

AN ‘INSTITUTION-FIRST’ CONCEPTION OF PUBLIC INTEGRITY

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Table of Contents

| | |
|--|-----------|
| 1. Introduction | 3 |
| 2. Definitions: 'Institutions' and 'Public' | 5 |
| 3. What Constitutes a Conception of 'Integrity'? | 6 |
| 4. A Conception of Public Institutional Integrity | 10 |
| 4.1. Purpose | 14 |
| 4.2. Legitimacy | 17 |
| 4.3. Pursuit | 23 |
| 4.4. Consistent with its Commitments | 25 |
| 4.5. Robustness | 27 |
| 4.6. The Opposites of Integrity | 29 |
| 5. A Conception of Public Officer Integrity | 30 |
| 5.1. Pursuing Institutional Integrity | 32 |
| 5.2. A Robust Disposition to Purpose | 36 |
| 5.3. In the Course of her Public Duties | 38 |
| 5.4. An Organic Relationship | 41 |
| 6. Conclusion: The Value of Public Integrity | 43 |
| 7. Bibliography | 45 |

1. Introduction

Corruption is often cited as one of the biggest issues threatening government institutional trust, legitimacy and development across the world.¹ However, over recent years, there has been a growing awareness of the limitations of efforts to address such corruption. On the one hand, these limitations are conceptual: overcoming corruption means only ensuring that individuals meet the very minimum standards of public office.² On the other hand, these limitations are empirical: fighting corruption has often been ineffective, sometimes counterproductive and generally insufficient to restore trust in government institutions.³

For these reasons, there has been a growing sense that there is a need for a more praiseworthy, and robust governance goal: a goal that not only implies addressing corruption, but as it were *going beyond* to establish institutions truly worthy of trust.⁴ With this aim in mind, there has been a surge of interest in defining a concept of 'public integrity' to play this role. This work has been led by a number of researchers,⁵ international organisations,⁶ and non-governmental organisations.⁷

However, despite the institutional imperative of this discourse, most authors within it have adopted what we might call an 'officer-first' approach to

¹ A 2011 BBC poll of 13,352 respondents around the world indicated that corruption both the most 'serious' and 'the most talked-about problem' over other issues such as terrorism, human rights abuses, and climate change: BBC World Service, (2018).

² As noted by Heywood and Rose, (2015), 102: 'the designation "not corrupt" is surely a low bar to reach... the universe of "not corrupt" behaviour will encompass a huge variation in levels of probity.'

³ As Rothstein and Tannenburg note in their 2015 Report to the Expert Group for Aid Studies (EBA), 9: 'even after almost twenty-five years of intensive research, it is not possible to identify one single aid policy initiative that can be shown to have had a significant effect on reducing corruption in recipient countries.'

⁴ Rose and Heywood, (2013): 149-150; Heywood and Rose (2015), 112; Rothstein and Varraich, (2017), 131; Integrity Action, (2018); Philp, (2007), 152; Lessig, (2013), 553-4; Amit et al., (2017), 455.

⁵ Heywood et al, (2013), (2015), (2017); Huberts et al, (2011), (2014); Mungiu-Pippidi et al, (2015); Brock, (2014); Menzel, (2005), (2015); Grebe and Woermann, (2011); Montefiore and Vines, (1999); Sampford et al., (2005); Breakey et al., (2015).

⁶ See, OECD, (2017a).

⁷ See, Pope, (2000) account of National Integrity Systems for Transparency International; and Integrity Action, (2018).

defining and improving public integrity. They have sought to define ‘public integrity’ as a quality of individual *public officers* (that is, as some positive ‘flip-side’ to individual public officer corruption); and, only derivatively, (if at all) as a quality of *public institutions* themselves.

This approach is fundamentally flawed. *If* our primary goal is to improve (*inter alia*) the praiseworthiness, robustness, and trustworthiness of *public institutions*, then we must start by defining what it means for those institutions themselves to have public integrity; and only then define, derivatively, what it means for their individual *public officers*. We must adopt an ‘institution-first’ approach. As I shall argue, any other approach risks suffering either a compositional fallacy; an inconsistency between the integrity of public officers and their institutions; or, unjustifiably prioritizing the so-called ‘integrity’ of public officers (in the course of their professional duties) over that of their institutions.

I shall argue that, public institutional integrity is the robust disposition of an institution to legitimately cohere to its legitimate purpose, to the best of its abilities, consistent with its own commitments, across time and circumstance. And, public officer integrity is the robust disposition of an officer to support the integrity of her institution. I shall demonstrate that, leveraging off the ‘institution-first’ nature of this definition we also avoid the many other flaws of current conceptions of integrity, including vagueness, relativism, and moralism.

The structure of this paper is as follows. First, I shall clarify what I mean by ‘institutions’ and ‘public’ in this context. Secondly, I shall clarify our yardstick in this debate, that is, what would constitute a good conception of ‘integrity’ for public institutions. Third, I shall lay out my conception of public integrity – both institutional and public officer – against this yardstick and in contrast with other competing conceptions. Finally, I shall conclude by reflecting upon the possible value of public integrity and the scope for future research.

2. Definitions: ‘Institutions’ and ‘Public’

First, let us clarify what we mean, in this context, by an ‘institution’.

Sociologists and philosophers both tend to provide us with quite broad definitions of an ‘institution’ as complexes of human action and norms that sustain themselves over time.⁸ Under these definitions, concrete examples of institutions vary immensely from language, to hospitals, from shops to the monarchy, from corporations to legal systems.

In this paper, I wish to narrow this conception: an institution, or at least an institution capable of having integrity, needs to be capable of agency *in some sense*. It must be able to make commitments, be placed under obligations, and be morally and consequentially responsible for things. A background philosophical theory that explains such ‘group agency’ is hard.⁹ But, at the level of common sense, it is generally quite easy. Roughly we can include organisations, and exclude mere systems (which might be composed of organisations, but are not themselves organisations). We can include organisations like hospitals, corporations, shops, the judiciary, the ministry of justice, and the *Académie française*. We can exclude systems like the legal system, the health system, the market, and language. And, we may have some hard cases, like the monarchy (which sometimes acts like an organisation, and sometimes like a system).¹⁰

Secondly, the focus of this paper is exclusively *public* institutions, that is, roughly speaking, any institution that owes its legitimacy to pursuing some conception of the public good. It most obviously includes governmental institutions – legislatures, ministries, courts, police forces, hospitals, and so on. However, it may also include universities, non-governmental organisations, charities, international organisations, public trusts, and so on. I have no doubt that the conception of institutional integrity developed within this paper can be applied *mutato mutandis* to non-public institutions, like business corporations. However, I leave that task to another time.¹¹

⁸ Turner, (1997), 6; Harre (1979), 98.

⁹ See, List, C., and Pettit, P., (2011); Miller, (2010).

¹⁰ In this way, I distinguish between the ‘institutional integrity’ (*qua* the integrity of institutions) and ‘integrity systems’ designed to ensure the institutional (or individual) integrity. See, Pope, (2000); Sampford, (2005), and Heywood et al. (2017).

¹¹ The key difference will be that public institutional integrity is defined, in part, by reference to ‘legitimacy’ *qua* the ‘right to rule,’ which is unlikely to be a part of the definition of private institutional integrity. Some other concept, or at least sense of ‘legitimacy’ will be needed. As such, whilst structurally private institutional integrity is likely to be the same as its public analogue, a discussions of its moral implications requires a whole other paper.

3. What Constitutions a Conception of 'Integrity'?

The task of defining a concept of 'public integrity' – institutional and public officer – is that of defining a concept that merits, through its moniker, the logical, cognitive and affective associations of the concept of *personal* integrity, but in the specifically *public* realm with public actors. It is, therefore, primarily an exercise in analogy (in terms of its structural features) and functional equivalence (in terms of its normative and causal implications).

Undoubtedly, our task also has a pragmatic aspect: we are seeking a new, aspirational governance goal around which a community of scholars, researchers and practitioners might structure their work. Insofar, as our analogical and functional reasoning under-determines our best conception, these considerations can come into play. However, the tail should not wag the conceptual dog: a conception should be so adopted because it is a conception of 'integrity', which happens to be a worthy governance goal; rather than be called 'integrity' merely because it is a worthy governance goal.¹² Anything in the latter case is simply misleading, and falsely trading on the logical, cognitive and affective associations of the classical concept.

Our yardstick, therefore, must be the central features of the concept of personal integrity that we should expect to find analogously and functionally in a concept of public integrity.

What are these features?

It is almost universally agreed that the conceptual core of 'integrity' as a quality of private individuals is coherence and consistency.¹³ This is to say, it involves *consistency* between one's beliefs (particularly, about normative issues). And, it involves *coherence* between one's beliefs, actions and motivations.¹⁴ However, it is almost as widely agreed that such coherence

¹² *Contra*, OECD, (2009a), 9, fn 6.

¹³ Eg. Williams, (1973); McFall, (1987); Monaghan (2017); Montefiori, 'A Philosopher's Introduction,' in Montefiori, and Vines (1999), 1; Korsgaard, (2009); Breakey et al., (2015).

¹⁴ There are, however, some disagreements about scope: firstly, whether perfect integrity requires perfect consistency, or at least some inconsistent desires such that one can

and consistency is *insufficient* for integrity.¹⁵ It requires *something* more, but defining that something more is hotly disputed.

Do we need to take a controversial stand on precisely *what* that additional component of personal integrity is first, in order to then begin judging our conceptions of public integrity?

