

Writing and the Management of Power: Producing Public Policy in New Zealand

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Abstract

In contrast to the traditional view of policymaking, which assumes a rational process of problem identification and solution evaluation, much actual policy turns out to be solution-led. In other words, predetermined policy measures are imposed as “solutions” to retrospectively presented “problems”. This has been particularly true, ironically, of the supposedly rational neo-liberal or “New Right” resurgence of the last quarter-century, whose influence is perhaps diminishing in some quarters but continues to be felt. In these conditions, the processes and mechanisms of policy development, particularly the various genres of the formal written stages, can be viewed as a *system of production*, where the favored policy is “managed” through the traditional democratic framework of agenda setting, consultation, and enactment. This chapter charts the passage of a particular instance of policy development in New Zealand – the privatization of electricity supply – through this textual regime. The chapter shows both how traditional textual genres can survive unchanged into new circumstances, thereby misleading their readers, and how genres can change or rupture under pressure of new conditions and expectations. It will be demonstrated that the staged production of policy creates a differentiation of audiences that limits participation; and that viewing the texts in interaction allows analysts to refine their perceptions of the rhetorical purposes of each.

Until recently, approaches to textual, rhetorical, and discourse analysis, for all their variety, have tended to focus on single genres, or on features common to a range of genres within a discursive formation or even within a cultural system. Deserving of more analysis is how different but related genres within a particular domain work together to generate rhetorical effects out of their differences in language, textual organization, designated audience, purpose, etc. Specifically for my purposes here, I am referring to the set of textual hoops through which instances of public policy setting must pass in order to be formalized and enacted.

This notion of related genres or textual hoops is consistent with that of “genre system” introduced by Bazerman (1994) to describe the patenting process, and “system” is the exact word for what I have in mind in characterizing the policy formation process as a “production.” (The process could also be usefully described, using Foucault’s term, as an “order of discourse.” See, for example, Fairclough [2000] for comparable work in that tradition.) I am referring to those stages of policy development that are realized in a linear but interrelated series of written texts, each the (variable) realization of a different genre. The genre system used may differ according to the broad policy approach chosen, or the particular democratic tradition in question, but the

effect in every case can be characterized as a machine or apparatus for the production of policy, and for the governmental managing of power.

By “managing power” I do not mean to necessarily denigrate the process. There is a tension in a democracy between, on the one hand, the legitimate role of government to lead a process of social adaptation to ever-continuing change, and on the other an obligation on the part of that government to consult the affected social body about measures to be taken. This tension is inevitable, and the key task of policy makers is to manage or balance it in ways that maximize the acceptability of government conduct – a hugely complex task since the conditions of acceptability may vary from place to place, time to time, and issue to issue.

Such managing, therefore, may be more or less enabling or disabling of citizens, depending on the wider context of political circumstances that bears upon the application of the apparatus in each case. What I need to do in order to demonstrate the relationships and effects at work in this notion of genre system is to focus on a specific case and to:

- Sketch the political and policy background to the particular case.
- Outline the particular genre system of policy production employed for that case.
- Analyze how each genre contributes uniquely to the passage of policy through the system.

In what follows, I will take each of these steps in turn. The case I will be concentrating on is the restructuring of the New Zealand electricity sector between 1986 and 1990. The fact that the tension was managed closer to the autocratic rather than democratic end of the spectrum in this case is not so important as attending to the actual detail of how the genre system operated to manage the process.

The Political Background

At the 1984 election, the New Zealand Labour Party (traditionally left wing) replaced the New Zealand National Party (traditionally right wing) as the party of government. In New Zealand, these ideological labels had meant little, and were to mean even less. The National party had dominated government for the past 30 years, and as the “natural party of government,” had adopted a broad-appeal policy platform which included maintenance of an extensive welfare state and considerable economic regulation. Some civil servants, particularly within the Department of Treasury, believed that the economy was collapsing under the weight of governmental taxation and regulation (Scott et al., 1997). The new Labour government almost immediately began instituting a Treasury program of deregulation and privatization of the state, citing the TINA (there is no alternative) principle.

Opinions remain divided over the “necessity” of this program of action. An alternative to viewing the program as a response to the immediate demands of crisis management is, following Castells (1997, ch. 5), to view the “reforms” (as they came to be known) in the context of international forces of neo-liberalism. These forces, which had already gained significant purchase in other “Western” countries, were dedicated above all to accelerating the globalization

of capital. In national terms, the reforms were about preparing “New Zealand” (or more accurately, those of the population not in a position to profit from the new possibilities) for full participation in the New Right agenda of free trade, de-unionization, and welfare reduction. Such conditions were viewed by proponents of the agenda as necessary for a small, export-dependent country to survive in the new order.

It is important for understanding the processes of policy formation in this case (and in many another contemporary instance) that what transpired was contrary to the textbook model, which posits a logical sequence of problem identification and solution evaluation. The policy makers (in reality a few key politicians and bureaucrats) had determined to bring a ready-made, broad-based solution to bear on every aspect of the state’s operations, irrespective of whether, in any particular case, a definite problem existed. Analysis of documents pertaining to reform of the electricity sector shows that little evidence was supplied regarding inefficiency in the sector, and little justification was given for the new measures introduced. Rather than the classical policy by reasoned argument, this was policy by dogma; the fanatical belief that the state is, by definition, a poor administrator, and that regulation is bad and privatization is good. (Wallace [1998, p. 58-60] provides an elaboration of this point.)

