

## ACCOUNTABILITY MATTERS

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Thanks you for the opportunity to address this meeting on service delivery. I regard my task as a simple one, and that is to make the case for the importance of accountability. Put simply, I contend that **accountability matters**. But the task itself is made difficult by two problems, one linguistic and conceptual and the other rhetorical.

First let me deal with the linguistic and conceptual issue, and this has to do with the problem of “meaning” in two related respects. First is the problem of translation, for like many other languages, there is no clear translation for the term “accountability.” I faced this problem nearly a decade ago when I was set to deliver a lecture on accountability at the University of Goias in Brazil only to learn at the last minute that there was no such term in the Portuguese language. Accountability translated as “*responsabilidade*”, which posed a problem since my entire lecture was built on the difference between responsibility and accountability. I soon learned that, in fact, the idea that accountability was a commonly used term was laughably parochial – that in fact it is a concept and idea deeply rooted in Anglo approaches to governance and was commonly accept only in Anglo-American political domains. I am a decade older and wiser now, and it came as no shock this time that the concept of accountability is not quite set in the modern Hebrew idiom, and that efforts are currently underway to develop an acceptable term that relates to this very Anglican concept. (Japan, where there are 17 words to cover various meanings for the idea of responsibility, has handled the issue by accepting a transliteration of accountability. In Brazil, in the late 1990s, the legal community was successful in obtaining official approval for a Portuguese equivalent to accountability, arguing that it was required if Brazil was to succeed in a global economy where Anglo-American governance and concepts dominates.)

The second linguistic issue is that even in English, accountability is not easily understood out of context. Philosophers call words like accountability *thick concepts*, placing them in a category of words that depend on the context of their use to be truly understood. Accountability when used in relation to a politician is different than accountability applied by audit committees.

Regardless of these linguistic/conceptual problems, the reality is that accountability has become an important and pervasive concept throughout the world. Perhaps reflecting the historical dominance of British and then American systems in the markets and transnational governance structures, there is no escaping the concept of accountability.

And, I would argue, this is as it should be because accountability matters – it makes a difference, although not necessarily for the reasons that are given by most of those who advocate its greater use today. Here we come to the problem of rhetoric, for most of the rhetoric surrounding accountability today is tied to beliefs that it provides magic pill that will fix the major problems of governance.

I think of these beliefs as the four **promises of accountability** – and I would argue that all the evidence now at our disposal indicates that these are indeed false promises. Or at least promises that still need to be studied before we rely on them for making ill-advised administrative policies.

I will briefly review each of these four promises, touching on some of the issues they raise and why I remain skeptical about each and even anxious about the implications of some.

False promise #1 is the **promise of democracy**. Advocates pushing this belief argue that somehow making government officials more “answerable” is in fact the means to achieve the elusive ends of democratic rule. More elections are the most popular form of accountability mechanism advocated by this group – some seeking more frequent opportunities to select representatives, some seeking greater use of the recall process, others advocating more reliance on the referendum as a way of getting officials to do things they might not otherwise chose to do. Another major approach under this promise is the fight for greater transparency in government. Of course, transparency is related to another promise I will discuss below (the promise of ethics), but for many its primary moral rationale is to make what goes on in government more visible, and therefore more accessible to the general citizenry. Finally, there are those who urge the creation and strengthening of more ‘horizontal accountability’ institutions that will put a check on abuses of power in the legislature (mainly through stronger courts) or the executive (primarily through ombuds offices or the enhanced power of auditors to study government actions).

There are a number of problems with his promise, not the least being our long standing ambiguity about exactly what democracy is. Most often, those who make the case for how greater accountability will enhance democracy are engaged in empty rhetorical flourishes and seem to avoid confronting basic conceptual and definitional issues. When we come across those brave sold who venture to delineate an image of democracy, we find that they tend to fall into a tautological trap of defining democracy as accountable that just happens to fit the types of accountability reforms they are advocating. A second problem is found in the paradoxical nature of creating horizontal – and typically undemocratic – institutions (such as courts or professional oversight agencies) as a means for enhancing democracy. Empowering such mechanisms seems to be a path away from most models of democracy – a weakening instead of a strengthening. Finally, the call for greater transparency fails to factor in either the costs of such reforms or the age old problem of diminishing returns. On the costs, in recent years we have seen greater discussion of the burden on governance imposed by the panoptic transparency that requires every action of public officials – public or private – be subjected to monitoring

and open to intrusive investigation. Not only has the case that this somehow enhances democracy not been made, but the result is often government that is hampered by mandated red tape and which cannot attract quality applicants or candidates for key administrative or political positions. We fall victim to Herbert Kaufman's famous 'pogo theory': We have met the enemy, and they is us!

