The
SELF-RESTRAINING STATE

Power and Accountability
in New Democracies

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Conceptualizing Accountability

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What is the essence of politics? What is the key variable of political science? Common sense gives us a clear answer: it is power. But as the earlier classical theorists knew: in politics, first comes power, then the need to control it. "In framing a government . . . the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself."[1] Beginning with the ancient philosophers, political thinkers have worried about how to keep power under control, how to domesticate it, how to prevent its abuse, how to subject it to certain procedures and rules of conduct.[2] Today, it is the fashionable term *accountability* that expresses the continuing concern for checks and oversight, for surveillance and institutional constraints on the exercise of power. All over the world (wherever the term is halfway translatable), international financial institutions, party leaders, grassroots activists, journalists, and political scientists have discovered the blessings and adhere to the cause of "public accountability."[3]

Without doubt, the term sounds appealing. Its field of application is as broad as its potential for consensus. And its semantic root, the notion of accounting, is nicely ambivalent; it evokes narrative accounts as well as bookkeeping. But do we know what it means? Are we clear about its semantic boundaries and do we comprehend its internal structure? Not surprisingly, my answer is no: due to its relative novelty, accountability represents an underexplored concept whose meaning remains evasive, whose boundaries are fuzzy, and whose internal structure is confusing.

This chapter does not set out to relate the concept of accountability to the history of thought. Chapter 3 by Guillermo O'Donnell and the related comments by Richard Sklar, Philippe Schmitter, and Marc Plattner accomplish a good deal of such philosophical reflection. The pretense of this

chapter is more limited. It aims at reconstructing the meaning of the concept as we currently use it. In essence, it claims that the notion of political accountability carries two basic connotations: answerability, the obligation of public officials to inform about and to explain what they are doing; and enforcement, the capacity of accounting agencies to impose sanctions on powerholders who have violated their public duties. This two-dimensional structure of meaning makes the concept a broad and inclusive one that, within its wide and loose boundaries, embraces (or at least overlaps with) lots of other terms—surveillance, monitoring, oversight, control, checks, restraint, public exposure, punishment—that we may employ to describe efforts to ensure that the exercise of power is a rule-guided enterprise.

A Two-Dimensional Concept

The attractiveness of accountability derives from its breadth. The concept is a comprehensive one. Rather than denoting one specific technique of domesticating power, it embraces three different ways of preventing and redressing the abuse of political power. It implies subjecting power to the threat of sanctions; obliging it to be exercised in transparent ways; and forcing it to justify its acts. I treat the first dimension under the heading "enforcement" and sum up the last two dimensions under "answerability." The three aspects together—enforcement, monitoring, and justification—turn political accountability into a multifaceted enterprise that copes with a considerable variety of actual and potential abuses of power.

Answerability

As with most terms we use in everyday language, we usually assume that we understand what we say when we talk about *accountability,* and that others do so as well. Related discussions therefore regularly proceed on the basis of implicit understandings, without recourse to any explicit definition of the concept. Yet whenever authors do define the term explicitly, they tend to associate it with *answerability* as its "closest synonym."[4] Accountability, one encyclopedic definition tells us, is "the ability to ensure that officials in government are answerable for their actions."[5] We think this provides a valid starting point. The notion of answerability indicates that being accountable to somebody implies the obligation to respond to nasty questions and, vice versa, that holding somebody accountable implies the opportunity to ask uncomfortable questions.

But what kind of answers to what kind of questions? In principle, accounting agencies may ask accountable actors for two kinds of things. They may either ask them to *inform* about their decisions or they may ask them to *explain* their decisions. They may ask either for reliable facts (the

informational dimension of accountability) or for valid reasons (the argumentative dimension of accountability). Accountability thus involves the right to receive information and the corresponding obligation to release all necessary details. But it also implies the right to receive an explanation and the corresponding duty to justify one's conduct.[6]

On the one side, exercising accountability therefore involves elements of monitoring and oversight. Its mission includes finding facts and generating evidence. On the other side, the norm of accountability continues the Enlightment's project of subjecting power not only to the rule of law but also to the rule of reason. Power should be bound by legal constraints but also by the logic of public reasoning. Accountability is antithetical to monologic power. It establishes a dialogic relationship between accountable and accounting actors. It makes both parties speak and engages them both in public debate. It is therefore opposed not only to mute power but also to unilateral speechless controls of power.[7]

