
Public Accountability: A Critical Approach

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Abstract

'Public Accountability' has been variously described as, for example, *Chameleon-like*, as *ever-expanding* and as an *iconic concept*. Public accountability (PA) is a contested but fundamental concept in the structure of contemporary public services. However, much of the existing literature on PA can be seen as *reductionist or managerialist*. The experiences of public service-users rarely feature and certainly not in the context as a potential agent for change. A second related strand concerns the introduction of New Public Management (NPM) models, and their impact on accountability in the public sector. A central line of argument is that to overcome the *reductionist* approaches researchers need to place their work in the broad context of these changes. To that end, this paper sets out a critical conceptualisation of 'public accountability', where it is seen as *a dynamic social relationship through which civil society seeks to control and challenge the state*. This critical PA conceptualisation is then applied to the context of Social Housing in England. The analysis highlights key changes in the structure of accountability relationships, but also stresses the opposition that the reforms have generated. Finally, the conclusion draws links to the debates in the anti-capitalist movement as providing a source of possible research projects.

Introduction

There seems, for most of us, no way to "get at" these bodies, no way in which complaint or protest, never mind real influence, can reach them. Pollution occurs, fatal rail accidents take place, in hospitals lives are lost and injury caused, savings disappear, working conditions are unilaterally altered and the path of individual redress begins and often ends with the automated answering services of the great bureaucracies. The "best" that most complainants get is to eventually talk to another human being on whom they can vent their frustration.

Rees (2003:22)

Although, Rees does not use the word "accountability" in the above extract he is expressing the feelings that first motivated the author's interest in the topic. 'Public Accountability' (PA) has been variously described as "Chameleon-like" (Sinclair, 1995), an "ever-expanding" (Mulgan, 2000) and an 'iconic concept' (Dubnick & Justice, 2004). PA is a contested but fundamental concept in the structures of contemporary public services. In addition much of the existing literature on PA can be seen as reductionist and focused on managers in the public sector. The exasperations of public service-users rarely feature in the literature and certainly not in the context as a potential agent for change. A second related strand concerns the changes, reforms or modernisations (depending on your perspective) that have occurred in the welfare state over the last 30 years. Here the introduction of New Public Management (NPM) techniques and models, largely imported from the private sector, have had (and continue to have) a significant impact on accountability in the public sector. These reforms have sprung from neo-liberal theories that have gained acceptance and been pursued across the globe since the mid-1970s. One line of argument in this paper is that to overcome the *reductionist* approaches prevalent in the existing literature, researchers need to place their work in the broad context of these changes. A third strand is then needed that aids such an analytical approach. Here we turn to the dialectical methodology (Rees, 1998), drawn from the classical Marxist tradition¹ (Callinicos, 1983; 1987 & 2006). This methodology, based on totality, change, contradiction and mediation, provides the theoretical foundations for an alternative, critical definition of public accountability - *a dynamic social relationship through which civil society seeks to control and challenge the state*. The final strand in this paper is the application of the critical PA definition to the context of Social Housing in England, over the last 30 years. This analysis highlights key changes in the structure of accountability relationships in social housing, but also stresses the

¹ The classical Marxist tradition stands on re-building Marxism from first principles. Central to this version of Marxism is the concept of "socialism from below" (Draper, 1966/1996) where 'the emancipation of the working class is conquered by the working classes themselves' (Marx & Engels, 1879 quoted in Callinicos, 1983:141).

opposition that these reforms have generated. Finally by placing the issues identified in the above analysis in the a broader context it is argued that researchers who are looking for alternative approaches to the managerialist ones dominant in much of public services management research can find a range of ideas being generated from the anti-capitalist movement in which to engage.

This paper is structured to integrate the four strands identified above. Thus Part 1 interrogates the existing literature on PA and finds two broad approaches are taken - a *reductionist* (or *managerialist*) focus and a *partialist* focus. The limitations of these approaches are highlighted in Part 2 when an alternative, critical approach to PA is developed. This necessitates a brief discussion of the state, civil society and the accountability relationship between the two. Part 3 then takes the concepts previously developed and applies them to an analysis of social housing as a broad case study. Finally, the conclusion reflects on the previous discussions and draws links to the debates in the ant-capitalist movement as providing a source of possible research projects.

Part 1 - Defining “Public Accountability” Accountability and Answerability - the traditional approach

Roberts and Scapens (1985:447) definition of accountability - '*giving and demanding of reasons for conduct*' - sets out some of the key elements of accountability - a relationship, an account, an underlying power basis - but is essentially limited to the issue of answerability. This is not a new problem. In the early 1970's, a debate took place in the *Journal for the Theory of Social Behaviour* on the difference between accountability and answerability (Blatz, 1972; Harris & Spanner, 1976). The debate turned on a distinction between 'being answerable' and 'being accountable'. Harris and Spanner (1976:254) make the point that it is perfectly possible to '*fulfil the requirements of answerability without meeting the requirements of accountability.*'

This distinction continues in the literature on accountability. Both the accounting and public management disciplines use the terms interchangeably. So for example, Ryan & Walsh (2004) look at the accountability mechanisms of public agencies but focus only on their report making systems. Similarly, while discussing accountability in the field of Corporate Social Reporting, Gray, Owen, & Maunders (1987:2) provide the definition that accountability is '*the onus, requirement or responsibility to provide an account (by no means necessarily a financial account) or reckoning of the actions for which one is held responsible.*' The difficulty with this definition lies in the term 'responsible' that can have a range of meanings including responsiveness, answerability and accountability (Jones, 1977). The essential core of an accountability relationship is that unless there is a form of control based on "reward or sanction" then the relationship is not one of accountability. This point is neatly summarised by Gray & Jenkins (1993:55):

In essence, accountability is an obligation to present an account of and answer for the execution of responsibilities to those who entrusted those responsibilities. On this obligation depends the allocation of praise and blame, reward and sanction so often seen as the hallmarks of accountability in action'. (author's emphasis)

Taking this definition as a starting point it is possible to construct an abstracted and normative model of accountability relationships. For example Bovens (2005b) describes this as 'narrow accountability', in which there are three phases - an obligation to give an account; a debating phase; a judgment phase (Bovens, 2005a). The key characteristics of which are the essentially binary (between an 'agent/actor' and a 'principal/forum'), hierarchical and normative nature of the relationship.

