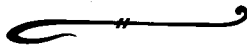


Issues of Accountability in Flexible Personnel Systems

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How does the democratic polity ensure that government employees do what they are supposed to do? The short answer to this question is that the polity ensures responsible behavior by holding public employees accountable for their performance. A more complete answer requires an examination of the role expectations public employees face and the range of mechanisms available for managing public sector accountability relationships (Friedrich, 1940; Finer, 1941; Krislov and Rosenbloom, 1981; Mosher, 1982; Yates, 1982; Gruber, 1987; Romzek and Dubnick, 1987; Rourke, 1992; Dubnick and Romzek, 1993).

The challenge for public agencies and employees is to manage the multiple, diverse, and sometimes conflicting expectations they face in their jobs. The challenge for the political system is to design institutional mechanisms that help achieve those values for which it seeks to hold the public service account-

able, without creating unnecessary obstacles to effective and efficient administration. Historically, those values have varied over time (see Kaufman, 1969). Nevertheless, the American system has consistently come down on the side of accountability, accepting administrative inefficiencies as a necessary price to be paid. At times, more energy may be spent in demonstrating compliance than in completing the actual management tasks themselves.

Those dynamics and the dysfunctions they create form the basis of the widespread interest in rethinking the federal public service. Of particular interest are the structures and operating principles on which our contemporary federal public service is founded (Rosenbloom, 1971a; see also Ingraham and Rosenbloom, 1990). For several years, discussions about the federal public service have decried the lack of flexibility in merit systems, which have emerged as the most cumbersome of the public service employment systems. These ponderous rules and regulations were originally designed as intentional efforts to constrain partisan political influence in personnel matters (White, 1958; Skowronek, 1982), but in recent decades the limits they placed on the power of political partisans have curbed managerial discretion as well. The resulting gap this system has created between personnel administration and the expanding managerial needs of government has become a widely accepted fact of public life, subject to criticism both from within and from outside the public service profession (McGregor, 1982; President's Private Sector Survey on Cost Control, 1984; Levine, 1985; Osborne and Gaebler, 1992).

Since this and associated problems are products of the dynamic relationship between employees' efforts to deal with expectations and the polity's requirements for accountability, the movement toward greater flexibility raises a variety of important issues about that relationship and its role in reforming the federal public service. The central issue, as we argue here, is whether such reforms can succeed if they ignore or are indifferent to the accountability systems that form the institutional context of American public administration. Efforts at reform that fail to address these issues are unlikely to succeed, at best. At worst, they may aggravate an already deteriorating situation.

Challenges Facing the American Public Service

According to Macy (1982, p. 309), "The systematic constraints which have been growing in the government through the years need to be loosened so that human judgment and intelligence can be brought into play in arriving at decisions in the public interest." The federal public service in the United States has evolved over the past two hundred years in a discontinuous pattern reflecting, in part, the tensions between accountability and management that have arisen at various points in American history (Ingraham and Rosenbloom, 1990). Earliest concerns regarding the American public service were for personal integrity and commitment to the young nation. At the outset, George Washington sought individuals on the basis of fitness of character and loyalty to the new government, but his immediate successors placed great weight on partisan political factors in the appointment of officials. Removal from office tended to be more resistant to partisanship through the administration of John Quincy Adams (Rosenbloom, 1971a). Responsiveness to elected officials, however, became the central theme under the spoils system that emerged during the Jackson presidency. Regarded at the time as a means of reforming an elitist public service, the stress during this period was on creating a partisan link between political leaders and administrators (Ingraham and Rosenbloom, 1990; Rosenbloom, 1971a).

In reaction to the excesses of responsiveness, government reformers of the late 1800s passed legislation requiring that merit criteria be considered paramount for public employment. Individuals were to be hired solely on the basis of their knowledge, skills, and abilities. Initially, these efforts were intended as a means of "cleansing" democratic administration by eliminating partisanship from the public service. Eventually, however, they aimed at improving the efficiency of government by segregating politics from administration (Waldo, 1984; Skowronek, 1982). More recent efforts to render the federal service more responsive to the presidency have reflected still another major shift in what seems to be an ongoing dynamic relationship between management needs and accountability demands (Ingraham and Rosenbloom, 1990). The cumulative result of these

various reforms was development of a hybrid public service, incorporating components that serve a variety of regime values developed over two centuries.

Values

When one looks at the totality of public employees, it becomes apparent that the public service does not seem to have a single coherent organizing concept (although many observers tend to assume that merit provides that organizing principle), nor does the American public service have an obvious direction in which it logically should develop. There is no consensus among political leaders regarding how best to utilize the public service (Stillman, 1991; Ingraham and Rosenbloom, 1990). This is not to say, however, that there has been a lack of alternative values to help prod, push, and pull American public administration in different directions at different times.

Four values of particular interest to us for the present analysis are those that are manifested in the range of accountability mechanisms available in the American public service: political responsiveness, efficiency, rule of law, and deference to professional expertise (compare Kaufman, 1969; Fried, 1976; Meier, 1993).

Political responsiveness is manifested in the provision for political appointees to fill the highest levels of governmental management posts, subject to removal at the will of the elected officials who appointed them. Assuming that they are able to exercise effective management over their subordinates in an agency (see Hecl, 1977), these appointees are the primary vehicles through which political responsiveness is achieved.