The etymological ambivalence of accountability, which stems from the double connotation of accounts, sustains both dimensions. Financial accounts contain detailed information prepared according to certain standards of classification and accuracy that make them both readable and reliable for outsiders. Narrative accounts are legitimating tales that present some relieving end as the compelling outcome of previous developments. Or more formally, they represent "definitional transformations of contested action," "explanations that excuse or justify questionable behavior by proposing a normative status for the behavior."[8] The informational dimension of accountability relates to the first connotation of accounts—bookkeeping; its discursive or explanatory dimension relates to the second one—storytelling.[9]

Enforcement

Up to now we have described the exercise of accountability essentially as a discursive activity, as a sort of benign inquiry, a friendly dialogue between accounting and accountable parties. Yet answerability, and the double quest for information and justification it implies, is not the whole story of accountability. Political accountability involves more than the generation of data and the interplay of arguments. In addition to its informational dimension (asking what has been done or will be done) and its explanatory aspects (giving reasons and forming judgments), it also contains elements of enforcement (rewarding good and punishing bad behavior). It implies the idea that accounting actors do not just "call into question" but also "eventually punish" improper behavior and, accordingly, that accountable persons not only tell what they have done and why, but bear the consequences for it, including eventual negative sanctions.[10] Exercises of accountability that expose misdeeds but do not impose material conse-

quences will usually appear as weak, toothless, "diminished" forms of accountability. They will be regarded as acts of window dressing rather than real restraints on power.

The "tight coupling" of accountability and the availability of sanctions reflect neoinstitutionalist common sense about the conditions of effective institutions. According to much of the new institutionalist literature, for rules to be effective they must be accompanied by mechanisms of monitoring that prevent the eventual violation of rules from going unnoticed (the informational function of accountability). But they must also count with mechanisms of enforcement that "get the incentives right" by keeping acts of cheating from going unpunished (the enforcement dimension of accountability).[11]

Academic writers are often quite emphatic in stating that the capacity to punish forms an integral part of political accountability.[12] But political actors, too, usually have a very keen sense for the pivotal importance of effective enforcement mechanisms that will enable agencies of accountability to act forcefully. For example, in Taiwan, the Control Yuan (a branch of government that is charged with investigating the conduct of public officials) is able to "impeach" a public official—in effect, to indict and refer the official to the legal authorities for further investigation and possible prosecution. But because the ministry of justice is controlled by the ruling party, this means in practice that government officials (especially high-ranking ones) are rarely seriously punished. The one structural change that senior officials of the Control Yuan most want is the independent authority to prosecute and impose sanctions on offending officials.[13]

Similarly, during Nigeria's Second Republic (1979–1983) an elaborate code of conduct required public officials to report their assets. A Code of Conduct Bureau was set up to investigate the authenticity of these reports as well as charges of bribery and other wrongdoing. However, the Code of Conduct Bureau lacked the staffing to adequately investigate violations of the code by public officials, and the parallel Code of Conduct Tribunal never sat (because the national legislature never enacted the enabling legislation). Because politicians feared no consequences for corrupt behavior, gross abuses of public offices, such as bribery, embezzlement, extortion, and vote buying, quickly escalated out of control and generated the public disillusionment with democracy that helped bring about the military coup of December 1983.[14]

Concerning the nature of possible sanctions, in the world of politics, the destruction of reputation through public exposure represents one of the main tools of accountability. But the pool of sanctions is much wider. The severity of the sanction depends on the severity of the offense. In politics, removal from office often represents the most drastic consequence of misconduct. Both instruments, publicity and dismissal, appear as entirely

appropriate punishments for a wide range of bad behavior. But as soon as actors violate legal dispositions, neither public criticism nor job loss appears sufficient. Illegal behavior, such as corruption or human rights violations, calls for appropriate legal sanctions. When presumptive agents of legal accountability, such as the Mexican National Human Rights Commission, for example, do not have prosecutory powers but can only issue nonbinding statements of an advisory nature, many observers will feel that the soft and quasi-voluntary version of "accountability light" they practice does not deserve its name and that, in essence, inconsequential accountability is no accountability at all. If a police officer kills someone in custody without due cause and still walks free, it does not satisfy the principle of accountability if a journalist documents this abuse of authority or if a human rights ombudsman recommends that the officer be arrested and stand trial. Unless there is some punishment for demonstrated abuses of authority, there is no rule of law and no accountability.

A Radial Concept

We may sum up the preceding reflections in the following one-sentence definition of accountability: A is accountable to B when A is obliged to inform B about A's (past or future) actions and decisions, to justify them, and to suffer punishment in the case of eventual misconduct. In experiences of political accountability, usually all three dimensions—information, justification, and punishment—are present. However, they do not form a core of binary "defining characteristics" that are either present or absent and that must be present in all instances we describe as exercises of accountability. They are continuous variables that show up to different degrees, with varying mixes and emphases. Furthermore, even if one or two of them are missing we may still legitimately speak of acts of accountability.