The Public Element - the traditional approach

Bovens (2005a) identifies two aspects of the public, firstly that the account is given in public (so a concern for transparency) and secondly, that the accountability relationship is situated within the public sector. These two aspects both set the boundaries of the research field we are concerned with, but also raises further issues. First, the last 50 years have seen changes in the make up of what is considered 'public' (e.g. the nationalisation and privatisation of industries such a steel-making). The second issue links to Bovens' concern for transparency. Research into certain activities in the public sector, notably the Private Finance Initiative (PFI) comes up against the barrier of commercial confidentiality (see Edwards & Shaoul, 2003).

Traditional Public Accountability - summary

Broadbent & Laughlin (2003), drawing on the work of Day & Klein (1987), Gray & Jenkins (1993) and Sinclair (1995), make the distinction between "managerial" and "political or public" forms of accountability in the context of public administration. While this distinction is challenged later, for the purposes of establishing a traditional definition of public accountability, it is important to distinguish the relationship between the electorate and the government (public accountability) from that of the government and it's agencies or officers (managerial accountability). A simple and narrow approach is proposed by Day, Henderson & Klein (1993:9) who see PA, in the context of social housing, as '*... conformity with rules laid down by central government.*' This approach fundamentally repeats the same issue as the Blatz-Harris & Spanner debate just in a different format, substituting "regulation" instead of "answerability".

We are now in a position to outline the traditional approaches to Public Accountability (PA). Bovens (2005a) sets out five conditions necessary when describing a social relation as one of Public Accountability:

- 1) there must be public accessibility to the account giving;
- 2) there must be an explanation and justification of conduct;
- 3) the explanation is directed at a specific forum;
- 4) the actor (agent) feels obliged to come forward;
- 5) there is the possibility of debate and judgement, including (informal) sanctions.

[derived from Bovens (2005a:185)]

It is of course possible to both contest the above conditions and make the case for the inclusion of others (such as delegation of authority and resources). However that would somewhat miss the point that the traditional approach to PA is normative, ahistorical and static. The next section analyses the existing literature on Public Accountability and finds two dominant approaches - *reductionist and partialist*.

Public Accountability - the literature

General Comments

Dubnick & Justice (2004:7), while discussing 'accountability' the word (as opposed to the concept) point out it's '*notorious ambiguity*' and '*incommensurability*'. This is partly explained as public accountability is at the confluence of many disciplines - accounting, law, sociology, politics. This leads to much theory being generated but little by way of agreed concepts and frameworks. Added to this is a lack of empirically based work and a focus on the role of the manager either in isolation or as part of an organisational structure. This section organises the literature into two streams - *Reductionist* and *Partialist* approaches. The *reductionist* approaches take Bovens (2005a) narrow accountability to it's logical conclusion and focus on the role and impact of PA relationship on public managers. *Partialist* approaches recognise the limitations of the former and attempt to integrate other factors such as ethics and rebellion into the PA context. The following review does not pretend to be exhaustive in nature, merely illustrative of the key papers and ideas in the field.

Analysis of the Literature - reductionist / managerialist approaches

The dominant aspect of this stream has at its core the individual public manager or official. Sinclair (1995) in her seminal work interviews 14 CEO's from public agencies in Australia and concludes by stating that future research should focus on how accountability is experienced and internalised by public managers. Equally, Day & Klein (1987), having laid out an extremely informative history of accountability within the context of the British state, then carry out their research on the managers of five public services. However, they fail to integrate these two aspects and so the research feels one-sided. A sub-stream of the reductionist approaches follows Sinclair's (1995) call and looks at the psychological impacts of accountability relationships. Lerner and Tetlock (1999) provide a review of the studies carried out in psychology research concerning accountability. There are however, difficulties with this type of research. Psychology research is heavily influenced by a traditional laboratory based approach and therefore seeks as much as possible to replicate, isolate and test human relationships separate from their real world contexts. Added to these difficulties is the nature of some of the samples that the literature is based on (see for example Tetlock, 1983). This leads to the conclusion that it is difficult to see the relevance of this sub-stream to a wider community.

Finally, in this stream there is a focus on organisational forms. Cunningham and Harris (2001) seek to develop a framework of control for government sub-units linking accountability to effectiveness. While Ryan and Walsh (2004) and Hodges, Macniven and Mellet (2002), focus on the production of annual reports and their sufficiency as part of the accountability process for public bodies in the UK and Australia. In a similar manner Sullivan (2003) looks at the issue of "too many hands" when it comes to policy making and accountability for local government based partnerships. All these papers address key technical issues but their focus is necessarily narrow and leads to an analysis and proposed solutions that treat the issues in isolation.

