

Good Governance, Accountability and the Public Servant

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There is no issue more central to good governance than accountability generally and the accountability of those in government to their citizenry in particular. Consequently, there is no issue more central to any discussion of the challenges facing government and civil servants, either now or in the 21st Century, than the matter of commitment to a high degree of accountability. Indeed, issues of accountability to the citizenry are quite simply the most important elements of contemporary governance and, as a consequence, need to be at the very center of any discussion about good governance, education for the public service and the future millennium.

The reason for this is very simple. Despite all the criticism of contemporary governance (and certainly there is a good deal of it all over the world), government is still the most powerful institution of society. No matter how large or influential any individual, private corporation or association may become, they ultimately, in the end, must abide by the rules that are established and enforced by governments. Even more significantly, government is the only institution in any society that has a legitimate right to take away the citizens's property, liberty and even their life. Consequently, it is of critical importance to the well being of any society, and the individuals who are a part of it, that their government, and the people who manage it, are held highly accountable for their actions or, in some cases, their failure to act.

Given the absolute centrality of issues of public accountability to any discussion of contemporary governance, and the challenges facing government administration, it is obviously useful to explore the experience of various countries with different means and approaches to holding both public officials and civil servants accountable to the citizenry. Toward this end, we shall for the remainder of this paper look at two particular cases. The first is that of the United States (US) and the approaches and procedures which it has established to ensure that public officials and civil servants remain accountable to its citizenry. The US case is of interest in this regard since it is the oldest established government in the world that was created as a result of its citizens rebellion against, and desire to limit, an oppressive government. The second case that we will examine comes from Assuncion Paraguay. It is equally interesting in that Paraguay has very recently undergone the transformation from having an exceedingly oppressive system of governance to possessing a quite, lively and flourishing, if somewhat fragile, democratic system. It provides the observer with an excellent sense of how, and the extent to which, systems and institutions of public accountability can be rapidly established in a society in transition

The US Experience

The US experience in terms of seeking to ensure a high degree of public accountability on the part of its government officials and civil servants is very substantial and goes back to the origins of the Country some 220 years ago. Indeed, one of the fundamental elements in maintaining a governmental environment that insures a high degree of public accountability to the citizenry is to be found in the general attitude that American citizens bring to their relationships with their government. Whereas in Europe, civil servants, as the representative of the "State" often have been seen as figures of imposing authority, this has not been the case in the United States. There, the civil servant historically has been viewed primarily as a person who simply happens to work for the government. This now widely held view of government employees was especially encouraged by the "Jacksonian Revolution" which took place with the election of Andrew Jackson as President of the United States in the 1830's. At that time, the growing notion that government was the province of a small, highly educated elite was, with Jackson's election, rejected in favor of a strong belief that government positions at all levels could be filled by reasonably intelligent average citizens.

Another factor contributing to the creation of an environment which encourages and supports a high level of public accountability is the general belief that emerged in the United States that the civil servant is, in fact, "a public servant." By viewing civil servants in that manner, one makes it very clear that they are, and must always be, accountable to the citizenry. This approach is very much a part of the education provided to public administrators in training in the United States's graduate schools of public administration. It is also very much a part of the education that all of the Country's citizens receive as students in their high schools and colleges.

Another important contributory element in creating the environment of public accountability which exists within the United States is the very considerable emphasis placed upon the availability to the citizenry of copious printed information about government programs and activities. Not only is there a tradition of extensive media coverage of the activities of government administrators and public officials, but governmental institutions themselves are highly influenced by very strong traditions of making such information readily available. The result is that at all levels of American government, extensive information is readily available to interested citizens. Public budget documents for larger governmental units, sometimes run to hundreds (and in the case of the national government, even thousands) of pages. Likewise, in any given year the national government puts out thousands of documents that describe its programs and the activities of its agencies in extensive detail. The same is true of the Country's state governments and, today, virtually all of its municipal governments of any meaningful size.

Further encouraging the availability of information to the public, and the creation of an environment that strongly encourages public accountability, is the fact that many governments in the United States have very stringent laws requiring that all governmental meetings and/or records be open and readily available to the public. Moreover, in the case of meetings, most governments have laws that require that adequate advanced publicity be given to the time, place and purpose of governmental meetings. While some of this legislation does have significant limits built into it, in

many places such legislation is highly demanding. For example, in the State of Florida, any state or local government document of any sort (with the exception of personal medical records and the like) must be made available to the public. Thus, for example, an individual government official or civil servant's own hand written notes of any discussions that may have occurred at meetings in which they participated must be made available to the public and/or the media upon request. Failure to do so will result in liability to criminal action and imprisonment.

