**Four Obstacles That Hinder the Responsibility of Public Leaders In The Twenty-First Century: Observations From The United States and China**

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**Abstract**

This study utilizes the Romzek-Dubnick typology to analyze the effects of recent public management reforms and reinvention on accountability in China and the United States. The writers thoroughly analyze the difficulties associated with maintaining legal responsibilities, safeguarding administrative goals unrelated to missions, promoting public ideals, and retaining hierarchical power. The authors provide concrete examples of the varied outcomes that reforms can produce within the unique legal and political frameworks of the United States and China, including examining the effects of outsourcing and results-driven strategies. The available data supports the current hypotheses in the field of public administration with concrete facts. The data offered as evidence strongly support the idea that the connection between politics and the law had a substantial impact on the reformation. Furthermore, it is evident that several countries may utilize different approaches to address the administrative barriers they face.

**Keywords:** New public management, accountability, administrative reform, public ideals, and shared goals

**Introduction**

Several Western countries, most notably the United States, have undertaken several attempts to modernise public administration and management over the last three decades. These efforts have generated a great deal of scholarly discourse, as evidenced by the works of Hood (1991), Kettl (2000), and Osborne & Gaebler (1992), among other researchers. In contrast to emphasising active engagement, Kettl, Kamarck, Kelman, and Donahue (1998) argue that governments should prioritise addressing consumer wants, entrepreneurship, goal achievement, and a market-oriented strategy. These objectives are universally accepted, even though they haven't been successfully met in the US. Despite the obvious disparities between their political systems, China has aggressively enacted administrative changes in a number of sectors, with performance monitoring and evaluation receiving special attention. Given the commonly held belief that accountability is the most important component of effective administration, what challenges does accountability face in the context of the New Public Management (NPM) and government reform? Four common obstacles that exist in both China and the US can be found by applying a comparative and contrastive approach to the two countries' differences. The obstacles encompass various factors, including upholding legal boundaries, protecting against unwarranted administrative goals, advancing public values, and imposing hierarchical power structures. Due to the fact that China and the United States share these issues, they are also well-observed in the field of modern public administration, supporting a confident and forceful claim. The study begins with a review of a generally accepted taxonomy of accountability, and then it delves further into each of these issues.

**Analytical Framework for Accountability**

Throughout the discipline's growth, the theory and practice of public administration have consistently depended on numerous concepts, such accountability, that have not received adequate definitions. Like the terms "representation," "justice," "the public interest," and "social equity," the concept of responsibility has multiple applications and interpretations that vary depending on the context. Barbara Romzek and Melvin Dubnick's accountability analysis technique has gained a great deal of industry support and acknowledgment.The process by which public agencies and their personnel effectively handle the multiple demands that emerge from both internal and external sources is known as accountability, according to Romzek and Dubnick (1987) [page number]. The authors' data reveals four different forms of accountability, which they use to provide a useful classification scheme. It's crucial to keep in mind that the aforementioned categories might not cover all potential forms of accountability and are not all-inclusive. Furthermore, an item or system can choose to display attributes associated with many categories simultaneously, as these categories are not mutually exclusive. Furthermore, one of the most widely used types of supervision, supervisory control, is crucial to many agency activities. The relationships that exist between an organization's staff and an outside governing body are what essentially establish accountability. Legal responsibility is determined by these ties. The appropriate third party has the authority to formally enforce contractual obligations or inflict penalties on the parties involved in the application of law. The process of designating particular responsibilities inside an organisation to a staff member who possesses the skills or experience required for the position is known as professional accountability. The degree to which the outstanding level of overall competence of the agency is recognised and appreciated is a critical component of professional responsibility. According to Romzek and Dubnick (1987, pp. 228–230), responsiveness is a defining characteristic of political accountability systems. They argue that in order for administrators to effectively carry out their tasks, they must be receptive and transparent about the programming needs and policy preferences of the clients they serve. Two more components are included in Dubnick and Romzek's typology: the source and the degree of control. The degree's level of competency might range from basic to advanced, and it may have been obtained from an internal or external source. An illustration of their organisational structure is shown in Figure 1. The foundation of the framework, according to Romzek and Dubnick (1987), is the notion that agencies are able to apply various types of accountability. Building an accountability system that is thought to be most appropriate for a certain set of institutional circumstances is the framework's goal (p. 230). For each of the several duty types, the author fails to create a hierarchy or priority system. The classification of bureaucratic-professional employment is based on the degree to which formal hierarchical authority is subservient to or controls specialised competence. According to Thompson (1961), it is reasonable to consider this classification as a single continuous variable. This line of thinking is supported by the evidence currently available. Though there are many parallels between the legal and political spheres, there is also a basic distinction between them. The three primary topics of legal accountability, political accountability, and bureaucratic responsibility will be the main topics of discussion about the reinvented public administration. This investigation will be built on the New Public Management (NPM) paradigm. Professional responsibility, performance reviews, outsourcing, internal employee empowerment, and a focus on achieving results are characteristics of New Public Management (NPM). Rather than directly competing with other accountability systems, the Romzek-Dubnick paradigm supports the premise that professional accountability is the primary framework for accountability in contemporary public administration.

