Notes on “Hacking Bureaucracy”

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1. **Introduction**

This is a note to supplement the HKS case entitled “Hacking Bureaucracy” and the “Teaching Plan” developed by David Eaves to advise teachers how they might best use this case. I was encouraged by David to produce this note after I taught the case in a course called the *Theory and Practice of Creating Public Value*. I introduced the case into that course for two primary purposes: 1) to expose public management students to issues associated with using digital technology in government to “improve performance”; and 2) to challenge the idea that the most important functions of digital technology in government could be described primarily in terms of “increasing user (or customer) satisfaction.”

***Possible Uses of this Case:***

From my perspective, this case has the following possible uses in a course on public leadership and management

* To provide an opportunity for teachers and students to begin to explore the possible uses of digital technology in improving governance, policy-making, government operations, and increased citizen engagement and satisfaction beyond the idea of customer or client satisfaction
* To think about the ways that government currently seeks to improved its digital capacity through its existing procurement systems, and compare that with some alternative approaches that seem to align more closely with the world of digital technology as it now exists.
* To consider the degree to which an organization like Code for America could become an effective instrument for stimulating innovation through the development and diffusion of particular applications of digital technology to be used throughout the government and the private sector.

***The Contribution of this Note: Users as Citizens in Different Functional Positions***

In this note, I will concentrate on the first use of the case, but I think the case could be used or extended for the second and third ideas as well, and therefore as a *very useful introduction to a whole course on “the potential of digital government.”*

I will also place special emphasis on the *substance* of the analysis rather than the *pedagogy*, making this document more like a “case commentary” than a “teaching plan.”

The substantive focus will be a detailed look at who the “users” of government enterprises are, and to consider what kind of an “improved digital interface” could be built to create a more satisfactory engagement between them and the particular government enterprise that they are “using” or “being used by” in one way or another.

To many, the question of who is the “user” of government initiatives seems obvious: *the important users of government policies and programs are those who benefit directly from them.* The objective in designing the “user interface” seems to follow naturally from this idea: *the important goal is to make that particular user interface more convenient and accessible to these particular users*.

My answer is different. In my view*, the important “users” of government enterprises are individual citizens of a democratic polity who stand in many different relationships to a given government enterprise.* These different relationships include individual citizens in roles such as taxpayers, overseers, and co-producers of socially desired social outcomes as well as direct beneficiaries*.* After all, it is citizens who agree to tax and regulate themselves to carry out an enterprise designed to create a more prosperous, more civil, and more just society; it is citizens who witness, experience and pay for the effects of a given policy or program as it unfolds and begins to exercise its wide and uncertain influence across individuals in society; and it is citizens who evaluate the impact of the policy or program on both their individual conditions and the social conditions in the society they witness, and decide whether to continue it or not.

It is obvious that I use the word “citizen” in the paragraph above very broadly to refer to individuals who *occupy different structural positions in society*, and who play *different functional roles* in authorizing, implementing, and evaluating a government policy or program. A quick list of citizens who use government programs might include the following:

*Individual citizens and voters* in whose name government commits tax dollars and regulatory authority to advance particular purposes, and act as the ultimate arbiters of public value

*Individual taxpayers* who will bear the financial cost of most government programs

*Elected (and unelected) representatives* of citizens, voters and taxpayer who seek to protect the interests and advance the social and political values of their particular constituents

Individual citizens who, following the adoption of a particular public policy, become the *object of government regulations* that either prohibit them from acting in anti-social ways, or requires them to act in pro-social ways

Individual citizens who, following the adoption of a particular public policy, become the *direct beneficiaries of services* provided by the government without having to pay (as long as they meet certain eligibility requirements);

Individual *citizen volunteers* who motivated by civic pride or public spirt can be mobilized to materially advance toadvance public purposes without being paid or coerced to do so.

It is important to see, of course, that although we can call individuals in these different roles “citizens,” it is by no means obvious that they will have similar views of the interests and values that are at stake in the particular policy or program that materially affects their welfare, and engages their ideas of what would be good for them, or what they might justly deserve or owe as a citizen in the polity.

Some of these interests and values will be heavily influenced by the particular structural position and functional role that engages them with a given policy. A taxpayer will probably not have the same interests as a beneficiary. A citizen thinking about the overall public good may not have the same interests as the object of government regulation. And citizens, voters, and taxpayers may disagree among themselves about whether a given policy or program is creating enough public value that it ought to be sustained regardless of its current cost, or ought to be abandoned as not worth the price in terms of money or restricted liberty.

Other interests and values will be influenced by an individual’s social, economic, or political position. A person with wealth or a secure job might have a different view of the value of distributing food stamps than an unemployed mother with children to feed. A person who feels secure in their ability to claim and defend their property rights against both state and commercial action may feel quite different than a person who has less social standing and has been the victim of discrimination in the past. In short, individually held views about what members of a good and just society owe to one another may vary with respect to their particular position in that society.

But it is also true that individual citizens may also hold more abstract and general views of the conditions that would be consistent with an ideal of a good and just society which are not necessarily engaged by, or aligned with, the impact of a particular public policy. We could call these views *political views*, or *political ideologies*, or simply, *individually held views of a good and just society*, including ideas about what one can hope for, and what one owes and deserves as a member of the society.

A democratic society remains open to individual citizens holding many different ideas not only about what they would like for themselves, but also what a good and just society would seek to require of and provide to its members. These individually held values about what is good and just for me, and what is good and just for all, form the basis of the most important use that citizens make of government policies and programs: *the judgement about whether a given policy or program is sufficiently valuable in creating a better and more just society that it ought to be continued, or whether it fails to produce enough public value to justify the financial and regulatory burdens it places on its citizens and ought to be discontinued.* It is in this sense that citizens are the *arbiters* of the social and public value of government enterprises in the same way that customers are the ultimate arbiters of value in the market place.

The idea that the potential users of government policies, programs, services, and enforcement operations should be seen as “citizens” rather than “users” (or “customers”), and that user interfaces might need to be built for citizens in their varied roles as authorizers, taxpayers, constituents, duty bearers, beneficiaries, and as public volunteers is sufficiently novel and weird, that it takes some substantive explanation as well as skillful pedagogy. Making the idea seem less weird and more important and working out the implications of this particular idea of a “user of government” are my most important objectives.

1. **Embracing the “User’s Perspective”: A Critical Exploration**

A core idea presented and illustrated in this case is the claim that one can design value into a government programs by rigorously “adopting the users’ perspectives” in the design of the key interfaces of that program– not the perspective of those who are designing and delivering the program, nor the perspective of the technical people who might be so enamored with their technology that they forget that the technology is a means to an end rather than the end in itself. This is particularly important in the case of use of digital technology where the whole point of many if not most digital innovations is to “improve the user interface with the agency.”

***“Users” as “Customers” of Government***

This view, of course, aligns closely with the view that government ought to become more “customer oriented”, and try to make its services easier to access and more convenient to use by all those who have an interest in using them.

This differs from, but is often also closely associated with the idea that it would be better for “customers of government” if specific services provided to them were “coordinated” more effectively: e.g. they would not have to provide the same information over and over again, that points of service delivery could be “co-located” for convenience, and that services would be delivered in certain combinations tailored to each “customer’s wants, needs, and rights.

Since digital technology seems to have revolutionized the interface between commercial sellers of goods and services and their customers, it seems likely that the same could occur in government. If government could become as competent in the purchase, design, and use of digital technology to make life easier for customers as the commercial sector has done, citizens would not only be better served, but also, perhaps, develop a more favorable opinion of government.

Because this point seems so basic, simple and incontrovertible, it is often used as the entry point for a discussion about how government might best make use of digital technology. But this entry point, when used in the design of government operations, raises a very large issue: namely, who is the user for whom the digital interface is being created, and exactly what do they want from their interface with the government agency.

***“Users” as Direct Beneficiaries of Government Services and Benefits***

At the outset, if we borrowed the analogy of customers in the commercial sector to identify the important users of the CalFresh program, it doesn’t seem to be too hard to identify who the users of government programs are, and what they would like. They are the individuals on the other side of the bureaucratic counter who would like to receive the Calfresh benefits to which they are entitled as easily and conveniently as possible. If they were the only relevant “users” of the CalFresh program, then the design goal would be to produce a “user interface’ that was accessible, intuitive in use, and automatically updated information that would be used multiple times.

***Citizens and Taxpayers as Other Possible “Users” of the CalFresh Program***

A little reflection, however, suggests that the character of this transaction – the information collected in the course of the transaction, and the use that is made of it -- could be important to a wider public beyond those receiving benefits.

The part of the “wider public” that is sympathetic to the condition of those who are unable to put food on their tables and see CalFresh as an important way to meet basic human needs or vindicate fundamental human rights, way want the user interface for those seeking benefits in similar terms – easy to use, even helpful for those who find bureaucratic hurdles hard to leap.

After all, to the degree that obstacles were thrown up to individuals seeking the benefits to which they were entitled, the welfare of those applicants would be adversely affected.

Even worse, to the degree that the obstacles to enrollment created more problems for some eligible clients than others (or, indeed, prevented some clients from ever gaining the benefit to which they were entitled), the overall efficiency, effectiveness, fairness and justice of the program would be badly compromised.

