

Providing increased opportunity for citizen access to the administrative system is the principal goal of those who urge the adoption of ombudsmen. Although several state and local jurisdictions in the United States have created ombudsmen, empirical studies of their roles in encouraging citizens to appeal administrative decisions and in representing those appeals are only beginning. This article compares questionnaire responses of the American ombudsmen with those of a group of "quasi-ombudsmen" on these subjects; but the focus is on the ombudsman's role. Reportedly, substantial numbers of citizens—including many of society's "underclass"—bring many problems—including information requests, demands for service, and grievances—that concern a wide range of policy areas and agencies to the ombudsmen. Furthermore, ombudsmen believe they are effective in helping citizens and in performing the role of impartial investigator. Thus, the office increases political participation, defined both as instrumental action and as interaction.

THE CITIZEN PARTICIPATION- REPRESENTATION ROLES OF AMERICAN OMBUDSMEN

LARRY B. HILL
University of Oklahoma

As the scope and quantity of the contacts between citizens and government have increased, the feeling that client-agency relationships are an important part of what James Q. Wilson (1967) has called the "bureaucracy problem" has become widespread. A national poll conducted by the University of

AUTHOR'S NOTE: *I am grateful to the American complaints officials who cooperated by completing questionnaires and also, in many cases, by responding to further demands that they provide documents, do research in their own files, and give*

ADMINISTRATION & SOCIETY, Vol. 13 No. 4, February 1982 405-433
© 1982 Sage Publications, Inc.

Michigan's Survey Research Center found the following substantial minorities of the public-rated government offices *bad* on specified dimensions: "giving prompt service," 37%; "really taking care of the problem," 25%; "giving considerate treatment to people," 28%; "giving fair treatment," 26%; "avoiding mistakes," 33%; and "correcting mistakes," 32% (Katz et al., 1975: 119).¹ Many students of public affairs also have come to feel that civil servants are often unhelpful, unfair, and otherwise uncivil in their dealings with clients, and increasing bureaucracy's responsiveness is a goal frequently espoused by those who want to humanize administration (Marini, 1971; Waldo, 1971).

Many administrative engineers have contended that the solution to the client relations aspect of the bureaucracy problem lies in the adoption of external or internal reforms. One strand of reformist writing submits that citizen participation in administration is the key: Through creating citizen advisory boards, holding public hearings, and decentralizing authority to neighborhoods—in short, through "maximum feasible participation"—bureaucracy can be made more responsive (Symposium on Neighborhoods and Citizen Involvement, 1972). Another strand of reformist writing advocates the humanization of bureaucracy from the inside in three important ways: (1) administrators can be trained in human relations to sensitize them to clients' problems; (2) such participatory techniques as organizational development and management by objectives can be introduced in the hope that more responsive decisions will emerge from workers whose levels of alienation have been reduced and who can identify with the agency's goals; and (3) recruitment patterns can be adjusted so that the distribution of the bureaucrats' sociological characteristics mirrors more faithfully that of the general population (or that of the clientele group) with the hope that such a "representative bureaucracy" will be more responsive to the poor and minori-

additional opinions. A fuller account will appear in Hill and associates (forthcoming). Earlier versions of this article were presented at the Conference of the United States Association of Ombudsmen and at the annual meeting of the American Political Science Association.

ties (Maslow, 1970; Bennis, 1969; Drucker, 1973; Krislov, 1974).

Over the long term, each of the proposed reforms may have merit in ameliorating the relations between government agencies and their clients, who sometimes think of themselves as victims. But the scale of contacts ensures that conflicts will arise continually, and the reforms suggested above are not designed as problem resolution mechanisms. This article's purpose is to investigate an increasingly popular institution that is designed to resolve citizens' complaints against bureaucracy—the ombudsman.

Much of the rhetoric about increasing citizen participation in administration has assumed, at least implicitly, that the only form of participation worth serious consideration is *direct* participation by those affected by an agency. For various reasons (not the least of which is the scale of even many local governments in the United States), however, many of the structures established to implement citizen participation, such as advisory bodies and neighborhood councils, are actually vehicles of *indirect* participation: They are representative institutions. Although political scientists have devoted extensive study to the voting decision, the linkage between participation and representation has been neglected in recent years. Whatever else an ombudsman may be, it is an additional citizen access point to the "system."² An ombudsman office uses its professional expertise and legal powers (such as the right to subpoena agency documents) to become a surrogate participation on behalf of citizens. The following analysis will examine the ombudsman's role as surrogate participant, or representative; in the course of the examination, an inquiry into what manner of men and women choose to complain and thus participate in the office's operation also will be conducted.

METHODOLOGY

The main data reported here are responses from a questionnaire sent to the United States ombudsmen who have been

invited to become members of the International Bar Association's Ombudsman Advisory Board. Membership on the board is limited to those whose offices meet the standards set forth in a 1974 IBA resolution defining the ombudsman as "an office provided for by the constitution or by action of the legislature or parliament and headed by an independent, high-level public official who is responsible to the legislature or parliament, who receives complaints from aggrieved persons against government agencies, officials, and employees or who acts on his own motion, and who has the power to investigate, recommend corrective action, and issue reports."³ The IBA definition is similar to, or at least congruent with, most other definitions of the ombudsman; and when it is applied to particular offices, I believe it succeeds in identifying those officials in the United States whom I shall call *classical* ombudsmen.⁴

All 14 of the Advisory Board's members completed the extensive questionnaire, only a small number of whose items are reported on below.⁵ The ombudsmen for the four states that have adopted the office—Hawaii, Iowa, Nebraska, and Alaska—are included. So also are the local ombudsmen for Dayton/Montgomery County, Ohio; Seattle/King County, Washington; Jackson County (Kansas City), Missouri; Lexington/Fayette, Kentucky; Detroit, Michigan; Wichita, Kansas; Flint, Michigan; Jamestown, New York; Anchorage, Alaska; and Berkeley, California.⁶