Analysis of the Literature - partialist approaches

The second stream in the literature has attempted to move beyond the narrow focus taken by the *reductionist* approach. Among this stream is Broadbent, Dietrich and Laughlin (1996) where the starting point is the impact of the NPM reforms on the behaviour of the public officer. Instead of seeing the public officers' behaviour in an isolated manner, Broadbent et al. (1996), seek out the tensions that conceptualising the accountability relationship in the form of the economic theory based 'Principal / Agent' model cause. They bring into question the appropriateness of this approach to the ethos and ethics prevalent in the public sector. Another effort to locate accountability in a more complex environment is Laughlin's (1996) paper on 'Principals and higher principals'. Here Laughlin (1996) starts from the tensions described above, and explores the issue of presumed control by the principal and the circumstances when the agent may rebel. Both these move beyond the isolated concerns of the individual to look at the relationship with other factors. The focus, however, on ethics or ethos omits important questions of the impact of structures and policies on the accountability relationships.

A mention must also be made of the work of Romzek & Dubnick (1987) and their analysis of the 'Challenger' space shuttle disaster. They trace the changes in accountability systems used by NASA over the 20 years prior to the disaster. These changes follow the general trends within PA under NPM influences - specifically, a move away from professional towards managerial accountability. The Rogers Commission investigated the disaster but concentrated on the technical and managerial issues. In contrast, Romzek & Dubnick (1987) explored the wider institutional and environmental factors that lead to the failure of NASA's accountability mechanisms. They conclude that:

... the Rogers Commission was shortsighted in focusing exclusively on the failure of NASA's technological or management systems. The problem was not necessarily in the failure of those

systems, but rather in the inappropriateness of the political and bureaucratic accountability mechanisms which characterized NASA's management approach in recent years.
(Romzek & Dubnick, 1987:235)

The implication of this conclusion is spelt out later in their paper, with a call for a reversal of the trends toward managerial accountability and a re-establishment of the power of the professions.

Another attempt to address issues omitted by the *reductionist* approach comes in the form of historical and linguistic analyses. Day & Klein (1987), although their empirical work focuses on individual public officers, start with an in depth analysis of the history of accountability from the original Greek concepts through to the modern British state. Their analysis shows increasing complexity in accountability relationships as societies move away from the direct participation of ancient Greece to the representative democracy of modern Britain. On the other hand, Dubnick and Justice (2004) analyse the linguistic roots of the word accountability in an attempt to liberate accountability from the field of accounting. Also importantly, Dubnick (2002) starts to outline some of the related ideological issues by highlighting how accountability (the word²) is used in the title of legislative acts in the USA. However, a difficulty remains within the literature that stems from a typology approach to accountability. A number of authors (Law, 1999; Pollitt, 2003³) have set out a series (or typology) of forms of accountability that are relevant to the public sector. This difficulty is neatly highlighted by Broadbent & Laughlin (2003) when they state an '*... important distinction ... is made between "managerial" and "political/public" forms of accountability*'. Developing this distinction, based on the work of Day and Klein (1987), Gray and Jenkins (1993) and Sinclair (1995), "managerial" accountability is seen as closed, with defined control over public managers; whereas "political/public" accountability is open-ended and less detailed with the electorate as the principal and the government as the agent. From a critical perspective, this distinction needs to be challenged. Seeing managerial and political accountability as separate from each other creates both a barrier in understanding how civil society can influence/control public bodies, and also a false impression that the two forms of accountability are not inter-related.

Summary

While recognising that PA is a complex concept this section has sought to organise the existing literature into two broad camps - *reductionist* and *partialist*. The point of this distinction becomes clear in the following section where the focus on the public manager as the accountable party is challenged.

Part 2 - Public Accountability: A Critical Alternative

The main issue identified in the literature review was the way PA was reduced to a concern with the public managers often treating the manager in a one-dimensional manner. In starting, to build a critical alternative we can define PA as *a dynamic social relationship through which civil society seeks to control and challenge the state*. This definition has a number of key differences and amplifications from the traditional approach discussed previously. The three components part of this critical alternative are - the state, civil society and a dynamic relationship. Lying behind this definition is a methodological approach drawn from the classical Marxist tradition (Rees, 1998 and Callinicos, 1985, 1987 and 2006). Utilising the dialectical method⁴ set out by Rees (1998), gives us four

2 Dubnick distinguishes between accountability the "word" and accountability the "concept" (see Dubnick, 2002).

3 For example, Law (1999) has four models of accountability in her typology - political, managerial, legal and professional.

4 There are a number of alternative formulations of the dialectic among the accounting literature alone never mind other research fields. See for example Tinker (2005) or Hooper et al. (1987).

categories of analysis - totality, change, contradiction and mediation⁵- that aid not just the formation of an alternative PA definition but also guide it's application to research contexts. As Rees (1998) summarises: '*This then is the general form of the dialectic: it is an internally contradictory totality in a constant process of change ... [where] [t]he part and the whole mutually condition or mediate each other*' (Rees, 1998:7). The following section discusses the three elements of our critical PA definition.