It does not take too much imagination, however, to note that there might well be other segments of the wider public who are less sympathetic to those who cannot provide food for themselves, and/or more tight-fisted with their own hard-earned money. This segment of the polity might agree that benefits should be supplied to those in dire need of food, but they would like to “keep the benefits within reason,” and be sure that those who enroll in the program are “truly needy.”

One might imagine that this might be the perspective of a *taxpayer* who is willing to do *something* for the hungry to promote social welfare, but does not want the program to be excessively generous, lest the individual sense of responsibility of caring for oneself and one’s family be eroded. And the taxpayer might be particularly concerned about guarding the program against fraud, which would make the program more expensive and less effective than it would otherwise be.

That might sound inappropriately selfish, but it is worth noting that the part of the “wider public” that generally supports the program, and seeks to make it easy for eligible individuals to gain access to the program through a smoother user interface is not necessarily supporting the idea of giving food (or money to pay for food) to *everyone*; they want a program that provides *enough* food to meet the needs of a portion of the population that is *eligible* for receiving public support.

Given this purpose, it follows that Individual citizens who wanted to enroll in the program would have to demonstrate their eligibility by providing evidence that they are the ones that the program was intended to help – the truly needy.

It is that requirement that often creates a glitch in the “user interface:” an individual can’t just show up and ask for the benefits, they have undergo scrutiny and provide evidence that they have the particular characteristics that satisfy the collectively defined eligibility rules. Moreover, they may have to keep up-dating this information to maintain the flow of such services.

The reason such eligibility rules exist is, quite simply, to *ration access to the services*. In most government financed services, individual access to the services is not guarded by individual willingness and capacity to purchase the service as it would be in a market, but is instead regulated by rules defining who is eligible, and for what.

The reasons for such rationing include the collective desire to keep the total claims on tax dollars within acceptable limits. But the aim of the eligibility standards is also to ensure that whatever tax dollars are available for this purpose go to those who might need the money the most, or might benefit most from its availability the most. In essence, eligibility standards represent efforts to target the benefits of the program efficiency and effectively to meet needs, and to achieve other outcomes that might be associated with keeping nutrition levels high for the population as a whole.

***Public Regulatory Authority as an Asset Used in Government Programs***

As one looks beyond the immediate beneficiaries of the CalFresh program to the “wider public” – to the citizens in whose name the CalFresh program is enacted to create a more prosperous and more just society, and to the taxpayers who foot the bill for the enterprise – one can see that the program relies not only on state *money* to provide the benefits to individuals and wider social impact; it also relies on the use of state *authority*.

To many, the idea that state authority is being used in what seems like a benefit program might come as an unwelcome surprise. After all, this is a service program, not a regulatory or enforcement program! The aim is to help people who are impoverished or oppressed; not to oppress or degrade them further!

Yet, any close observer of this program would see the heavy hand of state authority at work in three crucial ways.

* First, it is the body politic acting through the messy processes of democratic government that authorized the program in the first place, and in that collective decision rendered the collective judgement that such a program would be valuable to both individuals in the society, and to the wider public. (The state, acting as an agent of society, became the *arbiter* of the public value of the proposed program just as a consumer’s choice to spend their own money is the arbiter of value in the market.)
* Second, the legislation creating the program used the authority of the state to define what particular population was eligible for benefits under the program, and provided the administrators of the program with the authority to verify eligibility in order to guard against fraud, waste, and abuse, and to ensure that the program was efficiently, effectively and fairly managed to achieve the desired results. (The state, acting as the agent of society, rationed access to the program to those who deserved and could benefit from the opportunity the most.)
* Third, the state used its general taxing authority to raise money sufficient both to administer the program reliably, and to provide the benefits promised to those in need. (The state, acting as the agent of society, distributed the cost of providing the public benefits to the eligible population across the entire population of citizens and taxpayers and required all taxpayers to contribute regardless of whether they valued the program as citizens or benefitted from it as clients.)

***Recognizing and Valuing the Use of Regulatory Authority as a Cost to Liberty***

The fact that government is using its authority to establish and operate the CalFresh program has some important effects on how both the individuals who hope to receive benefits, and those among the wider public in whose name the program is enacted will perceive and be affected by the way the program operates in individual cases and in aggregate.

Generally speaking, the fact that state authority is being used to authorize the program as a collective obligation on the polity as a whole, and that to accomplish the overall goals of the program, some rules are established to ration access to the program, raises important value questions concerning the fairness with which the program is designed and administered, and the degree to which the program aligns with efforts to enhance the overall justice of the society. (In this sentence, overall justice is meant to include ensuring that “right relationships” exist among citizens in the society including those who benefit from the program, those who are asked to pay; also among those who authorized the program, and designed the rules regulating the relationship between CalFresh and its client/beneficiaries.)

Specifically, if we looked at the “user experience” of an individual seeking, and continuing to receive benefits under the program, we might see that they were concerned about how *fairly* they were being treated: whether their ideas about what they deserved were aligned with the state rules; whether they could maintain their privacy and dignity in the application process (as well as subsequent checks on their status); whether their individual lives were significantly improved in ways that reduced their dependency, and so on.

If, on the other hand, we looked at the “user experience” of the individuals who were asked to authorize and pay for the program, we might see that they, too, were concerned about the experience of the beneficiaries as fellow citizens down on their luck. But as members of the wider public, they might be concerned about other characteristics of the program such as the following:

* Assurances that individuals applying for the program are treated fairly in the sense that like cases are treated alike;
* Evidence that fraud, waste and abuse in the program’s operations are minimized, and that the program efficiently and effectively delivers the benefits to those eligible
* Additional evidence that the delivered benefits are not only valued by beneficiaries, but also have the socially desired effects on those who receive them;
* The degree to which the program as a whole contributes to more or less widely shared ideas about the overall justice of the society – what it is that we can claim from our fellow citizens and what we owe to one them in economic, social, and political domains of our individual and collective lives.

***Transparency as Part of the “User Experience” in Government Programs***

At this point, the idea of a “user” or a “customer” of government services has become somewhat tortured. It seems that, on one hand, there are some individuals who make use of public programs as direct, transactional beneficiaries.

On the other hand, are individuals who agree to pay for the program even though they don’t necessarily directly benefit from them and are not allowed to make an individual choice about whether to provide the services to the beneficiaries or not.

One could think of this as the difference between “client beneficiaries” and “taxpayers.” But it is important to keep in mind that both *client beneficiaries* and *taxpayers* are also *citizens*, with whatever that implies for their thinking about what they are both *owed* and *owe*, as *citizens* of the wider, democratic polity of which they are a part.

We can resolve this tension by introducing a familiar term in the customary analysis of “right relationships” between government programs and individual citizens. That term is the concept of *transparency*.

Transparency is a value to be advanced in democratic societies for both intrinsic and instrumental reasons.

* *Intrinsically*, transparency is important to democratic societies because it embodies an idea of right relationships between government and its citizens. As a core principle of democratic government, government ought to be accountable to citizens for all its actions: both for large actions that produce broad, aggregate consequences for the society, and for small actions that have important effects on individuals who have unique encounters with the government. That is what it means to be a “government of, by, and for the people” rather than a government that stands above the people and does what it chooses rather than what “the people choose.”
* *Instrumentally*, transparency is valuable as a practical method to motivate government as an agent of the people to do the right thing: to act in accord with the aspirations of the collective as they are expressed in statutes and other forms of public policy, to use resources as efficiently and effectively as possible (including the authority of the state), to administer authorized programs fairly and accountably as well as efficiently and effectively, and to ensure that the overall performance of the policy or program is enhancing not only the welfare, but also the justice of the policy.

Transparency should promote government accountability to citizens at many different stages of government policy making and delivery, and focusing attention on many facets of performance:

* Not only *after* a program has begun operating, but also *before* the fact while the program is being designed and citizens are being consulted about the values at stake in the design of the program.
* Not only for the *outcomes* that are produced, but also for the financial costs and other negative consequences of the processes (such as abuses of state authority) that occur as part of the process to produce the desired results (including abuses of state authority)
* Not only for the *aggregate* across a large population, but also on individual harms and injustices experienced by individuals who become engaged with the program

***Transparency as Government Accountability to CitizenUsers*** ***and Citizen/ Authorizers***

The key to transparency is the capacity of “users” of government programs to be able to monitor and measure effects of government activity on individuals and social aggregates *along the particular dimensions of value that are important to them from their particular position in the social structure, and their particular functional role in any given policy making and implementation effort.* From this point of view, we can see the “users of government” as *all citizens acting as “agents of public accountability.”*

Significantly, the individual citizens to whom the government owes transparency and accountability includes those individuals are the direct beneficiaries of the CalFresh program. Those individuals have rights with respect to the CalFresh program that they are legally authorized to demand. They are entitled to know what benefits are available to them, how to apply for them, and what kind of information they will have to supply. They will also want ways to reassure themselves that they are being fairly treated, and some recourse if they think they have been the victim of an error, or explicit bias against them. In short, they want to be able to protect their rights and entitlements as *citizens,* and as direct *beneficiaries* of the program.