To begin with, sanctions form an aspect of accountability many consider to be indispensable. Yet some "agencies of restraint" come to equate accountability fundamentally with answerability. For instance, a good number of valuable agencies of accountability, such as the Chilean and the South African truth commissions set up to investigate human rights violations under predecessor regimes, have relied on only a "soft" form of punishment—namely, the public exposure of criminal action.

Furthermore, contemporary discussions on the autonomy versus accountability of central banks (e.g., with respect to the fledgling European Central Bank) reveal ideas of accountability that are entirely detached from notions of punishment. Central bankers, if they accept the idea of accountability at all, equate it to the mere need to publicly explain their decisions after the fact. In general, most expressions of "vertical" accountability

where mass media and civil associations act as accounting agencies rely on purely discursive forms of contestation and constraint, with no possibility of applying "negative sanctions" other than public disapproval.[15]

The same way accountability may be divorced from sanctions, in some cases it may be an exclusive matter of sanctions. Accountability understood as enforcement may be cut off from questions of answerability. The Indonesian students who demanded the demise of General Suharto in early 1998 did not request further information, nor did they desire to hear any discourses defending the long-reigning president. Or, less dramatically, the idea of electoral accountability—of voters holding politicians accountable at periodic elections—is also primarily related to the possibility of punishing past behavior by "throwing the rascals out" (even if between elections incumbents may continually disclose their actions and justify them). Whereas in the first case, an outrageous as well as transparent violation of social norms makes any additional information superfluous and any additional justification useless, in the second case, the communicative asymmetries between elite actors and mass publics render any dialogic idea of accountability impractical.

The above examples illustrate that it is possible, in principle, to find instances where the idea of accountability is dissociated from one of its core dimensions—be it enforcement or answerability—without necessarily creating "diminished subtypes" of accountability as a result.[16] I conclude accordingly that accountability does not represent a "classical" concept displaying a hard core of invariable basic characteristics. Instead, it must be regarded as a "radial" concept whose "subtypes" or "secondary" expressions do not share a common core but lack one or more elements that characterize the prototypical "primary" category.[17]

A Modest Concept

Political accountability may be a broad and comprehensive concept. But it is also a modest concept. In part, its modesty stems from its potential one-dimensionality. As argued above, certain instances of accountability do not include aspects of answerability, while others go without elements of enforcement. But more fundamentally, political accountability is a modest enterprise insofar as it accepts the reality of power as well as the relative opacity of power.

The Uncertainties of Power

The guiding idea of political accountability is to control political power, not to eliminate it. In this sense, political accountability presupposes power. Far from harboring utopias of power disappearing, withering away, the

notion of political accountability enters a world of power. Agencies of accountability strive to keep power from running wild; they strive to bound, to discipline, to restrain it. Their mission is to make power predictable by limiting its arbitrariness and to prevent or redress the abuse of power in order to keep its exercise in line with certain preestablished rules and procedures. The existence of power provides their very raison d'être. Without power, without the capacity to make decisions and the corresponding capacity to attribute decisions, it does not make any sense to talk about accountability. Nobody can hold anybody accountable for things beyond that person's control. I cannot hold you accountable for the bad weather (unless I subscribe to prescientific meteorological theories), nor can I hold you accountable for the wrong weather forecast (unless you are working in the meteorological office).

We might also say that accountability presupposes personal responsibility. The two terms look very similar and are often treated as close synonyms. Yet if one equates accountability with responsibility *to* someone, one has still to concede that there is no perfect overlap with responsibility *for* something. In fact, the latter presupposes the former, but the inverse is not true. Accordingly, responsibility for something may go entirely without responsibility to somebody. The premodern absolute ruler could be (and could admit to be) responsible for lots of things but still reject having to respond to anybody (but God and history). In modern times, the presumptive burden of responsibility has become an easy formula to legitimate political power (equivalent to the idea of risk taking in economic life). And it has also become a formula to shed off prospective accountability: I am the one responsible so I make decisions based on the way I feel I should; I need not tell anybody about those decisions before I make them; nor do I have to respond to anybody except to my personal conscience. In essence, while accountability forces power to enter into a dialogue, the notion of responsibility permits it to remain silent. While accountability builds on the modern idea that power and knowledge are separate goods, the notion of responsibility allows powerful actors to maintain the illusion that they know what they are doing and therefore to dismiss irritating questions that do nothing but disturb their solemn and responsible exercise of power.

