

Analysis on Improving Government Accountability System in the Service-oriented Government Building in the New Era

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Abstract. Service-oriented government must be responsible government. Improving government accountability system is of great significance to further promote the construction of service-oriented government in the new era in China. However, there are still some problems in the government accountability system, such as vague division of government functions and powers, insufficient supply of laws and regulations, emphasizing internal accountability, neglecting external accountability. In order to improve the government accountability system in the new era, we should make clear the boundaries of government responsibilities and define government responsibilities reasonably first; secondly, we should increase the legislation of government accountability and enhance the legal basis of government accountability; lastly, we should expand the scope of external accountability and establish diversified accountability subjects.

Introduction

“The government accountability refers to internal and external supervision and accountability for acts that affects the administrative order and efficiency, delays the work of the government, and impairs the legitimate rights and interests of the counterpart of government actions which have adverse effects and consequences on government and society.”[1] Service-oriented government must be responsible government. Government accountability is an important way to practice responsible government. Therefore, improving government accountability system is of great significance to promote the construction of service-oriented government. Our government accountability system began in the process of fighting SARS in 2003, since then, it has been gradually adopted by some local governments, and has achieved some achievements in practice. The establishment of government accountability system is not only conducive to avoiding the abuse of administrative power and ensuring the government’s political responsibility, but also to avoiding the bureaucratization of government functions, optimizing the civil service, promoting the government and administrative personnel to perform their duties conscientiously and truly be responsible to the people, and improving administrative efficiency. At the same time, it is also conducive to enhancing the public credibility and accumulating political credit for the government, and enhancing the support of the people, thus making it easier to mobilize the initiative and enthusiasm to participate extensively in the construction of service-oriented government.

The Main Problems of Government Accountability System in the Service-oriented Government Building in China

The establishment and improvement of government accountability system is the inevitable requirement of modern democratic politics, and the foundation of building a service-oriented government. But our government accountability system is not perfect at present. “In many places, government accountability is only a strategic approach after the event, not a kind of pre-supervision and post-institutionalized accountability.”[2] There are some problems such as vague division of

government functions and powers, insufficient supply of laws and regulations, emphasizing internal accountability, neglecting external accountability and so on in our government accountability system.

Vague Division of Government Functions and Powers

The important condition for the implementation of government accountability system is clear authority and subject of liability. Only in this way can we effectively restrict the phenomenon of shirking responsibility. However, due to the constraints of the traditional planned economic system and affects of solidification of interests for a long time, the transformation of government functions lags behind, the duplication and overlapping of functions among government departments still exist, which makes the government's internal behavior of striving for successes and shirking responsibilities occur from time to time. The relationship between power and responsibility within the government is not clear. There are many crosses and overlaps in the division of power between the central government and local government, and between the government departments at the same level, which lead to the ambiguity of the boundaries of functions within the government and the ambiguity of the subject of liability.

Insufficient Supply of Laws and Regulations on Government Accountability System

On the one hand, many important government accountability systems are lacking, such as accountability system for major decision-making errors, accountability system for employer errors, etc. On the other hand, the existing government accountability systems also have many defects. Some systems are only rules in principle, the basis of accountability is not uniform, and they are not easy to operate. Some systems have obvious leaks. The insufficient supply of laws and regulations concerning government accountability leads to insufficient legal basis for government accountability. At present, *the Regulations on the Supervision within the Party of the Communist Party of China, the Regulations on Discipline and Punishment of the Communist Party of China, the Law of the People's Republic of China on Civil Servants, the Provisional Regulations on the Resignation of Leading Cadres of the Party and Government, the Regulations on the Investigation of Administrative Responsibility for Major Safety Accidents*, as well as some local laws and regulations have become the main basis for our government's accountability. However, the legal provision on government accountability is scattered and weak, and there is a lack of a unified national law on government accountability.