**Legal controls for accountability, outsourcing, and giving power to other people**

Periodically, alterations are made to the legal framework that governs the execution of governmental functions that are assigned to the United States. The United States Constitution is the principal legal document that defines and sets restrictions on all levels of government inside the country. From a legal perspective, the commercial sector, including philanthropic groups, remains largely unaffected. An important exception to consider is the legal principle of "state" action, which specifically refers to actions carried out by the government. In certain circumstances, the government may be held responsible for private actions. The legal case of Tennessee Secondary School Athletic Association v. Brentwood Academy (2001) and the research conducted by Rosenbloom & Piotrowski (2005) offer substantiation for this claim. Private entities can perform public functions such as managing correctional institutions, delivering healthcare services to detainees, or aiding in election operations. This indicates the execution of government intervention. The applicability of public-private partnerships to the state-actor paradigm is a result of the merging of nonprofit groups and government entities. Although it may seem to be expanding, state intervention nevertheless has several drawbacks. The field of administrative law presents a similar difficulty. The key provisions of the Administrative Procedure Act were made available to the public at the Bodleian Libraries of Oxford University on May 21, 2010. Chan's evidence reveals that private corporations who outsource government services are rarely held accountable under the Rosenbloom 15S Procedure Act of 1946, despite the act's multiple revisions and expansions. These provisions encompass guarantees of fair treatment in legal proceedings, involvement of the public, and, in certain cases, representation in the creation of rules. They also include measures that enhance transparency through the organization of public meetings, disclosure of information, and freedom of access to information. According to Rosenbloom (2003), the purpose of extra-administrative law measures is to integrate public goals, such as environmental justice and preservation of family structure, within administrative decision-making (pp. 73–74). Some people provide explicit and precise instructions to help persons who have experienced administrative injustice find the correct means of seeking compensation or resolution. It is important to remember that most laws do not apply when the government chooses to outsource, except for those that particularly relate to protecting individual privacy, certain aspects of openness, or shielding whistleblowers. The application of administrative law at the state level varies, and this can be especially important when outsourcing labor (Rosenbloom & Piotrowski, 2005). If a law is not applicable, it does not have jurisdiction. Lately, there has been a discernible inclination in the public sector to assign the responsibility of designing, constructing, and maintaining transportation infrastructure, such as bridges and highways. The outsourcing phenomenon has had extensive effects in various sectors, such as the nuclear weapons manufacturing industry, prison management and service provision, information technology, public school operations, welfare and employment of unemployed and welfare recipients, enforcement of child support orders, and various social services (Behn & Kant, 1999, p. 470 [internal citation]). As stated by the Committee on Core Competencies for Federal Buildings Asset Management (2005-2020), government buildings owned by federal agencies are commonly assigned various tasks such as design, construction, operations, maintenance, and specific management roles (p. 27, 2008). According to Behn and Kant (1999, p. 470), most towns have the ability to hire outside companies to handle their solid waste collection and transportation of vehicles. According to Prager (2008), a city typically outsources most of its needs to external companies, with the exception of its city manager and a two-person workforce.