In addition, for comparative purposes, questionnaires also were sent to a number of *quasi-ombudsmen*, who are defined as complaints officials sharing many of the classical ombudsman's characteristics but lacking at least one structural feature considered fundamental to the institution. Most commonly, their *independence* is compromised in some fashion. Many are what some writers have referred to as "executive ombudsmen"—that is, they come under the hierarchical authority of such officials as the governor, mayor, or city manager (Wyner, 1973). The quasi-ombudsmen are given a wide variety of titles (for example, Ombudsman Office, state of Maine; Department

of the Public Advocate, Division of Citizen Complaints, state of New Jersey; Citizen's Action Office, Houston, Texas; City Department of Citizen's Assistance, San Diego, California). Those who received the questionnaire were located through a variety of sources, including the International Bar Association and the Ombudsman Foundation Inc. Responses were received from the following states whose quasi-ombudsmen have statewide jurisdiction: Illinois, North Carolina, South Carolina, New Jersey, Maine, New Mexico, and Montana. Those quasi-ombudsmen with local jurisdiction whose replies are used below came from Houston, Texas; Columbus, Ohio; Raleigh, North Carolina; Mineola, New York; Omaha, Nebraska; Charleston, South Carolina; Peoria, Illinois; Portland, Oregon; and San Diego, California.⁷

Although the classical ombudsmen (which I shall hereafter usually label simply "ombudsmen") are structurally similar as a group, their powers, size of budget, and so on are not invariable. Furthermore, the ombudsmen have developed in regions of the country, each of which enjoys somewhat distinctive configurations of political forces and cultures; and the incumbents have been people with a variety of backgrounds, abilities, and leadership styles. Thus it can hardly be expected that the ombudsmen's reported attitudes and experiences with representation-participation will be identical. The same comments are even more applicable to the highly varied quasi-ombudsman offices. Accordingly, possible uniformities within each of the two types of offices and between the types are regarded as subjects for investigation rather than as postulates.⁸

Since questionnaires were returned by the entire universe of ombudsmen, these responses can be used with confidence. The quasi-ombudsman respondents do not, however, constitute even a random sample of their universe; an inventory of that universe does not yet exist. Nonetheless, I suspect—based upon published reports, interviews, and observation of other similar officials—that the quasi-ombudsmen respondents are reasonably representative of the genre of offices. Because of

this disparity between the groups, as well as the small sizes of both, the intergroup differences reported below should be interpreted cautiously.

THE PARTICIPANTS AND THEIR COMPLAINTS

The work of a complaints office is defined largely by the character of its intake. Therefore, it is appropriate to begin with an examination of such matters as the offices' workload and their organization for accepting complaints, the kinds of people who complain, the subject matter of the complaints, and the officials' evaluations of the complaints.

RECEIVING COMPLAINTS

How many complaints? Responses to the question "Approximately how many complaints does your office receive each year?" resulted in mean levels of 2328 for the classical and 7035 for the quasi-ombudsmen. These figures conceal considerable variations: Although about one-quarter of the ombudsmen were categorized as high complaint-volume offices (above 2000), half of the quasi-ombudsmen were so designated; about one-quarter of each type of office—mainly those recently created—were categorized as low complaint-volume offices (under 1000). Some interesting differences appeared according to jurisdictional level: Whereas none of the four statewide, classical ombudsmen was a high complaint-volume officer (although three were at about 1500 annual complaints), six of the eight statewide quasi-ombudsmen operating out of the governor's office were in the "high" category; the largest number reported was 18,500 complaints.

Caution is necessary in interpreting these data. As will be seen below, the quasi-ombudsmen receive a great many requests for information and referral to other agencies, which may inflate what they count as "complaints" (for example, the

City Services Coordinator for Omaha, Nebraska reported receiving 50,209 “complaints” during 1975). Conversely, some of the classical officials may have made a distinction between “complaints” and other citizen approaches, which may cause underreporting of complaints (for example, in his 1976 report, the Seattle/King County ombudsman recorded 1823 total citizen contacts during the year, of which about three-fifths were categorized as “information” or “referral” matters rather than “complaints”. Thus, variable numbers of people complain to both types of offices. More information about the complaints and the operation of the offices is necessary, however, before assessing the meaning of the variations.

Is the office passive or active? The first ombudsman, Sweden’s Justitieombudsman, regularly inspected government agencies and took up numerous complaints on his own initiative. This tradition continues today and is followed by many of the growing number of prison ombudsmen in the United States and elsewhere. But most general-purpose offices seldom practice what Stanley Anderson has called “active access” (1973: 307-308). Majorities of both types of offices (64% of the classical and 88% of the quasi-ombudsmen) answered that the posture of their office was “almost entirely passive” and that they did not “take up a substantial number of complaints on [their] own initiative.” *All* of the offices of both types having statewide jurisdiction reported they were “almost entirely passive.” Whereas half of the ten local government, classical ombudsmen reported taking up a substantial number of “own initiative” complaints, only one-quarter of their eight quasi-ombudsman colleagues reported similarly. Thus, the potentialities of both types of offices are sharply constrained by whatever the nature of their intake may be.

Does the office practice outreach? Anderson reported that some “executive” ombudsmen—in the now-abandoned programs in Boston, Buffalo, the state of Pennsylvania, and in

Chicago and Puerto Rico—established decentralized offices for receiving oral complaints (1973: 308). But when the offices surveyed were asked, “Does your office have any branch offices to provide ‘outreach’ services to citizens in local areas?” only 14% and 19% of the classical and quasi-ombudsmen, respectively, responded positively.

Does the office have toll-free phone lines? Telephone access to the offices is simple, however. Only one ombudsman (which since has acquired a WATS line) and one quasi-ombudsman replied negatively to the question, “Can citizens telephone your office from anywhere in your jurisdiction at little or no expense to them?”

