1 Public Management's Three Dimensions

Structure, Culture, Craft

PUBLIC MANAGERS AND THE DOMAIN OF PUBLIC MANAGEMENT

Public managers are all around us. They work in the departments, agencies, bureaus, and offices of federal, state, and local governments. The responsibilities of public organizations vary from providing basic public services, such as education, fire fighting, and law enforcement, to regulating environmental pollution and the safety of coal mines, gathering and analyzing intelligence needed for national security, and providing health care to military veterans. The characteristics of public organizations vary as well, in terms of budgets and personnel, diversity of mission, complexity of tasks, degree of centralization or decentralization, extent and sources of political support. But the secretary of defense and the official in charge of a local animal control office have one thing in common: they are both public managers.

Across all these settings, public managers are responsible for translating the goals and objectives of policymakers into tangible operating results. Public management is the process of ensuring that the allocation and use of resources available to governments are directed toward the achievement of lawful public policy goals. What does this mean in practice? What factors determine the purposes and responsibilities of public managers' roles? How much discretion do they have in deciding how to do their jobs?

Broadly speaking, public managers may be thought of as both **creatures** of their political environments and **creators** of capacities needed to achieve results for themselves and their organizations. Put another way, they are both constrained and enabled in how they implement public policies.

Characterizations of public management that emphasize its creature aspects focus on structural arrangements such as organizational hierarchies. In these accounts, the emphasis may be on elements such as bureaus, offices, job descriptions, and reporting relationships. An essay written by Luther Gulick for President Franklin D. Roosevelt's "Committee on Administrative Management" in 1937 illustrates this perspective, in which public managers were depicted as obediently carrying out specific functions

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necessary for the operation of public departments and bureaus: planning, organizing, staffing, directing, coordinating, reporting, and budgeting, functions (POSDCORB).[1] An early doctrine in American public administration, the **politics-administration dichotomy** held that politics and administration could (and should) be separate and distinct activities.[2] This sentiment reflected in part a desire to eliminate corruption and partisanship from the administration of public programs and in part a view that administration was a scientific, not a political, activity.

Characterizations of public managers as creators tend to assume that managers (especially senior officials) have considerable latitude to exercise their own judgment. Public managers create opportunities, policy, direction, administrative structures, and organizational relationships within their spheres of influence. For example, in *The Functions of the Executive,* Chester Barnard argued that a primary task of the organization's leader is to create and shape a culture that can unify employees and improve organizational performance.[3]

This book's definition of public management views the public manager both as creature—of politics, law, structures, and responsibilities—and as creator—of strategies, capacity, and results. The reality of how governments work does not support a politics-administration dichotomy: Politics and policymaking result in mandates that are often ambiguous, subject to conflicting interpretations, politically controversial, and inadequately supported with resources and structures of communication and cooperation. As a consequence, public management necessarily completes policymaking by making concrete decisions within the limits of delegated authority and motivating subordinates and organizations to act in appropriate ways. Thus, in addition to the directive activities uniquely associated with managing, the job of a public manager often involves the realms of politics, policymaking, and institutional leadership. Each of these roles, depicted in Figure 1.1, has a distinctive influence on public policy outcomes.

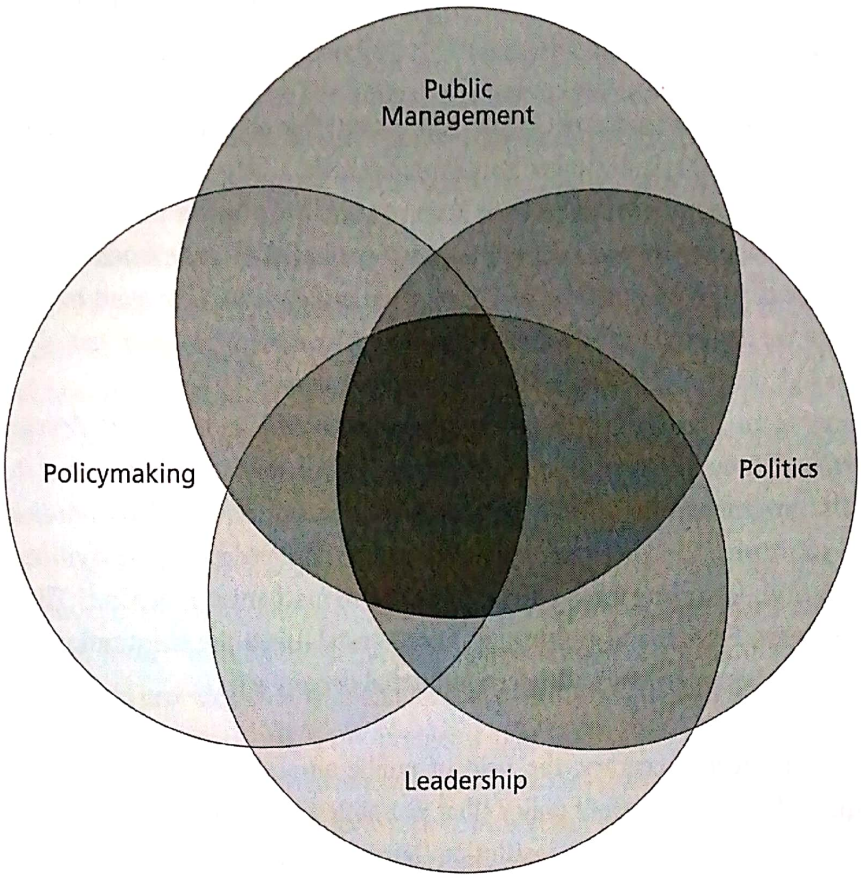
The domain of **politics** is concerned principally with the distribution and use of control over government resources, summed up nicely in the title of political scientist Harold Lasswell's book *Politics: Who Gets What, When, How.*[4] According to the U.S. Constitution, citizens have sovereign power, and their wishes are given expression through elected representatives in the political branches of government. Politics gives expression to citizen preferences, traditionally referred to as "the public will" and allocates resources among political jurisdictions, interests, policies, processes, and programs in order to express that will.

The domain of **policymaking** is concerned with defining substantive goals of politics and choosing from among alternative courses of action that reflect the values, interests, and facts of given situations and actors. Policymaking involves the subject matter of governmental activity, the making of specific choices concerning the substantive content of statutes, appropriations, organizations, regulations, budgets, strategies, and precedent-setting decisions. Policymaking is inevitably influenced by political values and processes, but the reverse is also true: as political scientist E. E. Schattschneider observed, "new policies create a new politics."[5]

In the context of a particular setting, situation, program, policy, or deliberation, certain individuals assume the responsibility for clarifying purposes and inspiring others to take action toward a focused goal. According to historian and political scientist James MacGregor Burns, **leadership** occurs "when persons with certain motives and purposes mobilize, in competition or conflict with others, institutional, political, psychological, and other resources so as to arouse, engage, and satisfy the motives of followers . . . in order to realize goals mutually held by both leaders and followers."[6] Leadership is essential when purposes are unclear, when a sense of direction is absent, when the situation is characterized by confusion and conflict, or when motivation is lacking.

In the following sections of this chapter, additional ideas and concepts that are central to this book's argument are explained: historical origins of public management as a distinctive function of societal governance; essential

FIGURE 1.1 **The Domain of Public Management**



differences between public and private management; distinctive challenges of public management; necessity for managerial accountability to the rule of law; a three-dimensional analytic framework—structure, culture, and craft—by which public management issues and problems can be understood and confronted; and a model deliberative process for public management analysis.

HISTORICAL ORIGINS OF PUBLIC MANAGEMENT

Only in recent decades has public management become a recognized field of research, teaching, and practice around the world. The origins of the field's ideas are, however, ancient.[7] Broadly construed, **public administration and management**, the term used by many scholars, have characterized the earliest quests for order, security, wealth, and civilization.

Examples of bureaucratic government, codified administrative doctrines, and best practices appeared in ancient Chinese, Greek, and Roman civilizations. Confucius argued that the "conductor of government should 'hold the mean'" by which he meant "to approach a problem by seeking the widest differences of opinions and by making the most careful study of the facts in the spirit of absolute impartiality and unselfishness, and then to solve it moderately, practicably, and logically, in accordance with the best ethical rules."[8] Ancient Chinese administrative doctrines influenced public administration in medieval Europe, evident in the thirteenth to seventeenth centuries, where recognizable corporate and bureaucratic forms of public management were adopted in several regimes.[9]

Some scholars trace the emergence of modern public administration and management to a more recent period, however. These accounts regard public management as "the sum of persons and bodies who are engaged, under the direction of government, in discharging the ordinary public services which must be rendered daily if the system of law and duties and rights is to be duly 'served.'"[10] This kind of management grew in Europe, following two critical developments:[11]

- First, beginning in 1640, a succession of German rulers created an absolutist state (central and absolute power, typically of a monarch, unchecked by other institutions). It broke with medieval tradition by instituting administration by trained and competent civil servants acting on behalf of a "public interest" rather than out of narrow dynastic loyalties. Public service was a duty to the people rather than to the feudal nobility. The consequence was the emergence of a field of study and practice termed **cameralism**. (The word refers to the room or place [*kammer*] where the domain is ruled.) Cameralism was "the academic counterpart of modern bureaucratic administration and, hence, in its essence was administrative science."[12]
- Second, beginning in the late eighteenth century, intellectual and political developments leading to national sovereignty would culminate in the emergence of bureaucracies. Servants of the monarch became public officials, government by officials became known as bureaucracy, and bureaucracy became both powerful and controversial. With state building largely accomplished on the continent, "the struggle for legalizing or constitutionalizing these great administrative mechanisms" began.[13] The popular revolutions in the United States, France, and continental Europe established the constitutional foundations for the governance of what became today's advanced industrial democracies.

By the end of the nineteenth century, the field of public administration and management had become preoccupied with the *de facto* separation of policy (that is, politics and policymaking) and administration. That development resulted in tensions between an institution (bureaucracy, with its proclivities toward overreach) and the revolutionary idea of popular sovereignty (with its expectation of the democratic accountability of public administrators). Law and economics eclipsed the older administrative sciences of cameralism in intellectual discourse. The dominant intellectual contribution of the era, however, is Max Weber's analysis of bureaucracy (discussed in Chapter 5), which colors contemporary professional discussions of bureaucratic institutions.

