Manipulating Social Tensions:
Collibration as an Alternative Mode
of Government Intervention

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Abstract

It is widely recognised that a number of segments of social life in advanced industrial societies are 'self-policing' without the constant intervention of government, because one actor can only succeed at the expense of one or more other actors, whose interest therefore lies in keeping the first in check. Economic doctrines of the market, constitutional doctrines of checks and balances, and the practices of industrial relations, all enshrine this understanding. It is not so widely appreciated, however, that governments frequently achieve policy aims by intervening in such self-balancing processes, so as to aid one combatant or handicap another, and since this quite commonplace policy instrument does not appear to have a generic name, the author calls it 'collibration'. The paper gives a large number of illustrations of this technique in use, in the traditional arenas just mentioned, and suggests that in the contemporary politics of policy and issue networking, and in the more egalitarian culture the advanced industrial societies may be entering, the advantages of collibration over conventional instruments will become apparent.

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Weithin ist bekannt, daß in modernen Industriegesellschaften eine Reihe von gesellschaftlichen Bereichen der "Selbststeuerung" (self-policing) ohne ständige staatliche Intervention unterliegen, weil ein Akteur Vorteile nur auf Kosten anderer erzielen kann, deren Interesse deshalb ist, ersteren unter Kontrolle zu halten. In ökonomischen Modellen des Marktes, konstitutionellen Modellen gegenseitiger Kontrolle und daraus resultierenden Gleichgewichten wie auch in der Praxis industrieller Beziehungen sind solche Vorstellungen zu finden. Weniger Aufmerksamkeit wird jedoch der Tatsache geschenkt, daß staatliche Institutionen häufig Politikziele erreichen, indem sie in solche selbst-steuernden Prozesse eingreifen, um einem Akteur zu helfen oder einem anderen Beschränkungen aufzuerlegen; da dieses durchaus übliche Politikinstrument offensichtlich noch keinen Fachausdruck hat, sei es hier "collibration" genannt. Im Discussion Paper werden eine Vielzahl von Anwendungsbeispielen in den obengenannten Bereichen für diese Interventionsmethode beschrieben, und es wird die Vermutung angestellt, daß in den gegenwärtigen politischen Auseinandersetzungen um die Ausgestaltung und Koordination von themen- und programmbezogenen Netzwerken sowie innerhalb einer sich in entwickelten Industriegesellschaften möglicherweise herausbildenden egalitären Kultur die Vorteile des Interventionsinstruments "collibration" gegenüber den konventionellen Interventionsmethoden sichtbar hervortreten werden.

Contents[*]

1.   Introduction

The purpose of this paper is to draw attention to a form of government inter-
vention that is in widespread use and yet does not correspond to any of the
conventional "tools of government" or "policy instruments" (Mayntz 1980, 1983;
Kaufmann/ Rosewitz 1983; Hood 1983; Daintith 1988; Salamon 1989). It is his-
torically well-recognised that a great deal of self-governance, or self-policing
without the intervention of government, is maintained by social processes
where one group of people habitually and almost necessarily check and balance
whatever another group of people is trying to do: as in the classical "market",
but also in the never-ending tug-of-war between employers and workers, per-
haps in the built-in conflict of interest between politicians and the media, and
in countless less-institutionalised situations. A government sensitive to the
dynamics of such social processes can without imperilling the social governance
produced "tip the scales" a little to serve specific policy ends.

In the battle against pollution, "make the polluters pay" is one strategy, involv-
ing a degree of investigation and enforcement; another, already employed in
several countries in regard to unleaded motor fuel, is by adjusting tax rates to
inveigle the consumer into freely choosing products which further the govern-
ment's aim rather than those which do not. In the fight for food safety, govern-
ments can inspect stocks and condemn unfit material; another method is to
require food packagers to print indications of shelf-life on the product and
strengthen the ability of the customer to "make a rational choice". In industrial
relations, a government concerned about the social and economic effects of
strikes can outlaw them, and thus destroy the self-governance, or it can enable
employers to recover damages from trade unions in respect of a strike not
preceded by a majority vote of members in a secret ballot. This kind of govern-
ment intervention in someone else's struggle for its own purposes is, as these
examples perhaps show, quite commonplace and yet it does not have a generic
name that I know of.

The principle of reaping benefit from others' conflicts is very ancient. It is ex-
plicit in ancient maxims of statecraft and colonialism like "divide and rule", and
in judiciously shifting one's alliances to keep the "balance of power" in interna-
tional relations. It is implicit in activities of the kind Shakespeare personified
in Iago: skilled manipulators have always known how to tip a balance with
a word in the right ear, or how to set enemies at each other's throats so as to
slip something through while attention is distracted. But the principle needs
to be freed from these Macchiavellian connotations.

Philosophically the idea rests upon a particular theory of society, that societal
stability is not only autonomous and largely independent of government action

but is also a function of internal conflict of interest, or competition. This is a theory embryonic in Adam Smith's "hidden hand", and Herbert Spencer's view of the market as Nature's equivalent at the social level of the "survival of the fittest" mechanism of evolution, which would only work if left alone. The theory is developed in the sociological classics of Georg Simmel (1908, 1955) and the American E.A. Ross (1910, 1920), the former showing how social conflicts and antagonisms (including competition in the marketplace) have strong "sociative" as well as their obvious fissiparous properties, the latter demonstrating that, the more antagonisms there are, cross-cutting in many directions, the less likely is a society to split along any one cleavage, "so that one might say that society is sewn together by its inner conflicts" (Ross 1920: 165; quoted in Coser 1956: 74). Growing functional differentiation in a society, greater specialization, is necessarily accompanied by conflict of interest, but also by interdependence, which constructs a fabric or linkage at once vulnerable and resilient: it is rather easily ruptured, but knits itself up again.

Market mechanisms, as Polanyi pointed out (1951: 162-167), fall into a wider category of social processes by which frictions among people and groups are eased by spontaneous mutual adjustment. But not all social processes are "friction-easing". Even among market mechanisms, some are lenitive, but others aggravate conflict. Competitive bargaining (the seller-buyer relation ending in a "trade") was for Weber indeed a "reconciliation" (*Interessenausgleich*) of opposed but complementary interests (1968: 41), each side needing the other. But competitive emulation, aiming at rising relatively in some kind of league-table, can be friendly or deeply hostile; rivalry, the separate pursuit of the same prize, or the seller-seller relationship, can be quite non-antagonistic or it can be "cut-throat", satisfied by nothing less than the elimination of the rival.

Mayntz and Nedelman (1987) identify a number of social processes which, once started, continue and intensify of their own momentum - *eigendynamic* social processes. Some of these, like the pursuit of fashion, are driven by a recursive oscillation between incompatible objectives (novelty and emulation, assertiveness and conformity), or as in three-cornered "king and barons" situations, are kept going by shifts from competitive to cooperative relations between two of the actors according to the dispositions of the third; or as in Crozier's model of bureaucracy, lurch between extremes for lack of ability to change piecemeal. Such processes we can call *compensatory*, because by however complex a chain of effects, any tendency for the process to move towards resolution in one direction engenders a contrary tendency of comparable strength towards resolution in the other direction, and so on *ad infinitum* unless interrupted from without.

Other eigendynamic social processes are different: once begun, each interaction intensifies the original conflict so that the process escalates, as in the "vicious circle" of the arms race, or a blood feud, or the downward spiral of events that ends in bankruptcy, or "weakest to the wall" competition. Any tendency for the process to move towards resolution in one direction is opposed by no contrary tendency, or none that is strong enough, and exacerbates itself on each iteration. Such processes we can call *reinforcing*. Sociologists have isolated other types of recursive and non-recursive social process, such as the "dirty cycles" of academic production (Titze 1984), migration processes (Czada/ Windhoff-Héritier 1991: 10), emergence and schism processes, diffusion and mobilisation processes, and a host of other social phenomena which do not necessarily fall into either of these categories, but are not yet brought together in a *catalogue raisonné.*

What we can say here is twofold: one, as between these two categories, the kind of government intervention we are discussing is relevant only to *compensatory* processes; and two, all such social processes are isolable only analytically. In any real society, social processes of all kinds interact with one another, interfere with one another, negate or reinforce one another, so that the identity of any discerned process becomes lost in the social flux - which is perhaps a version of Simmel's warning to us not to take our analytic hindsights for true description (Simmel 1955: 21).

In political science the doctrines of pluralism map on to the Simmel/ Ross account of societal stability. There it is precisely the equal value of all political goals, the absence of any overriding principle, the rights of all to form groups to pursue their own interests, that produces political stability. From time to time, some political actor or coalition may accumulate power, but no one individual, group or coalition will dominate for long, since that will create a temporary common purpose among a number of other actors, wishing to restore a more opportune situation where currently blocked interests can again be pursued. The most well-known doctrine of this kind is probably Lindblom's "mutual partisan adjustment" (1965).

But a more vigorous tradition goes back to Spinoza's ideas for harnessing ambition and turning natural conflict to the common benefit: "Men should be governed in such a way that they do not regard themselves as being governed, but as following their own bent and their own free choice ..." (Spinoza 1677, vol X.8; 1958: 435-437). So army officers would not be paid, so that they had an incentive to win the spoils of battle, but senators would seek peace, because they were paid from duties on imports and exports. Other ideas of a "natural" tension being utilised to produce stability were the seventeenth century doctrines of the "balanced constitution" (Vile 1967: 67), Montesquieu's "separation

of powers" (1748), and Madison's "ambition must be made to counter ambition" (*Federalist Papers No 51*, [1788] 1961: 322), coming forward to Allison's "adversarial bureaucracies" (1971).

For Hobbes the "balance of power" between sovereigns was such a natural process; but by the nineteenth century it had come to be seen as a goal of policy, to be brought about by shifting allegiance (Wight 1979). Aristotle had had the same idea, of the possibility of *managing* a balance:

> It is plain, then, that the most perfect political community must be among those who are in the middle rank, and those states are best instituted wherein these are a larger and more respectable part, if possible, than both the other [higher and lower] ranks; or, if that cannot be, at least than either of these separate; so that being thrown into the balance it may prevent either scale from preponderating (*Politics* Bk IV chap XI: 1295b).

Political pluralism perhaps leans towards the "natural" in accounting for the stabilising effect of the interlocking of interests in contention, so long as the system is left alone. But there are many critiques of political pluralism. Many social-democratic platforms are built on a view that the modern social system is *not* self-righting, that if left alone its processes tend towards concentrations of power or wealth or status, and that it needs to be rigorously managed in the interests of an equitable distribution of social goods. Marxist approaches begin from the position that concentrations of power deriving from market processes are *protected* by bourgeois governments' use of law and state machinery to deal with any threat to the stable working of economic structures.