How do citizens make contact? As the ombudsman has been “Americanized” it has become more accessible to citizens. Whereas a total of 85% of the Scandinavian and other European ombudsmen reported that clients most frequently contacted them through correspondence (Hill, 1981b: Table 2), all but one of each type of the U.S. officials (both of the latter had statewide jurisdiction) said the *telephone* was the most usual means of approach. A clear difference between the types of offices emerged in nomination of the second most frequent means of citizen access: 64% of the classical ombudsmen listed personal interviews with clients, but only 13% of the quasi-ombudsmen did so; with the latter type of office, impersonal contact through letters reportedly was more frequent than interviews.

IDENTIFYING THE CLIENTS

In beginning a discussion of the official’s understanding of their clients’ socioeconomic characteristics, it is appropriate to note that some offices keep statistics on some of these matters; for those that do not we are heavily dependent upon the respondents’ powers of sociological analysis.

What is the clients' sexual distribution? About four-fifths of each type of officials said there was an "approximately even distribution" between males and females among their clients. The remaining respondents said their clients were "mainly female." These results are quite surprising, for—as Lester Milbrath has pointed out—"the finding that *men are more likely to participate in politics than women* is one of the most thoroughly substantiated in social science" (Milbrath, 1965: 135; italics in original). Perhaps the explanation is that in some families in which women might be given such household managerial chores as keeping the checkbook, registering a grievance with a complaints official could be considered a similar duty rather than a "political" activity. In addition, perhaps more women than men are likely to be at home during normal office hours when it would be most convenient to telephone an ombudsman. It is also possible that, as many women are becoming more politically interested, complaint behavior is a dimension of activity in which the increased interest is being expressed before other, possibly more overtly "political," actions are taken.

What are the clients' ages? Milbrath's synthesis of the scholarly findings indicates that political participation "gradually declines above sixty" (Milbrath, 1965: 134). Nonetheless, we could hypothesize that aged people might have many administrative problems which were important to them, having to do with pensions, health, and the like and that they might take their grievances to complaints offices in disproportionate numbers. All but one of the classical ombudsmen reported, however, that their clients were mainly of working age. In contrast, about half of the quasi-ombudsmen believed their clients to be evenly distributed between the retired and the working-age groups. Discounting the possibility that the Grey Panthers have "targeted" some of the quasi-ombudsmen, perhaps many elderly people have found the offices' information and referral services especially useful.

What are the clients' class origins? That more high- than low-class people participate in traditional political activities is commonly acknowledged (Milbrath, 1965: 116). It was this fact that caused the Office of Economic Opportunity to become interested in the ombudsman in the late 1960s (Gwyn, 1976). OEO provided financial aid for the fledgling offices in Seattle/King County, Nebraska, and Iowa in the hope that an ombudsman could become an access point to the system for society's unfortunates. Most of both types of officials believe they do perform this role: about two-fifths of each group said there was an even distribution of affluent and poor complainants, and about the same number said their complainants were mainly poor; only about one-fifth of each group reported that their clients were mainly affluent.

What are the clients' racial-ethnic origins? As would be expected, the preponderance of the offices reported that their clients came mainly from the jurisdiction's majority racial-ethnic group. But 14% of the classical and 25% of the quasi-ombudsmen said majority and minority group members were evenly distributed among their clients, and 21% of the classical and 6% of the quasi-ombudsmen (all of those in the two latter groups had local jurisdiction) perceived their clients to be mainly members of minority groups. Thus, it is clear that many of both types of offices are substantially involved with helping minority clients.

CHARACTERIZING THE COMPLAINTS

What is the nature of the complaints? Since most of the complaints officials practice "passive access" most of the time, the character of their inputs really defines the office. In pursuing this matter I asked:

If all the citizen inquiries to your office could be divided into the following two types, please indicate the relative proportions of

TABLE 1
Complaints Officials' Estimates of Complaint Characteristics
(in percentages)

Characteristic	Distribution			
<u>Content of Complaints</u>	<u>Mainly Services</u>	<u>Even Distribution</u>	<u>Mainly Grievances</u>	<u>Total</u>
Classical Ombudsmen (n=14)	29	43	29	101 ^a
Quasi-Ombudsmen (n=15)	60	33	7	100
<u>Content of Grievances</u>	<u>Mainly Inefficiency</u>	<u>Even Distribution</u>	<u>Mainly Malfeasance</u>	<u>Total</u>
Classical Ombudsmen (n=14)	71	14	14	99 ^a
Quasi-Ombudsmen (n=16)	94	--	6	100
<u>Perspectives of Grievances</u>	<u>Mainly Offensive</u>	<u>Even Distribution</u>	<u>Mainly Defensive</u>	<u>Total</u>
Classical Ombudsmen (n=14)	64	21	14	99 ^a
Quasi-Ombudsmen (n=15)	47	40	13	100

a. Totals are greater or less than 100% because of rounding.

each—(A) Requests for the actual provision of government services or for information about them; (B) Requests for investigation of personal grievances against administrative actions.

In early interviews with U.S. ombudsmen it became clear that—unlike the European and the Commonwealth officials—they were deeply involved in dealing with complaints and queries about service delivery. As the answers to the above question indicate (see Table 1), the U.S. ombudsmen have developed as dual-purpose offices, processing both requests for services and information and traditional administrative grievances.¹⁰ One of the most important differences between the classical and the quasi-ombudsmen is that most of the latter offices are largely involved with complaints about service delivery. For example, in a 1975 report, the three highest areas of “complaint” cited by Omaha, Nebraska’s city services coordinator were 6617 about litter, 8149 about garbage, and 9260 about the streets.

A further question focused on the grievances received and probed into their *content*:

If the complaints which ask for investigation of an administrative grievance are divided into the following two types, please indicate the relative proportions of each—(A) Allegations of inefficiency—including delay, misplaced records, and other minor procedural errors; (B) Allegations of malfeasance—including substantive error, abuse of authority, discrimination, arrogance, and other injustice.

Based on the answers to the previous questions, it is hardly surprising that the vast majority of both kinds of offices reported (Table 1) dealing mainly with matters of inefficiency. More than one-quarter of the classical ombudsmen, however, said their grievances were at least equally divided between alleged inefficiency and more serious charges constituting malfeasance; this was true of only one quasi-ombudsman.