The role of a stabilizing governance institution was served by centralized bureaucracies in Europe and by Parliament in England. In the United States, the Constitution has served this role since the institution of judicial review was established in 1803. But separation of powers and the superordinate role of the courts in the United States also greatly complicate the matter of establishing a legitimate role for "unelected bureaucrats." The field of public administration and management in the United States, and the challenges of conceptualizing managerial responsibility, directly reflect the unique constitutional tensions between executive, legislative, and judicial branches of government.

PUBLIC AND PRIVATE MANAGEMENT: HOW SIMILAR? HOW DIFFERENT?

Is managing a government department or agency fundamentally different from managing a private corporation? Answering this question requires looking beyond individual managers' styles, decisions, and strategies to a broader landscape that encompasses the purposes, interests, and opportunities of the public and private sectors and the respective environments, constraints, and authority affecting public and private management.

Arguing that the interests of public and private organizations are fundamentally different, political scientist Frank Goodnow noted in 1893: "In transacting its business, [the government's] object is not usually the acquisition of gain but the furtherance of the welfare of the community. This is the great distinction between public and private business."[14] Later, political scientist Graham Allison acknowledged that some similarities exist between public and private management, but the differences are far more important.[15] More recently, on the basis of exhaustive review of research on similarities and differences between the sectors, public management scholars Hal Rainey and Young Han Chun argue that differences between the sectors exist, but they should not be overemphasized lest the generic aspects of "management," that is, tasks that all managers must perform, be obscured.[16]

Fundamental Differences in the Public and Private Sectors

Underlying the differences in public and private management are two characteristics of the sectors in which they work. First, public sector organizations exist for the "furtherance of the welfare of the community" because market failures occur: the tendency of free markets to over- or underproduce goods and services the public wants and needs. Second, public sector organizations embody the political and legal processes that created them.

When Markets Fail

The first characteristic differentiating the public and private sectors is the presence of what economists call **market failures,** the tendency of profit-seeking firms to allocate resources in ways that are efficient from the firm's perspective but inefficient from society's perspective. The most common examples, discussed in this section, are the for-profit sector's failure to provide public goods; choices of production methods that have beneficial or harmful externalities; information asymmetries and other problems that lead to phenomena called moral hazard and adverse selection; and the distributional consequences of goods and services such as education and health care.[1]

Public goods are those goods and services for which consumption by one person does not affect the amount that others can consume, that is, they are **nonrival in consumption.** Often, these goods are **nonexcludable** as well, meaning that it is difficult or impossible to restrict the availability of the good to everyone once it is made available to anyone. Familiar examples of public goods are the safety and protection of property afforded by police officers and firefighters or the availability of public roadways and their illumination by streetlights. If the public depended on the market to produce goods like public safety or roads, people who benefit from them might not pay for them because they would expect others to pay; that is, they would **free ride** on the outlays of payers. As a consequence, private providers, uncertain of profitably, would be reluctant to produce these kinds of goods. In such cases, elected representatives are asked step in and arrange for provision by government.

Many goods exhibit varying degrees of nonrivalry or nonexcludability, and thus the appropriateness of government's supplying them may be less clear; for example, National Public Radio and the Public Broadcasting Service are politically controversial. Some goods or services, such as education or health care, are provided by both government and the private sector; these goods, in turn, afford both public and private benefits.

Externalities are additional benefits or costs that occur from producing or consuming a good or service but that are not fully reflected in its price. Goods with positive externalities, such as vaccinations against contagious diseases like polio or the flu, result in benefits that are not fully reflected in the vaccine price. Thus, private producers tend to underproduce them; many people might not be able to get vaccinated, thus exposing others to a communicable

[1]Many public finance or public economics textbooks address these topics. See, for example, Harvey S. Rosen and Ted Gayer, *Public Finance,* 10th ed. (Boston: McGraw-Hill Irwin, 2013).

disease. Goods with negative externalities, such as the emission of greenhouse gases and the use of polychlorinated biphenyls (PCBs) in production processes, result in costs or harms that are not fully borne by the producer or consumer and tend to be overproduced. Here, too, government may step in to regulate producers of negative externalities or to subsidize producers such as those who provide green energy with reduced harmful emissions.

Information problems—in particular, **information asymmetries**—occur when the parties involved in a transaction, such as the exchange of work effort for a salary or the sale of insurance against the high costs of illness or the loss of employment, have different information about why and how the transaction should be completed. The problem is that it may be impossible or costly for each party to know everything the other knows such as an employer's exact expectations and a worker's actual skills and motivation. **Moral hazard** exists when, for example, individuals insured against the costs of illness or against income loss from unemployment are careless about their health or less determined to remain or become employed. **Adverse selection** occurs, for example, when insurers lack information about applicants that would influence their decisions about whether to issue the insurance or how to set premiums. Governments step in to regulate information availability and how information may or may not be used, such as credit worthiness or preexisting medical conditions.

Information problems also arise in cases where it may be impossible or costly for consumers to become well-informed about the choices they face or whether they have received what they have paid for. Private sector producers might exploit information asymmetries or imperfect information in ways that are dangerous or harmful, leading to a role for government in overcoming such information problems. The Consumer Product Safety Commission (CPSC) and the Food and Drug Administration (FDA) play such roles. The CPSC is empowered to ban dangerous consumer products, to recall products already on the market and to research potential hazards associated with consumer products, from baby cribs to lawnmowers. In recent years, the FDA has been under pressure to ensure that pharmaceutical manufacturers supply consumers of already-approved prescription drugs with up-to-date information concerning harmful side effects—information that manufacturers may be reluctant to provide voluntarily.

Distributional inequity may occur even when markets are performing efficiently. The public's preferences regarding the fair distribution of income and wealth, or access to particular goods and services such as primary health care, are not guaranteed even if classic market failures are absent. Private producers have little or no incentive to address issues of poverty or wealth inequality or, more specifically, to create an adequate supply of affordable housing or affordable health insurance. Therefore, a potential role is created for the public sector either in subsidizing the production of such goods or, as is the case with the federal Medicare program, in actually providing them.

Public organizations are often created to do what markets cannot or will not, do, that is, to provide public goods, ameliorate information problems, and ensure distributional equity. Public organizations rebalance and redirect resource use in ways that are thought by their proponents to secure higher levels of social welfare than what unregulated private markets, driven by material self-interest, would produce. The choice between private and public organizations need not be a matter of either-or, however. Nonprofit organizations, which are part of the private sector but legally precluded from distributing any surplus revenues to officers or members, also respond to market failures. (Nonprofits are discussed further in Chapter 5.) In addition, policymakers and private resource owners may rely on forms of organization or policy tools, such as vouchers or performance contracts, which are intended to combine the advantages of government authority with market choice and competition: the power of public authority to marshal resources and set terms for their use and the power of interest-driven voluntary choice to direct resources to their best uses.

Public organizations are often created to do what markets cannot or will not, do, that is, to provide public goods, ameliorate information problems, and ensure distributional equity.

When Public Bureaucracies Fail

The second characteristic differentiating the public and private sectors is the legal authority underlying public sector organizations. As political scientists Donald Kettl and James Fesler put it, "Public organizations exist to administer the law, and every element of their being—their structure, staffing, budget, and purpose—is the product of legal authority."[17] The nature of this authority is determined by political processes: public organizations are constrained and governed by incentives that are basically political.

Insight into the interplay of public management with politics and public policymaking has been the focus of political scientist Terry Moe's research.[18] As explained in Chapter 5, Moe develops a theory of public bureaucracy in which public organizations are characterized by four elements not found in private, for-profit organizations:

- Public organizations are governed by public authority.
- Public organizations have a political rather than a technical/economic basis for organizational design.
- Public organizations are subject to the uncertainties of political processes.
- Public organizations reflect a necessity for political compromise.

Together, these four characteristics result in organizations, programs, and managerial roles that result from bargaining among politicians, interest groups, and bureaucrats. In other words, they reflect **political rationality**, not the **technical rationality** found in profitable private firms. Each agency, whatever the technical requirements of effective organization might be, is a structural reflection of its unique politics.[19] As a result, the public manager "may have to deal with inadequate resources, unreasonable or unrealistic workload or reporting requirements, inconsistent guidance, or missions defined so as to be virtually unachievable."[20]

Although market failures provide justification for what has been called **positive government**, economist Charles Wolf has emphasized the occurrence of **nonmarket failures** (sometimes called *pathologies* by other scholars) by public organizations that regulate or produce goods or services.[21] Wolf points to four primary sources of nonmarket failures:

- disconnects between the raising and spending of revenues;
- internalities, that is the subordination of the public interest to organizational interests such as budget growth and information control;
- derived externalities, which are the unintended consequences of government programs, such as the urban sprawl associated with public highway construction; and
- government-created distributional inequities, which are both intentional and unintentional and may result, for example, from the need to ration publicly financed goods and services because of budget constraints.

These problems arise, Wolf argues, because of the supply and demand characteristics of government output. Measures of public policy outcomes are often so hard to define that feedback and signaling from consumers of public services are lacking or unreliable. Thus, internal decision making by nonmarket organizations cannot be informed by these sources. Furthermore, incentives controlling costs that are created by competition are often weak or nonexistent for public agencies. Under these circumstances, nonmarket agencies often develop standards of performance that do not bear a clear or reliable connection with the ostensible public purpose that the agencies are meant to serve.[22]

Wolf argues that nonmarket failures reflect a number of other aspects as well:

- the political processes that create public organizations,
- the separation of payment for and receipt of benefits provided by the public sector,

- the difficulties of measuring output,
- the production of such goods by a monopolistic public agency,
- uncertainties regarding production technologies for many goods provided by the public sector, and
- the absence of assured processes for terminating ineffective programs that have politically influential constituencies.

Together, these characteristic features of the public sector—the work of public organizations in responding to market failures and the reflection in public organizations of the political processes that created them—substantially shape the internal and external environments of public managers.

What Do We Know from Research?

In his foundational study of the differences between public and private management, Graham Allison argued that the two types of management are "fundamentally alike in all unimportant respects." He compared three primary aspects of management in each sector:

- strategy (establishing organizational objectives and operational plans);
- internal components (organizing and staffing, personnel management systems, and measuring performance); and
- external constituencies (communicating and coordinating with internal units, external organizations, the press, and the public).

By informally comparing the jobs of a public and private manager—the Environmental Protection Agency (EPA) director and the chief executive officer of American Motors—Allison concluded, "public and private management are at least as different as they are similar, and . . . the differences are more important than the similarities."[23] He argued that public management could best be improved by specific research on the subject, lesson-drawing from actual practice, and selective application of private sector management practices and principles to the public sector.