**Getting public values out there**

The current NPM administration commonly uses a method that entails categorizing the responsibilities of public officials as either "commercial" or "inherently governmental." The federal government of the United States is not allowed to subcontract any work that is closely connected to the government. As per Section B.1.a of the Office of Management and Budget (2003), government officials must carry out the acts in issue since they are deemed to be of significant importance to the public interest. One important aspect of the government's core functions is the significant level of discretion it has in exercising its authority and making judgments, as explained in Section B.1.a. Section B.1.a categorizes activities into two distinct groups. The first group entails creating policies and procedures for supervising financial transactions or entitlements. The second group relates to the government exercising its sovereign authority. However, the application of the indicated defining components has been restricted in its extent and has not demonstrated efficacy in stopping the delegation of multiple employment positions to external entities. These responsibilities encompass a wide range of functions, such as assessing new legislation, producing congressional reports and budgets, developing regulations, organizing public hearings, and participating in discussions related to the export of nuclear technology. The aforementioned material was distributed via the Oxford University Libraries and can be accessed at the URL: http://aas.sagepub.com. This content was first released on May 21, 2010. Prior academic studies have analyzed the subjects of imprisonment and the United States Congress in 1989, as cited in Guttman (2000a, p. [page number]) and Light (1999, p. 14). The Federal Activities Inventory Reform Act of 1998, commonly known as the Chan and Rosenbloom 21S. Act, classified certain actions as "commercial" if they lacked an inherently governmental element. The objective of this classification system was to categorize operations carried out by the federal government as "commercial" activity. The federal government, unlike departments primarily focused on government affairs, maintains a vast network of clandestine consultants who operate discreetly and receive little recognition. These consultants are responsible for developing policies and carrying out a wide range of important tasks. Senator David Pryor argues that this can be understood by considering the comprehensive definition of commercial activities, referencing Light (1999, page 13) as his source. In 2003, the Office of Management and Budget (OMB) stated that if a commercial activity is not considered necessary for the agency's operations and the government wants to keep the capability in-house, or if it is specifically exempt from competition by law, a thorough competitive procurement process should be carried out. This is contrary to cases where a particular exemption from competition is given by law. The government's ability to hold individuals accountable for promoting public ideals, who are paid by public dollars, has been greatly hindered by the decrease in the number of employed individuals. In order to effectively spread public ideas, it is necessary for at least two separate components to function simultaneously. Administrative agencies are responsible for pursuing public policy objectives that are unrelated to the operational aspects of mission-based administration or the overall features of the government. On the other hand, principles that are not related to missions, such as transparency, are not within the scope of the administration's authority. In addition to promoting the conservation of resources and providing contracting benefits for businesses owned by individuals from small, minority, or female groups, these regulations also include steps to protect the environment and preserve animals. Pre-existing military experience can provide a recruiting edge for individuals applying for government posts in some cases. Furthermore, public organizations have the power to confidentially advise their employees on the significance of acting as role models of responsible citizenship. In China, there is a higher level of acknowledgement compared to the United States of America about the concept that public officials, such as government funding, can play a role in promoting public values outside their formal duties. This contradicts the prevailing scenario in the United States, where adoption of this idea is very limited.