The State

The state is much debated among political scientists⁶, particularly on the left. However, as a concept relevant to other disciplines (such as public management) it remains an under-theorised area (Gray et al., 2006). The formulation employed in this paper starts at the same point as Holloway & Picciotto (1977) where the '*... starting point for the analysis of the capitalist state is thus capitalist society, not the state in general*' (quoted in Barker (1991:206)). Barker (1991) criticises Holloway & Picciotto (H&P) for their failure to follow through fully on this premise, which leads H&P to conclude that 'the state is not capital'⁷. This statement was clearly mis-leading both at the time it was written and to a lesser extent today, given that, in the post-war period, the state has had some blocks of capital that it controlled (e.g. the nationalised industries). Holloway and Picciotto's mistake is a failure to apply, what Barker has called the "Dual Determination" of capital. Here "Capital" is a relationship that rests on control of social production being separated from of those doing that production - hence the producers are alienated from the fruits of their labour. This alienated relationship has impacts beyond the point of production and encompasses the full circuit of capital (e.g. exchange, realisation, price-setting). To talk, however, of capital in this abstracted and singular manner is mis-leading; capital only exists in a multiple state where different blocks of capital compete with each other. And, that competition takes place not just on the local or national level but also internationally. Thus, capital's dual determination is expressed as the "anarchy" of competition between capitals and the "despotism" of exploitation of labour within each capital. Therefore, if we take it that the state is an aspect of capitalist relations and those relations give rise to a dual determination of anarchy and despotism: the state is shown to be a complicated organisation of intra-class competition and inter-class domination (Barker, 1991). The need for this analysis becomes clear in the next section as we analyse the changes in the welfare state, over the last 30 years.

The Welfare State - traditional and neo-liberal consensuses

The establishment of the welfare state in Britain by the 1945 Labour government saw the beginning of a post-war consensus founded on Keynesian economics and a predominately bureaucratic approach to welfare, held by both major parties (Labour and Conservative). There were important exceptions to this. The role of the professions, for example, especially in medicine, would give rise to tensions between bureaucratic and professional forms of control and accountability. In addition, key services were not nationalised but left in private hands, for example, GP practices. Within the welfare state, some literature has pointed out that the manner in which it was established and operates re-inforces the existing social relations and discriminates against certain groups, for example ethnic minorities (Ferguson, Lavalette, and Mooney, 2002). Thus while the establishment

5 *Totality*, holds that individual phenomena (part) do not stand alone but are inter-related and influenced by other phenomena that ultimately make up the whole; *Change*, not only frees us from static, ahistorical explanations of reality by holding that all life is in a constant state of change, irrespective of whether that change is perceptible at any one moment in time; *Contradiction* is the motor that drives *Change*, where two opposing entities are held in a symbiotic relationship which once realised then creates a new contradiction; *Mediation* holds that the parts and the whole will interact but the specifics of that inter-relationship will vary at each historical moment depending on concrete empirical, political and economic conditions prevailing at that moment

6 The seminal debate took place in the mid-1970's in the pages of *New Left Review* between Miliband (1969) and Poulantzas. Miliband advanced the "instrumental view" of the state, where the state is a capitalist state as it's leading personnel are drawn from the layer of society as those who run the private capitalist entities. On the other hand, Poulantzas countered with a "functional view", where the state is an expression of the condensate of class forces in any society. Although presented at the time as opposing views, it should be noted that by the end of decade Poulantzas had declared the debate with Miliband to be over as both men were basically in political agreement.

7 This position is echoed by others from left and critical traditions such as Offe and Habermas.

of the welfare state is a huge step forward for the poor and others in civil society it also plays a crucial role in shoring up a society based on exploitation and inequality. The traditional consensus broadly stayed in place until the mid-1970s when under a Labour government monetarist policies were implemented at the behest of the International Monetary Fund (IMF). Harvey (2005) outlines the parameters and driving forces behind these policies, now referred to as neo-liberal:

'Neoliberalism is in the first instance a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade... It holds that the social good will be maximized by maximizing the reach and frequency of market transactions, and it seeks to bring all human action into the domain of the market.'

(Harvey, 2005:2-3)

The introduction of these policies to the public sector was followed vigorously by the incoming Conservative administration in 1979. The direct outcome in the context of public sector administration has been a range of reforms that have become collectively known as New Public Management (NPM) (Hood, 1991). The rise of NPM and its component elements have been discussed at length (see for example Hood, 1991 and 1995; Talbot, 2001).

The move from the traditional consensus to the NPM approaches begs the question why did this happen? In answering this question, one of the most common arguments advanced is that the money was running out. It is true that the percentage of public expenditure as part of GDP was rising from the mid-1960's to a peak in the mid-1970's, that coincided with the global crisis of capitalism sparked by the Middle East oil crisis. Thus, it is argued the neo-liberal theories and NPM would roll-back the state and reduce expenditure on public services. While it is true there has been a reduction in the levels of public expenditure since the middle years of the Wilson/Callaghan Labour government, the reduction is not a qualitative one and nowhere near the levels the Conservative government would have initially expected to achieve. From 1979 to 2000, public expenditure has generally floated between 40-48% of GDP only twice dipping below the 40% level (Talbot, 2001). However, all the effort exercised by NPM has instead lead to a restructuring of spending priorities. As Talbot (2001) puts it, analysing the period 1980 to 1994, there has been "winners and losers":

The "winners" included social security and welfare (up from 24 per cent to 34 per cent) ... and health (up from 11 per cent to 13.5 per cent). The "losers" included defence (down from 11 percent to 8.3 percent), housing (down from 6 percent to 3.7 percent), and subsidies to manufacturing and other industries (down 2.6 percent to 0.6 percent)...