None of this is to say that the reforms were completely unjustifiable, or that dogma is entirely avoidable in public affairs. But it sets the scene for the application of the genre machine in this case. It demonstrates that the governmental powers were intent on massaging a “solution” through the policy process rather than searching for and establishing an agreed course of action to meet an accepted problem. We need to know this in advance of textual analysis in order to describe how the particular procedures and operations of the genre system were used to this end, and not, as it could equally appear to an observer lacking the full context, to the end of open, consultative democracy. In the terms given earlier, we can show how the rhetorical resources of the policy process could be used to disable citizenship rather than to enable it as it was purportedly designed to do.

A Brief History of the Electricity Reforms

Prior to reform of the sector, electricity generation in New Zealand was managed by a state entity called the New Zealand Electricity Department (NZED). Distribution of the electricity to businesses and households was handled separately by two kinds of public bodies. The first kind was called the electric power board, typically but not exclusively established on a district basis (a mix of rural and urban), and run by specific locally elected representatives independent of other mechanisms of local government. The other kind was the municipal electricity department, a form particular to the majority of the larger cities, where the elected governing body was the city council. Historically, there was antagonism between those involved in these two forms (partly because city councils could use revenue from the sale of electricity for other purposes); an antagonism that continued right through, and was influential in, the reform process.

The first stage of reform was to corporatize the NZED, turning it into a peculiarly New Zealand institution called the state-owned enterprise (i.e. a public company), in this case with the name

Electricity Corporation of New Zealand (ECNZ). Corporatization basically conferred on a publicly owned body the requirement to demonstrate profitability, and in many cases it was seen as an interim measure to be followed by sale to the private sector (privatization). It is extremely significant for subsequent policy development, however, that no competition or regulations were at the same time introduced to offset the consequential dangers of a pricing monopoly. This fact of market dominance was retrospectively used to argue the “necessity” of further reform. As a result, full public discussion in advance about the future shape of the electricity industry was pre-empted.

Further reform was organized around the establishment of a task force charged with conducting a review of the electricity industry as a whole, the ostensible need for which, as just indicated, “arose initially because of concern over the dominant market position of ECNZ.” (Electricity Task Force, 1989b, p. 3) In fact, work had already begun on reorganization of the wider industry. The government had already decided, over a year earlier, that electricity distribution bodies would be turned over to private ownership, and had directed officials to work on the details; this work was initially suspended and then merged with that of the task force (Farley, 1994, p.14).

As I will illustrate in detail later, this government-appointed task force was disposed towards privatization, more so initially, when it largely comprised government officials and representatives of the already corporatized ECNZ. (Later, it was expanded to include representatives of the supply authorities, who moderated its stance.) But there was considerable opposition to privatization from power boards and, particularly, municipalities (the latter standing to lose significant discretionary revenue), as well as from the wider public and from substantial sections of the governing party itself. The urban origins of the Labour Party, and the strong relationship it had traditionally enjoyed with urban local body politicians, would appear to have proved decisive. In August 1990, the Labour Government introduced legislation that limited reform of the supply authorities to corporatization and gave municipal authorities responsibility for managing the process, as well as permitting them to preserve their own ownership rights. Three months later, Labour were defeated in the general election, and the incoming National Government overturned the earlier legislation, briefly restoring immediate privatization to the agenda before being forced by the range of opposing interest groups to back down somewhat.

The eventual solution, whether foreseen in its entirety or not, was ingenious from the point of view of privatization interests.

The Energy Companies Act 1992, while providing for a range of possible ownership options for the new companies (including City Council jurisdiction over former municipal electricity departments, and indeed community ownership of the former electric power boards) also provides for their privatization under a process requiring only that the public be consulted (in effect, informed).

A creeping privatization has been occurring ever since. One prominent city council, Wellington, has divested itself entirely of its power company shareholding against the wishes of the majority

of its citizens. And minority share-holding community trusts within power companies are constantly pressured by their directors to distribute their shares to individual trust beneficiaries, and they are one by one succumbing.

The Genre System

The policy genre system employed in this case was one often used in the New Zealand context for highly intractable as well as technical policy problems, such as the provision of social security (superannuation) to the elderly. It involves the appointment of a task force to inquire and report on the question at issue. The government typically selects people who can represent what government sees as the key stakeholder groups with interests in the issue, along with others perceived to be independent specialists with relevant technical expertise. Such a group is charged with preparing a report (generally following a degree of wider consultation), on the basis of which the government may make some decisions.

More specifically in the case of the electricity restructuring, the policy process went through two main stages. First, the task force invited comment from interested parties and commissioned additional research before responding to government in writing, whereupon government made public its policy intentions and requested some further work to be done. Thereafter, the policy process was in the hands of the government's own officials. A special officials' committee (some key members of which were on the original task force) was established which carried out its own "consultation" with relevant government departments and industry players. This culminated in the August 1990 legislation referred to above.