As a final attempt to get at the nature of the grievances, the following item inquired:

If the perspectives of those complaints that ask for an investigation of a grievance are divided into the following two types, please indicate the relative proportions of each—(A) Complaints from an offensive perspective (client appeals for a review of administration's decision not to grant him something he wants, e.g., a welfare benefit); (B) Complaints from a defensive perspective (protection asked against damaging actions, e.g., decisions to raise taxes, to incarcerate, and to lower or eliminate a welfare benefit already being received).

Although discussions about the need for an ombudsman usually center on the office's supposed defensive capabilities, research in New Zealand found most complaints to be offensive: only 28% of those received were defensive (Hill, 1976: 93-99). It has been intimated that the predominantly offensive nature of the New Zealand ombudsman's complaints could be due to national preoccupation with promoting social

welfare and the relative lack of interest in protecting citizens' rights (Clark, 1977: 354-355). Table 1 suggests, however, that a similar pattern may exist for the U.S. offices. When cross-tabulations were made by level, the statewide, classical ombudsmen were unanimous in identifying their complaints as mainly offensive, and three-quarters of the statewide, quasi-ombudsmen did so too. Why the local-jurisdiction offices should find offensive and defensive complaints more evenly distributed is not clear, but it could be related to the fact that local police departments may generate many defensive complaints.

What types of agencies are targets of complaint? The complaints officers were asked to make a very rough estimate of the percentage of clients who complain against each of three types of agencies categorized on the basis of their relationships with citizens.¹¹ The quasi-ombudsmen reported receiving a higher proportion of their complaints (mean 50%) against "client-serving" agencies than did the classical offices (mean 39%); conversely, the latter offices reported getting many more complaints (mean 40%) against "client-processing" agencies than the former reported (mean 24%); and both types of offices estimated that about one-fifth of their complaints (mean for both 22%) concerned "non-client-oriented" agencies. But it is striking that both kinds of complaints offices reported sustained intercourse with all three types of agencies.

What kinds of problems cause complaint? Table 2 links the types of agencies with the main kinds of problems citizens bring. Considerable diversity of experience and jurisdiction is revealed. In ranking the problems connected with client-serving agencies, both types of offices listed welfare problems first as an important part of their workload, but the classical ombudsmen were nearly as involved with health problems, and the quasi-ombudsmen reported a brisk business with employment problems; most education problems are outside the

TABLE 2
Types of Citizen Problems as a Part of Complaints
Offices' Workload (in percentages)

Types of Problems	Important Part of Workload	Small Part of Workload	Inapplicable	Total
CLIENT-SERVING AGENCIES				
<u>Health Problems</u>				
Classical Ombudsmen (n=13)	54	47	--	101 ^a
Quasi-Ombudsmen (n=12)	53	67	--	100
<u>Welfare Problems</u>				
Classical Ombudsmen (n=14)	57	7	36	100
Quasi-Ombudsmen (n=13)	69	8	23	100
<u>Housing Problems</u>				
Classical Ombudsmen (n=13)	46	54	--	100
Quasi-Ombudsmen (n=13)	46	31	23	100
<u>Employment Problems</u>				
Classical Ombudsmen (n=13)	38	31	31	100
Quasi-Ombudsmen (n=12)	58	25	17	100
<u>Education Problems</u>				
Classical Ombudsmen (n=14)	14	36	50	100
Quasi-Ombudsmen (n=13)	--	54	46	100
CLIENT-PROCESSING AGENCIES				
<u>Police Problems</u>				
Classical Ombudsmen (n=13)	69	31	--	100
Quasi-Ombudsmen (n=13)	54	59	8	101 ^b
<u>Justice Problems</u>				
Classical Ombudsmen (n=12)	50	41	9	100
Quasi-Ombudsmen (n=12)	33	50	17	100
<u>Prison Problems</u>				
Classical Ombudsmen (n=13)	31	38	31	100
Quasi-Ombudsmen (n=12)	33	50	17	100
<u>Taxation Problems</u>				
Classical Ombudsmen (n=15)	38	54	8	100
Quasi-Ombudsmen (n=13)	39	31	31	101 ^a
<u>Licensing and Registration Problems</u>				
Classical Ombudsmen (n=14)	64	29	7	100
Quasi-Ombudsmen (n=12)	50	50	--	100
NON-CLIENT-ORIENTED AGENCIES				
<u>Utilities Problems</u>				
Classical Ombudsmen (n=14)	43	57	--	100
Quasi-Ombudsmen (n=13)	77	15	8	100
<u>Transportation Problems</u>				
Classical Ombudsmen (n=13)	39	54	8	101 ^a
Quasi-Ombudsmen (n=12)	17	75	8	100
<u>Resources and Manufacturing Problems</u>				
Classical Ombudsmen (n=12)	25	33	42	100
Quasi-Ombudsmen (n=12)	8	17	75	100
<u>Environmental and Land Problems</u>				
Classical Ombudsmen (n=14)	72	21	7	100
Quasi-Ombudsmen (n=13)	46	54	--	100

a. Total is greater than 100% because of rounding.

jurisdiction of many offices. Among the problems typical of client-processing agencies, both types of offices ranked police problems first, and both were deeply involved with licensing and registration problems. Although as a group non-client-oriented agencies reportedly generate fewer complaints than the other two kinds, two problems connected with those agencies were ranked higher than any others by each type of office: About three-quarters of the quasi-ombudsmen ranked utilities problems as an important part of their workload, and about the same proportion of the classical officials gave environmental and land problems such a rating. It is striking that most of the offices—especially the classical ones—reported that a very wide range of problems is brought to their attention.