Luckily, no. Instead, we only need adopt the further *criteria* by which philosophers have been judging competing accounts of what that additional component of personal integrity might be. Just as competing plausible accounts of personal integrity have sought to best fit these criteria, so will any competing plausible accounts of public integrity.¹⁶

There are at least four such criteria. First, the additional component of integrity must explain why, at least in all normal circumstances, having or acting with integrity is *justified*.¹⁷ In normal circumstances, appears to run against the logic of integrity to say that someone has unjustifiably high levels of integrity; or, that they are under a duty to compromise their integrity for some other end. Secondly, this additional component of integrity must explain why, at least in normal circumstances, having or acting with integrity is not merely justified but is morally *praiseworthy*.¹⁸ This entails that the beliefs,

demonstrate one's the force of will (see, Taylor, (1981)); (2) whether integrity requires coherence and consistency with respect to all domains of belief, action and behavior, or just the morally salient ones (see, Calhoun, (1995)); (3) whether integrity requires consistency and coherence over time, or allows for (sometimes requires changes over time in some principled fashion (see, Davion (1991))? Such scope questions, however, are normally resolved in different ways depending upon the account one gives of the *second* component of integrity: its relationship to acting morally.

¹⁵ Note, however, Bigelow and Pargette, (2007).

¹⁶ These criteria can be treated as defeasible, in the sense that, where a good fit with all of these criteria turns out to be implausible or impossible, then one might argue that contrary to intuition, upon analysis certain criteria are false. For example, Williams argued this way with respect to the 'virtue' criterion for integrity, (1981a), 49.

¹⁷ Unlike other virtues, it seems counterintuitive to say that someone has too much integrity 'to a fault'. However, by the qualification 'in normal circumstances', I seek to accommodate the possibility of principled *exceptional* circumstances where integrity is *prima facie* not justified. These are often described as 'dirty hands' type scenarios. These might be characterised as where the very surrounding social structures that make integrity normally rightful are under threat from practicing integrity. Arguably, however, in these scenarios integrity actually *demand*s acting with 'dirty hands' and thus is not really an exception at all. For further discussion see, sub-section 5.3. For discussion of dirty hands in general, see Machiavelli, (1984 [1513]); Weber, (1919); Walzer, (1973), Williams, (1978), Hollis, (1996); Coady, (2008); Hall, (2018). For

¹⁸ See, Cox et al., (1999).

actions and motivations brought into coherence and consistency must be in some sense *important*; ¹⁹ that the act of coherence must be an act of will for which the person is *responsible*; and, arguably, that there must be some *difficulty*, or at least possibility of difficulty in so cohering.²⁰ Thirdly, this additional component must explain why, integrity is a *virtue*. This is to say a robust, positively valenced, disposition to act in a certain way with a certain 'characteristic' motive. It is identified with willingly *pursuing* certain ends, rather the *achievement* of those ends itself.²¹ Finally, this additional component must explain why, integrity is a rational basis for trust. A person who has integrity is *trustworthy*.²²

In sum, just as these are the criteria by which philosophers have sought to judge competing conceptions of personal integrity, I shall take them, by analogy, as the criteria upon which to judge competing conceptions of public integrity: *consistency* and *coherence*, combined with some additional component that explains its *justifiability*, *praiseworthiness* (composed of *importance*, *responsibility* and *possibility of difficulty*), a *virtue logic* and *trustworthiness*.

Finally, whilst technically this is all we need before moving on, it is still useful to briefly lay down the main competing attempts to meet these criteria with respect to personal integrity. They provide useful models and reference points for our own discussion.

First, there is the 'identity view', most closely associated with Bernard Williams.²³ On this view, personal integrity involves the making, and holding steadfast to 'identity conferring commitments,' that is, commitments to action, ways of living, 'ground projects' that in some sense define who the person *is*; and, why they should keep on living.²⁴ An archetype is the committed artist, willing to sacrifice everything else, including family, friends and other responsibilities, to pursue their art. Arguably, this view meets the 'praiseworthy criterion' (at least insofar as the relevant identity conferring

¹⁹ See, McFall, (1987); Calhoun, (1995).

²⁰ See, Taylor, (1981).

²¹ See, McFall, (1987); Cox et al, (1999), *contra* Williams, (1981a); Audi and Murphy, (2006).

²² Calhoun, (1995) 237; Philp, (2007), 152; Rose and Heywood, (2013), 149–150; Heywood and Rose, (2015); 112.

²³ Williams, (1973), (1981a), (1981b).

²⁴ Williams, (1981b), 12.

commitments are important to the relevant person, they are expression of her will, involve the possibility of difficulty, and we think there is something moral about such strength of commitment). And arguably, it also meets the trustworthiness criterion, insofar as such a person is trustworthy with respect to their identity conferring commitments and makes no others. However, it appears to fail the justifiability criterion: it would be a strange moral view that held it was justifiable to pursue any identity conferring commitment with no regard to any other end or duty. Nor, as Williams himself conceded, does it meet the 'virtue' criterion: it does not seem to entail a defining motivation, a 'characteristic thought', that grounds integritous action.²⁵

Secondly, there is what we might call the 'moral conviction' view.²⁶ On this view, personal integrity involves the making and holding steadfast to important moral convictions that one *believes* to be true, but which may not be true. An archetype is the principled opponent who is wrong about certain important moral commitments, but steadfastly aims to fulfil them regardless of the consequences. Further, in order to distinguish this person from the fanatic, one might build in the condition that a person with integrity must have come to form their belief in an appropriate deliberative way, appreciating their own fallibility and with due respect for the views of others.²⁷ Finally, one may even associate with this person's actions a characteristic motivation – the desire to 'tak[e] the task of living a moral life seriously.'²⁸ Such a view appears to satisfy the trustworthiness criterion, and *in general* would appear to satisfy the praiseworthy, justifiability and virtue criteria. The problem is that, intuitively, in particular cases it will not: where the agent is not merely morally wrong, but grievously wrong. The moral conviction view faces the counter-example of the conscientious, committed, deliberative Nazi officer who passes all the formal tests for integrity, but still believes it morally right to commit genocide. Such a conception of integrity is caught between attributing justifiability, praise and virtue to such a person, or dropping those conditions as necessary features of integrity.

Finally, there is what we might call a 'morally objective' view. On this view, personal integrity involves the making and holding steadfast to important

²⁵ See, Williams, (1981a), 49. 1981; *contra* for example, McFall (1987), 14.

²⁶ See, Carter (1996), Benjamin (1990); Montefiore, 1999.

²⁷ See, Calhoun, (1995); Breakey, (2016); Scherkoske, (2010); Philp, (1999).

²⁸ Cox et al., (1999), 521.

moral convictions that are true.²⁹ An archetype is the moral saint. This view appears to satisfy all our criteria, but arguably *too well*.³⁰ Its flaw is the opposite of the 'moral conviction' view. It can no longer accommodate our attribution of integrity to the run-of-the-mill, principled opponent, who is not *grievously* wrong: someone who we believe is wrong about certain important moral commitments, but recognize steadfastly aims to fulfil them regardless of the consequences. On this view, integrity is too limited.

4. A Conception of Public Institutional Integrity

As flagged in the Introduction, most discussions of public integrity adopt an 'officer-first' approach. 'Public integrity' is, first and foremost, a quality of individual public officers.³¹ This is consistent with the dominant focus upon the ethics of individual public officers in the 'ethics and public administration' literature,³² and discussion of individual 'professional integrity' in the organisational management literature more broadly.³³

Within these discussions, institutions only come into play in a secondary manner, providing 'frameworks' or 'systems' to promote public officer integrity.³⁴ With respect to institutions themselves, 'integrity' is either a *null predicate* (that is, institutions are just not treated as entities capable of having 'integrity' or not); or, merely *functional* (that is, institutions only have 'integrity' to the extent that their structures promote the integrity of individual public officers), or *reductionist* (that is, the 'integrity' of an institution is merely the sum of the integrity of its public officers).

Some authors often *appear* to acknowledge 'integrity' as a predicate of institutions in their own right. For example, Leo Huberts writes: '[I]t is not only

²⁹ See, Ashford, (2000); Schaubert, (1996) on 'moralised integrity'.

³⁰ This is to say it only identifies a very narrow subset of people with integrity (those who satisfy all the criteria because they are morally right) but miss a large subset (that also satisfy the criteria, but are not morally right).

³¹ Lasthuizen et al, (2011); Huberts, (2014); Heywood and Rose, (2015); Rose and Heywood, (2013); Heywood et al., (2017); Hall, (2018).

³² See, Frederickson, (1993); and Frederickson and Ghore, (2016).

³³ See, Solomon, (1999); note, Kaptein, M. and Wempe, (2002).

³⁴ See, OECD's 'public integrity system': OECD, (2018).

individuals who can act with or without integrity: the characteristic or quality can also be applied to other “subjects.” However, this generally belies, some form of reductionism. Thus, Huberts immediately illustrates his meaning:

Hence, whereas the behaviour being judged in terms of integrity may be very specific (e.g. lying in parliament, falsifying documents to boost profits, drunken driving, smoking marijuana), the subject involved can be a group, an organisation, or even a society. ... [A] group, organisation, or society can lack integrity when its leaders and members abuse power and appear to be corruptible [i.e. lack individual integrity].³⁵

Whilst Huberts might say that he is interested in the behaviour of institutions (*qua* organisations), his examples here and throughout the rest of his book are simply (and allegedly) non-integrous behaviour by their public officers, as if the sins of the public officer are automatically sins of the institution. But, how does an institution smoke marijuana?³⁶

The odd thing about these ‘officer-first’ conceptions is that whilst on the one hand, they focus upon defining the integrity of public officers; on the other hand, they understand their overall governance goal to be improving things like the coherence, consistency, justifiability, praiseworthiness, virtue, and most importantly, trustworthiness of *institutions* not public officers.³⁷ As Paul Heywood, Marquette, Peiffer and Zúñiga commence their report which is primarily concerned with public officer integrity, and institutional management of such integrity: ‘[i]ntegrity in public life is an essential component in establishing trust between citizens and their governments.’³⁸

This prioritization makes sense. The fundamental focus of governance must be the quality of institutions, and only secondarily its individual officers. At least in modern states, it is *institutions* that have rights to legislate, regulate,

³⁵ Huberts, (2014), 4.