A persistent belief dating back to the U.S. industrial revolution holds that competitive free enterprise is inherently superior to government in meeting societal needs. More recently, the push to improve government performance has been sustained by arguments that public organizations can be, and should be, run more like businesses. In other words, public and private management may in fact be different, but they should not be as different as they are. In this view, running government more like a business involves practices such as "steering instead of rowing," decentralizing authority, maintaining a focus on the customer, measuring performance and concentrating on outcomes rather than outputs, and using economic incentives instead of being guided by rules and regulations.[24] Many of the ideas associated with this perspective were reflected in New Public Management reforms around the world, the Clinton Administration's Reinventing Government initiative that was launched in 1993, and the passage of the Government Performance and Results Act in 1993.

Since the 1980s, empirical research has examined the basis for claims of similarities or differences of the efficiency and effectiveness between the sectors. Barry Bozeman developed a framework reflecting **degrees of publicness**.[25] He argued that sectoral distinctions—public, nonprofit, for-profit—based on legal distinctions are not as significant as the source of organizational authority. In particular, it matters that authority comes primarily from consumers, politicians, or founders and donors (as in nonprofits).

An important source of evidence regarding the differences between public and private management is empirical research conducted by Hal Rainey and Young Han Chun.[26] The authors first describe the differences between the

sectors that researchers and practitioners often report. One difference is the environments in which public and private managers operate: Public organizations seldom sell a product or service, and they have few incentives for efficient production. Another difference lies in the greater scrutiny of public organizations by legislators, watchdog groups, the Government Accountability Office (GAO), and the like. The differences are also evident in organizational roles, structures, and processes (such as expectations for accountability and fairness); diverse and unclear goals; constraints on authority imposed by political actors; red tape and procedural delays; incentive structures; and values and attitudes.

Rainey and Chun's review of the empirical research literature finds conflicting conclusions across studies: Some claims about differences between the sectors are supported by empirical evidence, such as more red tape and personnel administration problems in the public sector. Other claims are not supported. For example, Rainey and Chun find mixed evidence whether public sector managers have higher or equal levels of work satisfaction than managers in the private sector. Public manager work satisfaction is as high as their counterparts in the private sector, but public managers tend to express specific dissatisfactions with work.[27] For both public and private managers, being able "to make a difference" in the work of their organization shows a strong relationship to job satisfaction.[28]

Are Public and Private Management Different?

Senior executives in all types of complex organizations have common preoccupations with goals, people, organizational resources, task accomplishment, and constituencies. They must spend time meeting with people with whom they must compromise to achieve their goals, they must choose a leadership style that motivates subordinates, and they must deal with substantive and organizational complexities. Yet Rainey and Chun conclude,

> Numerous studies have found that public managers' general roles involve many of the same functions and role categories as those of managers in other settings but with some distinctive features: a more political expository role, involving more meetings with and interventions by external interest groups and political authorities; more crisis management and "fire drills"; greater challenge to balance external political relations with internal management functions.[29]

Where does this mass of evidence, claims, and counterclaims leave those who are trying to understand the differences and similarities between the sectors and why they matter? There is no simple answer; comparisons must necessarily be qualified. Laurence Lynn sums up:

> The two sectors are constituted to serve different kinds of societal interests, and distinctive kinds of skills and values are appropriate to serving these different interests. The distinctions may be blurred or absent, however, when analyzing particular managerial responsibilities, functions and tasks in particular organizations. The implication of this argument is that lesson drawing and knowledge transfer across sectors is likely to be useful and should never be rejected on ideological grounds.[30]

EIGHT DISTINCTIVE CHALLENGES OF PUBLIC MANAGEMENT

In every public and private sector organization, managers encounter routine problems related to resources, personnel, priorities, technology, and task organization that are within their power to solve. For these problems, managers do not need the support of other organizations to take effective action. In such circumstances, managerial focus and accountability are primarily to their own employees and stakeholders. In the public sector, however, even decisions about "routine" managerial tasks can have wider consequences, which may range from merely regrettable to dire.

For example, during the relatively routine activity of moving a spacecraft at Lockheed-Martin (a National Aeronautics and Space Administration [NASA] contractor)[31]

- employees ignored several of the procedures and checks in place;
- only six people were present instead of the required eleven;
- the NASA quality assurance team member arrived late and signed off on already completed steps he had not observed;
- the cart to be used to move the spacecraft was not inspected at the time of the move; and
- the visual observation by one employee that "something looked different" about the cart was ignored.

The cart collapsed when the spacecraft was loaded onto it, causing $200 million in damage.

For "routine" problems like these, business executives can take steps to prevent future occurrences of similar problems by reallocating internal resources, arranging for additional training, or punishing lax performance, perhaps terminating employees. Managerial actions such as these almost certainly will ensure that such adverse events do not happen more often. Public managers, however, do not have the same tools that business managers do. They will face external pressures to explain what happened, who was responsible, and what they propose to do, and they may or may not be given the tools and resources to preclude future occurrences. Because of partisan politics, even routine matters can become crises.

In the public sector, however, even decisions about "routine" managerial tasks can have wider consequences, which may range from merely regrettable to dire.

Potential consequences of managerial action are compounded, moreover, when public managers operate in situations that are beyond their ability to resolve solely on their own authority. In these circumstances, which are far more common in government than in business, actions of public managers can have social, economic, and public policy implications that may include the well-being of individuals and communities, the security of the nation, prospects for life and death, and the reputation of government for competence in accomplishing public purposes. A number of **distinctive challenges of public management** often characterize these more complex situations (Box 1.1).

Box 1.1 DISTINCTIVE CHALLENGES OF PUBLIC MANAGEMENT

1. Confronting situations where solutions are beyond the manager's span of control.
2. Being responsive to powerful actors whose preferences and expectations are in conflict.
3. Ensuring accountability when control is lacking.
4. Learning about serious problems from outside sources.
5. Operating under constant critical scrutiny.
6. Making consequential decisions with partial information.
7. Contending with employees' ingrained values and beliefs.
8. Responding in a timely fashion to shifts in priorities.

1. **Confronting situations where solutions are beyond the manager's span of control.**

   Public managers may confront situations whose causes and solutions lie beyond their formal authority and their direct influence: they cannot increase their own budgets, nor can they direct the actions of another organization's employees whose assistance may be essential. Managers may require extensive voluntary cooperation from other officials who may have different interests and priorities. In order to develop a full assessment of a situation, they may need to obtain information from or share information with many organizations or jurisdictions. Doing so would enable them, for example, to "connect the dots" in tracking a serial killer or spy network.

2. **Being responsive to powerful actors whose preferences and expectations are in conflict.**

   Public managers may be under pressure to satisfy the preferences and meet the expectations of powerful actors—legislators and legislative committees, elected executives, judges, and interest groups—that are often in conflict. The EPA, for example, has conducted years of study and public comment solicitation regarding cleanup of PCBs that pollute the Hudson River in New York State. The General Electric Company (GE), source of the PCBs, initially opposed an EPA plan for dredging the river. GE challenged the scientific evidence on the harmfulness of PCBs and argued that natural processes would be sufficient to flush them out. The debate eventually involved lawsuits, administrative law hearings, and elected and appointed officials at the local, state, and federal levels. After years of argument, the EPA undertook a successful dredging project with GE's participation. Doing so required sustained efforts by public managers to overcome many obstacles in trying to accomplish what they believed to be their mission.

3. **Ensuring accountability when control is lacking.**

   Public managers must often ensure the accountability of subordinate agents over whom their authority, formal and informal, may be ill-defined or even nonexistent. For example, when reconstruction of war-damaged property began in Iraq, the United States relied on hastily arranged, opportunistic relationships with dispersed networks of local ministries and contractors. These relationships lacked formal accountability structures and blurred the distinction between assistance and occupation and between public and private liability. When projects went awry, numerous investigations were carried out by the Office of the Special Inspector General for Iraq Reconstruction, the Defense Contract Audit Agency, the GAO, and the inspectors general of agencies involved in reconstruction projects. Their findings of malfeasance and mismanagement have led to arrests and convictions and damaged the reputations of many public officials and private companies.

4. **Learning about serious problems from outside sources.**

   Public managers often learn about serious problems from media reports or legislative inquiries based on information leaked by their own employees, uncovered by investigative journalists using Freedom of Information Act authority, or legally provided by whistleblowers inside their own organizations. Managers may be put on the defensive and be expected to respond before they can assess situations that may be spinning out of their control. For instance, reports of the death of Buumba, a zebra at the National Zoo in Washington, DC, set in motion a series of allegations, investigations (including one by the National Academy of Sciences), and damaging revelations of internal management policies and actions. The zoo

director, who had to accept responsibility for circumstances leading to the animal's death, never recovered from being put on the defensive and had to resign amid considerable controversy.

5. **Operating under constant critical scrutiny.**

   Public managers operate in an environment where their actions and statements are under constant scrutiny. As the Affordable Care Act's HealthCare.gov website was made accessible to the public on October 1, 2013, problems were reported immediately as some potential enrollees were unable to access the site at all, and others could not complete the process required to sign up for an insurance plan. Obama administration officials immediately came under fire for their failure to ensure a workable system that would operationalize the administration's signature policy initiative. News stories were constant for many months as public managers tried to recover from this embarrassing failure. Every action and explanation was subject to intensely critical and partisan scrutiny. Though the federal health insurance exchange eventually became functional and enrollment goals were met, the administration's reputation for competence was permanently damaged. The resignation of the Secretary of the Department of Health and Human Services months later was widely attributed to the poor public management that occurred during her tenure.

6. **Making consequential decisions with partial information.**

   Public managers may receive warnings of immediate but poorly defined threats to and vulnerabilities of their operations. They must decide whether and how to act in situations where the costs of acting, the uncertainties associated with any action, the consequences of being wrong, and the potential costs of inaction, are all extraordinarily high. For example, telecommunications workers inspecting a cable running through an obsolete concrete drainage tunnel under the Chicago River discovered a leak described as "a tree-like piling piercing through the tunnel roof with a mound of mud slowly growing at its base."[32] The damage may have been caused by construction work at a nearby bridge. The workers forwarded a videotape to the supervisor at Chicago's Department of General Services, who judged it to be a low priority and placed it in his desk drawer. Officials claimed that the situation was not serious and that they did not want to spend $10,000 maintaining a tunnel that was never used. Nevertheless, they began a bid process to repair the tunnels. While these managers were planning to contract for repairs following established procedures, the leak widened and finally ruptured, flooding the central business district (the famous Chicago Loop). The damage required expensive repairs and cleanups and provoked reprisals by the mayor against those (notably the acting transportation commissioner, a 30-year city employee) held responsible for failure to take timely action.

