

Accountability

Chapter V

Definition

- Basic definition of Accountability is “ being called to account for one’s action”
- In Governance, accountability is answerability, liability and expectation of account-giving
- In leadership roles, accountability is the acknowledgement and assumption of responsibility for actions, decisions and policies including administration, governance and implementation

Definition

- For individuals, accountability is answerability within the scope of role or employment position
- Accountability is the sum of constitutional, administrative and judicial rules through which public officials are held accountable / responsible for their actions / inactions

Definition

- Accountability defines relationship between **Principal and Agent**.
 - **Principal delegates authority** to agent and have the formal **authority over agent** to claim accountability
- Holding an agent to accountability, requires clearly defined roles and responsibilities, regular reporting and monitoring of behavior against these roles, and the principal has the ability to impose **sanctions** for breaches of responsibilities
- Accountability is largely seen as an **end stage** activity where judgment is passed on results and actions already taken

Characteristics / Basic Conditions

- An agent or institution, who is given an account – is asked to answer for his/her actions
- An specific area, responsibilities, or domain subject to accountability
- It involves an agent and Principal- to whom Agent is to give account
- Right of Principal to require Agents to inform and explain / justify decisions with regards to responsibilities
- Right of Principal to sanction Agent if Agent fails to inform and / or explain / justify decisions with regards to responsibilities

Dimensions of Accountability

- Transparency
- Participation
- Evaluation
- Complaint and Response Mechanism

1. Transparency - Dimensions

- It refers to organization's openness about its activities, providing information on what it is doing, where and how this takes place and how it is performing – Availability of information
- It constitutes the basic information necessary for principal to monitor an Organization's activities
- It enables principal to identify if an organization is operating inside law, whether it is conforming to relevant standards and how its performance relates to targets
- It enables principal to make informed decisions and choices about the agents
 - The Right of Access to Information Act, 2017?

Transparency

- Without access to all the relevant information regarding an activity or decision it would be difficult for Principals to participate meaningfully in its development
- Accountability and transparency are **directly proportional** = **higher the Accountability , higher the Transparency**

2. Participation - Dimensions

- To be accountable, an organization must understand the needs and interests of its principal - Public - Citizens
- This is best achieved if the organization engages with its principal / beneficiaries and develops a **participatory approach** to decision-making – Participation- good governance
- This may require engagement at the **operational level**, the **policy level** and/or the **strategic level**