EVALUATING THE CLIENTS

How do the officials feel about their clients? According to the responses to the first three items in Table 3, most complaints officers find the preponderance of their clients reasonably representative, responsible, rational members of society; some of the quasi-ombudsmen, however, questioned the rationality of many clients. Whereas several of the classical ombudsmen believed clients often sought preferment, few of their quasi-colleagues reported such experiences; as we shall see below, this is a subject with which some of the former group are rather preoccupied. Although some civil servants have regarded complaints officers as inquisitors who could cost them their jobs, large majorities of both types of officers believed complaints tended to be directed against agencies rather than individual administrators. The quasi-ombudsmen were more likely to detect a monetary motivation in complaints, and slightly more of them reported they sometimes received multiple complaints from the same client. Agreement was general, and at a very high level, that the offices were a “court of last resort” for most citizens.

TABLE 3
Complaints Officials' Perceptions of their Clients

Statements	Percent Agreeing ^a	
	Classical Ombudsmen n=14	Quasi-Ombudsmen n=16
1. Generally, those who complain are not deviant sociologically; clients are a fairly representative cross-section of society.	93	100 ^b
2. Clients may be upset and agitated about a confrontation with bureaucracy, but nearly all are responsible people who are complaining about a real situation in which they believe--rightly or wrongly--that they were not treated properly.	100	100
3. Many of our clients appear to be somewhat irrational people or "chronic complainers."	7	33 ^c
4. Clients often ask for preferment without realizing that my office is an impartial, neutral, bureaucratic mechanism.	43	12
5. Clients tend to perceive of administrative agencies as monolithic, impersonal entities; their displeasure is directed toward the agency rather than an individual civil servant who made the decision complained against.	79	94
6. One way or another, most complaints concern money.	36	56
7. Hardly any of our clients have made more than one complaint to this office.	21	25
8. Usually, my office is a court of last resort for clients who have already exhausted most available avenues of appeal.	86	88

a. The "neutral, don't know" responses were included in computing percentages.

b. N = 14.

c. N = 15.

How valid are clients' complaints? This report of the complaint officials' view of their participants concludes with their assessment of the soundness of the complaints. The officials were asked:

Please attempt to estimate what percent of the grievances you investigate seem "valid" in the sense that you believe the citizen was treated wrongly by the administration—whether or not the action may have been legal, within your jurisdiction, etc.

TABLE 4
Complaints Officials' Estimates of "Validity"
of Complaints (in percentages)

Degree of Validity	Classical Ombudsmen n=14	Quasi- Ombudsmen n=16
Under 10% Valid	--	6
10%-29% Valid	7	26
30%-49% Valid	28	31
Over 50% Valid	64	38
Total	99 ^a	101 ^a

a. Totals are greater or less than 100% because of rounding.

Annual reports of most classical ombudsmen indicate that after investigation only about 10 to 15% of the total intake is considered "justified" or is given some similar label indicating that the agency erred. For example, in his 1979 report the Hawaiian ombudsman indicated that 12% of the total inquiries received turned out to be "sustained or partially sustained." Since the questionnaire asked for a *moral* assessment rather than a technical-legal one, the finding reported in Table 4 that most of the complaints officials believe quite considerable proportions of their clients were treated "wrongly" by the administration is perhaps not surprising. That so many of the classical ombudsmen believe more than half of their clients were treated wrongly is startling, however; one urban ombudsman volunteered that according to the specified criterion, more than nine-tenths of his complaints were valid. Presumably, more of the quasi-ombudsmen recalled that much of their caseload consisted of information and referral matters. An interesting difference—for which I do not have an explanation—was found when cross-tabulations were made by jurisdictional level: All of the classical officials who believed that half or more of their clients had been treated wrongly were

local government ombudsmen; conversely, all but one of the quasi-ombudsmen who held such a belief were state officials.

THE REPRESENTATIONAL ROLE

Having examined the complaints officials' perceptions of their clients, we turn to the officials' overall conceptions of their jobs.

What is the office's role model? Since the content of any office's intake varies, the complaint-handling job is necessarily multifaceted. For some problems, only resourcefulness is required; sometimes facilitation is needed; and sometimes more directive intervention is mandatory. Other problems require that a series of functions—perhaps including investigation, negotiation, and advocacy—be performed. Thus, it would be mistaken to assume that a single analytical label could completely capture the essence of an office's operation. Nonetheless, two incumbents presented with the same complaints might behave quite differently depending on their perceptions of their role. The next question probed into the officials' generalized job conceptions:

Following is a list of role models that have been suggested as descriptive of the orientation toward clients of complaint-handling offices. Please place a 1 before the model that best describes your conception of your primary role, and place a 2 before the one that is your secondary role:

- ___ the impartial investigator model
- ___ the enabler-facilitator model
- ___ the broker-negotiator model
- ___ the arbitrator model
- ___ the advocate model
- ___ the political activist model

These models were developed from several possibilities suggested by a review of the complaint-handling and social

TABLE 5
Complaints Officials' Role Models (in percentages)

Role Model	Primary Role Model		Secondary Role Model	
	Classical Ombudsmen n=14	Quasi- Ombudsmen n=16	Classical Ombudsmen n=14	Quasi- Ombudsmen n=16
Impartial Investigator	86	38	7	19
Enabler-Facilitator	7	50	21	38
Broker-Negotiator	7	6	14	13
Arbitrator	--	6	21	13
Advocate	--	--	36	19
Total	100	100	99 ^a	102 ^a

a. Totals are greater or less than 100% because of rounding.

work literatures, but the precise formulation is my own.¹² According to tradition, the ombudsman is supposed to achieve its goals of helping citizens and holding government responsible by acting as an *impartial investigator* of alleged bureaucratic wrongdoing; but the other role conceptions offered also represent postures likely to be assumed by the offices—at least sometimes. The interesting empirical question was the extent to which the conventional norm has been internalized by the respondents. Do the ombudsmen know and identify with their own tradition? How similar are the quasi-ombudsmen?

