

Governing Wales – hidden wiring and emerging cultural practice

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Abstract

If ‘institutions matter’, twenty years after the devolution referendum, and almost twenty years after the formation of an elected National Assembly for Wales and a Welsh Government accountable to it, what do we actually know about the Government of Wales? Drawing on Hennessy’s concept of ‘Hidden Wiring’, and Bevir and Rhodes’s concept of ‘the state as cultural practice’, this paper will explore the learning so far, and set out some proposals for a research agenda which examines the Government of Wales – and the governance of Wales. The paper will examine the limited ‘insider accounts’ which have so far appeared, addressing questions such as the innovations of Government in Wales (such as published Cabinet Minutes and papers), the continuities and contrasts with Westminster and Whitehall traditions, the ‘new rituals’ of the Welsh Government and the management of emerging policy divergence, particularly but not exclusively after the first post-devolution non-Labour UK governments elected after 2010. The paper will draw on insider experience of eight years as a Minister in the Welsh Governments of Rhodri Morgan and Carwyn Jones.

Keywords: Wales, Welsh Government, Ministers, Discourse

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Introduction

Almost twenty years after the passage of the first Government of Wales Act, the post-devolution Welsh Government remains under-researched and under-theorised. We can speculate why this should be. Early accounts (Jones and Osmond, 2001, 2002; Osmond and Jones, 2003), coordinated by the Institute for Welsh Affairs with Cardiff University, supported by the ESRC, often focused on the novelty of the new institution – the corporate body of the National Assembly – as it sought to come to terms with its powers and structure: there is a strong sense, re-reading those accounts, of relief that after the narrow majority for devolution in 1997, the actually existing institution was able to stumble hesitantly forward. The second reason, no doubt, is that what we might call the ‘unfolding text’ (Tulloch and Alvarado, 1984) of the powers devolved to the National Assembly – and the political battles to develop them – has provided researchers with enough to be keeping up with (Prosser et al, 2006; Rawlings, 2003; Wyn Jones and Scully, 2012). We know, of course, that multi-level government is messy (Moon and Evans, 2017; Andrews, 2014: 374). There may be institutional questions within Welsh higher education as to why the study of our own political institutions might be marginalised, seen as parochial and particular, rather than being capable of comparative treatment for global learning and enlightenment of wider issues, despite the attempts of at least one Welsh education minister to encourage institutions to value as part of their work ‘the delivery of what might be called Welsh studies, including Welsh history and literature, culture, society and politics in both languages’ (Andrews, 2012a). The ‘foundation myths’ of the establishment of a new Welsh democracy as a more inclusive, partnership-based form of governance (Chaney and Fevre, 2001; Entwistle, 2004) may have contributed to an intellectual climate hostile to the privileging of study of Welsh government per se. It may be that weaknesses in Welsh publishing have not provided the space for integrated accounts addressing the government of Wales. Or it may be that the realities of one-partyism in Wales, and the emphasis on loyalty and an unwillingness to rock the boat that typifies Labour’s ethos (Drucker, 1979) have contributed to a dearth of accounts by major political actors engaged in the devolution project, at least until the equilibrium of one-partyism was punctured by the tragic death of Carl Sargeant in November 2017 (notable exceptions being Morgan and Mungham, 2000; Davies and Williams, 2009; Andrews, 2014; Morgan, 2017). Research access to ministers has not in general been a problem for many of these accounts, so that is unlikely to be the issue.

It is striking that unlike Scotland (Cairney, 2011; Cairney and McGarvey, 2013; Keating 2010; Lynch, 2001) there are no textbooks on the government or governance of Wales, let alone extended contemporary academic accounts of wider political culture such as Schlesinger, Miller and Dinan, (2001). This is not to say that there haven’t been studies of the development of specific policies or innovations (Hollingsworth & Douglas, 2002; Poortinga et al, 2013; Thomas et al, 2016; Williams, 2005); of polling, elections and referendums (Wyn Jones and Scully, 2012; Scully and Wyn Jones, 2015); of media coverage (Barlow et al, 2005; Thomas et al, 2004; Barlow et al, 2005); or of institutional developments (Elias, 2009; Marinetto, 2001; McAllister, 2005; McAngus, 2014; Osmond, 2007), or occasional exploration of policy networks and their impact on legislation (Connell et al, 2017). Meanwhile Cole (2004, 2012), Cole et al (2003) and Cole and Stafford (2015) have undertaken longitudinal studies of the civil service, and in passing have captured the views of some Ministers. In general terms, however, the contemporary study of the government of Wales leaves the Ministers at the margins. This is not uncommon in British political studies: as Rhodes (2011a) states, ‘the everyday life of British ministers has not been a topic of academic concern.’

This paper is intended to start something of a debate on the need for greater engagement with the practice of Welsh Government and the role of Welsh Ministers. It examines some of the methodological and conceptual questions thrown up so far. It draws on two principal conceptual perspectives. Hennessy's concept of the 'hidden wiring' (1995) is used as a framework for discussion of some broad old institutional questions, such as the persistence of the Westminster Model - onto which Welsh Government can be mapped. Bevir and Rhodes's interpretive, anti-foundational conception of the state as 'cultural practice' (2010) is explored to establish some missing or understated research questions – such as the role of political intentionality. This is not to endorse either as conclusive: indeed, I want to argue for historically-grounded multi-theoretical approaches.

Lynch, writing in 2006 about the First Ministers in both Scotland and Wales, noted the absence of source materials to form an evidence base, stating that from academics 'next to nothing has been written about the position of FM or devolved ministers generally'. He points out that not only is there a lack of academic studies of these roles, there is also an absence of diaries, biographies, autobiographies, or journalistic readers of the runes of the calibre and depth of interest of Peter Hennessy or Peter Riddell. The Westminster Cabinet Committee discussions on the 1997 White Paper, *A Voice for Wales*, and the original 1998 Government of Wales Act have yet to be published, although Prosser et al (2006) had access to some of the implementation papers from the old Welsh Office. Unlike Westminster or Scotland, there are the published Welsh Government Cabinet minutes from 2000 (aside from those of the Alun Michael period, which it has been agreed will be published, but have not so far been) which do tell a story, but these have been put to limited use (Andrews 2005 and 2006 are examples). A decade on from Lynch, the only insider accounts from former Welsh Ministers are Andrews (2014) and Morgan (2017). We certainly have next to no examples of relevant political ethnography, although Prosser et al (2006) does make use of observational techniques. (However, Bevir and Rhodes's chapter on Ministerial Ruling could, with some limited exceptions, have been written about ministerial life in Wales). Only in one policy area – education – do we have more than one full-length account (Andrews, 2014, Evans, 2015, Dixon, 2016) and none of these could be regarded as complete. Primary sources such as speeches, writings, evidence to inquiries or committees, interviews and articles are important, as Bevir and Rhodes note (156-7), but with the exception of Morgan's infamous 2002 Clear Red Water speech, and the recent analysis of Carwyn Jones's rhetoric by Moon (2013, 2017), these have rarely had extensive analysis, despite their potential for insights into ministers 'thinking aloud' (Andrews, 2018). Few accounts of Welsh governance engage in textual analysis of government documents, though Guarneros-Meza et al (2014) is a good example. Nor do we have ministerial interviews publicly recorded, as with the Institute for Government's Ministers Reflect series, though work is commencing on this within Cardiff University.

Hennessy's account of the hidden wiring of UK Government considers both the hardware (machinery of government) and software (people) of the British State, which, as he said in 1995, function in the Queen's name (Hennessy, 1995: 25). For Hennessy the British constitution is 'a continuous historical process', rather than a matter of fixed points or legal settlements. He uses as a key constitutional text, the then recently-published Questions of Procedures for Ministers (QPM), now called the Ministerial Code, and subsequently (2010) supplemented by the Cabinet Manual. In the Welsh context, there are of course fixed points and legal settlements, with a body of foundational legislation dating from the 1998 Government of Wales Act (and prior to that the 1997 Referendums (Scotland and Wales) Act which set the ground-rules for the vote to approve the Blair Government's terms for Welsh

devolution set out in the July 1997 White Paper). Prior to the Government of Wales Act 2006, the Assembly Standing Orders also provided a key element of the constitutional framework. The Welsh Ministerial Code has additionally been a source of constitutional guidance.