Efficiency is reflected in the notion that agency resources should be deployed so as to maximize agency performance on the basis of available resources. This value is manifested in merit systems, which are organized around the principle that personnel functions are based on knowledge, skills, and abilities (Klingner and Nalbandian, 1993). A widely used mechanism to promote efficiency is the specification and standardization of acquisition, development, and sanction procedures.

Rule of law is manifested in the proliferation of organizations responsible for oversight and monitoring for compliance with public service directives (for example, the Equal Employment Opportunity Commission; the Merit System Protection Board, or its precursor, the Civil Service Commission; the Federal Labor Relations Authority; and judicial rulings regarding agencies' and employees' rights).

Deference to professional expertise is reflected in the Senior Executive Service and similar innovations, representing a growing interest in tapping the management skills of public employees without the typical constraints of merit systems.

Ecological Factors

We cannot fully appreciate the accountability challenges facing the public service without recognizing the influence of ecological factors. Changes in the fiscal health of government, the managerial climate, and the work force combine to exacerbate problems with structures and processes in the public service. Economic forces, and demographic and attitudinal changes in the work force, have constrained government's ability to recruit and retain high-quality public servants. Worsening economic conditions have dictated that governments reduce expenditures. These reductions often result in low salary increases (if any at all) and staff cutbacks (Levine and Kleman, 1992).

Shifting demographics indicate that the "baby boom" generation is plateauing at middle management and fewer young people are entering the labor force. These groups represent a significant proportion of public employees. They bring to their work different ideas from those of their parents' generation regarding the balance between work and personal life (Romzek, 1992). These employees are more resistant to making personal-life sacrifices for career advancement. The cumulative impact of these forces creates new challenges for the public service, challenges that require a rethinking of current policies and procedures. Old structures and procedures that emphasize gatekeeping and constraints on managerial discretion put the public service at a disadvantage in recruitment and retention.

The complexity of the public service and the rigidity of merit-system procedures and rules hinder government's ability to respond to ecological changes. Historically, the responses have been piecemeal. The lack of flexibility in public service personnel procedures constrain most experimentation. The source of many of the current problems facing the public service is often traced to the cumbersome nature of the various civil service rules and regulations that have developed through incremental reforms over the past century: "One hundred years of accumulated rules and regulations are the baggage of merit. They do not clarify and define; they obscure" (Ingraham and Rosenbloom, 1992, p. 293).

The result is an accumulation of rules and regulations that are complex, confusing, and often counterproductive. Recognition of the problems with public service personnel practices is not new. Efforts to reconsider and reform the public service have sprung up sporadically over time. Most reforms since 1978 have focused on issues of compensation and merit pay (Glenn, 1990; Fay, Risher, and Hempel, 1991; Levine and Kleeman, 1992). More comprehensive concerns are reflected elsewhere (National Commission on the Public Service, 1989). These various efforts have emphasized the challenges facing the public service, including recruitment, turnover, productivity, politicization, decentralization, and competitive compensation packages.

What all these efforts to rethink and reinvent the public service have in common is an emphasis on increasing the flexibility of civil service systems and on a shift from managerial control to managerial support (Osborne and Gaebler, 1992; Barzelay and Armajani, 1992). To succeed at such changes, reforms must be as attentive to accountability concerns as they are to their technical design and political attractiveness. Reformers and those who benefit from the reforms must "sell" the polity and the public service on the position that personnel support is as important as the need to control personnel decisions. Otherwise, the accountability dynamics are likely to undo whatever short-term success is achieved (Dubnick, 1994).

Accountability and the Public Service

"The action of administration . . . is so important that it is impossible for any country possessing constitutional government to allow the administration a perfectly free hand in the discharge of its duties" (Goodnow, 1893, p. 135). Questions about accountability and the American public service take a variety of forms regarding who does what, to whom, how, when, and where (Krislov and Rosenbloom, 1981; Mosher, 1982; Yates, 1982; Gruber, 1987; Caiden, 1988). For half a century, scholars have been discussing accountability within the confines of the Friedrich and Finer dialogue (Finer, 1941; Friedrich, 1940), a normative debate about whether internal or external accountability mechanisms are preferred. Our work on accountability seeks to move beyond the normative debate, to develop a framework that characterizes some of the mechanisms and dynamics of accountability in the public sector (Romzek and Dubnick, 1987; Dubnick and Romzek, 1991). These accountability relationships are two-way; that is, while they can be used by others to hold public employees and agencies answerable for their performance, the same relationships can be used by employees and agencies themselves to influence the quantity, content, and intensity of the expectations generated by the accountability mechanisms (Gray and Jenkins, 1985).

We postulate that accountability mechanisms in the United States vary along two dimensions: source of control, and degree of control. These dimensions combine to reflect the range of mechanisms by which public employees can be held accountable for their actions and the range of mechanisms available to public employees as they try to manage the expectations and accountabilities they face in their work.

The dimension of source of control relates to the origin of the expectation(s), whether internal or external, and the relationship of the stakeholder(s) to the agency or individual. (To this extent, we build on both Finer, 1941, and Friedrich, 1940.) Internal sources of control originate from within the agency—say, a supervisor, a co-worker, or a standard operating proce-

At the individual level, internal sources of control may be manifested in personal attitudes that the individual has internalized, perhaps from professional standards or codes of ethics. For example, Wheat (1991, p. 391) notes that some auditors may literally or figuratively "carry about a little book of publicly acknowledged and professionally agreed upon principles and standards to which they feel obligated to adhere." Similar dynamics may occur for any number of other professionals in the public service. External sources of control originate outside the agency (for example, elected officials, clientele groups, media, and oversight bodies).