Talbot (2001:286)

So, if neo-liberal theories and NPM have not been about reducing state expenditure, what explains the continued pursuance of such policies within the UK? Here the view of the State being locked into a system of national states all competing with each other on behalf of their own domestic blocks of capital gives us some insight. The economic crisis of the early to mid-1970s showed that the old consensus based around Keynesian economics and large amounts of spending on arms during the cold war could no longer hold. World leaders lost faith that state intervention could stave off economic crises. This opened up the space for the previously marginalised theories of the monetarists (now called neo-liberal) to gain sway. Barker's (1991) view of the earlier post-war shift towards Keynesian based economy can also be applied to the shift away from that form. *'It is a competitive response, an attempt to mobilise capital resources for competition in the world market'* (Barker, 1991:211)

Civil Society

In a similar manner, there are a number of competing definitions of what constitutes civil society. Gray et al. (2006), highlight one of the problems with these definitions in that they define what civil society is not; so that civil society '*... is that which exists between other elements of our social world and hence, civil society is defined by what it is not*' (Gray et al., 2006: 322). Following this logic and taking into account the increased role of the market in the neo-liberal age they conclude the civil society lies between the market, the family and the state. Their definition of civil society is predicated on the objective of finding a location or environment within which NGOs (Non-Governmental Organisations) operate. An alternative definition is reflected by Harvey (2005) in his discussion of the relationship between civil society and the neo-liberal state. Harvey argues that the main source of collective opposition to neo-liberal policies is expressed through various advocacy groups dealing with issues such as consumer rights, environmental politics, anti-debt campaigners and other single-issue organisations. Therefore it can be argued there has been a change in the form of the relationship between civil society and the state - '*The Gramscian idea of the state as a unity of political and civil society gives way to the idea of civil society as a centre of opposition ... to the State*' (Harvey, 2005:78). It is the notion of civil society as an opposition to the State that is utilised in the critical alternative definition of PA.

Dynamic Relationship

Having described the two parties involved in the critical PA definition, the nature of the relationship that binds them together needs to be outlined. In line with the dialectical method and standing against the abstracted and ahistorical approach identified in much of the literature, what follows is an attempt to identify the essence of the PA relationship without being prescriptive. Each relationship will vary depending upon social, political and economic influences at various levels - international, national state, organisational and individual. Therefore, critical Public Accountability comprises of:

- 1) *A relationship* - there must be at least two parties involved whether they are described as accountor and accountee, principal and agent or forum and actor;
- 2) *An exchange* - in one direction there is a transfer of authority and/or resource, while in return there is some form of account or answer;
- 3) *Control* - based on this account or answer the receiving party has the ability to exercise a form of control whether that be "reward or sanction", "praise or blame". It is this final element that is the essence of critical public accountability and separates the concept from other related ones such as answerability and responsiveness.
- 4) *Public element* - Bovens (2005a) definition, of the public element, set out above seems perfectly appropriate with the one proviso of recognising that the account being given in public is a normative demand. This leads to a possible implication that if the account is not publicly accessible then one logical conclusion would be that the relationship is not one of PA. This is indeed what happens when governments invoke "national security" or private companies invoke "commercial confidentiality", as reasons not to divulge certain information, thereby denying the interested party (civil society) the account necessary on which to make judgments concerning "praise and blame".

Critical Public Accountability - change and contradiction

Law (1999) concludes that there has been a change in the forms of public accountability over the previous 20 years. It is one of the arguments in this paper that these changes have seen an erosion of the traditional forms of professional, bureaucratic and democratic accountability. In the vacuum left, managerial and market forms of accountability have become part of the mainstream. So where the welfare state post-1945 was filled with tensions between the professions, the bureaucracy and

the government; the welfare state of today now sees greater use of market mechanisms such as “voice or exit” or the use of management controls based on neo-classical economic theory such as contracting-out, disaggregation (for example the Next Steps Agencies). Some of the literature critical of neo-liberalism and NPM, have argued that neo-liberalism's ultimate outcome is the re-establishment of both wealth and power for a ruling elite (Harvey, 2005; Ferguson et al., 2002).

Critical Public Accountability - summary

Critical PA can be distinguished from the traditional approaches on three different levels. Firstly, there is the need to overcome reductionism. Thus, the traditional models of PA focus on the individual manager, sometimes in an organisational context. Critical PA sees these models of accountability as subsets of the broader state - civil society relationship. It will often be appropriate to analyse at the sub-set level but this needs to be informed by and linked to higher levels of analysis. Secondly, critical PA is not prescriptive about the manner in which the dynamic relationship is formed. The combination of the elements will depend on historical, political, social and economic factors relevant at that moment in time. This means that each dynamic relationship will be unique while still have the key elements of a relationship, an exchange, control and being public. Finally, the control element (i.e. “reward or sanction”, “praise or blame”) is seen as a defining characteristic. While traditional PA models recognise a role for “reward or sanction” too often this role is not just abstracted but unexercisable (see the Weymouth and Portland Housing example discussed later). For critical PA the exercising of the control element must be viable; if this is not the case then we are not dealing with an accountability relationship.

Part 3 - Public Accountability in Social Housing

'I think 20 years from now we will realise that council housing was actually quite a good thing with locally owned housing with local accountability and sustainable forms of management.'