Olson (1982; quoted in Czada 1991: 259) found the rapid growth of single-purpose political groups in the 1960s and 1970s a source of social *rigidity* - a downward spiral of social closure, as "monopoly" groups squeeze out spontaneity. The doctrines of "self-reference" and *autopoiesis* (Teubner/ Willke 1984; Luhmann 1986) see social structures as less and less penetrable, by government or each other. If government cannot for lack of access or expertise or other reason regulate such social subsystems, it might at least make them regulate themselves in acceptable ways - through "decentralized context governance" or "reflexive law" (Teubner/ Willke 1980, 1984), which would govern their internal working through procedural checks and balances - a concept with affinities to what is being discussed here.

Schmitter sees the growth of large formal associations "intermediating" interests between civil society and the state as the condition of governability:

> Polities in which interests are processed through formal associations that cover the widest variety of potential interests with national networks of representation,

that have the highest proportion of those potentially affected as members, and whose pattern of interaction with the state is monopolistic, specialized, hierarchical, and mutually collusive should be more orderly, stable, and effective, at least in the short run, given the conditions of contemporary governance. Put a different way, those countries previously 'fortunate' enough to have developed a pluralist mode of interest intermediation with its multiple, overlapping, spontaneously formed, voluntaristically supported, easily abandoned, and politically autonomous associations, are likely to find it a serious impediment to governability in the post-liberal, advanced capitalist state (Schmitter 1986: 292-293).

My gloss on this would be that the governability arises not only because of the collusion but because of the rivalry among associations - they would not come into being except as a defensive measure - which government can exploit.

Mayntz makes the point that the self-regulability of large institutions can be a net asset to the state:

> With the institutional consolidation of social subsystems, and especially with the emergence of multi-level structures including actors of a higher order (organizations, umbrella organizations, associations, peak associations etc.), their ability of self-regulation or at least self-organization increases. The superior action capacity of powerful and articulate corporate actors means that the negative externalities and threatening aggregate effects which are unavoidable in complex systems, are not only recognized by those negatively affected, but countermeasures can be initiated. Understood in this way, self-organization and the capacity for horizontal coordination with other similarly organized societal subsystems should not necessarily diminish political governability, but, quite on the contrary, could enhance it (Mayntz 1993: 17-18).

The question of governability is not one of "either government, or else anarchy". On the one hand, a modern society of cross-cutting conflict processes is self-stabilising without the continual intervention of government. Except in circumstances of overwhelming turbulence, system persistence is much more likely than system collapse even though government at any moment can be paying attention to only an infinitesimal fraction of it. On the other hand, there is no reason to believe that the particular configuration of social forces that obtains at any moment is the most desirable one or must be the best obtainable. If a dynamic social system is not exploding or collapsing, then by definition it is in some sort of balance: but such a position certainly does not represent a homoeostatic equilibrium to which the system will return if left alone, nor is it in any sense the best of all possible worlds. It is the transient stability of near-equal forces in multiple cross-tensions, the point of equilibrium never in the same place for long, yet (because of the criss-crossing) never very far away.

Maybe the appropriate description of this situation is that known in the chaos theory literature as "far from equilibrium", one in which no configuration is ever repeated exactly, but which following perturbation can settle temporarily into any of a very large number of possible steady states, in each of which it can then adjust to small changes in one or a few variables without being transformed, such changes and adjustments being in practice continuous and endemic (Laszlo 1986: 154). It is this adjustment capacity that allows government to intervene, to make relatively small changes in the patterns of a particular arena, so as to *manage* it; by (i) *formalising* the arena - turning what is an area of "natural" conflict of interests into a more self-conscious "bargaining" forum, or a discourse-less relationship into an intercommunicating one; (ii) *canalizing* it - imposing rules of some kind, or changing current ones, so that the conflict continues but is not the same process as before (in currently fashionable sporting metaphor, "moving the goal posts"); or (iii) merely *biasing* or manipulating it - leaving all the variables as they are, but altering a few values so as to put a particular "spin" on the process, or so as to "doctor" the outcomes. Of course, government action can also - either by accident (overenthusiastic use of these techniques) or on purpose - *destabilise* an arena, destroying the balance of forces entirely.

Social conflict situations are dynamic, in constant flux, and from one point of view government interventions are merely another source of change and occasional perturbation. From another point of view, this particular actor (the government or state) is conventionally endowed by the prevailing belief-system with special responsibilities, for at least maintaining the society's integrity against external threat or internal disruption, and with legitimacy for the pursuit of other electorally ratified goals.

"Government", of course, or "state", is not in practice a single actor, but a congeries of actors, endowed with these special responsibilities (and accountabilities) but not necessarily acting in concert - indeed, one not necessarily even aware of what another is doing, and sometimes pursuing contradictory policies and institutional self-interests. Contemporary political science sees each such actor operating within a number of *networks* comprising other state actors and non-state actors, the networks overlapping but each different because based on a particular issue or policy field (Marin/ Mayntz 1991; Marsh/ Rhodes 1992). It is this image of government which is behind the present paper, and Section 3 is devoted to this aspect of modern societies. But so as not to entangle the main thread of the argument too much, the word "government" or "government agency" will continue to be used without specifying which agency, and the broader word "arena" will often be used rather than the more specifically analytic "policy or issue network".

The most ubiquitous and almost traditional arena of continuing social antagonism, where one collective actor aiming to maximise some value is invariably opposed and held at bay by another aiming to maximise a different and contradictory value, is probably the field of industrial relations, an expression of the labour market. Government interventions of all intensities can be found there, from formalising (e.g. arbitration machinery) to destabilising (e.g. making trade unions illegal), through canalizing (e.g. regulating strike calls) and manipulating (e.g. requiring the circulation of certain information to all employees). But any market is by definition such an arena; a change in Bank Rate is a manipulation of the financial markets, and a "social engineering" duty on some commodity, for purposes other than raising revenue, is a biasing of the market in that commodity.

A democratic political system with opposing parties is another obvious arena, especially at election times. Indeed, once the idea is suggested, an advanced industrial society does seem to be populated by antagonistic pair-groups: not only the "macro" combatants like capital and labour, the champions of ethnic and linguistic divisions, and the major economic interest groups in each sector, such as road and rail haulage, farmers and the food processors, landlords and tenants, who are as it were antagonistic *ex officio* or by role; but also "micro" groups of like-minded individuals, campaigning e.g. for peace or against smoking, for noise abatement or against vivisection, who wish to educate public opinion but benefit from having specific antagonists in view. Groups formed principally for mutual aid and fellowship, among poliomyelitis sufferers, rape victims, immigrants, are yet very ready to take up cudgels against what they see as hostile forces; even groups who come together to foster particular enthusiasms - steam trains, bird watching, or late Beethoven string quartets - may become militant in certain circumstances. A group taking up cudgels, or becoming militant, implies moving from holding and expressing views to the media, the government, or other third parties, towards "locking horns" more directly with the opponent, delivering what economic, political or legal (sometimes physical) "blows" it can muster to try and even up the score. An enormous amount of energy in our societies is devoted to these attempts to make sure that people acting against our interests (whoever "we" are) do not get away with it - energy that can be tapped and harnessed for government's purposes.

The technique of *managing* such antagonisms is evidently not at all new in practice. Yet it has no name that I know of, an established term that encapsulates the manipulation of balancing social tensions, the controlled shifting of a social equilibrium, the fine tuning of an oscillation of near-equal forces. In earlier work I have used the term "selective inhibition of opposed maximisers" (Dunsire 1978, 1986); more recently, co-libration or collibration (Dunsire 1990, 1993). When weights placed in one pan of a letter balance begin to equal the

weight of a letter in the other, the scales *librate*, oscillating gently around the horizontal. For the present purpose, we need to extend "librating" beyond the see-saw image, and make it include the tug-of-war imagery and any other system of tensions in balance (e.g. the rigging of a ship's mast, some magnetic fields, etc.), embracing also the possibility of several different pulls in several directions. *Co*-libration means taking part in the balancing process, as did the traditional butcher's thumb; introducing a bias or compensator into such a field so that the equilibrium is not quite where it would otherwise have been. More explicitly, in the social context: collibration is defined as an intervention by government to use the social energy created by the tension between two or more social groupings habitually locked in opposition to one another to achieve a policy objective by altering the conditions of engagement without destroying the tension - unless deliberately. "Altering the conditions of engagement" might involve either privileging one of the social actors or handicapping another, but not necessarily at each other's expense; a governmental input could benefit one actor without depriving another.

One point needs clarifying before we go on, which is the relationship between what we are investigating and the range of "tools of government" or "policy instruments" briefly mentioned at the beginning of this Section.

In short, they are on separate dimensions. Collibration, the managing of an existing social tension, can take three forms, as already indicated above - changing its variables, changing its values, changing its relationships (see Figure 1). Policy instruments or tools of government correspond to categories of government resources (though many "private" bodies have them too - Daintith 1988: 33), and conventionally are four: giving information, making laws or regulations, using wealth or money, employing the public sector in direct action. From the present point of view, any instrument can be used in collibration; and although a case might be made for linking certain tools with certain interventions (e.g. canalizing primarily by regulation, biasing very often by money-moving), there is no real pattern of this kind, and I shall pay no particular attention to the "tools" dimension.

One other note may be permissible. I am very well aware that an approach through system theory and cybernetics can greatly illumine the processes discussed here, and I have used that approach in the earlier writing mentioned. It is not developed in the present paper because it was not necessary.

Section 2 of the paper explores some "traditional" arenas of social conflict for illustrations of the collibration technique in operation, namely industrial relations, industrial democracy, the markets, and the democratic political process. In the third Section, the application of the idea to policy networks and peak

associations is discussed. Then Section 4 will present a tentative analysis and appraisal.