For reasons of space I will limit myself here to the first stage of the process – the task force. From the point of view of an approach to discourse that is broadly aligned with contemporary activity theory and genre as social action models, the process can be rhetorically classified, employing terms consistent with agents' self-understandings, as follows:

- Tasking
- Consulting
- Reporting
- Declaring

Each of these rhetorical functions (or policy modes) is realized in at least one text. In the case under discussion, tasking took the typical form of *terms of reference*, a document setting out the parameters of the inquiry to be conducted. Consulting took the understandably dialogic form of a *discussion paper* produced by the task force and a number of *submissions* produced in response by interested parties. Reporting took place through an official written *report* from the task force to government, and the government declared its intentions in a *media release*. Clearly, these textual realizations or genres are not rigidly fixed. For example, the government could have held a press conference to announce its intentions, rather than preparing a formal release. It will also be clear that broader dialogic relations pertain between the texts. Most significantly, the report is

an answer to the terms of reference, this relationship overarching that between the discussion paper and the submissions. Subsequently, the media release is a response to the report, but also, implicitly, to the terms of reference, thereby framing the whole cycle with the words of government: Ultimately, government determines both the questions and the answers. (These interrelations are similar to Freedman's [1994, p. 48] notion of generic pairs or groups, though I see no particular advantage for my approach, so long as the interrelations are constantly foregrounded, in making the relationship rather than the text the point of generic designation.)

I will now provide an analysis of each of the genres through which the rhetorical functions are instantiated. I will focus on the ways each genre, in interaction with the others, organizes the passage of policy through the process in the effort to manage, to the advantage of government in this case, the tension between the autocratic intention to impose and the democratic requirement to consult.

The Terms of Reference

The most obvious characteristic (function) of terms of reference is that they define the parameters within which the investigation called for will take place. In this case, the terms of reference begin as follows: "Advise Government on the optimal industry structure and regulatory environment for electricity generation and transmission, and implications for electricity distribution in the light of the Government's overall economic efficiency objective."

Subsequently, the terms instruct the task force instituted by this document to prepare a report which, inter alia, "provides an outline of the major options available . . ." and "provides an assessment of their costs and benefits...." (Electricity Task Force, 1989c)

On the one hand, the formulation used here achieves a certain narrowing of focus to financial considerations. This narrowing is signaled by the references to economic efficiency as the horizon for inquiry, and to costs and benefits. This allows the task force in subsequent documents to define efficiency so as to exclude what in some other contexts would be considered pertinent – consideration of social equity factors in relation to electricity pricing.

On the other hand, the formulation projects a rhetorical situation of general review and inquiry: Pertinent here are the references to optimal structure and major options (though the further qualification "available" in respect of the latter provides a hint of the actual stakes). General review and inquiry is a conventional feature of terms of reference, but in this case it belies the clear evidence of previous decisions concerning structure and ownership. This case provides an example of a genre that might once have accurately reflected reality (a practice of periodic policy evaluation) surviving unchanged into a dispensation (policy imposition) that is very much at odds with it. The resulting effect may very well be to mislead citizens unaware of changes in the policy machinery.

More specifically, terms of reference document in such a policy context conceals its origins and in doing so establishes itself (for readers not in the know) as the origin of the inquiry. It creates this false impression of inauguration by (a) providing minimal background as to its necessity or

antecedents, and (b) expressing its conditions at a level of generality that removes it from the specific circumstances giving rise to it.

This generality has two significant and related possible effects:

- To bracket prior dialogue so as to dictate the terms of the ensuing dialogue; and
- To place uninformed or face-value readers of public documents in a position where they do not know the precise parameters weighing on policy makers at any one time.

They are thus prevented from reconstructing and thereby fully appreciating the precise course of the conditioning such policy-formers are subjected to by the terms of reference.

It is significant in respect of the latter point that membership of the task force was largely made up of government officials, possibly the same officials – or certainly those in a position to be in contact with these officials – who had been directed previously to work on supply authority reformation.

Furthermore, the generality of terms of reference lends itself to the possibility of subsequent requests for responses (e.g. from the task force to the public at large) being couched in a similar generality. This will have the potential consequence that interested and even knowledgeable citizens (but citizens uninformed about developments elsewhere in the governmental machinery) will respond at an equivalent level of generality. This in turn will render their views and knowledge of limited value, and even irrelevant, to those charged with determining the policy. (Ironically, their responses will often occasion frustrated complaints from officials about lack of specifics.)

This logic of generality is what indeed transpired when the task force came to write its discussion paper and call for submissions, as described in the next section.

The Discussion Paper

More than any other text within the distinct chain characteristic of policy formation, the discussion paper (or “consultative document” as such texts, including the one to be analyzed here, are now more commonly, and revealingly, designated) must refer explicitly to prior as well as to ensuing texts. The authors of a discussion paper intervening and mediating between the official terms of reference and a report must engage both:

- The text to which they are bound to ultimately respond, and by which they are warranted (the terms of reference), and
- The audience(s) which they are bound to address in order to elicit a further set of texts (submissions).

A discussion paper is thus a vital hinge in the process of linking the authorities with the consulted so the policy process as a whole will be regarded as legitimate. Traditionally, the genre proceeds by setting out a range of optional solutions to a defined problem, very much in line with the focus required by the terms of reference, and invites comment from interested parties.