According to Table 5, when forced to express a choice, all but two of the classical officials (neither of which had statewide jurisdiction) described themselves primarily as “impartial investigators” in conformity with the traditional conception. Most of the quasi-ombudsmen, however, found the “enabler-facilitator” model to be more descriptive of their primary role. This latter finding was expected because the quasi-ombudsmen often describe themselves in these terms. For example, a brochure explaining the job of the North Carolina “People’s

Man" says: "As a member of the Governor's staff he will act as a red-tape cutter and trouble-shooter for the public." Nonetheless, "impartial investigator" was the quasi-ombudsmen's second most popular primary role model.

In interviews, ombudsmen frequently comment that—following a dispassionate investigation—championing the citizen's cause becomes their job. Thus, "advocate" was the classical officials' most popular secondary role model, but the choices of the majority were distributed among four other models. Three-quarters of the quasi-ombudsmen who did not choose "enabler-facilitator" as their primary role model made it their second choice. Although reformers sometimes grandiloquently proclaim that an ombudsman could be a political catalyst to improve the lot of the poor, minorities, and so on, no respondent of either office type selected "political activist" as either the primary or secondary role model.¹³

How should the office help citizens? The items in Table 6 probe various aspects of the offices' helping role. Item 1 reveals that large minorities of both types of officials accept advanced notions of welfare state philosophy in regarding government benefits as rights, not privileges (Reich, 1964). According to item 2, the vast majority of the respondents reject the invitation to "hide" from clients; but according to item 3, the preponderance of both types of officials report they usually ask clients to exhaust other appeals (often in conformity with legislative requirements) before investigating. Overt political preferment is rejected by large majorities of both types of offices (item 4). Similarly, client advocacy at the expense of impartiality is generally deplored (item 5), but note that the ombudsmen are much more complacent about partiality defined as client advocacy than about partiality defined as political preferment. Finally, the ombudsmen definitely do not concede that their investigations prompt administrative inefficiency, while two-fifths of the quasi-ombudsmen—many of whom frequently

TABLE 6
Complaints Officials' Views of the Helping Role

Statements	Percent Agreeing ^a	
	Classical Ombudsman n=14	Quasi-Ombudsman n=16
1. I generally view the provision of government services and benefits for citizens as involving rights rather than privileges--whatever the legal situation may be.	79	87 ^b
2. It is best for a complaints office to adopt a low profile so that it does not become inundated with grievances.	21	31
3. Our office usually demands that clients exhaust whatever other appeals channels are available before we will investigate.	57	50
4. Even though a complaints office may have a reservoir of political influence, it should not use such influence to obtain preferment for a client.	86	75
5. A complaints office should perform investigations that are neutral and impartial; it should not be an advocate of the client's interests.	64	73 ^b
6. I must concede that my office promotes some degree of inefficiency by encouraging complainants to skip regular avenues of appeal which are internal to the administration.	7	44

a. The "neutral, don't know" responses were included in computing percentages.
 b. N = 15.

deal with a different type of input, as we have seen—confess they do short-circuit the regular administrative process.

What is the office's impact on citizens? Respondents were presented with the four statements listed in Table 7 and asked to choose those that best represented their primary and secondary impacts on citizens. The table's main finding is that seven-tenths of the classical officials believed their primary impact was in service delivery—in actually resolving complaints—and a majority of the quasi-ombudsmen made the same rating (item 1). These findings are reinforced by reactions to the following additional items, not shown in the table. Seventy-nine percent of the classical and 44% of the quasi-ombudsmen agreed with this statement: "My office often is

TABLE 7
Complaints Officials' Percentages of Their
Impacts on Citizens (in percentages)

Statements	Primary Citizen Impact		Secondary Citizen Impact	
	Classical Ombudsmen n=14	Quasi- Ombudsmen n=15	Classical Ombudsmen n=14	Quasi- Ombudsmen n=16
1. The office helps individuals by resolving their complaints against bureaucratic errors and malfeasance.	71	53	--	27
2. Even when it cannot assist complainants, our office's careful investigation of grievances and explanation of administrative procedures increases citizens' confidence in government.	14	47	64	47
3. The experience of complaining to our office may teach clients how to interact more effectively with government agencies in the future.	--	--	--	7
4. Citizens at large may feel that our office protects them against maladministration in general, and that if they had a specific complaint they could bring it to us. Thus, mere knowledge of our existence reduces popular alienation from government.	14	--	36	20
Total	99 ^a	100	100	101 ^a

a. Totals are greater or less than 100% because of rounding.

able to offer material help to our clients." The respective percentages agreeing with a further statement on a similar theme were 100 and 93: "My office has become an effective mechanism for resolving citizens' administrative grievances." Finally, few complaints officers believed their success at helping was dependent upon the client's socioeconomic status: More than four-fifths of both types of offices disagreed that "Complaints from the poor, the uneducated, and the minorities are less often sustained than those from society's 'main-

stream.’” The reactions to this statement take on added significance in light of the report given above that both types of offices have large numbers of “underclass” clients.

The size of the majority of the quasi-ombudsmen reporting that their primary citizen impact lay in service delivery was, however, a small one. Nearly as many chose Table 7’s item 2, which mentioned the importance of increasing citizens’ confidence in government by investigations and explanations; this option was the most popular among both types of offices—especially among the classical ombudsmen—as a secondary impact.¹⁴ The longer-term effect of reducing popular alienation through providing a feeling that the office is “watching” also was often cited as a secondary effect.¹⁵

CONCLUSION

To be sure, the data reported above illuminate some important differences and similarities between the classical and the quasi-ombudsmen. Nonetheless, comparisons of the types of offices were mainly a tool to elucidate the nature of the classical ombudsman. Rather than highlighting the comparative institutional findings, the following discussion of the themes posed in the introduction applies specifically to classical ombudsmen.