Figure 1: Government Collibrations in Social Processes

Canalizing   Alteration of the "rules" of the social process
              (e.g. government imposes minimum standards, or criminalises certain behaviour)

Biasing   Manipulation of the existing dynamics of the social process
              (e.g. government provides information to one of the actors)

Formalizing Creating discourse in a discourseless social process
              (e.g. government brings together packaging manufacturers, refuse processors, and environmentalists to discuss common problems)

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2. Collibration in Traditional Arenas

The paradigm manipulative collibration is portrayed in the image of the child at the fulcrum of the see-saw, shifting her small weight so as to lower and raise an adult at each end. The impartiality of the court of law is symbolized by the blind goddess with her scales, weighing evidence adversarially presented before her and coming down on one side, but having no *policy* programme of her own. The judicial process is not regarded here as an arm of "government". Yet there is no doubt that the outcomes of the application of a particular statute or principle can sometimes be swung around by a shift in a procedural rule - e.g. where the burden of proof is placed, or who has legal standing to bring an action - which has the form of a collibration.

An interesting parallel in purely recreational affairs is the use by "governing bodies" of the fertile notion of the *handicap* - in horse racing, in golf and other sports, and even in the village fete tug-of-war. The handicap is a sometimes extremely elaborate mechanism for establishing (within the rules of the game) what in a different sporting metaphor is often called a "level playing field", in

order to achieve a fairer race or game in the face of widely-differing capacities in the players.

We shall look for illustrations of governmental interventions in the attempt to alter the conditions of engagement in a situation; first in the labour market, then in other markets, and in the politics of elections.

2.1   Industrial relations

In the field of industrial relations *any* intervention by government might be said to be an attempt to change the balance of power between the forces of capital and labour in the labour market. In a comparative study sponsored by the Commission of the European Communities (Baglioni/ Crouch 1990), the Swedish contributors give a long list of laws passed by the Social Democratic government in the early 1970s "aimed at improving the situation of workers and limiting the prerogatives of employers" (covering co-determination, employment security, rights of workers to use paid time for trade union work, seats for trade union representatives on company boards, safety and health activities in the enterprise, job security and employment promotion, educational leave, holiday entitlements, and retirement rules); and then under the heading "Tug-of-war over employers' prerogatives", they say:

> Recent employer strategies, such as individual profit-sharing, the decentralization of wage-bargaining, quality circles and the like, must therefore be seen as an employer defence policy - even if the ingredients of the policy are the same as can be found in countries like the USA where they represent more an offensive against unions (Rehn/ Viklund 1990: 309).

The flaw in the image, of course, is that the employer strategies did not involve government intervention by a string of legislative acts. But it is not impossible to conceive of such, and indeed, in Britain not long afterwards the Conservative government was embarking upon just such a series of legislative changes with aims like those of the Swedish Social Democratic government but in favour of the other side. Crouch lists them under four headings:

1   Actions designed simply to weaken the power of the unions and/or of workers in relations with employers, including ... severely restricting by law the right of workers to picket plants and take 'secondary' action in support of other strikers.
2   Actions to reduce the institutional regulation of conflict in order to expose industrial relations more directly to market forces, including abolishing ...

Pay Research Units ... and Wages Councils ... for poorly-paid workers [and the mechanisms for negotiation of school teachers' salaries];

3   Actions designed to reduce the legitimacy of trade unions as participants in national life ... the government itself refused to permit union membership among its employees at Government Communications Headquarters.

4   Legal measures to increase the power of union members and/or workers in general against union organizations, including the right not to join a union in face of a 'closed shop' agreement; encouraging by offering subsidies secret postal ballots in elections for union officials and votes on strike calls; enabling employers to take legal action against the funds of unions calling a strike without a prior ballot; and requiring unions wishing to maintain a political fund to resubmit the decision to do so to a secret ballot of the members every ten years (Crouch 1990: 330-332).

These litanies of legislative action show what a government bent on privileging one side in the "tug-of-war" between employers and workers can do (though they are not, of course, exhaustive lists). Yet in each of these two countries there remains a prevalent norm that wage bargaining and negotiations over conditions of work are matters for "the two sides of industry" to thrash out between them, free from state interference. In Sweden, respecting the rule of non-intervention in substantive negotiation over wages, the authors say, the Swedish government has always tried more indirect ways of influencing overall wage developments, such as ministerial speeches, or even offering tax concessions and price subsidies to gain acceptance of wage restraint to keep down inflation (Rehn/ Viklund 1990: 314). Crouch for his part says that it is still the British government's policy that "employers - and not governments or trade unions - should have power in industrial relations" (Crouch 1990: 339).

Given these intentions, both in Sweden and in the United Kingdom, it is possible to see even these lengthy series of full-scale statutory changes in labour law as, indeed, a deliberate distortion of the arena, altering the slope of the playing field, siding massively with one of the teams against the other, and similar metaphors for introducing bias into the bargaining process - but without wishing to do away with bargaining, to substitute government decisions, or even to impose draconian limitations on outcomes.

A contrast with both the Swedish and the British examples can be seen in various other countries of Europe at the same time: in Belgium, the government, "convinced that independent collective bargaining was no longer compatible with the economic and financial constraints imposed by the state of the economy, did not hesitate to limit or do away with that independent sphere" (Spineux 1990: 49). There, as well as in an earlier decade in Britain, and in Denmark, Italy, the Netherlands and elsewhere, governments imposed a wage freeze, imposed limits on increases or laid down fixed amounts, and so on, in various

versions of "incomes policy": not so much regulating collective bargaining as superseding it. Such interventions would have to be called "destabilising", from the present point of view.

From that point of view, the question is only whether the British/Swedish interventions are "manipulations" or rather something stronger - "canalizings" of the process. The Swedish safety and health legislation giving elected safety delegates powers to stop temporarily machines they considered dangerous, pending confirmation by official inspectors, may be seen as "privileging whistle-blowers", and to that extent "changing the balance of power" in the plant without altering its sources. The British government's offer of a subsidy to encourage unions to use postal ballots in elections of oficers as an attempt to weaken the influence of activists at open meetings was a form of handicapping. But the various abolitions of wage negotiating machinery, the outlawing of "secondary picketing" (which includes picketing company headquarters, or any other plant of the same company or organized by the same union), and the prohibition on union membership at GCHQ, for example, were attacks on the process itself, changing the "goalposts" and the whole nature of the game.

2.2   Industrial democracy

A similar analysis may be made of moves in the 1970s and 1980s on another front of the war between capital and labour, towards "industrial democracy", or "co-determination". These made little headway in Britain and most countries of Europe (Schuller 1985; Baglioni 1990: 24), the exception being West Germany. The statutory institutions of *Mitbestimmung* established in Germany just after the 1939-45 war - providing for equal representation of capital and labour on the supervisory boards of coal and steel companies in 1951, and for elected works councils at workplace level in practically all establishments in 1952, along with one-third representation for the workforce on the supervisory boards of many of the large companies - have survived recurring periods of distrust on the part of both trade unions and employers' organizations. Whether it was their previous "collective historical experience" of a long and strong tradition of "peak associations" (Lehmbruch 1991: 148) that enabled the institutions of compulsory *Mitbestimmung* to work in the first place, or whether it was the experience of obligatory co-determination that has conditioned the approach of both workers and employers in West Germany to the vicissitudes of the past two decades, industrial relations there have shown much greater stability and equanimity than in most other countries of Europe, even those with an equally strong tradition of concertation (Scharpf 1987, 1991b).

In reviewing four decades of co-determination, Wolfgang Streeck noted that, on the one hand, trade union representatives who filled most of the worker seats on works councils and supervisory boards were able to delay redundancies and labour shedding, pressing instead for "internal mobility" - retraining workers for other jobs within the company. On the other hand, it was just such union support for flexibility, coupled with imaginative anticipatory manpower planning, that made German companies highly adaptable to technological change (Streeck 1984: 399). The essence of co-determination, Streeck says, is a *mutual incorporation of capital and labour* by which labour internalizes the interests of capital just as capital internalizes those of labour (Streeck 1984: 416). Such a characterizing makes it evident that co-determination goes much farther than biasing, or even canalizing and formalizing: it replaces the system. The original *Mitbestimmung* legislation, though undeniably an intervention of palpably Olympian dimensions by the allied occupation régime in German social processes ("a major element in the design of a democratic political order in Germany" - Streeck 1984: 394), was no "manipulation" of these processes, but a *creative* destabilisation; *structural* in Offe's terms, destroying existing processes, substituting them by new ones, so that problems will become manageable:

> The variable to be manipulated and balanced, in this case, is not policy outputs, but *the system of interest representation and the modes of resolution of conflict.* It is this standard of political rationality that inspires 'the search for the stable ordered society, for a system where competition, class conflict, and political disunity [are] structurally rendered impossible' (Harris 1972: 66; see also Offe 1986: 126).

However, some of the later changes in the legislation could be seen as manipulative, the government of the day "tweaking" the system in the interest of one of the sides. In the Co-Determination Act of 1976, for example, the inclusion, in reserving some of the workers' seats on supervisory boards for representatives of trade unions, of the possibility that some of those reserved seats could be filled by persons not employed by the firms, enabled unions to place headquarters officials on the supervisory boards of larger companies, with full rights to information (Streeck 1984: 408). This provision depended for its efficacy on the customary working of the existing rules of the social process; and so falls within our definition of collibratory manipulation.

2.3   The Markets

For all the latter-day rant about the incompatibility of "market methods" and "government interference", it has been well-accepted since Adam Smith's time

that any *real* market is embedded in law and politics one way or another. Krüsselberg notes, though producing no evidence:

> It is a striking though rarely reflected trait of Western industrial societies that the degree of regulation and institutionalization increases massively along the way, starting from commodity markets through financial markets to labor markets ... which reveal[s] the extent to which societies react to what they consider legitimate grievance regarding the markets' performance and, thus, reveal[s] the political content of the economic 'constitution' of a society (Krüsselberg 1986: 379).

Perhaps this is just a way of saying that markets "fail" more frequently the farther along that way, or perhaps the "factor" markets are *easier* for governments to regulate, requiring much less disparate knowledge and experience than the more numerous and various commodity or goods and services markets.

There is a well-appreciated conventional distinction between *regulating* the markets and *intervening* in the markets. The former involves e.g. providing a framework of law to ensure keeping of contracts, provide good coinage, and recognise collective bargaining; or taking government action to avert or remedy "market failure" by e.g. antitrust legislation. "Intervening" in the markets in *this* sense involves the government going in as a participant, by e.g. using the government's large purchasing power to force down a price, selling foreign currency to prop up its own, or wielding labour market leverage as a large employer. The kind of government intervention we are looking at here, however, being neither of those, does not seem to have been noted before as a separate category: leaving the powerful market mechanisms as they are, but furthering *unconnected* government policy aims by manipulating these mechanisms. There are three main categories: using the taxing power as a programme tool; loan guarantees; and what we may call "remedial information".