But, as we have also seen, there are other individual citizens who are not direct beneficiaries, but who might also demand transparency on dimensions of value important to them. These could include more or less liberal citizens who want to know what is being done for or to hungry citizens in their name, and more or less stingy taxpayers who want to know what is being done with their hard-earned money. These accountability agents might want to be reassured that only those eligible for benefits are receiving them, that the program they have sponsored and paid for are actually “moving the needle” with respect to goal of eliminating “food insecurity”, and that eliminating food insecurity goes a long way towards restoring dignity, autonomy, and health to many struggling parents and children. The talk among the individuals in the wider public about the importance of these values relative to their own concerns constitutes the continuing public discourse about the public value of CalFresh to the wider public as well as to the direct beneficiaries.

***Structures and Processes of Democratic Governance and “Users” of Government***

Of course, apart from the individuals who are counting on the CalFresh program to keep the wolf away from their door, the individuals whom we have been discussing as citizens and taxpayers are, as a practical matter, not all deeply interested or engaged with the large and small issues associated with the operations of the CalFresh program. They have their own economic, social, and political lives to live, and CalFresh is not necessarily a key concern to them.

To the degree that democratic governance requires at least the tacit consent if not their active engagement of citizens in judgments about the value, design, operations, and evaluation of the CalFresh program, we depend on the messy structures and processes of democratic governance to call into existence some kind of a public that can act in the name of all citizens in the myriad choices that go into the design, authorization, and effective implementation of the CalFresh program.

Those messy processes begin with the establishment and protection of individual rights to speak in public about individual and social conditions, and to petition government for the improvement of those conditions – whether they be economic, social or political. Those speaking can be hungry individuals themselves, or those who witness the problem and feel concern about it. It can also include those who think that nourishing oneself and one’s family is the responsibility of individuals, not a matter for public concern.

These rights are amplified by the presence of news media – some animated by profit; some by the public interest; most by a complex interaction of the two. Their function is to call public attention to conditions that they judge to be worthy of public concern – including inefficient, ineffective or unjust practices of government in current activities, or individual and social conditions that (in the view of the writers) call out for government action. In calling attention social conditions or practices of government, they seek to speak to and for a wider public, and to engage those individuals in collective political life as will as their private lives.

The individual rights are also amplified by voluntary associations such as political parties, policy advocacy organizations, and economic interest groups that engage individuals with similar political ideologies, social values, or economic interests in collective associations that build influential factions in continuing political debate over the best and most just use of government authority and money.

And, they are given great weight by the power of regular elections of individuals who will occupy the most powerful structural positions in government – but only for a time, and only for as long as they can sustain the commitment and engagement of “the people” – understood as the collective citizenry.

Table 1 presents overly schematic but still useful summary list of the “users” of government who seek to use the assets of government to advance their more or less materialistic, self-interested, and considered judgments about what democratic government should do to create a more just, more civil and more just society. In that sense, each of these social actors seeks to use government in particular ways, and is therefore interested in having a digital interface with government that allows them to observe, question, and talk about what the government is doing in the name of its citizens.

Table 1:

**Citizens (and their Representatives)**

**Who *Use, Make Use of*, and *Are Used* by Government**

|  |
| --- |
| Elected Representatives of the People (and their Appointees) Elected Chief Executives Elected Legislators |
| Non-Elected Representatives of the People  Political Parties Policy Advocacy Groups Economic Interest Groups |
| Courts: Elected Appointed |
| The Media Traditional Print Media Traditional Electronic New Social Media |
| Individual Citizens Voters Taxpayers Client Beneficiaries Client Obligatees Individual Co-Producers |

***Dimensions of Value as the Focus of Transparency and Accountability***

Each of these actors is potentially interested in developing a “line of sight” into government decision-making and operations in order to see the degree to which those decisions, operations, and resulting effects are aligned with particular dimensions of value they deem important. The beneficiaries want ease and convenience. The citizens who view “food security” as a basic human need or fundamental human right want the program to meet the needs and vindicate the rights. The taxpayers who worry that the cost of the program might reduce funding for other benefit programs they judge to be more worthy, join with some citizens who worry that a program that is too generous will undermine individual responsibility for their own economic well-being will want to ensure that the program’s benefits go only to those that society as a whole has decided could and should benefit from the program. And so on.

We call these varied social actors “accountability agents” because they claim the legal, political, and moral right to monitor, comment on, and support, criticize, or advise the government on its decisions and action. They claim this right at every stage of government decision-making operations, and evaluation; and for both aggregate results and experiences in notable individual cases. And, they focus not only on how well material resources are being used in the process, but also on the fairness and justice with respect to which government decisions and actions are being rendered.

***Accountability Agents as “Users” of Government Who Need a “User Interface”***

It may seem odd to think of this list of “accountability agents” as a group of users for whom an interface with government has to be constructed. But a private sector analogy might make the idea seem less odd.

A commercial firm may think of its primary “users” as its customers, and spend a great deal of their time thinking about the “moments of truth” that define their relationship with their customers. Indeed, that is the idea we used to get started thinking about the user as the client beneficiary of CalFresh.

But commercial enterprises have long recognized that they have other important *stakeholders* whose support is important to their success, and with whom they might also want to establish a reliable and convenient “user interface.”

The most obvious (and relevant to the case at hard) are shareholders and investors who want to be kept informed about how the management of commercial enterprise plans to use their assets. To respond to the interests of shareholders, commercial firms make themselves transparent to their interests in many ways including filing audited financial statements on a quarterly basis, holding conferences with shareholders in which CEO’s lay out their plans for the future, respond to incidents and criticisms that appear in the public media, and, increasingly, report on their performance with respect to social goals that are established as valuable targets above and beyond their financial reporting.

Table 2 presents a longer list of “stakeholders” who can and do make claims on commercial enterprises, and who can broaden, narrow, or even completely undermine a commercial firm’s “license to operate.” Over time, commercial enterprises have begun to view such social actors as individuals and groups that are important to “keep onside” and “aligned with their goals”, and have developed important “user interfaces” with these groups including the structures and processes described in Table 2 that are specific to those particular stakeholders.

**Table 2:**

**Stakeholders Interested in the**

**Conduct and Performance of Commercial Enterprises**

|  |
| --- |
| Shareholders |
| Customers |
| Employees |
| Government |
| Local Communities |
| Society at Large (Citizens) |

The extension of the idea of a user or a customer to social actors who have interests in demanding accountability from organizations, and hold positions that allow them to do so, should not be too surprising. After all, sustaining a value creating enterprise that consumes valuable resources and assets over time to produce results that individuals view as more valuable than the assets used to create the desired results requires many different individuals to become involved in that effort. There have to be individuals and actors who decide that it would be valuable to produce a particular result; another group from who resources must be mobilized; still another group who must be organized to produce the result; and still another group that has to live with the consequences of what is produced and how, and makes judgments about whether those consequences were worth it.

In the commercial sector, these actors can be neatly divided into entrepreneurs and innovators (who have concrete ideas about how value could be produced); investors or shareholders (who provide the resources necessary to produce the imagined value); employees or suppliers (who do the work with the resources to produce the valued results); and customers (who are the arbiters of whether the proposed product or service was valuable).

In a democratic system of government, the actors are less neatly divided but can be roughly described in the following, similar groups: elected representatives of the people, political leaders, policy entrepreneurs and advocates (who have ideas about how value can be created); citizens and taxpayers (who agree to regulate and tax themselves to provide the resources necessary to produce the desired results); public employees, private contractors to government, and regulated industries (who are called upon to produce the desired results usually in exchange for government dollars); and ultimately the individual citizens, taxpayers, client beneficiaries, and client obligatees who judge the value of what is being produced from those different vantage points, and make a more or less integrated judgment about whether the enterprise is valuable – all things considered.

1. **Designing the Data Base and User Interfaces for CalFresh**

At this stage of the analysis, we have challenged the idea that the only, or even the most important, “users” of government programs are those that received benefits from the program as client/beneficiaries. More specifically, we have

* Increased the number of actors who could be viewed as users of the program (with some using the program for their own benefit and others using it to advance some wider social goals, and others indignant that they have been roped into the social effort)
* Increased the variety of interests and values that are of concern to the users (and therefore the dimensions of value which might be important to identify and measure in representing the performance of the program to those who would like to call the program to account and shape its operations for their purposes)

In principle, this framework suggests that when thinking about using digital government to improve the performance of government and increase the satisfaction of citizens with particular decisions and actions of government, there are many more “user interfaces” that might be important for government to develop and citizens to use, and a much different kind of data base to support those user interfaces than we first imagined.

That doesn’t mean we should stop paying attention to the important interfaces with government *clients* (both beneficiaries and obligatees). But it does mean that we need to think about how to use digital technology to *engage other individual citizens (or their representatives) in processes of authorizing, designing, operating, and evaluating government programs* if we are going to achieve the goal of a “government of the people, by the people, and for the people” rather than “serve the customers” of government. The “people”, after all, are not just an aggregation of “customers” or “direct beneficiaries.

More specifically, we might need to change the digital data base and user interfaces in the following ways:

* Develop specialized user interfaces designed not only to serve direct beneficiaries, but also citizens and their representatives who provide the continuing authorization and financing of the enterprise
* Impose increased demands on the data base that could be used to meet the demands of users at those different interfaces.
* Create the potential for increased communication and deliberation among the various users for the program as they seek to understand and improve the performance of the program.