Set against this traditional model, the discussion paper produced by the Electricity Task Force is heavily marked by plurality, contradiction, and interruption. For example, the text insists repeatedly to begin with that it “is not intended to convey conclusions,” (Electricity Task Force, 1989b, p. 3). Yet it later admits that Phase 1 of the task force’s study (already completed) “was largely based on the presumption that all or most of the industry will be privatized” (1989b, p. 13). In other words, the text inscribes in advance one conclusion (solution) from the many that it was purportedly the purpose of the requested submissions to help provide. The discussion paper is thus enabled to continue with such forward-looking statements as: “A central issue is whether the industry during the privatization process can be structured in such a way as to increase competition without introducing significant operating or technical inefficiencies” (1989b, p. 13).

So strong, in fact, is the commitment to privatization that the authors may have been unaware of the extent to which their predisposition was structuring an avowedly and conventionally neutral text. This can be demonstrated by juxtaposing an early statement delivered from the relatively lofty height of the obligatory “Approach to the Study” section of the text with the rather waspish retort emanating from the more embroiled situation of discussing the “Framework for Analysis.”

This paper should be treated, as its title suggests, as an indication of the issues and options being addressed by the Task Force. It does not provide solutions (1989b, p. 5).

There is no justification for the current structure as the starting point since it did not evolve to this point under the pressures of commercial or market forces (1989b, p. 13).

The latter is a fine example of pre-scribing the solution to a problem by defining the solution’s absence as the cause of the problem. Such circular or internal logic is a form of enthymeme, employing an unsupported premise to function grammatically as a justification.

This privileging of privatization is not fully sustained in the discussion paper. However, its temporary dominance has conceivably already done its work of coloring and channeling reception. Here we have an instance of the opposite of what we saw with the terms of reference genre where the traditional form survived a change of context. The departure from generic convention in the case of the discussion paper, brought about, it seems certain, by the pressure of the overall policy objective, suggests the possibility of genre manipulation as discussed by Berkenkotter and Huckin (1993, p. 476). However, my own sense is that, while manipulation of readers may certainly have taken place (indeed, a number of ensuing submissions referred to the text as a report), this generic distortion is more likely to have resulted from post hoc and localized attempts to manage the tension I have referred to, rather than from a consciously strategic transgression of genre. Nonetheless, what we are arguably seeing here is an early prototype of the new genre “consultation document” – a genre geared more to providing information than to seeking participation. (It is reflective of the transitional status of this genre that while the title of the text in question identified it as a “consultation document,” the conventional disclaimer concerning authorial unanimity referred to it as a “discussion

document.” I have used the traditional term “discussion paper” to highlight the stakes involved in the evolution or transformation of the genre.)

It is worth briefly mentioning in this context the “public consultation document” regarding the institution of a code of social and family responsibility that was sent to all households in New Zealand in 1998, and ostensibly directed at all citizens. Microanalysis of the representations and sentence forms employed, which were almost certainly below the level of conscious awareness and control, suggest, however, the constitution of an audience thought to be in need of help/remedial action (Wallace, 2000). The effective purpose of the text is therefore not so much consultative as educative – informing the target group of “standard” norms of behavior and preparing them for the possibility of intervention. And this finding is in line with what examination of background papers reveal to have been the initial policy push. This was subsequently amended but without, I suggest, altering what the policy makers were disposed to achieve.

The tension stemming from the interrelations within the genre system of policy production is most foundationally enacted in the practical impossibility of the task force bringing down a conclusion that things stay as they are. The terms of reference by tacit definition – when in practice has a review or inquiry “found” that everything is fine? – oblige the task force to recommend, even at this early step in the sequence, an industry structure other than the status quo. In other words, the terms impose a policy vacuum that the currently ascendant ideology (privatization) – already prefigured, as we have seen, in prior decisions – rushes to fill.

This is what produces the extraordinary formulation to be repeated several times throughout the task force’s writings: “The present system works . . . no intervention [may be] warranted . . . nevertheless some option must be chosen.”

The pressures bearing on the task force, therefore, are not just those brought about by its various interlocutors, but also those imposed by the specific rhetorical situation confronting it. This is the requirement to maintain a stance of privatization in the face of numerous practical obstacles (having to do with the unfeasibility of the market mechanism in an industry characterized by “natural monopoly”), without undermining the authority of the text by making claims that are grossly impracticable or contradictory. An important question that arises, addressed in the next section, is whether the contradictions and incoherences produced by this pressure detrimentally affect the legitimacy accorded to the discussion paper by its primary readership (i.e. those invited to make submissions in response).

It is also noteworthy that a comparison of a draft of the discussion paper (Electricity Task Force, 1989a) with its final version reveals that a considerable amount of background and explanatory material was deleted from the final version. Perhaps more than any other component of the draft text, these sections produced a sense of the text being employed as a forum or site for thinking out and arguing through possibilities, in particular with a non-specialist audience in mind. In other words, these deleted sections were what gave this version the character of a discussion paper.

I can think of only two possible reasons for the deletion of the background material. One is that it was decided that the intended audience should not become too wide; the other, more charitably, is that the information was perceived as being more general or elementary than required for the audience the task force had in mind. In any event, the effect is to restrict the audience to those with technical know-how or with the resources to employ such know-how; i.e. agencies involved in the production and circulation of electricity, large industrial consumers, and academics with expertise in the field. As Frank Fischer (1993, p. 36) has observed, such restriction results in the “technical framing of political arguments.” The constitution of, in effect, qualified producers of policy by definition constitutes/excludes other citizens as policy consumers. This restriction is directly reflected in the sources of the submissions.