Bevir and Rhodes (2010:vii) set themselves the objective of showing 'how ministers, civil servants and citizens construct and reconstruct' what they call 'the stateless state'. They argue that the 'practices of governance arise out of actions based on beliefs informed by traditions', and call for 'anti-foundational analysis, ethnographic and historical methods, and a decentred approach that rejects any essentialist definition of the state and espouses the idea of politics as cultural practice.' They look with some favour on the work of discursive or constructivist institutionalists. They seek to develop a new agenda based around the 3Rs of rule (or ministerial ruling), the rationalities (of officials) and the resistance (of citizens and network actors) to top-down pressures of reform. They develop a language appropriate to this task of situated agency, practice, power, narrative, tradition and dilemma. For them, the state is 'a differentiated cultural practice composed of all kinds of contingent and shifting beliefs and actions, where these beliefs and actions can be explained through a historical understanding.' (20) The closest thing we have to the interpretive approach of Bevir and Rhodes is the example of Prosser et al (2006). They identify (21) that differing discourses co-exist within the rationalising practice of civil servants, for example: or, as Raymond Williams put it a long time ago, that culture is a complex struggle between residual, dominant and emergent elements (Williams, 1961). They trace these competing discourses in their discussions of everyday ministerial and civil service language (125-6, 127-8), concluding:

The languages vie with each other. It is not clear to us that the language of management has become the dominant discourse (128).

They note that for all the adaptation, the Westminster tradition frames the dominant narrative which civil servants in particular construct (158). I will attempt some temporal mapping of the dominant discourses in Welsh Government since devolution. While I have considerable sympathy with the critique of Marsh (2008), in respect of the need for a more dialectical approach which gives greater emphasis to asymmetrical power structures, I nevertheless find the Bevir and Rhodes method insightful for understanding the intentionality of ministers and other public service leaders.

In this paper, I utilise Hennessy's framework to set down some of the cognitive understanding that we have on the material facts of the Welsh constitutional settlement twenty years on from the first Government of Wales Act. I use Bevir and Rhodes' work as a basis for exploration of methods and new research questions. My focus, principally, is on the elite perspective of ministers, though the narrative techniques of Bevir and Rhodes are applicable to a variety of 'leaders' within Welsh public service, as they themselves illustrate with reference to English public service networks. Following this, the paper seeks to sketch an initial periodized typology of the core legitimizing discourses of post-devolution Welsh Government. The paper concludes with a tentative discussion of the extended 'ethical workshop' (Major, 1994, quoted in Hennessy, 1995) to which Welsh governance has been subject since the death of Carl Sargeant on 7 November 2017. With that exception my time-frame is deliberately limited up to the period of May 2016, since the Wales Act 2017 and Brexit would need far more extended treatment.

The hidden wiring of Welsh Government

Hennessey's account covers the following aspects of the UK constitution, and I will draw on them to consider their Welsh equivalents: the role of the Crown, the Premiership, the Cabinet, Whitehall, and Parliament. The paper will not follow Hennessey in discussing the question of governmental overload in the context of day-to-day media management, which would require a paper in itself - as Andrews has written (National Assembly, 2017) 1997 inaugurated a Welsh polity without a Welsh public sphere. Hennessey examines the Nolan inquiry as a form of 'ethical workshop': I will briefly outline the various inquiries established since the death of Carl Sargeant as the Welsh equivalent of this ethical workshop subsequently in this paper, and note some early developments that result from them.

Hennessey cites the Cabinet Secretary, the Queen's Principal Private Secretary and the Prime Minister's Principal Private Secretary as providing a tripartite nexus through which constitutional challenges are worked through. The equivalents of the Welsh official tripartite nexus would be the Head of the First Minister's Office, the Cabinet Secretary and the Permanent Secretary. In his autobiography, Rhodri Morgan refers to the role played in this regard by Lawrence Conway as his PPS and Cabinet Secretary, stating that he could bridge the gap between the civil service in Cathays Park and Ministers and the Ministerial private offices in Cardiff Bay. He notes the difference in roles between Wales and Whitehall. In the latter, the Cabinet Secretary, says Morgan, is 'the uber-Permanent Secretary' (Morgan, 2017: 194). In Wales, of course, technically the Cabinet Secretary, and Head of the First Minister's Office, though senior posts, are junior to the Permanent Secretary. At different stages the role of PPS to the First Minister, or Head of the First Minister's office, have been held by the same person as the Cabinet Secretary, namely Conway. Morgan cites Conway's experience as 'a Welsh Office lifer', knowing which civil servants were keen to make devolution work, and his suitability for the 'freelance and more Machiavellian side of being Cabinet Secretary'.

Monarchy

Drawing on Bagehot, Hennessey says that the monarch has the 'right to be consulted, right to encourage, right to warn'. He points out how leaders of the then three major political parties – John Major, Neil Kinnock and Paddy Ashdown – were warned that if the 1992 election resulted in a hung parliament, the political leaders needed to resolve a way through that would be presented to the sovereign. We know subsequently that similar considerations were worked through by the Cabinet Secretary Gus O'Donnell in advance of the 2010 election (House of Commons, 2010).

It may seem counter-intuitive to commence an examination of Welsh Government, essentially a civic republican project, with a consideration of the role of the monarch. Of course, we know that from an early point the National Assembly, as the legislature, drew on the halo effect of monarchy for legitimization at the initial opening ceremony and subsequently – a new ritual - at each opening ceremony following each set of National Assembly elections which have taken place, which had the additional function of situating the creation of the National Assembly in the evolutionary development of British government (Prosser et al, 2006: 46) Since the 2006 Government of Wales Act (GOWA), failure to form a government within a defined period would result in new elections, as Morgan explores in relation to the outcome of the 2007 Assembly election, following a period where he acted in his terms as 'caretaker FM'. (Morgan, 2017: 290). There is no role for the monarch in that. Monarchy does underpin the construction of Welsh Governments.

Welsh Ministers are not 'Ministers of the Crown' as Morgan asserts (pages 270, and 290), but they carry out their functions 'on behalf of' the Crown. As Cole et al (2003: 225) state, 'civil servants serve the sovereign'.

The First Minister must, under GOWA, be nominated by the National Assembly, with an election for the nomination for the first time in 2016, but the Crown has a defined role in the appointment of the First Minister under section 46 of the Government of Wales Act. Under section 48 of GOWA, Welsh Ministers are appointed by the First Minister, and their appointment is approved by Her Majesty (Law Wales, 2018). In practice, this means that the First Minister and other ministers are sworn in by a Welsh judge. Ministers-designate are firmly told by the Head of the First Minister's Office that they 'do not, according to law, become Ministers' until they 'have taken an Oath of Allegiance', either as an oath or as an affirmation (private information).

Rhodri Morgan explicitly says in his autobiography that on becoming First Minister, he wondered if 'the Palace would press us for some kind of an arrangement for a regular briefing, maybe once or twice a year' (270). He hypothesises that the decision not to have such briefings may derive from 'a vague and unspoken idea that briefings should be with the Prince of Wales instead' (271). There is a context for this: Bradbury and Andrews (2010) reflect on how 'a Principality Britishness is still evident in such annual events as the Prince of Wales' summer tour, attended by a succession of civic visits, receptions and media coverage.' Morgan recounts how such meetings did take place in the early period once or twice a year.