A useful way to get started is to take a step away from the relatively abstract discussion we have been having and think about the question of exactly which particular segments of the population for whom those managing CalFresh might want to build a specifically tailored platform that would allow them to use the platform for their particular purposes.

***The Interface with the Wider Public: Accountability to Citizens and Taxpayers***

Instead of starting this time with the direct beneficiaries, let’s start with what we have been describing as the “wider public.” This group doesn’t necessarily include all citizens, but to honor and support whatever “public interests” might be engaged by the existence of this program, I think it would be a good idea to have some “user site” that offered some basic descriptive and evaluative information of the CalFresh Program including:

* its overall purposes, the size of the eligible population,
* the kinds (and levels) of benefits it offers,
* its current total costs (divided between administration and benefits)
* the number and characteristics of current clients,
* the estimated (and illustrated) impact of the program on the clients it is now serving
* recent challenges and criticisms of its operations and impact,
* its current plans for improving performance,
* some historical data that helps citizens understand what prompted the creation of the program, and how its mission and activities have changed.

The model here is of an investment prospectus, or a short description of “your tax dollars at work:” enough information to interest a potential investor or taxpayer, answer the basic questions of anyone whose interest is piqued by the site, and leads to those interested in digging deeper.

The “users” would be all citizens and taxpayers, including those who are not interested now, but might become interested if an “issue” about the program arose in a public discussion that stimulated their indignation or active support. Other users would include representatives of media (both old and new), along with muckrakers and whistle blowers of various ideologies looking for issues to bring to the attention of the public.

The list of information that might be useful to the wider public in its role as the authorizers, overseers, and evaluators of the program as a whole presented above is just a guess about particular dimensions of value that would matter to citizens, taxpayers, and their representatives who are active in the public realm making judgments and offering advice about whether to sustain, abandon, or improve the current program. Suppose, however, that we tried to get more systematic about the particular dimensions of performance and public value creation, and the degree to which improvements were being registered along those different dimensions of value.

***Creating A “Public Value Account” for the CalFresh Program***

One approach would be to develop and use a “Public Value Account” that could reliably report on the performance of the CalFresh Program in advancing key dimensions of public value associated with the program. In *Recognizing Public Value,* I developed a framework for developing public value accounts for particular government policies and programs that consisted of a simple 2x2 matrix. See Table 3 below.

Table 3:

Towards a Public Value Account of Government Operations

|  |  |  |
| --- | --- | --- |
|  | The Good  | The Fair and Just |
| Individual Level Experience | User/Client Satisfaction | Fair Treatment as Individual |
| Aggregate/Social Level Impact | Desired Social Outcomes | A JustSociety |

The rows of the matrix describe the valued effects of the program as they are produced and experienced at the individual level of clients of the program on one hand, and at the aggregate level of society on the other.

The columns of the matrix describe two different philosophical systems within which particular effects of a policy at the individual or social level acquire significance and value. The left-hand column relies heavily on the philosophy of utilitarianism which sees value largely in terms of individual and collective material welfare: e.g. the degree to which an individual has access to food, shelter, income, health care, education, and is protected from threats to the above from either natural or man-made threats. The right hand column relies heavily on the philosophy of deontology – or the just and fair: e.g. the degree to which individuals live in right relationships to one another as individuals and to the institutions of their society.

The goal over time would be to populate this abstract representation of a public value account with specific measures that capture the actual experience of individuals who interact with the program, and the views that the wider public has about the importance of the different named and measured effects of the program.

Table 4 below presents an initial effort at such an account:

Table 4:

|  |  |  |
| --- | --- | --- |
|  | The Good:Material Welfare | The Fair and Just:Right Relationships |
| Individual Level Experience  | Convenient Access to ProgramImprovement in Food and NutritionClient Satisfaction with Program | Minimal Intrusion on PrivacyMinimal Processing Errors Wrong Exclusions Wrong InclusionsNo Bias or Discrimination |
| Aggregate Social Results | Enhanced Food Security for Community Improved Well-Being in Other Parts of LifeFinancial Cost of Program | Right to be Free from Hunger VindicatedEnhanced Dignity and AutonomyEnhanced Equality |

***The Interface with Potential Applicants: Public Marketing to Clients***

The second group overlaps to some degree, but not entirely with the first: it consists of individuals who are thinking they might apply to the program and become a client. It is an important principle of democratic governance that government programs be open and accessible to all those who are interested and eligible to become clients of a given program.

But we understand that, as a practical matter, it might be difficult for a given program to reach all those who are eligible, and to kindle interest and support the applications of those who are. This might be particularly true for populations that are particularly alienated, oppressed, discriminated against, disorganized, fearful, etc. – individuals who do not now have confidence in their ability to learn about and defend their rights and entitlements to public programs. Indeed, it is precisely these individuals who are often the important targets of publicly supported government programs.

It is obvious that the government, acting as an agent of the public, could spend more or less money and focused effort seeking out eligible citizens, and encouraging them to sign up in order to reach the goals of ensuring equal and comprehensive access to the program’s benefits. But the more money and effort it expends in such marketing efforts, the higher the administrative costs, and the more benefits are given out.

Using Table 3 above, we could see that there is a tension between the utilitarian value to the public as a whole of keeping the overall administrative and benefit costs low on one hand, and 1) having the largest possible impact on food insecurity, 2) ensuring that individuals were treated fairly in the program, and 3) that we advanced justice by protecting individuals from the oppression and injustice caused by food insecurity.

The fact that at least someone in the wider public whose views matter is concerned about this issue is indicated in the case by the attention that is given to a particular statistical measure of performance: the “participation rate. This statistic describes the portion of the estimated eligible population that has in fact been approved by the program. The higher the participation rate, the more successful the program is in reaching those who are eligible. That, in turn, is linked to the success of the program on the other dimensions of value noted above: the benefits delivered to particular individuals that improve their welfare, the fairness with which they are treated, the degree to which we can reduce food insecurity in the population, and the advance in justice associated with achieving these other goals.

But the question about the size and character of the effort to reach the population that is interested, eligible, and in need of the benefits remains: how much additional “public value” do individual citizens and the wider society get from the design of the efforts to engage eligible clients. One way to analyze this problem is to see it as the design of an appropriate “marketing strategy” for the CalFresh program.

***Designing a Public Marketing Strategy for the CalFresh Program***

In the commercial sector, a marketing strategy is commonly built around the “Four P’s of Marketing”: product, place, promotion, and price. The goal is to maximize revenues earned by the sale of products and services on offer by persuading as many individuals as possible to buy the firm’s products and services (while paying the highest price they would be willing to pay, imposing the least future costs on the company following their purchase, and retaining their loyalty for future sales). How could this framework be usefully applied in government programs.

*Product/Service (To Citizens, Taxpayers and Clients)*

At the outset, it is important to remind ourselves that the goal of a government program is not to maximize revenues earned by sales to individuals. In benefit programs like CalFresh, there are no sales to individuals in exchange for services. The government does not get more money by increasing the number of individuals who use the program. In fact, it “loses” money by making efforts to find more eligible clients. The benefits are given away to those who are eligible. What, then, is the value to be created by this program and for whom?

The goal of the government program is to *create public value for citizens by* *delivering goods and services to individuals who are judged by the citizens to be both needy and worthy of social benefits.* It is the citizens and their representatives acting through the processes of democratic policy making that arbiter the value of a policy or program that uses government assets. What they want to produce are the different dimensions of value described above in Table 4. They get more public value (but not necessarily more revenue!) when they move the needle that measures individual and social conditions in the terms of that Table.

Among the *citizens* are individuals called taxpayers who are obligated to pay for the program even if they do not agree with its purposes. It is important to keep in mind that such individuals do not give up their status as citizens simply because they are also taxpayers. As citizens, they get to decide what they value enough as desired social result to be willing to tax (and otherwise regulate) themselves to produce. So, it is probably better to think of most individuals as “citizen/taxpayers rather than simply as citizens, or taxpayers.

Some citizen/taxpayers some may be glad that their views about social welfare and justice have been reliably expressed through the CalFresh program, and happy to pay the taxes as their fair share of the cost of mounting such an effort. Other citizen/taxpayers may be less enthusiastic about the program, and grumpy about this use of their tax dollars, but they must learn to reconcile their views with those of their fellow citizens and take some satisfaction in the fact that they are contributing to purposes that their fellow citizens have deemed important – at least as long as the current policy remains.

But all citizen/taxpayers presumably pay some significant attention to the public cost of the program, since all would prefer to get more public value from less use of public dollars in both the short and long run. That is why total financial cost is in the Public Value Account: the value that registers along the other dimensions always has to be set against the costs to make a considered judgment as both a citizen, and a citizen/taxpayer as to whether the program is (net) publicly valuable or not.

Among the citizens are also some we have called “client/beneficiaries” of the program. For a social program like CalFresh, this is probably a much smaller group than citizens, and taxpayers. But they, too, are citizens. As citizens, they have the same rights and responsibilities of others in the society. But the CalFresh program also makes them the beneficiaries of some special entitlements or rights that other citizens and taxpayers do not have..