The second dimension of accountability is the degree of control present in the accountability relationship (see Hood, 1976). Degree of control can vary from high to low. A high degree of control involves close specification of duties and intense scrutiny of actions across a wide range of issues. A low degree of control involves much less scrutiny, in much less detail; instead, the agency or employee is granted a great deal of discretion in deciding whether and how to respond to expectations.

The combination of these two dimensions yields a typology of four categories of accountability mechanisms in the public sector: bureaucratic, legal, professional, and political (see Figure 11.1). Each type emphasizes different values and different bases for the accountability relationship. Bureaucratic mechanisms are characterized by a high degree of scrutiny from an internal source, typically a supervisor or rules of operation; the prevailing value is efficiency. Legal accountability involves a high degree of scrutiny from an external source (for example, a court or an outside auditor); the prevailing value is rule of law. Professional accountability is characterized by a low degree of scrutiny and an internal source of control; the prevailing value is deference to expertise. Political accountability involves a low degree of scrutiny from an external source (typically a clientele group, a citizens' group, or elected officials); the prevailing value is responsiveness. In bureaucratic and legal accountability mechanisms, the actor has less flexibility regarding behaviors; actions are constrained by standard operating procedures, rules, legislative mandates, and court rulings. In professional and polit-

Figure 11.1. Accountability in Public Administration.

		<i>Source of Agency Control</i>	
		Internal	External
<i>Degree of Control over Agency Actions</i>	High	1. Bureaucratic Superior/subordinate Supervision, rules, standard operating procedure	2. Legal Principal/agent Fiduciary Oversight monitoring
	Low	3. Professional Layperson/expert Deference to expertise	4. Political Constituent/representative Responsiveness to stakeholders

ical accountability, the actor or agency has the flexibility to choose whether to respond to the expectations and the discretion to decide how best to respond.

Each of the four types of accountability mechanisms is equally legitimate, and all may be present simultaneously. Under conditions of "perfect administration" (Hood, 1976), a single accountability system will dominate to the exclusion of the other four. In practice, however, an agency or individual will typically operate in a context where at least two types of accountability mechanisms actively compete for the agency's or individual's attention, with the other types in place but latent. In times of crisis, the less frequently used or dormant forms of ac-

countability typically are activated; but even under conditions of less severe environmental turbulence, the administrator or agency may contend with pressures (expectations) generated by a variety of alternative accountability mechanisms.

Ironically, when more than one type of accountability system is active, individuals and agencies may have some degree of influence on the type of accountability mechanisms most frequently used. The choices made under these circumstances are at the very heart of the tasks of "management" in public agencies (Barnard, 1938; Simon, 1957). The choice of which accountability mechanisms to engage or trigger is typically a function of environmental context, managerial strategy, and the nature of the core task.

The environmental context of public administration is multidimensional, encompassing physical, technological, demographic, cultural, economic, governmental, personal, and policy-making features of the ecological setting (Dubnick and Romzek, 1991). Changing demographics, advancing technologies, a globalized economy, and growth in governmental institutions are several ecological factors that have influenced the expectations facing today's federal public service. The same factors also influence managerial choices related to the accountability mechanisms used to contend with the multiple, diverse, and often contradictory expectations that challenge most public administrators today (Hargrove and Glidewell, 1990).

It is hard to generalize about managerial strategy for the American public service because of the sheer number of agencies and individuals involved in federal, state, and local governmental administration. In very general terms, managerial strategy involves decisions about how an agency or program positions and structures itself in relation to its surroundings and mission. In terms of action, it is the job of aligning an organization's resources and capabilities to its current situation, in order to meet current expectations and future goals (Summer, 1980; Kilmann, 1984). Traditionally, public sector organizations have been managed strategically to deal with four types of expectations: those related to resource use (inputs); those focusing on process; those concerned with outputs;

and those seeking to achieve outcomes. To the extent that generalizations can be made, managerial strategies in the federal service have reflected a need to meet accountability expectations focused on personnel inputs and process. In fact, bureaucratic and legal accountability mechanisms are often so closely intertwined in public employment systems that they are nearly impossible to disentangle, even when they are clearly in conflict. Current efforts to create a more flexible federal service represent a growing clamor for policies and rules that will promote output-outcome strategies (Nigro, 1990). Conscious efforts to move in that direction would probably entail major adjustments in how the public service relates to alternative accountability systems.

Just as managerial strategy varies from agency to agency, so does core task vary. The more technical the agency's core task, and the more specialized the skills that are required, the greater the likelihood that the accountability relationship will involve deference to expertise. For example, the Social Security Administration and the U.S. Postal Service might find it easier to contend with a situation where bureaucratic accountability expectations and mechanisms were dominant because the core tasks of these agencies are easily routinized and our knowledge about their tasks is well settled. Some agencies deal with greater degrees of uncertainty. One such agency is the National Aeronautics and Space Administration (NASA). The economic and political pressures that pulled the agency away from its primary reliance on expertise (professional accountability) may have contributed to the *Challenger* tragedy and other major administrative problems. In the *Challenger* case, the bureaucratic and political accountability mechanisms in use were ill suited to the technical nature of the agency's core task and to the level of knowledge and certainty that NASA had regarding this task (Romzek and Dubnick, 1987). In the case of the Los Angeles Police Department's beating of Rodney King, we find overreliance on professional accountability mechanisms and an inconsequential role for a key conventional bureaucratic accountability mechanism: individual performance evaluation (Romzek and Dubnick, 1991).