First Minister

Lynch (2006) lamented that there was at that stage little focused attention on the role of First Ministers or ministers in devolved governments more generally. As a consequence, and this is relevant to this paper, he adopts concepts from the UK 'Whitehall Programme' against which to test the roles of the First Ministers. In the Welsh context, virtually no work has been done on the approaches or styles of the first First Secretary, as the post was then called, Alun Michael, the first First Minister, the late Rhodri Morgan, or the current First Minister, Carwyn Jones (Though see Rawlings, 2003 and Storer & Lang, 2001). The elaborate discussions of the powers of the Prime Minister over time have as yet no Welsh equivalent, though Laffin and Thomas (2001) described the Welsh system of Cabinet Government as strongly 'prime ministerial'. Cole and Stafford (2015) do seek to establish something of their legitimising discourses, suggesting that 'Small Country Governance' providing the underpinning narrative for the period of Rhodri Morgan's government and that there was an emerging 'Delivery' narrative under Carwyn Jones. Cole and Stafford also contrast the context facing the different First Ministers, with Jones coming into office at the beginning of austerity (Cole & Stafford, 2015: 55). Separately, Cole (2012:470) suggests that civil servants noted a change in focus following the succession of the new First Minister Carwyn Jones in December 2009.

Morgan provides his own view of his contrasting style vis a vis that of his predecessor (Morgan, 2017, 161; and see also Osmond, 1999b:10, and Marinetto, 2001:315), an account which Michael contests (private information). Morgan's description (172) of Alun Michael's Special Advisers and junior whips as his 'Praetorian Guard' does suggest that the discussion of 'court politics' (Rhodes, 2011:34-5; 2013) may be worth examining further in relation to the operation of special advisers and the First Minister's private office. In his account of how he became First Secretary following Michael's resignation, Morgan (2017:180) states that he

‘took possession’ of the First Secretary’s Fifth Floor office in Crickhowell House following his endorsement by the Wales Labour Party (as it was then) Executive Committee, both confirming the narrative of one-party dominance but also its acceptance by the other parties as a legitimate development.

Lomax is clear that there was a prohibition on the use of the term Ministers in Wales as the devolution arrangements were going through Cabinet and the Cabinet Committee (Prosser et al, 178). She is explicit that nothing other than corporate body status was on offer, because of the compromise that had been struck within the Wales Labour Party at that time. Shortridge is more emphatic, stating that it was in Labour’s manifesto so there was no moving from that (Prosser et al, 181). Morgan’s period as First Minister has been recognised in a variety of sources as fundamental to the embedding of devolution. He himself notes his adoption of the title of First Minister and others Ministers rather than Assembly Secretaries in the autumn following the formation of the coalition – or Partnership Government - with the Liberal Democrats:

The public did understand what a minister in a government was, but they didn’t fully understand what an Assembly Secretary was. (197)

Morgan himself had felt keenly the difference in status of Ministers from back-bench MPs on the night of the referendum:

You know it was always very difficult in the night at the Park Hotel, cause we had the three Welsh Office ministers plus Livsey and Wigley and somebody told me ‘oh you know, go up and say something in Welsh then Rhodri’, so I did, but you always feel slightly conscious of the fact that you’re not a minister, it’s their day, not your day (Interview, 30 June 1998 with the present author).

Rawlings (2001) notes that the agreed *Protocol for Partnership Government in the Assembly* laid down ‘Welsh constitutional conventions’ in respect of collective responsibility for Cabinet Members and the growth of the Cabinet Secretariat, including communications and an expanded policy unit. Morgan acknowledges that he ‘stretched the elastic’ of GOWA and Assembly Standing Orders to create the separation of the executive, which he termed the Welsh Assembly Government, from the legislature, the National Assembly.

He was clear in his objective:

I wanted us to think more governmental, to sound more governmental, and to act more governmental (192).

If ever there was an illustration of agency trumping structure, this could be it. Shortridge (Prosser et al, 185) said the terminology was important for the civil service:

When we know they are Ministers we can establish the right sort of relationship and social distance from these people.

Subsequently, the Assembly Review of Procedure gave general sanction for this (Osmond, 2000, 2001), though as Morgan notes, the Opposition parties were broadly in support of it from the beginning. Following the 2007 election, the benefits of incumbency worked for Morgan, but could have been lost had the cards fallen differently within other parties. Plaid

Cymru's Adam Price believed that the opposition parties lost the first two weeks after the 2007 Assembly election as Rhodri Morgan 'parked himself' in Cathays Park: Alun Ffred Jones, later Plaid Cymru Culture Minister in the One Wales coalition, believed that the nomination of Rhodri Morgan as First Minister was a game-changer in terms of the balance of power in Cardiff Bay from that moment (Osmond, 2007). From a constitutional point of view, it is only then that new ministers and deputy ministers can be appointed. It is Lawrence Conway's role as Cabinet Secretary which helps to pave the way for the establishment of the One Wales Government in Morgan's account (295).

After the 2011 Assembly election, Carwyn Jones elected to call his new government the 'Welsh Government' rather than the Welsh Assembly Government, in a recognition of the new status of a government with primary law-making powers. The Department of the First Minister which had developed under Rhodri Morgan was subsequently described as the 'strategic centre' by some working in Carwyn Jones's government (Cole, 2012:467-8) including the office of the first minister, the Cabinet Secretariat that coordinated the cabinet's work programme, ministerial private offices, constitutional affairs, Europe and external affairs, communications and knowledge and analytical services, along with a further expanded team of special advisers. After the 2016 election, partly to smooth the way for the return of Alun Davies AM to ministerial life (private information), Carwyn Jones renamed Ministers as Cabinet Secretaries and Deputy Ministers as Ministers.

Cabinet

It was only in the latter stage of parliamentary discussions of what became GOWA 1998 that thought was really given to the role of the executive. Rhodri Morgan was one of those pushing for a more Cabinet-style model as a back-bencher (Rawlings, 2003: 97). Although as Lynch (2006) notes, little preparatory work had been done prior to devolution on roles within the executives in Scotland and Wales, Cole identifies (2006:66) that 'by 2004 a recognisable Welsh political leadership had emerged'. Even in advance of the Assembly Review of procedure in 2002, as Trench (2007a) notes, the Westminster Model for the executive had largely been adopted.

The explicit assertion of the separation of executive and legislative roles by Morgan in 2000 was symbolised by his address to civil servants on the internal steps of the Cathays Park government building. Morgan notes (187) that this 'mass assembling' of civil servants still occurs – another 'new ritual' -at the beginning of each Assembly, with the First Minister presenting his newly-sworn in ministers and an overview of his plans for that Assembly.

The geography of power shifted after devolution from Cathays Park to Cardiff Bay, as Deacon (2002) notes. Morgan mentions one of the problems of this – the bulk of Cardiff-based civil servants are based at Cathays Park (CP) in what is known as the CP2 building: CP1 houses the First Minister's office and other ministerial offices and some senior civil servants, but the fully operational ministerial private offices, along with special advisers, are routinely based on the Fifth Floor of the Cardiff Bay Ty Hywel Assembly building for the bulk of the week (for a description of their structure, see Andrews 2014: 20-21). Prosser et al (125ff) note the cultural differences between the two centres, with a younger staffing component amongst civil servants, direct mixing with politicians in formal and informal settings, and a strong sense of urgency in the Bay. Morgan was keen for Cabinet Ministers to spend the bulk of their time in Cathays Park, but it was obvious from the early days that the nature of Assembly business meant that Ministers would need to be based in the Bay. Theoretically,

their co-location on one floor in Cardiff Bay makes for 'more collegiate' working than Whitehall (Laffin & Thomas, 2001; Chaney & Drakeford, 2004), but it may also allow a more controlling centralized operation by the First Minister through his department than is available to Prime Ministers, where Cabinet Ministers may still be more 'barons in a shrinking kingdom' (Norton, 2000) geographically scattered around Whitehall. The Permanent Secretary has at different stages had a meeting room on the 5th Floor.