Colin Wiles, Chief Executive of King Street Housing Society
(Inside Housing, 2007a)

The history of social housing⁸ has seen a range of reforms over the last 30 years, most obviously with the “Right to buy “ legislation introduced under the Thatcher government. It also includes, however, changes to the regulation of registered social landlords (RSLs)⁹ and the increased use of the private sector in the form of PFI schemes. These policies have led to a reduction in social housing from 31% of total housing stock in England, in 1979 to 18.5% in 2004 (Hills, 2004). In addition there has also been a restructuring of the social housing providers where in 1979 local authorities dominated the social housing sector by 2004 Housing Associations controlled 1.8 million units as opposed to 2.2 million controlled by local authorities. This change has been achieved by a combination of two factors - a reduction in government spending on social housing and the implementation of a series of policies favouring private or housing association ownership. Government spending, on social housing in England¹⁰, has reduced from 3.7% of GDP in 1985/86 to 1.4% in 1998/99 (Wilcox, 2001:table 51) and since the election of the Conservative government in 1979 spending in constant prices has fallen by 67.3% (derived from Wilcox, 2001: table 52b). Over the same period the introduction for tenants of the “right-to-buy” their council property in the 1980 Housing Act and a series of government policies (such as Tenants Choice, Housing Action Trusts (HAT) and Tenants Management Organisations (TMO) sought with mixed success from the point of view of the policy-makers, to create “exit” routes for council tenants, individually or collectively. However, it is legislation allowing Large Scale Voluntary Transfers (LSVT) that has had a

8 In line with Housing Studies approaches the term Social Housing is used as a collective term covering housing provided both local authorities and housing associations (see Walker, 2001)

9 RSLs are usually housing associations. These ‘... are not-for-profit private bodies...’ (Day et al., 1993).

10 All subsequent figures relate to housing within England only.

major and continuing impact on local authority provision of housing. Wilcox (2001: table 63a) reports that between there has been 82 LSVTs transferring 406,587 units in the period from 1988 to 2000. It is in these circumstances that Walker's (2001: 693) rather pessimistic view of recent governments policy towards local authority housing, holds some truth - '*... starve it of resources, create a hostile environment and wait. In time it will abolish itself!*'

Change and Public Accountability

Adopting an NPM perspective leads Walker (2001) to the above conclusion, however the concern for this paper is based on overcoming such a narrow managerialist approach and in so doing identifying an alternative approach to PA. It would be misleading to leave the impression that the contraction of social and municipal housing either went smoothly to date or that it's future was a predictable continuation of existing trends. For a start, as Walker (2001) has noted policies such as HATs and TMOs were considered failures, and even a perceived success as LSVTs has seen significant and growing resistance. So while 82 LSVTs went ahead from the start of the scheme to 2000, 42 tenants votes went against transfer in the same period¹¹. And not just in terms of numbers, there has also been some very high profile and significant "No votes" such as in Birmingham in 2002, that has forced the government to re-think it's approach. It is in this context that the government now gives local authorities three options¹² for managing their housing stock - LSVT to an RSL, a Private Finance Initiative (PFI) scheme or an Arms Length Management Organisation (ALMO)¹³.

In the Housing studies literature, the catalysts for change are often described as coming from two directions - top-down and bottom-up (Bramley, Munro and Pawson, 2004). From the top-down direction we have had the introduction of Housing Management CCT, subsequently revised and repackaged into Best Value in Housing; regular reforms of housing finance such as the performance-related Housing Investment Programme and the formula-driven Major Repairs Allowance; and since 2000 the introduction of ALMOs. On the other hand, there is less evidence of effective catalysts from the bottom-up direction. As has already been stated there has been resistance to LSVTs. Over all though, the trend in social housing policy shows '*...an agenda of 'enabling' rather than directly providing housing. The traditional local authority as a large-scale, monopolistic, bureaucratic landlord is giving way to a reliance upon housing associations*' (Bramley et al., 2004:3). This agenda coupled with the introduction of a range of quasi-market based management techniques such as Choice Based Lettings (CBL) in the 2000 Housing Green Paper (DETR, 2000) highlight the impact of both NPM and neo-liberal politics on social housing as much as in any other part of the public sector.

The concern in this paper is to identify the impact and implications of such changes on the accountability relationships in the field of social housing. Hand-in-hand with the organisational move away from traditional local authority control comes also a move away from the democratic control exercised by local elected representatives (Pawson & Fancy, 2003). For example under the PFI option there is no requirement to ballot tenants. This has been cynically used by some local authorities, for example one London borough council: '*Islington's outline business case document,*

11 See the list of "No votes" on the Defend Council Housing website [http://www.defendcouncilhousing.org.uk/dch/dch_novotes.cfm] (accessed 24 April, 2006)

12 Direct local authority provision is described as the Fourth Option, by DCH and other campaigners but as yet is not accepted in terms of funding by the government.

13 ALMOs - '*...a company set-up by a local authority to manage and improve all it's housing. The company is owned by the local authority and operates under the terms of a management agreement between the authority and the ALMO.*' (DCLG, 2003:2).

submitted to the DETR in February last year, lists one of the advantages of PFI as: 'no requirement for a ballot...' (Inside Housing, 2001). The picture does not get any better when analysing the process of LSVT votes. While the tenants have the right to vote in a ballot, this ballot hides the unequal distribution of power and resources expended in the campaigning before the vote. While the local authority will have campaign budgets, sometimes running into millions of pounds, paid for from the public purse, anti-transfer campaigners are denied access to public funds. In addition, central government have effectively tried to "bribe" local tenants into voting for transfers, by promising funding, subsidies or debt write-offs if a yes vote is confirmed. For example, central government agreed to subsidise the Birmingham transfer to the tune of £650 million. In these circumstances, it is a wonder that any transfer votes are lost, yet they are as Birmingham in 2002 shows. Furthermore, if a transfer does go ahead the forms of accountability are moved away from the traditional concepts of democratic accountability. The LSVT option is supposed to increase tenant participation. The membership of transfer housing associations boards are usually composed of a third drawn from the tenant body, a third from the local authority members and a third independent experts. However, according to Housing Corporation (1998) guidance, like the other board members these tenant representatives are '*... expected to operate as individuals and not as "representatives" in the strict sense*' (Pawson & Fancy, 2003:7). And where the Housing Association has been incorporated as a company the tenants' representatives are to act like company directors. Hilary Wainwright (2003), while analysing community participation in the regeneration of East Manchester, notes that the role of board members has actually dissuaded some existing tenant leaders from getting involved.