To sum up, the drafting history and final organization of this particular text, put together with the fact of a prior policy determination, are strongly suggestive that the actual rhetorical problem facing the authors was the following: On the one hand, the discussion paper had to anticipate a diversity of perspectives on the issue in order to convey at least the appearance of its own neutrality and openness to a range of possible solutions to the problem it poses. On the other hand, it would have to steer respondents towards a solution which was “feasible” (i.e. acceptable to Cabinet), rather than present a scattering of possible solutions so attenuated that there was no weight of response to anchor the “findings” to be presented in the final report.

Submissions

As could be expected, the submission stage of the policy process allows interested parties to have their say. In fact, for most it is the only formal opportunity to comment that they receive. And it is indicative of the ritualistic nature of the process that certain relevant agents, such as government departments with interests in the issue, typically refrain from comment at this stage of the process. Instead, they wait for an invitation to comment through inclusion in, or request for response to, the officials’ committee established to follow up on and/or implement the task force’s work. What this means is that certain information or perspectives are not necessarily brought into play at a time when they could most usefully inform the discussions in and around the public report stage of the process.

In the case under consideration, two main strategies of response can be discerned, resulting in very different texts within the submission genre. One, which I call the “autonomous model” of response, does not explicitly address the discussion paper at all. Rather, it offers a full-blown proposal for the structure of the electricity industry, a proposal that is presented as that party’s own, although it may bear resemblance to options described in the discussion paper or elsewhere. The other main strategy, which I call the “critical model,” responds specifically and in detail to the discussion paper, for the most part critically and from the standpoint of desiring little or no change to the existing system. (A further, intermediate, model proposes incremental changes to the current system.)

These strategies correspond to the comparative influence that their authoring institutions can be assumed to hold within the electricity sector. In the case of the autonomous model, two obvious

examples are submissions (proposals) from a major industrial user of electricity and the central supplier of New Zealand's largest city.

The submissions most exemplary of the critical model are those from a union organization and a local government (resource management) organization, both representing key "resources" within the industry (labor and water), albeit with constrained powers in an industry so closely associated with the "national interest" and "essential services." Stylistically, these are the most expertly written, practiced (i.e. conventional) of all the submissions made.

However, such is the treatment accorded these and the other submissions in this case (as detailed in the next section) that it is hard to escape the conclusion that all submissions are merely the products of a system designed to extrude and then re-ingest them to satisfy an institutionalized requirement to consult and be consulted. There is little sense of any of the respondents engaging in discussion or dialogue with the task force. This perhaps is not surprising, given the monological tendencies of the discussion paper as described in the previous section.

It would appear, then, to answer the question I posed in the previous section, that the credibility of the discussion paper as a coherent document was scarcely an issue for a large proportion of respondents. That is to say, those who fall into either the "autonomous" category (more or less ignoring the discussion paper) or into an intermediate category of texts referring only sporadically and selectively to the discussion paper. These latter would appear to have been the product, as far as their relationship with the discussion paper is concerned, of highly selective or particularistic reading practices, which have the effect of blinding readers to larger incoherences in the text they are reading.

The Report

If the policy production process is to be anything more than a ritualistic formalization of the predetermined, then reporting is arguably the most crucial stage. For it to be an acceptable product of institutionally required processes of consideration and consultation, the report must "draw the fire" of opposing viewpoints, gather opinions and evidence from experts, and out of all these materials, fashion a coherent response to the task set by the terms of reference. Given that the overall position arrived at in the report discussed here is largely consistent with that of government as implied in the terms of reference and foreshadowed in previous policy decisions, the most urgent question is: What does the report do with the opposing and heterogeneous viewpoints provided by the submissions? Does it explicitly acknowledge these diverse viewpoints, weaving them into a discussion of various options; does it refer to them indirectly; or does it completely ignore them?

In fact, the report neither ignores the submissions nor does it engage with them. It does not even bolster its own position by referring to those submissions, or parts of submissions, which adopt a similar stance. The report consigns all submissions to a common site, grouped together as the third and final part of the report. Here they appear in summarized form, ordered alphabetically within a classification scheme that distributes them in accordance with the particular segment of

the electricity industry in which each authoring institution or individual agent is located. Everything suggests the use of the policy genre system in this instance to project a ritualistic show of consultation and public discussion. It cannot be denied that the views of the submitters have been publicly disseminated or fairly represented. And yet it would appear, on close inspection of the rest of the text, that the views expressed in the submissions have had no bearing whatsoever on the deliberations of the task force.

In effect, the report – through what amounts to an act of appending despite its renaming as Part III – simply partitions the submissions off from the legitimate (i.e. expected) work of analysis, offering no comment or commentary other than an indication of their existence and location. The report submits the submissions without overtly subordinating them, while “giving” them a significant amount of space. The effect is similar to that identified by Jean Baudrillard (1994, p. 112) when writing of the mass media:

To understand properly the term “response,” one must appreciate it in a meaning at once strong, symbolic, and primitive: Power belongs to him who gives and to whom no return can be made. To give, and to do it in such a way that no return can be made, is to break exchange to one’s own profit and to institute a monopoly: The social process is out of balance.