The power to hire and fire remains one of the most powerful roles of a First Minister, as with the Prime Minister at Westminster. Morgan has a somewhat caustic view of his predecessor's approach to Cabinet appointment in his autobiography:

The key thing about Alun's first and only Cabinet was its geographical spread....geographical balance – the Cabinet represented every part of Wales. I took a different view, when choosing the Cabinet fell to me – I chose big hitters and hoped they would turn out to be well-distributed across Wales (though they weren't) (161).

Morgan says his rationale was that the people chosen should be able to 'pass muster' in a UK Cabinet or at Minister of State level, as they would have to deal with Whitehall Ministers (212). Traditionally, there is a photocall with the new Cabinet and deputy ministers on the steps of the CP1 building following their announcement. Ministers are appointed in the First Minister's 'not terribly swish' (Morgan 2017) office in CP1 (Andrews, 2014, 20). Cabinet meetings have been held in both Ty Hywel and in Cathays Park at different periods.

Does the Welsh Government have a core executive (Rhodes & Dunleavy, 1995)? As Lynch (2006) observes, it is a question which has not been tested out in the literature, but roughly speaking the functions of First Minister, Finance Minister, Leader of the House or Business Minister, and chief whip, clearly play a coordinating role, supported by the First Minister's Department, and particularly the Cabinet Secretariat, as previously outlined. The Annual Budget plays a central role in the coordination of government business, requiring a clear timetable, ordinarily over the May-December period, but on occasion with delays in budget announcements from central government (for example in 2010). The Programme for Government, and the accountability sessions introduced by the First Minister after 2011 supported by the Delivery Unit (see below) also provide an organising structure for the government supplemental to the ordinary business of Cabinet. During the One-Wales Government, the Budget and Performance Committee and the Legislation Committee to some extent institutionalised that function. The coordinating role of the Cabinet Secretariat in undertaking forward trawls for business for Cabinet and for the Assembly plenary once or twice a year are central to the organisation of government business. The business of Cabinet is set out in the Ministerial Code: 'matters which significantly engage the collective responsibility of the Welsh Government, because they raise major issues of policy, taxation, the constitution or because they are of critical importance to the public' (Welsh Government, 2017a). Departments provide briefing for Ministers on all items on the Cabinet agenda. Papers are meant to be cleared with all relevant ministers and there is an unspoken convention that ministers who have concerns on specific papers communicate these to the First Minister's office and the lead minister on the issue.

A significant departure from the Westminster Model was the decision taken immediately by Rhodri Morgan to publish Cabinet Minutes – another new ritual - six weeks after the meeting had taken place, along with circulated papers, unless there are grounds for withholding them (Osmond, 2000). This practice continued after Morgan's time as First

Minister (Welsh Government, 2018). Papers of Cabinet Committees have also been published for the period up to December 2009. The incoming First Minister, Carwyn Jones, decided not to have Cabinet Committees aside from the Budget and Performance and Legislation committees agreed as part of the One Wales coalition. This decision persisted into the 2011-16 Assembly, until in late 2013 a Cabinet Sub-committee on Infrastructure and Delivery was established with a small Ministerial membership. The current Welsh government has a Cabinet Sub-committee on EU Transition, and in the 2011-16 Assembly there were Ministerial Task and Finish groups on Welfare Reform (Andrews, 2014: 360) and Public Service Reform (private information). Minutes of the Budget and Performance Committee, Legislation Committee, Infrastructure and Delivery Committee, and the Task and Finish Groups have not at the time of writing been published.

In terms of ministers and their departments, Laffin (200) noted early on that Ministers were impatient for advice and action, and saw traditional civil service methods as slow and generalist. Cole (2012) notes a growing minister/department nexus which he suggests actively challenges the opportunities for joined-up government. He noted (2006) that quite early on most departments had a Policy Board. Shortridge makes it clear that was one of his own preferences (Prosser et al, 185), believing that 'Ministers should have a strong controlling role in relation to their departments.' Andrews (2014:42) illustrates the Policy Board operation in the Education and Skills area, which he argues helped to break down the silo mentality within the civil service and give officials wider understanding of issues beyond those which they were dealing with on a day-to-day basis. (For an illustrative discussion of ministerial leadership of a Welsh Government department, see Andrews, 2014: 22-51).

The civil service

Substantially more has been recorded and written about the role of the Welsh civil service post-devolution than about Welsh Ministers (Cole et al, 2003; Cole 2006, 2012; Cole and Stafford, 2015; Laffin, 2002; Parry, 2001, 2004, 2008, 2012a and b; Prosser et al, 2006), looking in particular at those working in Cathays Park, what Morgan calls 'the Welsh Whitehall in the civic centre' (Morgan, 2017: 189). Rhodri Morgan's desire was to build a cadre of civil servants who would look beyond Whitehall with its model of 'anonymity, a culture of secrecy, a principle of 'behind closed doors' interactions and the support of formal doctrines of (political) accountability such as individual ministerial responsibility' (Cole, 2012: 459). Morgan wanted to augment the authority of government. He notes that, in his view, the Permanent Secretary with whom he worked for most of his time, Sir Jon Shortridge, might have had concerns that he was trying to politicise the civil service (Morgan: 196). Certainly the new Welsh Assembly Government was seen as more interventionist and the extent of contact with ministers grew (Cole, 2012: 466). Others worried that the new institution might be captured by the civil service (Andrews, 1998; Osmond, 1999a; Speed, 1998).

These tensions reflect long-standing views, which existed prior to devolution, about the impact of an elected Assembly on the civil service working for the former Welsh Office. There had been fears that civil servants would face similar pressures to officers in local government (Cole et al: 224). As Parry (2001) Cole (2012) and Cole et al (2003) have recorded, maintaining the Welsh Office civil servants within a unified Great Britain-wide civil service governed by a common civil service code was a clear statement that devolution was a development of the UK constitution. Tony Blair made a specific speech on this theme (Osmond, 1999a). Lomax explains that there were high-level conversations with the UK

Cabinet Secretary about whether a unified civil service was the right thing for devolution (Prosser et al, 179). It was not a given that Welsh civil servants would remain within the British Home civil service - Northern Ireland has its own independent civil service – but the decision taken gave reassurance that the civil service traditions of independence from political interference, impartiality, and an integrated career structure would be maintained. A staff guidance note to this effect was produced in February 1998 (Osmond, 1999a). Welsh Office civil servants of course were only a tiny minority of civil servants employed in Wales – Britain-wide departments such as what is now called the Department for Work and Pensions, and HMRC, employed many more. The Civil Service Code however was modified to ensure that civil servants were accountable to the Assembly, not to Westminster (Laffin, 2002: 34).

Although the revised settlement after GOWA 2006 resolved the question of the civil servants working for the Assembly rather than the Government being accountable to the Permanent Secretary, there are still ambiguities. The Civil Service Code states that civil servants are accountable to Welsh Ministers, and ‘in turn accountable to the National Assembly for Wales. The Permanent Secretary has a complicated accountability: accountable to the Head of the Home Civil Service for observing Home Civil Service standards, (Cole et al, 2003), though with the appointment role now devolved to the First Minister finally; accountable to the FM for day-to-day performance of the Welsh Government, accountable to the National Assembly as Accounting Officer and, according to the UK Government website, to the National Assembly in general terms (UK Government, 2018). The problem of dual accountability of Permanent Secretaries has been raised recently by the National Audit Office (NAO, 2017). The Welsh Permanent Secretary appears to have had triple lines of accountability from the beginning (Cole et al, 2003). As we shall see, this has now become an issue following the inquiries commenced after the death of Carl Sargeant, but it had been raised before (see Davies, 2010; Nicholl, 2013).