Governance Structures and Public Accountability

Because of the Country's historic concern about public accountability, virtually all levels of government in the United States have developed a variety of institutional structures that are designed to encourage openness, citizen participation and public accountability. There is, for example, the extensive use of various kinds of boards, councils, committees and the like which incorporate into their membership individual citizens and members of the public. Such entities serve as vehicles to provide advice, counsel and oversight and, in some instances, actual governance of the public administrators charged with the responsibility for implementing various kinds of governmental activities and programs.

One institutional device that is widely used in the United States, and very much encourages public accountability, are public hearings by governmental agencies and legislative bodies at all levels. Such hearings are frequently used for formulating the annual budgets of government at the national, state and local levels. As such, they provide for extensive citizen input into the shaping of what typically is the most important decision driving process of governmental units and/or agencies in the United States. They are however also used for a host of other purposes ranging from agency goal setting to making decisions about land use.

There are various other types of governmental institutions that have emerged in the United States for the specific purpose of providing citizens with effective redress when they have grievances against the government. These include the European institution of the "ombudsperson" - an individual who is provided with special investigative power and the authority to look into any complaints or concerns presented to them by individual citizens. Not surprisingly, given the emphasis upon accountability in government in the United States, this concept has been further developed and elaborated upon through the creation of the institution of the "Inspector General."

At the Federal level, virtually every major agency, and likewise many state government agencies, have Inspectors Generals. These officers have the authority and power both to receive citizens' grievances and to compel the making available of necessary information as well as to initiate on their own the issuing of reports mandating changes in practices by agencies in order to remedy injustices or to avoid subsequent problems. In some cases, boards of citizens are used for such purposes. For example, in recent years, in local government in the United States, one has seen the emergence of "police review boards" which have been created specifically to review and act upon cases of inappropriate behavior by police officers.

Another important governmental institution used to insure the accountability of civil servants to the public, as well as the policy makers who represent the public, is audit agencies. Generally reporting to the legislative branch of government, these organizations typically have considerable number of highly trained personnel whose principal activity is the routine review of governmental agencies and their performance. Originally created to focus principally upon fiscal matters and issues of financial integrity and accountability, these agencies have increasingly broadened their focus and now look very closely at actual program effectiveness and performance as well. In so doing, one of the things that they particularly focus upon is the interaction of the government agency being examined with its public and/or clientele.

Political Oversight and Public Accountability

As one might expect, in a country like the United States where there has been such emphasis upon issues of accountability to the public, individuals involved in the political process are especially sensitive to such matters. Consequently, elected chief executives of government tend to place a great deal of emphasis upon, and give much attention to, assuring that governmental agencies and their personal staff are highly sensitive to issues of public accountability. Indeed, most chief executives have staff whose principal function is to relate to the public and deal with the various kinds of problems that are brought to them by individual citizens. In addition, chief elected officials will often initiate major review exercises to insure that the agencies responsible to them are functioning in such a manner as to have a high degree of attentiveness to the public (and accountability to the chief executive) on such matters.

Another major force for insuring ongoing accountability by both individual public servants, and the agencies and institutions within which they function, is found in the legislative branch of government in the United States. Non-US citizens, and even many US citizens, frequently find themselves perplexed, if not aghast, at the number of staff people that legislative bodies, particularly the United States Congress, employ. It is, for example, not unusual for a member of Congress to have a staff of 35 or 40 people working for him or her. In the US Senate, there typically are twice that number for each Senator. In actuality, most of those people, in one way or another, are involved in activities that focus upon insuring the accountability to the public of government agencies and officials.

One very important way in which legislative bodies contribute to the public accountability of the government is by the legislative oversight work that is carried out through their committee activity. While it is often assumed that the principal activity of most committees in American legislative bodies involves the drafting, preparation and holding of hearings upon new legislation, the fact of the matter is that equally as much time is spent on the carrying out of oversight of the way government officials are implementing existing legislation and the programs that result from them. Thus, in many respects, legislative oversight hearings represent a very formidable force for insuring public accountability on the part of government policymakers and civil servants.

