion Paper* (2012, 27) are more controversial, suggesting that mayors appoint their deputy rather than the office being filled by election by councillors, or alternatively (as in the case in Melbourne) that mayors and their deputies be required to stand for election together. Here, the arguments for a close-knit team, where a deputy can act as a genuine replacement for the mayor, are self-evident. Nevertheless, Sansom (2012, 27) also suggested that, in their appointed role, deputies could act as a form of council whip (‘to liaise with other councils and help secure votes in the council on key issues’).

More controversially – and again drawing upon the examples of Greater Auckland and English local governments generally – Sansom (2012, 27) pointed to ‘interesting developments’ where mayors not only appoint their deputy, but also their cabinet (in England), as well as determine committee structures, appoint heads of committees – in short, ‘set up the structure of political governance in such a way as to reflect his or her vision and priorities (and potentially, of

course, to reward his or her supporters)'. These 'interesting developments', clearly form elements to the reforms that Sansom (2012) envisages as desirable, emphasising increased authority on the part of the executive. In particular, not only personnel, but also the structure of governance arrangements can be altered by the mayor; another move toward the Hamiltonian quadrant in an identifiably presidential sense.

The fifth 'key dimension' of reform identified concerns the relationship between mayors and CEOs. Sansom (2012, 27) labelled this relationship a 'vexed issue', noting that in Australia reforms to all Local Government Acts since 1989 had reinforced the 'separation of powers' doctrine (Marshall, 2008). Furthermore, the *Discussion Paper* (2012, 28) observed that the 'responsibilities and prerogatives' of council CEOs are set out in 'much more detail' than for their elected counterparts, 'such that they are ... the sole point of contact between the body politic and the administration ... including [being responsible for the] appointment of all staff'. Sansom (2012, 28) also noted that, with the exceptions of Brisbane and Sydney, wherein mayors have increased authority – the former due to the Act, the latter due to delegation of authority from council – the authority of elected officials over council staff is restricted. While Sansom (2012, 28) noted that this situation was generally regarded as satisfactory, the *Discussion Paper* again found the contemporaneous English example attractive: 'In this regard, there appears to be considerable merit in the English concept of a council constitution that can be negotiated and updated after each election ... [further] 'whilst having a separate chief executive remains the norm, some English councils are now experimenting with the 'mayor (or leader) as CEO' model ... and downgrading the position of chief executive to 'chief operating officer' or 'head of paid service'.

The *Discussion Paper* (2012) did not set out any particular reasons why this model might be superior in the Australian context (except for the saving of a CEO salary, a relatively minor consideration in most council budgets). Rather, both the reforms suggested are implicitly endorsed because they entail stronger mayoral leadership. In particular, the endorsement – albeit tacit – of the elected executive model represents a considerable move toward the Hamiltonian form of leadership in our quadrilateral typology.

The sixth ‘key dimension’ to legislative reforms is inter-governmental relations. Here Sansom (2012, 29) is uncontroversial, noting that ‘it is evident that Australian mayors are generally expected to play a significant role in inter-governmental relations,’ citing the examples of the Australian Council of Local Government (ACLG) initiated in 2008 by the Rudd-Gillard federal government, and the *Destination 2036* consultative process commenced by the NSW O’Farrell Government in 2011, as examples. However, the *Discussion Paper* (2012, 29) recommends mandating this role for all Australian jurisdictions, drawing on the example of Adelaide, wherein it is a ‘duty of the mayor “to participate in the maintenance of inter-governmental relationships at regional, state and national levels”’.

In sum, it can be observed that in the first five of the six ‘key dimensions’ of reform identified by Sansom (2012) the *Discussion Paper* favours strengthening the authority of Australian mayors. The model sees directly elected mayors achieving a ‘personal mandate’ through the electoral process, and while Sansom (2012, 24) briefly mentioned some arguments against directly elected mayors, the thrust of the *Discussion Paper* (2012) clearly favours this. At this point, the increased authority of mayors cascades into place, from their role in defining community engagement, through to providing a ‘vision for the future’ for the local government area, then through to a suite of reforms internal to council. These include a ‘hands-on’ approach

with respect to not merely strategic, but also corporate planning, including oversight of the appointed executive, the authority to alter administrative structures and appoint councillors to roles within these, as well as authority to appoint a deputy to assist in all these tasks. All of these enhanced roles for mayors are reflected in the recommendations for legislative reform put forward by Sansom (2012, 30).