If accountability indeed addresses agents who hold power and dispose of some margin of discretion, it follows that accountability should not be confused with narrow notions of regulation, control, or steering. Holding power accountable does not imply determining the way it is exercised; neither does it aim at eliminating discretion through stringent bureaucratic regulation. It is a more modest project that admits that politics is a human enterprise whose elements of agency, freedom, indeterminacy, and uncertainty are ineradicable; that power cannot be subject to full control in the strict, technical sense of the word; and that even in a hypothetical world of perfect accountability, political power would continue to produce harm,

waste, and any other kind of irreversible "public bads" that even ideal agents of accountability could only ascertain, expose, and punish but neither repair nor undo.

Agents of accountability want to reach (partial) control over political decisionmakers. If they already were in (full) control, their mission would make no sense any more. If I control somebody, there is no point of making that person accountable to me. Accountable for what? For the things I induce him or her to do? Robots that assemble automobile parts in a Chrysler factory cannot be considered plausible addressees of accountability. The same applies to government officials who carry out decrees. They are supposed to do their work well (and may be held accountable for it), but they are not accountable for the rules they apply. Accountability concerns agents, not subjects. It concerns those who exercise power, not those who are subordinate to it. Or, more precisely, it concerns subjects only as far as we ascribe some degree of freedom to them. In an analogous way, it concerns public employees only as far as we envision administrative organizations not as mechanical conveyor belts of decisions from top to bottom, but rather as loci of decisionmaking at all hierarchical levels.

The Opacity of Power

Accountability as answerability aims at creating transparency. By demanding information as well as justification, it wants to shed light into the black box of politics. In this it is similar to notions such as oversight, supervision, and monitoring. But again its project is less ambitious. Agents of accountability do not pretend to supervise everything. In fact, they assume that nothing close to close oversight is taking place and accept that their genuine field of competence consists of unobserved and often unobservable actions.[18] In this sense, accountability (as answerability) presupposes imperfect information. If the exercise of power were transparent, there would be no need for holding anybody accountable. The demand for accountability (as answerability) originates from the opacity of power. In a world of perfect information, it would be pointless to ask political actors what they have been doing, or intend to do, and why. We would already know. In Jeremy Bentham's Panopticon, any pretense to exercise accountability is void. From its high center, we can see everything and intervene anytime. We do not have to ask anything. We just watch and punish. In the real political world, however, most things are not accessible to direct observation. And even if informational barriers to the political process did not exist, we could still not look into the future (which creates the need for retrospective accountability), nor could we look into decisionmakers' heads (which creates the need to ask for justifications).

When agents of accountability intrude into the opaque realms of power, they are concerned with the classical *arcanae imperii,* the dark playgrounds of power shut off from public scrutiny for no other reason than the self-contained arrogance of power. At the same time, however, legitimate realms of secrecy exist where decisionmakers deliberate and decide behind closed doors. We may think, for example, of central bankers setting exchange rates or court judges forming their judgments. Subjecting such zones of legitimate confidentiality to procedures of accountability should not open them to the eyes of the general public from beginning to end. But it should oblige the involved participants to give ex post explanations and reveal the grounds for their decisions to the public.

We should add that usually if it wants to be effective and perceived as such, democratic accountability must be public. As a rule, only public accountability can achieve its aim of curbing power, while confidential accountability, exercised behind closed doors, tends to be perceived as a farce, a caricature of accountability. For example, Soglo, former president of Benin, disclosing his personal assets secretly[19] hardly qualified him as a champion of accountability.

This "publicity principle" applies not only to accountable actors but also to accounting agencies. This makes accountability distinct from supervision, for instance. The supervisor may remain in the dark, the unseen eye. The agent of accountability must come to the forefront and open itself to second-order observation: the observer observed. In this sense, institutions of accountability are vampires in reverse. They can live only as long as they act in the daylight of the public sphere, and they crumble and die as soon as they enter the shadows of privacy and secrecy.[20]

The public nature of accountability serves all three aspects of accountability: information, reasoning, and punishment. It does more than bring the "forceless force of the better argument"[21] upon the conduct of the accountable party. It also involves an important form of sanction. It exposes cases of misconduct to public opinion, which often provokes highly damaging reputational consequences.[22]

Who Is Accountable for What?