An important question is whether those expanded entitlements and rights – not available to all – are associated with any particular responsibilities linked to their status as citizens. As a practical matter, we know that they have to accept some special obligations to provide information about their status and condition to be eligible for benefits, and that this kind of monitoring continues as long as they are in the program. As citizens of the society, they, like the taxpayers, might have to learn to accept this infringement of their rights as the price they have to pay for the benefits. (More on this below). As self-respecting citizens of society, they might also accept the general obligation that falls on individuals in liberal societies to take as much responsibility for their own material welfare as possible, and therefore accept some kind of nudging pressure to move beyond the public support if and when they can.

None of these obligations will make client beneficiaries happier, nor will they enhance their dignity and autonomy. All of them make use of the regulatory authority of the state and take away some privacy and some freedom. So, if a direct beneficiary was thinking only as a beneficiary with rights and entitlements, and imagining that there were no obligations associated with his status as a citizen/beneficiary in this publicly funded program, then he or she might feel badly and unfairly treated by a program that kept snooping and prodding.

But, as a citizen/beneficiary, that individual might come to understand the fairness and justice of that particular deal. But it might be that that is the product or service that is being offered to the eligible population, and if that is the deal, it would be important to represent it as such and seek to make it acceptable, maybe even attractive, even if not perfect.

*Pricing (Financially and Effectively)*

As noted above, because this is a government benefit program there is no financial pricing decision to be made in marketing the program. Consumer payments are not the source of financing. Since the goal is to provide support to those who by definition do not have enough money to pay for food, it wouldn’t make much sense to ask them to pay for what they receive. And since the goal of a public program is to make it available to everyone who is eligible, there is no reason to use a price for rationing access to services. So, all the reasons to charge a price for service in the commercial sector do not apply to the public sector. There is no *financial* pricing decision to be made.

But there is a different kind of pricing decision to be made, and that is the decision about who is eligible for the program, what they must do to establish and maintain their eligibility, and how much hassle is associated with the bureaucratic red tape designed to ensure that the “free benefits” go to those entitled and to no one else. We could describe this as the effective price to applicants and continued users of the program.

In principle, drawing the line between those eligible for benefits at all is a pricing decision. Whether we are talking about a financial decision or an effective price, when we decide that some are eligible for benefits and others are not, we have already set the requirements for a pricing decision. The price of benefits to those who are not eligible should, ideally, be infinite: their access to the program should be barred. The price to those who are eligible, should be zero: their access to the program should be easy and universal.

The problem comes with all the data that must be exchanged in deciding who is eligible. And it doesn’t stop with the initial eligibility determination. It includes making judgements about the character and the magnitude of the benefits to be provided as well as basic eligibility for the program. And it continues over time as the individual circumstances of the beneficiaries, or the policies that regulate the flow of benefits to beneficiaries change.

The effective price for the benefits is created by the information demands of the program managers to be sure that the right amount of benefits are going to the right individuals. That is the critical user interface for applicants (as well as those already in the program).

As noted above, that interface creates a problem and a cost for all applicants, and detracts from their satisfaction with the program, both in terms of their convenience and material welfare, and in terms of their sense of equality, dignity and autonomy, fairness, and justice. It can pose such a high barrier, that some who could benefit from the program (and in doing so, make a better society for all), might refuse to take advantage of it. Or, the particular demands for information might turn out to discriminate across individuals or classes of applicants in some unfair way. Both effects would threaten the public value of the program to both beneficiaries, and citizens who were concerned about the effectiveness and justice of the program.

To the degree, these concerns were important, one might try to design a user interface for applicants that made minimal demands. One might even engage in aggressive recruitment campaigns to help individuals sign up (in effect, turning the effective price of signing up into a negative!) This would presumably maximize the participation rate but might not create the greatest public value for all.

After all, the data collected at this user interface advances some other dimensions of public value that are not limited to the satisfaction of the beneficiaries. To no small degree, it is that user interface that enables the program to avoid fraud, ensure that the individuals who received the benefits are the ones who were entitled from the point of view of the wider public, and that kept the overall costs of the program within the tolerances of tax payers.

The critical calculation in the design of this interface, then, has to be one that strikes an appropriate balance between the desire to help individual beneficiaries by reducing the burdens of red tape on one hand, while preserving enough red tape that the concerns held by citizen/taxpayers that the benefits provide the valuable relief, and go to those who deserve the benefits as a matter or economic or social justice.

*Promotion/What Dimensions of Value are to be Promoted?*

The messages could be crafted in many different styles ranging from a naked appeal to self-interest and free food at one end of the spectrum; through a more sober description of the program, its eligibility requirements, and information about how to apply; to a different kind of message that reminded those interested in applying for the program that participation in the program as a citizen rather than a customer would require the acceptance of some obligations to provide accurate information about their status and condition at the time of application as well as continuing, and good faith in living up to whatever rules the program imposed on how the benefits could be used.

To a degree, one might want to fashion the promotion to the particular user audience.

* When trying to recruit users and enhance the participation rate, one might emphasize the value of the benefits, convenience in applying, minimal intrusiveness, guaranteed quick responses to applications, and access to appeals if the eligibility decision seems unfair or inadequate in some way.

* When reporting to citizens and taxpayers, one might want to emphasize not only the quality of service to those applying for the program, but also the aggregate social results in terms of reduced hunger and the future welfare and health benefits associated with providing for this basic need, increased efficiency in the form of reduced administrative costs of the program, reduced errors in eligibility and benefits determinations.

Such a strategy is designed around the idea that to sustain the commitment of all “users” and “contributors” and “overseers” and “evaluators” of the programs, it would be valuable to report to them on the attributes of the program that most interested or concerned them. It would be wrong, of course, to report inaccurate or incomplete information on program performance, and to exclude any citizen from gaining complete information about the program. But it is not necessarily wrong to provide accurate and complete information about the performance of the program along dimensions of value that are of particular interest to citizens in their varied structural positions and functional roles in “using” the program. In fact, one could view this as an effort to be fully responsive to the concerns of those interested in the program for one reason or another.

Still, one might imagine that an additional virtue of a marketing program to engage and be responsive to the concerns of different citizens would be to present both easy access to, and some discussion about, the full range of values that are at stake and are guiding the on-going operations of the program. Behind each of the “tailored, partial accounts” of the program’s performance to meet the interests of different citizens should be access to a full public value account, that might serve to remind citizens with a more partial view of what is important about the program to consider a wider more comprehensive view of the values at stake in the way the program operates. Such an effort might help individuals embrace what a fully aware (woke) citizen might think about the program, rather than what a citizen/taxpayer, or citizen/client might think based on a more partial, less empathetic perspective.

Note that the demand for empathy goes both ways in this conception: not only does the citizen/taxpayer have to have some appreciation of the experience of the citizen/beneficiary; but the citizen/beneficiary has to have some appreciation of the experience of the citizen/taxpayer. Ideally, the weight of thinking like a citizen would grow relative to the urgent, accessible, more partial claims of being a taxpayer or client.

In principle, a marketing strategy consists of a set of messages sent out through various communication networks designed to reach and engage the prioritized populations. No doubt, there would be many common elements to the messages sent to different segments of the population. But it is also clear from the discussion above, that there might be some distinctive elements for different populations. The distinct elements would include not only the message, but also the medium and the channel to be used.

We have already noted the significant difference between those who authorize, pay for, and arbiter the value of the program as a whole on one hand, and those who benefit directly from the program as clients on the other. The wider population will be reached through messages about the character and performance of the program through broad, public access media, while those individuals who are thinking about applying (or have already enrolled) will be reached with more specific messages about what they need to do become and remain eligible for the program through much more targeted communication channels.

But it is also critically important to understand and design for the fact that the population of potential and existing users is a very heterogeneous population. They may have common interests in how the program operates, but be different in terms of the priority that is assigned by the wider society to reaching them, and the particular ways in which they can be effectively reached.

In the case at hand, for example, it is quite possible that some populations that CalFresh might seek to serve is not particularly tech savvy, and that the creation of new apps for digital communication would only help a relatively sophisticated set of potential clients. In that case, the new apps would have to be supplemented by individuals in community based organizations who had more face to face connections with potential clients, and could help them use the new apps (thereby helping to close the digital gap as well as reduce food insecurity.)

The population may also be heterogeneous in the sense that the public as a whole thinks some segments of the population are more important and valuable to help than others. This is implicit, of course, in the declaration that some individuals are eligible while others are not. But it could be more fine-grained than that in the sense that there might be some individuals within the eligible population (say those with young children who are completely out of food) who are seen as particularly and urgently needy.

Finally, the population is heterogeneous in the sense that the potential clients are sitting along different communication and distribution channels that could possibly inform them about, connect them to, and get them enrolled in the program. Some are easily within reach of communication systems, social networks, government facilities, or transportation facilities that can connect them, while others are “off the grid” – at least from the point of view of most government agencies and their communication networks.

Marketing strategy depends on segmenting the applicant population. A successful strategy will probably involve some mass messaging designed to reach many individuals at relatively low cost per person sought, and some much more tailored, determined, and expensive for those who are particularly important to reach, but are also off the grid. A marketing strategy that was more than a token effort simply to notify citizens of the existence of the program might take more thought, money, and effort, but it might go further to advance goals at the level of individual convenience and satisfaction to users, the achievement of broad social welfare objectives, and the overall justice of the society that were the ultimate goals of the policy or program.