They (two exiting tenant leaders) would, like any company director, have to put the interests of the company first, which might, given that tenants would only make up a third of the board, conflict with their ability to be accountable to fellow tenants and, if necessary, fight for their needs.

(Wainwright, 2003:96)

In addition to the erosion of traditional democratic accountability as a result of NPM and neo-liberal reforms. Day, Henderson & Klein (1993) identify a structural problem with the current accountability mechanisms in social housing:

Local authorities have, by definition, a constituency to which they are accountable ... Housing associations, by contrast, are accountable to the regulators ... and in both cases it is misleading to talk about accountability to tenants. Unlike the electors or the regulators, they do not have sanctions.

Day et al. (1993:42)

The implication of this position, that the tenant's perspective is not relevant, has not been addressed in the literature, and therefore presents a rich future research field. Day et al.'s (1993) point also has echoes of the much larger question of accountability within local government. In the circumstances where 75% of a local authorities funding comes direct from central government (Watt, 2004) and where that funding is increasingly ring-fenced for particular purposes, is it realistic to talk of local authority members being held accountable by the local electorate?

Discussion - the future of social housing and PA

Walker (2001) states the claim that municipal housing will have disappeared by 2015. Even if this fanciful claim were to be realised it would not mean the end of social housing. One of the role of state is to regulate society within that national boundary to ensure the successful continuation of capitalist relations (Harman, 1991). In the context of our discussion this means that there needs to

be access to adequate¹⁴ housing so that the working class can be sustained and the flow of profits continued. In this respect the social sector provides housing for a significant proportion of Britain's working class. Hills (2007:45) reports that the 32% of social renters are employed. This proportion has fallen over the last 30 years, but at the same time there has been a significant increase in those who are in part-time employment and disabled. So, while the British state cannot completely withdraw from supporting social housing, it is clear that the current preference is to extend market mechanisms as much as possible in the sector. Even here the track record of leaving housing provision to market forces has led to hugely over-inflated prices, not just in the south-east but now across most of the country. This has led the state to intervene in the market in favour "key workers" (DCLG, 2005). In addition, the logic of competition and market forces is exerting pressure on the HA sector. This is shown in two ways. On one-side organisations (such as mortgage lenders) dealing with HAs are pushing for greater influence on social housing policy¹⁵. On the other side HAs are equally pushing the limits of their "not-for-profit" status. So that the sector is becoming increasingly centralised and dominated by a small number of major players¹⁶, Inside Housing can report that the sectors biggest organisations are either exploring or open to the idea of floating on the stock market (Inside Housing, 2007b); (Inside Housing, 2007c).

So the state has and will continue to have a central role in the provision, whether through funding or policies, the question then arises - how can civil society hold the state accountable in relation to social housing? Or to pose the question more concretely, in the following case, what accountability mechanism is available to this Weymouth and Portland Housing Ltd. tenant:

In it's formal consultation document on the transfer of council housing to Weymouth and Portland Housing limited, page 9 promises to replace wooden external doors with double glazed security doors and renew paths and driveways as part of the responsive maintenance. Now that the transfer has taken place residents are told money is not available. (Weymouth and Portland tenant quoted in DCH, 2005:31)

Looking at the tenants issue through alternative perspectives we get the following analysis:

- *The neo-liberal / NPM perspective* - this position should not have occurred in the first place, as one of the basic assumptions underlying NPM and neo-liberal theory is information symmetry, (i.e. in this case the tenant would (or should have) known before the vote that the money for promised repairs was not there). As for remedies, the tenant can exercise the neo-liberal theory inspired "exit or voice" option. Exit is always difficult where we are dealing with public goods or services due to the lack of alternative providers. Social housing cannot operate in the same way as the supermarket sector. Indeed the tenants of Weymouth and Portland have already exercised the exit option available to them. This then leaves the voice option, but as Harvey (2005) argues in neo-liberal theory this must be an individual voice, as collective organisation can have a distorting affect on market relations. The tenant is thus left with little power or influence over the state of their housing.
- *The traditional PA perspective* - is often premised on a typology approach to describe the forms of PA. Law (1999) identifies four models of accountability - political, managerial, legal and professional. The example above highlights the move way from the political model accountability. Where once a housing committee of all elected members could have been

14 "adequate" in this context will vary enormously, for example depending on whether you are a tenants rights campaigner, policy-maker or director of a HA.

15 For example DCH (2005:30) report a quote by Peter Williams, deputy director general of the Council for Mortgage Lenders (6 January, 2003) - 'Over the last 15 years, leanders have made a very significant contribution to housing policy and its funding ... But the current climate of uncertainty is unhelpful ... Lenders want to help shape policy.'

16 Housing Associations in 2002, '... the largest 7%, with 2,500 or more homes-own 78% of the sector's homes' (Collier, 2005: 933)

contacted / lobbied, there now stands a dozen unelected volunteers on a management board. Taking Bovens (2005a) five conditions for PA the question of sanctions or control over the management board stands out as missing from the Weymouth and Portland example. The tenant cannot vote out the management board, they are not in a position to take any managerial action against the board and the volunteers are not necessarily members of any professional body and even if they were this would be an individual membership. This leaves a legal model of accountability available at least in theory. However, in practice taking a legal case such as a judicial review necessitates finding a supportive legal team and large pockets to finance the review, which would put this option beyond most, if not all, social housing tenants.