The creation of the institution of ombudsman in a number of state and local jurisdictions in the United States is an acknowledgement of the practical barriers to *direct*, individual participation in the complaint-resolution aspect of the administrative process. The ombudsman utilizes its professional expertise on behalf of the citizen and provides for *indirect* participation, or representation. This article has been a preliminary attempt to evaluate some features of the institution’s participatory-representative roles. Because the institution is a relatively new one in this country and because little

previous empirical research has been done on the subject, conclusions must be stated tentatively.¹⁶

The main findings of the article's first substantive part can be encapsulated as follows. As the ombudsman has developed in this country, it depends almost entirely on receiving complaints from individuals. Citizens do complain in numbers sufficient to keep the offices busy, but only a tiny proportion of a jurisdiction's potential complaints are likely to be lodged at any given time. Most offices make only modest efforts to solicit complaints, but they allow convenient access through the telephone—the method by which most clients complain. Although most ombudsmen believe their clients are a cross-section of society, many report receiving substantial numbers of complaints from such traditionally underrepresented segments of society as women, the elderly, the poor, and racial-ethnic minorities. Investigation revealed that the U.S. ombudsmen are heavily involved with both service delivery and the processing of grievances; furthermore, most grievances involve allegations of inefficiency rather than malfeasance. And most grievances arise from an offensive rather than a defensive perspective—that is, the citizen wants something from the government that it will not allow. As would be expected, citizens report a wide range of problems with the gamut of agencies that serve them, process them, or touch them only as a by-product of other processes. Finally, most ombudsmen believe in the moral validity of most of their clients' complaints—even if they cannot help many of their clients.

In the second substantive part, which examined the ombudsman's representational role, we learn that most ombudsmen favorably evaluate their ability to resolve grievances and to have a beneficial impact on the perceptions about government of their clients and of citizens at large. Furthermore, we learn that most ombudsmen see their main role as that of the *impartial investigator*. Although they are committed to helping clients, they are not client advocates above all else. Quite

clearly, they see their representational role as that of the “trustee” rather than the “delegate.”¹⁷ That is, the ombudsman first investigates a complaint carefully and dispassionately. If no injustice is revealed, it becomes the ombudsman’s obligation to inform the client of this finding; but if an administrative fault is found, it becomes the ombudsman’s duty to fight for the client.

Lawrence Scaff has made a useful distinction between two conceptions of political participation—participation as instrumental action and participation as interaction (1975: 81-90). On the one hand, for those who view participation as a competitive process in which elites are influenced, interests maximized, and rights protected, the ombudsman does cause some values to be reallocated in the course of helping clients. On the other hand, for those who view participation as an interactive process in which such values as sharing, reciprocity, communication, justice, and self-realization are prominent, the ombudsman promotes a sense of political community by resolving some grievances, by explaining seemingly inexplicable decisions, and by existing as a symbol of government’s concern for citizens. In both senses of the term, the ombudsman increases the amount of participation in the political system. These comments are, of course, a conceptual evaluation of the ombudsman institution in the abstract. How well any particular office performs its complex role is a matter for empirical investigation. Such investigations are increasingly opportune as the institution proliferates.

NOTES

1. See Table 4.2. The responses, which ranged on a 7-point scale from very bad to very good, have been collapsed; ratings 1-3 were defined as bad, and the midpoint category was excluded.

2. For an analysis of the ombudsman’s functions in comparison with those of other “bureaucratic monitors,” see Hill (1981a).

3. Quoted in Frank (1975a: 50). In 1971, the American Bar Association adopted an ombudsman resolution defining the office similarly and at greater length; see Frank (1975b: 400).

4. According to Donald Rowat (1968: xxiv), the institution has three "essential features": "(1) The Ombudsman is an independent and non-partisan officer of the legislature, usually provided for in the constitution, who supervises the administration; (2) he deals with specific complaints from the public against administrative injustice and maladministration; and (3) he has the power to investigate, criticize and publicize, but not to reverse, administrative action."

Additionally, Anderson (1969: 3) suggested that the ombudsman's "essential characteristics" require that the incumbent be "(1) independent, (2) impartial, (3) expert in government, (4) universally accessible, and (5) empowered only to recommend and to publicize."

Finally, Hill (1974: 1077) submitted that the *classical* ombudsman is "(1) legally established, (2) functionally autonomous, (3) external to the administration, (4) operationally independent of both the legislature and the executive, (5) specialist, (6) expert, (7) nonpartisan, (8) normatively universalistic, (9) client-centered but not anti-administration, and (10) both popularly accessible and visible. The institution's mission is to generate complaints against government administration, to use its extensive powers of investigation in performing a postdecision administrative audit, to form judgments which criticize or vindicate administrators, and to report publicly its findings and recommendations but not to change administrative decisions." For further reviews of definitions of the ombudsman and elaboration of the concept, see Hill (1980).

5. The extraordinarily high rate of return can be attributed to at least the following factors: Previously, I had met and interviewed all but one of the respondents; they were familiar with my earlier writings on the subject; and my membership on the IBA's Academic Ombudsman Advisory Board provided good auspices.

6. Since the study's completion, the New York City Ombudsman Office, which is under the authority of the President of the City Council, and the ombudsmen for Guam and Puerto Rico have been admitted to membership on the Advisory Board.

7. Offices are included in this analysis only if they are oriented toward the general population and if they have general jurisdiction over the level of government administration to which they apply—for example, ombudsmen just for blacks or children or businesses or consumers are excluded, as are those limited to correctional or welfare or health or educational agencies. These limitations were designed to make the group of quasi-ombudsmen as comparable as possible with the classical officials.

8. One of the ombudsman respondents is female, as are four of the quasi-ombudsmen. A female who has become an ombudsman since the survey was taken often calls herself an "ombudsperson," although her legal title remains unchanged. A few quasi-ombudsmen—especially in the field of education—have been officially labeled "ombudspersons" or the institution has been labeled an "ombudsoffice." Such title changes are, of course, promoted by those who contend that "ombudsman" is a sexist term. These changes are opposed by some on grounds of etymology or tradition; others believe that creating new names will hamper public understanding of the offices' function, a factor that is important for any institution and crucial for an ombudsman.

9. Differences between state and local offices of the two types are mentioned below only when they are large enough to be interesting. The numbers are too small to make tests of statistical significance worthwhile.

10. Eighty-three percent of the European and the Commonwealth ombudsmen reported that their citizen contacts consisted mainly of grievances (Hill, 1981b: table 5).