Emphasizing Internal Accountability While Neglecting External Accountability

Internal accountability refers to the accountability of government to officials or superiors to subordinates. External accountability is the accountability of the People's Congress representatives, democratic parties, news media and the public to the government. It is also a kind of supervision and accountability composed of external subjects. In our accountability system, the most authoritative and regular way of accountability is internal accountability, that is, accountability from top to bottom within the Party or administrative system. This accountability is often formalized due to the lack of legal constraints, the shortcomings of rules of man and the relationship of interests. Some departments or leaders under the leadership of the same Party committee always can't effectively implement the accountability on officials, especially on important cadres. At the same time, accountability from superiors can't be accurately implemented due to the lack of understanding of the actual situation. The effectiveness of accountability of the People's Congress, the public and the news media is relatively weak. Although laws stipulate that the People's Congress and its standing committees at all levels shall supervise and investigate the responsibilities of government departments and their civil servants, but in the actual external accountability, due to the offside of the power of the government or the party, the supervision power of the People's Congress is not fully exerted. The public accountability can't be enforced due to lack of effective organization. News media and community organizations can't effectively play their role in government accountability because of their limited powers.

The Specific Countermeasures to Improve Government Accountability System in the New Era

In the process of service-oriented government building in China, the imperfect of government accountability system makes the phenomena of government's behavior disorderly and irregular and the problems of vague responsibilities and unclear division of power among government departments can't be reversed, and the supervisory role of the masses is difficult to play, which caused to low administrative efficiency, and thus affecting the effect of the construction of service-oriented government. Therefore, in order to better play the important role of government accountability system, the construction of government accountability system needs to be strengthened urgently.

Making Clear the Boundaries of Government Responsibilities and Defining Government Responsibilities Reasonably

Reasonable allocation of government functions and division of government responsibilities, and making clear the boundaries of government responsibilities are the premise for the smooth development of government accountability, as well as the important conditions for the construction of government accountability system. If the internal functions of the government are not clear and the responsibilities are indiscriminate, it will inevitably cause to difficult to identify the responsibility, and accountability is impossible. The unclear responsibilities within the government make the actions of fighting for merits and shirking responsibilities happen from time to time, which seriously affects the unity and efficiency of the government. Therefore, in the process of promoting the construction of government accountability system, we should further integrate government functions, optimize and integrate the same or similar functions among government departments, improve the construction of "large department system" and avoid overlapping and duplication of functions. At the same time, it is necessary to clarify the responsibilities between government departments and between leaders to avoid the mutual shirking of responsibility when encountering problems. Achieving the unity of power and responsibility, avoid the phenomena of power without responsibility or responsibility without power, which make government accountability difficult to implement, so as to fully mobilize the enthusiasm and initiative of leading cadres and ordinary civil servants at all levels to put the fullest enthusiasm and the best working condition into the construction of service-oriented government.

Increasing the Legislation of Government Accountability and Enhancing the Legal Basis of Government Accountability

The premise of administration according to law is that there are laws to abide by. For the government accountability which is emerging and very important administrative practice, adequate legal basis is the prerequisite for the smooth development of this work. Our government accountability system began in the process of fighting SARS in 2003. The current laws and regulations are mainly based on *the Regulations on the Supervision within the Party of the Communist Party of China*, *the Regulations on Discipline and Punishment of the Communist Party of China*, *the Law of the People's Republic of China on Civil Servants*, *the Provisional Regulations on the Resignation of Leading Cadres of the Party and Government*, *the Regulations on the Investigation of Administrative Responsibility for Major Safety Accidents*, etc. However, the legal provisions on government accountability are still weak and imperfect, lacking a unified national law on government accountability, and the legal basis of government accountability in practice is insufficient. Therefore, it is necessary to promulgate a special law for government accountability-*Administrative Accountability Law*. This law should fully embody all aspects of government accountability system and integrate relevant provisions in the form of legislation. Forming a national unified and practical accountability law including the subject, the object, the standard, the procedure, the scope and the relief of accountability and make it become the fundamental law of our government accountability system, so as to provide sufficient legal basis for government accountability and lay a foundation for the smooth development of government

accountability.