Taxation of commodities raises necessary revenue but it also clearly alters costs differentially, and quite sensitively: the different levels of duty on (for example) spirits, beer and wine are a matter of trade war politics for some countries. But if the government does use selective imposition of duties in this way, not merely to collect revenue but to affect consumption patterns, to encourage or discourage spending on particular goods, it is collibrating - relying on the normal "reconciliation" of opposed but complementary interests to distribute values, but introducing a loading into the pricing mechanism, calculated to alter the outcomes in a specific way. High taxes on tobacco and alcohol for health promotion objectives, low or zero VAT on books and newspapers for "democratic" reasons, lower duty on unleaded and diesel fuels or a more general "carbon

tax" for environmental protection purposes, and all such selective taxes on consumption goods, are "social engineering" via the market-place.

A thoroughgoing illustration of a deliberate rigging of the market in the interests of society was the "social tax" proposed by the UK Pearce Report on *Sustainable Development* in 1989, which would extend the idea of the carbon tax to pesticides, CFCs and other kinds of threat to the environment, calculating it by first giving a cash value to unspoilt environmental assets from rivers and soil to butterfly species, so that damage could be assessed in equally hard terms. The author, an economist, was reported as saying that he did not believe in free markets, but in market manipulation to achieve environmental goals - a clear collibrationist credo.

Tax reliefs, subsidies, grants and loans can also have non-monetary purposes: abolishing company-car tax allowances might reduce national car-mileage figures noticeably, as indeed might heavy investment in improving public transport, with environmental outcomes. But not all tax expenditures and other forms of government money-moving are collibratory in effect. Though they may be claimed as "distortions" of the market, they do not actually use market mechanisms to achieve their purpose. A loan guarantee, however, does.

Government loan guarantees have been prominent in federal housing programs in the United States, and received much attention after the collapse of so many Savings and Loans societies. But they are widely used in other spheres, in construction, in space technology, in fiscal relief to bankrupt city governments, in foreign aid and many other fields. A much shorter list could be provided for the United Kingdom, including aspects of student loans, export credits, and higher education funding, where the government in 1992 ended the prohibition on borrowing by universities and colleges against government assets, enabling them to obtain loans from the banks with full government guarantee. The loan guarantee is the government putting its thumb on the scales of a private transaction in the money market between one private actor and another, to make balance what otherwise probably would not - the bankers' criteria of loanworthiness and the financial characteristics of the applicant: an illustration of an overt collibratory biasing.

The remaining major intervention of this type by government in the markets is "remedial information". It is a widespread criticism of the economic theory of the pure market that its assumptions of symmetry of information are unrealistic, and that the weaker and more vulnerable the consumer, the greater the asymmetry. As Bardach expresses it, "Liberal ideology has posited an 'imbalance of power', originating in unjustly operating markets ... which government should redress" (Bardach 1989: 210):

> How many of us, after all, can understand the technical characteristics of house-
> hold products that increase the risks of accidents or decrease product reliability
> or quality? Surrounded by strange chemicals and complex machinery, how many
> workers can understand the true hazards to which they are vulnerable or know
> how to protect themselves from those hazards? Who can determine, standing
> in the reception room of a nursing home, whether the staff will treat his or her
> disabled parent humanely? (Bardach/ Kagan 1982: 241).

Remedial information may be prepared and published directly by government,
as with lists of permitted additives in food, or of drugs withdrawn from general
sale, and fuel economy performance data for different cars against standard
government tests; or government may encourage (perhaps by subsidy) a volun-
tary or private institution (such as citizens' advice bureaux) to collect and pub-
lish comparative information of the same sort. But there is also a market in
consumer information: there are commercial companies with their own testing
laboratories, maintaining close links with their opposite numbers in other coun-
tries, who sell "Best Buy" magazines (though they perhaps seldom reach the
most vulnerable consumers).

Sometimes, government can without regulation or other legal sanction persuade
producers to label a product in a prescribed way or to publish certain data
which will enable consumers to make comparisons for themselves. The classic
case is the "informal agreement" with tobacco manufacturers in USA and UK
that they print a "Government Health Warning" on every pack of cigarettes,
and publish the tar and nicotine content of each brand. Industry self-regulation
of "advertising standards" is a similar example, although in extreme cases there
is usually the possibility of a fraud prosecution.

The most frequent device, however, is the formal requirement for "mandatory
disclosure", by which a producer of goods or services is by regulation (or condi-
tion attached to grant, contract, licence etc.) required to furnish specified infor-
mation, to customers, workforce, or the general public. This method is used
extensively in the food retail market and in financial services, requiring (as
already noted) contents labelling and shelf-life indication on many kinds of
edibles; requiring bank or credit card advertisements for loans to publish inter-
est charges in a standard form, and requiring company reports to shareholders
and investors to contain certain standard information. Some countries require
hotels and restaurants to post their meal charges prominently outside the pre-
mises, both to warn potential customers of the class of provision and to prevent
arbitrary pricing inside; bar prices must often be posted up in the bar. The
ubiquitous taxi meter represents mandatory disclosure of remedial information.

Not all compulsory labelling is specifically remedial. The requirement for the prominent labelling of hazardous chemicals, for example, or of poisons used in the home and in industrial solvents, are perhaps more in the interests of simple safety than of redressing a balance. The presence of such signs can, however, be "consciousness raising" (Bardach/ Kagan 1982: 245), and lead not only to greater care but to pressures for safer alternatives.

Not all "remedial information" is market-oriented, either. "Mandatory disclosure" applies to government itself where there are Freedom of Information Acts, and voluntary bodies such as Citizens' Advice Bureaux do a lot of their "trade" in redressing the asymmetry of information between citizens and government. British Prime Minister John Major's 1991 initiative on "The Citizen's Charter" is an odd example of a government itself intervening between the citizen and public agencies, to ensure the publication of performance standards, the information to enable evaluation, and in some cases, cash compensation for short-falls; "changing the relationship between the citizen and the state", as he called it, in such matters as hospital waiting-lists, late-running trains, mail delivery times, examination pass rates in schools, and so on. The initiative stops well short of creating justiciable rights, but by May 1993 compensation amounting to £2 million had been paid out, half of it by British Rail.

There is only a thin line between the instrument of mandatory disclosure and ordinary imposition of standards (e.g. of weights and measures, or of product safety). One way of expressing the difference is that an enforced regulation of the latter kind simply removes "risky" goods or services from the market, while mandatory disclosure allows the market to price the risks. Then a worker can choose to take a job in what he or she knows is a dangerous environment in return for higher wages, while the employer can choose a trade-off between cost of risk reduction and price advantage, knowing that labour will be available. People who know that the particular sweeteners they like have known risks in certain circumstances can decide whether to continue to use them.

An information tool thus makes more use of the pressures and disciplines already implicit in the market or other social conflict process. It can also be a good "second best" strategy to counter what Bardach and Kagan call the "dirty secrets" and "cloud of confusion" problems, where imposition of rules is difficult - where intelligence is hard to obtain, standards hazy, detection haphazard, sanctions weak, monitoring skills scarce, and so on:

> Under an information strategy, individuals are their own ubiquitous inspectors, tailor their own standards to particular risks, and invoke their own sanctions (such as denying patronage to a firm or demanding certain improvements in

working conditions), and in some circumstances, these sanctions are powerful indeed (Bardach/ Kagan 1982: 248).

To sum up: *any* provision of information that has "remedial" effects - that is, supplies information to one side in a potential bargain that the other side already has, thus redressing a balance of bargaining power, or permitting a more "rational" choice - can be said to be collibratory. Such information may be supplied directly by government, or by a private actor altruistically or commercially, or by private actors required by law to do so. The only question is whether the last - mandatory disclosure - is a manipulation or, like the imposition of standards, more of a canalization by our definition. I would be persuaded by the Bardach and Kagan argument that while standard-imposition has as its aim the removal of risk, mandatory disclosure allows the individual to price the risk, and call mandatory disclosure also a manipulation, a mere shifting of weight at the fulcrum: but it does not much matter - it is certainly a collibration.

2.4   The democratic political process

By the "political process" here I mean, in particular, the electoral process. The formal electoral process is heavily regulated in most modern states simply because it is an adversarial process where small manipulations can produce large results. The number of members to be elected, the size and shape of electoral districts, the amounts that may be spent on a candidature and the ways that funds may be raised, the conditions of ballotting, the prevention of impersonation, the counting of votes, and much else, are all regulated as carefully as may be because it is recognised that the result (whatever the electoral system) may turn on a few votes, and that a relatively small irregularity at any of a score of points during the process may produce these few votes. The temptation to manipulate in a particular interest is high because the possibilities are high. Every means of regulating the electoral process is a means of managing the electoral process.

Not every intervention in the drawing of electoral district boundaries was as blatant as that of Governor Eldridge Gerry of Massachusetts in 1812, who contrived a Congressional district that would link a heavy majority for his party in one town with eleven other towns in which it was outvoted slightly - the shape of the district being then so grotesque as to give the game away. A newspaper gave it a head, fins, and claws like a "salamander", from which the practice known as the "gerrymander" is derived. It was well known elsewhere long before it got its name, and similar practices were prevalent in Northern Ireland

between the two world wars (Lyons 1971: 745; Darby 1976: 50-53; Galliher/ DeGregory 1985: 24, 28-29).

Such interventions in the conduct of "free and fair elections" are often collectively known as "dirty tricks". There are early senses of the word itself which link "politick" to "scheming, crafty, cunning" (Oxford English Dictionary 1971: 2228); and one line of the British national anthem is "Confound their politicks, frustrate their knavish tricks". To some extent, the situation is self-righting precisely through its adversarial nature: one party will not be slow in revealing any alleged malpractice by one of its opponents, perhaps "stretching the truth" themselves. As Goodin remarks: "As soon as voters discover the trick it ceases to work. J.K. Galbraith asserts that, more generally, 'People need to believe that they are unmanaged if they are to be managed effectively'." (Galbraith 1967: 218; Goodin 1980: 12) But if the trick is on the scale of the "political business cycle" (Nordhaus 1975), by which governments try to engineer an economic boom in an election year, it may be difficult to spot what is deception and what is good luck. Perhaps only the *cognoscenti* know, too, what is going on when a government holds back "bad news" statistics until a crucial by-election is over, or publishes controversial information late on a Friday after members of parliament have gone home; in such "dirty tricks", several tensions interact - government and opposition, government and back-benchers, government and press - and the "self-righting" (the checking of government) is longer term.

