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THE MORAL ECONOMY OF STREET-LEVEL SERVICE

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I

Discretion is an inevitable aspect of policy implementation (Lipsky 1980) and is also a continuing dimension of professional practice within welfare bureaucracies (Evans 2010). Discretion in public welfare services raises several issues and in my work I have been interested in two particular questions: the extent and basis of discretion in welfare services where professionals are key front line staff; and the ways in which those who have discretion use it. In this paper I want to focus on this second question – particularly the ethical dimension of the use of discretion in front-line practice.

Discussion of the use of discretion in the literature on street-level bureaucracy tends to assume that we already know (enough) about the motives of front-line workers. With some exceptions (Kelly 1994, Maynard-Moody and Musheno 2003) the literature tends to assume self-interest and personal convenience as the fundamental motivation. However, the characterisation of actor motives in this broad-brush manner is unconvincing — as unconvincing as an account of purely altruistic public-service motivation. Intuitively, people seem to act from a range of motives. The characterisation of actor motives as either ‘altruism or ‘self-interest’ seems implausible. To understand the role and impact of discretion on policy and service we need a more nuanced understanding of the aims and purposes of street-level practices. A clear understanding of what lies behind the use of discretion also offers critical insights about the experience of policy at

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street-level, including how policy and systems of service delivery are evaluated by front-line experts.

II

Professionals are workers whose claim to discretion is based not only the possession of particular expertise but also on a belief that they can be trusted to act in line with: ‘...a professional morality with standards of conduct that are generally acknowledged by those in the profession who are serious about their moral responsibilities.’ (Beauchamp & Childress 2001: 5) The idea that professionals are motivated by altruistic concerns has historically been seen as a defining characteristic of professionals (Flexner 1915). And recently this view has developed in the contrast between managerialism and professionalism as different logics of work. In managerialism work is seen as the means by which a production plan can be realized by workers who are motivated by self-interest (and incentives and punishments). Professionalism, on the other hand, is characterised by an ideology that motivates professionals to focus on service to users and well-being over economic priorities (Friedson, 2001).

This view of professions as essentially altruistic can appear naïve and outdated. Le Grand (2003) has reviewed ideas of motivation and agency in public policy, and identifies two phases in post-war public policy reflecting different conceptions of professional motivation. In the first, professionals were viewed in the positive light outlined above. They were seen as people who could be trusted to work in the public interest and: ‘were thought to be primarily motivated by their professional ethic and hence to be concerned only with the interests of the people they were

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serving.’ (Le Grand 1997:155).

However, in the wake of the fiscal crisis of the 1970s and the election of New Right governments since 1979 in the UK and US, Le Grand identifies a shift to a quite different view:

Fuelled in part by people’s experience both of dealing with, and of working within, the welfare bureaucracies, scepticism grew ... that professionals were only concerned with the welfare of their clients. Instead, there was an increasing acceptance of the argument of the public choice school of economists and political scientists that the behavior of public officials and professionals could be better understood, if the assumption was made that they were largely self-interested.
(Le Grand 1997: 158)

For political economists public servants are venal and public institutions corrupting. To address these problems they prescribe: ‘a political order that will channel the self-serving behaviour of participants toward the common good in a manner that comes as close as possible to that described by Adam Smith with respect to the economic order.’ (Buchanan quoted in Stedman Jones 2012: 130)

Contemporary analysis of street-level policy and practice reflects the terms of trade set by political economy— front-line staff tend to be understood as self-interested utility maximising individuals; and managers have to manipulate the environment of incentives and disincentives to get them to do their job. This perspective can be seen, for instance, in Lipsky’s classic account of Street-level Bureaucracy. Professionals (and other street-level bureaucrats) in public services may have been altruistic in the past but now they are in general self-serving: ‘‘Public service workers have increased their share of national wealth ...[and]... enhanced their position in the political system to the neglect of aspects of service consistent with more humanistic models of client involvement, or at the expense of taking positions on client’s behalf.’ (Lipsky 1980: 80) The solution is to incentivize (his view of) good policy practice:

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‘... attitudinal dispositions will be rigid or flexible in large measure according to the degree they help workers cope with job stresses... workers, attitudes and resulting behaviour may be challenged and helped to change if: incentives and sanctions within the structure of the job encourage change; the structure of the job is altered to reduce workers’ needs for psychological coping mechanisms; it can be shown that workers can cope successfully with job stresses without depending upon undesirable simplifications; efforts are made to make simplification conform to actual job requirements rather than to unrelated biases.’
(Lipsky 1980: 142)

Recently, though, Le Grand (1997) has criticized the general tendency in policy analysis and amongst policy makers to characterise public service professionals as self-serving ‘knaves’. He has called for a more balanced picture of what motivates people in public services and has argued that the professional workforce is made up of ‘knights’ as well ‘knaves’, and that public policy, in assuming the selfish behaviour of workers, can lead us to forget this.

Interestingly too, Lipsky’s general observation about the self serving motives of street-level bureaucrats seems to be made more in regret rather than celebration and he tempers his observation, commenting that:

‘... variations [in approaches to service delivery] can be found within individual public services. The task of those interested in promoting the quality of street-level bureaucracy is to help sustain the ambiguity in allocating responsibility. It is undoubtedly an important measure of street-level bureaucratic services that some workers find a way to keep in balance their views of client responsibility and environmental causality and their own potential for intervention.’
(Lipsky 1980: 154)

Lipsky’s observation can be taken as a call for flexible judgment by street-level bureaucrats — a point with which many welfare professionals would agree (e.g. Evans and Hardy 2010). It can also be read as recognition that understanding ‘quality’ in street-level practice requires engagement with ethical questions about basic concerns and commitments, and issues such as

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need, responses to problems, and the balance(s) to be struck between social and individual responsibility.

However, in order to engage with these questions we have to get away from broad-brush ideas that professionals (and other workers) are either altruistic or self-interested and engage with the more probable situation that front-line motives (like any motives in any situation) are a combination of concerns, commitments and interests. This suggests the need for closer examination of these factors in front-line situations. However, a challenge here is to move away from the dominant unworldly idea of ‘moral’ that seems to lie behind the either/or evaluation of the behaviour of front-line workers. The presence of practical and mundane concerns seems to invalidate the idea that there may be altruistic motives: and if motives are not wholly pure and altruistic they are venal and self-serving. For instance, Le Grand, quoted above, pointed out that one of the reasons for the demise of the traditional view of professionals [as virtuous] was the building scepticism that they were: ‘...concerned only [*my emphasis*] with the interests of the people they were serving.’ (Le Grand 1997: 155) But must the presence of self-interested concerns invalidate any claim to also act with altruism, some regards for others interests too? Does being moral mean only [and to the exclusion of your own interests] being concerned with the needs of other?

III

David Hume has argued that ethics entails a mixture of calculation, personal commitments and sentiments that include (extending) concerns for others and for wider society. People, he

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observed, are motivated in part by instrumental concerns and utility; but these concerns alone are not enough to understand why people act:

‘Utility is only a tendency to a certain end; and were the end totally indifferent to us, we should feel the same indifference towards the means. It is requisite a sentiment should here display itself, in order to give a preference to the useful above the pernicious tendencies. This sentiment can be no other than a feeling for the happiness of mankind, and a resentment of their misery; since these are the different ends which virtue and vice have a tendency to promote. Here therefore reason instructs us in the several tendencies of actions, and humanity makes a distinction in favour of those which are useful and beneficial.’
(Aitken 1948: 263)

Moral understanding and practice is also very much woven into our day-to-day world. They develop implicitly in practices which both embody and promote moral behaviour in the same way that: ‘Two men, who pull the oars of a boat, do it by an agreement or convention, though they have never given promise to each other.’ (Aitken 1948: 60) For Hume morality isn’t simply about applying abstract injunctions. Ethical understanding is a more practical process of understanding the concerns, commitments and conventions that operate and guide choices within a situation.