False promise #2 – the **promise of ethics** – carries many of the same problems as the promise of democracy. Developing accountability mechanisms for assuring incorruptible behavior depends on having a clear and coherent sense of what constitutes ethical behavior – something that we have found to be extremely difficult, if not impossible. What we have found is that creating and enforcing codes of behavior has proven more difficult than we imagine when we design and impose them. Some would argue that many of these steps to introduce ethical behavior standards end up creating conditions for the emergence of new forms of questionable behavior designed to circumvent the hamstringing impact of rule and regulations. (There is an old Alan King joke about New York State divorce laws in the 1950s and early 1960s before liberalization: The Ten Commandments says “Thou shall not commit adultery” – New York State says you must!) My own studies indicate that the primary result of efforts to enhance ethics through accountability is to create a separate set of ethical standards to deal with the demands of accountability. The result is not merely the diversion of critical attention and resources away from a more credible approach to ethics (which I discuss below), but also a regressive pattern of questionable behavior that at some later point will be subject to still new forms of accountability that will be based on adjusted views of corruption. It is indeed a complicated and seemingly never-ending story.

False promise #3 is the **promise of justice** – the belief that forcing of transgressors accountable for their crimes and misdemeanors somehow generates justice. Obviously, the problem of definitions is key here – and clearly no one has come up with a standard conceptualization of justice to use in designing an effective set of accountability mechanisms – legal and otherwise – to deal with it. In its latest and most dramatic manifestation, this promise takes the form of truth and reconciliation commissions that are premised on the belief that having a public account-giving by all parties to past indiscretions and transgressions will somehow provide the victims with a sense that justice has been done. The well known example of South Africa comes to mind, but there are many other examples and several proposals on the table in regions where injustices have taken place (e.g., Northern Ireland). But there is nothing in the record to indicate that a true sense of justice has emerged from these cathartic events, and some would say they have had the opposite effect of keeping open old wounds. What is more important for the victims is that this new form of accountability mechanism seems to be replacing the more traditional ones of taking criminal action against the perpetrators of political violence. These more established accountability mechanisms delivered justice in the form of retribution and punishment, and many would argue that those are no more satisfying or effective in achieving a sense of true justice than truth-and-reconciliation. These are just some of the issues this promise of accountability raises.

Finally, false promise #4 – the **promise of performance** – is the one that has gained a substantial following in recent years, and it is the one that has the weakest foundations. There is a pervasive assumption in the public management and service delivery field – among both practitioners and academics – that governmental performance will be enhanced by creating more and better accountability mechanisms – and a once small cottage industry of performance measurement and evaluation has become a major service sector in national, state and local capitals based on that assumption. But two things are evident from an examination of the literature: there is no evidence to support the link between accountability and performance, nor is there even a widely accepted theory or model of how the two are connected. What seems evident is that the only performance enhanced by accountability is accountability itself. To steal a paraphrase used by Aaron Wildavsky when he spoke of health care policy, we are ‘doing better and feeling worse’ all the time. Until we theoretically and empirically substantiate the link between accountability and performance, this remains a false – and very costly – promise indeed.

So having disparaged each of the most popular promises of accountability, how can I justify the opening remark that “accountability matters”?

Lost within all the rhetoric of the promises of accountability is the historical fact that accountability is at the heart of modern governance – not merely some independent variable to be manipulated through reforms to achieve other ends, but a factor in governing the modern state that is so central to the overall task of good governance that it is to be valued on its own terms. For all my skepticism about the promises of accountability, I am actually a secret optimist who hopes that through careful analysis and empirical study we will come up with accountability mechanisms that will fulfill each of those promises. But I am also convinced that we have ignored the one thing that accountability brings to governance: something that Hannah Arendt called thoughtfulness.

In her now famous (and some would say infamous) discussion of the banality of evil, Arendt articulated the ultimate normative standard for those engaged in governance, that is, to conduct themselves in a thoughtful way that will force a reflection on their own humanity and the humanity of those who they are dealing with. As a part of governance, effective accountability mechanisms will be those that prompt such reflection, and in the process (if we are lucky) they might generate democracy, ethical behavior, justice and performance. But it is the very act of thoughtful reflection that is critical. At the most mundane level, accountability that stresses oversight through monitoring (either by regular audits or even through CCTV cameras) will make people think before they act, but I doubt whether this would be sufficient for Arendt. Ideally, the accountability we apply in governance should include more than the mechanical process of thinking – it should involve judgment as well, and we should keep that in mind as well design and implement accountability mechanisms.

Sadly, Arendt died while completing her work on these matters, and thus we are robbed of her insights on what might constitute thoughtful action that avoids the banality she saw in Eichmann and others. Nevertheless, we should continue to ask whether and how the

rules and obligations of governance promote this form of accountability. It is in that sense that accountability truly matters.