Welsh Permanent Secretaries continued to take part in the weekly Permanent Secretary gatherings in Whitehall. Morgan questions whether they should have done (194-5), asking whether it tied the Welsh Government in to a structure beset by pre-devolution ways of thinking. Cole (2012, 461) on the other hand argues that in fact civil servants had a common interest in making the institution legitimate. Cole et al (2003) note that there has been an outstanding discussion as to whether there should be an independent Welsh Civil Service and suggest that this may be inevitable, although fifteen years after their article was written this looks no more likely. In 2012 it was agreed that the only political input into the appointment of the Permanent Secretary in Wales would come from the First Minister. The appointment of the Permanent Secretary was largely devolved by the Prime Minister to the Head of the Home Civil Service. The First Minister would make the final appointment from a short-list after a process conducted by the Head of the Home Civil Service and interviews by a panel chaired by a senior Civil Service Commissioner of qualified candidates (National Assembly, 2012). Separate from, but allied to this, there has been an express desire of the Welsh Government to create a single Welsh public service (Welsh Government, 2015), in culture if not organisation, embracing those who work in the different public services within Wales, supported by what was then the Public Service Management Wales initiative (Cole, 2012: 468). This idea had been endorsed by both the Permanent Secretary and the First Minister since the First Assembly (Osmond, 2004; Prosser et al, 2006: 187). Morgan (2017: 325) notes the importance of continuity in leadership, with staggered exits for the Permanent Secretary and himself in 2008 and 2009

The likelihood that civil servants would be exposed more publicly had been anticipated by Rachel Lomax as Permanent Secretary in 1997 (Lomax, 1997; Osmond, 1999a). The early days of the National Assembly certainly resulted in a growth of the civil service workload, which are summarised in Cole et al (2003) and Cole (2012). These included briefing ministers directly on a regular basis in detail, preparing ministers and themselves for committees, supporting ministers in responding to oral and written questions, a regular flow of input into speeches, consultation documents, drafting of legislation and so on. Separate from this, was the need for the civil service to develop a new policy capacity. The received wisdom is that under administrative devolution, the Welsh civil service simply tweaked Whitehall departments' plans. A policy unit had been created in 1998 on a cross-departmental basis responsible to the Permanent Secretary (Cole et al, 2003: 226; Osmond, 1999b). By 2003, confidence had grown sufficiently about the overall capacity and the distributed understanding of norms that sub-Accounting Officer roles were created for senior civil servants below the Permanent Secretary. (Cole, 2012: 469). Civil servants were at the heart of a range of policy networks, helping to shape 'Made in Wales' policies (Cole et al, 2003: 228). As in Whitehall, the civil service gives independent advice to other political parties on preparations for government, as for example, in the period leading up to the formation of the One Wales Government in 2007, when there were civil servants allocated to the other parties for discussion of a so-called Rainbow Coalition (Morgan: 290).

While there has been a long debate around the hollowing-out of government at a UK level, (Rhodes, 1994) in the case of Wales the structure of government was in fact 'filled in' with the absorption of most of Wales's quangoes after 2004, not without controversy, (Cole, 2006:77; Jones et al, 2005; Morgan, 2017: 275-6; Shortridge, 2009). This added new capacity to the Welsh Government civil service, addressing the 'personnel deficit' (Cole, 2012: 468) although cultural issues took time to be resolved, certainly in some departments (Andrews, 2014: 33). Cole (2012: 467) also notes that technical capacity was strengthened in areas such as statistics, communications and HR.

The need for a new capacity for delivery had been identified as a result of the work on public service collaboration, known as the Beecham agenda, in the Second Assembly (Guarneros-Meza et al, 2014; Andrews, 2014: 33). Gill Morgan as Permanent Secretary introduced an internal 'Dashboard for delivery' to guide implementation of government delivery (Cole, 2012: 470). However, there was significant criticism by ministers and former ministers in the Third Assembly of the delivery capacity of the civil service and reinforced subsequently in the Fourth Assembly (Davies 2010, a & b, 2012; Williamson, 2010, a & b; Shipton, 2012). This was reflected in the Welsh Labour manifesto for the 2011 Assembly elections (Welsh Labour, 2011). A new Delivery Unit was then established to track departmental performance against the Programme for Government plans. The new Permanent Secretary appointed in 2012, Sir Derek Jones, determined that the role of the civil service was 'Delivering for Ministers', with this branding being present even on Welsh Government computers. He cut the number of senior civil service roles and sought to release more delivery resources for ministers (Andrews, 2014: 39). Legislation became a more important function following the passage of GOWA 2006, and capacity had to be strengthened, though again there were ministerial concerns during the 2011-16 Assembly that this capacity needed to be further strengthened.

The National Assembly

Research shows that 'generalised support' for devolution in Wales has 'grown substantially' since the late 1990s, but that the public legitimacy of the Assembly 'remains limited and

conditional' (Scully & Wyn Jones, 2015). Apart from the One Wales Government, and the period of Welsh Government since the November 2017 reshuffle which has incorporated the independent former Plaid Cymru AM Dafydd Elis Thomas, no Welsh Government has had a clear majority in the National Assembly. Governments have therefore had to compromise on legislation or policy, negotiating with Opposition parties on legislation such as the Wellbeing of Future Generations Act, the Violence against Women et Act, or the 2015 Local Government (Wales) Act: or on specific policy areas, such as the creation of Tuition Fee Grant in 2005 (Andrews, 331-2).

In the first two Assemblies, of course, the corporate body status of the National Assembly meant that, with the exception of the Audit Committee, as it was then called, Ministers were members of the Assembly committees. It was only after the implementation of GOWA 2006 in 2007 that the effective separation of executive and legislature took place, whatever the practical separation since 2000. This meant ambiguity in the accountability arrangements. The rationale behind the creation of the original structure is well-explored in Prosser et al, 2006.

There were also significant problems with the Standing Orders. Morgan recalls asking then Assembly Member the late Val Feld, who he says was a member of the National Assembly Advisory Group (NAAG) (she wasn't: NAAG, 1998) how the standing Orders had been constructed. Feld is quoted as saying 'Well, we looked at how Parliament operated, and our usual guiding principle was to do the exact opposite!' (Morgan, 170). Morgan may here be confusing the work of NAAG with that of the Standing Orders Commission (McAllister, 1999; Prosser et al, 2006), chaired by former Labour MP Gareth Wardell – NAAG had advised the Secretary of State on the guidance for the Commission (NAAG, 1998). As Brennan and Drakeford (2017) comment, Morgan's book is not 'a book of historical record'. Certainly NAAG reported that 'there was strong support for a break from Westminster traditions where they were seen as based on out-dated practices unsuited to a modern participative democracy' (NAAG, 1998). (The rationale behind the creation of the original structure is well-explored in Prosser et al, 2006: 58ff).

However, there is no doubt that the accountability of the Welsh Government is more engaged than that of the former Welsh Office, and this was identified early on by civil servants who faced a significantly raised workload as a result (Cole et al, 2003). Preparations for ministerial questions, or attendance by Ministers at Committee hearings, take a significant amount of background work by policy departments and coordination by private offices. The development of legislative scrutiny since 2011 has of course extended the demands on officials, but it has also demonstrated the fragility of government's ability to deliver their legislative programme without striking deals.

It is also the case that government has mobilised the broad left-of-centre consensus within the National Assembly against the austerity, anti-union and Hard Brexit policies of UK governments since 2010, resisting UK policies by denying Legislative Consent Motions and developing legislation (for example on agricultural workers, trades unions and other issues) which directly confront actions of the UK Governments, some of which have subsequently ended up in the Supreme Court (see, for example, Moon and Evans, 2017). The minority nature of the National Assembly and the direct access of pressure groups to Assembly Members has given considerable opportunity for opposition parties to influence legislation (see Connell et al, 2017), meaning that the role of government in policy networks is often circumscribed.