Hume’s practical and social approach to ethics is echoed in contemporary moral philosophy. Bernard Williams, for instance, has argued that we should not see ethics as a system of external unbending universal laws (Williams 1993). He has criticised the widespread approach to morality (moralising) as a secular theology—unbending injunctions based on some assumed absolute authority — that only recognises obligations as ethically significant. It obscures the tensions and difficult feeling involved in making decisions about the right course of action and ignores the mixture of motives that guide ethical action (Williams 1993). For Williams, ethical analysis has to be grounded in understanding people’s commitments, their experiences and how they balance tensions in broad and often conflicting principles. And in seeking to understand unethical and ethical behaviour, Williams argues, we should not simply dismiss personal commitments as

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unethical. (Smart and Williams 1973)

This approach sees ethics as a field of critical enquiry which is: ‘trying to understand our own needs as human beings, our relations to one another, our commitments and obligations to one another, and ... trying to understand how we should live in the light of all this’ (Norman 1998: 225). Furthermore, it also suggests that in looking at these questions the approach should be grounded in understanding actors’ responses to situations and their aspirations. In relation to questions about policy analysis ethical analysis, points to the need to ask why different actors respond to a policies in different ways and what underlies these responses— particularly their fundamental commitments and concerns about right or wrong, good or bad etc. In looking at front-line policy practice his approach also suggests the need to look beyond formal accounts of ethics (such as professional codes) to moral practices on the ground; that is, the ‘moral economies’ in street-level policy practice, the ground-level ‘values’ and ethical dialogue between practice and the political and social context.

The idea of a ‘moral economy’ is closely associated with the work of the social historian E.P. Thompson and his analysis of food riots. He was critical of mechanistic accounts of riots—that people rioted because they were in hunger—and pointed out that rioting is not a ‘natural’ consequence of hunger, but is mediated by expectations and a sense of moral outrage that could be identified in rioters’ claims around traditional rights about fundamental needs. (Thompson 1991) For Thompson the best way to understand these commitments and concerns was through understanding people’s expectations within their situation and their context of traditions and practices (Thompson 1991).

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Thompson's ideas have been developed in a wide range of contexts to explore relations between citizen and state, client and patron and worker and employer (Thompson 1991, and Randall & Charlesworth 2000). Scott has been particularly influential in developing and extending understanding of the idea of moral economies in terms of values embedded in traditional practices which provide a resource within an institution or community to restrain the powerful and empower the ‘subordinate’ (Randall & Charlesworth 2000) and the ways in which dominant rhetoric can embody moral principles that become a resource for resistance to challenge departure from expectations embedded in established practices, particularly in times of change: ‘There is frequently ... a temporal gap between the brusque advances of capitalist production relations and the ideological work designed to euphemise and naturalise them. It is especially in this temporal gap, when economic practice is at variance with received values, that subordinate groups frequently have the rhetorical resources and sense of justice that foster indignation and resistance’. (Scott, 2000: 206)

IV

In the preceding section I have looked at the idea of morality and professional concerns and commitments. Policy analysis tends to see practitioner motivation through the lens of an ideal of morality — if the practitioner isn’t altruistic she is venal. I have argued that an alternative approach to understanding morality analysis allows us to engage with motivation as a mixture of concerns including principled commitments that are situated within day-to-day practices. Understanding morality in this way alerts us to the dangers of sweeping one-dimensional accounts of motivation. It also helps us to recognise the need to consider why policy actors

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respond (or not) to policy in particular ways, and to explore the commitments and principles that lie behind these responses.

An important dimension of understanding policy implementation is uncovering responses to policy in practice; but also seeking to understand the range of factors that inform the responses. My particular interest here is to avoid the imposition of ethical assumptions about motives in street-level behaviour. I am instead interested in understanding the way in which front-line practices provide insights into professional ethical commitments and concerns, which can also help us to understand and assess front line implementation. Making these (often tacit) principles and standards clearer can also give access to a practical critique of policy. It also makes these principles available for scrutiny and challenge by people outside the professional group.

In the following section I want to illustrate this approach to the front-line ethical analysis of policy practice by looking again at an element of a study I undertook which looked at professional discretion within public welfare service (Evans 2010, Evans 2011). The study looked at the experiences of professional social workers (front-line practitioners and their immediate line managers) working within a local government older persons care team at a time when there were significant changes in the style of management within the service (more assertive and intrusive management control of front-line work) and increasingly restricted resources for service delivery (fewer resources meant fewer people could be helped).