³⁶ Of course, it is more sensible that an institution might ‘falsify documents to boost profits’, possibly a government can be said to ‘lie in parliament’, but in the context of the other example, and the rest of the book, it is clear that Huberts has little interested in the non-reducible actions of institutions.

³⁷ Lasthuizen, Huberts, Heres (2011) 384; Menzel, (2005), 162; Menzel, (2015), 358; Huberts, (2014), 201-3; Heywood and Rose, (2015), 112; Rose and Heywood, (2013), 149–150.

³⁸ Heywood et al., (2017), 1.

coerce, and duties to enforce, deliver services, and so on. Public officers only act in their name.

These 'officer-first' conceptions, at least those that go on to attribute some derivative concept of public integrity to institutions, appear to rest upon a two-fold assumption. First, if a conception defines a way in which public officers can *fulfil* the criteria for integrity, then necessarily the institution will too. And, secondly, if a conception defines a way in which public officers can *fail* the criteria for integrity, then necessarily the institution will too.

However, this reasoning suffers a simple fallacy of composition.

First, take two individually trustworthy officials who, unbeknownst to one another, and in good faith make two contradictory commitments on behalf of their institution. The trustworthiness of the officers is not necessarily undermined – after all, it may not be their fault. However, the trustworthiness of the institution is necessarily compromised because citizens should be able to rely upon it to make consistent commitments.

By contrast, take a set of individually untrustworthy officers who demonstrate untrustworthiness in many aspects of their life, including previous jobs. However, they now work in an institution that reliably invigilates their activities, and through various incentives, beneficial and detrimental, the individuals in turn can be relied upon to fulfil their tasks. In such a case, the trustworthiness of the institution is not compromised by these officials. Citizens can rely, *ceteris paribus*, upon the institution as a whole to keep its commitments.³⁹

³⁹ This argument most easily goes through if we assume a 'commitment' conception of trustworthiness, in which case the 'motivation' of the institution (however, construed) is irrelevant to its trustworthiness (see, Hawley, (2014); although note, Hawley, (2017)). If we were to accept something like a 'goodwill' conception (see, Baier, 1986), then the argument rests upon the 'goodwill' of the institution (however, construed) not being *entirely* reducible to the goodwill of the particular individuals involved. For example, the most plausible view would be that the 'will' of the institution (or at least some of it) is determined by its trustworthy leadership, and the leadership are precisely those who are invigilating the untrustworthy individuals.

As these counter-examples show, the trustworthiness of the institution does *not* supervene upon the trustworthiness of its public officers, but rather upon them being brought into appropriate *institutional relations* of consistency and coherence, giving rise to *institutional qualities* such as reliability and robustness. Similar counter-examples may be sketched for each criterion of integrity, severally or collectively, so long as the integrity of a public-officer is not defined in terms of their support of the integrity of the institution as a whole.⁴⁰

If our interest in public integrity is primarily driven by a desire to build the trustworthiness of institutions (amongst other qualities of integrity), then we must start by defining public *institutional* integrity. And, only subsequently, should we then ask what this means for the integrity of public officers. We should adopt the 'institution-first' approach.

In this section, adopting this approach, I shall argue that the conception best fitting the criteria for integrity is as follows:

Public Institutional Integrity is the robust disposition of a public institution to legitimately pursue to its legitimate purpose, to the best of its abilities, consistent with its commitments.

I shall address each aspect of this definition, identifying its analogical and functional equivalence with personal integrity, and distinguishing it from the few other conceptions of public *institutional* integrity currently available within the literature.⁴¹

⁴⁰ In the extreme, we might think of a stylized version of the 'empty' hospital in the television series *Yes Minister* ('The Compassionate Society', (1981)). The brand new hospital has 500 staff, none of whom are medical staff, who could not be hired due to ill-timed cutbacks. We could imagine each and every individual within the institutions being of the utmost integrity (defined on an officer-first basis): acting in coherent, consistent, justifiable, praiseworthy, virtuous and trustworthy ways. However, it seems bizarre to see the institution itself as having integrity. How could it be praiseworthy, justifiable, virtuous? How can it possibly be living up to its purpose to promote health, and implicit commitments to spend public money wisely?

⁴¹ The closest conceptions currently in the literature are Mark Philp's idea of a 'consolidated institution,' see Philp, (2007), 217ff; and Grebe and Woerman's definition of the 'integrity of institutions', see Grebe and Woerman, (2011), 4.

4.1. Purpose

General Principle

In order to have integrity, a public institution needs a clearly defined purpose. If it has multiple purposes, it needs to have a clearly defined way in which they are to be balanced, either procedurally or substantively.⁴²

Discussion

By making purpose the starting point for our definition of public institutional integrity, I start with something that has no direct analogue with any conception of personal integrity laid out above. Whilst the latter all accommodate very purposive individuals (the committed artist, the principled opposition leader, the moral saint), they also accommodate people whose commitments (identity-conferring or moral) might be consistent but disparate, individually important but not unified, generally about process rather than ends. In short, a private individual can be coherent, consistent, trustworthy, virtuous and engage in justifiable, praiseworthy behaviour, yet have no overriding purpose (or set of purposes) to most of their activities.

Indeed, in this vein, analogous, non-purposive conceptions of public integrity arise to dominate both the academic and practitioner literature. For example, Rose and Heywood define public integrity as 'doing the right thing in the right way,' where 'doing the right thing' is simply understood as acting in accordance with publically acceptable principles (whatever they may be).⁴³ Similarly, Integrity Action takes 'public or organisational integrity' to be the alignment of 'accountability', 'competence,' 'ethics' and 'corruption control.'⁴⁴ The OECD currently defines 'public integrity' as the 'application of generally accepted public values and norms in the daily practice of public sector organisations.'⁴⁵

⁴² Even procedurally, there must be some idea of the bases upon which relevant actors will judge one purpose to take priority over another.

⁴³ Rose and Heywood 2013: 148-9; Heywood and Rose, 2015, 112; Heywood appears to have added the Kantian demand of doing things for the right reason in his latest work, Heywood et al., (2017), 2; see also, 18.

⁴⁴ Integrity Action, (2018).

⁴⁵ OECD, (2017a).

Unlike these positions and in contrast to personal integrity, however, I do take purpose to be *necessarily* the cornerstone of public institutional integrity.⁴⁶ Why?

There are two major reasons.

First, one can argue that it follows directly from the 'justifiability condition' for integrity. Drawing upon our yardstick above, it is a core criterion for agents of integrity – for both institutions and public officers – that they act justifiably. For private individuals, however, it is perfectly justifiable to act without purpose, in many, if not most, contexts. By contrast, institutions require a purpose in order to justify their existence: their powers and resources. Without purpose, their discretionary powers are simply naked: they are liable to be exercised arbitrarily. It, therefore, threatens the freedom of citizens.⁴⁷ Without purpose, their resources appear to be unmerited, given the other demands for them. Some have reasoned in this way.⁴⁸

The problem with this argument, however, is that it runs against a prominent stream of constitutional theory and practice.⁴⁹ On this view, the creation of public powers and the allocation of public resources are justified, so long as it is in accordance with the legitimate will of the higher authority (eg. Parliament, 'the People', the Monarch, and so on). Hence, if the legitimate will desires un-purposive institutions, *ceteris paribus* they are justified. We would need to take a strong stand against this view, therefore, if we are to rest our case upon the first argument.

Fortuitously, we can make an alternative argument that does not need to rest upon such a controversial basis. This argument appeals to other criteria for integrity: consistency, coherence, trustworthiness and virtue.

⁴⁶ In this, I am following a small, minority view: Brock, (2014); Grebe and Woermann, (2011); and also, upon elaboration, Preston and Sampford, (2002), 47-48; Breakey et al. (2015).

⁴⁷ Most obviously under the 'republican conception' of freedom, see Pettit, (1997); Skinner, (1998). However, also arguably under the liberal conception given the likely increase in interference through abuse of power, see Carter, (2008); Kramer, (2008).

⁴⁸ Preston & Sampford, (2002), 47-48; Breakey et al. (2015).

⁴⁹ The modern origins of such a view lie in traditional social contract theory: Hobbes, (1962); Locke, (2003); and, Rousseau (2004).

Institutions, unlike people, are constituted by multiple different agents, applying many different rules, exercising different powers, sharing common resources (financial, physical, reputational), and partaking in collective responsibility for the actions and future of the institution as a whole. Within this structure, each agent is constrained by rules and localized purposes. However, such rules, and purposes always need to be interpreted, and interpretations are liable to conflict. Further, the activities of agents are liable to conflict with respect to resources and collective responsibilities.

A clear common purpose offers the only robust means to avoid or resolve these conflicts in a way that will make activities across the institution as a whole *consistent*; the actions of the institution as a whole *coherent*, and thus, if so motivated, *trustworthy*. It is no coincidence that organizational psychologists define the difference between a mere group and a 'team', to be the sharing of a common goal or purpose.⁵⁰ It is, of course, theoretically possible that all activity within an institution can be disposed to remain internally consistent, coherent and trustworthy without a common purpose. However, it is impossible for such a non-purposive disposition to be *robust*, and a robust disposition is necessary for the relevant quality to ground a *virtue*. In this way, having an institutional purpose is a necessary condition of public institutional integrity.⁵¹

4.2. Legitimacy

General Principle

A public institution of integrity requires legitimacy of both purpose and pursuit. An institution may have a perfectly clear purpose, but if that purpose is not *legitimate*, then that institution lacks the *sine non qua* for integrity. An

⁵⁰ Kozlowski and Bell, (2003); Nouri et al., (2013).