In all walks of life we can hold people accountable for all kinds of things. In our private lives we wade in a constant stream of accountability initiatives. People hold their children, parents, partners, friends, neighbors, colleagues, and fellow citizens accountable for any kind of presumptive misbehavior—for political incorrectness, insubordination, disorderliness, bad memory, drinking and smoking, sexual misconduct, sinful behavior, lack of courtesy, strategic errors, factual ignorance, whatever. Because there are lots of rules that guide our private lives, there are lots of opportunities for private agents of accountability to step in to monitor and enforce compliance.

The vast realm of private accountability, of course, falls outside the jurisdiction of this book, which is concerned with *political* accountability

in its wide sense—with acts of accountability addressed to public officials (the whole personnel employed by the modern state: politicians, civil servants, judges, police officers, military officers, diplomats, etc.). In its narrow sense, the term political accountability covers the activities of only the professional category listed first: politicians, such as cabinet members, legislators, and party leaders.

Parting from the broad concept of political accountability, which concerns the behavior of any public official, one might introduce a number of further subtypes according to the political subsystems that are subject to accountability. The referents and the labels of these subtypes will depend on the analytic distinctions one chooses to draw. A conventional way of slicing the modern political world would produce at least the following broad categories: governmental, legislative, bureaucratic, judicial, and military accountability.

Looking at the addressees of accountability (who is accountable?) is one way of ordering the wide field of political accountability. Inquiring into the criteria of accountability (accountable for what?) is another way. So, if we hold public officials accountable, what do we hold them accountable for? What yardsticks do we use? How do we define good and bad conduct in office? How do we accordingly define the abuse of office that the exercise of political accountability strives to prevent and punish?

It is obvious that we may hold public officials accountable for lots of things and that our acts of accountability may be inspired by many potentially conflicting principles. A quick search through different standards of accountability suggests that we should distinguish at least the following varieties of political accountability (in its broad sense): political accountability (in its narrow sense) assesses the appropriateness of both substantive policies and policymaking processes, but it also brings judgment on the personal qualities of political actors; administrative accountability reviews the expediency and procedural correctness of bureaucratic acts; professional accountability watches over ethical standards of professionalism, such as medical, academic, and judicial professionalism;[23] financial accountability subjects the use of public money by state officials to norms of austerity, efficiency, and propriety; moral accountability evaluates political acts on the basis of prevailing normative standards (independent of formal rules and regulations); legal accountability monitors the observance of legal rules;[24] and constitutional accountability evaluates whether legislative acts are in accordance with constitutional rules.[25]

Accountable to Whom?

Who are the agents of political accountability? Who are its social carriers and what are its institutional forms? It depends. Different forms of account-

ability rely on different enforcement mechanisms. The responsibility for exercising both political and moral accountability applies to citizens, civil associations, mass media, and opposition parties. Both administrative and financial accountability are often entrusted to specialized agencies, such as ombudsmen, administrative courts, accounting offices, and anticorruption organizations. Ethics commissions and disciplinary courts are common institutions of professional accountability. And judicial systems are in charge of guaranteeing legal as well as constitutional accountability. As this quick listing makes clear, distinguishing between different accounting parties constitutes a useful basis for constructing further subtypes of accountability. But we may easily drown in a sea of innumerable agents of accountability unless we drop some conceptual anchor that puts order into the potential proliferation of subtypes.[26] Guillermo O'Donnell's seminal distinction between vertical and horizontal accountability provides, I think, such a heuristic ordering device.[27]

The notion of vertical versus horizontal relations of accountability parts from the conventional spatial metaphor of power, the classic image of pyramidal hierarchies: height correlates with resources, "above" equals power, "below" equals powerlessness. In this sense, vertical accountability describes a relationship between unequals: it refers to some powerful "superior" actor holding some less powerful "inferior" actor accountable. Or vice versa! The concept is indeterminate in this crucial aspect of directionality. It leaves open whether accountability is meant to flow "top down" or "bottom up," whether it forms part of the normal exercise of power or whether it implies an inversion of usual power relations. The classic instance of the former is bureaucratic accountability, in which higher-ranking public officials ("principals") try to control their lower-ranking subordinates ("agents"). In representative democracies, the most important variant of the latter is electoral accountability, in which citizens hold judgment over their representatives through periodic elections.[28]

By contrast, horizontal accountability, taken literally, describes a relationship between equals: it refers to somebody holding someone else of roughly equal power accountable. In democratic theory, the division of power—the executive, legislative, and judiciary constraining each other through the classic "checks and balances"—represents its prototypical expression. Yet demanding a "rough equality" of power for horizontal relations of accountability establishes a tough criterion, an overly tough one. Power is a (relational) property that is hard to measure, and trying to identify instances of roughly equal political power in the real world of democratic politics is probably an impossible mission.