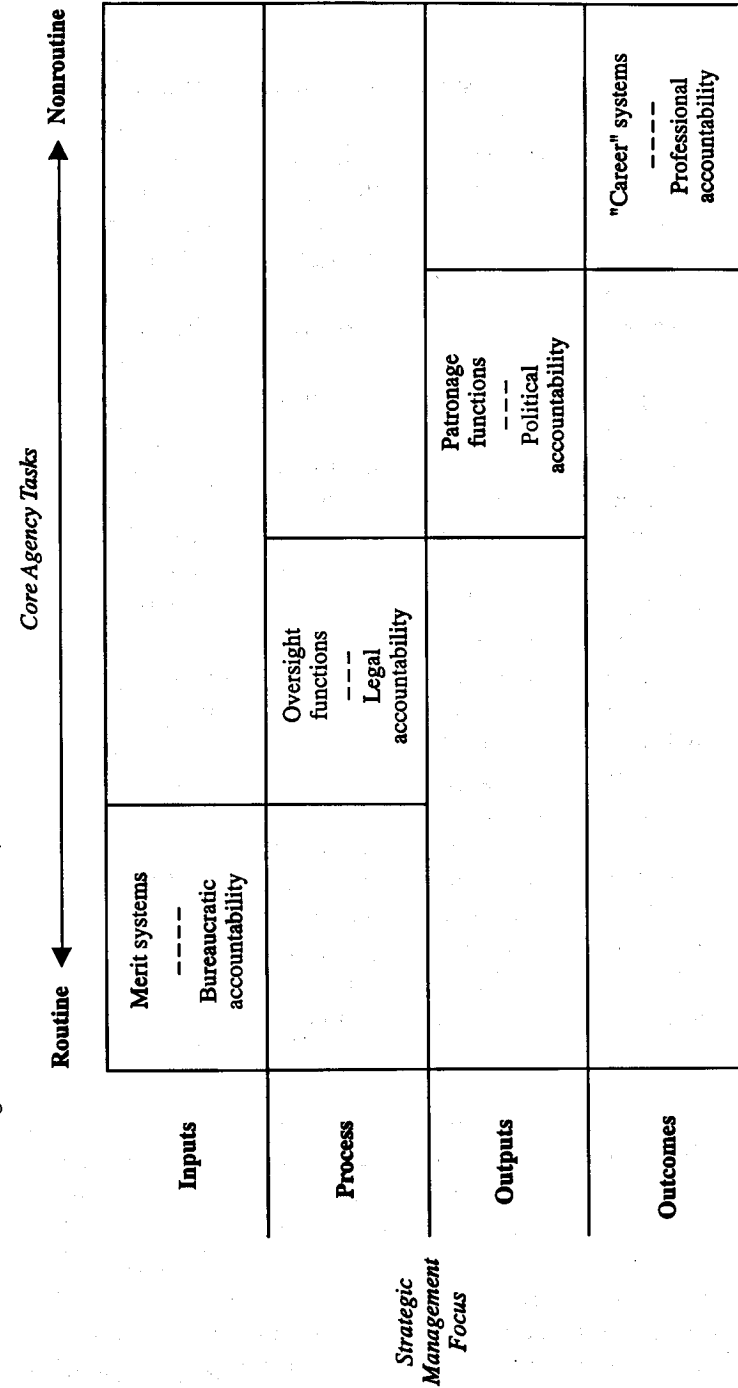
Patterns of Accountability Mechanisms

Within this context of four accountability systems, and at any point in time, the federal public service would clearly benefit from achieving a rough alignment between its personnel management systems and the dominant accountability mechanisms. The likelihood that this will occur seems low at this time, but an evaluative baseline could prove helpful in understanding the relationship between personnel management and accountability. To form that baseline alignment, we can transpose two of the three factors (management strategy and core task) relevant to shaping the relationship between public administrators and accountability systems (see Figure 11.2). Environmental dynamics, such as level of turbulence or stability, have been noted as affecting organizational structures and efforts to control (Emery and Trist, 1965; Thompson, 1967).

The managerial strategy factor is represented along the vertical axis by the alternative focal points already mentioned: inputs, process, outputs, and outcomes. In personnel management, the concern for inputs is a reflection of an institutional need for government agencies to contribute to the wider purposes of collective action in society. Those adopting this strategic position focus on the selection and allocation functions of public personnel management. Adherents to this perspective “include the rule making and enforcement bodies which advocate the political neutrality of the . . . civil service, elements involved in the formulation of national human resource policy (e.g., veterans preference, . . . affirmative action), those who promote the goal of efficiency and productivity in government, and, finally, those who control fiscal capacity and program priorities” (Nalbandian and Klingner, 1981, p. 542).

The interest in process as the primary strategic focus of public personnel management is partly a product of the “constitutionalization” of the public employment relationship that has taken place in recent decades (Rosenbloom, 1971a, 1971b, 1994; Shafritz, Riccucci, Rosenbloom, and Hyde, 1992). It also represents a concern with enforcing many of the policies and rules emerging from concern for inputs. The results have been

Figure 11.2. Accountability and Personnel Management: An “Ideal” Alignment.



the proliferation of oversight agencies that monitor other agencies' personnel processes (Levine, Peters, and Thompson, 1990; Ingraham and Rosenbloom, 1992); increased use of inspectors general as monitors of accountability (Light, 1993); and an explosion of litigious actions that have made the courts a potential factor in agencies' operations (Shafritz, Riccucci, Rosenbloom, and Hyde, 1992).

