

PRACTITIONER'S NOTE

Public Accountability is Always an Unresolved Puzzle for Public Servants

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There is no doubt that the demand for government accountability has been one of the key foundations of representative democracy. In this type of democratic polity, those of us who are serving in the public service as elected executive leaders, political appointees, civil servants or public employees, all have an ethical or moral obligation to be accountable to the people, their elected representatives, the idea of professionalism, and so on.

In the four years I spent serving as first deputy minister and then minister in the Taiwanese cabinet, one of the typical scenarios in the Legislative Yuan (congress) was a dialogue between elected representatives and ministers or administrative executives about accountability. In this scenario, the legislator would always ask for the minister to be accountable for something with which he or she is not satisfied, and then seek either a resignation or a public apology. The minister would always offer a lot of explanations and promises to take the necessary corrective measures, but stop short of saying a word about resignation. To elected representatives, public accountability tends to mean resignation. In contrast, to ministers or civil servants, it tends to mean to give full answers for questions raised only rather than to step down.

The Meaning of Public Accountability from the Practitioner's Perspective

This leads us to the central question – what is the working definition of public accountability? I have browsed many textbooks and

published papers for the answer to this, including one well-known public administration textbook by Professor David H. Rosenbloom (Rosenbloom, Kravchuk and Clerkin 2008) and an often-cited article by Barbara Romzek and Melvin Dubnick in the *Public Administration Review* (Romzek and Dubnick 1987). To summarise what I have drawn from these readings; it is said that accountability is an umbrella term, covering many meanings. If this is the best the community of public administration can offer, I am inclined to think such a working definition does not offer a lot of help to practitioners. Interestingly enough, from the practitioner's perspective, I found a more useful definition on the website Wikipedia. From this, and I quote, 'accountability is defined as A is accountable to B when A is obligated to inform B about A's (past or future) actions and decisions, to justify them and to suffer punishment in the case of eventual misconduct'.²

This definition emphasises two major elements of the concept of accountability, that is, answerability and punishment (or liability). In particular, I would like to say that without incorporating the element of punishment – whether this refers to political, administrative, legal or professional liability – I think the concept of accountability has little to offer public governance in the daily work of public service. Indeed, in his book *Rethinking Democratic Accountability*, Behn (2001:3) says the same thing, 'accountability means punishment. The punishment can be a fine, a jail term, the loss of one's job, the public humiliation, etc'. In summary, I propose that the working definition of accountability ought to connote both

answerability and punishment. In so doing, it can be distinguished from other concepts such as responsibility, and also serves as a more useful behavioral guideline for practitioners.

Accountability for Performance is the Central but the Toughest Question

For *what* shall public officials be held publicly accountable? Again, a long series of textbooks and articles has identified many legitimate public service areas where the concept should be applied,³ such as corruption, abuse of power, conflict of interest, maladministration, waste, unethical conduct, lack of fairness, and so on. My observations are that it is much easier to design and implement systems to track financial or legal accountability. Often there will be clear standards, regulations or laws to guide whether public officials shall be held accountable in these two areas. When you break the law or transgress a regulation, you will be caught and punished according to due process.

In a democratic society, however, I think the most difficult area for designing and implementing an accountability mechanism is that of so-called performance-based accountability. However, the truth is that this is at least as important to taxpayers, if not more so.⁴ Performance means many things to different stakeholders, ranging from public service quality, efficiency, public service satisfaction, policy outputs, policy outcomes, the perception of fairness, or even the extent of public participation.

Taiwan is no exception. Everyone demands that the public sector deliver a good performance in each of the policy or service areas for which it is responsible. Again, a typical scenario in the Legislative Yuan sees elected legislators questioning the performance of a particular program or services, and then receiving many types of explanation from the minister.

One often-used ministerial explanation is that poor performance is due to the program's complex, networked delivery system. Many ministries or public agencies may be involved simultaneously in the design or implementa-

tion of the same program. The minister will assert that he or she has done the best in his or her jurisdiction; the failure is due to problems in the other agencies, not his or hers. 'So, I have fully answered your honorable questions and I and my ministry shall not be punished for something over which we do not have complete control.'

Another explanation might be that the service has been outsourced to the private or non-profit sector. The government lacks sufficient tools to impose political, administrative, legal, or professional accountability on these entities. Termination of the contract is often the only way to respond to poor performance, but it is definitely not the best way. A third type of explanation centers around how we measure performance and from whose perspective we should construct a set of performance expectations and indicators. Performance, in itself, can also mean a lot of different things. As a result, it is quite difficult to hold anyone accountable based on performance alone.

Let me give an example to illustrate the dynamic nature of performance-based accountability. It concerns the campaign for crime reduction and public safety in Taiwan during 2006–2007. The former Premier, Mr. Su, announced two years ago – shortly after taking power – that he would be personally responsible for the performance of the 'war on public safety', which meant he would resign if the public was not satisfied with the improvement of the situation after six months. Six months later, the premier presented a story of significantly improved performance. The number of criminal offense cases of every type had dropped, and the crime clearance rate for each offense type had increased significantly. This was backed by objective, statistical data. On the contrary, as expected, the opposition party and the media used subjective poll data to demonstrate the high levels of dissatisfaction among citizens. However, the premier also quoted the results of a poll conducted by a private company that showed the citizenry were actually displaying *high* levels of satisfaction, by using a different wording for the survey questions. Thus the different sources of performance information told a quite different story. The result of this was that

the premier remained in his post. Interestingly enough, the new Premier Dr Liu made a similar promise, immediately after being sworn in. He has asked the public to judge his performance after six months and he will make himself accountable for the results. We might see a similar debate on whether he has achieved the levels of performance the public expects when that date comes around.