A more localised manipulation of the electoral process goes under the name of the "pork barrel" in the United States, though the phenomenon is not unknown in Britain and elsewhere: federal or central government spending on facilities and installations, new hospitals or by-passes, or defence procurement orders that will bring employment and trade to a locality and help to get the incumbent representative re-elected. In his book *Manipulatory Politics* (1980) Goodin defines "manipulation" much as we do here: "It is a general feature of manipulation that, being an act of power, it alters the ordinary course of events. ... When we manipulate a committee agenda, we alter what would otherwise have been the order of business" (13). But for Goodin manipulation always has a negative connotation, a denial of self-determination, which is not necessarily or always present in collibratory acts. For a government to make financial provision for the parliamentary or other expenditures of political parties out of taxation revenues might be thought collibratory if its purpose were to create "a more level playing-field" (or a fairer race), and although it might well alter the relationship between the various parties that might otherwise obtain (by a form of handicapping), it need not be deceptive or "manipulative" in Goodin's sense if done according to a formula and openly. But the distinction is often impossible to maintain in practice. Any move a government may make in economic management or domestic policy generally will have electoral calculations

in its formulation; and every government utterance may be seen as an attempt at persuasion through its choice of words and arguments (Goodin 1980; Hood/ Jackson 1991).

Major changes in the electoral rules, on the other hand, such as the substitution of some form of proportional representation for a simple plurality system, which will be advocated by parties who think they might benefit and resisted by those who fear they might not, would probably be destabilising, whatever the motives.

At a rather higher level of subtlety, the "pomp and circumstance" of sovereignty, the pageantry of military displays, and the silent but massive witness of government architecture (Edelman 1967, 1971; Lasswell/ Fox 1979) put their own weight in the political scales. The political process by which members of a government "come to power" offers many opportunities for the use of that power to influence the process - with those who try to resist that vicious circle having to fight very hard.

3.   Collibration in Policy Networks

From a modern government's operational point of view, the world is not now one populated internally by its own citizens and externally by other governments (nations, states); nor even, for many purposes, by organizations (firms, unions, churches, universities, etc.) internally and alliances or blocs externally. Rather does a government deal internally with *associations* of organizations, aggregating their common interests, or even "peak associations" grouping a number of such associations; and the difference between "internal" and "external" is disappearing - has all but disappeared within Europe (Dang-Nguyen et al. 1993), and with the growth of multinationals, to a lesser extent in other regions.

From one perspective, the size of the "corporate actor" (Coleman 1974, 1990) has increased, while the appreciated size of the government actor has decreased - no longer the Leviathan, but a hard-pressed ministry, or even a section of a ministry, with limited comprehension and limited effective power in this highly technical age, unless with the cooperation of the corporate actors targeted (Mayntz 1983a).

The increase in size or coverage of the corporate actor is a gain, in control terms, for by reducing the number of actors in the government's purview in

any policy arena, and aggregating the interests to be accommodated, it reduces the variety of the system to be controlled - which, by Ashby's "first law of cybernetics", renders control more feasible (Ashby 1956). Social interaction among larger organizations, each to some degree more transparent, is more predictable than the cumulated effects of smaller organizations' choices, and more amenable to legal regulation (Kaufmann 1986; quoted in Mayntz 1993: 18). Government therefore has an interest in encouraging the emergence of "peak associations", especially perhaps in arenas poorly furnished with them, as in family and community affairs (Mayntz 1993: 19).

The decrease in effective power of the government actor, on the other hand, means that the classic modes of intervention, by legislation and policing of imposed standards, do not work where the government lacks the expertise and the information to know what to prescribe, the means to detect when things are going wrong, or the "clout" to change things when they do. Other less obtrusive, less abrasive, less knowledge-hungry interventions will do better.

The classic solution was to get the corporate actors to agree their own standards and regulate themselves. Most of the regulation that takes place in the United States, say Bardach and Kagan (1982: 217), is in the hands not of government officials but of auditors and inspectors within private organizations; indeed, it is important to recognise that the total amount of *governance* in an advanced industrial society, if one includes the internal control maintained by such organizations, is many times as great as that overtly deployed by formal or informal government action. Within this sphere, a great many of the standards being policed are those formulated by associations of manufacturers, conventions of technical experts, and other "private" bodies. It is not otherwise in Europe, where this is the province of "procedural regulation" and *reflexive law* (Mayntz 1983a; Teubner/ Willke 1984).

But the achievement of common industrial standards, or other such agreements, involves a shift in the relations *between* corporate actors, from market competition, which can be "discourseless" (Gretschmann 1986: 389), towards a degree of cooperation, which requires communication, across a "network". The "hidden hand", say Bardach and Kagan (1982: 220), is not skilled at building a consensus among competitors: it may need a kick-start. In public policy making government agencies recognise themselves as part of such a network (*cf.* the zonal representation of the UK tobacco network in Read 1992: 129), and make use of it. So there are two aspects of interest here: clarifying the network, possibly *formalizing* it; and operating in and through it, possibly by *canalizing* or *biasing* it.

3.1 Formalizing an arena

At the micro-level, government is trying to clarify an arena when it rules that any building or development plans submitted for approval must be published and objections heard. This as it were elicits what opposition there may be, and allows it to articulate and mobilise, at a "safe" stage - before the approval process is completed rather than after. The publication of any major government plan, "Green Paper" or budget document performs a similar function at macro-level, evoking latent conflicts and the relative positions and strengths of the interests potentially involved.

Formalization of such a clarified arena consists of any action by government to *register* these interests and any attempt to encourage the shift to communication for a specific purpose (such as arriving at an industry standard). Market forces *can* arrive at "consensus" of a kind, if one corporate actor is so dominant that its standards drive out all others; or a traditional standard may be so widely used, even if by no means the best or most effective, that no entrepreneur gets far with a new one (*cf.* the "QWERTY" keyboard). But the normal way to encourage cooperative processes like standardization is the committee method (Schmidt/ Werle 1992: 306), the bringing of interests around a table.

For government to do this is a collibratory intervention, albeit in its weakest form, because by and large it circumscribes the freedom of action of the stronger actors by obliging them to use rational argument rather than market clout, and gives "voice" to less substantial actors out of proportion to their market share. It imports the political decision method of majority rule, enhancing the importance of numbers and devaluing size. The "industry giants" may still get their way, of course. It also gives *government* a "voice", and government may have a big stick of its own at its back: usually the threat of an imposed regulation if the corporate actors cannot agree to fix their own standards.

Historically, however, the critical mass (Hohn/ Schneider 1991) for the opening of discourse among corporate actors in many policy fields was generated in a previous era, the motivating urge being self-defence against unilateral government regulation. Thus the national associations of local authorities in Britain were a response to creeping central government control (Rhodes 1981, 1986), and at least part of the reason for the emergence in the 1950s and 1960s of associations of manufacturers in almost any product field imaginable was the need to negotiate collectively with government on import quotas, duties, prices, safety regulations, and the like. A concomitant development was the setting up of official bodies (later called "quangos"), such as the National Maritime Council, on which the sponsoring officials and brief-holders from other departments would sit with representatives of all the interests involved, plus a "neu-

tral" professor or two, so that government could accept the "advice" of a collective body, rather than be seen to bargain directly with the several trade interests on a matter like "standards of crew accommodation on merchant ships" (Rhodes 1965), especially since there were international angles and the "national interest" was involved.

Although perhaps not to the same extent in all countries (Lehmbruch 1991: 123), the necessity, the scope, the sanctions and the precise terms of any proposed change in the law affecting such interests could then be discussed with such associations or in such forums. If the government were first to bargain such a decision with an association's leaders, and obtain their commitment to support and even recommend it to their members, the government could effectively harvest the organizational delivery system of the association. When the bargaining body is a neo-corporatist tripartite one, Mayntz says, its essence is the "reciprocal enjoyment by the peak organizations of capital, labour and government of each other's internal control capacity" (1983a: 140).

Although peak associations are found in all modern industrialised countries (and not only in the economic field: there are aggregate bodies in the religious field, among charities, in environmental and heritage protection, in child and animal care, in arts, entertainment and sport, and so on), they have a special tradition in Germany. Formalized by procedural regulation and legally recognised earlier than in other European countries, the *Spitzenverbände* have been "repeatedly of crucial importance in the settlement of protracted social conflicts" (Lehmbruch 1992: 12), leading to "social peace treaties" like the celebrated Stinnes-Legien agreement in 1919 between capital and labour, or the less well-known "Berlin Agreement" of 1913 between the medical associations and the public health insurance funds (to which we shall come back in a moment).

Czada tells the story of the founding of the "Forum for Energies of the Future" (*Forum für Zukunftsenergien*) by the Federal Economics Ministry in 1989. The original proposal came from a section of the Ministry concerned with renewable energy sources, with the idea of bringing together the rather weak and scattered interests of manufacturers and others in the "alternative energy" fields (mainly solar energy and windpower), both to create an industrial partner for themselves, and to provide a public counterweight to the existing "Atomic Forum". With this in mind they even thought of calling it the "Solar Forum". But this departmental-politics ploy was blocked by the nuclear spokesmen in the Ministry, who could not see why nuclear energy was not to be considered a future-oriented and clean energy source. The electricity suppliers, without whose cooperation a "Solar Forum" would have been ineffective, made their participation depend upon the representation of all the customary energy interests. So the sphere of the proposed body was necessarily widened. The rather monopo-

listic nuclear energy industry found itself having to support a body they thought superfluous, and although rather pushed into it, felt obliged not so much by the law as by the force of long tradition, the accepted *legitimacy* of such bodies, to take part even though it meant that they would expose themselves to the critiques of the relative "small fry" of the energy world. The government, meanwhile, had assisted a congeries of weak, emergent interests to organize in the face of a single, strong established interest - which could therefore no longer have everything its own way (Czada 1991: 159-160).

Some of the important *Spitzenverbände* have public law status (Offe 1986). This not only gives their rulings legitimacy in the eyes of the general public and legal force in respect of their own member organizations or associations (and membership of a public law *Spitzenverband* is compulsory for organizations within its sphere); it also allows the government to feel entitled to expect that the sector will regulate its own affairs without additional governmental legal sanctions. There are parallels in some non-public law countries. In Britain, the General Medical Council, the Council of the Bar and the Law Society, the Securities and Investments Board (SIB, supervising the financial markets in the "City of London"), and some other such bodies, have a statutory basis which gives their rulings legal force in much the same way as would public law status, with the same formal expectation that the internal problems of the professions can be settled internally. British governments, on the other hand, would not have the same expectations of, say, the Confederation of British Industry (linking employers) or the Trades Union Congress, which have no statutory backing but apart from that, are for other reasons simply not strong enough vis-à-vis their members.