To ensure that we have an efficient, effective, and fair marketing strategy, however, there is one last piece to be considered. That piece focuses on the subjective experience of applicants to the program with respect to the question of whether they have been fairly and effectively as well as conveniently served by the program.

Presumably, each applicant applies for the program hoping that they will be treated fairly and justly according to their own subjective judgments of what they want, need, or deserve as citizens of the society. What they encounter in the process of applying and enrolling, however, is what society as a whole has decided they need and deserve from the society as a whole acting through government. That collective judgment, embodied in the rules of the program, might well differ from their own individual views. As a consequence, they might well feel unfairly and unjustly treated.

The charge of unjust treatment by government by an individual citizen is an important one. We all agree that democratic governments ought to treat their citizens fairly and justly.

But one can quickly see that there might be an important difference between the idea of fairness, and the idea of justice --- at least when it comes to evaluating a bureaucratic encounter between a client beneficiary and a publicly authorized and directed agency using the collectively owned assets of the state.

One important meaning of fairness is the simple idea that like cases should be treated alike. This principle is often called the principle of horizontal equity. It implies that there should be no arbitrary discrimination among similarly situated individuals. If one person is similar to another on all the characteristics used to determine eligibility for the program, the decisions in the two distinct cases should be the same. That is a basic condition of equality before the law, and equality in individual transactions before government agencies dispensing benefits to advance social welfare and ideas of economic, social, and political justice. That principle is relatively easy to describe, defend, observe, and evaluate.

A more difficult idea that we associate with both justice and fairness is the simple to state but harder to justify principle that those cases that differ from one another on a particular dimension that has legal or moral significance in deciding what is needed by or owed to a particular individual citizen ought to be treated differently to account for the legal or moral difference between the two cases.

It might seem that this principle – an idea that is sometimes called the principal of vertical equity to distinguish it from horizontal equity – is inconsistent with the first principle. How can one have a principle that says that individuals should be treated similarly, and that they should also be treated differently?

The answer lies in the idea that the cases differ from one another in some way that is not arbitrary, but is tied to a quality that creates a moral or legal distinction that should matter in the treatment of the case. For example, a family with hungry children might want, need, and be entitled as a matter of right to a different kind of benefit than a temporarily homeless man.

If cases are not similar, but differ in some key dimension, then justice will require that the cases be treated differently to accommodate the morally or legally relevant difference.

Although the ideas of horizontal and vertical equity are not completely opposed to one another, the pursuit of both simultaneously does produce an important casualty in terms of public understanding. We can all see the virtue of horizontal equity, particularly if the rules are simple and widely agreed upon. Unfortunately, we can all see equally easily the limitations of a simple set of rules that ignores important characteristics of individual cases. We can preserve the principle of horizontal equity in the face of very different cases. But to do so, we have to add some special categories and rules to the simple ones with which we began to accommodate the complexity we found when we tried to apply the existing rules justly and fairly to different cases. That move destroys the simplicity of the rules, and makes it more difficulty to describe, explain, and justify all the new special cases.

In the case at hand – CalFresh – the program will undoubtedly encounter individuals in many different situations, that require different kinds of assistance. The challenge for the managers and caseworkers is to try to apply the existing rules to the varied cases. That will inevitably produce some important issues and disagreements.

We could decide to manage the program with little recourse for individual citizens who thought they were or should be eligible, and should get a particular benefit to meet their subjective ideas of their wants, needs, and rights and were outraged when they were not given what they thought they deserved. But, partly to satisfy individual clients, and partly to keep learning about the different conditions they would confront and have to consider, the system is set up with a complaint and an appeals process that allows individuals to claim that they are not justly treated – even if they might have been fairly treated.

This creates another line of service for the CalFresh program and another group of “users” who might need some kind of useful interface: those who have pending complaints or appeals with the agency about the handling of their application or the determination of their benefits.

***The Interface with Current Client Beneficiaries:***

Once an individual has applied for and been found eligible for the CalFresh program, they become a different category of user – direct beneficiaries of the program. Presumably, the key to this user interface has to do with making the transactions that deliver the appropriate benefits to the participants as convenient, efficient, fair and effective as possible. But, again, there are important choices to be made about the design of this interface. And these choices have to be evaluated against the different dimensions of value we have discussed:

* Keeping the number of client transactions as few, as easy, and as non-intrusive as possible
* Ensuring that *de facto* or *de jure* discrimination occurs in handling individual cases
* Guaranteeing that the delivery of the benefits reaches those who are eligible, and perhaps particularly the neediest and most disengaged from society, and that the benefits they receive are used for the appropriate purposes
* Developing and acting consistently with reasonable policies about the kinds of information required to establish and maintain eligibility
* Providing for and monitoring an appeals process that allows individual clients who feel they have been unfairly treated to make appeals
* Continuous monitoring of the nutritional status of the individuals being assisted (food security for individuals), and the wider impact of that fact on their material welfare, and social dignity and autonomy
* Information about sources of help (family, voluntary sector, and public to family beyond nutritional benefits

***The Interface with Professional Evaluators and Program Designers***

So far, we have identified the key users of the Calfresh Program who pay for the program, are potentially interested and eligible clients, and current beneficiaries. There is an additional group of users that can be viewed as important – those professionals who are called upon to reliably document and describe the aggegrate performance of the enterprise. In the commercial world, these would be financial analysts, accountants, and production engineers. In the public sector, these tasks tend to fall on policy and program evaluators, benefit cost analysts, and program and operational designers.

Their responsibility is to continue to evaluate the program in terms of its individual and social impact, and to search for ways to improve the program on all dimensions of value ranging from reduced total costs; increased operational efficiency in the delivery of benefits; fewer errors of wrongful exclusion or inclusion in the program; enhanced client satisfaction with both the value of the program to them, and the fairness with which they are treated; increased total impact on food security in a given population; increased capacity to move families to nutritional independence and capacity.

This activity supports both the reporting on the “net public value” of the program to citizens, taxpayers and their representatives; also to the client beneficiaries and those who join them in advocating for their rights and interests; and provides the basis for a factual public deliberation about the program’s costs and impact.

This activity also supports the continued efforts of program managers to search for, test, and implement improved procedures that can generate improved performance on at least one dimension of public value without sacrificing much in terms of other dimensions of performance. The data base, and the reporting on performance at aggregate and social levels to managers, can create a context for continuous learning and improvement in the program.

1. **Evaluating the Digital Innovations in the CalFresh Case**

As we have seen, a CalFresh applicant or beneficiary cannot just walk into a CalFresh store and demand the benefits to which he is entitled. There are many others who have an interest in how this transaction proceeds because values they care about are at stake in that transaction, and the particular way the transaction is constructed has important implications for how those values are advanced or lost in the process. In the CalFresh case, several specific changes were made in the process of applying for and receiving benefits under this program using digital technology. The question is whether these innovations improved the performance of the program, and if so, along which particular dimensions of value.

***The Specific Digital Innovations Described in the Case***

*Hacking Bureaucracy* describes both a context, and a series of particular initiatives undertaken to improve the digital interface with “users” of the CalFresh Program. The efforts begin in 2007 just after the State has completed a 10 year, $525 million dollar contract with Hewlett-Packard to build a comprehensive information system that could support “eligibility and benefits determination, client correspondence, management reports, and case management for 28 public assistance programs in California” including not only CalFresh, but also CalWorks (a welfare to work program), and Medi-Cal (California’s medicare program).

***BenfitsSF Program:*** *A User Focused Change to Welfare Programs in SF*

In that year, CalFresh received a $1 million grant from the state to work with the County of San Francisco CalFresh office to “increase CalFresh enrollment,” and “transition from a case-worker serviced, case-load driven model to a customer-focused service center; to develop a network of community-based service organizations to help people learn about and apply for CalFresh benefits; and to create a website for San Francisco county residents to apply for food stamps on-line.”

Two years later, the website had been created, and applicants not only for benefits from the CalFresh Program, but also from CalWIN, and Medi-Cal could do so as well. The program, created for San Francisco County, was eventually adopted by all 18 Counties of San Francisco. As the case reports, “By 2016, nearly one third of CalFresh applications came through the web site, and many of these applications were submitted with the help of community-based organizations such as food banks and hospitals.” The effort to support on-line applications was enabled by contracts to local food banks which hosted HAS staff to “help applicants navigate the complex on-line interface.” The local food banks went on to train staff in “health clinics, childcare centers, homelessness advocacy organizations, and other CBO’s” to take on-site, on-line applications for CalFresh, and thereby expand the distribution channel of information about and help in making applications to the program.

***Promptly:*** *Reminders to Beneficiaries to Respond to Notices of Action*

User oriented investigations of the performance of the system at the individual and aggregate levels revealed that a major problem facing CalFresh users was that they did not keep up the paperwork required to maintain their eligibility, and were therefore dropped from the program, and forced to re-apply. This created both an extra administrative cost for the program, and a reduction in the quality of services to clients.

To remedy the problem, a digital innovation called Promptly was deployed to remind users via text messages that they needed to take specific actions by a specific date once they received a “notice of action” to be able to maintain their eligibility.