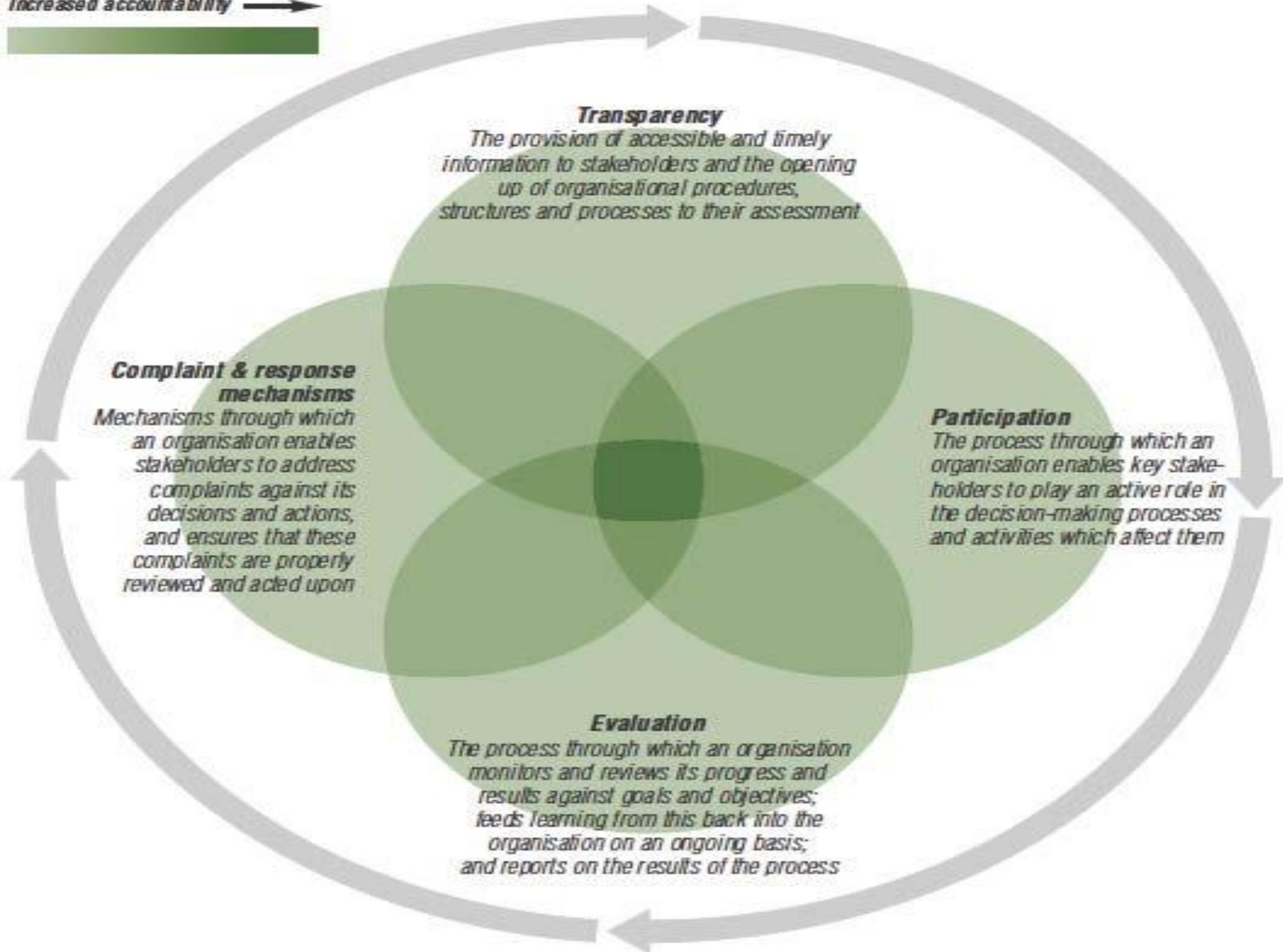
3. Evaluation – Dimensions

- It ensures that an organization is accountable for its performance, whether or not, it is achieving its goals and objectives, and meeting agreed standards
- Evaluation allows organizations to indicate to principals /stakeholders what they have achieved and what impact they have had
- It also allows stakeholders to hold organizations to account for what they said they would do
- The evaluation process and the results that emerge from it can inform ongoing activities and future decision-making
- It provides the information that will allow an organization to improve its performance, thus making it more accountable to its objectives.

4. Complaint & Response Mechanism Dimensions

- This is the mechanism through which stakeholders can hold an organization to account by querying a decision, action or policy and receiving an adequate response to their grievance
- Complaints and response mechanisms should be seen as a means of last resort for stakeholders to hold the organization to account and for organizations to become aware of an issue that requires a response
- Transparency, participation and evaluation processes should be used to minimize the need for complaint mechanisms

Increased accountability →



Accountability

- Public accountability is established through controls;
- Internal Controls
- External Controls

Internal Controls

- Administrative due Process –disciplinary actions
- ACRs/PERs- performance evaluation
- Fiscal/Budgetary Control – Budget release- PPRA Rules
- Professional/work ethics
- Administrative Inspections – sudden visits
- Declaration of Assets

External Controls

- Legislative Controls
- Judicial Control
- Public Control

Legislative Controls

- The Question Hours
- Resolutions & Motions
- Debates & Discussions
- Law Making (enactments, amendments, annulments)
- Control of Finances
- Parliamentary Committees
- Audit Reports

Judicial Control

- Courts provide remedies to the aggrieved against unlawful acts of public officials
- Judicial jurisdictions are designed in a way that these provide for the essential checks and balances to ensure that all the agents within the system are working as per their designated roles
- Deviations are handled as per the prescribed procedures to hold agents accountable before the acknowledged competent authority

Public Control

- Elections
- Referendums
- Pressure Groups
- Citizens Advisory Committees
- Public Opinion & Media
 - Social Media & Citizen Journalism

Types of Accountability

1. Political Accountability
2. Legal / judicial Accountability
3. Administrative Accountability
4. Professional Accountability
5. Private VS Public Accountability