The question arises of what government may do if, an arena having been formalized and common standards arrived at, members simply ignore them. The head of one of the UK's largest investors, the Prudential Corporation, refusing to join the latest of the SIB's self-policing associations, alleged in the wake of a series of financial scandals that the "City" was simply incapable of stamping out fraud by itself. Another case in point is that of company directors' emoluments. Concern about the inability of shareholders to hold their nominal servants in the boardroom to account has a long history (Stone 1975; Nader 1976; Houston 1992). In the United Kingdom a committee sponsored with government participation by the Stock Exchange, under the chairmanship of Sir Adrian Cadbury, produced in May 1992 a "Code of Best Practice for Corporate Governance", relying heavily (as had earlier American remedies) on the appointment to the board of a sufficient number of non-executive directors from outside the company to offset the power of executive directors and managers, and "bring an independent judgement to bear on issues of strategy, performance, resources, and standards of conduct". The Code covered a number of such issues; one of

them was the fixing of executive directors' contracts of service, which should be done by sub-committees of non-executive directors; another was the responsibility of auditors in respect of fraudulent or questionable business practice. The Code had no force of law, but the Committee suggested that companies listed on the Stock Exchange should be obliged to say annually which areas of the Code they had not complied with, and explain why not, on pain of having their listing withdrawn. They considered that statutory measures imposing minimum standards would lead to compliance with the letter rather than the spirit of their requirements.

The year after the appearance of the Cadbury "Code" saw not a fall but a widespread escalation in the size of directors' remuneration packages in company after company, often *on the recommendation* of these non-executive sub-committees, to the point of scandalizing not only the workforces and trade unions of the companies, but also the shareholders' meetings, the financial press, the government, and even the Institute of Directors. The government was of course pressed to "regulate", by for example putting a statutory ceiling on "performance bonuses"; but the basic anti-regulation culture of the Conservative Cabinet prohibited any such move, and the difference between the authoritarian setting and bureaucratic policing of statutory minimum standards, and the strengthening by legislation or other means of a peak association's power over its members, was not appreciated.

As it happened the Stock Exchange had just suffered a blow to its own authority through the collapse of its computer-based trading system, and its very *raison d'etre* was in question. Its "public censure" of a firm for a recent breach of rules was seen as weak, not bolstering the case for self-policing of the City. With the SIB also somewhat discredited the peak association solution would probably have required a reformalization of the institutional framework. The alternative collibratory solution would be to beef up the shareholders' powers of control, by further mandatory disclosures, or blocking minority provisions or the like. But sufficient shareholder power in most of the large corporations is already there, unused, with the "fund managers", the insurance companies and other very large investors who (certainly collectively) usually own a controlling interest, but (in contrast to their US counterparts) are traditionally unwilling to intervene in the internal affairs of a company if its market share and dividends are satisfactory. Government attention focussed here, and on the significant question of auditors' responsibilities rather than merely on remuneration, might help the arena to return to self-policing.

3.2   Operating in a network

The unwillingness of governments to exercise what Daintith called "unilateral regulation" (1988: 31), in the deregulatory style of the decade, coincides with the switch in the perceived "weight" of the actors discussed above, and is probably salutary in a high-tech world. Several studies of the ways government agencies operate in the "policy network" framework exist, both nationally and in the European Community context (Marin/ Mayntz 1991; Marsh/ Rhodes 1992; Dierkes/ Hoffman 1992; Greenwood/ Grote/ Ronit 1992), and it is not my purpose here to add to them or even to summarize them. From the present point of view, *any* action by a government in influencing the outcome of the working of this kind of bargaining arena can be considered a collibration, since it is an intervention in a system of non-ephemeral balancing forces with at least the intention of achieving a public policy objective. The aim must be the Spinozan one, to so rig the circumstances that the target actors see it as in their interest to go in the direction the government hopes they will; and either by sheer persuasive force or by the use of another resource, to tip the balance of arguments in the arena.

An illustration is provided by the search for cost containment in the public health insurance sector in Germany. A system of self-administering public health insurance funds had been set up by Bismarck in 1883:

> With the general extension of this system, doctors' fees increasingly became dependent on the health insurance funds. This collective 'traumatic experience' (Döhler) led the medical community to a strong preference for collective organizational action over the freedom of contract. In 1913, after a series of doctors' strikes, and after a mediating intervention of the government, the medical associations finally succeeded in breaking the power exerted by the health insurance funds over individual doctors by the establishment of a collective bargaining system. In this system, joint committees with equal representation of both sides were made responsible for the licensing of doctors to practise in the public health system (*Kassenärzte*) and for the conclusion of contracts. ... Its corporatist character became still more pronounced since the establishment in 1932 of compulsory associations (*Kassenärztliche Vereinigungen*) to represent the *Kassenärzte*. These associations have developed into powerful actors. They not only effectively defend the interests of the medical profession within the public health insurance system but also enforce the rules established in these bargaining processes on their - often very reluctant - clientele (Lehmbruch 1992: 13).

Health policy in Germany has continued to be dominated by this collective bargaining system, of which the *Bundesausschuß der Ärzte und Krankenkassen* is an expression, and which is incompatible with the "market methods" that some tried to introduce into the health sector reform legislation of 1988 (Lehmbruch 1992: 13). Lehmbruch calls it "the result of an organizational equilibrium

achieved in the triangular relationship of medical associations, health insurance funds, and the sectoral bureaucracy" (*ibid.*).

But by the 1970s the relative power of the doctors and the funds had been reversed (compared with 1913), and in the interests of checking the escalation of health costs the government now tried to steer this equilibrium in the other direction by strengthening the bargaining position of the health insurance funds. These were very fragmented, organized regionally as well as by types of clientele, and varied one from another considerably in their regulations (for example, the premium payable by insured persons ranged from eight per cent to fifteen per cent), and even in the fee schedules for much the same kind of medical work. Their differing professional approaches frequently led not only to disagreement among them, but even to competition between them at the bargaining table with the more "solid" insurance doctors' association - which the latter were not slow to exploit.

So the bureaucrats began to insert clauses in health bills, to lessen the differences between the several health insurance funds (not without resistance from some of the advantaged ones), to bring fee schedules into line, to recommend guidelines on maximum increases for doctors, and most recently (1992, after much controversy) to permit insured persons some choice between funds. By such means differences between the funds were reduced and their solidarity against the doctors increased.

Another strategy in the cost containment war was to try to bring the hospital sector and the pharmaceutical industry closer to the formal self-regulating framework of the health care system. Reference prices for medicines to be paid for by the insurance funds were fixed by a peak association of the health insurance funds after negotiation with the insurance doctors' associations, and after listening to (but not negotiating with) the associations of pharmaceutical manufacturers. Attempts in the mid-1980s to negotiate drug prices directly between the insurance funds and the pharmaceutical industry failed, partly because of claimed conflict with the anti-trust laws. A section in the Cost Containment Act of 1988 provided that federal associations of the pharmaceutical industry could make agreements with peak associations of the insurance funds under the umbrella of the *Bundesausschuß,* but these were intended to cover such matters as package format, collection of consumption statistics and the like, not prices for medicines. By mid-1993 no such discussions had taken place. As an actor in the health care network the pharmaceutical industry is the least integrated into the formal self-regulatory framework. The 1988 Act similarly authorised discussions between the hospital sector and the insurance funds, but the private-law status of the hospitals and their regional associations kept them outside the *Bundesausschuß* (Döhler/ Manow-Borgwardt 1992).

Health costs refused to come down despite the government's efforts to manipu-
late the bargaining arena, and despite threats that if the associations could not
get together to develop "guidelines" for themselves, the government would
resort to regulation. But one success was registered: the insurance doctors
agreed to the "capping" of the global sum for fees (Lehmbruch 1992: 14). By
this concession they protected the 1913 settlement in the health policy network
against the challenge of the health economists.

Such phenomena are not altogether absent in other countries. Manipulation
of the interest group structure can be detected in the nuclear energy politics
of the United States, and even in "AIDS-Politik" in Switzerland (Czada 1991:
154-160), while the gradual reformation of the law profession in England (gov-
erned by two bodies with possibly the nearest one gets under British law to
"public law" status) can be seen to be nudged by the Lord Chancellor's Depart-
ment in quite similar ways, though with less success so far.

4.   Analysis and Appraisal

We now review the empirical examples of collibratory activity described in
Sections 2 and 3 and consider first the apparent conditions and limits of colli-
bration, the circumstances under which it is likely to emerge, and the factors
which may make it more effective or appropriate than other forms of interven-
tion. Then there are some interesting questions thrown up by the American
literature on regulation which can be asked of any form of government inter-
vention: Is it a phenomenon of its age? Does it travel well? Is it subject to de-
cay? Finally, for any type of government activity the question of accountability
and the "audit trail" arises.

4.1   Conditions and limits of collibration

The first and most obvious requirement is a social "stand-off" involving "oppos-
ing maximisers" - not necessarily only two: several parties may be jointly hold-
ing each other at bay, as it were. A "stand-off" implies a social process with
a compensatory 'eigendynamic', where a shift in one direction calls forth forces
tending in the opposite direction; not, that is, a reinforcing dynamic or vicious
circle. "Opposing" implies interaction, some degree of operational collision or
tension; and "maximisers" implies action, doing, performance, in relatively
single-minded pursuit of a goal; not, that is, a mere propensity to do so, an

outlook or opinion, or even an interest. The process must be a relatively endur-ing one, not ephemeral, or else government is unlikely to be sufficiently aware of it. The matter must be of some social consequence, or else government is unlikely to be involved; that indicates a clash not of personal values but of e.g. occupational or corporate or ethnic interests - "the more objective and less personal the hostility, the more intense, irreconcilable and stubborn the fight" (Simmel 1955: 91). Finally, the forces in tension have to be relatively equal, if binary, or so that their vectors sum to near-zero, if more than two; so that although random changes in the situation or in the environment might give now one and now another a small advantage, such movements of the point of equilibrium would stay within a relatively small area. If otherwise, the situa-tion would not be stable.