When speaking about the outputs of the personnel system, one cannot help thinking of the kinds of products that it might supply: job description, position classifications, waivers of employment requirements, actions against personnel, grievance proceedings, application and enforcement of sanctions, and so on. The demand for these services is typically communicated in the form of requests that they be provided, in accordance with the special or unique circumstances of each case. In short, they are often highly politicized in nature. Thus the output focus in public personnel management exists in what has been termed a "netherworld," where the demands for certain types of hiring or personnel actions are worked out as political decisions within the gray area between formal personnel requirements and the discretion given to personnel managers (Shafritz, Riccucci, Rosenbloom, and Hyde, 1992). As for the ethics of this part of public personnel life, "there is nothing systematically illegitimate about maintaining a public personnel netherworld. Indeed there is considerable precedent for awarding public employment advantages to special groups such as veterans. What is so contemptible about the . . . netherworld is not its operations, which are frequently benign, but its *hypocrisy*" (p. 73; emphasis in original).

Finally, there is the public personnel management strategy related to agency or program outcomes. Here, the stress is on providing services that promote (or at least do not interfere with) fulfilling the mission of the agency. In most cases, this has meant giving primary responsibility for major personnel decisions to managers of the line agency: "The biggest struggles in the federal personnel system have been over autonomy—allowing local managers to make decisions and allowing actual or quasi-professionals to do their jobs" (Wilson, 1989, p. 149). The model

for this plan was the China Lake demonstration project conducted by the U.S. Department of the Navy under the little-used provisions of the Civil Service Reform Act (CSRA) of 1978 (Wilson, 1989; Nigro, 1990; Ban, 1992). What that much-cited project demonstrated was the potential benefits to be gained from a personnel management approach that facilitated, rather than controlled or regulated, the work of the client agency.

On the horizontal axis of Figure 11.2 we establish a continuum, representing the range of one significant characteristic of the core tasks performed by federal agencies: routineness. Although this is an oversimplification, the characteristic of routineness does provide a shorthand correlate for a number of other factors: simplicity, repetition, specialization, narrowness, formalization, and programmability (see Mintzberg, 1979; March and Simon, 1958). In terms of human resources, agencies or programs engaged in more routine tasks clearly require a qualitatively different set of skills and resources from those required by agencies dealing with more complex, nonroutine tasks. The resulting matrix reflects a hypothetically appropriate alignment of accountability systems with major functions and comprehensive forms of public service personnel systems (Klingner and Nalbandian, 1993, p. 27). Bureaucratic accountability mechanisms seem most relevant where the stress is on inputs and the agency's core tasks are routine, and where there is clear hierarchy to enforce accountability. Being accountable in these circumstances means being answerable to some hierarchically positioned supervisor who is able both to monitor and to correct (if necessary) the actions of the organizationally subordinate. Given these needs, a merit system such as those operating today (Ingraham and Rosenbloom, 1992) is probably best suited to the situation.

A focus on process is most likely to find favor under mechanisms that emphasize legal accountability. Here, the stress is not on routine actions but on the availability of procedures that can be activated, as necessary, to enforce rules and regulations. Access to the courts, active oversight by regulatory agencies (such as the Equal Employment Opportunity Commission), and internal enforcement of agency rules and procedures aimed at

promoting and protecting the rights of employees are all suitable solutions in such conditions. While not in the model of a personnel system, these mechanisms can be grouped together as oversight functions.

Whether hypocritical or not, it would be difficult to ignore the role (although intermittent) of the so-called netherworld in public personnel management, especially when political accountability systems are active and in a potentially dominant position. To some degree, the actions taken in the netherworld resemble those that are expected of traditional patronage systems. Since the federal patronage (political appointee) system is rather limited in scope, and since the netherworld has a more pervasive presence, we use the label *patronage functions* to designate those personnel management activities most relevant to political accountability mechanisms.

Finally, where outcomes take priority and tasks are not routine, it would be most appropriate for professional accountability mechanisms to dominate. It is under such mechanisms that the implied ideal of "flexible" personnel administration is likely to thrive. The logic underlying the federal "career" systems fits these circumstances, for the systems were originally designed and given autonomy from the merit systems in order to allow certain agencies (for example, the State Department and the U.S. Forest Service) to enlist or develop "professional" cadres suitable to distinct jobs.

With these "ideal" arrangements in place, a question remains: What determines the real alignment of accountability systems with personnel management systems and functions? In our model, the answer is found in the variable ecological setting that comprises the third factor shaping the relationship between public administration and the four accountability systems. The role played by environmental factors in that relationship is a critical one, but it would be extremely difficult (if not impossible) to do more than speculate on the nature of that role. As the source of the multiple, diverse, and often conflicting expectations that simultaneously energize and constrain public administrators and their agencies, the ecological setting is a central factor in generating the efforts of public employees to manage

expectations through their attempts to manipulate or control accountability systems (Dubnick and Romzek, 1993). Further complicating this relationship is the fact that accountability systems are themselves a major institutional component of that ecological setting.

But our inability to know the specific forms of the relationship between public administration and accountability systems has little to do with the insight this model provides into the operations of the public service within its complex institutional setting. To the extent that we have a baseline model for an "ideal" alignment between accountability systems and personnel management systems and functions, we can assess the implications of the various problems facing today's public personnel management system and analyze specific actions and proposals for reform that have emerged in recent years.