**Conclusion**

The American reformers who purposefully created modern public administration were well acknowledged for their straightforward and uncomplicated communication style. According to Savas (1987), privatisation has been called "the cornerstone of improved governance," implying that it can improve public management. The 1992 NPR dramatisation of David Osborne and Ted Gaebler's Reinventing Government offers a public administration problem-solving approach that is either overly straightforward or overly basic. The National Performance Review (NPR) endeavours to give the public's needs and interests top priority by implementing a variety of programmes. Making a mission statement that is succinct and clear is one of the tactics. Other tactics include budgets that prioritise desired results, delegating authority and responsibility to the right personnel, encouraging transparency in government operations, and substituting incentives for regulations in day-to-day operations. By putting the following reforms into practice, the NPR hopes to transform government: cut back on unnecessary spending, enhance constituent services, train government employees, support community-driven solutions, and foster an excellence-driven culture. The prevalent theories and practices that moulded public administration during the 1930s and 1940s are comparable to the intricate and varied features of modern public administration. Adoption of significant changes may result in further issues. Fundamental values should not be disregarded or underestimated; this is not a sustainable course of action. There will surely be a rising necessity for the restoration of such rules, just like with the Open Government Act. The challenge facing American public administration is to integrate legal, political, and bureaucratic responsibility with a public law framework that upholds the core tenets of administrative law and constitutional law. NPR did not suggest any modifications to the Administrative Procedure Act of 1946, which has seen numerous revisions and expansions since it was first passed, even though it was in favour of deregulating government services. The field of law has a notable influence on several aspects of public administration, namely with the notion of accountability. New Public Management (NPM) reforms in China have encountered obstacles because of ideological and sociopolitical divides. The beginning conditions, often called the starting point, have a significant impact on the problem-solving process. To methodically accomplish its well defined policy goals, the Chinese government has carefully selected the most effective instrument. May 21, 2010, saw the decentralisation of the Oxford University Libraries, according to the http://aas.sagepub.com source. The New Public Management (NPM) reforms have left law enforcement agencies dealing with more challenging and complex cases. The goal of the New Public Administration (NPM) approach is to attain specific outcomes in the domains of contractual upgrading, performance, and assessment. It offers assistance in these domains. The accounting system used by the current Chinese public administration stands out due to its focus on operational results. The results are then put through a "fit-for-purpose" process that is carried out in China, which improves accuracy throughout the refinement stage. Rather than completely overhauling the administrative system, the Chinese government only modifies the current setup. One of the main areas of research in contemporary Chinese public administration is the effect of NPM reforms on the government and the politics regulating public service arrangements, specifically with regard to accountability. This constitutes an essential element of the topic. Chinese and American authorities are now paying closer attention to administrative accountability as a result of the implementation of reinvention and New Public Management (NPM) reforms. This is an important reminder of how fundamentally important political and legal frameworks are to creating truly effective national governance. Consider the proverb made famous by Woodrow Wilson in 1887/2004, that "I would not use a murderer's rationale for applying a knife-sharpening procedure." This statement highlights the need for caution when implementing big advancements in public administration. The logic of a murderer should not be used to support the use of a knife-sharpening procedure. Public administration processes cannot be easily transferred, combined with other systems, or run independently, in contrast to consumer goods. Giving an understanding of accomplishments a contextual framework is essential. The legal structure governing public administrative activities is under threat from the growing use of outsourcing, which is critical to the United States' reinvention. Furthermore, it significantly lessens the government's ability to influence societal standards. It will be extremely difficult to guarantee that China's political and administrative elites answer to the people. The purpose of legislative restraints, performance evaluation methods, and assessment procedures is to shield Communist Party officials from public scrutiny. Due to their administrative and legal responsibilities, local administrators having little policy discretion may be subject to financial penalties. Effective solutions for administrative problems might not always be transferable to other settings, even though there might be similarities in other contexts. Despite their different operational features, reinvention and the New Public Management (NPM) pose significant challenges to accountability in China and the US, impacting the political, administrative, and legal spheres.

**References**

Administrative Procedure Act, Pub. L. No. 79-404, 60 Stat. 237 (June 11, 1946).

American Civil Liberties Union. (2008). Documents released by the CIA and Justice Department in response to the ACLU’s torture FOIA. Retrieved from www.aclu. org/safefree/torture/36104res20080724.html

Behn, R., & Kant, P. (1999). Strategies for avoiding the pitfalls of performance contracting. Public Productivity & Management Review, 22, 470-489.