Expanding the Scope of External Accountability and Establishing Diversified Accountability Subjects

At present, the major government accountability is internal accountability, which is also a feasible way of accountability in China. However, due to the fact that both the subject and the object of accountability belong to the administrative system, there inevitably exists a situation of inadequate accountability. Therefore, we should expand the scope of accountability subjects, strengthen external accountability, promote the accountability of the People's Congress, various social organizations, the news media and the public, and establish diversified accountability subjects.

Firstly, we should strengthen the accountability of the People's Congress, expand the scope of the accountability of the People's Congress, standardize and specify the supervision system of the People's Congress, and improve the accountability function of the People's Congress. The People's Congress, as the highest organ of power, has the power of inquiry, investigation, deliberation and recall, which has a very prominent advantage over other national supervisory institutions in China. However, these powers of the People's Congress have been weakened, and they have not played their due supervisory role in practice. Therefore, in the construction of government accountability system in China, we should improve the status of the People's Congress, strengthen the supervision of the People's Congress, and further standardize, programmed and concrete the supervision of the People's Congress to the government. The People's congresses at all levels should fully exercise their power of deliberation, inquiry and recall of administrative acts in accordance with the law, and hold government officials accountable for their irresponsible acts. Independent government accountability institutions can be set up within the People's Congress to evaluate the performance of the government and publish government assessment reports, so as to enhance the authority and deterrence of the People's Congress to the government accountability.[3]

Secondly, we should give full play to the supervisory role of various social organizations. Social organizations as an unofficial non-profit organization play a very important role in conveying public opinion and public demands. Due to the absence of institutional pressure, social organizations also have certain advantages in supervising the government. However, at present, the development of social organizations in our country is slow. Many social organizations still depend on the government to exist. Therefore, we need to vigorously cultivate and strengthen all kinds of social organizations.

Thirdly, we should strengthen the supervision function of news media. As the carrier of public opinion, news media has strong supervisory function. Thus, the news media is often called the fourth power besides legislation, administration and judiciary. However, many news media in our country have become the mouthpiece of the Party and the government, and it is difficult to play their due supervisory role. Therefore, it is necessary to strengthen the independence and the self-discipline of the news media, through the institutionalized construction to standardize the behavior of the news media and make the news media truly become the main position to promote truth, goodness and beauty, lash falsehood, evil and ugliness, and disseminate positive energy.

Lastly, we should raise the public's awareness of accountability and reduce the cost of accountability. The power of the government is endowed by the people, and the people are the real subject of the administrative power. Therefore, the public has the right to be accountable to the government. But due to the influence of the traditional "subject-oriented" political culture and the deep-rooted "official-base" ideology, the public's awareness of political participation is weak in China. Therefore, it is necessary to enhance citizens' democratic political consciousness and rights consciousness, making them fully realize that monitoring the activities and actions of the government is not only their rights, but also their responsibilities. Only when the public supervise the government together can we enhance the public interests and promote the government accountability system.[4] At present, the public accountability is unwilling or dare not supervise the government because of the pressure and high cost of public accountability. A large number of

people have been attacked and retaliated for accusing and exposing officials' illegal acts. In order to avoid retaliation, many people often choose to bear when their rights and interests are infringed by public power, not to mention things unrelated to themselves. Therefore, we should provide good conditions for public accountability, open more accountability channels to the public, simplify the accountability procedures, reduce the pressure of public accountability, and ensure the safety of the public, so as to reduce the cost of public accountability.

Conclusion

Improving government accountability system is of great significance to further promote the construction of service-oriented government in the new era in China. Only by gradually establishing and perfecting the government accountability system that adapted to modern service-oriented government construction, can we ensure that the government is truly responsible to the people in the process of exercising the power entrusted by the people, so as to enhance the credibility of the government and accumulate political credit for the government, thus to better obtain the people's support for the government. Only in this way can we better promote the construction of service-oriented government and gradually achieve the goal of building a service-oriented government with people's satisfaction.

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