7. **Contending with employees' ingrained values and beliefs.**

   Public managers may have to contend with their permanent employees' ingrained values and beliefs that can be resistant even when change is desired by senior officials and the public. For example, investigations of the Columbia space shuttle accident and of intelligence collection and analysis activities prior to the U.S. invasion of Iraq focused on how the institutionalized values of agency personnel—the organizational cultures of NASA, the Federal Bureau of Investigation, the Central Intelligence Agency, and other agencies—influenced their assumptions and judgments. Employees tended to filter out dissonant information that did not fit prevailing patterns of belief—judgments that had disastrous, possibly preventable, consequences.

8. **Responding in a timely fashion to shifts in priorities.**

   Public managers may be in a situation where priorities or tasks shift suddenly or sharply. When the Federal Emergency Management Agency (FEMA) was incorporated into the newly formed Department of Homeland Security, for example, its focus was abruptly reoriented away from its traditional priorities of assisting states and communities with the consequences of emergency weather events, toward homeland security and combating terrorism. New federal policies governing FEMA's responses to weather emergencies were slow to be put in place. When Hurricane Katrina flooded New Orleans in 2005, FEMA managers were caught off-guard, and federal assistance to states damaged by the storm was neither timely nor well-coordinated. FEMA's administrator ultimately resigned, and the administration of President George W. Bush, which had initiated the policy shift and appointed FEMA's director, was badly damaged.

These kinds of complex public management challenges underlie most high-profile public affairs media coverage of the U.S. federal government in recent years: prisoner abuse at Abu Ghraib, Guantánamo Bay, and other U.S. detention facilities; a second fatal accident in NASA's space shuttle program; ongoing and seemingly irresolvable management problems at the Internal Revenue Service (IRS) and the Federal Bureau of Investigation (FBI); intelligence failures preceding the 9/11 terrorist attacks and the U.S.-led invasion of Iraq; the management of war and reconstruction in Afghanistan and Iraq; the revelations concerning National Security Agency (NSA) surveillance programs; and continuing controversies associated with implementation of the Affordable Care Act. Efforts by policymakers to effectively address these as well as the less dramatic challenges that arise throughout U.S. governments at all levels require sophisticated analysis and public managers who can think through, formulate, and execute complex strategies of amelioration and solution.

Their efforts are vindicated by numerous public management success stories: the largely effective management of the anthrax crisis by officials of the U.S. Postal Service in 2001; the success of Mayor Rudolph Giuliani's administration, particularly, Chief of Police William Bratton, in developing the Compstat system, which was associated with reducing crime in New York City; Oklahoma's use of an innovative performance contracting scheme, which brought about a dramatic transformation in the philosophies of nonprofit agencies serving profoundly disabled people and significantly improving their quality of life; and the success of James Lee Witt, director of the then-cabinet-level FEMA from 1993 to 2001, in transforming the agency from a political backwater into a widely respected emergency services organization.

These and other successful public management cases illustrate how—even in the face of the distinctive challenges of public management—combinations of effective enabling structures, deliberate attention to the transformation of organizational cultures, and skilled craftsmanship can bring about transformative changes in public policy outcomes.

MEETING THE DISTINCTIVE CHALLENGES OF PUBLIC MANAGEMENT

Analytical public managers and informed citizens aim to understand past failures and successes of public organizations and public managers. They aim to understand how current and future distinctive challenges of public management can best be met. Their efforts rest on three fundamental practices: referring to the rule of law as a guiding principle; thinking and acting in multidimensional terms of structure, culture, and craft; and analyzing likely causes and effects through a deliberative analytical process.

A Guiding Principle of Public Management: The Rule of Law

As public managers chart a path through both the routine tasks as well as the distinctive challenges they face, they are guided by the principle that they must act in ways that sustain faith in the rule of law. Citizens, elected officials, and judges place their faith in public managers because managers are accountable to constitutional principles and institutions: elected legislatures, elected executives, the courts of law that review political and administrative acts for their lawfulness, and the institutional checks and balances created by elected executives and legislatures. With respect to public management, the *rule of law* means that written principles and policies, created using recognized and accepted processes and procedures, are the basis for the legitimate exercise of managerial authority. The rule of law is a protection against arbitrary, capricious, and nontransparent acts by public managers.

Operationally, public management necessarily reflects the tensions inherent in three features of the American constitutional scheme: the Madisonian interplay of faction and power, the separation of powers, and checks and balances (discussed in Chapter 4). Public managers must live with and respond creatively to the challenges presented by these tensions.[ii]

First, the interplay of faction and power establishes the political context of public management. After political deliberation in which compromise is reached among contending individuals, parties, and interests, legislatures delegate responsibility and provide resources to public organizations and their managers. It is largely accidental if partisan debate, negotiation, compromise, or interventions by judges create public agency structures and processes that support technically rational management. Public managers must play the hands they are dealt by the political and judicial branches of government.

Second, separation of powers among the legislative, executive, and judicial branches means that public managers must balance the legitimate concerns and interests of legislators, elected executives, and judges who generally compete for control of public administration. Contests are common between public executives and legislative bodies over the release of information that executives assert is privileged. Such contests often spill over into the courts. Tensions between executives and legislators, on one hand, and each with the courts, on the other, are also common and play out in the confirmation of judicial nominees or in legislative restraints on the authority of the courts. Administrative law scholar Phillip J. Cooper suggests that Alexis de Toqueville's "observation that almost all important political problems in America sooner or later are recast as legal problems" might be brought up to date in the following way: "Sooner or later most important political problems in America are transformed into administrative problems which, in turn, find their way into the courts."[33]

The third feature of the constitutional scheme is a broad array of checks and balances that encroaches upon managerial discretion. Investigations by departmental inspectors general and the GAO, critical reports by watchdog groups, and information made available through leaks or Freedom of Information Act requests affect the environment in which public managers operate. Public managers cannot simply define the scope of their own authority, choose their own goals, and employ whatever organizations, personnel, strategies, and resources they think necessary to achieve their purposes. They cannot, as corporate managers can, freely choose the business they are in, the customers they wish to serve, the goods and services they provide, and the prices, quantities, and qualities of what they produce. Those kinds of choices are made by, subject to the approval of, or subject to the

[ii]For additional discussion of managing according to the rule of law, see Yong S. Lee with David H. Rosenbloom, *A Reasonable Public Servant: Constitutional Foundations of Administrative Conduct in the United States* (Armonk, N.Y.: M. E. Sharpe, 2005); and Anthony M. Bertelli, "Strategy and Accountability: Structural Reform Litigation and Public Management," *Public Administration Review* 64, (2004): 28–42.

review of, other internal authorities (such as budget or personnel offices) or external authorities (such as elected officials or the courts).

Public managers cannot simply define the scope of their own authority, choose their own goals, and employ whatever organizations, personnel, strategies, and resources they think necessary to achieve their purposes.

Lawmakers do not scrutinize every decision or every discretionary action by public managers. Legislative oversight often occurs only when something goes wrong. Courts can rule only on cases brought before them. Most of the time the legal bases for managerial activities are well in the background or have been institutionalized in accepted agency routines and practices and in taken-for-granted norms and standards of conduct.[34] But the rules, guidelines, applicable statutes, and judicial decrees are never far away, and controversies over their possible violation may erupt unexpectedly and with little warning. The occasional failure by a child welfare worker to conduct a home visit will ordinarily raise no concerns unless that child becomes a high-profile victim of violence. When that happens, the worker's superiors may find themselves in court answering for the worker's dereliction of duty.

For public managers, as political scientist Herbert Kaufman put it, "the slate is not clean."[35] What's on the slate? Thousands of pages of written directives and guidance, in statutes, government-wide regulations, departmental and bureau regulations, opinions and judgments by courts, the GAO, the Office of Personnel Management, and legislative hearings and floor debates.

Public managers have ample opportunity to exercise their judgment, that is, to be creators. In doing so, they are not free agents; they are creatures managing according to the rule of law. Thus, they are required to have a well-developed ethic of accountability to the institutions that enforce the rule of law.

Thinking and Acting in Three Dimensions: Structure, Culture, Craft

Responding to the distinctive challenges of public management is likely to require a combination of interorganizational cooperation, satisfaction of diverse expectations, accountability to various stakeholders, coping with unexpected and unwelcome developments, evaluating advice of uncertain quality and reliability, and mobilizing skeptical employees to cooperate with managerial goals. Consider the following examples of substantive challenges that managers in the public sector must confront:

- ensuring that urban police departments under pressure to control crime also respect the civil rights of the citizens they are sworn to protect;
- changing the missions of federal and state agencies responsible for homeland security from prosecuting criminals to preventing acts of terrorism;
- introducing new information technologies to improve the effectiveness of organizations whose employees might perceive the change as threatening to their security and importance to the organization;
- achieving an appropriate balance between protecting children from harm and strengthening and unifying troubled families in the administration of child welfare policies and programs that call for removing children from homes if circumstances justify it; and
- managing regulatory agencies to achieve a reasonable balance between promoting and negotiating voluntary compliance with regulations and impartially detecting and punishing violators in areas such as aviation, mining, and consumer products.

Workable solutions that have a reasonable likelihood of success usually are not obvious or easy. Do the policies governing agency operations allow or impede needed change? Are assignments of responsibilities to and within

the agency and the resources available—financial, human, and technical—adequate to meeting organizational objectives? Will agency personnel accept new directions or must internal resistance be overcome? Do public managers have the motivation, knowledge, and skills to discover and accomplish what needs to be done to reach the objectives?

Successfully meeting the distinctive challenges of public management requires appropriate levels of delegation and oversight by policymakers, organizations whose employees can adapt to new circumstances while maintaining or improving reliability and quality of service, and high levels of political and administrative skill, commitment, and creativity on the part of public managers.