Boyne, G., & Law, J. (2005). Setting public service outcome targets: Lessons from local public service agreements. Public Money & Management, 25, 253-260. Brady, A.-M. (2008). Marketing dictatorship: Propaganda and thought work in contemporary China. New York, NY: Rowman & Littlefield.

Cai, Y., & Yang, S. (2005). State power and unbalanced legal development in China. Journal of Contemporary China, 14, 117-134.

Chan, H. (1992). Judicial review and control over administrative discretion in the People’s Republic of China. Review of Central and East European Law, 18, 135163.

Chan, H., & Gao, J. (2008). Old wine in new bottles: A county-level case study of anti-corruption reform in the People’s Republic of China. Crime, Law and Social Change, 49, 97-118.

Chan, H., & Gao, J. (2009). Putting the cart before the horse: Accountability or performance? Australian Journal of Public Administration, 68, 51-61.

Chan, H., & Li, E. (2007). Civil service law in the People’s Republic of China: A return to cadre personnel management. Public Administration Review, 67, 381-396.

Committee on Core Competencies for Federal Facilities Asset Management, 20052020. (2008). Core competencies for federal facilities asset management through 2020. Washington, DC: National Academies Press.

 Foerstel, H. (1999). Freedom of information and the right to know. Westport, CT: Greenwood.

Fox, W. F., Jr. (2000). Understanding administrative law. New York, NY: Lexis. Freedom of Information Act, Pub. L. No. 89-487, 80 Stat. 250 (July 4, 1966).

Funan County coerced bureaucrats to attract business, received penalty [in Chinese]. (2007, January 13). Takung Pao, p. A13.

Gallagher, M. (2005). Use the law as your weapon! Institutional change and legal mobilization in China. In N. Diamant, S. Lubman, & K. O’Brien (Eds.), Engaging the law in China: State, society and possibilities for justice (pp. 54-87). Stanford, CA: Stanford University Press.

Gao, J. (2009). Governing by goals and numbers: A case study in the use of performance measurement to build state capacity in China. Public Administration & Development, 29, 21-31.

Government Accountability Office. (2005). High-risk series: An update (GAO 05-207). Washington, DC: Author. Government Performance and Results Act, Pub. L. No. 103-62, 107 Stat. 285 (August 3, 1993).

Gore, A. (1993). Creating a government that works better and costs less. Washington, DC: Government Printing Office.

Gore, A. (1995). Common sense government works better and costs less. Washington, DC: Government Printing Office.

Guttman, D. (2000a). Public purpose and private service: The twentieth century culture of contracting out and the evolving law of diffused sovereignty. Administrative Law Review, 52, 859-926.

Guttman, D. (2000b). Public purpose and private service: The twentieth century culture of contracting out and the evolving law of diffused sovereignty. Administrative Law Review, 52, 859-926, electronic insert between pp. 890-891.

Guttman, D. (2004). Inherently governmental functions and the new millennium: The legacy of twentieth century reform. In T. Stanton & B. Ginsberg (Eds.), Making government manageable: Executive organization and management in the twentyfirst century (pp. 40-65). Baltimore, MD: Johns Hopkins University Press.

Harris, S. (2004, September 15). “Bad to worse.” Government Executive.com. URL: www.govexec.com/features/0904-15/0904-15newsanalysis2.htm

Hood, C. (1991). A public management for all seasons. Public Administration, 69, 3-19. Jing, Y. (2008). Outsourcing in China: An exploratory assessment. Public Administration and Development, 28, 119-128.

Kagan, R. (1994). Regulatory enforcement. In D. H. Rosenbloom, & R. Schwartz (Eds.), Handbook of regulation and administrative law (pp. 383-422). New York, NY: Marcel Dekker.

Kettl, D. (2000). The global public management revolution. Washington, DC: Brookings Institution.

Kettl, D., Kamarck, E., Kelman, S., & Donahue, J. (1998). Assessing reinvention as a major reform. Cambridge, MA: Harvard University Innovations in American Government Program, Occasional Paper No. 3-98. Light, P. (1999). The true size of government. Washington, DC: Brookings Institution.