It is these conditions, we are assuming, that are *already* keeping each of these social conflicts under control. Each arena is self-policing: it does not need out-side intervention to keep it within limits. There are two reasons why the gov-ernment might wish to intervene. First, if the relative balance between the opposing interests is gradually eroding, because of internal or environmental changes, and the government prefers that the system's capacity for self-regula-tion be maintained. In that case, it will collibrate to strengthen the weakening element(s) or inhibit the one gaining ground. Second, although the situation is stable, the area of equilibrium carved out by the limits of random oscillation may not be quite in the place the government would like it to be. Again, the government can "steer" this area by inhibiting one force or strengthening anoth-er.

But the area of equilibrium cannot be shifted very far from its former average position without the risk of destabilising the situation. Giving two or three members of one side better boots in a tug-of-war might just give them a slight advantage in certain weather conditions; giving them an extra man would probably ruin the contest. Giving loan guarantees to applicants whose financial characteristics fall too far below the thresholds that would get them a "commer-cial" loan reduces eventual cash flow to the point where the system cannot sustain itself.

Another obvious condition of successful collibration is that the intervener have good information about the dynamics and current state of the conflict, and a good theory about the likely effects of intervention. Deficient knowledge can lead to simple reverses of the intended effect: requiring a secret ballot of trade union members before a strike can be legally initiated backfired on the British government by turning the ballotting into a mobilising campaign, because their judgement of the relative militancy of members and leaders was invalid. More disastrously, as with some minor ecological interventions (the introduction of

rabbits and blackberries into Australia come to mind), and in international affairs where the intervention is into the politics of another country (many examples recently, in former Yugoslavia or in famine-ravaged countries like Somalia), a well-meaning but insufficiently-informed canalization or manipulation may indeed "tip the balance", but into instability, triggering off a reinforcing process that may end in destruction. The rapid Bank Rate changes announced by the Bank of England on the morning of "Black Wednesday" (16 September 1992), despite or because of their unusually high steps, not only failed entirely in their purpose to secure the exchange rate of the pound sterling, because the underlying stability of the international money market had already been destroyed by the currency speculators; but indeed, made things worse, by confirming that the British authorities were "on the run", thus adding a twist to the downward spiral from which the speculators intended to profit.

The need for sensitivity to nuance is even greater than for ordinary restrictive regulation, precisely because collibration is designed to *maintain* the tension of opposed forces, not merely to require and enforce compliance with the properly-authorised law. A particular sensitivity is required to the interconnectedness of social tensions, to "ripple and spread" (Bardach 1989: 202; Stewart 1988: 118).

4.2   Aetiology

There is no single answer to the question of cause that will embrace all the traditional interventions like mandating time off for union work, remedial information, and gerrymandering, as well as the newer manifestations. If government wants a particular result but cannot (or does not want to) develop, lay down and then police a set of standards to achieve it, and if it sees that there are factors or forces working in the direction of its preferred result, it may take whatever opportunity offers to strengthen these forces, or weaken any working in the opposite direction. But that is just to describe what we have defined as collibration.

Some elements in that account may, however, be illuminating. "*Cannot* develop, lay down, and police a set of standards" includes the situation Mayntz calls "government failure", with four isolable causes: rather too briefly,

>   problems of *implementation*, when enforcement is impractical;
>   problems of *motivation*, when compliance is unwilling;
>   problems of *knowledge*, when cause/effect assumptions are invalid;

problems of *governability*, when the social process involved is impervious to intervention of the kind available (Mayntz 1993: 13).

Each of those kinds of cause brings forth a different set of remedies: "bottom-up" strategies, incentives, computers, reflexive law, and so on. If the necessary conditions are present, collibration seems at least a more universal and flexible remedy than these "cause-specific" ones.

"Does not *want* to develop ... etc." is a different matter, and concerns the degree of the government agency's commitment to its preferred outcome, or at least to a "unilateral regulation" path towards it. Obliging actors on pain of punishment to do something may be ideologically repugnant in a certain field; or politically imprudent, risking valuable support; or administratively vexatious, likely to be more disruptive of current routines or to arouse more complaints than it seems worth. More than that: if the government sets a technical (or legal, or moral) standard, deviation from which will be met with sanctions, it needs to specify as clearly as may be feasible what that standard is - which means clarifying policy objectives, a prescription beloved of management consultants and economic advisers but often a hostage to fortune for politicians and bureaucrats. For collibration, where it can be used, substantive compulsory standards do not need to be specified: either the standards concerned are in contention between the conflicting forces, which gets the government off the hook, or else controversial standards can by appropriate mandatory disclosure be converted into prices in a market and the consumer left to choose.

Governments who have used collibratory methods as instanced in the paper are quite unlikely to have selected them by other than "unreflected preference" (Mayntz 1983a: 130). That is, they might have their reasons, but they were likely to have been specific to the situation they faced, and to be justified by phrases like "it was the obvious thing to do". But on the above analysis, collibratory methods are likely to have emerged when one or other of the causes of "government failure" was operating, or when there were grave political or administrative objections to committing the government to the clarity and precision of a substantive regulation, *and* the necessary conditions of a collibration were present.

4.3   Effectiveness

The question whether collibratory action is more effective than another form of intervention depends upon another variable in the particular situation being contemplated at the time, namely targetting (Hood 1983). Collibration is, firstly,

an intervention in an ongoing dynamic process, and such a process may well be affected not only by random ephemeral changes in the properties of the participants and in the social setting, but also by long-term trends which need not be smooth but could be catastrophic - a small change at some point suddenly triggering off a large effect. Even if an intervention (canalizing or biasing) were successful in shifting the point of equilibrium in the desired direction, it is unlikely that one could so fine-tune it as to predict the exact distance - that is, for example, how much the balance of power would change, or how much the various interests would be affected.

Collibration is, secondly, an intervention into a social arena where one tension is highly likely to be connected and interwoven with other social tensions, even in other arenas and networks; an intervention, though successful in the arena for which it is intended, may have unintended and more or less unpredictable repercussions on other arenas.

In short, it is difficult to *aim* this particular government weapon. One can point it in a desired direction but not very surely at a precise target. Its disadvantage, then, is its low targetability, which is the other side of its advantage in requiring only low specifiability. Since in any case the limits of collibration, as already noted, are usually rather narrow before stability is endangered, the obvious tactic is an incremental one: a little at a time, let it settle, see whether another touch is required.

These characteristics suggest some of the conditions under which another form of intervention is indicated. If the government wants or the situation demands prompt or specific or closely-aimed measures, it will not choose collibration unless that is all that is left.

Where all else is equal, however, collibration is likely to be a *cheaper* alternative than unilateral regulation, or even than delegating discretionary control to a "peak association" or the like, for its policing costs are *also* shifted to the actors themselves. In that sense, although its programme effectiveness is circumscribed and uncertain, its cost effectiveness in value-for-money terms is high.

4.4   Is collibration a phenomenon of its age?

In one sense, all that is new about collibration is the name. As was noted in Section 1, rulers have from time immemorial taken advantage of conflicts between their peers, or between their mighty subjects, and leant one way or the other as suited their own ends. Some "peers" are now multinational corpora-

tions rather than other sovereigns, and some "subjects" now wield not lordly might but collective strength, as with unionized workers and organized consumers and associations of all kinds; and the policy instruments to hand are contemporary ones. Yet, it may be thought, the principles remain the same.

But the "ruler" has changed: and the culture has changed. In the international negotiations over Videotext standards in the late 1970s and 1980s Metternich might have felt quite at home, as the French allied with the Canadians in order to keep the British out, only to be thrown into disarray by the entry of the Americans (Schmidt/ Werle 1992: 323). But the government representatives present were representing not sovereign dynastic or territorial interests but the standard adopted by their own major manufacturer, and no Metternich materialised to catalyze the ordering. Within the state, even the "post-modern" picture of a reinvented government on a summit, "steering not rowing" (Osborne/ Gaebler 1992), disposing, fostering and encouraging sectoral self-control through peak associations and other multi-organizations, is incomplete without the image of government also down where the action is, not even amongst the tycoons but networking with middle management, playing a rather less exalted but potentially more effective role.

The IT revolution, coupled with vertical and horizontal integration in industry, coupled also with widespread disappointment at the performance of governments in the face of what Rapaport called "burgeoning megatechnology, increasingly potent pharmaceuticals, and massive ecological interventions" (Rapaport 1986: 221), has led to a more realistic evaluation of the standing of the state in social ordering, that of a node in a network; so that major "private" actors, once united only in opposition to state "interference", now use the state only for what they see it alone can do, and for the rest, bargain amongst themselves. Anything the state does in this position, to protect its own institutional interests or to discharge its wider and higher responsibilities to the nation, is much more like a collibration than an act of sovereign power.

In terms of cultural theory, deriving from Mary Douglas' celebrated "group and grid" model (Douglas 1982), the formal role of government in advanced industrial countries, as evidenced in Reaganomics and Thatcherism, is the concomitant of a massive cultural shift of popular mood from hierarchism to individualism, from procedural rationality to substantive rationality (Thompson et al. 1990; Schwartz/ Thompson 1990). But a second massive shift is becoming daily clearer: from both hierarchism and individualism to egalitarianism, to "green" types of global awareness, to critical rationality, to the enhanced sensitivity that lies behind "politically correct" silliness, to distrust of authority. In such a culture, the traditional forms of government intervention, so largely predicated upon mass routine compliance with governmental pronouncements,

either work very uncertainly or are ever more costly in enforcement. Collibratory methods will grow increasingly important, as governments discover that they are well adapted to this change in culture.

In these senses, collibration, however ancient its lineage, may be a phenomenon of the age we seem to be entering.

4.5   Does collibration travel well?

What this question asks is twofold: whether the conditions for collibration are found equally fully in all countries, and whether the habitual institutions and conventions of a particular country (Lehmbruch's "country-specific empirical regularities" - 1991: 162) enjoin a characteristic style of operation. The question obviously cannot be answered empirically without much research. In theory, the conditions - several major arenas of existing more-or-less permanent conflict between opposed social groups or classes of group, more-or-less equal in strength (singly or in combination), stabilising the societal system without continuous input of energy by government - are to be found in most advanced industrialised societies with pluralist politics. That may exclude not only a large number of developing countries and command-economy countries, along with those emerging from that category in eastern Europe, lacking mature non-governmental institutions, but also perhaps Japan and the "little tigers" of the Pacific rim, where constant government input is notable.

There may, however, be limiting conditions even in Western countries. Where, for example, one social cleavage dominates all others, this inhibits the "natural" sociative effects of "cross-cutting" conflicts and interdependence. Many states manage to maintain a precarious unity even though riven by religious, linguistic, or ethnic/nationalistic divisions; but this is likely to require pretty constant attention by government just to keep the pot from boiling over. The smallest action by government to try to bias such a conflict for a programmatic purpose other than merely preserving order is likely to prove destabilising.