11. A rationale for the classification is provided in Hill (1976: 87-93).

12. References to such models abound—especially in *Social Work*, the official journal of the National Association of Social Workers. See, for example, Charles Grosser's seminal article (1965).

13. For elaboration of the models and illustrations of ombudsmen performing functions under each—including the "political activist" model—see Hill (forthcoming). For comparisons of the responses of the American ombudsmen with those from other countries, see Hill (1981b).

14. The reactions to another statement throw further light on the complaints officials' perceptions of their roles in affecting citizens' appreciation of government: About four-fifths of both types of offices agreed that "an important function of a complaints office is to increase public confidence in government by showing that many criticisms of the administration are unfounded."

15. Although none of the items in Table 7 deals with the offices' reform of administrative policies that are unfair, inappropriate, and the like, such actions are important aspects of the helping role. See Hill (1976: 204-239).

16. For a preliminary evaluation of existing ombudsman research and a discussion of the field's future needs, see Danet (1978).

17. See the classic discussion of representational roles in Wahlke et al. (1962: 268-280).

REFERENCES

- ANDERSON, S. V. (1973) "Comparing classical and executive ombudsmen," pp. 305-315 in A. J. Wyner (ed.) *Executive Ombudsmen in the United States*. Berkeley: Institute of Governmental Studies, University of California.
- (1969) *Ombudsman Papers: American Experience and Proposals*. Berkeley: Institute of Governmental Studies, University of California.
- BENNIS, W. G. (1969) *Organization Development: Its Nature, Origins and Prospects*. Reading, MA: Addison-Wesley.
- CLARK, R. S. (1977) "Review of the model ombudsman." *Pol. Sci. Q.* 92: 354-355.
- DANET, B. (1978) "Toward a method to evaluate the ombudsman role." *Admin. and Society* 10: 335-370.
- DRUCKER, P. (1973) *Management: Tasks, Responsibilities, Practices*. New York: Harper & Row.

- FRANK, B. (1975a) "The ombudsman: revisited." *Int. Bar J.* (May): 48-60.
- (1975b) "State ombudsman legislation in the United States." *University of Miami Law Rev.* 29: 397-445.
- GROSSER, C. F. (1965) "Community development programs serving the urban poor." *Social Work* 10: 15-21.
- GWYN, W. B. (1976) "Obstacles within the Office of Economic Opportunity to the evaluation of experimental ombudsmen." *Public Admin.* (Summer): 177-197.
- HILL, L. B. (1981a) "Bureaucratic monitoring mechanisms," chapter 9 in C. T. Good-Goodsell (ed.) *The Public Encounter: Where State and Citizen Meet*. Bloomington: Indiana Univ. Press.
- (1981b) "Defining the ombudsman: a comparative analysis," in G. E. Caiden (ed.) *The Ombudsman: An International Handbook*. Westport, CT: Greenwood Press.
- (1980) "Bureaucracy, the bureaucratic auditor, and the ombudsman: an ideal-type analysis," chap. 5 in B. Geist (ed.) *State Audit: Developments in Public Accountability*. London: Macmillan.
- (1976) *The Model Ombudsman: Institutionalizing New Zealand's Democratic Experiment*. Princeton, NJ: Princeton Univ. Press.
- (1974) "Institutionalization, the ombudsman, and bureaucracy." *Amer. Pol. Sci. Rev.* 68: 1075-1085.
- (forthcoming) *Ombudsmen, Bureaucracy, and Democracy*. New York: Oxford Univ. Press.
- et al. (forthcoming) *American Ombudsmen*.
- KATZ, D., B. A. GUTEK, R. L. KAHN, and E. BARTON (1975) *Bureaucratic Encounters: A Pilot Study in the Evaluation of Government Services*. Ann Arbor: Survey Research Center, Institute for Social Research, University of Michigan.
- KRISLOV, S. (1974) *Representative Bureaucracy*. Englewood Cliffs, NJ: Prentice-Hall.
- MARINI, F. [ed.] (1971) *Toward a New Public Administration: The Minnowbrook Perspective*. Scranton, PA: Chandler.
- MASLOW, A. H. (1970) *Motivation and Personality*. New York: Harper & Row.
- MILBRATH, L. W. (1965) *Political Participation: How and Why Do People Get Involved in Politics?* Chicago: Rand McNally.
- REICH, C. (1964) "The new property." *Yale Law J.* 73: 733-787.
- ROWAT, D. C. [ed.] (1968) *The Ombudsman: Citizens' Defender*. Toronto: Univ. of Toronto Press.
- SCAFF, L. A. (1975) *Participation in the Western Political Tradition: A Study of Theory and Practice*. Tucson: Univ. of Arizona Press.
- Symposium on Neighborhoods and Citizen Involvement (1972) *Public Administration Review* 32 (May/June).
- WAHLKE, J. C., H. EULAU, W. BUCHANAN, and L. C. FERGUSON (1962) *The Legislative System: Explorations in Legislative Behavior*. New York: John Wiley.
- WALDO, D. [ed.] (1971) *Public Administration in a Time of Turbulence*. Scranton, PA: Chandler.

- WILSON, J. Q. (1967) "The bureaucracy problem." *The Public Interest* 6: 3-9.
- WYNER, A. J. [ed.] (1973) *Executive Ombudsmen in the United States*. Berkeley: Institute of Governmental Studies, University of California.

Larry B. Hill is Professor of Political Science at the University of Oklahoma. He has broad interests in public bureaucracy and is coauthor (with F. Ted Hebert) of Essentials of Public Administration (Duxbury Press, 1979). Dr. Hill's research on the ombudsman has appeared in such journals as American Political Science Review and Urban Affairs Quarterly, and he is the author of The Model Ombudsman and of two forthcoming books, American Ombudsmen (a collaborative volume) and Ombudsmen, Bureaucracy, and Democracy. His current research focuses on appealing the bureaucratic encounter and the future of citizen-bureaucratic linkages.