Milward, H. B., & Provan, K. (2000). Governing the hollow state. Journal of Public Administration Research and Theory, 10, 359-380. OECD. (1994). Performance management in government: Performance measurement and result-oriented management. Paris: Author. Openness Promotes Effectiveness in our National Government Act (Open Government Act), Pub. L. No. 110-175, 121 Stat. 2524 (December 31, 2007).

Osborne, D., & Gaebler, T. (1992). Reinventing government. Reading, MA: AddisonWesley.

People’s Republic of China. (2007). The notification of the circulation of the detailed implementation method of the comprehensive evaluation of the target-based responsibility system of Xi’an City [in Chinese]. Shaanxi: Xi’an City Party Committee & Xi’an City Government.

Piotrowski, S., & Rosenbloom, D. (2002). Nonmission-based values in resultsoriented public administration: The case of Freedom of Information. Public Administration Review, 62, 643-657.

Prager, J. (2008). Contract city redux: Weston, Florida as the ultimate new public management model city. Public Administration Review, 68, 167-180. Privacy Act, Pub. L. No. 93-579, 88 Stat. 1896 (December 31, 1974).

Proeller, I. (2007). Outcome-orientation in performance contracts: Empirical evidence from Swiss local government. International Review of Administrative Sciences, 73, 95-111.

Rohr, J. (1989). Ethics for bureaucrats (2nd ed.). New York, NY: Marcel Dekker.

Romzek, B., & Dubnick, M. (1987). Accountability in the public sector: Lessons from the Challenger tragedy. Public Administration Review, 47, 227-238.

Rosenbloom, D. (1971). Federal service and the Constitution. Ithaca, NY: Cornell University Press.

Rosenbloom, D. (2003). Administrative law for public managers. Boulder, CO: Westview.

Rosenbloom, D., & Piotrowski, S. (2005). Outsourcing the Constitution and administrative law norms. American Review of Public Administration, 35, 103-121.

Savas, E. S. (1987). Privatization: The key to better government. Chatham, NJ: Chatham House.

Scholz, J. (1994). Managing regulatory enforcement in the United States. In D. H. Rosenbloom & R. Schwartz (Eds.), Handbook of regulation and administrative law (pp. 423-463). New York, NY: Marcel Dekker.

Strauss, M. (2005). The lessons of Abu Ghraib. Ohio State Law Journal, 66, 1269-1310.

Thompson, V. (1961). Modern organization. New York, NY: Knopf. U.S. Congress. (1989). Examination of the use of consultants and contractors by the Environmental Protection Agency and the Department of Energy (hearings before the Subcommittee on Federal Services, Post Office, and Civil Service of the Senate Committee on Governmental Affairs, 101st Congress, 1st session). Washington, DC: Government Printing Office.

U.S. Department of Health and Human Services. (2002, November 26). News release. Retrieved from [www.hhs.gov/news/press/2002pres/20021126.html](http://www.hhs.gov/news/press/2002pres/20021126.html)

U.S. Department of Justice. (2007). FOIA Post. Retrieved from www.usdoj.gov/oip/ foiapost/2007foiapost11.htm

U.S. General Accounting Office. (1998). Federal rulemaking: Agencies often published final actions without proposed rules. Washington, DC: Author.

U.S. Office of Management and Budget. (2003). Fact sheet: Competitive sourcing under OMB Circular A-76. Retrieved from http://a-76.nih.gov/A-76%20HHS%20Fact % 20Sheet.pdf

U.S. Office of Personnel Management. (2006, September 11). Employee Responsibility and Conduct, 5 C.F.R. 735. Retrieved from http://www.opm.gov/fedregis/ 2006/71-081106-46074-a.htm

Wilson, W. (2004). The study of administration. In J. Shafritz, A. Hyde, & S. Parkes (Eds.), Classics of public administration (5th ed., pp. 22-34). Belmont, CA: Wadsworth. (Original work published 1887)