Moreover, all of these executive functions are legally inscribed, rather than being arrived at through convention. We have argued that in exercising this quantum of authority, the model of mayoral activity moves toward the Hamiltonian quadrant in our typology, with some elements, particularly the desire for a mandate, reflecting the ‘populist’ values for organising government contained in type 2 of the typology.

4. Conclusion

It is possible to reflect upon the *Discussion Paper’s* (Sansom, 2012) recommendations piecemeal and conclude that any objection to the proposed reforms is much ado about nothing. After all, Australian local government has a limited range of functions compared with most similar jurisdictions internationally (Dollery, Garcea and Le Sage, 2008). Further, directly elected mayors currently operate across Queensland and in all state capital cities, albeit with varying powers. Moreover, as we have seen, there is an identifiable trend toward instituting directly elected mayors with broader powers internationally. However, by viewing these suggested reforms at a level of abstraction afforded by our stylised quadrilateral taxonomy of ‘values for organising government’ derived from political theory, it is clear that, if comprehensively introduced by legislation, the suite of reforms would amount to a fundamental shift away from local government based upon a ‘trustee’ and ‘corporate’ ideas of mirrored interests (Burke;

Madison; J. S. Mill) to one entailing strong elements of both Hamiltonian leadership in Mouritzen and Svava's (2002) sense, and the populism denoted by Hearfield and Dollery (2009) and, more intricately, Wells (1997). In this model, the relationships between (a) mayors and the electorate; (b) mayors and councillors and (c) mayors and other elements of council, most importantly council managers/CEOs are rendered far more hierarchical, wherein mayors have a broader sweep of both powers and, importantly, responsibilities. Seen in this light, the reforms proposed by Sansom (2012) are nothing short of radical, even if they do – as we noted in the introduction – echo the prescribed role for mayors prior to the rewriting of the acts across Australian jurisdictions. In addition, it is possible that these reforms will be implemented alongside more rounds of council consolidation. For example, since the release of the *Discussion Paper* (Sansom, 2012) an Independent Local Government Review Panel (of which Sansom is Chair; ILGRP, 2013, 4) has recommended a significant reduction in NSW councils, 'and from 40 to 20 in the metropolitan area'. With this in mind the recommendations of the *Discussion Paper* (Sansom, 2012) take on even more import. The question thus naturally arises: is this proposed approach desirable? In offering a response to this, several important points can be made.

First, we point to a very strong, underlying assumption of the recommendations, namely that mayors are both willing and competent to fulfil an extraordinarily broad range of roles, from community and strategic planning, preparation of budgets, institutional design for local government, intergovernmental relations and local identity formation (albeit with considerable assistance). Given the track record of local government in NSW alone (see, for example, DLG 2013 for a list of past inquiries into individual councils) this seems an extraordinary assumption to make, albeit with vigilant oversight by the state (Dollery, O'Keefe and Crase, 2009). Further, as we noted in the introduction, a primary reason for the insertion of the administrative-political

divide in the current acts was precisely to introduce professional competence to council administration, *contra* the superseded acts.

The reason why such an assumption is made by the *Discussion Paper* (Sansom, 2012) may reside in who was consulted in the drafting of the paper. For example, the 'Preface' claims that 'research for this paper involved wide-ranging interviews and consultations with mayors, chief executives, government officials and stakeholder representatives in all three countries' (Sansom, 2012, p. 4). This claim is subsequently qualified by way of a footnote: 'nine semi-structured interviews were conducted with mayors and former mayors, along with numerous informal discussions' (Sansom, 2012, 7). It can be argued that to label this 'sampling bias' is to understate the extent to which the arguments of the *Discussion Paper* are based upon the opinions of the local government sector, and more specifically, mayors themselves.

Yet if the net is cast more broadly, different opinions are derived. For example, A. J. Brown (2008) undertook comprehensive survey work (with sample sizes of almost 15,000 individuals) gauging support for constitutional recognition for local government across Australian state and territory jurisdictions. When asked 'to rate the performance of each existing level of government in its own right' as well as to rate the levels of government (federal, state, local) for effectiveness "in doing its job" (Brown, 2008, 356) five from seven jurisdictions assessed local government as the least effective (Brown, 2008, 457). Yet whether these same individuals would approve of greater executive powers for mayors is ambiguous, at least.