The consultation process strictly limits the involvement of citizens outside those specifically authorized to have a view by constituting such others as respondents, ensuring that they can only react to a prior formulation, rather than initiate or share in that formulation. Additionally, the process in large measure dictates the precise terms of response. It does this first of all by framing its composition within the narrow parameters of the terms of reference and discussion paper, and secondly by controlling its reception through judicious textual placement. The result is a distancing of response by which the requirement of consultation can be met without it necessitating any real interaction and concomitant deflection from the predetermined policy path. As Baudrillard would say, the submissions are a simulation of a response, since they have no particular dialogic efficacy, no appreciable impact on the discourse that supposedly is subsequent to them. And this of course is what makes the term “submission” such an appropriate one in this case.

* * *

The staged production of policy through a genre sequence that differentiates audiences facilitates the activation of a defined and consistent “reading posture,” to use Bryan Green’s (1983) term, for any specific text. In the case of the report, the primary and institutionalized audience is government, or more specifically, its executive branch or Cabinet. Without wishing to overstate its homogeneity, it is nonetheless the case that this audience is accustomed to reading texts of a certain consistent format and development (including reports). In addition, this is a highly circumscribed group in terms of its exposure to the circulation of certain ideas and to the processes to which these ideas are subjected. All this can be expected to induce settlement into a single posture of reception for texts such as reports.

Moreover, the task of reporting is carried out within a relationship of delegation. In other words, there is a certain investment of trust on the part of those who have the power to decide – but who do not have the information on which to base (justify) that decision – in the report writers whom they have certified as competent to act on their behalf. This trust, in combination with a common reading posture associated with a specific stage in a genre sequence, and a related belief in interpretive transparency that characterizes a literal view of language, has a very precise effect. Namely, an apparent absence of expectation on the part of the addressees of a report that its basic informing assumptions should be spelled out and backed up.

For example, the presupposition in the report under discussion here that competition equals efficiency, closely linked to the conceptual framework of economic rationalism, receives virtually no documentation and certainly not the slightest attempt at a systematic genealogical mapping. It is apparent that a key element of the work of textuality in public policy production is the rendering of specific discursive features as natural and transparent. Green, in his regrettably little known study, provides a theorization of this process through his notion of “contextual transitivity”:

A social stock of knowledge can be thought of as an array of cultural coding devices – what ethnomethodologists call sense-making practices – through which otherwise disparate events and behaviors are exhibited as determinate social realities. Assuming that such coding devices form a common ground between writing and reading we can say, as a first approximation, that contextual transitivity is a recognitionary match between cultural coding devices in a text and devices present as prior plausibility structures in the person who reads (1983, p. 171).

I am suggesting that the formulation “competition equals efficiency” forms part of the stock of knowledge shared by members of the task force and their governmental addressees, and it is therefore employed unproblematically in their text. In these circumstances, any attempt to ground the coding device in logical demonstrations or external sources would have had the opposite effect to what such grounding was intended to achieve. It would merely have suggested to receptive readers that there was a question mark over the validity of the notion. As Green goes on immediately to say, “the presence of contextual transitivity means that the reading of a text can be carried on completely as a contexted work practice, i.e. as another enactment of cultural membership, and is undisturbed by the reading act itself.”

A similar effect is achieved by the paucity of historical contextualization provided. For example, while the report notes the government’s general policy of reviewing its business activities, it excludes any reference to possible sale (privatization) of electricity assets. In other words, it provides no situating of the overall policy environment operating at the time beyond the general objective of economic efficiency expressed in the report’s reproduction of its terms of reference. It is significant that such exclusion does not necessarily confer incomprehensibility (and therefore perhaps disturbance and resistance) on the report for some sections of its audience. Rather, exclusion as a rhetorical move is able to accommodate both a governmental audience

that would not need reminding that privatization was under consideration, and a public audience that would (preferably) not need to know.

It is worth noting an additional, or perhaps even coexisting, tendency that may be revealed by the progressive decontextualization of the documents in the policy cycle. The earliest text produced by the task force that I have come across (1988) contains by far the most generous account of the conditions pertaining to the policy and industry environments. It may be no accident that it was also the first, and that the texts that succeeded it progressively reduced and standardized their accounts. Notable here are the excising from the final discussion paper of a considerable quantity of this type of material and the extensive recycling in the final report of material used in previous texts. This pattern is strongly suggestive of the use of a chain of texts on the same topic by the same authoring agent as self-informing devices. The result is a progressive condensation of what is perceived to be pertinent knowledge concerning the topic, and a corresponding diminution of the need, as perceived by the agent, for detailed contextualization. More specifically, the authoring agent (individual or group) may come to have a progressively altered sense of the significance of background details and what a reader coming into contact with the topic, perhaps for the first time, needs to know in advance in order to fully comprehend the material.

This possibility is reinforced by the absence of any suggestion that the primary audience of the final report (executive government) was in any way disadvantaged by the limited contextualization. Indeed, it indicates that one aspect of a self-informing process is the achievement of a refined sense of what the sponsoring institution, as the primary reference point for the authoring agent, needs to know, and therefore, by implication, what it knows already and doesn't need to be told again. In other words, what was winnowed out led to the enhancement, for the primary audience, of what I have been referring to, following Green, as contextual transitivity, at the same time as it marginalized a more general public audience.