Intergovernmental relationships

One issue which did not fall to be considered by Hennessy, except in the context of EU and foreign affairs, was that of Inter-governmental relationships. In the early days of devolution, this was largely focused on multilateral relationships linked to the British-Irish Council and Joint Ministerial Committee, and establishing initial bilateral relationships between Welsh Government and UK Government departments, whose responses to devolution were inconsistent and in some cases highly territorial. Relations with central government departments have not therefore always been smooth (Andrews, 1999: 200). Cole et al (2003) in particular record some of the difficulties in those relationships in the early years of devolution, in part determined by objections to Wales doing things differently from the New Labour public service reform agenda. Morgan illustrates some of the difficulties in relationships with Whitehall departments over Objective One (171-2 and 197-8) and the funding of the Olympics and its impact on the Welsh Budget (315). The former Permanent Secretary Gill Morgan outlined some of the frustrations with 'Whitehall arrogance' (2009) in central government departments' understanding of devolution, although by 2010 she suggested that there had been a 'sea-change' in views led by Sir Gus O'Donnell in evidence to the Welsh Affairs Select Committee (House of Commons, 2010b). O'Donnell accepted that 'officials sometimes forget' about devolution (Livingstone, 2010). In more recent years there have been deliberately structured programmes to inculcate wide understanding of devolution within Whitehall (see Andrews, 2017b, on this), but the former Permanent Secretary, Sir Derek Jones, said in mid-2017 that there was still far more to do (CLAC, 2018).

Prior to 2010, Labour Party solidarity provided a unified cultural framework with which to discipline relationships (Cole, 2006, 81-4). Trench (2007b) notes how consensual and cooperative things were. The Secretary of State genuinely had a significant role in terms of intergovernmental relations (though Gallagher, 2012, sees the survival of this role as an example of path-dependency). With the election of a non-Labour UK government in 2010, Westminster/Wales relationships have been overlaid with ideological differences. Welsh Ministers have preferred to deal direct with Whitehall counterparts though, in certain policy areas – education, health and welfare reform – relations became more aggressive. Andrews (2014) delineates the growing disagreements between Wales and Westminster in education and welfare reform in the context of what was labelled a wider 'war on Wales' that also encompassed UK government attacks on the Welsh health service. Andrews (2012, 2014) makes the case that UK Ministers now fall into a number of categories – those with genuinely UK-wide responsibilities like the Foreign Secretary; those with Great Britain responsibilities like the Secretary of State for Work and Pensions; those with England and Wales responsibilities like the Secretary of State for Justice/Lord Chancellor and those with largely, though not exclusively, England-only roles, like the Secretaries of State for Education and Health.

A considerable amount of analysis was undertaken in the early days of devolution on the formal structures of inter-governmental relationships, including the 1998 Memorandum of Understanding, the Concordats and Devolution Guidance Notes, the JMC and BIC (for example, Cole, 2006, 81-4; 2012: 463) There has been little if any systematic research on how ministers see the JMC and BIC arrangements, or inter-governmental relationships as a whole, though the Brexit discussions have brought them into public view in respect of the impact on constitutional relationships and powers. There have been some suggestions that Prime Ministerial engagement has fallen away since the early days of devolution (Morgan, 2017, 295; Andrews, 2017a). This would be a fruitful area for further research. Separately, organisations such as the Institute for Government and Alliance for Useful Evidence have

sought to explore the nature of policy transfer, which has, as Keating et al recognise, been 'rather sporadic' (Keating et al, 2012; Paun & Munro. 2015; Paun et al, 2016; Andrews, 2017b).

Welsh Government as emergent cultural practice

While I have some sympathy with the notion that post-devolution Welsh democracy might be conceived as 'a differentiated cultural practice composed of all kinds of contingent shifting beliefs and actions', it is not my purpose simply to try to reconstruct for the stateless nation of Wales the practices outlined by Bevir and Rhodes in respect of the 'stateless state'. If anything, the study of Welsh government lacks a foundational text to deconstruct. The Welsh, after all, have been deconstructing their original devolution settlement from its moment of construction. In terms of research and analysis, it could be argued that decentred accounts, based on individual interpretations, are all we have. Welsh Government - and governance - has lacked the integrated approach of say a 'Whitehall Programme' to examine Welsh political development. There may be much in the creation of new institutions like the National Assembly and Welsh Government (innovations in polity, in Sorensen's definition (2017)) for new institutionalists to chew over: path dependency from the original settlement has mattered in many areas, and has been a subject of constant complaint. Morgan's account (2017:228) gives new impetus for example to suggestions that the perpetual delay of the reform of local government derives from early decisions about a partnership agenda (Thomas, 2002; Laffin, 2004; Laffin, Taylor & Thomas, 2002) Entwistle, 2006) between the National Assembly and other networks, though powers to determine local government grants were devolved in the 1998 Act and Ministers were not afraid to use these (see Cole, 2004: 364; Cole and Stafford, 2010: 88; Osmond, 1999b: 30). Local Government officers believed that the Welsh Government exercised more influence over their day-to-day work than central government or Europe (Entwistle et al, 2014).

The relevance of Bevir and Rhodes' work specifically to Wales is in the area of narrative explanation. They quote Hay (2006) , in arguing that institutions 'are socially constructed out of contingent political struggles' (Bevir & Rhodes, 2006:37) which is a fair description of the emergence of the National Assembly (Andrews, 1999). They note that 'the interplay of ideas and institutions' (39) has long been a focus of political science. They call for a focus on meanings, contingency, historical narratives and critique (62). Their aim is to defend 'a more humanist and historicist theory of interpretation (71)', by 'describing contingent patterns of action in their specific contexts '(77). They foreground narrative as 'a form of explanation that works by relating actions to the beliefs and desires that produce them' (78). Separately, Rhodes has argued:

I use narrative to refer to the form of explanation that disentangles beliefs and actions to explain human life. Narratives are the form theories take in the social sciences. They explain actions by reference to the beliefs and desires of actors' (Rhodes, 2011).

Arguably, Prosser et al's analysis (2006) of the delivery of the National Assembly by ministers and officials, which relies heavily on interviews and constructs specific narratives, is a good example of this. For Rhodes and Bevir, governance 'is the stories people use to construct, convey and explain traditions, dilemmas, beliefs and practices' (94). They argue that studying the changing state is 'about telling stories about other people's meanings; it is about narratives of their narratives' (95). One doesn't have to go as far as their demand for

the privileging of textual analysis and observation (199) over almost all other methodologies not to recognise its importance in analysing the roles of governmental or other actors. As Cole (2012: 466) says ‘these representations of reality are important in cognitive-normative terms, in so far as they are articulated by actors to make sense of their role and fuse personal, institutional and professional experiences.’

The National Assembly for Wales is the only political institution the people of Wales have ever voted to create. Welsh devolved governance is a socially constructed elite project endorsed by a popular vote. Narratives had to be constructed to deliver support for it in 1997 (Andrews, 1999) and to strengthen it in 2011 (Wyn Jones and Scully, 2012). However, ministerially-situated narratives of government are largely lacking in the stories of post-devolution Wales.

Examining narratives means giving some attention to intentionality. As Bevir and Rhodes state ‘historical understanding has to do with grasping the intentional content attached to human actions’ (11). (That is not all that historical understanding is, in my view, but this observation is directly relevant to my concern with intentionality). Speaking specifically of ministers and their approach to ruling, Bevir and Rhodes identify their desire, above all, to be seen to be ‘making a difference’ (96, 103). One of the key issues affecting civil servants’ time was the desire of Welsh ministers to make a difference (Cole et al, 2003: 227; Cole, 2012: 465;) It is a commonly-described objective of political actors: the then Labour MEP, now Baroness, member of the National Assembly for Wales and a Welsh Minister, said, following the 1997 referendum, that Yes-campaigners could reflect on ‘the joy of knowing you made a difference’ (Andrews, 1999: 192).