⁵¹ I am also implicitly rejecting Agnafors' 'Principle of Beneficence', that is, '[u]nder conditions of uncertainty, public agents ought, when exercising public authority, to treat the subjects under their authority in accordance with the most beneficial alternative that is materially and ethically available.' (Agnafors, (2013), 439). Agnafors attempts to justify this principle with the rhetorical question 'would individuals *not* prefer a state that would give them beneficial treatment, all other things being equal?'. Even assuming the consent based theory of legitimacy that appears to be implied by this argument, this argument equivocates between what *I* might want in my own case, and what *I* and perhaps *most* people want as a general rule. Thus, I might want beneficial treatment with respect to my own tax return, but not in general, let alone with respect to large multi-national companies with a history of tax avoidance. This principle invites public officers to apply their own unjustified assumptions of beneficence (see below, section 4.2.).

institution may have a legitimate purpose, but if it does not pursue that purpose *legitimately*, then any integrity it might have will be compromised.

In this context, I mean something very specific by 'legitimate', something distinct from cognates used by other theorists and practitioners in this context like, 'ethical,' 'fair', 'legal', 'just', or 'equitable'. An institution has legitimacy when it has a 'right to rule'. This means that it can create duties upon other agents to obey where required, support where relevant, and respect it in general. This right to rule is invariably restricted to a certain domain, and certain possibilities. In other words, an institution may have a right to rule, but its actions must remain *intra vires*.⁵²

A 'legitimate' purpose, therefore, is a purpose that is consistent with such obedience, support and respect. Citizens might not agree that it is the best purpose for the institution to have, or the most just or equitable, but they should agree that, given who and/or how that purpose was set (eg. by a democratically elected government in accordance with the constitution) the institution currently can have such a purpose.

To pursue that purpose 'legitimately' means that the institution's actions are *intra vires*. Citizens might not agree that it has pursued its purpose in the best way, or the most just or equitable manner, but they should agree that, given who and/or how the scope of the domain and possibilities of power were set, the institution currently has a right to so act.

Discussion

By including, legitimacy as a condition of public institutional integrity, we ensure that it satisfies the *justifiability* condition for any conception of integrity. By definition, legitimacy entails that an institution has both sufficient and necessary justification, in the form of a moral right, for its purpose and its pursuit. Critique, however, may come from three directions.

⁵² This definition is typical in political philosophy (see, Raz, (2000)). Political science is somewhat more ambiguous, but generally appears to define legitimacy as the *empirical* phenomena of individuals *believing* that an agent has the right to rule in the sense described (see, for example, Levi, Sacks and Tyler, (2009)).

First, some may see the introduction of any moral requirement, even such a permissive one as legitimacy, as an analytical weakness. This is because what makes a particular institutional purpose and/or its pursuit legitimate may be deeply controversial: across cultures, societies, and philosophical worldviews. As such, our conception of integrity will always be at least as controversial. Instead, we should either drop such a moral component,⁵³ or at most some very thin notion like ‘impartiality.’⁵⁴

In response, there are two points. First, it is important to distinguish controversy at the level of ultimate explanatory theory, from controversy at the level of day-to-day application. We often have incredibly deep controversies at the former level that have little or no impact at the latter. For example, there are deep controversies about the fundamental laws of physics, about the rational basis for induction, about the causal mechanism that makes many medical drugs work. However, at a daily level we apply derivative laws of physics, we infer from past events to future events, and we take the drugs our doctors prescribe.

Disputes about legitimacy are somewhat analogous. We disagree at a deep level about whether legitimacy requires democracy, a social contract, instrumental outcomes, even the will of God. However, at a day-to-day level, we apply the concept regularly without controversy to a range of governments, institutions, their purposes and actions, across borders and cultures. We generally agree about the importance of rule of law, constitutionalism, due process, human rights, and so on, as constraints on the right to rule. Insofar as this is true, institutional integrity is no more controversial than our general agreement about such instances of legitimacy (rather than our ultimate explanatory theories of legitimacy).

Having said this, it is true that unlike applying the derivative laws of physics, relying upon induction, and taking medical drugs, we do *more often* disagree, and disagree *more bitterly*, when applying the concept of legitimacy. After all, it is still a moral notion.

⁵³ For example, both Montefiore and Philp argue for internal consistency and coherence views in their Chapters in Montefiore and Vines, (1999).

⁵⁴ Mungiu-Pippidi et al., (2015); see also analogous reasoning in Rothstein, (2011).

For example, it is controversial as to whether it is legitimate for a national border protection force to have the purpose of preventing prospective asylum seekers from claiming asylum by forcibly keeping them outside of territorial waters. Such a controversy might seem intractable, turning upon deep debates about the moral right of any government ever act contrary to basic, internationally declared human rights. In such a case, controversy with respect to our judgments about the legitimacy of the institution's purpose entails controversy with respect to our judgments about whether it can have integrity.

Would it not, therefore, still be better to simply avoid such messiness and simply drop such a moral condition for integrity?

No. First, dropping such a moral condition entails that any well run, purpose driven, robust, commitment keeping, but evil institution can be said to have institutional integrity. This would mean abandoning the justifiability condition completely, (let alone the 'praiseworthy' and 'virtue' criteria), distorting the concept out of recognition and severing it from its intuitive positive normative implications. We would effectively be abandoning the project of defining public institutional integrity at all.

Secondly, however, and perhaps even more importantly, the fact that legitimacy entails this controversy is actually an analytical strength: it rightly explains not merely when and why institutional integrity will sometimes be difficult for the disinterested observer to determine, but also when and why it will sometimes be difficult for on-the-ground decision-makers to determine how to preserve their institution's integrity. The concept properly entails that sometimes achieving institutional integrity will be conceptually hard, involving morally uncertain, controversial, and risky decisions.

For example, does institutional integrity demand that the commanding officer of the national border force in our example comply with the national government's directions, or oppose them as illegitimate? There is simply no easy, uncontroversial, safe answer here. And no abstract conception of public integrity should pretend to offer one. A conception of public integrity that excludes that possibility would seem to be papering over the genuine complexities of such moral action. This is not to say there are 'no answers'.

But rather to say they reside ‘up the chain’ at the higher-level debate about the true nature of legitimacy. The best a conception of public integrity can do is point decision-makers in this debate’s direction.⁵⁵

Having said this, others may critique our legitimacy condition from the *opposite* direction. Some may argue that it is not sufficiently morally *ambitious*. A number of theorists advocate for what might be described as more ‘substantive’ moral criteria. For example, Gillian Brock holds that institutions with integrity must achieve their purpose ‘equitably’, in a sense implying some substantive conception of social justice.⁵⁶ Heywood and Rose, argue for ‘normative justice.’⁵⁷ For others, it involves a disposition to the ‘right and just thing in all circumstances,’⁵⁸ ‘a general way of acting morally,’⁵⁹ ‘complying with moral values and norms,’⁶⁰ ‘[b]ehaviours and actions consistent with set of moral or ethical principles and standards,’⁶¹ adherence to ‘shared ethical values, principles and norms’,⁶² ‘uncompromising adherence to a code of ethical values.’⁶³ For still others, it requires pursuit of the ‘public interest,’ or ‘common good.’⁶⁴

Admittedly, in most of these contexts, theorists and practitioners leave these terms vague and under-defined. It is often hard to work out really what they do mean. Regardless, they have missed the importance of narrowing down the moral component of public integrity to legitimacy in particular. The reason is as follows.

⁵⁵ Hence, it follows that public institutional integrity requires that appropriate members of an institution likely to face such controversial issues of legitimacy should be equipped to reason about them at a more ‘philosophical’ level. This parallels Rohr, (1989), 4-5. Rohr argues in favour of exercising discretion only in terms of ‘regime’ or ‘constitutional values’ rather than legitimacy *simpliciter*. But he similarly emphasizes the need to equip officials with the ability to ‘enter[.] into a dialogue with the laws of the city’. See also below, sub-section, 5.1.

⁵⁶ Brock, (2014), 5.

⁵⁷ Heywood and Rose, (2015), 112-3; although, see n 67.

⁵⁸ Fleishman, (1987), 53.

⁵⁹ Brenkert, (2004), 5.

⁶⁰ Lathuizen et al., (2011), 387. Although, see Huberts’ elaboration of his own view, below n 67.

⁶¹ Transparency International, (2018).

⁶² OECD, (2017a): unlike its 2009 position, see below n 67, this *appears* to be a more ‘objective’ test.

⁶³ Thomas, (2001), 246.

⁶⁴ Rothstein, (2017), 28; see also, Heywood et al., (2017), 18.

It is *not* a relevant problem that all these other concepts are controversial. At the level of fundamental explanation, so is 'legitimacy', as discussed above.⁶⁵ Instead, the real problem is that doing what is truly ethical, truly just, truly equitable, truly in the common good or public interest, is neither necessary nor sufficient to justify public action, whether by a public institution or its individual members.

For example, on the one hand, no other moral notion is sufficient: just because someone, whether within a public institution or not, has 'discovered' what is a truly just distribution of resources does not mean that they have the right to determine our tax-and-transfer policy in that vein. Just because the health ministry has come to the firm view that carrying out a government's clear purpose to privatize the hospital system would be against the public good, as they have conceived it, does not entitle that ministry to act contrary to the will of the government. Just because a court of appeal finds that applying a particular law is ultimately socially inequitable, does not mean they are not obliged to apply it.⁶⁶

On the other hand, however, no other moral notion is necessary: just because a public institution is implementing a tax system that will lead to an unjust distribution of resources, does not undermine its right to do so. Just because privatising the health system might not be in the public good, does not mean that the ministry loses its right to implement the government's policy. Just because a law is socially inequitable does not mean that that the court of appeal does not have a right to apply it.

What makes action, here in the public context, justifiable is *legitimacy*, not justice, ethics, equity, the public interest or common good, or any other moral term. A public institution must act in a way that is consistent with its own 'right to rule', a right *not* granted to private citizens or institutions.

Finally, still others may argue there is a better middle course than legitimacy, between the very thin and more ambitious views detailed above: a 'public

⁶⁵ Arguably, there is more controversy about such concepts in day-to-day application, but I shall not rest my argument upon that empirical point.

