The search for responsibility in complex organisations often seems an impossible undertaking. Adopting a multidisciplinary approach combining law, social science, ethics and organisational design, Mark Bovens analyses the reasons for this, and offers possible solutions. He begins by examining the problem of ‘many hands’ – because so many people contribute in so many different ways, it is very difficult to determine who is accountable for organisational behaviour. Four possible solutions – corporate, hierarchical, collective and individual accountability – are analysed from normative, empirical and practical perspectives. Bovens argues that individual accountability is the most promising solution, but only if individuals have the chance to behave responsibly. The book then explores the implications of this approach. What does it mean to be a ‘responsible’ employee or official? When is it legitimate to disobey the orders of superiors? What institutional designs might be most appropriate?
THE QUEST FOR RESPONSIBILITY
THEORIES OF INSTITUTIONAL DESIGN

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Social scientists have rediscovered institutions. They have been increasingly concerned with the myriad ways in which social and political institutions shape the patterns of individual interactions which produce social phenomena. They are equally concerned with the ways in which those institutions emerge from such interactions.

This series is devoted to the exploration of the more normative aspects of these issues. What makes one set of institutions better than another? How, if at all, might we move from a less desirable set of institutions to a more desirable set? Alongside the questions of what institutions we would design, if we were designing them afresh, are pragmatic questions of how we can best get from here to there: from our present institutions to new revitalized ones.

Theories of institutional design is insistently multidisciplinary and interdisciplinary, both in the institutions on which it focuses, and in the methodologies used to study them. There are interesting sociological questions to be asked about legal institutions, interesting legal question to be asked about economic institutions, and interesting social, economic and legal questions to be asked about political institutions. By juxtaposing these approaches in print, this series aims to enrich normative discourse surrounding important issues of designing and redesigning, shaping and reshaping the social, political and economic institutions of contemporary society.
The Quest for Responsibility

Accountability and Citizenship in Complex Organisations

MARK BOVENS

Utrecht University
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Preface

Most of the creations of the intellect or fancy pass away for good after a time that varies between an after-dinner hour and a generation.

(Schumpeter 1950: 3)

The theme of this book first took shape at the Leidseplein in Amsterdam on a fine April afternoon in the early 1980s. In an outdoor café, Rene Went and I were having a couple of beers after a public demonstration for a better system of legal aid. Inspired by The Quest for Control and other work by Herman van Gunsteren, who later became my Ph.D. supervisor, I entertained my companion with an impromptu lecture on the problematic character of responsibility within organisations. Often the burden of such conversations is already forgotten by the time the bill is paid. This time, however, such was not the case. The same evening, on the bus back home, I wrote down my reflections on a sheet of paper. These ideas, I now see, became a central element in my present argument.

Willem Witteveen stimulated me to turn those notes into a paper that I read at a seminar in constitutional theory at the Faculty of Law in Leiden. Subsequently, he enabled me to publish my paper. The LL.M. programme of Columbia University Law School in New York later provided me with a stimulating environment to develop and test my thoughts. When, after graduating, I returned to Leiden as a junior lecturer in Political Science, I decided to work up my notes and papers into a dissertation. The members of the Leiden circle of postgraduate researchers, Marius de Geus, Paul den Hoed, and Willem Witteveen, have through their stimulating comments contributed greatly to the growth of a complete argument from that first brief article. In intellectual respect, I am most indebted to my teacher, Herman van Gunsteren. The title of this study is an attempt to give expression to that debt. The Leiden Centre for Law and Public Policy played a main role both in the appearance of the Dutch-language edition of the book and in this elaboration on it. It was, first in the late 1980s and after that in the
mid 1990s, the ideal place to pursue socio-legal studies. I was also able to bother many colleagues in the Department of Political Science and later as senior lecturer in the Department of Public Administration with my various versions and manuscripts. In these years I have particularly profited from conversations with Wim Derksen, Paul ’t Hart, Hans Oversloot, Martin Rein, and the late Aaron Wildavsky.

When I finished my book in 1990, I said I hoped that my views, now that they had transcended the ‘after-dinner hour’, would at least address a generation. Within the Dutch-speaking world, that hope seems to have been fulfilled. In 1991 the Dutch version (Verantwoordelijkheid en organisatie: beschouwingen over aansprakelijkheid, institutioneel burgerschap en ambtelijke ongehoorzamerheid, Zwolle: W. E. J. Tjeenk Willink 1990) won the G. A. J. van Poelje prize for the best book on government studies. Meanwhile, it has been reprinted several times and at least one generation of Dutch students has toiled over it.

The Quest for Responsibility is a revised version of that earlier effort. The original manuscript has been abridged, updated, and adapted for an international audience. The first two parts more or less follow the original manuscript. The last part, about citizenship in organisations, has, however, been substantially modified, since my thoughts on active responsibility in organisations have progressed over the last five years. A grant from The Netherlands Institute of Government and a sabbatical leave from the Department of Public Administration of Leiden University provided me with the opportunity to further pursue my thoughts. The translation, by Gregor Benton, was made possible by a generous grant from the The Netherlands Organisation for Science Research (NWO). B. Guy Peters read the entire manuscript and I have benefited enormously from his comments. Hester van Beelen-Bergsma was of great help in the final editing. Figure 2.1 is from Foundations of Social Theory by James S. Coleman, copyright © 1990 by the President and Fellows of Harvard College. Reprinted by permission of Harvard University Press. Finally, I would like to thank Robert Goodin for the confidence that he gave me. If this book reaches even one English-speaking generation, it is mainly because of these various people and institutions.