* * *

In the case under consideration, the report is, if anything, more cautious in its advocacy of change than the discussion paper. A number of factors, which are very difficult to sort out, potentially contribute to this caution. One is the somewhat unconventional nature of the discussion paper as already referenced. Another, and related, factor is the differences between the primary audiences of the respective documents (and also, no doubt, the sense of finality associated with the report, compared with the provisional status of the discussion paper). The discussion paper, from a perspective of viewing the texts in interaction, can now be seen as primarily determined by the requirement of transmitting to the electricity industry the government's expectation that change would occur. The report, on the other hand, is oriented towards the need to produce a workable solution or resolution of that expectation; to a comparatively greater degree, its authors' heads are on the block and the discourse protects itself accordingly.

The contrast is at its sharpest when the report is compared with the initial task force text referred to above (Electricity Task Force, 1988). Rather than the evolutionary approach to reform advocated in the report, the task force had stated:

It is clear, however, at this stage in the review of the establishment process, that a clear-cut shift, preferably made faster rather than slowly, in the external regulatory framework of the electricity industry *as a whole, alongside any other major structural and regulatory changes affecting (in this case) the wholesale industry on its own* will be more effective in increasing efficiency than a progressive change which is driven not by the logic of the industrial and commercial processes of that overall industry but by what the political traffic can bear. In other words, timing and the comprehensiveness of the reform are probably more efficacious (in terms of efficient outcomes) than an attempt to modify the potential transition costs by a staggered or evolutionary approach to large-scale industrial manufacturing aimed at improving overall national economic performance (1988, p. 28, original emphasis).

At this point, it is useful to refer to the aims of “technical rationality” described by Green and characterized by contempt for both, (1) the application of peremptory schemas, and (2) ad hoc adjustment to circumstances. I believe it is possible to perceive in the former mode of action the “clear-cut shift” espoused in the early task force text, together with the associated tendency, among Treasury officials in particular, to pursue the imposition of theoretical frameworks. (It is significant in this respect that this early document was produced prior to the expansion of the task force to include representatives of the electricity supply authorities.) And one can perceive in the latter mode the conviction of many of the electricity supply authorities (apparent in their submissions to the task force) that reform can be achieved incrementally within existing political frameworks. The reporting work conducted by the task force, manifested most clearly in the comparison of official and unofficial texts produced during its existence, can in this light be seen as achieving two functions. First, a managing of the tension between these dispositional tendencies. And second, a mediating increasingly arrived at by the time of the final report that is consistent with technical rationality – i.e. with the production and application of “developmental systems of action” (Green 1983, p. 45) rather than a more revolutionary kind of restructuring.

The shift in the value accorded to “evolutionary” as a quality of industry reform, from a derogatory meaning in the earliest text (Electricity Task Force, 1988) to a term of approbation (“transitional strategy”) in the last, is indicative, it seems to me, of the stakes and outcomes of this dispositional struggle. Indeed, I would go further and say that we can see in these texts the working out of a significant conflict over bureaucratic practice that emerged at this time – on the one hand, between a traditional, public service-oriented bureaucratic ethos, and on the other a new, highly ideological, advocacy-based conception of the bureaucratic role that has been a feature of the neoliberal or New Right revolution in public policy throughout the world over the last 25 years.

There is a salutary lesson here for those who might overstate the efficacy of textual operations in policy production at the expense of a full appreciation of institutional and interpersonal

dynamics. Nevertheless, in their interaction with each other – a relationship which, significantly, is not one of the more obvious dialogical pairings in the textual chain – the discussion paper (in its various drafts and versions) and the report appear to provide a mechanism for the working out, or through, of the interpersonal dynamics needed to carry the work of policy production forward.

The Media Announcement

A significant role of the media announcement within the generic cycle of policy texts is to provide a vehicle for the assertion of governmental authority and power, or more precisely, for reaffirming government control of the policy process. This is exemplified from the beginning of the announcement (Office of the Ministers of Finance, 1989, for this and subsequent citations in this section):

The decisions the Government had made were based on the work undertaken by the Task Force.

“The Government has, however, directed officials to do more work in a number of specific areas,” the Ministers said.

As anyone who had read the task force report would know, this will in most cases be precisely the same work that the task force had requested that it be directed to do. Although it is not unheard of for government representatives to distance themselves from the findings of officials or appointed investigators, the relationship of delegation that exists between them, on an overt and formal level, at least, tends to ensure that the government will take ownership of policy proposals. The expected or official government role, as embodied in the principal–agent relationship, i.e. of initiating, directing, and signing off on bureaucratic work, requires an exaggeration of its actual role. The media announcement provides occasion for such a signing off in the same way that the terms of reference “initiated” work that was already in process.

The media announcement is notable for an almost total absence of elaboration of ramifications and implications arising from the decisions announced. A significant example concerns the future of the electricity supply network.

The Government has confirmed the decision to remove exclusive franchises for supply and removal of the obligation to supply all consumers in a supply area.

As the task force had made clear in its report, the unavoidable outcome of this decision would be a huge increase in electricity prices for rural dwellers, to the extent of making compensatory measures necessary. However, the characteristic brevity of the media announcement increases the opportunity for such implications to remain concealed while subsequent policy development can occur. (In this brevity, it corresponds to the terms of reference as the other point in the first iteration of the production cycle when the “voice” of government is heard directly – these two instances in fact framing the cycle.)