In responding to the many challenges they face, public officials must figure out how to reflect society's values, perform effectively, and earn the public's trust. Political savvy and an engaging managerial personality will help, but they are not enough. Managers can do better than "muddling through"[36] or "managing by groping along."[37]

This book argues that informed citizens and public managers themselves can gain appreciation for the challenges of public management and can gain insight skills for addressing those challenges by acquiring the habit of thinking in terms of public management's three distinct but interdependent dimensions: structure, culture, and craft (Figure 1.2). Three-dimensional analysis helps an engaged citizenry understand the challenges and possibilities of public management and will materially assist public managers to recognize what the law, the task, common sense, and collective justice require of them.

Informed citizens and public managers themselves can gain appreciation for the challenges of public management and can gain insight skills for addressing those challenges by acquiring the habit of thinking in terms of public management's three distinct but interdependent dimensions: structure, culture, and craft.

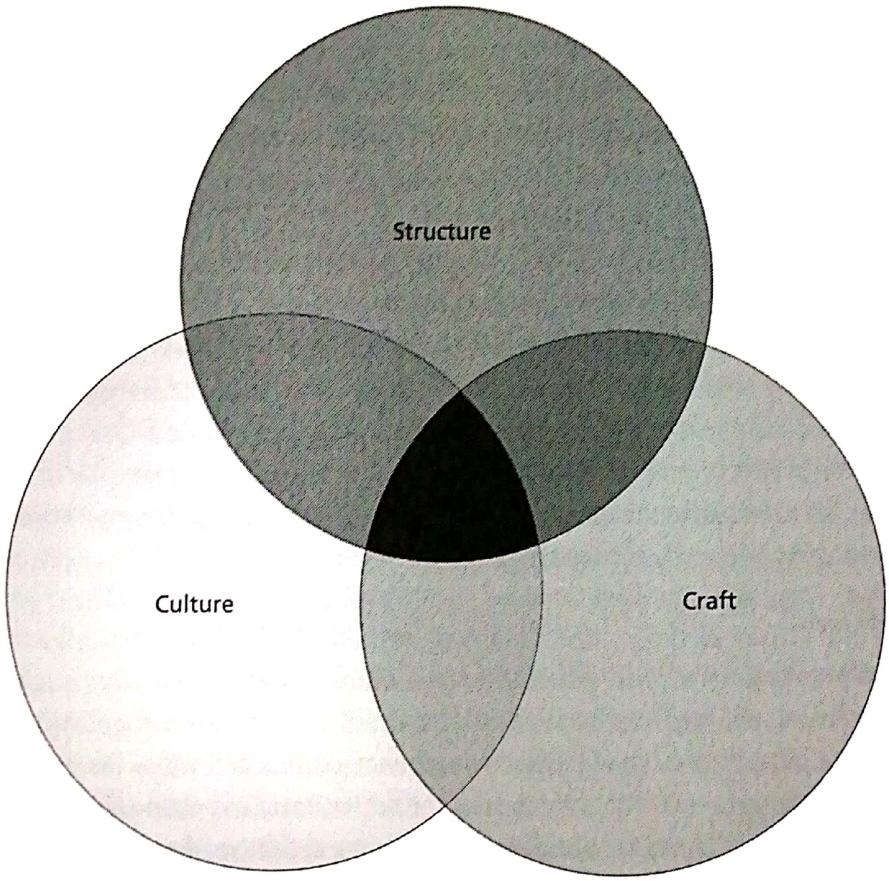
A three-dimensional approach that invokes aspects of structure, culture, and craft relates well to public debates about the performance of public agencies. The structure dimension—the organizational structures and processes that distribute information, responsibility, and resources in ways that further policy and organizational goals—is similar to the rational/legal perspective on authority first set forth by Max Weber. It is also the basis for policymakers' preference for organizational solutions to management problems.[38] The culture dimension—employees infused with beliefs, values, and motivation that enhance the organization's reputation for reliability and for skilled and conscientious performance—reflects the growing popularity of the idea that governing involves far more than demanding compliance with directives by public employees who have minds, motives, interests, and values of their own. The craft dimension—responsible judgment by individual public managers concerning priorities, strategies, and methods to advance the achievement of those goals and to build organizational capacity—reflects the tendency in the United States to assign responsibility for success and failure to specific individuals and to create narratives featuring heroes and scapegoats when things go right or wrong.

The Structure Dimension

The early twentieth-century study of public administration and management focused on the importance of organizational structures that would ensure efficient performance by America's rapidly emerging administrative state. Following that tradition, a typical analysis of structure is concerned with how responsibilities are assigned and how processes of communication, deliberation, and decision making are enabled and constrained. The **unit of analysis** for this approach (that is, the entity for which information is collected and analyzed) is the organization or the system as a whole.

As a dimension of public management, **structure** is defined as lawfully authorized delegations to administrative officials of the authority and responsibility to take action on behalf of policy and program objectives. In

FIGURE 1.2 **Public Management's Three Dimensions**



practice, structures are defined in the provisions of authorizing statutes; in approved legislative budgets; in executive orders, regulations, and rules that have the force of law; in decisions and directives by executives and managers within their spheres of authority; and in injunctions and consent decrees (agreements reached by plaintiffs and defendants pursuant to settling lawsuits and approved by courts).

Structures both enable and constrain what public agencies and public managers can do. Delegated responsibilities and authorities may include creating additional administrative structures; establishing planning, decision-making, and communication processes; prescribing specific standards for the performance of functions and tasks; and allocating specific levels of personnel and budgetary resources to agency offices and activities, together with rules and guidelines for their use.

The Culture Dimension

The culture dimension of public management began to emerge as the study of organizations became more sophisticated beginning in the 1930s. A typical analysis of culture focuses attention on the beliefs, values, and norms that govern and motivate employee behavior. First termed the "informal organization," these aspects of an organization can either inhibit or advance the fulfillment of the public's interests as expressed by actions and decisions of its elected representatives. In this approach, the unit of analysis may be either the organization's employees, who

are seen as individuals with aspirations and values of their own, or the organization as a whole when **institutionalized values** can be identified.

As a dimension of public management, **culture** is defined as the norms, values, and standards of conduct that provide meaning, purpose, and motivation to individuals working within an organizational unit. Culture is institutionalized: members of an organization "acquire values that go beyond the technical requirements of organizational tasks."[39] In another expression of this concept, institutionalization is "the emergence of orderly, stable, socially integrating patterns out of unstable, loosely organized, or narrowly technical activities."[40] Institutionalized values constitute a unifying source of meaning and purpose that formal structures of authority and assignments of responsibility cannot provide by themselves.

In the context of organizations, it is common to talk about institutionalized values as organizational cultures. The dedication and seeming selflessness of public school teachers, emergency room doctors and nurses, and those who place themselves in danger in service to others are widely admired. Organizations may be spoken of as having high morale, a strong sense of mission, or a "can-do attitude." However, institutionalized values may impede organizational goal accomplishment or a manager's efforts to respect and balance differing values. Organizational cultures may or may not reflect or even acknowledge values prevailing in the community or in the wider society. When this is the case, for example, in the cases of racial profiling by police departments, tensions between public agencies and those who depend on them may arise.

The Craft Dimension

The craft dimension is concerned with how executives and subordinate managers can manage more effectively within their given political and organizational environments. In this approach, the individual manager is the primary unit of analysis. As a dimension of public management, **craft** is defined as the decisions and actions by which individual public managers exert an influence on the achievement of public policy outcomes

Even when delegations of authority to subordinate officials are definitive, the necessity for managers to exercise their own judgment is inevitable:

- Officials are explicitly expected to make judgments when legislators lack the expertise or inclination to be specific in their authorizations.
- Statutory delegations may be ambiguous, incomplete, or inconsistent, leaving public managers little choice but to exercise judgment concerning how policy and program implementation will proceed.
- Even when the rules and standards governing managerial behavior are clear, whether and how to apply them to specific cases or contexts may require managerial or supervisory judgment.

The craft perspective recognizes that public managers' personal judgments and skills—or the lack thereof—have demonstrable consequences for their organizations. Their qualities of mind, temperament, and character and their capacity for analysis and reasoned judgment can have life and death implications, affect the distribution of rewards and punishments among citizens, and influence communications and the flow of information. These processes are at the heart of policymaking and the successful promotion of organizational change. Within frameworks of formal authority, moderated by appropriate institutionalized values, individual managers can affect whether, what, when, and how policy and program implementation occurs.

Each of public management's three dimensions can affect organizational effectiveness and the achievement of public purposes. But public management hardly ever consists of just one dimension. Adequately addressing

managerial problems typically requires awareness and use of all three dimensions. This kind of three-dimensional thinking about complex management challenges, intended to provide the intellectual foundations for managerial practice, is the goal of public management analysis.

Public management analysis involves the habitual resort to three-dimensional thinking and the insightful use of theories and heuristics. Doing so can lead to a more thorough, in-depth understanding of the role of structure, culture, and craft in causing specific management challenges and in addressing them.

Analyzing Public Management: A Model Deliberative Process

When confronting the distinctive challenges of public management, responsible public officials must think systematically and analytically about the origins or causes of the problems they face. They must formulate and weigh alternative solutions in terms of their likely consequences for public policy outcomes. They must articulate reasons for the strategies and actions that they believe are appropriate in given situations. And they must diagnose and respond to unfolding events and analyze past situations.

Effective public managers think analytically about topics ranging from whether and how to contract out the production of public services, how to recruit and motivate employees, how to organize successful collaborations, how to allocate scarce budgetary resources, and how to manage a specific program or project. Their analyses support informed decisions regarding courses of action on these and many other matters.

Thinking analytically and arguing persuasively are complementary skills. The skills needed to think analytically, public policy scholar Giandomenico Majone points out in his book *Evidence, Argument, and Persuasion in the Policy Process,* "are not algorithmical [reducible to rote, routine procedure] but argumentative: the ability to probe assumptions critically, to produce and evaluate evidence, to keep many threads in hand, to draw for an argument from many disparate sources, to communicate effectively."[41] The processes of argument and analysis are inextricably related: Analysis supports arguments, and arguments are the outcomes of analysis. Understanding the structure of argument or reason substantially adds to the public manager's toolkit. The Appendix of this book describes philosopher Stephen Toulmin's approach for developing and articulating arguments.[42]

The goal of analytical thinking is, first, to identify the underlying causes of situations requiring managerial attention and, then, to identify relationships that link actions to likely consequences. Next, the analyst creates arguments based on logic and evidence. Public management analysis involves the habitual resort to three-dimensional thinking and the insightful use of theories and heuristics. Doing so can lead to a more thorough, in-depth understanding of the role of structure, culture, and craft in causing specific management challenges and in addressing them.