A focus of the research was eligibility criteria — rules setting out entitlement to services — used by senior managers to control and direct professional decision-making and professionals, and the responses of professional staff to these criteria. I was particularly interested in the affect of these

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criteria on day-to-day freedom on the front-line to exercise professional judgement. The study found that increasingly detailed policy direction, assertive management techniques and cuts in resources for services had constrained professional freedom. However, despite [and sometimes because of] increasingly detailed rules, professionals continued to exercise discretion in this work – and this discretion was not simply a reflection of managers’ inability to formulate systems of control, but also reflected expectations within the organisation that professional staff should have a degree of freedom to exercise their judgement.

For this paper I have reexamined some of the data from this research — focusing on social workers in an older persons team — through the lens of ethical analysis outlined above. This has involved looking at professional response to the environment of practice in terms of conceptions of the purpose and aim of their professional work, and teasing out aspects of their moral economies of practice. This involves going back to the study and interrogating the data from a different perspective from the one originally used; but in doing this I don’t want to claim that this is a new and better understanding of what was going on; rather, it is another perspective, adding to what was previously ‘discovered’. (Dey 2004: 91)

V

The context of the study was a local authority in which the work environment was increasingly characterised by closer management scrutiny and intervention in professional practice and resources to do the job were increasingly constrained.

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The social workers felt that the local authority was acting unethically towards the people it was supposed to be helping – in this case older people. They characterised the authority as denigrating older people as citizens, not providing them with the basic help to which they are entitled, and of approaching older people services as a means of solving an overspend in other [unconnected] services within social services (because older people’s services were easier and quicker to cut). They were also concerned about the way in which the council and its senior officers viewed social services as a human service. They criticised senior managers’ focus on externally imposed metrics: ‘They’re [senior managers and councilors] obsessed with having good percentages. Good places in league tables.’

Looking at their own role as social workers delivering a service, they felt they weren't able to work according to basic ideas of good practice in their profession. This came out in comments about not being able to help clients before they deteriorated into a desperate state. One practitioner summarised the ethical tension in the situation:

‘Going back to when I applied for my [social work] training ... I suppose I saw [social work] in terms of empowering people and facilitating and advocating for people.... And I still see those roles as being relevant. But working, for instance, in the kind of field I’m working now, with ... older people and increased eligibility criteria ...you’re limited in some things you can do, so you become a bit more of a sort of agent of social control, in a way.’

The interview data do not just describe the problems; they also point to the basis of these concerns. There is a belief that the rights of older people in this community are being severely compromised and that the treatment of older people lacks humanity because of the focus on meeting financial targets in preference to meeting the needs of older people. Reflected within these concerns we can see an aspect of their professional moral project in terms of a commitment

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to empower citizens, to make systems work in their clients’ best interest, to care rather than control.

A criticism might be that this is not just an interpretation but involves accepting these practitioners’ own accounts at face-value. But isn’t this just disguised special pleading by a professional group that wants to pursue its own interest and is bemoaning the fact that it’s got to get on with the job? This may or may not be the case — but neither interpretation is self-evidently true or false. The veracity of the account lies in the degree to which it reflects the data. But even if we were to be sceptical and assume that what these professionals are saying is tainted by self interest, it still gives us some sense of the nature of these professionals’ other-regarding concerns; and these provide standards by which to check the extend to which professionals in that situation are [and are not] doing what they should be doing. They also offer insights into the effects and reception of a policy by one group that can be checked by others’ (for instance older people themselves) evaluation of local services. Seeking to identify the ethical concerns of front line staff is not to privilege their concerns over the concerns of other groups. There are often different groups involved in the process of translating policy into service and they may subscribe to quite different moral concerns — the original study’s focus was local professionals, so I don’t have data to go beyond the perspectives and concerns of front-line professional staff.

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The preceding section outlined the professional social workers’ ethical evaluation of the environment within which they had to practice. In what follows I want to consider how these ethical concerns informed professionals’ responses to this environment.