⁶⁶ Moore, (1981), 3: 'the last thing we want is an official who takes liberties with (or even operates aggressively within) the mesh of process obligations to pursue an independent view of what the public interest requires.'

opinion test.⁶⁷ On this view, behaviour should comply public *perceptions* of morality, values and norms. It should thus be more ambitious than mere legality or impartiality, but not as controversial as legitimacy.

In truth, however, such a view only inherits the flaws of both the thin and more ambitious views. First, it is often neither clear nor uncontroversial *what* precisely public opinion is on any particular topic. Is it necessarily the view of the simple majority? What if the issue has more than two options? What if the issue, under different equally valid descriptions, elicits different responses? How informed does the public need to be? Who is the public? Local? National? Global? And so on. Secondly, presuming 'public opinion' can be discerned, it is no protection against unjustifiability. Large majorities can unequivocally support unjustifiable actions such as human rights abuses, genocide, discrimination, lynching and so on. Finally, public opinion has no right to rule. On most theories of legitimacy – democratic, instrumental, theological, even social contract – we deliberately seek to justify why a few decision-makers should rule (at least day-to-day) according to their own judgement rather than the 'masses'. So what possible justification is there to now prioritise the view of the latter over the former? Theorists in this area offer none.

Finally, to buttress this overall argument, unlike these other moral concepts, 'legitimacy' also allows us to walk an attractive line analogous to that between a 'moral conviction' and a 'morally objective' view of personal integrity. Recollecting the debate about personal integrity sketched above, there is a need to define an additional component of personal integrity, beyond mere coherence and consistency, that explains two things simultaneously: first, our ability to deny the conscientious, coherent, consistent Nazi integrity; secondly, our ability to attribute the conscientious, coherent, consistent opposition leader with a plausible but (in our view false) view about the justice of his tax policy, the same virtue. Legitimacy allows us to walk that line, analogously in the public domain. It explains why an institution, however well run, that aims to commit genocide lacks integrity because its purpose is illegitimate; and it explains why a ministry pursuing the

⁶⁷ OECD, (2009a) 7. Whilst Huberts nominally defines integrity as compliance with 'relevant moral values and norms,' upon elaboration he reduces it to a public opinion test (Huberts, (2014), 4, 54; see also, 45, 50-6). This also appears to be the case with Heywood and Rose, (2015), 112-3. Although, in private correspondence Heywood indicates that the 'public opinion' test is a necessary but not sufficient 'moral' condition.

roll out of a legitimate, but in our opinion unjust, tax policy can still have integrity. It is hard to see any other relevant moral concept helping us walk this line so successfully.

4.3. Pursuit

General Principle

A public institution of integrity must pursue its legitimate purpose to the best of its abilities, given the resources that it has.

Integrity does not require that an institution necessarily achieve its purpose. Such achievement may be impossible (to cure a disease that is ultimately found to be incurable), or unlikely (to defend the nation valiantly against an overwhelming enemy force), or never-ending (to secure the proper administration of law). Further, it is not necessarily diminished merely because the institution's ability to achieve its purpose is compromised by exogenous shocks or being under-resourced, so long as it continues to pursue its purpose to the best of its abilities (for example, a well-run but under-resourced national health service doing the best with what it has).

Further, 'pursuit', at least in this context, demands not merely that the institution *intends* to try to achieve its particular purpose (eg. we intend to improve the education system), but also that it is *motivated* to do so *because it is its purpose* (eg. 'we intend to improve the education system because, given who we are, and the source and scope of our legitimacy, it is the point of our existence'). In this way, it is not sufficient that an institution does pursue its legitimate purpose, but it must do so for the right relevant motivating reason.⁶⁸

Discussion

I define public institutional integrity by reference to legitimate *pursuit* of legitimate purpose because integrity is tied to *responsibility*.⁶⁹ An institution can be held responsible for the extent to which it pursues its purpose, to the

⁶⁸ Hence purely coincidental, instrumental or capricious pursuit is excluded. See Agnafors' example of an official determining policy implementation by the eating behavior of his pet rabbit: Agnafors, (2013), 438.

⁶⁹ Pace, Brock, (2014) who requires *inter alia* that 'an institution achieves its purposes effectively and equitably.' [Emphasis mine]. *Semble*, Heywood et al., (2017), 18.

best of its abilities, but not necessarily for achieving (or not achieving) its purpose.⁷⁰ It is such pursuit, under difficulty or threat of difficulty that makes integrity *praiseworthy*, even in the event of failure.

Further, the definition clarifies the precise subject of public *trust* that is relevant for institutional legitimacy: the public needs to be able to trust the institution to cohere to its legitimate purpose. Trust does not turn upon what might be called 'performance', that is, relying upon an institution to *achieve* its purpose: if that were the case, very few institutions would actually be trustworthy. Instead, it is the institution's wholehearted pursuit of purpose to the best of its abilities that matters.

Conversely, it also clarifies that such performance is not sufficient for trust either, if the institution fails other conditions of institutional integrity, such as lacking robustness, or failing to comply with its own procedures as conditions of legitimacy. Hence, a drug squad that plays fast-and-loose with law and procedure may successfully curtail a drug gang but compromises its trustworthiness.

Finally, I define the 'characteristic motivation' lying behind such pursuit because integrity must be driven by such a motivation in order to be a *virtue*. Of course, an institution cannot have motivations like an individual human being. It has no mind of its own. Instead, in this context, 'motivation' refers to what the relevant decision-makers within the institution take to be the decisive reason for why the institution should always pursue its purpose, consistent with its commitments.

This reasoning should reveal itself in times where coherence with purpose is difficult, when the institution and its members are drawn to ask: *why, ultimately, must we do this?* For example, when some individual members think that the relevant policy being implemented is unjust or inequitable (although, still legitimate); or, when pursuit of purpose conflicts with the selfish interests of the institution, or its members. In an institution of integrity,

⁷⁰ I mean 'responsibility' in the 'attributive' sense of being apt to praise, blame and other reactive attitudes: Scanlon, (1998), 248.

members will find the answer ‘because this is our purpose, this is the point of our existence’ decisive for action.⁷¹

4.4. Consistent with its Commitments

General Principle

Public institutions do not merely have *ex ante* public duties; they also make commitments *ex post*. They make commitments to the public (to build a road, to deliver a new hospital, to keep citizens’ data secure, to comply with certain internal processes). They also make commitments to individual members *qua* employees (to pay them on time and in full, to protect employees against workplace harassment and bullying, to provide training, mentorship and career development). A public institution of integrity legitimately pursues its legitimate purpose, *consistent* with such commitments.

Discussion

Integrity implies trustworthiness. Trustworthiness implies being able to rely upon an agent to fulfil her basic duties. But, more paradigmatically, it implies being able to rely upon her to keep her commitments.⁷² So too, should it be with public institutions.

The difficulty with this condition, however, is that sometimes a public institution’s basic duties, and its commitments may conflict. For example, an institution may commit to deliver certain public services, which later turn out to not be the best way to achieve its purpose, or to be beyond its powers. The immediate implication of such conflict is that it compromises the integrity

⁷¹ In this way, public institutional integrity does entail a certain kind of institutional culture or ethos amongst its members, particularly amongst those who make more discretionary and important decisions. It makes no necessary claim about the motivations that members may have for *joining* public institution, or even in carrying out their public duties in general. They can be selfish, financially or status-driven, or ideological. However, it does constrain their reasoning about *how* and *why* those duties should be exercised in any particular way. For example, a judge can turn up to work every day only because she is interested in the money. She might remind herself, as she sits down to write another tedious decision that it is worth it, for the money. But when actually reasoning about what particular judgement to pass, her own selfish interests must be regarded as irrelevant. She must exercise her power legitimately, pursuing the overall legitimate purpose of the judiciary because that is the point of her job, and her institution.

⁷² See, Nickel, (2007); Hawley, (2014).

of the institution. The institution is neither internally consistent with respect to its duties and commitments, nor can it cohere to all of them.

In short, an institution with high levels of integrity simply avoids, or at least minimises such conflicts as much as possible. It invests in mechanisms that ensure its internal rules, processes and other commitments always serve its purpose, and are consistent with its conditions for legitimacy. For example, it abhors 'compliance culture', that is, creating and complying with internal rules as an end in itself.⁷³ However, it cannot simply break these rules (*qua* commitments), when they do not happen to serve purpose. Instead, it must act pre-emptively: regularly reviewing whether its rules are fit for purpose. And, it must act responsively: allowing for appropriate feedback mechanisms from customers, citizens and front line staff to prompt and inform such reviews.

However, what if such inconsistency is not avoided? What should an institution seeking to preserve or at least restore its integrity do?

With respect to a conflict between its commitments and the procedural limits of its legitimacy, it must adhere to the latter. This is because the commitment (or at least the relevant compliance) is *ultra vires*. The institution simply has neither the right to make commitments to exceed its own power nor the right to fulfil commitments in ways that exceed that power.

By contrast, with respect to a conflict between its commitments and its legitimate purpose, it must adhere to the former.⁷⁴ This is implicit within such commitments. The citizen, employee and other actors can reasonably expect the institution to be responsible for ensuring its own commitments are consistent with its own purpose. Such information, power and accountability will most often be outside the reach of the other agents. And, the institution cannot reasonably expect these other actors to bear the cost of its own failure to make commitments consistent with purpose. Further, such costs

⁷³ Often temporary compliance with sub-optimal rules best serves the organisation's purpose in the longer-term, as it maintains trust, process and order.