The answer to the key question of the future ownership structure for the distribution sector is especially vague. The text begins its coverage of this topic by saying: “The Government has not yet taken decisions on the future ownership of the distribution industry.” Conceivably, this coyness reflects the particular political sensitivity of the issue, and a desire, therefore, not to let it contaminate the other parts of the announcement. (As I have mentioned several times, this question had in fact received considerable attention from a previous working party of officials, which subsequently merged its work with that of the task force. And it is equally significant that work subsequently undertaken by officials would, initially at least, demonstrate an unflagging commitment to privatization.) Possibly, the narrow majority by which task force members ultimately arrived at their recommendation of privatization as opposed to consumer cooperatives would also have given the government pause. Typically, though, the broad brush-strokes of the media announcement do not admit such subtleties, moving directly from a statement of the task force’s position to a statement of the decision taken by the government, as follows:

The Task Force has recommended that the distribution companies be privatized with direct ownership, rather than ownership through a local body or similar arrangement.

The issue of ownership of distribution companies has been sent back to officials for more work to be undertaken.

In terms of the textual dynamics of policy production (the managing of the tension between preconceived intent and required democratic process), the media announcement enacts a *division* between the decisions that the current political traffic will bear (the phrase “proceed as planned” is a characteristic formulation) and decisions that are judged as yet too contentious (“more work”). Or putting it another way, the media announcement functions as a site of mediation between one generic cycle of policy formation and subsequent iterations (in which similar textual patterns can be observed).

Conclusion

Given the solution-led character of the policy instance discussed here, the question arises as to why the particular genre system of policy production employed was one typically associated with difficult and technical problems. I hope to have demonstrated that, in addition to signaling electricity as essentially a technical issue, this choice of mechanism, by framing the policy process as a conventional problem-focused one, works to conceal the fact that the government has already made up its mind. The technical orientation of this mechanism further frames the issue as one which ordinary citizens need not (or can not) give their attention to.

To sum up, then, my investigations of the formal policy institutionalization process have focused on the precise mechanisms (textual and otherwise) by which a predetermined result could be “produced” or managed. Elsewhere, I have generalized these mechanisms under three implicit principles of policy production: exclusion, limitation, and dialogue (Wallace, 1998). The various mechanisms perform the functions named in the first two principles, exclusion and limitation, to

diminish the power of the principle of dialogue, or, in Bakhtin's well-known terms, to maximize monologism. I have concentrated here on demonstrating just one of these mechanisms, albeit a major one: that the policy process is subject to a partitioning by genre and by genre cycle which, potentially, limits democratic participation. That is, there is inherent in the genre system of policy production a tendency towards fragmentation through which the discourse can be regulated.

It is true that, to some extent, each type of text is a response to the one(s) preceding it and an anticipation of the one(s) to follow, and therefore partakes in exemplary fashion of the dialogic framework as theorized by Bakhtin. Each text is in some sense an utterance in a dialogue, which conceivably allows for the dialogue's beneficial development. On the other hand, each genre lends itself to being oriented towards a particular audience, which does not entirely coincide with the audiences of the other genres. This differentiated audience is a large part of what defines the texts as separate genres, but in terms of participation in an ongoing dialogue, genre division can be used, as my analysis has demonstrated in this case, to effect a degree of interruption, distortion, and exclusion. Perhaps the clearest example concerns the way the report, directed primarily to government, could turn away from those whose involvement was solicited by the discussion paper.

At its broadest, the operation of the rhetorical system is embedded in a particular discursive logic: a logic that, at base, is narrative, although it need not be (and typically is not) represented that way. The rhetorical cycle I have identified clearly constitutes a kind of narrative in its own right, by virtue of the fact that a chronological sequence of human relations and actions are involved. The point is vividly illustrated by the ease with which we could rename the rhetorical categories of tasking, consulting, reporting, and declaring as, say, "mission," "search," "discovery," and "valuation" respectively. This overarching processional narrative is one that policy agents cannot avoid or completely suppress, though they can (and invariably do, in the current dispensation at least) ensure they never draw attention to it in anything resembling narrative terms. Rather, the process is depicted as a rational one of review and recommendation.

It is significant that a more obviously narrative mode of discourse would tend to open up contextual matters that the agents would prefer to suppress (narrative typically placing considerable emphasis on the nature of the "complication" to an existing state of affairs prior to focusing on the resolution). One could usefully employ here the distinction between "mythos" (leading to interpreting the process by means of overt narrative elements) and "logos" (interpreting the process as logical and rational). The fact that such a marked distinction can be made in respect of the "same" process is a powerful demonstration of the ability of institutions to exercise power through establishing the customary frame or posture that is to direct any unreflective instance of document consumption (or for that matter, production).

Note

The full explication of my study of the role of writing in the formation of public policy (Wallace, 1997) relies heavily on terms provided by Pierre Bourdieu. The purpose of doing

so was to theorize, on the one hand, the relationships among the institutions involved in any instance of policy development ("field") and, on the other hand, the acculturation of those employed by the institutions ("habitus"). Because the present account is limited as much as possible to specifically examining the interrelationships among the texts as a genre system, I have decided not to complicate the matter or take up space by foregrounding this theoretical apparatus here. However, it can be seen to erupt at times; for example, in making use of Green's framework of "posture," "prior plausibility structure," "technical rationality," etc. And most notably in resorting at times to the term "disposition" (comparable to "habitus") to acknowledge what the policy makers "brought" to the writing of their texts in addition to what they "found," or "renegotiated," in the process of writing them.

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