***EBT Near Me*** *and* ***Balance****: Facilitating Access to Cash for Food*

The earlier system change had made it easier for clients to get the cash benefits used to pay for food by providing special credit cards to the users for this specific purpose, but user oriented investigations of the system carried out by those designing digital apps revealed continuing difficulties clients faced in accessing the cash they needed: special lines in grocery stores, uncertainty about which banks would provide the case benefits; and ignorance about their current balance of available funds. These problems were solved by creating an app that clients could use to locate banks, and learn their current balances as they went to the grocery store.

All of these “improvements” were made on the back of the much larger system change that had been implemented earlier, and each made a contribution to the “user experience” of those interested in, eligible for, or enrolled in the CalFresh Program (as well as some cross over benefits to other welfare programs focusing on income, employment and health rather than food security).

***A Quick and Dirty Review/Evaluation of these Digital Innovations***

If the lengthy analysis of the users of the CalFresh program, the uses they would like to make of the program, and the specific things they would like to know about the program as they interacted with it had any practical utility, it would come when we tried to size up the value of the particular digital innovations that were developed as the focus of the case. So, when we apply that framework to the innovations in this particular case, what might we say about them.

On the positive side, one can make the following observations.

1. Most of the digital innovations were developed in a different way that usually occurs in government. Big systems and large contracts were eschewed in favor of skunk work applications targeted on specific problems in the quality of services provided to users. This has important implications for how the government ought to think about authorizing, developing and implementing digital innovations.
2. The team of tech innovators went to considerable personal lengths to understand the nitty-gritty details of the system as it interacted with clients, and used that knowledge to improve particular aspects of the digital interface with clients. This has important implications for the general approach that tech innovators should take when they are trying to improve the user experience of government programs.
3. The digital innovations seemed to improve the user experience for many clients of the program both when they applied, and as they continued to participate in the program. That is an important dimension of public value.

On the less positive side, one could note the following:

1. Compared to the original goals of their effort (“We’re making sure everybody who needs money for food has money for food. We’re building a machine that finds barriers and removes them over and over – not just some mobile friendly ap:” and “We said let’s build a radically simplified thing so that it really minimizes the burden on the client and removes the initial application as a barrier”), the overall effort might have fallen a bit short. There was much in their effort that was designed to make it easier for clients to access benefits, but not necessarily very much that would motivate those who were asked to authorize and pay for the program to continue to do so. None of their digital innovations focused on building or maintaining the public legitimacy and support for the program by revealing the valuable impact of the program. All the value lay in the satisfaction of the clients, none to the wider citizenry (except insofar as they identified perfectly with the desires of the clients)
2. On review, it also seems likely that the digital innovations had an unintended discriminatory effect: since they all depended on having access through some digital interface, the principal beneficiaries would be those who already had access to digital technology, and felt comfortable with it. Eventually that will probably not be a problem, but in the short run, the existence of a class and race based “digital divide” could create an unwanted discriminatory effect. One of the tech designers confessed that he “wasn’t sure the suite of digital tools that the skunk work team was developing would help the typical CalFresh recipient, but he thought they would be embraced by the agency’s more tech savvy recipients.”
3. To the degree that the program sought to work against the implicit bias against the less technically sophisticated by mobilizing and equipping non- government officials who worked in activities that brought them into contact with potential clients to help them apply to the program, some of the potential cost reductions associated with automated processing would disappear. That cost could be covered either by government payments, or voluntary efforts by co-producers, but some labor costs could not be shifted to the clients if they were unable to apply on their own. (This raises the interesting question of what kind of user interface should be built to help train and support the paid or volunteer individual helpers!)

The bottom line then might be this: yes it is important to take a user point of view when designing electronic data bases and digital interfaces for users of government programs; but it is also important to understand that the “users” of government include many more individuals with different interests than the “client beneficiaries” of the program, and that to sustain and improve the performance of the program over time, the dimensions of value that are of concern to the other “users” have to be integrated into the overall digital interfaces that link citizens in their varied roles as authorizers, financiers, witnesses, co-producers, and clients to the program.

**Appendix A:**

**A Glossary of Terms**

Citizen

Customer

Client

Client Beneficiary

Client Obligatee

Accountability Agent

Taxpayer

Public Value

Regulatory Authority

Fair

Just

Efficiency

Effectiveness

Cost

Outputs

Outcomes

User

User Interface

Digital Technology

Data Base

**Appendix B:**

**A Schematic Data Dictionary**

Introduction to the Program: (Note Different Delivery Modes: Money, Food)

 Purposes of Program:

 Eligible Population:

 Eligible Population Included in Program

 Overall Impact of Program

Individual Welfare Gains: Nutrition, Health, Well-being, Income Equivalent

Economic and Social Justice Gains: Movements in Aggregate Distributions Within Population as a Whole

 Overall Cost of Program

 Costs of Benefits Delivered

 Cost of Administration

 Losses due to Fraud

 Cost of Anti-Fraud Efforts

 Cost of Appeals

 Client Satisfaction/Convenience

 Accessibility of Information about Program (Segmented)

 Ease of Application (Segmented)

 Time to Decision Satisfaction with Decision

 Satisfaction with Benefits

 Fairness in Administration (Perceived, Compared to Standards)

 Like Cases Treated Alike

 Satisfaction with Appeals Processes on Elgibility and Beneift

 Accuracy and Fair

 Applications, Denials, Reasons for Denial, Timeliness, Appeals

 Number and Characteristic of Clients Being Served

 Overlap with Populations Enrolled in other Social Benefit Programs

 Average Length of time on Program

 Number of times on Program

 Share of adult life on program

 Impact on Nutrition, Health, Quality of Life

 Total Cost to Government by Level

 Costs of Benefits Delivered

 Administrative Costs

Cutting Room Floor

First, it is not clear that all the individuals with whom government carries out particular transactions can be seen as customers. It is true, of course, that the government sells some products and services by charging fees for uses of government held knowledge, physical assets, and some kinds of services. But most services and benefits that government distributes are not (fully) paid for by the particular individuals who receive them. Individuals can often decide to avail themselves of these subsidized goods and services if they wish to do so, but in order to access them, they do not have to pay the full price at the point of sale.

Furthermore, many government transactions with individuals do not involve the delivery of services or benefits at all, but, instead, the imposition of costly burdens: the requirement that they pay taxes; that they refrain from polluting the air and water; that they keep their speed to under 55 miles per hour, and so on. Indeed, some things that might resemble services in the sense that government distributes licenses for particular kinds of activities in exchange for a fee generally have the characteristic that the only reason an individual needs a license is because the government established rules that required them!

While one might try to motivate individuals to happily accept these burdens by explaining the wider individual and social benefits that can be enjoyed by all if only each person would accept their socially imposed burdens, and while one might make it as easy as possible for individuals to come into compliance by informing them of what exactly they need to do to be in compliance, and reassuring them that the rules will be imposed fairly on all, it still will not feel to those burdened by duties that they are being given what they want in exchange for a price they are willing to pay. In fact, giving individuals what they want in exchange for a monetary price in the context of imposing duties is usually viewed as corruption, and a crime in itself!

This observation doesn’t mean that those designing operational programs that have close interfaces with individuals shouldn’t be concerned with the “user experience.” All other things being equal, individuals encountering government agencies should be treated with courtesy and respect, their entitlements and rights respected, and their responsibilities established through nudges rather than bludgeons.

But none of this changes the critical fact that the users and duty holders who appear on the other side of government counters have the three crucial characteristics and functional roles that are played by customers in commercial markets: first, they do not pay directly for the cost of the direct or indirect benefits they receive from government operations; second, they do not necessarily benefit directly, and in proportion to their payments from government operations; third, they are not necessarily the arbiter of the overall social value being produced by the particular government agency with whom they are transacting as individuals.

If government operations are not authorized and financed by customers, who is it who decides what is valuable or important for the government to produce, and who provides the assets needed to support government operations. This turns out to be complex question. If we want to stay with the idea that individuals are the important arbiters of value, and the key “users” of government services whose needs should be accommodated by the development and use of digital technology in government operations, then we would probably point to a group of individuals described as voters or taxpayers.

But it is important to see that their interests are often quite different from the individuals who are receiving benefits from or being more or less forcibly reminded of their duties by government agencies. In principle, voters approved of (or consented to) policies that use the authority and normative power of the state to impose particular duties on the citizenry as a whole. They would have little sympathy for individuals who said they did not want to follow the rules. In principle, taxpayers agreed to tax themselves to produce a particular set of activities that they judged to produce something of value to individuals and the wider society. They would have little sympathy for those who wanted more benefits than they were entitled to under the laws that were passed.

What makes this particularly confusing, is that many individual in the society are, simultaneously, voters, taxpayers, government beneficiaries, and government subjects. Further, each individual may hold firm views about the performance of government from each point of view, and there is nothing that forces them to reconcile these different perspectives! I can be very grateful to the government as a service beneficiary in one area, quite angry with the government in another domain where I am an obligatee, and contemptuous of government’s efficiency and spendthrift ways when I get my tax bill.