⁷⁴ There are principled exceptions where demurring from a commitment would generally be justified or excused anyway. For example, just as I may have an excuse to demur from a commitment where completion would be life-threatening, so too can an institution, if it would create structural damage to the nation.

can generally be far more easily, and justly, borne by the former rather than the latter.⁷⁵

4.5. Robustness

General Principle

The disposition to legitimately pursue its legitimate purpose to the best of its abilities, consistent with commitments, is not sufficient for an institution to have integrity. This disposition must also be *robust* across time and circumstance. It needs to reflect sufficient strength and resolve such that the institution can be relied upon come what may. Analogous to the structural integrity of a building, its moral integrity does not merely turn upon whether its pursuit of purpose currently and historically prevails, but whether it is easily vulnerable to collapse in adverse environmental conditions.

Discussion

Without *robustness* of disposition, public institutional integrity could not be a true virtue, nor ground trustworthiness. The trait would not go 'deep' to the character of the institution. The institution could not be relied upon generally but only under specific conditions.

Few alternative conceptions have explicitly identified 'robustness' in general as a substantive condition of public integrity.⁷⁶ However, it arises implicitly in attempts to incorporate more specific conditions like processes of public accountability,⁷⁷ transparency,⁷⁸ the minimisation of discretion,⁷⁹ institutional competition, and so on. In fact, much of what has gone for discussion about building integrity to date has really been about building robustness specifically.

⁷⁵ In other words, the cost of the institution's failure should be socialized, such that society at large bears the cost. It should not be localized so that the vulnerable individual citizen arbitrarily bears the cost.

⁷⁶ Only Grebe and Woermann (2011) explicitly refer to robustness. However, its implicit in Philp, (2007), 229, 232; OECD, (2009b); Heywood, (2017), 17.

⁷⁷ See, Integrity Action, (2018).

⁷⁸ See, Philp, (2007), 217, 229; Brock, (2014), 6: 'appropriate transparency and accountability tests.'

⁷⁹ Mungiu-Pippidi, (2015).

However, there is good reason to only include the general ideal of robustness within the definition of public institutional integrity, and exclude these other structures, tools, and practices. This is because none of them are unconditionally important for integrity. They are only important to integrity *if and to the extent that* they promote robustness. And, sometimes they will not.⁸⁰

For example, processes of institutional accountability – directly to citizens, other public institutions, and high authorities – are generally integrity promoting: they help ensure a *robust* disposition to legitimately pursue legitimate purpose, consistent with its commitments. They do this not merely by responding to problems as they arise, by invigilating good practice, and disincentivising bad. However, there is a growing literature to show that *too much* accountability or *the wrong kind of* accountability can compromise the institution's pursuit of purpose. Its members can become too risk averse, develop an unhealthy compliance culture, and unable to have the full, frank, and confidential discussions it needs to pursue its purpose.⁸¹

By including accountability as a necessary condition of institutional integrity however, we valorise accountability in a way that makes it difficult to justify limiting for any other reason. By contrast, by keeping it outside the definition, we allow ourselves the space to judge the appropriate levels and types of accountability that best ensure robustness. We can debate whether other machinery might substitute a particular form of accountability (eg. institutional competition, or positive integrity promoting incentives), or whether a certain level of unaccountability, and the risks it involves, are simply necessary for an institution to pursue its purpose as robustly as possible.

4.6. The Opposites of Integrity

Public institutional integrity, as defined above, is constituted by a number of necessary conditions. As such, it can be compromised in a *number of* logically independent ways, depending upon which necessary condition(s) happens to be not fulfilled.⁸² In this way, institutional integrity does not imply only one opposite, but rather a set of opposites, or 'institutional pathologies.'

⁸⁰ Philp, (2007), 220; Rothstein, (2008), 202.

⁸¹ See, O'Neill, (2002), 3-59; Owens, (2015), 162ff; Philp, (2007), 220ff; Mayer, (2013), 60; Bovens (2007), 194; Linaweaver (2003).

⁸² As Jo Wolff has pointed out, the ordinary language opposite would be 'disintegration.'

One may have assumed that this were not the case; that the opposite of institutional integrity would merely be ‘institutional corruption.’ As defined by Lessig:

[W]hen there is a systemic and strategic influence which is legal, or even currently ethical, that undermines the institution’s effectiveness by diverting it from its purpose or weakening its ability to achieve its purpose, including, to the extent relevant to its purpose, weakening either the public’s trust in that institution or the institution’s inherent trustworthiness.⁸³

We might quibble with this definition on a number of fronts.⁸⁴ However, as it stands, it does denote a range of other failures of institutional integrity. For example, we might define ‘institutional confusion’ as where an institution loses clarity over its purpose, rather than being strategically and systematically diverted from purpose; or ‘institutional mission-drift’, when it becomes diverted from its purpose, but not necessarily for any private interest. We might define, ‘institutional inconsistency’ as where an institution’s constitutive parts begin to act in inconsistent ways; ‘institutional duplicity’, as when an institution makes commitments it has no intention of keeping; ‘institutional exploitation’ when an institutional fails to live up to its *ex ante* and *ex post* commitments to its own staff; and, ‘institutional capture’, as specifically where the authority dictating the purpose of the organization is corrupted, and changes its purpose to serve private ends;⁸⁵ and so on.

Providing a full taxonomy of the pathologies of institutional integrity, and an account of how they interact is a task for another paper. The only point, I would like to stress here is that first ‘institutional corruption’ clearly does not cover the field, and institutional integrity remains a vital theoretical device to tie all these pathologies together.

⁸³ Lessig, (2013), 553.

⁸⁴ For a review, see Amit, (2017).

⁸⁵ Current definitions of institutional capture appear to be a mix between this pathology and institutional corruption. See, OECD, (2017b), 19.

5. A Conception of Public Officer Integrity

Our conception of public *institutional* integrity comes 'first', in the sense that the conception is defined independently of any account of what it means, if anything, for its individual members to have integrity (*qua* public officers rather than private individuals). Instead, such members are implicitly treated merely as constitutive parts of the institution (once again, only *qua* public officers rather than private individuals), along with other parts like its rules, incentive structures, culture and so on.

Hence the implication is that, if we take building public institutional integrity to be an overriding imperative for institutions,⁸⁶ then the proper overriding role of its individual public officers, like all other constitutive parts, is to do whatever best supports that imperative. We have arrived at what might be called an 'organic' view of public integrity: the role of the individual member is to be an *instrument* to the institutional *end* of public institutional integrity.⁸⁷

Given these conclusions, we need to ask two important questions in this section:

First, can the instrumental role for individual members implied by our conception of public institutional integrity, *itself be considered another kind of integrity?* That is, a kind of 'public officer integrity'? My answer to this question is 'yes.' I shall argue that this role itself fulfils the criteria for a conception of integrity established at the beginning of the paper (*coherence, consistency, justifiability, praiseworthiness, virtue and trustworthiness*); moreover, that it satisfies them *better* than current competing conceptions of public officer integrity.

Secondly, what is the relationship – conceptual and normative – between such 'public officer integrity' and a public officer's own *personal* integrity? In particular, how might they differ, and what should happen if and when they conflict? I shall endeavour to answer this question in sub-section 5.3.

⁸⁶ See, section 6, below.

⁸⁷ Organic in the sense of 'organicism'.

To begin: I propose to define public officer integrity in the following manner:

Public officer integrity is the robust disposition of a public officer, in the course of her public duties, to pursue the integrity of her institution to the best of her abilities.

5.1. Pursuing Institutional Integrity

General Principle

Integrity requires that a public officer pursue the integrity of her institution to the best of her abilities, that is, she pursue *its robust disposition to legitimately pursue its legitimate purpose, consistent with its commitments*. Given the many dimensions of the latter concept elaborated above, a public officer of integrity should pursue an institution's integrity in many ways.

First, assuming the legitimacy of the institution's purpose(s), actions, and internal and external commitments, a public officer is obliged to pursue the localized purpose(s) and to comply with the localized rules that apply to her.

Secondly, insofar as the public officer has discretion, either within those rules, outside her local purpose, or when interpreting both, she should only act in ways that support the overall integrity of the institution. For example, she should pursue her own localized purpose in the way that best promotes the overall purpose of the institution, not merely the interests of her sub-section; she should not merely 'stay in her lane' but also reinforce the work of others; she should not merely avoid pathologies, like corruption herself, but also actively seek to eradicate them from the institution.

Thirdly, if and when the institution falls into inconsistency or incoherence, as purpose, procedure and commitments may come into conflict, the public officer should take appropriate responsibility to help ameliorate such conflicts in line with the principles mentioned above.

Finally, and in the most difficult of scenarios, the public officer must respond to ameliorate institutional illegitimacy, in purpose or process: whether

through internal protest, public statements, lobbying for accountability and intervention by other appropriate actors, resignation, whistleblowing, or even subversion.⁸⁸

Discussion

In order to be a conception of integrity, a quality must be both *justifiable* and *praiseworthy*. My argument is that, in contrast to requirements of other conceptions of public officer integrity, the requirement that an officer 'pursue the integrity of her institution to the best of her abilities' uniquely fits both of these criteria.

First, it is plausibly justifiable that any public officer *merely* seek to comply with her local purpose(s) and rules within an institution: she complies with the minimal standards of her office, as her contract requires. This kind of standard is implicit within conceptions of public integrity as merely the absence of corruption.⁸⁹

The problem with these conceptions, however, is simply that they fail to capture something that is generally *praiseworthy*. In fact, it is perfectly consistent with acting in very *unpraiseworthy* manners. As Heywood et al. remark, '[i]t is quite possible to act non-corruptly, but also without integrity – for instance, by performing a task with little effort, habitually turning up late to work, refusing to cover for colleagues, and so forth.'⁹⁰

⁸⁸ *Contra*, Quinlan, (1993), 543. Quinlan appears to imply that in such cases one should quietly withdraw their services, or see a transfer. By contrast, I make a distinction between two cases. First, where a public officer concedes that something is legitimate, but finds it inconsistent with their personal integrity: in which case they should act as Quinlan suggests (see below, sub-section 5.3). Secondly, where the relevant act or policy is *illegitimate*, in which case the public officer has a duty to proactively seek to restore legitimacy. See also, Applbaum, (1999), 67-69.