Yet another mean by which legislative branches seek to insure the accountability of civil servants is through the passage of legislation governing their behavior. In fact,

the typical American legislative body passes many different laws that govern, regulate and guide the way civil servants carry out their responsibilities. These range from the more obvious of such legislation - which regulates the ethics of government employees and their participation in the political process - to laws that require public employees to perform their responsibilities in such a way as to take account of the concerns of the public. These will sometimes include things like the amount of time that government employees can use in responding to or for initiating certain kind of activities to the mandating of non-discriminatory behavior and the like.

Non-Governmental Organizations and Public Accountability

As noted above, in the United States, one of the major forces for insuring public accountability on the part of the government, and the people who operate its programs, is the media. American newspapers have raised investigated reporting to a very high art form and much of their activity in this regard focuses upon the activities of elected government officials and, in many cases, civil servants themselves. In that regard, it is not unusual for journalists to devote several months to carrying out intense investigations of government agencies and the programs that they operate. Such investigations sometimes result in long multi-part stories that report in great depth about the activities of government employees. In many instances, newspapers are particularly attentive to instances in which public employees are not responsive in their dealing with the citizenry.

Yet another very important non-governmental source of insuring the accountability to the public of the government and its employees is the work of the various non-governmental organizations (NGO's) that have developed in virtually every area of public policy within the United States - not only at the national, but at the state and local levels as well. In Washington, there are hundreds of such organizations that focus their attention on the activities of government and, in most state capitals, there are dozens of such organizations. In many instances these organizations have staff members who are both highly trained and possess long experience in dealing with relevant government programs and policies. These individuals often carry out both short term and long term research projects dealing with the way government is implementing a particular area of program activity or policy. Given that such organizations are, in fact, part of the "public" rather than the "government," they are especially sensitive to issues of responsiveness and accountability to the citizenry on the part of government administrators.

Institutionalizing Accountability in the Municipality of Asuncion, Paraguay

Because government in the United States has a long tradition of public accountability, it is not terribly surprising that many institutional mechanisms exist for insuring and encouraging these matters. Obviously, other countries do not have the same historic tradition and, consequently, the same sort of institutions do not exist. Indeed, in some countries very long authoritarian traditions can be found and, in many instances, very few or even no real structures of public accountability exist or, if they do exist, they are present more in form than reality. In the case of such countries, it is very tempting to suggest that their traditions work against public accountability and, consequently, that their citizens are unlikely to be able to effectively hold their government officials accountable.

Certainly one country that falls into the category of being a place that would seem to present a minimally receptive environment for building accountability mechanisms would be Paraguay in South America. Since the Country achieved independence in 1811, it has been ruled by an almost unbroken string of dictatorial, highly centralized political regimes. This finally ended in February 1989, with the fall of General Alfredo Stroessner, perhaps the most authoritarian of all of the Country's dictators. Following the exile of Stroessner, the Country had its first relatively free election of a President in May of 1989 and then its first ever elections - free or otherwise - of municipal mayors in May of 1991.

The 1991 elections brought to power in the capital city of Asuncion, Paraguay, a reform minded young mayor, Carlos Filizzola. Historically, political life in the Paraguay had been organized around the competition between the two venerable political parties - each of which had in one way or another been involved in the Country's string of authoritarian government - the Colorado Party and the Liberal Party. Filizzola, running on a platform committed to a high level of citizen participation and public accountability, organized his own party, the Encuentro Nacional, and, in a very highly contested race, won the mayorship of Asuncion.

In response to the campaign commitments that he had made, and with the subsequent assistance of a US Agency for International Development local governance project, Filizzola, in the course of his five-year administration of the municipality, initiated many reforms that dramatically increased public accountability on the part of the municipal government and its employees. These reforms can be characterized as falling into two separate categories. There were those that were designed to make the Mayor himself more accountable to the public and there were those designed to make the municipal government as a whole (and its individual officials and civil servants) more accountable and open to the public.

The first step that Mayor Filizzola took early in his term was to encourage the mobilization of the citizenry in such a fashion that they would better be able to organize in order to make their demands heard and to pursue their own interests. This took the form of encouraging and supporting the organizing of neighborhood community groups which could then engage in a variety of civic activities including bringing pressure to bear on the local government for accountability in its performance. This effort built upon the long time Paraguayan tradition of organizing neighborhood based groups for the purposes of carrying out modest self-help activities - such as the building of a school, a bridge or something of that nature. When Filizzola entered office about 50 such groups existed in Asuncion. By the time he left office, there were over 300 such groups within the city of 500,000 people.