There was one flash-point between professionals and senior managers that resulted in overt conflict. This was a situation where the authority publicly set its eligibility criteria at a relatively generous level of help but subsequently asked practitioners to apply covert, more restrictive criteria to restrict help and save money: ‘... we had a verbal directive. We had no written statement to support that...there wasn’t anything that [the Council] owned, because it wasn’t on a piece of paper.’ The social workers refused to apply the more restrictive criteria and demanded that, if the criteria were to be restricted, the authority should formally acknowledge the change (and take the political criticism that would result). The authority did eventually do this and was the subject of extended criticism in the local press.

However, apart from this one incident, the ethical context of work had changed gradually, almost imperceptibly. In the words of one professional, who’d worked for the authority for over a decade: ‘I think it’s kind of been quite a steady, slow [change], not clearly defined when it happened...’

The responses to the situation mirrored the gradual and accumulative change. Responses were not heroic, they were piecemeal practical adaptations — rather like Hume’s oarsmen tacitly changing their stroke — to mitigate what the practitioners saw as the most damaging consequences of changing ethical the environment of service.

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For instance, social workers used administrative categories, which gave service users access to different budgets, ‘creatively’ to ensure needs were met. The authority had set up a system where people who met eligibility criteria still had to wait several weeks until they actually received the service they needed (rationing by waiting list). To get around this the practitioners and local managers redefined these clients as ‘an urgent case’ to get funding for a service immediately from another budget designed to provide a temporary service in emergency situations. The case remained ‘urgent’ until the client had gone through the queue and long term funding became available. In the words of one social worker: ‘It’s just a way of working the system, which I respect. I think it’s very sensible.’

Another strategy was critical disengagement from cultural assumptions underpinning policy, particularly assumptions about responsibilities and familial care. One practitioner explained that: ‘Once you start taking his wife out of the equation, we’re probably faced with someone who would never go out, who probably wouldn’t go out to get any shopping ... wouldn’t maintain the household or the bills or anything like that. So looking at it in terms of him as an individual, once you start taking key people or key support networks out of it, then the eligibility criteria look different’.

Alongside shared concerns and responses there were also tensions and different views on ethical responses to policy. There was, for instance, a shared concern about achieving a good outcome for service users i.e. getting their needs met, but there were differences about whether these informal strategies were also fair. One group was very uncomfortable about acting covertly and being so flexible with the rules; they felt it was unfair not to treat everyone consistently.

However, for the other group, the ends justified the means — to ensure that people’s basic needs

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were met, you had to push, bend and break the rules.

Another point of conflict within the team focused on the responsibility of professional social workers to question and challenge the conditions within which they worked. Some of the more experienced social workers in the group — interestingly, those in team leadership positions — were critical of what they saw as the passivity of many of their professional colleagues: ‘There doesn’t seem to be any sort of groundswell. Professionally ... it seems to me that part of our role is to be advising the authority as social workers about things and saying: you’re employing us as professionals, not as dogs bodies.’

The conflict between experienced and newer professionals may reflect different cohorts perspectives on the role of professionals in questioning and challenging the ethical terms of trade of their place of work. The conflict reflects a broader process in terms of changing expectations of the professional role within welfare over the past twenty years. Historically welfare professionals were seen as legitimate policy actors within organisations but their role in this area has been increasingly circumscribed (Laffin and Entwistle 2000). Related to this it could also be that the more newly qualified practitioners were not happy challenging organizational authority because they recognized that they were being employed to carry out the authority’s instructions, to implement its policies. However, within this dispute is a moral tension between claims to autonomy and authority — how to balance moral responsibility. There are several issues here. The first is that obedience follows from the inherent authority of public policy – but why? A version of this argument is that policy is often based on law and that front-line workers should obey they law (not just because they’d be punished if they didn’t but also because it’s the right thing to do). However, we cannot assume that policy simply reads-across to the law; the argument