⁸⁹ Then redundancy of the concept of integrity in such a case is exemplified by Anechario and Jacobs, *The Pursuit of Absolute Integrity*, (1996), and Jonathon Rose, *The Public Understanding of Integrity* (2014), where the word 'integrity' does not make it form the front page into the text.

⁹⁰ Heywood et al., (2017), 4.

One response is to simply 'raise the bar' so to speak, increasing the minimal standards of public officials by more ambitious rules and decreasing discretion.⁹¹ This approach, however, runs against four further barriers.

First, there is simply a limit to what can be regulated. At some point, rules always run out. Rules have to be interpreted, even rules for interpreting rules, and so on. There are limitless concrete ways that an individual could pursue the integrity of her institution, and cannot define them all *ex ante*. As Mark Philp remarks, it is precisely acting *within* the rules, not in the act of merely complying with the rules, that we need integrity most.⁹²

Secondly, the sheer proliferation of rules is liable to undermine the integrity of the institution as a whole. The organisational management literature is replete with research that demonstrates the negative impacts that such rule- and compliance-based cultures can have on an institution's robust pursuit of purpose.⁹³

Third, it is hard to imagine most institutions laying down rules for dealing with crises in their own legitimacy. No internal rule will tell members when to voluntarily resign in protest, blow the whistle or even engage in acts of subversion.

Fourth, and finally, too many rules are liable to crowd out a praiseworthy (and virtuous, (see below)) motivation. It is not praiseworthy to simply follow the rules, because they are the rules, and/or because one lives in fear of the consequences of non-compliance.

In sum, whilst it is perhaps *justifiable* to merely comply with minimum standards of office, it is not necessarily *praiseworthy* (nor consistent with the

⁹¹ Mungiu-Pippidi, Hertie, (2015), 8. This is also implicit in the approach that seeks to analyse the converse of integrity as a taxonomy of 'integrity violations': see Huberts, (2014); Lasthuizen et al, (2011).

⁹² Philp, (2007), 151: 'Any political system needs some on-going locus of integrity. Even the best balanced and best designed system needs interpretation and judgement, and those who interpret and judge must do so authoritatively and impartially, not just in the interests of some section of the community; for that we need integrity.'

⁹³ See, Mayer, (2013), 60: 'Regulation therefore leads to instrumental behavior that, far from enhancing moral conduct which embraces the welfare of others, focuses our attention on the regulations themselves and way in which we can circumvent or minimise their effects.'

institution's own integrity). As such, mere 'rule compliance' is insufficient to ground a conception of public officer integrity. As David J. Apol, acting director and general counsel for the Federal Office of Government Ethics in the United States recently put it, integrity requires 'a "Should I do it?" mentality (versus a "Can I do it?" mentality).'⁹⁴

However, if the *praiseworthiness* criterion for integrity requires a 'should I do it?' mentality and the space within rules to exercise it, what now ensures that such a mentality also satisfies the *justifiability* criterion? After all, lots of people decide that they morally should do things that are ultimately *unjustifiable* in their particular public role.

At this point, we reach the same dynamic that I addressed earlier when comparing various possible 'moral' components of integrity. Options include: morals and norms, ethics, normative justice, accepted public values and norms, and so on.⁹⁵ And once again, even assuming clarity can be brought to these notions, they face the same problem as addressed earlier. Just like an institution at large, it is not necessarily *justifiable* for a public officer to act in accordance with her own particular conception of morality (justice, ethics and so on), nor even to do so *because they are her own views on morality*. Instead, both she and the institution, are restricted to acting upon what is *legitimate because it is legitimate*.⁹⁶

As such, the only aim of a public officer that is necessarily both *praiseworthy* – because it involves going beyond the minimum standard – and *justifiable* – because it is legitimate – is to support the integrity of her institution to the best of her abilities.⁹⁷ In this way, we uniquely isolate the key condition for public officer integrity.

As an implication, however, it is true that this conception of public officer integrity also inherits the difficulties of our institutional conception. There is no escaping the fact that, just as with an institution, legitimacy may sometimes

⁹⁴ Rein and Hamburger, (2017).

⁹⁵ See above, sub-section, 4.2.

⁹⁶ This seems to be also, roughly, Applbaum's position (although articulated as 'role morality' rather than 'public integrity': Applbaum (1999), 61-75.

⁹⁷ In this way, public officer integrity does entail a kind of *loyalty* to the institution, but it is bounded by the limits of legitimacy.

be controversial, hard to determine, and difficult to achieve. But once again, our definition appears to put the right controversy in its proper analytical place.

For example, we can not only explain what might justify some act like whistleblowing within an institution, but also why people may have polar opposite reactions to the *integrity* of the whistleblower. On the one hand, those who accept *inter alia* the whistleblower's claims of institutional illegitimacy, are liable to see the act as a paradigm case of public integrity. On the other hand, those who do not accept *ceteris paribus* such claims, are liable to see the whistleblower as the antithesis of integrity: a fanatic, an ideologue, a narcissist. No abstract notion of public integrity itself can hope to 'solve' such debates (that could only come by resolving the deeper debates about legitimacy itself), but they can explain why they exist, and frame the proper norm (that is, legitimacy) which should govern them.

5.2. A Robust Disposition to Pursue

General Principle

A public officer with integrity must have a robust disposition to pursue the integrity of her institution. This implies three things:

First, she need not achieve such integrity. Most likely, given her position and the complexity of the task, it will be beyond her as an individual. However, even failing or frustrated efforts will evidence such pursuit.

Secondly, such pursuit should be motivated by the integrity of her institution, or more precisely, by her sense that pursuing the integrity of the institution is her purpose as a public officer. She is taking her *role* seriously.

Finally, her disposition should be robust across time and circumstance: across corrupting incentives, across frustrations and impediments, surrounded by allies or enemies. She should have sufficient strength and resolve to be relied upon to pursue the institution's integrity come what may.

Discussion

Analogous with our *institutional* conception of integrity above, a 'robust disposition to pursue' allows our conception to satisfy the *praiseworthy*, *virtue* and *trustworthy* criteria for integrity. However, there are two important implications that distinguish our conception of public officer integrity from other conceptions.

First, unlike other conceptions, our conception of public officer integrity places motivated pursuit of *institutional integrity* at its heart. As such, integrity for any one officer within an institution must have a vision of integrity for the institution. Such an officer should not merely be motivated to pursue the institution's purpose, but rather its integrity. It is an 'ethic of responsibility' for the integrity of the institution as a whole.⁹⁸ In the ideal, she is a cornerstone of an institution's integrity, even if the rest of its structure is crumbling, or collapsed.

In this way, tentatively, I would suggest that interventions with individual public officers with respect to public integrity should be less about *their* ethics, *their* minimal standards, *their* incentives (although these things are important), and much more about building this institution-orientated motivation.⁹⁹ They need to discuss together what integrity means for *this institution* as a whole, why it is important, and how they as public officers might go about building, curating, protecting and, where necessary, restoring it. It is a concept that demands positive, motivated co-option of public officers in the collective task of institutional integrity, rather than merely a top-down delegation and enforcement of each individual's own, independent, 'integrity responsibilities'. It is about seeing public officers as the primary allies to achieve institutional integrity, rather than its primary threat.¹⁰⁰

Secondly, given the diversity of institutions, and the diversity of individual fulfilling those institutions, our conception offers no universal list of the qualities that public officials must have. Just as I argued that qualities like

⁹⁸ Weber, (1919).

⁹⁹ See the contrast between the limitations of individual 'ethical reasoning' interventions (Weber and Green, (1991), and more 'ethical organisational identity' based interventions (Verbos et al, (2007)); and group-based interventions, (Cady et. al (2018)).

¹⁰⁰ As Heywood and Rose note, corruption flourishes within networks ((2015), 107). So should integrity.

impartiality, honesty, accountability, transparency, and so forth, are generally, but not always essential for institutional integrity, so too does it hold for public officer integrity.¹⁰¹

5.3. In the Course of her Public Duties

General Principle

Public office integrity only demands that an officer be appropriately disposed *in the course of her public duties*. The scope of these duties will, generally, be defined explicitly or implicitly by contract.

Discussion

In theory, the dispositions and actions of an individual in her own private capacity are irrelevant to her public office in integrity. In practice this separation is complicated in at least three ways.

First, in theory a public officer need only have a 'robust disposition to pursue the integrity of the institution' within her public duties. In practice, it is hard to have a robust disposition – a deep character trait – in the public domain of one's life that is not consistent with and supported by aspects of one's life in the private domain. In this indirect way, aspects of one's private life can become important for public officer integrity.

The most obvious example is simply a conflict of interest, where incentives within one's private life put pressure upon one to take certain decisions in one's public life.¹⁰² Conflicts of interest are often dealt with by simply changing one's public responsibilities, but when this is not possible, public integrity may entail the exclusion of a particular person from a particular role.

More controversially, evidence of character in private (and other domains) might be evidence of character in the public sphere. Most obviously, evidence of criminal behaviour, cowardice, untrustworthiness, and so on, will

¹⁰¹ See above, sub-section 4.5.

¹⁰² In fact, the UK Committee on Standards in Public Life, (1997) this appears to the entirety of the concept: 'Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.'

be *prima facie* evidence against the public officer integrity of an individual, and *vice versa* for other traits. However, such evidence should be treated with great caution, given the lack of information that institutions have about individuals' private lives, the questionable results of 'integrity testing',¹⁰³ the limited transitivity of traits in one realm to another, and the pernicious discriminatory effects that hiring on the basis of 'character' can have.¹⁰⁴

Further, and most importantly, there is no justification for *moralism* with respect to public officer's private lives.¹⁰⁵ The question is whether certain aspects of their lives are relevant to discharging their public duties with integrity, not whether the institution, or its recruitment team approve of the officer's private life or personal morality. In fact, a degree of disapproval (or at least disagreement) particularly with respect to political, and ideological belief, may well be conducive to overall institutional integrity.

