

Bob Behn's Public Management Report

An occasional (and maybe insightful) examination of the issues, dilemmas, challenges, and opportunities in leadership, governance, management, and performance in public agencies.

Vol. 4, No. 5 January 2007

Copyright © 2007 by Robert D. Behn



On why it is necessary to remember that:

Mandates Can't Force Good Behavior

To prevent people from doing a bad thing, we humans have an effective strategy: We create a rule against doing it. Then, we enforce this rule.

Sure: It isn't quite that simple. We need to define the bad thing in a specific rule: "Do not kill another human." Of course, the rule always comes with exemptions, such as: "except in self defense." And these exceptions require further definitions. For example, if a threat is sufficiently serious, self defense, including killing another human, is warranted.

That's why we have lawyers, legislators, and judges. They create, test, and modify the formal rules with all of their exceptions.

Once we have established the rules, we assign some people to check to be sure everyone is following them. For this task, we have police and auditors (plus a cadre of independent, self-appointed malcontents). When these monitors uncover a violation of the rules, they report the violators.

Finally, we create a process to adjudicate a report that a rule has been violated. And if this report is upheld, the violator is punished.

Regardless of what bad thing we want to prevent—whether it is a human killing another human or a public agency spending money not authorized in its budget—we employ the same strategy.

But our public objectives include more than ensuring that people *do not do* bad things. We also want to ensure that people *do do* good things.

This is much more difficult. In particular, our general strategy for preventing people from doing bad things doesn't work as well for mandating that people do good things.

For example, the world would be a better place if parents read to their children. Research consistently tells us that the most important factor in a child's learning is not teachers, or schools, or curriculum, or money, but parents. We would leave a lot fewer children behind if their parents read to them.

Of course, reading isn't the only good thing that we want parents to do. We want parents to help their children with their homework. We want parents to take their children to museums. We want parents to be . . . good parents.

Ignore these complications—the challenge of defining what a good parent is, the challenge of getting parents to be good parents—and focus on the simpler task of getting parents to read to their children.

What would we need to do? We need to define "reading." What counts as "reading"? How long does the reading have to last to count as "reading"? One hour a day, seven days a week? Ten minutes a day, three days a week? Or can it be simply 25 hours anytime during a year?

Rules can prevent bad behavior. But they are not as useful at producing good behavior. After all, the link between any form of good behavior and its true purposes is often weak. So why not focus on whether an agency is achieving its real purpose?

And what has to be read? How about a graphic novel? How about a newspaper account of last night's game between the Yankees and the Red Sox? Or does it have to be a book from the Modern Library list of 100 best novels? And what counts for children of different ages?

Next, how would we check on this desirable behavior? We could not put monitors in every home. We'd require parents to fill out a monthly or annual report. Then an auditor would check some of these reports to catch a few liars and to deter others.

The difficulty, of course, is that the parents could easily comply with the letter of the mandate but ignore its real purpose. They could read something to their children. They could fill out the reports. But they could do all

this in a way that contributed nothing to their children's learning. The parents could **jump through the hoop**.

This is the problem with mandating that public agencies engage in good behavior. We know what good behavior is (or we think we know). So we require every agency to comply with our concept of good behavior.

If we "know" that effective organizations create strategic plans, we mandate that every public agency create its strategic plan.

If we "know" that effective organizations have performance measures, we mandate that every public agency create performance measures.

Then, we require them to submit reports containing their strategic plans and performance measures. They will do so. They know how to play this game.

Unfortunately, we cannot force them to take our concept of good behavior seriously. After all, they have some specific public purposes to achieve. And the requirements of our mandate may or may not help them achieve these particular purposes. Indeed, these requirements might even hinder their ability to achieve these purposes—if only because of the opportunity cost of compliance.

This suggests what good behavior really is. Good behavior is not producing strategic plans. Nor is it creating performance measures. Good behavior is achieving public purposes. Rather than check on those activities that we think contribute to achieving our purposes, why not reach an agreement with each agency about the purposes to be achieved and how progress will be established. Then check on whether the agency is actually making real progress. **B**

Robert D. Behn is the author of *Performance Leadership: 11 Better Practices That Can Ratchet Up Performance*. He is a lecturer at Harvard University's John F. Kennedy School of Government where he chairs the executive-education program "Driving Government Performance: Leadership Strategies that Produce Results."