One other important point: not all government policies can be legitimated by elections. Representative government. Also many forums that those informal positions can use to build legitimacy and support for government action. This means that individuals variously combine themselves into publics that can legitmate government actions – both at the point when they are authorized, and when they are reviewed for their performance at both individual and collective levels. This leaves lots of room for factions to show up and exercise influence at the expense of others. But this all reminds us that there are many different users of information about government activities and performance, not just those who use, or are used, by the operating system.

The idea of citizens as a particular perspective that one should adopt

*Authorizers of Government Programs as “Users” of Government Services*

A close reader of the paragraphs above might have noticed that the discussion took an important shift in the perspective being relied upon to define the important “user” of government services. We started off, using the analogy of a customer in business, assuming that the important user for whom we were trying to design the user interface was the beneficiary of the government program; further, that the design goal of the user interface was to make that transaction as easy and convenient for those applying for and using the benefits as possible. So far so good.

But somewhere in the second paragraph, we noted that there might be “users” *other than the direct beneficiaries* who had an interest in the specific character of the interface between the government program and the potential and current users. We called that other group of “users” the “wider public,” and identified some particular purposes that some of those might have in mind for the Calfresh program: specifically, that the participation rate in the program be as high as possible. If they were considered important “users” who needed to have some kind of continuing relationship with the program to ensure its continuing operations, or ensure its value, then they, too, might need some kind of “user interface” with the program to keep them engaged, satisfied, and on-board.

But a key question then becomes: why should the members of the wider public be concerned about the user experience in the CalFresh program? They don’t seem like individual customers or users of the program? So, what is it that gets them into this game of being interested in and wanting to know something about how the user interface with the user/beneficiaries is working? And who exactly are these other “users” of the government program, and what exactly do they want from the program and value in its continuing operations?

 Authorizers as Financiers and Arbiters of Public Value

The simple answer to that question is that the “wider public” consists of all those who act through the very messy processes of democratic government to authorize the program to be created by government, define the collectively valued purposes to be achieved, levy the taxes that will support the enterprise, and develop, and design the processes that will distribute the public benefits to the population deemed eligible for the particular benefits provided. The fact that it is citizens acting together to tax and regulate themselves to produce a governmental program leads to an important syllogism about the ends and means of public sector management that has profound implications for the use of digital technology in government. It is this:

*If what is important about a user (or more accurately a consumer) in the commercial sector is:*

1. *That it is their individual judgments about the value of a particular good or service to them as individuals that establishes the social justification for producing a particular good or service (no matter how inconsequently the good or service seems to be) ; and*

1. *That it is their willingness to voluntarily take money from their own pocket and pay for the good or service that provides the wherewithal for the enterprise to continue producing that good or service;*

*then it should be clear that while the* ***beneficiaries*** *of the Calfresh Program are important* ***users*** *of the program, they are not, strictly speaking, the* ***customers*** *of the program.*

*The* ***user/beneficiaries*** *may want the program. They may be glad the program has appeared in their lives. But they are not the ones who pay for it. Nor, therefore, are they only ones whose wants, needs, and sense of justice are important in establishing, defining, and ultimately valuing the purpose of the Calfresh Program.*

In short, the overall judgement that the Calfresh Program has value to individuals and to society is not made by only by the individual beneficiaries; but by the society at large. . The program is not financially supported by the sale of goods and services to individuals who want to use them; but by all taxpayers in the society. The features that distinguish the Calfresh program from a commercial enterprises are:

1. There is a collective rather than an individual arbiter of value of the program;
2. There is a collective rather than an individual financier for the program; and
3. That the collective valuation of the program considers not only the benefits that particular beneficiaries of the program gain, but also the degree to which the provision of those benefits to particular individuals create a better and more just society than would be true without the existence of the program.

If there are some “users” of government programs in the sense that they are using it to create some kind of value, and in the sense that they are paying to sustain the program who are not immediate beneficiaries of the program on the other side of the counter, who are these social actors, and what kind of connection do they want to have with the ongoing operations of the program.

 Individual Citizens, Taxpayers, and the Idea of Government Transparency

One important kind of authorizer and financier of government operations in democratic governance are individuals who hold positions and perform functions as voters, taxpayers, and (perhaps) citizens. A core idea in democratic governance is that government does not rule over individual citizens, but instead acts as the agent of their individually held aspirations for the society as a whole. In order to establish this relationship to the individuals in the society, government has to be accountable to, and therefore transparent to its citizens. Without accountability and transparency, individuals – acting on their own in pursuit of their own interests, or acting with others in pursuit of more collective goals – would have no way to monitor governmental activities, and no way to call them to account for large and small sins.

If this principle is true, then it seems obvious that one core user of government services would be the individuals who decided the program should exist, and provided the funds necessary to produce it – the individual voters, taxpayers, and citizens of the society in whose name, and with whose money, the government has acted to produce a particular result.

Individual authorizers: taxpayers, voters, citizens

Representatives of the People

Interest groups

Media

Accountability Agencies and Accounting Frameworks

Why do they Need a User Interface?

What should their user interface be like

Designing the Client Interface to Serve Multiple Users

Evaluating the Particular Innovations in the Case.

The individuals we call citizens participate in the continuing operations of a government policy or program in many, varied roles” including:

* Client/beneficiaries of the program who receive benefits distributed directly to them without cost (as long as they meet eligibility standards)
* Client/obigatees who
* Taxpayers who provide the funds necessary to deliver the benefits as efficiently and effectively as possible
* Passive or active authorizers and evaluators of the overall value a particular government program delivers to individuals, and to the overall welfare and justice of the society in which they live.

Two things are important to note about the idea of a citizen as a “user” of government policies and programs.

* More or less interested and engaged authorizers of government policies and programs that are enacted in their name (and as such, the important arbiters of the overall value that a government policy or program contributes to the overall welfare and justice of the society)

* (and may, in exchange, for these benefits have to give up some of their privacy, autonomy, and dignity in meeting and complying with particular eligibility requirements); and
* Client/obligatees who find themselves subject to government laws and policies that impose duties on them (beyond the duty to pay taxes) to protect the rights and entitlements of others in the interests of creating a safe, just, and fair society

[[[Optional?: It is worth noting that the use of state authority in regulatory and enforcement operations is much more obvious. When we collectively decide to protect ourselves from criminal violence, terrorists, contagious diseases, toxic substances in the air and water, unsafe drugs and medical practices, hazardous workplaces, unreliable construction methods, or racial discrimination and oppression, we often use state authority to establish rules that impose burdens on private social actors to act in accord with duties imposed by the wider society.

In these cases, the individuals with whom the government has direct contacts include not only those who have been victimized by wrongful acts, but also those who have committed those acts. With respect to the victims, government seeks to provide some redress in both the form of services to help them recover from their victimization, but also to enable them to seek justice against those who have victimized them, and to restore confidence that victims can live in right relationships with their fellow citizens. With respect to the offenders, the government seeks to remind them more or less forcibly about their duties to their fellow citizens, and to take steps to discourage them from continuing such conduct in the future – whether those steps be threats of future sanctions, or some form of rehabilitation that persuades or enables the offenders to sin no more.

Ideally, the use of state authority in regulatory and enforcement agencies creates value for individual citizens as a whole insofar as it is both efficient and effective in guarding citizens from potential or actual harms caused by others. But it also comes at the price of restricting individual liberty.

Since liberal societies value individual liberty so highly, a general goal of liberal societies is to use as little government authority as possible: if we can achieve the same social goals with less use of state authority, the measure that uses less authority should always be preferred. But it is also critically important when we use state authority to ensure that it is used fairly, and well designed as a method for enhancing justice and promoting right relationships in the society as well as accomplishing material benefits. The paradox is that in order to protect individual freedom from intentional or neglectful harms inflicted by our fellow citizens, we have to create and manage a government that can accomplish that goal without becoming an even greater threat to our liberty than those that we thought we were guarding against.

The only solution to this paradox is recognize the wisdom of Hannah Arendt who explained that the only real liberty available to humans in a world where they could be harmed by both fellow citizens and the government is to participate in creating the “architecture of their own restraint” – a construct within which they could enjoy the maximum degree of liberty not only by enjoying significant individual rights established and protected in laws, constitutions, norms, and cultures, but also be accepting and living up to duties equally well established in laws, constitutions, social norms, and cultures. ]]]

If one wanted to simplify this conception (and who wouldn’t!) one might say boldly that while *customers* are sovereign in the market place – with their values and their money and their choices about how to spend their money determining what will be produced using scarce natural resources, *citizens* are sovereign in the public government domain – with their values; their money, their economic, social and political rights; and their choices about whether and how to tax and regulate themselves to produce particular social conditions using the collectively owned powers of the state. Government doesn’t really relate to individuals as customers; it relates to individuals as citizens who resemble both shareholders and customers in the commercial sector. When government is deciding what to do with its assets, citizens are engaged as shareholders who own the government and are concerned about its overall performance in creating a prosperous, civil, and just society. Once government has decided that some policies and programs using those assets could improve individual and social conditions in desired directions, many citizens find they are now clients of the government staring across the counter at government agents who will sometimes deliver benefits of one kind or other (usually with some strings attached), or who will remind them of or insist that they live up the collectively defined duties. Such clients are clearly not customers. They are citizens on the other side of the counter who are receiving benefits or having duties imposed on them at the behest of their fellow citizens, voters and taxpayers.