1. Political Accountability

- It is the accountability of the Govt., Civil servants and politicians to the public and to bodies such as parliament, senate or congress etc.
- In case of political system, public acts as Principal and policy makers are the agents
- Most Common methods of Political Accountability are
 - Elections
 - Question & Answer Sessions (in legislature)
 - Resolutions and Motions
 - Debates & Discussions
 - Committees of Legislature
 - Pressure Groups
 - Vigorous Public Opinion

2. Legal / Judicial Accountability

- Judiciary is one of the main external agency which performs accountability function in any political / administrative arrangement
- Following are the common form of judicial interventions to ensure accountability
 - **Habeas Corpus** - a writ requiring a person under arrest to be brought before a judge or into court, especially to secure the person's release unless lawful grounds are shown for their detention.
 - **Mandamus** – Court order to an Agent to perform a public duty
 - **Certiorari** - a writ or order by which a higher court reviews a case tried in a lower court
 - **Quo – Warranto** - a writ or legal action requiring a person to show by what warrant an office or franchise is held, claimed, or exercised.

3. Administrative Accountability

- Administrative organizations are the Agents, which discharge majority of the function (**provision of goods and services**)
- **What is Public Goods? A Special Case**
 - Paul Samuelson – Non-rivalrous
 - Richard Musgrave – Non-Excludable
- They are the target of the most of the accountability exercise in any political / administrative system
- Internal rules and norms as well as some independent commission are mechanisms to hold civil servants within the administration of government accountable
 - For instance civil servants are subordinates in a hierarchy and accountable to superiors

3. Administrative Accountability - Contd:

- Nonetheless, there are independent "watchdog" units to scrutinize and hold departments accountable; legitimacy of these commissions is built upon their independence, as they avoids any **conflicts of interests**
 - a situation in which a person can derive personal benefit from actions or decisions made in official capacity
- Most common tools / methods / instrument for administrative accountability are;
 - Audit Organizations
 - National Accountability Bureau
 - Prime Minister / Chief Minister Inspection teams
 - Federal / Provincial Service Commissions
 - Ombudsman Organizations
 - Service Tribunals
 - Annual Performance Reports

4. Professional Accountability

- It is characterized by the existence of a set of norms and practices of a technical or professional nature that govern the behavior and performance of a member of a certain profession –**PEC, PM&DC, Bar Councils**
- It ensures that professionals practices are carried out in a sound and sustainable manner
- Accountability is maintained for these practices and deficiencies / deviations in professional activities are held accountable
- Code of ethics / conduct are the tools / instruments of Professional accountability

5. Public VS Private Accountability

- Over the last several decades more and more public services are provided by private entities, especially in Britain and the United States and around the world in other countries as well
- Lack of public accountability of these private entities, sometimes poses doubts about the ability of the political Govt. to influence these private entities
- This give rise to an **accountability gap** , which makes a strong case of public accountability of private entities
 - a gap in performance that directly affects an organization's ability to achieve its targets legally
- With respect to the public/private overlap in the United States, public concern over the contracting of government services (including military) and the resulting accountability gap has been highlighted in the public policy literature, e.g. Blackwater ,
- In the Russian-Ukraine war behavior of Wagner Group in Ukraine was called into question

Pillar of National Accountability

Government Institutions	Public Sector Institutions	Non-Government Institutions
1. Legislature 2. Executive 3. Judiciary	4. Law Enforcement Agencies 5. Election Commission 6. Ombudsman 7. Supreme Audit Institutions 8. Anti-Corruption Agencies 9. Public Sector	10. Media 11. Civil Society 12. Political Parties 13. Business

Corruption

- Corruption?
- The misuse of entrusted power for private benefit
- It is a behavior on the part of office holder(s) in public or private sector, in which they improperly and unlawfully enrich themselves and / or those close to them or induce others to do so

Corruption

- Corruption is basically the abuse of entrusted power for private gain, it can be classified into
 - Grand
 - Petty
 - Political
- **Grand corruption** consists of acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good
- **Petty corruption** refers to everyday abuse of entrusted power by low- and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments and other agencies.
- **Political corruption** is a manipulation of policies, institutions and rules of procedure by political decision makers, who abuse their position to sustain their power, status and wealth.