The basic steps of a model deliberative process that supports analytical thinking and action involve examining a situation through the three dimensions of structure, culture, and craft.[iii]

Step 1. ***Gather facts, form initial opinions and ideas.*** When presented with a situation or set of facts, an analyst might form opinions, supported by reasons, based on his or her own prior experiences or knowledge or on some facts in the case that strike him or her as particularly telling or revealing.

[iii]For additional material on reframing, see Lee G. Bolman and Terrence E. Deal, *Reframing Organizations: Artistry, Choice, and Leadership,* 3rd ed. (San Francisco, CA: Jossey-Bass, 2003), esp. chapters "Integrating Frames for Effective Practice" and "Bringing It All Together: Change and Leadership in Action"; Jonathan R. Tompkins, "Excellence in Government," in *Organization Theory and Public Management* (Belmont, CA: Thomson Wadsworth, 2005); Ian Palmer and Richard Dunford, "Reframing and Organizational Action: The Unexplored Link," *Journal of Organizational Change Management* 9 (1996): 12–25; Christine M. Pearson and Judith A. Clair, "Reframing Crisis Management," *The Academy of Management Review* 23 (1998): 509–576.

Box 1.2

MODEL DELIBERATIVE PROCESS FOR PUBLIC MANAGEMENT ANALYSIS

1. Gather facts, form initial opinions and ideas.
2. Analyze facts through lens of three dimensions (3D: structure, culture, craft).
3. Develop and synthesize insights from 3D analysis, drawing on specific theories and frameworks. Use counterfactual analysis to identify potential causal mechanisms.
4. Formulate specific strategies based on 3D analysis.
5. Form persuasive arguments for internal and external audiences.

Step 2. ***Analyze facts through lens of three dimensions (3D).*** An analyst uses each of the three dimensions—structure, culture, craft—as a lens through which to examine the facts of the situation: the formal structural and procedural aspects, the facts that reveal an organization's institutionalized values and norms, and the potential contribution of managerial style, skill, and judgment.

Step 3. ***Develop and synthesize insights from 3D analysis.*** The analyst integrates and synthesizes insights from the three dimensions, drawing not only on the broad ideas of structure, culture, and craft but also on specific frameworks, concepts, theories, and ideas within each dimension illustrated in this book. The analyst considers questions such as

- → How might the formal organization enable and constrain individual public managers to support organizational objectives more effectively?
- → Are some classes of structures and techniques likely to be more effective than others in overcoming the specific problems at issue and, if so, why?
- → How does the organization's culture affect the prospects for success of restructuring?
- → What type of leadership and direction will be needed to promote organizational change efforts, both cultural and structural?

The analyst can use counterfactual analysis, discussed later in this section, to identify potential causal mechanisms.

Step 4. ***Formulate specific strategies based on 3D analysis.*** The analyst formulates strategies to address the challenges at hand. Potentially effective strategies may emphasize one, two, or all three of the dimensions of public management. If employees are likely to see needed change as consistent with their values, cultural resistance may not be a factor. If the strategy is primarily a matter of changing employee commitments, restructuring may not be necessary. If the strategy is a matter of replacing a particular subordinate, then craft alone may be all that is needed. Good strategic choices, however, will be grounded on a consideration of how all three dimensions are or might be employed effectively.

Step 5. ***Form persuasive arguments for internal and external audiences.*** After arriving at this stage through internal analysis and argument, the analyst formulates persuasive arguments intended for internal or external consumption to support these strategies. Arguments with different emphases might be used in different forums—employees, executive branch budget reviews, legislative testimony, public statements, internal advocacy—to build momentum for the strategy's adoption.

The insights and lessons from three-dimensional analysis are suitably intuitive for addressing management problems in the public sector. Further, this type of analysis enhances appreciation of the different sources of public management knowledge:

- experiential knowledge derived from the actual experiences of public managers;
- normative or ideological knowledge derived from principled belief systems or from established norms and standards; and
- academic or empirical knowledge derived from theory-based analyses of quantitative and qualitative data. Its academic sources can be research that is based in social and behavioral science disciplines and fields, such as economics, political science, sociology, organizational theory, cultural anthropology, and social and cognitive psychology, among others.

In addition to being multidimensional, public management analysis is inherently multimethod and interdisciplinary; no one type of knowledge or understanding will suffice to comprehend and resolve complex problems. The model deliberative process can be employed by informed citizens and public managers to develop judgment and skill as they synthesize insights from diverse sources. The examples discussed throughout the book and the cases presented at the end of each chapter provide opportunities for practicing this set of skills.

An understanding of causality and causal mechanisms can further hone analytical skills in the model deliberative process, especially the third and fourth steps. In the physical sciences, a causal relationship is present when a cause is both necessary and sufficient for producing the effect. A necessary condition "must be present for an event to occur" and a sufficient condition "guarantees that the event will occur whenever it is present [but] the event may occur in its absence."[43] In the social sciences, it is extremely difficult (if even possible) to identify both necessary and sufficient conditions linking a purported cause and its effect(s). An alternative and relatively straightforward concept of causality that can be useful to analytical managers, articulated by sociologist Paul Lazarsfeld, points to three elements:

1. The cause must happen before the effect.
2. An empirical association (based on experience or observation) must exist between the cause and the effect.
3. Other explanations of the cause-effect relationship must be eliminated (that is, spurious or confounding factors must be ruled out).[44] If one can think of an additional characteristic or factor that is not accounted for in the analysis, and if it is related both to the characteristic being considered and to the outcome, then a causal relationship between the hypothesized cause and the observed effect cannot be established.

To see how these ideas might apply in managerial analysis, consider the following. A public elementary school principal (a public manager) wants to improve the performance of students in her school. By reviewing the last year of data, the principal notices that students whose teachers attended the state's flagship public university tend to score higher

on standardized tests than do students whose teachers attended other universities. The principal initially concludes that if she hires only graduates from the state flagship university, the performance of students in her school will be higher.

To analyze whether the relationship between the purported cause (a teacher attends the state's flagship university) and effect (average student performance is higher) is causal, the principal can use Lazarsfeld's criteria:

- The first criterion holds because teachers attend the state university before they teach at the school and therefore before student performance is assessed.
- The second criterion also holds because the principal's analysis detects an empirical association between teachers' degree institutions and students' performance.
- The third criterion likely does not hold, however. It may be the case that better-performing students are placed in the elementary classrooms of the state university teachers to begin with. Or perhaps particular types of individuals whose characteristics lead them to be more effective teachers choose to go to, or are admitted to, the state flagship university. So it is not necessarily the state flagship university education per se, but the characteristics of individuals who choose to go there, that is linked to student performance. Or perhaps the state university has a particularly effective approach to elementary education; other universities that use the same approach produce equally effective teachers, but teachers from those universities don't happen to be in the principal's school at the time. All of these situations describe spurious factors that invalidate the conclusion that a cause-effect relationship exists between a teacher graduating from a particular university and improved student performance in that teacher's classroom.

Lazarsfeld's criteria for causality provide a helpful frame for identifying a causal relationship (or its absence). Yet James Bradley and Kurt Schaefer argue that a "mechanism" or "conceptual framework" that justifies an expected relationship between a cause and its effects is really needed for understanding such relationships in the social sciences in particular.[45] Such explication of causal mechanisms provides a guide for action. Furthermore, the need for describing such mechanisms is arguably greater still when it is not possible to establish Lazarsfeld's criteria, a very common state of the world in the social sciences, especially in public management, where it can be extremely difficult to identify causal relationships. Thus, the door is opened for the theories and frameworks of the social sciences, which provide an important resource for developing hypotheses about causes and effects.

These ideas, incorporated into the model deliberative process, can be used to gain analytic traction and to identify the most important aspects of structure, culture, and craft in a situation.

Another useful concept for considering causal mechanisms is the **counterfactual**: what would the outcome have been in the absence of the hypothesized cause? For example, what would student performance have been if the students and their teachers had been the same in all respects *except* that the teachers with flagship university degrees had instead earned their degrees at another institution? This question is literally unanswerable because the same person cannot simultaneously experience two different states of the world. For this reason, the field of program evaluation is focused on constructing approximations of the true counterfactual so that the potential causal effects of programs, policies, and other interventions can be identified.

From that field's literature, it is well established that the ideal counterfactual estimate is approximated through conducting a random assignment experiment. Even though most situations encountered by public managers will not have the benefit of experimental evidence to establish counterfactuals, public managers can still use the concept

of the counterfactual to consider critically the relationship between specific evidence or causes and presumed effects, as will be illustrated in Chapter 3.

Because public managers operate in spheres of political rationality, both values and analytic concepts necessarily play a role in analysis and argument.

Because public managers operate in spheres of political rationality, both values and analytic concepts necessarily play a role in analysis and argument. Arguments for action may be based on different interpretations of the same information or "facts," especially when causal relationships are unclear or unspecified. In an analysis of program performance assessments made by the federal Office of Management and Budget, for example, public management scholar Donald Moynihan concluded, "performance information is used, but the meanings assigned to such data are subjective and will be interpreted and debated among different actors consistent with their values, training, motivations, partisan positions, and cognitive characteristics."[46]

These differing interpretations are not necessarily a bad thing, however. The task of policymaking and public management is not only to put arguments forward but also to critique the arguments of others in the policymaking process in order to expose their biases, flaws in reasoning, and faulty evidence. Such policy debates, whether conducted within or between the branches of government can lead to greater enlightenment for the public as to what is at stake in taking a proposed course of action. The alternative would be a debate based solely on values and beliefs with no attempt by any actors in the process to put forward reasons or evidence of any kind.

ORGANIZATION OF THE BOOK

This book characterizes public management as a multifaceted endeavor. It emphasizes the fundamental dimensions—structure, culture, craft—that define, enable, and constrain the practice of public management. It traces the authority of public management to the rule of law, emphasizes management analysis that uses the method of argument, and describes frameworks and concepts upon which informed citizens and practitioners can draw. The primary goal of this book is to improve the practice of public management by helping readers better prepare for its intellectual and practical challenges.