Such a situation exists in the nationalist/loyalist conflict in Northern Ireland, where any hint that the government may move in one direction provokes immediate extreme reaction from the opposite side - directed at the government. Belgium and other linguistically divided countries show a similar hair-trigger sensitivity, if perhaps less murderous. As is now quite evident in former Yugoslavia and in parts of the former Soviet Union, constant government pressure was necessary there to *suppress* ethnic and nationalistic separatism and rivalries.

Even where a social conflict is not a dominant one in a Western country, and where continuous government input to preserve stability is not necessary, there are some areas where a government may well hesitate to intervene between organised interests and groups except in a conventional public order fashion, and avoid giving any appearance of playing off one side against the other for its own policy purposes: religion, racism, jingoism and xenophobia, sexual politics, intergenerational tensions, and so on.

For the second part of the question, a few hints in the illustrations in this paper might be followed up. Examples were drawn from the United States, Britain, Germany and Sweden. Many American examples concentrated on harvesting private regulation for public purposes, which is consonant with a backlash from overjuridification and overregulation. Several British examples were consistent with an abrasive but decentralized style of industrial relations, coupled with a strongly neo-liberal ideology. The examples from Germany pointed to the strong tradition of national-level "peak associations" expected to run their own affairs. The Swedish examples were compatible with socially-responsible governments and powerful centralised labour organizations. None of these institutional backgrounds is found to the same extent in the other three countries, which rather implies that collibration does travel well enough within its limits.

Starting rather from what is common to the four countries, the empirical evidence indicates that "policy networking", with its consequences for the nature of the government role, is a well-established phenomenon at national and at European levels. In terms of incidence, or numbers of actual occurrences, the most frequent collibrations by far are in the categories of selective taxes and remedial information, both fairly ubiquitous.

4.6   Is collibration subject to decay?

Does this mode of intervention contain the agents of its own destruction, as (according to its critics) regulation is bound to result in "capture" of the regulator by the regulatees, in goal displacement, in shift of focus from objectives to enforceability, above all in stimulating the search for ways around?

The answer can only be "certainly". It is most likely that the effect of a collibration will be short-lived, and that if it is repeated often, it will destroy the conditions of any original success.

A collibration is an intervention into a conflict *process*, with the intention of leaving its structural causes in place; but the operational accidentals of the

process, as distinct from the structure of the arena, are ephemeral and contingent. The world may change. Bank Rate announcements in today's world of computerised international money-shifting have comparatively little effect on their ostensive target, the domestic money markets, though they are more significant in creating international confidence (or its negative) in the macro-economic policy of the government, and the influence that may have on exchange rates and balance of payments. Compulsory strike ballots are otiose when the mood of trade unionists has moved away from confrontation altogether. Most collibrations have a short half-life.

Actors may adapt. Food packagers exploit loopholes in labelling regulations, private hire cars do not have to have fare meters, safety steward "whistle-blowers" learn how to turn their powers to partisan advantage. Government may "move the goalposts" but opportunist players will soon find ways of exploiting the new rules, or of retaliating. To adapt the Goodin/ Galbraith remark quoted earlier, as soon as collibratees discover they are being managed they cannot be managed so effectively.

But the biggest cause of decay is routinisation. A financial injection into a weaker contestant meant to even up available resources, which is then regularly repeated, becomes a commitment to subsidise with less and less reference to the social dynamic. A handicapping of one group with a view to "levelling a playing field", if kept in place unmonitored, becomes a mere regulatory activity with no "balance" content. If the government, encouraged by initial success, loses sight of the structural objective and indulges in further handicapping, this effect may become reinforcing and lead to the death of the self-policing arena, so that active governmental policing of the side left in possession of the field has to be instituted. Something like this may have happened in British industrial relations.

Manipulations and canalizations are like diplomacy, which cannot be routinised without risk to its purpose. Formalizing, the culturing of "peak" associations in order to harvest for public policy purposes the self-regulation they engender, is subject to another kind of decay. As with the king and his dukes and barons of old, the problem becomes that of the sorcerer's apprentice, how to keep in control of one's creation, how to prevent interests designed to be at loggerheads from uniting together instead. This is the "trust" syndrome in manufacturing, but is found occasionally in other sectors like health and education when all infighting ceases in the face of common danger. When permitted by a careless Minister (e.g. in the testing of fourteen-year-olds in British education), the Press usually calls it "rebellion", though perhaps this should be reserved for cross-sector common fronts.

The "policy network" structure works against cross-sector horizontal interest-aggregation, and "conglomeration" is as yet a mainly financial phenomenon. But *vertical* interest-aggregation at European level, by-passing the national state, is already here. The Commission encourages the growth of formally-organized "peak associations" at the EC level, to represent their constituent interests collectively rather than individually (Greenwood et al. 1992; quoted in Dang-Nguyen et al. 1993: 5). These EIOs (European Interest Organizations) are still weak vis-à-vis their national constituents, but arguably these institutions are stronger evidence of European integration that the aspirations of the Maastricht Treaty.

4.7 Accountability and the audit trail

The ancient and medieval antecedents of modern collibration noted at the beginning of the paper have not become extinct. Maxims like "divide and rule" still have currency (both Franklin D Roosevelt and Francois Mitterand are said to have lived by that strategy); words are still dropped into the right ears; and highly "discretionary" behaviour still takes place at informal lunches between representatives of government and tycoons of industry, commerce and the professions. It is probably by association with that kind of thing that the notion of "altering the balance of power", for example, is instinctively felt to be not only a necessarily clandestine and *sub rosa* affair but also somehow illegitimate, even unethical.

It is important to note, therefore, that although particularistic behaviour of that kind occurs and can hardly be brought to account, the great bulk of the illustrations of traditional collibratory activity described here required legislation, or the making of a regulation under an enabling statute, or the commitment of money accounted for in the normal way. If a requirement to put worker representatives on the board of directors applies to a firm of a defined type it applies to all firms of that type; if a restriction of picketing applies to one trade union, then to all; and so on. Remedial information is either supplied by government to everyone, or else is supplied through mandatory disclosure by actors covered by the regulation requiring it. So the accountability channels are the same as for any exercise of the regulatory or spending power.

The exceptions are the political "dirty tricks" like the "pork barrel". Everybody knows it goes on, and not only in the United States; but since it is but a journalist's name for actions that are usually quite legal and authorised in themselves (it is the intentions that make them "pork barrel"), they are either fully accounted for in the ordinary way, or they are unaccountable except by political

means - if it is too obvious, people will recognise they are being managed (though they then may simply welcome their share of what's going).

I do not therefore see any great difference, in the matter of an audit trail, between these collibratory interventions and other kinds of government intervention. If we turn to the kind of activity described as "formalizing an arena" and "networking" in Section 3, it is true that that is inherently less likely to leave an audit trail; but in that, it is no different from many other kinds of essentially *diplomatic* activity, which includes all negotiating. Public servants so engaged may be able to point to a general power alleged to cover the activity; but the true accountability lies only to colleagues and superiors who know what is being attempted, and who will lay praise or blame according to their measure of the difficulty of the task and of the skill with which it was tackled. Expenditures are likely to be small; success will erase procedural shortcuts; failure will usually mean quick forgetting, for the problem will still need attention. As with other collibrations, the limits of choice are usually very narrow, and overambition is likely to be immediately punished with disaster.

4.8   Conclusion

We have been investigating a technique of government intervention that has an ancient pedigree and many contemporary manifestations, yet has as yet no type-label in common use. Our first aim was therefore to identify its characteristics and the conditions and limits of its use, the circumstances in which it would be appropriate, and any consequent problems. But the description and analysis have pointed to a possibly even more interesting and surprising conclusion: that this old technique of government intervention is one which, within its limits, meets the emerging needs and specifications of politics in the mid-nineties, one whose time has come anew.

Many segments of an advanced industrial society are self-policing: one group can only achieve its aims at the expense of one or more other groups, who therefore mobilise to keep it in check. Self-policing of this kind is, from most governments' point of view, a happy idea, except when the mutual antagonism takes a course incompatible with the government's own responsibilities to the people, or with its ideological and other commitments; and sometimes one side may look as if it were gaining the upper hand in a conclusive way, which would bring the self-policing to an end unless they were somehow restrained. These are the circumstances in which collibratory activity is indicated, to aid one combatant or handicap another; conversely, they are the necessary (though not the sufficient) conditions for successful collibration. They also imply the

limits: any ill-judged compensatory move may trigger an escalation instead, which will again destroy self-policing. Any policy tool can be employed in collibration: information, regulation, subsidy, or direct physical action. It is the intention which counts.

Some social conflicts are *not* self-policing; on the contrary, they take up a great deal of government's energies, to preserve public order, or to ensure national economic development, or to restrain separatism, and so on. Collibration is not an option in these conditions, which in practice may well obtain in most countries of the world today, so that optimum conditions are probably found only in a handful of relatively-pluralist societies in Europe, North America and Australasia.

The main attractiveness of collibratory methods to governments is that, other things being equal, they give a cheap, non-committing and unobtrusive form of intervention. There is often no need to specify standards or objectives, and the executing energy is supplied by the rival combatants. The disadvantages of collibration are its precariousness - things can easily go wrong; its low targetability - it cannot be precisely aimed; and its rapid decay - it cannot be routinised. From the citizen's point of view, it can pose problems of audit and accountability; but no more, perhaps, than the diplomatic activity of governments, which in many ways it resembles.

It offers an alternative both to "hands off" government, to survival of the fittest anti-interventionism, which is perceived by serious commentators to have failed over the past decade; and to the centralised and bureaucratized statutory control to which that was itself a reaction. Yet it is definitely interventionist, and positively so: not merely to establish a "level playing field" for great corporate actors (in the spirit of the nineteenth century idealists - Green 1895), but to "shift the goal posts" if that is necessary to discharge government's wider responsibilities or electoral commitments. It is a technique not obviously repugnant ideologically to either conservative or social democratic parties.

In an emerging political culture where governments of all colours are committed to at least a measure of deregulation, disinvestment, and devolution of executive tasks, where enforcement of authoritarian rules is in any case deeply unpopular, and where "the state" for many purposes has shrunk to little more than one "peak association" among many, a technique of government intervention built upon the encouragement and maintenance of social self-policing and self-regulation would seem to have a great future.

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