Based on these observations, I believe that to achieve the performance-based accountability which is the core of democratic governance, and to obtain a workable performance accountability system to guide practitioners, we have to develop the ability to deal with the issues of collaborative accountability, public-private partnerships, and performance measurement. These will definitely be tough tasks, and are deserving of further studies. Some of the articles presented in this volume will discuss some of these issues. Let me emphasise this one more time. If these critical issues are not effectively dealt with or examined, our journey towards a workable performance accountability system will remain unfinished. That is to say, in practice, public officials will always respond to calls to be answerable for outcomes, but will stop short of assuming liability.

Tackling the Three Barriers to Enhancing Public Accountability

As stated above, designing a good system for performance-based accountability is not an easy job. It is an even more difficult challenge effectively to implement a system that can yield constructive results. Nevertheless I believe, first of all, that information transparency is perhaps one of the most fundamental steps towards the achievement of performance-based accountability. Let me elaborate on this point a little more.

As I have said, the public and its elected representatives have had access to performance information in order to evaluate whether a public service has or has not been done well. However, there has always been the problem of information asymmetry (or the principal-agent dilemma) in the process of making government accountable to the public and civil servants

accountable to the political executive. The people who are held accountable are the same as those who own the performance information, and are in a privileged position to interpret the level of achievement. Unless they are willing to release more information, the public or even the legislator may not have the resources to come up with sufficient data.

It will be natural for both civil servants and members of the political executive not to make performance information open to the public. For example, the substantive contents of annual budget documents often contain details of lump-sum funding requests and general descriptions about what the government intends to do, rather than specifying the policy and service performance sought or the persuasive reasons for why the requested funding is needed. This occurs in most democratic countries, not only in Taiwan, a newly democratic nation where the values and practices of democratic administration have not been well-honored. During my time as the minister, as someone who had been teaching public administration for so many years at the university I was always thinking about to what extent the performance information about my organisation, or the government in general, should be released to the public. I did have great concerns about putting myself or my organisation into a detrimental situation where well-informed members of the public and elected representatives could use such performance information to press us for answerability and political or administrative liability.

Nevertheless, I would argue that Taiwan's government has actually done a pretty good job of setting up a system of performance information transparency. In addition to the Ministry of Audit, that generates yearly government performance information and reports independently, the Research, Development and Evaluation Commission (RDEC) of the Executive Yuan, in which I served, is the key institution advocating and implementing several important measures for open government within the administrative branch. The RDEC is responsible for the performance evaluation of major government programs, and has taken some additional responsibility for building up the government-wide performance management system.

There are two types of performance evaluation system in the Taiwanese government. One relates to the ministry and the other to the program. The RDEC, together with individual ministries, established performance indicators for both types each year, based upon the doctrines of performance management textbooks. Amongst other things, this meant that they adopted more outcome or output, rather than input, indicators. At the end of the fiscal year, the RDEC, along with various ministries, jointly presented the annual performance report. This included a scorecard, rating, performance description, and comments for each program or ministry. After approval by the premier, the whole report would be posted on the internet. The people responsible for programs with unsatisfactory performance ratings would be punished. In addition, the RDEC also conducts monitoring inspections at the appropriate times. Such reports are sent to the premier and all ministries and frequently call for further explanation or follow-up improvement actions.

Secondly, even though the government does provide easy access to performance information through ICT-enabled mechanisms such as online publication, this will not automatically achieve performance-based accountability. This has more to do with the use to which the performance information is put by stakeholders. In the case of Taiwan, although different ministries and institutions do offer a significant amount of performance information, as illustrated above, elected representatives only occasionally use this to question the premier or ministers, nor is the press using it intensively to report stories. Obviously, a performance-based accountability system needs to help particular external stakeholders in public accountability, in particular elected institutions, the media and public, and interest groups, to access and utilise published performance information. For this purpose, I think pushing the data to them directly through e-mail or other ICT-enabled means is the minimum effective approach. External stakeholders themselves may not actively search for such information. The public organisations that produce it will need to go one step further to feed them this data.

Finally, the personnel management system in the public service is the other major barrier to performance-related accountability. It is quite a common predicament for the process of dismissal or disciplining of civil servants on performance or efficiency grounds to be almost nightmarish for their managers. Taiwan is no exception, and perhaps is one of the worse examples given that civil servants' status and tenure is highly protected by laws, regulations, and procedures. Therefore, the liability element of accountability is going nowhere on this front.

In conclusion, government accountability remains an enduring issue for all public servants, particularly in terms of defining what performance accountability actually is as well as enforcing actions against poor leaders, managers or other performers who are not meeting its requirements. It is unrealistic to expect there to be a certain set of 'scientific' rules or codes of performance accountability for practitioners to follow. On the contrary, I suggest the more pragmatic way to deal with this tough issue is to submit to a process of continuing dialogue among the public, elected representatives, and public servants. Each nation needs to undertake such a deliberative process to define and re-define periodically the acceptable definition for its public servants. Learning lessons from this is certainly a helpful process for practitioners and academics who have tried hard to solve this puzzle, but let us not forget the contextual element of designing the system of public accountability.

Endnotes

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2. URL: <<http://en.wikipedia.org/wiki/Accountability/>>. Consulted 1 July 2008.
3. There are always multiple angles from which to demand administrative accountability.

For example, see Stone, B. 1995. 'Administrative Accountability in the Westminster Democracies: Towards a New Conceptual Framework.' *Governance* 8:505–526.

4. Obviously, this assertion is not welcomed by everyone. See Radin, A.B. 2006. *Challenging the Performance Movement*. Washington, DC: Georgetown University Press.

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