The book is divided into four major parts:

Part I comprises Chapters 1, 2, and 3, which lay the foundations for analyzing public management's distinctive challenges. Chapter 1 provides an analytic framework for understanding the domain of public management, distinguishing it from private sector management, explaining its foundation as the rule of law, and setting up an expectation for analytical public management. Chapter 2 further explains how the legitimacy of public management is derived from and is ultimately accountable to institutions—elected legislatures, elected executives, and judicial institutions—all of which are both prescribed by the Constitution and operate under its aegis. The applicability and implications of the ideas in Chapters 1 and 2 are examined in a case, set forth in Chapter 3, that provides an account of a quintessential public management story: how the electronic surveillance conducted by the NSA became known to the U.S. public because an employee of an NSA contractor leaked a trove of classified documents to the press.

Part II (Chapters 4, 5, 6, and 7) is concerned with the structure dimension, or the concrete expressions of public policy. It addresses the enabling and constraining structures and processes that are formally mandated in legislation, guidelines, regulations, and court orders, and the resultant realities and incentives faced by public managers and their subordinates. Chapter 4 addresses structures arising from a constitutional scheme of governance, including checks and balances and federalism. It also discusses local and regional governments.

Chapter 5 addresses the politics of administrative structures, the bureaucracy as direct government, and externally authorized structures that enable and constrain the work of public managers. Chapter 6 considers structural tools that managers use within their spans of control to enable and constrain others in policy and program implementation. Chapter 7 discusses regulations and rules, including the evolution of regulation and a depiction of the regulatory state.

Part III (Chapters 8 and 9) is concerned with the culture dimension, or the institutionalized values and organizational cultures that emerge within organizations. Discussed here are the values, ethics, and motives unique to individuals in their own right (Chapter 8) as well as the shared norms, values, and understandings that provide meaning, purpose, and motivation to individuals in their roles as employees of an organizational unit (Chapter 9).

Part IV (Chapters 10 and 11) is concerned with the craft dimension, taking an actor-focused view of public management that considers individual decision, choice, and behavior. The discussion of managerial styles in Chapter 10 considers type, personality, and leadership. Then the discussion of managerial heuristics in Chapter 11 addresses deliberation and decision making, learning, and strategy.

Part V, Chapter 12, brings together the essential and interactive aspects of the three dimensions of public management. Do citizens prefer to have public managers who are entrepreneurial and visionary, who take risks on behalf of creating public value? Or, do they prefer public managers to take care that the laws are faithfully executed, minimizing instability and emphasizing reliability and transparency? Popular rhetoric may favor the former, but individuals in their roles as citizens and taxpayers are likely to favor the latter. What are the tensions inherent in such preferences, and how do they play out in specific situations? How can current and future public managers balance these tensions? Chapter 12 builds on previous chapters to illustrate these tensions and discusses **three-dimensional (3D) public management**.

Because the vast majority of public managers are employed by organizations, the text adopts the organization as the primary unit of analysis. *Organization* in this sense does not solely connote formally separate entities. It may also refer to entities such as departments, agencies, bureaus, offices, contractors, or nonprofit organizations. Ideas such as coordinated or networked management are explored, but interorganizational issues are viewed from the perspective of organizational participants and their motivations and incentives to participate (or not) in such arrangements.

Throughout the text, the ideas are illustrated with examples from real public management situations, case materials, academic research, and official reports and documents drawn from national, state, and local levels of government. Some of the problems and their illustrations are broad or high level—reforming the FBI, ensuring safe space shuttle operations, ensuring service quality and effectiveness by child welfare agencies—to illustrate the multidimensional character and importance of the sociopolitical context in which public managers operate. Other problems and illustrations have more instrumental or operational orientations—instituting performance measurement, contracting, interagency coordination—to illustrate the managerial dilemmas that arise within a hierarchical yet decentralized, pluralistic political system. The examples describe both successes and failures. Successes can inspire, motivate, and exemplify. But, as it is often easier to learn from failure than from success, the examples are weighted toward the former.

As emphasized in the Part I introduction, it is the responsibility of informed citizens to develop a greater understanding of and appreciation for public management. By doing so, together we can improve the chances that public managers' decisions and actions reflect our society's values, perform effectively, and earn the people's trust.

Key Concepts

Creatures
Creators
Politics-administration dichotomy
Politics
Policymaking
Leadership
Public administration and management
Cameralism
Market failures
Public goods
Nonrival in consumption
Nonexcludable
Free ride
Externalities
Information asymmetries
Moral hazard
Adverse selection
Distributional inequity
Political rationality
Technical rationality
Positive government
Nonmarket failures
Degrees of publicness
Distinctive challenges of public management
Unit of analysis
Structure
Institutionalized values
Culture
Craft
Counterfactual
Three-dimensional (3D) public management

Case Analysis: Could "The System" Have Saved the Children of Banita Jacks?

On January 9, 2008, the bodies of four young girls (ages 5, 6, 11, and 16) were found in a Washington, DC, house by U.S. marshals. The officers were performing a routine search as they served an eviction notice to its occupant, Banita Jacks. Jacks—the mother of the four girls—was charged with their murder. Authorities estimated she had been living in the house with the girls' corpses since at least September 2007, and perhaps as long as 8 months, since May 2007. Early on, it seemed obvious that Jacks was responsible for the death of the girls (and she would be convicted on four counts of murder in July 2009).

Could "the system" have saved the four girls?

A Tragedy

Banita Jacks had raised her four daughters—Brittany Jacks, Tatiana Jacks, N'Kia Fogle, and Aja Fogle in the DC Metro and Maryland areas. The timeline released by Mayor Adrian Fenty's office would indicate that interactions with DC government were recorded as early as December 2005 (when Banita Jacks applied for housing assistance). The timeline shows other interactions with DC government in 2005 and 2006: applications for the Temporary Assistance For Needy Families (TANF) program, Medicaid, food stamps, residence at the DC hypothermia shelter, enrollment of the children in charter schools, reports to the Child and Family Services Agency (CFSA), well child visits. But reports indicate that when Nathaniel Fogle Jr., the father of the two younger girls, died in hospice in February 2007, "troubles spiraled" for Banita Jacks and her daughters.[47]

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The bodies of the girls were found by the U.S. marshals on January 9, 2008:

> The eviction proceedings were set in motion in August when a mortgage loan company filed a complaint in DC Superior Court seeking a judge's order to take over the home after a foreclosure. Aurora Loan Services bought the property at a foreclosure sale in May, court papers show. After no one responded to the complaint, a judge granted the court order in October, clearing the way for the eviction action.[48]

The marshals were "met at the door by a calm woman who offered no clue about what would be found inside the house."[49]

The Mayor's Office Responds

Two days after the bodies were found, Mayor Fenty released a timeline that began in December 2005 and ended in January 2008 (Figure 1.3). It described contacts between the family and five DC government agencies:

- The CFSA
- The DC public schools (DCPS)
- The DC Metropolitan Police Department (MPD)
- The Department of Human Services (DHS)
- The Department of Health (DH)

And on January 13, demonstrating his pledge to "create a more responsive, accountable government," Fenty fired six child welfare workers because they "just didn't do their job."[i]

FIGURE 1.3 **Memo from Mayor Adrian Fenty and Timeline for DC Government Contact with the Jacks/Fogel Family**

Government of the District of Columbia
Executive Office of the Mayor

Immediate Release
January 11, 2008

Contact: Dena Iverson
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Fenty Presents Timeline of District Government Contact with Jacks Family
Outlines initial efforts to ensure child welfare accountability

Washington, DC—Following a critical case review by City Administrator Dan Tangherlini and Interim Attorney General Peter Nickles, Mayor Adrian M. Fenty laid out a timeline of the District government's case

[i]Petula Dvorak and David Nakamura, "Fenty Fires 6 in Girls' Deaths," *The Washington Post*, January 15, 008, p.1, http://www.washingtonpost.com/wp-dyn/content/article/2008/01/14/AR2008011401001.html.

history with members of the family of Banita Jacks. Jacks was arrested on January 9 in connection with the discovery of four bodies, preliminarily identified as her daughters, in her Southeast Washington home.

The daughters of Ms. Jacks have been identified as Brittany Jacks, 17, Tatiana Jacks, 11, N'Kia Fogle, 6, and Aja Fogle, 5. The family had contact with DC government agencies dating back to December 2005. Initial review determines five District agencies had contact with the family of Banita Jacks:

- Child and Family Services Agency
- DC Public Schools
- Metropolitan Police Department
- Department of Human Services
- Department of Health

A full and formal review continues to be conducted by the City Administrator and the Attorney General offices, and they have been instructed by Mayor Fenty to take appropriate personnel action with any employees responsible for failures in the case, to include employment termination.

"While the loss of any life is tragic, this case is particularly devastating," said Mayor Fenty. "We will not rest until we have done everything possible to make sure that policies and procedures are in place to make sure that something like this never happens again."

Mayor Fenty committed to the following actions to address issues raised in this case:

- Review every CFSA case closed with a status of "incomplete" to ensure everything possible was done to resolve the case. The Jacks' case was deemed incomplete and closed without confirmation that the family had left the jurisdiction.
- Revamp policies for CFSA social workers regarding cases work completion
- Establish system that facilitates better tracking and monitoring of "home school" families
- Strengthen the ability to track children as they move from school to school within DCPS and Public Charter Schools by fully integrating and implementing well as those that leave District schools through the longitudinal data warehouse currently being developed
- The City Administrator and Attorney General will meet with the Office of the Inspector General to present all the facts gathered and request a full inquiry by the office.

Timeline for DC Government Contact with the Jacks/Fogel Family

December 6, 2005 – DCHA:
Banita Jacks applies for housing assistance on December 6, 2005. At the time of her application, she listed her address as 933 - 3rd Street, N.W. She listed Nathaniel Fogel as her spouse and four female children. It appears that she had never been an active participant in any DCHA housing program.

December 14, 2005 – DHS:
The Jacks/Fogel family entered DC General Hypothermia Shelter on 12-14-05 and exited on 4-9-06. This appeared to have been the family's first and only use of the shelter system. Their destination upon exiting shelter was to live with family/friends. Ms. Jacks entered shelter with her significant other-Nathaniel Fogel and 4 daughters.

(Continued)

FIGURE 1.3 (Continued)

December 21, 2005 – DHS:
The Jacks/Fogel family applies for TANF, Medicaid, and Food Stamp and gives 1900 Mass Ave, SE (DC General Hypothermia Shelter) as their address.

January 13, 2006 – DCPS:
Brittany Jacks enrolls at Eastern High School.

January 18, 2006 – DCPS:
Tatianna Jacks enrolls at Watkins Elementary School.

April 9, 2006 – DHS:
The Jacks/Fogel Family leaves DC General Hypothermia Shelter on 4-9-06 to "live with family and friends."