- *The critical PA perspective* - places the single tenant in the broader context as connected with other tenants in a similar position. The tenants can form themselves into a collective organisation (the civil society in our definition of critical PA) that can seek redress for the promised repairs from the RSL (the state). Once this organisation has been formed the question becomes one of how to exert control over the RSL. This will often be through campaigns such as petitioning, lobbying or more militant action such as squatting campaigns and rent strikes¹⁷. In this way an active campaigning tenants group would be in a strong position to exert control over the management board.

The previous discussion highlight the key element of the critical public accountability approached advocated throughout this paper. Critical PA is based on a relationship between civil society (or a collective grouping of part of it) and the state (or an organisation from within the state). This relationship cannot be formalised and abstracted as in the form of "narrow accountability" but is dependent on a dynamic interaction at any one moment in time. Those who have agreed with much of the argument to this point will still have one nagging issue playing on their minds. This critical public accountability is all well and fine but tenants (or civil society more broadly) are just not that interested in getting involved. Often trotted out to justify this position is the low turnout figures in recent local and general elections. The argument is based upon a pessimistic view of civil society's capacities, which can easily be argued against. For example, reference has been made in this paper to the successful 'No' vote achieved in Birmingham, in April 2002. It is worth looking at the detail of that vote. There are 84,000 council homes in Birmingham. In total over 61,000 local tenants voted in the ballot. This equated to a 65.5 per cent turnout (the turnout in the 2001 general election was 52 per cent across the city). The transfer was rejected by 66.8 per cent to 33.2 per cent. The point is tenants, patients, workers will get involved if they feel their voice will be heard and they will exercise real power. Or as Hilary Wainwright concludes her discussion of community involvement in the regeneration of East Manchester:

When there is a chance of having a real influence over the allocation of resources, a real chance to improve the quality of life of a neighbourhood, and when people are aware of it and at least half convinced that it could make a difference, then they engage.
(Wainwright, 2003:109)

¹⁷ The forms of direct action have not been a tactic used recently by social housing campaigners but there is a history of this form of action in Britain for example the Clydebank rent strike of the 1920s (Damer, 2000) and the squatters movement of the post-war years (Johnstone, 2000).

Summary

The history of social housing in England over the past 30 years mirrors that of other parts of the public sector. A series of reforms inspired by neo-liberal theories have seen the reduction in direct local authority provision; a shift towards private bodies, such as HAs, and the introduction of market-based mechanism such as CBLs. This has not been a smooth process. There have been some policy failures and crucially for our discussion of critical PA there has been and continues to be resistance to these policies, not from public managers or officers, but from tenants. This resistance, on a national and local level, has forced changes in social housing policy and management strategies.

Conclusion

The arguments in this paper have sought to achieve two aims - firstly to propose an alternative view of public accountability and secondly to show how this alternative critical approach to PA is relevant in the context of social housing. To achieve the former, the existing literature was shown to have a predominately reductionist focus on public managers, but by recasting the definition of PA, and utilising the dialectical method from the classical Marxist tradition, these limitations can be overcome. The previous section sought to illustrate these points in the context of social housing, this section will discuss the implications of these two aims for PA more broadly. The critical PA approach also opens up a broader field of potential research projects. To date little work has been done on the relationship between accountability and ideology¹⁸. Harvey (2005) stresses the important role ideology has had in achieving the acceptance of the neo-liberal agenda and making public bodies and officers more accountable is a common theme justifying the modernisation reforms within the UK. Equally, the issues of class and race do not feature in the literature on public accountability. These could be addressed through exploring issues such as the current pensions dispute in local government or deaths in custody of black men.

Specifically in the case of social housing, the tenant campaigns against transfer of council housing stock to RSLs are the essence of the concept of critical public accountability. Here the collective self-organisation of sections of civil society not only challenges but at times succeeds in changing the policies and actions of the local state organisations. These campaigns have won numerous battles¹⁹ (as it might be seen) and are still campaigning for a change in government policy that will allow and fund the Fourth Option, namely direct local authority provision of housing. These tenant campaigns are not an isolated phenomena but could be seen as sharing similar foundations to, what was once called the anti-globalisation but is now known as the anti-capitalist movement. This movement has started to move beyond perhaps defining itself by what it is against, and instead academics and campaigners have started to develop alternative theories for how the world could be organised. Wainwright (2003) reports, among other episodes, on a fascinating experiment in participative budget-setting being organised across a whole municipal authority in Porto Allegro, Brazil. Monbiot (2003) advances arguments in favour of a world parliament, alongside a world central bank with its own currency. Albert (2003) has developed the concept of the Participatory Economy (or Parecon) organised through an iterative planning process and based upon workers and consumption councils. Callinicos (2003) shares the same basic principles as Albert, as he explores not just the objectives of an alternative society but also the mechanisms of how to get there, by incrementally removing the market from sections of the economy. These theories reflect the movement they have grown out of with an emphasis on pluralism, inclusion and a recognition of the need for continuing debate and action if that movement is going to continue to be relevant. For those researchers, academics, policy-makers and practitioners who are looking for an alternative to the neo-liberal and managerialist approaches that dominate public management research these anti-capitalist theories provide a series of ideas that could be engaged with, both from a theoretical and empirical base.

¹⁸ A small start has been made by Dubnick (2002).

¹⁹ From the introduction of the LSVT scheme in 1988 up to March 2007, there have been 81 votes against transfer. (see DCH website http://www.defendcouncilhousing.org.uk/dch/dch_novotes.cfm).

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