In addition, an accounting party, if it is to be serious, cannot stand on equal footing with the accountable party. At least in its sphere of competence, it must be even more powerful. And certainly within the boundaries of its jurisdiction, which may be very narrow, it must be, as O'Donnell puts

it (in this book), "legally enabled and empowered" to impose sanctions on the accountable party, to punish improper behavior on its behalf. Relaxing the defining criterion of rough equality in order to replace it by some looser category, such as an approximate "equivalence" of power,[29] does not change this "paradox of horizontal accountability," of specialized agencies holding actors accountable who are immensely more powerful on all accounts except in the agency's specific sphere of competence. Besides, accountability as answerability does not even include the power to punish but only the right to get an answer. In terms of power, it may take place under extremely asymmetric conditions.

Some authors take these methodological and conceptual difficulties into account by complementing the binary spatial metaphor of verticality versus horizontality with some intermediate category, such as "diagonal" or "oblique" accountability.[30] This solution, however, does little to clarify the matter. How should one determine, in precise terms, intermediate angles of inclination between horizontal and vertical lines of accountability?

If indeed in relations of horizontal accountability the agent and the addressee of accountability need not possess comparable power resources but in fact may represent actors of grossly unequal powers, it does not seem helpful to comprehend horizontality in a literal way as a relationship between actors of equal or equivalent power. Rather, it seems more productive and of more general applicability to stipulate that the accounting party must be independent from the accountable party in all decisions that concern its field of competence. Ideally, both parties form "relatively autonomous powers"[31] that do not stand in a relation of formal subordination or superiority to each other. In other words, horizontal accountability presupposes a prior division of powers, a certain internal functional differentiation of the state.

Defining horizontality in terms of autonomy resolves one main conceptual problem that has accompanied the concept of horizontal accountability. Another problem concerns the concept's basic domain of application: where are the autonomous agents of horizontal accountability to be located? Just in the state? Or also in civil society? It is clear that vertical accountability may take place within the state as well as within civil society and across the boundaries of the two spheres. Tax officials who stage sit-ins in front of the finance minister's office are an example of vertical accountability within the state; union members who accuse their long-standing leaders of corrupt behavior are an example of vertical accountability within civil society; and citizens who vote incumbent parties out of office are an example of vertical accountability running from civil society to state. In principle, horizontal accountability too may take place both within and across state and civil society. A judge compelling a military officer to testify in court is an example of horizontal accountability within the state; a

journalist denouncing nepotism within the bar association represents an example of horizontal accountability within civil society; and the chamber of commerce questioning the constitutionality of selective price subsidies may count as an example of horizontal accountability from civil society to state.[32]

The controversial question is, however, whether we should reserve the notion of horizontal accountability to intrastate relations, as O'Donnell proposes, or else also include in the category civil society actors that hold state agencies accountable, as authors such as Richard Sklar, Philippe Schmitter, David Stark, and László Bruszt suggest.[33] Both conceptualizations of horizontal accountability seem quite legitimate. The main objection against the second option of extending the notion of horizontal accountability to civil society–state relations resides in the structural asymmetry between state and nonstate actors. Civil associations may represent strong "factual powers" (*poderes fácticos*). But they can never match the state's monopoly of legitimate physical violence or its privileged position as the source of law—of uniform, centrally defined, collectively binding rules. Thus, speaking of horizontal relations between the two spheres always sounds like something of a euphemism. In addition, ascribing one clear meaning to the notion of horizontal accountability carries the benefit of avoiding conceptual ambivalence. Accordingly, most authors in this book follow O'Donnell, insofar as they assume that all cases where civil society actors (citizens, civil associations, or mass media) try to hold state agents accountable fall into the category of vertical accountability, reserving the notion of horizontal accountability to all acts of accountability that take place between independent state agencies.

As Robert Pastor (in this book) has forcefully reminded us, all the notions of accountability discussed so far share one basic presupposition: they take for granted that political accountability works within the confinements of national political systems. As a consequence, they overlook international actors (governmental as well as nongovernmental ones) as possible agents of accountability. Since these external actors do not fit easily into the vertical/horizontal dichotomy constructed along the distinction between state and civil society, they represent, as Pastor puts it, a "third dimension" of accountability.