Second, even if it is assumed that mayors were both willing and able to undertake these roles across the heterogeneity of Australian local governments, would awarding them this extra authority result in a more effective and accountable local government sector? The case is mixed, at best. For example, Grant, Dollery and Gow (2011, 64-66), following Leach and Wilson

(2004), argued that the *prima facie* appeal of a mayor acting as a delegate of the electorate with a mandate for strong action could well be stymied by several forces. For example, the relationship between a strong mayor and the authority of councillors would still have to be negotiated; particular situations may be thick with party-political considerations and an initially compliant council might prove more resistant over time. State government oversight of local government of a far smaller range of functions than in many other comparable systems could also frustrate the promise of an executive or semi-executive mayor, and the culture of collective responsibility may well prove resilient. Rather than engendering more powerful local leadership more responsive to constituents, repeated frustration with local leaders may lead to disillusionment with local government *per se*.

Third, when set against the Westminster doctrine currently in place in Australian local government, save Brisbane City, since the redrafting of all local government acts from 1989, the subordination of the council manager/CEO to the office of mayor in the *Discussion Paper* (the word ‘guided’ is used – see Appendix 1) neglects the reasons why the council-manager model was initially devised and introduced in the early twentieth century. Commenting upon the United States, Svava (2009, 112) did not mince words in this regard, stating: ‘many cities, particularly large cities, were plagued by corruption and incompetence’ under the mayor-council form. In Australia, the adoption of the council-manager form has been typically justified on the grounds of competence and professionalism (see, for example, Newnham and Winston, 1997). In short, there are reasons to be more circumspect about jettisoning the council-manager form.

Fourth, what are the alternatives to this suite of reforms? Our primary observation in this regard is that there is a certain degree of, if not historicism, certainly inevitability, attached to the introduction of the reforms recommended by the *Discussion Paper*. For example: ‘These

developments [i.e.: toward stronger roles for mayors] have mirrored the widening international discourse on local government and civic leadership, and are part of broader changes sweeping through local government' (Sansom, 2012, 5). In other words it is implied that the Australian local government sector is lagging in *de rigour* reform globally. This argument for the inevitability of a type of reform globally appears to be misplaced. Efforts to generalise across local government systems globally to render a typology of them, as recently attempted by Stoker (2011) are plagued with difficulty (see, for example, Grant and Dollery, 2011b). Furthermore, one of the most profound defences of local government *per se* is precisely the claim that it can accommodate for difference – a political good in its own right – as well as to accrue benefits from this difference in Tibeout's (1956) sense (see, for example, Chandler, 2008). In the 'Preface' to their 14-nation study, Mouritzen and Svava (2002, xv) are particularly damning in this regard, stating: 'This book should also send a warning signal. We hope it will put a damper on the tendency of many Western researchers, consultants and practitioners to engage in well-meant but often ill-placed efforts to help other countries design new systems of local government'. To take this line of argument to its logical extreme renders prescriptive social science ethically indefensible, and it would be both conceited and contradictory for this paper to argue so. Nevertheless, in the context of the specific reforms advocated by Sansom (2012) and the typology we have derived from political theory to place these reforms into some relief, we are pointing to the fact that, ironically, they are more 'Washington' than 'Westminster' in the context of Australia's 'Washminster' system (Thompson, 1982) and, as such, are far from unproblematic. Again, a conservative approach to reform needs to be canvassed as a genuine option, one which recognises the significant scope for reform within individual jurisdictions – for

example the option for holding referenda on directly elected mayors as it currently exists in NSW and the Northern Territory (see, for example, Grant, Dollery and Gow, 2011, 57).

Finally, the question of who ought to decide what reforms should be introduced to Australian local government – indeed, if it ought to be reformed at all – is currently being answered in a particular way. Arguments for stronger mayoral leadership, such as those presented by Sansom (2012), may feed in to reform processes, like those being conducted by the democratically elected NSW government at the present time (DLG [NSW] 2012). However, this does not militate against the fact that the *Discussion Paper* (2012) makes no provision for a democratic choice in the matter. Indeed, as it is proposed, nobody would vote on it. In contrast to the approach advocated by Sansom (2012), incremental reform – such as providing for the option to adopt a directly elected mayor by way of a referendum – as is presently the case in NSW, and allowing for differences across the Federation, may be far more agreeable to local electorates. After all, they are the ones who are meant to decide.

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