June 16, 2006 – DOH:
Banita Jacks has a behavioral health Medicaid visit.

July 12, 2006 – CFSA/DOH:
CFSA receives report from a nurse at the family's Medicaid health plan that Mr. Fogel checked himself out of George Washington Hospital where he was apparently receiving treatment for leukemia. Both parents are said to have substance abuse issues and the family is reportedly living in a van. The caller could not provide an address, and CFSA could not follow-up on the inquiry.

August 30, 2006 – Charter School Board:
Brittany Jacks enrolls at Booker T. Washington PCS.

September 5, 2006 – DCPS:
Aja Fogel and Tatianna Jacks enroll at Meridian PCS.

September 6, 2006 – DOH:
Tatianna Jacks and Aja Fogel have a well child Medicaid visit.

September 20, 2006 – DOH:
N'Kiah Fogel has a well child Medicaid visit.

October 5, 2006 – DCPS:
N'Kiah Fogel enroll at Meridian PCS.

November 30, 2006 – DHS:
The Jacks/Fogel family Food Stamp benefits were terminated on 11/30/06 for failure to provide requested information. Failure to recertify for food stamps results in an automatic systems termination every six months.

December 7, 2006 – DOH:
The Medicaid health plan spoke to Banita Jacks on the phone to encourage her to come in for care.

January 14, 2007 – MPD
Banita Jackson arrested by MPD for driving an unregistered vehicle, improper use of tags, and failure to exhibit permit.

February 19, 2007:
Nathanial Fogel died in a hospice in Maryland.

March 3, 2007 – Charter School Board:
Brittany Jacks last attends Booker T. Washington PCS.

March 21, 2007 – Charter School Board:
Tatianna Jacks, N'Kiah Fogel and Aja Fogel are unenrolled from Meridian PCS.

April 27, 2007 – CFSA:
A social worker at Booker T. Washington PCS called CFSA hotline to report an "educational neglect" case because the Brittany Jacks missed 33 days of school and hadn't been to school since March 2, 2007. Booker T. Washington social workers attempts to visit home, but mother would not let her in.

April 28, 2007 – CFSA:
CFSA's social worker attempted to contact the reporter and was informed by recorded message that the reporter was not available.

CFSA social worker visited the home of Ms. Banita Jacks (4249 6th Street SE) to complete an initial assessment. No one answered the door and the social worker left written information requesting client to contact the social worker.

April 30, 2007 – Charter School Board/MPD/CFSA:
Booker T. Washington social worker visits Jacks home again and speaks with Banita Jacks, but is denied entry. She calls MPD to come to home and alerts CFSA social worker and reported that the mother appeared to have mental health issues and was possibly holding Brittany hostage by refusing to allow her to attend school.

MPD officers visit home of Ms. Jacks and report to CFSA social worker. Officer reported that he visited the home and saw the children at home. According to the Officer, the children appeared to be well and healthy. When the Officer inquired why the children were not in school, Ms. Jacks informed him that the children were being home schooled. Jacks told officers that without warrant, MPD could not enter.

The Officer informed her of the proper procedure for home schooling children in the District of Columbia. The Officer reported that he observed books that Ms. Jacks had for the children.

May 1, 2007 – CFSA/MPD:
CFSA social worker along with Police Officer attempted to reenter the home; however, after repeated knocks by the Officer, no one answered.

May 2, 2007 – CFSA:
The social worker attempted a third time to contact Ms. Banita Jacks and no one answered.

The social worker confirmed with Penn Attendance Intervention Center that the children were not currently enrolled in DCPS.

May 4, 2007 – MPD:
Officer Scott made contact with Penn Attendance Intervention Center to inquiry if Penn Center could intervene.

(Continued)

FIGURE 1.3 (Continued)

May 5, 2007 – CFSA/DCPS:
CFSA social worker contacted DCPS to inquire about the home schooling policy. He was informed that DC has no law governing home schooling. He stated that all a parent had to do is to request a form from their school. DCPS will then authorize the parent to proceed with home schooling.

May 11, 2007 – CFSA:
The CFSA social worker completed a referral to the Diligent Search Office to locate the Jacks family.

May 16, 2007 – CFSA:
The CFSA Diligent Search Office reports an address that was used by Banita Jacks of an individual they believed to be a relative in Waldorf, MD.

The social worker wrote to Charles County after first speaking to an intake person and subsequently confirmed that Charles County also attempted to visit the family and were unable to contact them. The social worker submitted for case closure on May 16, 2007, and the Supervisor approved closure on May 16, 2007, based information received from Diligent Search Office, which indicated that the family was believed to have moved out of jurisdiction.

June 13, 2007 – Charter School Board:
Brittany Jacks is unenrolled from Booker T. Washington PCS.

June 14, 2007 – CFSA:
Received letter from Charles County child welfare restating attempt to locate but was unable to locate the family.

October 31, 2007 – DHS:
The Jacks/Fogel Family TANF benefit terminated 10/31/07 for failure to recertify. All benefits on the EBT card have been exhausted. TANF recertification is annual but the termination requires worker intervention.

January 2008
The Jacks family is enrolled in Medicaid. Medicaid recertification is 12 months and is extended for four months beyond the termination date, unless the customer dies, moves out of the District, or voluntarily withdraws from the program.

No known contact with DMH, APRA, DYRS, DHS/EEAC.

Source: http://www.washingtonpost.com/wp-srv/metro/documents/jackstimeline011108.pdf.

Was It "The System"?

News reports filled in details about some of the interactions in the timeline:

- The first alarming report . . . came in July 2006, when the nurse contacted the child protection agency. Fogle had checked himself out of the hospital, and the caller was concerned that one or maybe both parents had substance abuse problems, Fenty said. The caller said the family was living in a van. "Unfortunately, that call went into a CFSA hotline, and the hotline worker immediately closed the case because the family did not have a fixed address," Fenty said. "We have already investigated that as an incident that was not handled properly."[50]

- Tapes of a phone call involving Kathy Lopes, the social worker from Booker T. Washington Public Charter School, showed her to be "increasingly frustrated." In a call on April 30 with police, she reported: "From what I could see, the home did not appear clean. . . . The children did not appear clean, and it seems that the mother is suffering from some mental illness, and she is holding all of the children in the home hostage."[51]
- In a phone call to the CFSA hotline, Lopes said, "The parent was home. She wouldn't open the door, but we saw young children inside the house. . . . Her oldest daughter, who is our student, was at home. She wouldn't let us see her."[52] In response to that hotline call, *The Washington Post* reported:

  > The operator took the information and reminded Lopes, who was clearly distraught that she could not talk to Brittany, that Jacks did not have to let her inside the home. When Lopes called again April 30, she talked with a police nonemergency, 311 operator. "I've been transferred all over. I need someone to go out to a home where I believe abuse and neglect is occurring, and I don't want to be transferred to someone else," Lopes said. "It's an urgent matter. CFSA is pretty much sitting on it, and I would like someone to go to the home and check out the home, 'cause I wasn't allowed in it."[53]

- The girls' enrollment in charter schools is listed on the timeline. But laws and administrative processes were in place that prevented further follow-up after Banita Jacks withdrew the girls from these schools:

  > The school system's home-school office requires parents to fill out a form to obtain approval to withdraw their children from the schools. But the charter schools have no such policy.
  >
  > "When a parent chooses to withdraw their student, a charter school must honor their request, and the charter school does not have the authority to certify the parent's capacity to home-school," said Nona Mitchell Richardson, spokeswoman for the Public Charter School Board. "The parent does not have to provide where the student is going when he withdraws."
  >
  > According to the Home School Legal Defense Association, the District and 14 states provide "low regulation" of home-schooling. Maryland and Virginia, like 17 other states, provide "moderate regulation."[54]

- In response to Fenty's firing of the six CFSA staff, Richard Wexler, the executive director of the National Coalition for Child Protection Reform, pointed out the legal restrictions on the CFSA caseworkers:

  > Even though the police found nothing wrong, a caseworker returned—with police—the following day, but no one answered the door. The next day the worker tried again.
  >
  > What else should the CFSA have done?
  >
  > - Break down the door? That's illegal in America.
  > - Get the police to break down the door? Still illegal.
  > - Get a search warrant and then break down the door? On what grounds? There's no evidence of abuse or neglect—a school social worker's assessment of cleanliness is not evidence. It's not even clear that the children are truant, because apparently, there are few rules about removing children from charter schools and home-schooling them.

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> Most important, doing more in this case, such as canvassing the neighbors, would steal precious time from a lot of other cases that, without benefit of hindsight, probably looked more serious.[55]

- Union representatives also responded to the firing of CFSA caseworkers, citing a "flawed" system in which future tragedies would only be avoided if the policies were changed.[56]
- Mayor Fenty already had some structural changes in mind:

> Fenty said no case in which child neglect or abuse is alleged should be closed before the child is located and "appropriate action taken to ensure that he/she is safe."
>
> In such cases, he said, he wants at least three visits to a last-known address at different times of the day or night. He said that child welfare cases that are deemed "incomplete" will be reviewed and that a system will be created to track home-schooling families.[57]

- But the executive director of DC Action for Children, Kate Sylvester, pointed out that even though CFSA had made some structural changes, things had improved somewhat and now "what we need to change is the culture of some workers in the agency."[58]
- In scheduling a DC Council committee hearing on the matter, council member Tommy Wells said he "wants to determine whether this is 'an individual failing or a systemic failing.'"[59]

Discussion Questions

Use the model deliberative process described in this chapter to analyze whether "the system" could have saved Brittany Jacks, Tatiana Jacks, N'Kia Fogle, and Aja Fogle.

1. What aspects of formal structure, organizational culture, and managerial competence and judgment do you observe in this case? As part of answering this question, identify the public managers and the frontline workers, where they work, and the roles they play.
2. What role does the rule of law play in this case?
3. Reflecting on your answers to the previous questions, consider the following:
   a. Did any DC government agency have the power to prevent the deaths of the four girls? Why or why not?
   b. Which of the distinctive challenges of public management, discussed in this chapter, are illustrated by this case?
   c. Would the outcome have been the same had the private sector (for-profit or nonprofit organizations) run the agencies with which the family interacted? Why or why not?
   d. Who should be held accountable for the girls' deaths? Why?
4. Drawing on your analysis above, what changes can realistically be implemented to reduce the likelihood of tragedies like this happening again? Can the possibility of such tragedies be completely eliminated?

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