Second-Order Accountability

When agents of accountability develop into powerful actors, when their criteria of judgment are controversial, and when it is difficult to monitor their performance, we face the problem of second-order accountability: how can we hold institutions of accountability accountable themselves? This prob-

lem seems particularly pressing with the kind of institutions discussed in this book: specialized, nonelective, autonomous state organizations that are supposed to pursue their narrow missions with professional single-minded-ness, while they are nevertheless vulnerable to inefficiency and abuse the same as any other locus of power.[34]

Of course, one may reformulate the challenge of second-order account-ability as a challenge of n-order accountability. Since any second layer of institutional accountability is susceptible to the same kind of failures as the first layer, we face the possibility of an infinite regress. There are two ways to avoid it. We may establish *reciprocal* accountability: two agents, A and B, "check and balance" each other. Or we may establish *recursive* account-ability: A is accountable to B, who is accountable to C, who is accountable to A again. It is hard to imagine that, at least in the long run, insulated and isolated institutions of accountability can survive unless they are embedded in such recursive cycles or systems of accountability. As O'Donnell puts it (in this book), "achieving a significant degree of . . . accountability requires the coordination of several agencies, each of them subject to *divide et impera* strategies."

Conclusion

Where did our surveying expedition into the structure of meaning of the concept of political accountability take us? Let us sum up the main coordi-nates of our conceptual journey. Political accountability, we stipulated, rep-resents a broad, two-dimensional concept that denotes both answerability—the obligation of public officials to inform about their activities and to justify them—and enforcement—the capacity to impose negative sanctions on officeholders who violate certain rules of conduct. In experiences of political accountability, both aspects are usually present. Yet instances exist where either the call for sanctions dominates (accountability as enforce-ment) or the quest for information and justification (accountability as answerability). Given that the notion of accountability is not built on the illusion that power is subject to full control and can be opened up to full transparency, but rather accepts and addresses the uncertainty and opacity of power, we characterized it as a modest concept. After clarifying the basic meaning of accountability, we stepped into the vast field of different sub-types of accountability. We sketched some ways of distinguishing different forms of accountability, according to its addressees, its criteria, and its agents. Given the thematic focus of the book, our discussion centered on the distinction between vertical and horizontal accountability. It defined the somewhat vague and metaphorical notion of "horizontality" as a relation-ship between state agencies that must possess a certain degree of mutual independence, rather than equivalent power resources.

This review of the concept's semantic field and internal structure should establish a reliable basis for the other chapters in the book, even if not all authors adhere to exactly the same interpretation of accountability and its subtypes. In more general terms, it should also provide useful ana-lytical tools for understanding and advancing academic as well as political discussions on political accountability—this obscure object of political desire and institutional design.

Notes

In academic life, it represents a rare and precious event when an author receives several pages of detailed, sympathetic, and constructive feedback on a draft. I thank an anonymous reviewer and Larry Diamond for writing such comments. Without their insightful and often fundamental criticism, this chapter would be very different from what it is now. My sincere thanks to both of them.

1. *The Federalist Papers,* no. 51.

2. For a brief historical review of moral and institutional solutions to the problem of corrupt power, see Fontana, "The Roots of a Long Tradition."

3. Richard Sklar even asserts that "the norm of accountability appears to be the most widely practiced of democratic principles" (Sklar, "Developmental Democracy," p. 714).

4. Plattner, "Comments," p. 1.

5. Hickok, "Accountability," p. 9. See also Sklar, this volume.

6. See Plattner, "Comments," and Sklar, this volume. This twofold answer-ability refers to past as well as to future acts. Especially in political contexts, accountable agents have to stand up not only for what they have done (retrospective or ex post accountability) but also for what they plan to do (prospective or ex ante accountability). See also Maravall, "Accountability," and Schmitter, this volume.

7. Stark and Bruszt, *Postsocialist Pathways,* define accountability as "moni-toring" (p. 195), thus equating it with the "informational" dimension. Yet, at other places, they use the term *accountability* interchangeably with deliberation (p. 189), thus equating it with the "dialogic" dimension.

8. Bennett, "The Paradox of Public Discourse," p. 794.

9. Stark and Bruszt, *Postsocialist Pathways,* emphasize the connectedness of both aspects of accounts. They develop the metaphor of democratic politicians opening accounts, asking voters for credit, and giving accounts in order to maintain their creditworthiness in an original and insightful way (see pp. 192–196).