Costs of Corruption

- Corruption impacts societies in a multitude of ways. In the worst cases, it costs lives.
- Short of this, it costs people their health or money
- The cost of corruption can be divided into four main categories:
 - political
 - economic
 - Social
 - environmental.

Costs of Corruption

1. Political Cost

- On the political front, corruption is a major obstacle to democracy and the rule of law and other indicators of Good Governance
- In a democratic system, offices and institutions lose their legitimacy when they're misused for private advantage
- This is harmful in established democracies, but even more so in newly emerging ones
- It is extremely challenging to develop accountable political leadership in a corrupt climate

Costs of Corruption

2. Economic Cost

- Economically, corruption depletes national wealth
- Corrupt politicians invest scarce public resources in projects that will fill their pockets rather than benefit communities
- Prioritize high-profile projects such as dams, power plants, pipelines, and refineries over less spectacular but more urgent infrastructure projects such as schools, hospitals and roads
- Corruption also hinders the development of fair market structures and distorts competition, which in turn deters investment

Costs of Corruption

3. Social Cost

- Corruption corrodes the social fabric of society by creating unrest among masses
- It undermines people's trust in the political system, in its institutions and its leaderships
- A distrustful public can then become yet another hurdle to challenging corruption

Costs of Corruption

4. Environmental Cost

- Environmental degradation is another consequence of corrupt systems
- The lack of, or non-enforcement of, environmental regulations and legislation means that precious natural resources are carelessly exploited and polluted
- Entire ecological systems are ravaged. From mining, to logging, companies and people across the globe continue to pay bribes in return for unrestricted destruction of the environment – A Public Good

Corruption Perception Index (CPI) by the Transparency International

- CPI measures the prevalence of corruption by perceived levels of corruption in a country, it is determined by experts assessment and opinion surveys
- The CPI currently ranks 180 countries "on a scale from 100 (very clean) to 0 (highly corrupt)
- 2023 CPI shows that corruption is thriving across the globe

Pakistan's CPI Scores

Year	Pakistan – Score / Rank
2012	27 / 139 / 174
2013	28 / 127 / 177
2014	29 / 126 / 175
2023	29 / 133 / 180

Anti Corruption Efforts - Pakistan

- Prevention of Corruption Acts: 1947, 1950 & 1958
- National Accountability Bureau Ordinance, 1999
 - It established National Accountability Bureau (NAB)
 - NAB is granted authority to launch investigations, conduct inquiries, and issues arrests warrants against individuals suspected in financial mismanagement, corruption in private, state, Defence and corporate sectors
 - NAB directs such cases to accountability courts
 - Individuals convicted under the *National Accountability Bureau Ordinance* are prohibited from holding political office for ten years

National Strategy for Corruption Control

- It has three main features as discussed under: -
- **Prevention**
 - systemic, institutional, legislative, administrative reforms, public education, awareness raising, building democracy and strong civil society, early and effective removal of incentives / compelling factors and opportunities for corrupt practices
- **Monitoring**
 - Regular and systematic measuring of the nature, causes and extent of corruption through reliable and verifiable data collection, analysis and co-ordination
- **Combating**
 - Improving the legal and institutional arrangement for detection, investigation and prosecution of corruption
- The emphasis on **combination** of prevention, monitoring and combating marks a departure from reliance only on enforcement approach and is the key to successfully tackling corruption

Other Important Factors for National Strategy for Corruption Control

1. Political Will

- demonstrations of commitment by key leaders for eradication of corruption

2. Transparency

- openness in dealing with public and public opinion & transparency in policies

3. Accountability

- responsibility for the performance of public duties

4. Meritocracy

- promotion of most talented and able to perform – Right person for the right job

5. Deregulation

- systematic removal of un-necessary regulations and processes –eliminating Red-Tapism ?

6. Rationalization of Discretionary Powers

- Reduction in power, wherever possible, and proportional to the level of responsibility

Other Important Factors for National Strategy for Corruption Control

7. Standardization and Automation

- simplification and widespread use of technology

8. Efficiency and Service Delivery

- Progressive performance improvement

9. Professionalism and Competence

- Investment in recruitment and training

10. Public Participation

- Active engagement of civil society and media

11. Change Management

- Measures which facilitate change e.g. capacity building and awareness raising

Questions

Comments