Second, the Mayor further encouraged such activities through his visits one day each month to neighborhoods where he held general town meetings and went from house to house visiting with constituents and discussing issues with them. Third, in six of the twelve principal areas of the city, the Filizzola administration built and established neighborhood community centers. These centers, which in many respects were designed to be like "little city halls," served as organizing vehicles to encourage local citizen participation and mobilization within the boundaries of Asuncion.

In addition to his principal citizen participation initiatives, the Mayor initiated a variety of other strategies designed to encourage government accountability in Paraguay. Among the most important of these was to dramatically increase and open up information about local government to the citizens and their organizations. He began this process with public hearings on the municipality's budget in the fall of 1995. The initial hearing, which attracted two hundred and fifty residents of the municipality, was the first public budget hearing held by any governmental agency, at any level, in the history of Paraguay. It not only attracted considerable attention within Asuncion, but within a few weeks, several other municipalities within the Country had adopted the concept and implemented it.

Another initiative of Mayor Filizzola involved the passage by the municipal council of "A La Luz del Sol," otherwise known as the "Sunshine Ordinance." This ordinance guaranteed that any citizen of the municipality would have open access to all of the municipality's records, except for private personnel documents. Like the Florida Law it was modeled after, this includes even personal notes taken by individual public employees regarding matters upon which they are working. It insured a degree of press access to information unlike anything ever known in the history of the Country.

These initiatives, in turn, were followed by a series of others that were of equal significance. They included:

1. Expansion of the "A la Luz del Sol" law by amending the municipal ordinance to require that substantial background data be routinely provided on the Internet for all municipal financial transactions in excess of twenty-five thousand dollars so that the country's citizens, public and private organizations and news media would have immediate access to such information.
2. The Municipality of Asuncion increased from one to four the number of public hearings that it held during the course of the approval of its 1996 annual budget. These four hearings, which were held in September 1996, attracted an extraordinary turn out of citizens - in spite of the fact that one hearing was rained out and had virtually no attendance.
3. In order to further institutionalize the concept of public hearings, and legitimize the right of the citizenry of Asuncion to know the outcome of the requests made at them, a special section was added to the 1997 municipal budget which listed, item by item, all of the requests made by citizens at the public hearings and the action taken, whether positive or negative, by the municipal administration in response to these requests.
4. Continued progress was made by Asuncion's municipal budget office in terms of producing clearer, better explained, more informative municipal budget documents. This was perhaps the most extraordinary of the reforms, since, until a few years ago, the municipal budget document (which was only a dozen or so pages) was not made available to the public and the information in it and about it, even within the government, was extraordinarily limited.

5. Following a model of public-private cooperation created through a Sister Cities initiative two years earlier, the Municipal Government of Asuncion established several very important public-private committees designed to develop the plans for the redevelopment of the waterfront of the Municipality and to initiate joint public-private sector planning for the future development of the entire city.

Conclusion

As was noted at the very outset of this paper, there is no issue more central to good governance than insuring that those who lead and manage governments are constantly accountable to their citizenry. This is an issue that all democratic societies, in one manner or another, must address. In some societies such as the United States, where issues of accountability are very much a part of the political and governance tradition of the country, numerous approaches, techniques and institutions are involved in the process of maintaining and assuring accountability. In part, historic tradition places an important role in these matters. However, new institutional arrangements are constantly being established to ensure that accountability is maintained. More often than not, these arrangements are designed to either bring the public into more direct contact with their government or, alternatively, to open up the processes of government to very close public scrutiny. In this regard, various other institutions of the society such as the media and non-governmental organizations also play an important role in assuring accountability within a society.

However, it is not necessary to have a 220 year tradition of democracy in order to successfully build institutions of governmental accountability. The Municipality of Asuncion, Paraguay, provides an excellent illustration of that reality. In less than a decade, this capital city, which has been the home of the hemisphere's most dictatorial and oppressive regimes, has witnessed the introduction of numerous institutional mechanism and procedures designed to enhance and assure the accountability of government to the public. Some of these arrangements are highly individualistic and the product of a political leader very much committed to encouraging public accountability. Others of these arrangements however are more institutional and thus represent a very significant transformation in the way government officials view their relationship to the public. What is, in the end, however, most significant about the Asuncion experience is the rapidity with which changes have occurred in an environment that would not, at first glance, seem to be very responsive to this type of reform.