10. See O'Donnell, "Delegative Democracy," p. 61.

11. See, e.g., Ostrom, *Governing the Commons.*

12. See, e.g., Collier, O'Donnell, Schmitter, and Sklar (this volume); Maravall, "Accountability."

13. See Diamond, "How Well Is Taiwan's Democracy Doing?"

14. See Diamond, "Political Corruption."

15. On the distinction between horizontal and vertical accountability, see below.

16. On "diminished subtypes," see Collier and Levitsky, "Democracy with Adjectives."

17. On "classical" and "radial" concepts, see Collier and Mahon, "Conceptual 'Stretching' Revisited."

18. The preceding reflections do not apply for "accountability as enforcement." As we noted above, rule violations may already be in the open as public facts that are not opaque; neither does the punishment of those violations add to the transparency of politics.

19. As reported by Galtung, "Developing Agencies of Restraint," p. 11.

20. Of course, there are exceptions to the general rule of publicity. The "bureaucratic" accountability of subordinates to superiors usually remains an internal affair within the administrative organization concerned. And in some traditional realms of state secrecy, such as foreign intelligence services, accountability, if it takes place at all, does so in a confidential way, closed off to the eyes of the general public.

21. See, e.g., Habermas, *Theorie*, p. 47.

22. See, e.g., Pizzorno, "Representation," p. 8.

23. Much of "professional accountability" pertains to the sphere of civil society. At the same time, the category represents a weighty aspect of the accountability of public officials, and the more so, of course, the larger the public sector in a given country.

24. Note that the last three categories—moral, financial, and legal accountability—represent entirely crosscutting forms of political accountability that may strike any actor in the political system, be it a party leader, the head of government, a member of parliament, a judge, a simple state official, or whomever.

25. This volume basically covers the last two forms of accountability: legal and constitutional.

26. The picture would look even more complicated if we were to include forms of accountability not only to concrete actors but also to ideal, subjectless categories: to history (historical accountability), to our personal conscience (super-ego accountability), to God in heaven (celestial accountability), or to past generations (ancestral accountability). I owe the term "celestial" or "heavenly" accountability to Richard Sklar (this volume).

27. See O'Donnell, "Delegative Democracy." For a similar early conceptualization under the heading of "lateral" accountability, see Sklar, "Developmental Democracy."

28. Both types of relationship may be modeled along the lines of principal-agent theory (see, e.g., Maravall, "Accountability"; Moe, "Political Institutions," pp. 232–233; Roeder, *Real Sunset,* chapter 2, pp. 22–40).

29. See, e.g., Schmitter, this volume.

30. See also Schmitter, this volume, p. 62, note 4.

31. O'Donnell, "Delegative Democracy." See also Diamond, "The End," pp. 8–9.

32. For an insightful discussion of the many forms, sites, and protagonists of accountability, within the state as well as within civil society, see Sklar, "Developmental Democracy."

33. See the contributions of O'Donnell, Sklar, and Schmitter, this volume, as well as O'Donnell, "Delegative Democracy," Sklar, "Developmental Democracy," and Stark and Bruszt, *Postsocialist Pathways.*

34. For a refreshing recognition of the need for second-order accountability with relation to central banks, against the prevailing mainstream that favors maximizing unqualified central bank independence, see Johnson, this volume, Schürz, "Independence Versus Accountability," and Whitehead, "Models of Central Banking."

3

Horizontal Accountability in New Democracies

GUILLERMO O'DONNELL

For Gabriela,
my beloved agency of horizontal accountability

I

My interest in what I labeled "horizontal accountability"[1] stems from its absence. Many countries, in Latin America and elsewhere, have recently become political democracies, or polyarchies. By this I mean that they satisfy the conditions stipulated by Robert Dahl for defining this regime type.[2] Satisfying these conditions is no mean feat: some countries continue under authoritarian rule, and others, even though they hold elections, do not satisfy the conditions of fair and free competition stipulated by the definition of polyarchy.[3] In this chapter I do not deal with the latter cases; my focus is on those that are polyarchies, in the sense just defined, but have weak or intermittent horizontal accountability. This refers to almost all the Latin American countries, including some rather old polyarchies such as Colombia and Venezuela.[4] This category also pertains to some new Asian polyarchies, such as the Philippines, South Korea, and Taiwan, as well as, increasingly so, an old one, India, and some of the postcommunist countries that might qualify as polyarchies—Russia, Belorussia, Croatia, Slovakia, and Ukraine,[5] and perhaps also Hungary, Poland, and the Czech Republic.[6]

By definition, in these countries the electoral dimension of vertical accountability exists. Through the means of reasonably fair and free elections, citizens can punish or reward incumbents by voting for or against them, or the candidates they endorse, in the next election. Also by definition, the freedoms of opinion and of association, as well as access to reasonably varied sources of information, permit articulating demands to, and eventually denouncing wrongful acts of, public authorities. This is helped by the existence of reasonably free media, also demanded by the definition