For example, the movement for a more flexible public personnel system is certainly high on the agenda of public administrators here and abroad (Organisation for Economic Co-operation and Development, 1990). Applying our framework, we can see that the issue of inflexibility represents more than mere stubbornness on the part of personnel managers unwilling to change old habits. The continued strength of the merit system, as an operating system and as an obstacle to much-needed reform, is an indication of the strength and dominant position of the bureaucratic accountability system in matters related to personnel at the federal level. From time to time over the past two decades, that dominance has been challenged, but only with temporary success.

During the 1970s, for instance, the initial commitment to affirmative action in the federal service resulted in immediate increases in the employment of protected groups at the middle and highest levels of government, but those advances soon vanished, in many cases. A number of reasons have been cited to explain that pattern (Kellough and Rosenbloom, 1992), many of them associated with shifts in political and fiscal conditions that were not conducive to sustaining affirmative action. In terms of accountability, the retreat from affirmative action was facilitated by the continued preeminence of bureaucratic account-

ability systems. Had affirmative action in the Equal Employment Opportunity Commission and other agencies been accompanied by an effort to strengthen the legal accountability system and associated oversight functions, the strong initial success might have been sustained.

In another test of the dominance of bureaucratic accountability systems in the federal public service, the Reagan administration developed a strategy for using the 1978 Civil Service Reform Act to its advantage in establishing effective control over the highest levels of the civil service. Putting the personnel system to work for partisan and ideological purposes did pay off, to some degree. The Reagan administration quickly expanded the netherworld of political accountability, in part by appointing noncareer personnel to high-level career positions through provisions in the CSRA (Newland, 1983). But the challenge had its limits, as indicated in the findings of a study by Ban and Ingraham (1990). Reviewing the records of noncareer Senior Executive Service appointees between 1979 and 1985, they found that members of this highly politicized group served an average of 1.7 years, and that at least 40 percent left government after less than one year. Once again, there are a number of explanations, but we should not overlook the role played by a dominant bureaucratic accountability system and the inability of the Reaganites to sustain their attempt to change the upper levels of the federal service into a more politically accountable cadre. For all the damage the Reagan administration did, the traditional system — and all its flaws — proved resilient (see Durant, 1992).

The Need for Flexibility in Public Personnel Systems

The federal personnel system is structured to cover millions of employees who work in hundreds of agencies spread across the United States and beyond its borders. Many of the problems that have arisen in the operations of the federal civil service system derive from rigidity and from the poor fit between the current dependence on highly bureaucratized merit systems and the needs of federal agencies and employees. As a result, num-

erous agencies and classifications have petitioned to be exempted from cumbersome merit systems (Ingraham and Rosenbloom, 1992; Bowsher, 1992).

Balkanization of the public service is not likely, however, given the fact that requirements are imposed on government agencies and go well beyond the parochial needs of agencies and employees (Mainzer, 1973; Rainey, 1979; Nalbandian and Klingner, 1981). Rather than see agencies that are strong enough or savvy enough opt out of the personnel system, it would be better to redesign the structure and processes of the public service system to introduce enough flexibility to accommodate diverse agencies' management strategies and core tasks, as related to personnel needs. A key needed change is to shift public agencies and political institutions away from an emphasis on negative controls and regulatory oversight as primary vehicles for accountability.

When flexibility is sought, what one typically wants is relief from negative controls and a shift toward personnel systems that facilitate managerial discretion and professional responsibility. Time and again, despite the desire for such relief, we see in this country a willingness to sacrifice the goals of efficiency and effectiveness for accountability. We cannot ignore fundamental mistrust of government as a factor in the prospects for success of any proposal for flexibility (Dubnick, 1994); there are things that we allow in the private sector that simply are not tolerated in the public sector (Rainey, 1979). As we seek flexible personnel practices, we need to reassure the polity that flexibility does not mean lack of accountability. Rather, flexibility will mean managing human resources more strategically in the context of multiple accountability systems. It will mean relying on more kinds of accountability mechanisms, not necessarily on less accountability.

The key to increasing flexibility in public sector personnel systems is acknowledging their dependence on multiple accountability systems. The explicit development of a strategic approach to the existence of multiple accountability systems would be tacit recognition that public employees face multidimensional mandates. It would also allow for more appropriate

matches between expectations and accountability mechanisms. For example, personnel practices related to Senior Executive Service members, given their experience and expertise, primarily should be designed and managed in the context of professional and political accountability systems. To the extent that emphasis is placed primarily on bureaucratic and legal accountability mechanisms holding SES members answerable for their performance, such mechanisms will not be taking full advantage of SES members' talents. In short, flexibility must be cultivated and nurtured through the strategic management of expectations and accountability mechanisms.

The unanswered question is whether these multiple accountability systems will be configured in a form that will facilitate such a strategic approach. Multiple accountability systems represent both opportunities and constraints for public sector managers. The current configuration of multiple expectations and multiple accountability mechanisms creates zones of discretion for administrators and agencies. Within these zones of discretion, public managers have latitude over how to manage expectations. The current arrangements, however, do bias the exercise of discretion in the direction of bureaucratic and legal accountability approaches. The possibility of greater flexibility will be improved when this bias is reduced or shifted to favor professional and political accountability norms.