As Bevir and Rhodes (2006: 4) note, ministers have ‘situated agency’: they are situated within a context defined by a party programme, a history of prior policies, a balance of power within a Cabinet, budgetary and temporal constraints. However, ministers and officials have ‘a view of politics which emphasises agency and personality’: therefore researchers have to factor in structural constraints (Smith et al, 2000: 148). An over-emphasis on agency can be compounded by the focus of the media which ‘need a highly personalised representation which simplifies the narrative difficulties of describing complex public choices’, or of the opposition parties who like personalization also for accountability purposes (Dunleavy, 1995), as Andrews observes in the Welsh ministerial context (2014:18), illustrating the legislative constraints on different education ministers in Wales at different stages of the unfolding devolution settlement (Andrews, 2014:19).

Discourses of Welsh Government since devolution

Bevir and Rhodes (2010:20) seek to drive a new research agenda organised around three themes: rule (by ministers) rationalities (by civil servants implementing policies, and resistance (by grass-roots actors in different network settings). Maintaining the alliteration, I would wish to break the concept or rule down further, adding the dimension of *rhetoric* (or persuasion) as a distinct category, which is incorporated into ‘ruling’ in the Bevir/Rhodes; and since there can be endorsement as well as resistance, adding the concept of *rallying*, to give us five themes of a Welsh governance agenda post-devolution. To illustrate this at a very simple level with a recent case study – attempts to implement the Williams Commission proposals on public service reform in Wales - might give you the following elements for exploration:

Rule	Rhetoric	Rationalities	Resistance	Rallying
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Ministerial translation of Williams Commission proposals into policy/legislation	Ministerial argument on improved citizen-centred service delivery	Civil service arguments for New Public Management; Joined up government; Austerity.	Welsh Local Government leaders and chief executives: local autonomy	Civic society; trades unions; business
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This approach focuses on elites, not citizens, but a citizen perspective could be present in either of the resistance or rallying boxes. The approach of course needs to engage with questions of power, hierarchy and inequality.

Below I will attempt a tentative sketch, drawing on a variety of government documents, speeches and secondary sources, of the dominant legitimising ideas and discourses of Welsh devolution from conception to 2016. As Bevir and Rhodes note, different ideas may be dominant at different times, and no temporal period is marked by a singular set of ideas: different traditions may inform the ruling discourse of ministers and officials. In the context of Wales, a number of discourses have been dominant or prominent at different periods since 1999. Cole and Stafford (2014: 28) follow Schmidt (2008, 2010) in suggesting that ideas and discourse are particularly important at the foundational moment of new institutions. They suggest that the core legitimizing discourse for Welsh Government in its first decade was the idea of ‘small country governance’, and that in its second decade of devolution, Welsh Government was ‘managing the consequences of these early discursive choices’. Small country governance embodies functional notions of Team Wales – the sense of people coming together across sectoral or service boundaries in the national interest (see Cole, 2006:76). The notion of ‘small country governance’ has material relevance in the case of Wales. As Entwistle (2006: 232-3) indicates, strong vertical links between practitioners on the ground and officials and Ministers in Cardiff means that ‘practitioners have a better understanding of intentions of policy and politicians are more conversant with the problems of delivery’. Moon (2013: 313) identifies the frequency of Rhodri Morgan’s use of the term ‘small’ or ‘small country’ to differentiate Welsh Labour policy from New Labour policy.

Allied to the notion of small country governance was the explicit political rhetoric of ‘Clear Red Water’, designed to set a traditional Welsh social democratic polity on a different path from New Labour, notably on PFI, education or health. Chaney and Drakeford (2004) saw this as providing an ‘ideological underpinning’ of policy: Laffin, Shaw and Taylor(2007) were unconvinced. This was linked to the differentiation of ‘Welsh Labour’ from New Labour since its March 2000 Annual Conference (Wyn Jones, 2001:47; Cole and Stafford, 2015: 28). It is possible to read the creation of ‘Welsh Labour’ through a discourse of modernisation: Andrews (1999b) had argued that ‘The Wales Labour Party, coming to life at its conferences, looks increasingly old-fashioned’. Bradbury and Andrews (2010:236) note subsequently that ‘WAG strategy documents are brimful of rhetoric promoting an inclusive sense of cultural and civic Welshness’. Moon (2017), analysing the conference speeches of Carwyn Jones, identifies the role of Welsh Labour as a shield against Conservative attacks in the rhetoric of First Minister Carwyn Jones from 2010 onwards, often expressed as the party ‘standing up for Wales’, defending its ‘people’ – an imagined community of working-class Wales, against the Tory ‘war on Wales’.

Cole and Stafford argue (28) that policies adopted after the global economic crisis – whose implications for public spending were largely experienced following the election of Carwyn Jones as First Minister in December 2009, rather than on Rhodri Morgan’s watch – did not

easily fit the 'discursive frames' of the first decade. The challenge for the second decade, explicitly, they said, was 'to adapt a legitimising discourse to accompany change' (30). They go on (34) to identify what they see as a stronger delivery focus under Carwyn Jones, with the manifesto commitment to the Delivery Unit, review of the governance of Wales (Welsh Labour, 2011) the creation of the external Public Policy Institute for Wales, and so on. Certainly the perception that Wales avoided the New Labour accountability agendas has been argued for this period (Barber, 2014 and 2015; Cole, 2012: 470; Greer, 2004; Bevan & Hood, 2006). Andrews (2014: 21) confirms that the Ministerial mood in 2009 following Carwyn Jones's election was that it was 'Time to Deliver'. This was widely shared, even amongst those who did not support Jones's leadership campaign (Davies 2010, a & b). For Cole and Stafford, 'the emphasis on delivery that has characterized the second decade of devolution in Wales might be read as a direct consequence of the end of the lyrical illusions of the first decade' (2015:123). Cole (2012:470) contends that the financial crisis 'emboldened those politicians and civil servants' who felt that the next stage of devolution would require a sharp focus on performance.

Tempting though it may be to follow what is a very tidy division into two discursive periods, it is too simplistic both in terms of ministerial rule and ministerial rhetoric. In terms of ministerial rule, Rhodri Morgan, for example, explains his determination that the Welsh Government should have a plan to reduce hospital waiting times 'before the 2005 General Election'. In terms of ministerial rhetoric, early on, Morgan said he wanted to be judged by deliver (Rawlings, 2003: 148) and he turns the small country governance argument back on its head towards policy convergence: 'For a small country like Wales, it's what happens over the border in England that sets the standard' (Morgan, 2017: 266); and see Andrews, (2014 370-1) for some of the policy constraints imposed on Wales by its comparative size against UK Government treatment of England as the default nation, and the dominance of political discourse in Wales by a London-based media. Others have noted that the language of consumerism was present in a variety of Welsh Government documents on public service reform during the Morgan period, whatever the overall rhetoric about citizenship (Guarneros-Meza et al, 2014). As a counterpoint, in the period after Carwyn Jones's election as First Minister, the Welsh Government's 2010 decision to ensure that Welsh students would not have to bear the cost of £9000 tuition fees no matter where they studied was in a practical sense a re-working of the 2005 tuition fee policy, though this time with different legal advice which allowed support for Welsh students studying in England. In terms of ministerial rule, that policy was driven by the need to deliver the One-Wales Government coalition agreement: in terms of ministerial rhetoric, it was confirmed as opposition to a market-led policy for higher education being established in England. (See Andrews, 2014: 312-330 for discussion). The Welsh Government continued to oppose the introduction of Academies and Foundation Hospitals following Jones's election. The divisions of political discourse are not as simple as the Cole/Stafford periodization.