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is contingent on policy conforming to law. And there was an example in this study, for instance, where local policy was contrary to the law. Most policy though, is not directly based on law but is made up of organizational directives, instructions, and procedures— and resource allocations, staff profiles, customs and practices. Policy is, then, inherently unstable, confused and confusing and open to multiple interpretations (Evans and Harris 2004). In this case an appeal to policy is less an appeal to authority than an argument about the interpretation of policy — which suggests that professionals who are defined, in part, by their ethical commitments and concerns should articulate their concerns and challenges. Of course it’s possible to cut through the Gordian knot of policy interpretation and say that obedience is contractual: professionals are employed as agents to carry out the instructions of their principals – senior managers and councillors. However, that someone is employed to carry out a task shouldn’t mean that they carry that task out unquestioningly – there are surely limits to obedience. (Arendt 2006) And in terms of broader public policy, in the UK for instance, the idea that professionals should simply follow instructions and not air ethical concerns or challenge organizational priorities has recently been heavily criticized in a major public report. (Francis 2013)

The final observation I want to make in relation to reexamining the research study data is the risk of submerging ethical arguments that do not easily fit into the dominant picture that emerges of the ethical concerns and goals amongst front-line professionals. An example of this was a challenge within the team to the idea that practitioners should see people in terms of needs. One of the social workers in the team, while generally critical of increasing limitations on services, also saw them as an opportunity to challenge the: ‘...welfare tendency in older people’s services to look after people.’ Tighter resources, this person argued, can make people think more clearly

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about the ethics of promoting and defending user independence and autonomy: ‘And being quite firm with other professionals and saying, no – this person, yes, there is a risk, but it’s one that they want to take.’

VII

The discretion exercised by frontline workers can have a significant effect on the implementation of public policy and service provision. My concern in this paper has been to consider approaches to understanding how discretion is used at street level from the point of view of those who exercise it. Professional discretion in public services has tended to be either idealised as the exercise of judgement by the wise (e.g. Keynes), or demonised as the interference of self-styled (and self-serving) experts (e.g. von Mises) (Steadman Jones 2012). The second perspective has come to dominate policy analysis (Le Grand 1997). In these circumstances, to ask professionals how and why they use discretion can seem retrograde and naïve — going back to unquestioning trust and taking what is said at face value.

However, characterising discretion and motives as necessarily self-serving is sweeping. Such an ethical evaluation of public service professionals lacks credibility and moral imagination.

Discretion is a degree of freedom to exercise judgement; it’s neither good nor bad in itself. The important questions are: to what degree is it justified in a particular setting, and whether or not it has been used in a good or bad way.

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Statements about being ‘justified, ‘good’ or ‘bad’ can be weasel words. But they can also reflect profound and significant commitments and concerns. We can only get a clear sense of how these ideas are being used by understanding the situation, the tensions and the dilemmas that actors face, and by understanding how they then seek to balance concerns, commitments and interests in their responses. People often act in far from ideal ways but that doesn’t mean their actions do not also reflect idealistic concerns.

In the first sections of this paper I argued that an ethical analysis of the moral economy of practice helps us to understand the uses of discretion in a more nuanced way, and to see discretionary practices as practical evaluations of and responses to the policy context, and as a source of situated principles to examine professional discretion in action. In the second part of the paper I drew on these ideas to illustrate how a research study can illuminate front-line workers’ ethical evaluation of their work environment, the role they have within that setting and their deployment of discretion in response to the issues that concern them. This illustration has been limited by the data — if the original study had been designed as an ethical evaluation it would have also focused on the way practice on the front-line conformed to the standards and commitments professed by the practitioners in their critiques of the environment of service.

Discretion affects the translation of policy through practice into a service for citizens. And here the perspectives of policymakers and citizens on the use of discretion are also clearly important. However in looking at discretion from the perspective of front-line professional staff I have sought to recognise that their views are also important and can reflect serious ethical analysis. Convenience and self-interest can play a part in how front-line staff choose to use discretion, but to understand the extent and impact of these motives we also need to understand (and not

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exclude) the possibility that discretion can also be influenced by ethical commitments and valid critique of policy. Ethical analysis of the moral economy of discretion, where discretion is not assumed to be necessarily good or bad, offers critical insights into policy, challenges in implementation and service at the front-line.

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