What are the prospects for such changes? The current situation in federal personnel management is so dominated by pressures for bureaucratic and legalistic accountability that movement toward greater flexibility seems unlikely. Under the current preoccupation with merit systems and oversight functions, strategic concerns for outputs and outcomes are often ignored or treated with indifference. In the rare instances when output and outcome needs are allowed to surface, innovative solutions are narrowly applied, and their impact is generally short lived. A more common scenario is the development of solutions acceptable to bureaucratic or legalistic standards that typically prove inappropriate. When this occurs, accountability expectations are more constraining and require more effort to meet, and they detract thereby from efforts directed at reaching the program goals of the organization.

Flexibility in Personnel

The movement toward flexibility could involve reforms at all four strategic focus levels. Let us examine some recent personnel policies and their prospects for success in light of this recognition of the role that accountability dynamics play in public personnel management. Flexibility may entail many different things. It may mean (1) less centralized control and oversight of basic personnel functions; (2) fewer and less detailed rules and regulations regarding how line agencies promote and protect employees' rights; (3) greater empowerment to line agency personnel, allowing them to adapt their human resources policies to their agencies' needs, which may be political as well as administrative; and (4) greater deference to the capacity of professional public servants (workers more than managers) to shape the quality of their work in order to improve productivity. Each of these things is acceptable and desirable in theory — that is, each is legitimate in some accountability scenario — but the long-term preoccupation, on the part of the public and its elected representatives, with the need to control inputs and regulate processes obscures or overtakes each of these objectives.

What is the likelihood of success in the movement toward flexibility in personnel matters? We can get an indication by considering four reforms — some proposed, some actually in place.

Less Centralization of Control and Oversight. Greater flexibility involving inputs would mean giving line managers greater control over the traditional functions of personnel job design, classification, recruitment, and selection. The first kind of flexibility — less centralized control and oversight of basic personnel functions — is exemplified in a recent reform proposal regarding position classification, one of the cornerstones of the merit system. The National Academy of Public Administration (NAPA) has proposed reordering work along organizational lines, not individual positions (Cayer, 1992). The current federal system has 459 occupations grouped into 22 categories. NAPA has proposed 10 occupational families grouped according to similarities in "career progression, basic skills, recruitment, training, and performance management" (Cayer, 1992, p. 219).

This proposal has far-reaching implications for public personnel management. It offers greater discretion to agencies and managers in configuring work forces according to management needs. It also offers agencies and managers the opportunity to change work-force configuration within broad position classifications and pay scales as circumstances warrant. Thus broader classification and pay banding can afford managers and agencies greater discretion in managing the work force. Theoretically, this proposal could be implemented without complete compromising of concerns for accountability, if an appropriate accountability mechanism is available.

What are the prospects for this proposal? It makes sense as a reform that would bring greater flexibility to the "inputs" level, but mistrust of government remains too great. As currently configured, the proposal provides managers too much discretion and gives rise to the fear that it may lead to new forms of patronage. Both aspects render the proposal unlikely to be adopted. For this proposal to succeed, the reform must include creating or triggering an accountability mechanism that would suit the movement toward more managerial discretion. But it must also include regulatory enhancements that would satisfy those reluctant to give line managers too much power. Such a compromise, by working for a more significant shift toward greater trust in government, might then give reformers an opportunity to increase the chances for further reforms. The same dynamic applies to pay classifications. If reformers can work hard to shift the dominant accountability system, then the proposal may stand a chance.

Fewer and Less Detailed Rules and Regulations. Flexibility demands greater discretion for agency managers in determining how best to meet regulatory requirements (for example, to promote and protect the rights of employees). The Americans with Disabilities Act (ADA) of 1990 is recent legislation with substantial implications for personnel management in both the public and the private sector. The ADA prohibits discrimination in employment against otherwise qualified applicants and requires that reasonable accommodations in employment condi-

tions be made for individuals with disabilities. Unlike previous legislation in this area of employee rights, the ADA does not preimpose the kinds of regulatory details that bind managers in other ways. In fact, it allows them greater flexibility.

The public management arena is quite used to seeing legal accountability mechanisms invoked in the area of employment discrimination, through oversight and monitoring or through court rulings. In fact, the role of the courts in public management continues to expand (see Chapter Seven of this volume). Will this habit—relying on legal rulings to impose accountability—change as employers gain more experience with the ADA? This is unclear, but it is probably unlikely.

In theory, ADA implementation should be seen as an opportunity to process issues under an outcomes-oriented mandate involving relatively nonroutinized tasks. Decisions about what kinds of job skills are essential to the positions in question, how much accommodation is necessary, and whether such accommodation is reasonable are unspecified in the legislation. Under the ADA, those matters are all left to the discretion of the managers on the scene. In theory, hence, implementation of the ADA could rely primarily on a professional accountability mechanism. The source of control is internal, the degree of control is low, and the managerial strategy is based more on outcomes—improved employment opportunities for individuals with disabilities—than on compliance.

When management's discretionary decision making about reasonable accommodations is in question, the legal accountability system is the likely recourse. Under such conditions, the boundaries of reasonable accommodations will be tested through litigation.

Thus the primary vehicle for ADA enforcement—the courts—will prove to be the problem for this move toward flexibility. Historically, the courts have not accepted anything but solutions that meet legal accountability requirements, nor are they likely to do otherwise. After a series of court rulings has been made, a de facto set of strict regulations will emerge through legal precedent, thus eliminating much of the flexibility the law seems to give. The fact that the courts will be the final arbiter

of what is reasonable suggests that the long-term prospects for the ADA do not include its success as a means of increasing flexibility in the public service.