Additionally, the Cole/Stafford analysis largely downplays the foundational myth of inclusivity or inclusiveness (Chaney and Fevre, 2001; Davies, 1999; McAllister, 2000) and partnership (Entwistle, 2006) already referenced – what Scully and Wyn Jones call the 'non-material' element of consequentialist arguments for devolution (2015), although Cole (2006:69) makes explicit reference to the 'all-inclusive' policies of the early days of the Assembly. This is an important element of the periodization of discourses about the National Assembly and Welsh Government. In other words, there have been at least three discourses at work during the twenty years since the referendum: a residual discourse of inclusivity and partnership; a dominant discourse of 'clear red water'; and an emergent discourse of

delivery. The unifying element underpinning these separate discourses has been the notion of divergence from policies in England.

It is possible to map some legitimising ideas as part of the varying discourses of Welsh Government over a time-frame from 1999-2016, but with the inevitable caveat that it would be more accurate to project them as three-dimensional clashing waves of residual, dominant and emerging discourses that move in and out of focus out of time. It is necessary to include within this the mobilising discourses of Welsh Labour and its Leaders (Moon, 2013 and 2017). I will seek to give an initial mapping below:

Time	External Context	Developing ideas and discourse (s)
Up to 1999	White Paper <i>A Voice for Wales</i> ; Referendum 1997; GOWA 1998; imposed budgetary constraint /New Labour halo effect.	Foundational myths of new politics/inclusivity/ partnership
1999-2000	Assembly as corporate body; Alun Michael as First Secretary; no EU match-funds; spending plans opening up.	New politics/inclusivity/ Partnership/Made in Wales.
2000-3	Rhodri Morgan as FM; 'Partnership Government' with LDs; rising budgets; separation of executive and legislature as Welsh Assembly Government, establishing political control; Blair government public service reform	New politics/Small country governance; openness and transparency/'sounding governmental' (Morgan); Clear Red Water; Team Wales.
2003-7	Labour minority government; 'progressive universalism'; rising budgets; New Labour contestation; Quango absorption; new Assembly building opens; GOWA 2006	Clear Red Water/Welsh Labour/Collaboration (in public service reform)/putting the citizen at the centre
2007-9	One Wales Government; Gordon Brown as PM; cuts on horizon, strategic re-direction of convergence funding	One Wales/Collaboration
2009-11	Carwyn Jones election as a leader for the whole of Wales; UK coalition elected 2010; austerity; Referendum 2011;	Standing up for Wales/Time to deliver/

2011-14	Labour governs alone; WAG renamed Welsh Government; first Assembly Acts; UK coalition 'war on Wales'; Silk ; reform agenda in education; civil service 'delivering for ministers'.	Standing up for Wales/Delivery agenda/Doing more with less/ Collaborate or else/Adapt or die/ Reform
2014-16	Williams Commission; legislative programme continues/constitutional turmoil with Scotland and SNP hegemony; Silk and Silk 2 in play; Cameron defeats Miliband, Corbyn victory; One Welsh Public Service	Delivery Leadership Welsh Labour autonomy

I hope that this typology can be further fleshed out in future, with the help of others. It would certainly repay further study.

An extended ethical workshop: Welsh governance since the death of Carl Sargeant

Hennessy (1995) follows former Prime Minister John Major in referring to the Nolan Inquiry established to look into the conduct of public life as an 'ethical workshop'. Wales has been living through an ethical workshop since November 2017. The political editor of the Western Mail set out in November 2017 the overwhelming effect of the death of Carl Sargeant on political culture in Wales, which he described as a 'transformational moment':

It takes real leadership to set the tone of a culture. It is right that Wales should aspire to have a better type of government than anything it has known in the past, and it is up to those in positions of responsibility to now lead by example (Williamson, 2017).

Aside from the inquest, currently adjourned, three inquiries were announced into issues relating to Mr Sargeant's death. These were

- An independent QC-led inquiry into the conduct of the First Minister in relation to his November reshuffle and the sacking of Carl Sargeant (BBC Wales, 2017)
- An inquiry into whether or not the First Minister had misled the Assembly in respect of answers that he gave in relation to bullying in November 2014 and November 2017 (Welsh Government, 2017b).
- An inquiry into whether or not there was 'unauthorised' release – i.e. a leak - of information relating to the reshuffle (Shipton, 2017).

The terms of reference of the QC-led inquiry are yet to be announced and it is yet to commence.

The leak inquiry reported that there was no evidence of any unauthorised release of information, prompting the BBC's Welsh Affairs Editor Vaughan Roderick to tweet 'so how come we all knew?'. Roderick has subsequently surmised that information about the

reshuffle may have been provided to an individual on an authorised basis and that this individual may then have shared that with others, including a political lobbying company in Cardiff Bay (Roderick, 2018). Subsequently, the National Assembly voted that the leak inquiry report should be published (Shipton, 2018) prompting a reply from the Permanent Secretary, after discussions with the UK Cabinet Office, that this would not happen (BBC Wales, 2018a). That in itself has provoked a claim by one Plaid Cymru AM that this faces Wales with a constitutional crisis (Price, 2018) in relation to the accountability of the Permanent Secretary.

The inquiry into whether the First Minister misled the Assembly has been taking evidence since February.

Already, as a result of the events in November, there have been changes of significance: the First Minister has appointed an independent person, James Hamilton, to advise on questions of whether the First Minister may have breached the Ministerial Code, and the Code has been amended to that effect (Welsh Government, 2017b). Separately, he has agreed that guidance should be issued to Ministers on the use of private email (BBC Wales 2018b).

Conclusion

This paper has sought to demonstrate that there are significant areas relating to post-devolution Welsh Government that are under-theorised and under-researched. Specifically, these relate to matters which at an equivalent UK level have begun to be addressed over the last thirty years, namely the key relationships and how they function at an executive level in government. In the case of Wales, ministerial life is under-researched, and detailed examination of First Minister/Ministerial relations, Minister/Civil Service relationships and many other areas of Cabinet life, relationships and performance remain under-explored. The absence of a single textbook on the post-devolution Government of Wales means that there is no foundational text to deconstruct: the constitutional status of Welsh Government and the National Assembly has been 'an unfolding text' from the beginning.

The paper sets out some tentative observations based on previous analyses by others, documentary materials, and the two book-length insider accounts so far produced by former Ministers, by Andrews (2014) and Morgan (2017). It sets out some hypotheses for further testing, including the different institutions exerting influence within the hidden wiring of Welsh Government; on the change from Labour administrations at all levels of Great Britain to non-Labour administrations in Westminster, and the potential impact for that on the role, for example, of the Wales Office. It suggests that Rhodes' 'court politics' thesis (2013) should be tested in the context of the operation of special advisers in particular. It identifies the enduring influence of the Westminster Model, including the conflicting accountabilities embodied in the role of the Permanent Secretary. It argues that the notion of 'Welsh Labour' could be interpreted as a 'modernisation' agenda for the Labour Party in Wales. It identifies a potential adaptation of the Bevir/Rhodes 3Rs approach to a new research agenda, adding rhetoric and rallying to rule, rationalities and resistance, illustrating how this might be examined in relation to public service reform in Wales. It challenges the simple tidiness of the Cole/Stafford division of the legitimising discourse of the Welsh Government at the half-way stage of devolution in 2009, suggesting that there are residual, dominant and emergent cultures within the Welsh Government. It outlines a tentative typology of the rhetorical ideas and legitimising discourses at different stages of Welsh Government from 1997-2016.

All of these suggestions require further testing in the form of research. Developing greater understanding of Welsh Government is likely to require significant qualitative work of historical recovery, elite interviews with former and existing ministers, and officials directly supporting them, as is currently underway within Cardiff University, along with narrative explanation, documentary analysis, case studies of particular policy domains, and conceivably observational and ethnographic work. There is a strong case for the kind of academic generosity demonstrated by Cole in the making available of previous interviews for secondary analysis (Cole, 2012: 473, note 1). To that end, with the permission of the interviewees or their families, I will be making available the interviews that I conducted in 1998 for my book on the 1997 Referendum, *Wales Says Yes*. I would encourage others who have conducted similar interviews to do the same.

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