Greater Empowerment of Line Personnel. Greater discretion for line managers in allocating outputs (for example, such rewards as promotions, salary increases, and bonuses) has been granted under the Civil Service Reform Act of 1978 and the 1984 Performance Management and Recognition System. One of these initiatives is the bonus system that was put in place for the SES under the CSRA. In theory, this provision grants discretion to managers in rewarding their employees with bonuses as they see fit. Both initiatives stand as examples of reforms that allow for a nonnetherworld use of outputs (that is, flexible pay systems for top-level bureaucrats), but both have been failures (Shafritz, Riccucci, Rosenbloom, and Hyde, 1992).

The Performance Management and Recognition System was subject to politicization by the Reagan and Bush administrations and to intense scrutiny by the media. The public reaction to recent news stories involving bonuses given by (and to) outgoing Bush administration cabinet members offers an object lesson in perceived or real abuses that result from too much discretion. Even if these cases prove to have been within the bounds of the law, public reaction indicates just how vulnerable these and similar flexibility reforms are to the dominant position and pervasive power of the bureaucratic and regulatory accountability systems. Not only does this threaten reforms, it may also come to be regarded as a basis for reinforcing efforts to control and regulate the bureaucracy through even tighter accountability mechanisms. The reactionary consequences are clear. As a result, the prospects for greater flexibility in this area seem bleak.

Greater Deference to the Capacity of Professionals. Greater deference to managers and workers in the use of human resources is manifested in one of the currently "hot" managerial models, total quality management (TQM). TQM aims to increase the flexibility and productivity of all government operations, including personnel management. There has been much debate about

how transferable TQM principles are from the private sector to the public sector. Various TQM reformulations are being undertaken in a variety of public agencies at all levels of government. Swiss (1992) proposes a reformed TQM that captures client feedback, performance tracking, continuous improvement, and worker participation. For the most part, these reformulations are being pursued in an accountability context that emphasizes bureaucratic and legal mechanisms.

TQM, even in the modified form Swiss proposes, fundamentally challenges the conventional individualistic approach to work design and performance evaluation that is widely used in government. TQM also challenges conventional accountability mechanisms regarding work design and performance evaluation, which emphasize individual effort and extensive scrutiny of individual performance by supervisors. This input-oriented approach fits well with the category of a bureaucratic accountability system. Its most common manifestation is the annual individual performance appraisal.

TQM, as proposed, emphasizes highly participative, client-centered work processes that keep the focus on a general outcome—customer satisfaction. TQM is better suited to professional accountability mechanisms, with an emphasis on increasing productivity and improving results. From the perspective of accountability, the prognosis for TQM depends on how likely the American polity and government leaders are to move the dominant accountability mechanism away from bureaucratic controls and toward more discretion, under a professional model. The required changes in how people are hired, rewarded, and regulated would be radical. As Light (1993, p. 18) notes, "Whatever the merits of [TQM], the federal government is not a private entity. No matter how much government managers want to manage, the public demands bureaucratic accountability."

The Prospects and the Challenges of Greater Flexibility

The challenge of public personnel management remains the same: getting and retaining high-quality employees and holding them accountable for their performance. Rourke (1992,

p. 544) notes the consensus on the need to control the bureaucracy: "In the day of the administrative state, controlling bureaucracy has become one of the highest imperatives of democratic politics." The trend in most of these reforms is away from bureaucratic and legalistic accountability mechanisms, and toward professional and political accountability mechanisms where the emphasis is more on trust, outputs, and outcomes.

The challenge of public management is to structure employees' and agencies' accountability in such a way that sufficient attention is paid to the appropriate strategy and the nature of the core task. The probability of successfully incorporating or sustaining some efforts, such as TQM, may be high in the short term because the environmental context has created enough "heat" to light a fire under these reforms (Walters, 1992). To the extent that we introduce reforms that are blind to these accountability dynamics, we run the risk of being lulled into complacency by short-term success. But the long-term success of such reforms will be influenced by the dynamics of accountability. If the reforms are contrary to the dominant accountability systems, and if no adjustments in accountability systems are made, then the prognosis for long-term success is poor. Unless we structure relationships and expectations and attune them to the appropriate accountability mechanisms, the reforms are likely to be eroded by long-standing accountability dynamics.

Short-term adoption of flexible reforms may be a possibility these days because civil service reform is now a "hot" item, a popular thing to do (Walters, 1992). Accountability dynamics may not appear significant in the short-run process of adopting personnel reforms, but the accountability dynamics will be significant in the long term. We see the equivalent at the federal level in the Clinton administration's efforts to "sell" the idea of shared sacrifice as a way of dealing with the national government's budget crisis. President Clinton may manage to succeed in selling sacrifice to the populace, but if budgetary dynamics remain unchanged, then the chance of fundamental long-term reform in our budget outcomes is unlikely.

Increased flexibility in the public service raises a number of accountability and human resources policy questions. The

most fundamental one involves the tension between flexibility in personnel practices and equal treatment for all employees. The tradition of employment in the public sector, with its strong emphasis on equal treatment of employees, tends to result in personnel policies that are rigid and inflexible. The challenge for public officials is to design personnel policies that are flexible yet not subject to abuse and charges of favoritism or discrimination — reforms that do not completely sacrifice accountability. The challenge for elected officials is to find the political will to pass legislation that endorses this kind of flexibility.

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