Secondly, a public institution has a legitimate interest in its reputation, insofar as a good reputation is instrumentally necessary to robustly and legitimately pursue its purpose consistent with its commitments. Sometimes the actions of public officers in their private lives, however, can harm this reputation. And, this can be the case even *if* such actions do not constitute evidence that they would fail to act with public officer integrity.

For example, it is not clear that a history of lying and deceit with respect to one's sexual life is good evidence with respect to one's honesty in one's public life. In general, one might presume that an institution should take no interest in such matters, even if they become public. However, if such a public 'scandal' begins to undermine the reputation of the institution (with a rational basis or not), then the institution may need to respond to protect its reputation. In such scenarios, however, the institution is constrained both by the procedural conditions of legitimacy (including anti-discrimination and unfair dismissal legislation), and its commitments to its public officer (governed, *inter alia* by contract). This may give rise to the complexities discussed above.¹⁰⁶

¹⁰³ Dalton and Metzger, (1993).

¹⁰⁴ Implicit bias, indirect nepotism, hiring those you know and trust most and so on. See Kristiansen and Ramli (2006); Richard (2000); Kandola (2009), 20.

¹⁰⁵ See, Coady, (2008).

¹⁰⁶ See, sub-section 4.4.

Thirdly and perhaps most importantly, public office and private life may come into conflict where one's *public office integrity* conflicts with one's own *personal integrity*.¹⁰⁷ Public office integrity requires, *inter alia*, the pursuit of the institution's legitimate purpose, and the legitimate methods it is seeking to achieve it. However, whilst perfectly legitimate, this may run against an individual's own personal conception of what is right, moral, ethical, and/or good. It may run against their own personal integrity on an 'identity', 'moral commitment', or 'objective' view. In such cases, as discussed above, it remains illegitimate (and thus unjustifiable, and thus contrary to public officer integrity) for the individual to undermine the institution's activities in their capacity as a public officer. However, it compromises their personal integrity to continue. As such, seemingly, the only option is to resign.

The philosophical literature, however, does suggest that in rare cases, an individual may be under a duty to continue in their office, acting consistent with their public office integrity, but simultaneously compromising their own personal integrity. This is called the doctrine of 'dirty hands'.¹⁰⁸ Our theoretical framework sheds light upon this debate because it supplies a necessary condition for such a duty to act with so-called 'dirty hands,' that is, when one is not easily substitutable, such that, one's resignation would undermine the integrity of the public institution as a whole.

So taking, perhaps, the most famous, (and probably fictional) example of 'dirty hands'.¹⁰⁹ Prime Minister Winston Churchill had intelligence that the Germany Luftwaffe was about to bomb Coventry during the Second World War and could have saved thousands of lives by informing the local inhabitants. However, in doing so, he would indirectly have revealed to the German High Command that the British had cracked the Enigma code. This would have undermined the whole government's legitimate purpose of winning the war, as an existential threat to the nation. Let us assume, Churchill had a deep personal objection to knowingly letting the people of Coventry to die and understood it as contrary to his own personal integrity. However, *in this scenario* he would still have been obliged to carry on in his office and carry out its duties. He could not resign, since in all likelihood his

¹⁰⁷ See also, Heywood et al., (2017), 11; Ferretti, (forthcoming).

¹⁰⁸ Weber, (1919); Walzer, (1973); Hollis, (1996); Coady (2008).

¹⁰⁹ Taylor, (2015).

resignation would have had such a disastrous effect on the war effort, that it would have undermined the integrity of the entire government (and the nation). As such, he was obliged to act with 'dirty hands.'

5.4. An Organic Relationship

General Principle

As stated above, the logical relationship between public officer integrity and public institutional relationship is 'organic', in the sense that the former is defined by its instrumentality in the latter's purpose. This has a number of implications.

First, public officer integrity is only possible if public institutional integrity is possible. If a public institution cannot have a legitimate purpose, then a public officer cannot have integrity within that institution. If a public institution cannot act legitimately through its organs, then a public officer cannot consistently so act with integrity. If a thoroughly corrupted public institution cannot have its integrity rebuilt, then a public officer with integrity has no place within it.

Secondly, public institutional integrity relies, but only in part, and to different degrees upon the integrity of its public officers. It is neither logically, nor empirically reducible to their integrity.¹¹⁰ The integrity of at least some officers will always be a necessary condition for public institutional integrity, but it will never be sufficient. The integrity of a public institution turns upon many other structural features: its incentives, rules, norms, resources, and so on.

Thirdly, whilst in the ideal *all officers* within a public institution might have integrity, in truth the integrity of some officers matters more than the integrity of others within the institution. This is because some individuals simply have

¹¹⁰ In this, I would tend to implicitly oppose Ferretti in her account of the relationship between public officer and institutional corruption: Ferretti, (2018). Ferretti claims 'that institutional corruption can be always traced back to the culpable corrupt behavior of individual agents.' However, whilst it is plausible that an institutional failure always involves some kind of public officer failure, the *type* of failure need not be the same for both institution and individual. For example, an institution's corruption (that is, roughly, diversion from purpose under external influence), may arise from non-corrupt public officer failures: eg. sheer negligence may sign an institution up to a series of binding commitments that pressure groups have put before it which divert it from purpose.

more discretionary power and influence over the institution, or are structurally more vulnerable to countervailing forces.

Fourthly, arguably an institution will never have perfect integrity, until all of its officer's do so to. However, in most cases, it would be contrary to promoting the best possible integrity of the institution to devote the resources necessary to achieve universal public officer integrity. It would simply be self-defeating. There is simply no point, and no integrity in an actual institution that has perfectly integritous members, but insufficient resources to achieve its legitimate purpose.¹¹¹ As such, building public institutional integrity demands investing selectively and strategically in building public officer integrity.¹¹² Further, building public institutional integrity involves designing systems assuming that the integrity of public officials will fall within a range: 'economising on virtue,' leveraging as much as possible off what integrity does exist, aligning incentives, and minimizing the impact of predictable absences of virtue.¹¹³

Fifthly, as an implication of the principles above, failures of public institutional integrity and failures of public officer integrity are often related, but not in a way that one is reducible to the other. An institution with many officers of high integrity may still be vulnerable to bad structures, rules or 'apples' compromising its own integrity. Conversely, an institution may uncover such bad apples, but demonstrate the strength of its integrity by the efficient and effective operation of its structures to identify, cauterise and ameliorate such failures of officer integrity.

Finally, it should be clear that this overall approach is not 'institution first' in the sense that an institution already has to have integrity in order for any one individual officer within it to achieve integrity – far from it. Instead, it is

¹¹¹ See, n 40.

¹¹² Hence we avoid the analogous trap diagnosed by Banfield, (1975), 599: 'In governmental organisation the costs of preventing or reducing corruption are not balanced against the gains with a view to finding an optimal investment. Instead corruption is thought of (when it comes under notice) as something that must be eliminated no matter what the cost.'

¹¹³ What Madison says for political constitution, might well be said for all public institutions: 'The aim of every political constitution is, or ought to be, first to obtain for rulers men who possess most wisdom to discern, and most virtue to pursue, the common good of the society; and in the next place, to take the most effectual precautions for keeping them virtuous whilst they continue to hold their public trust.' Madison, 'Federalist Paper No. 57,' in Hamilton et al, (2003) 277. See also, Brennan and Hamlin, (1995).

'institution first' in the sense that what it always *means* for any such officer to have integrity, even in an incredibly corrupt institution, is defined by what she can do to (re)build that institution's integrity.

6. Conclusion: The Value of Public Integrity

In this paper, I have explored the *meaning* of public integrity, both at an institutional and public officer level. Our yardstick, therefore, has been *conceptual*: I have assumed that the *best conception* of public integrity, first and foremost, is the one most worthy of the logical, cognitive and affective associations with the concept of *personal* integrity, but in the specifically *public* realm with public actors. It has, therefore, been an exercise in analogy and functional equivalence, fulfilling the key criteria of 'integrity' in general: *coherence, consistency, justifiability, praiseworthiness, a virtue logic, and trustworthiness*.

On this basis, I have argued that the best conception of public integrity is organically, 'institution-first'. A public institution has integrity if and only if it has a robust disposition through its constitutive parts, to legitimately cohere to its legitimate purpose, consistent with its own commitments, across time and circumstance. And, a public officer has integrity if and only if she has the robust disposition to support the integrity of her institution.

However, having defined *what* public integrity means, we are left to ask *why* might it be valuable? Why should we spend resources upon developing it within institutions? Why should it be a new governance goal?

In general, these questions must be left for another time. Our only aim has been to set the conceptual framework for precisely this research agenda. However, I can conclude with some tentative remarks: first, with respect to the possible *intrinsic* value of public integrity; and secondly, with respect to its *instrumental* value.

First, contemporary political philosophy has neglected *governance*. It has been concerned with clarifying *what* the overall aims of society primarily

through the prism of 'justice'. And, it has been concerned to identify *who* should have ultimate political 'authority' within a society, and the limits of such powers – to direct and to coerce. It has had very little to say about *how* such power should be exercised. In particular, it has had almost nothing to say about public institutions and public officials. The concept of public integrity offers a cornerstone of such a project, a philosophy of *governance*.

Arguably, just as 'justice' is the first virtue of social institutions, and 'authority' is the first virtue of political institutions, so might 'integrity' be the first virtue of governance institutions. Plausibly, it defines the conditions under which governance institutions do not merely deserve our obedience over time and across fortune, but also our support, respect and trust. As Marie Newhouse has forcefully argued (echoing John Locke), such institutions are best seen as *fiduciaries* of the public interest, and as such it would be entirely fitting that 'integrity' should be their governing virtue.¹¹⁴ A full theory of public integrity will seek to establish such claims.

Secondly, contemporary political science itself has only recently come to take seriously governance issues, researching the causes and effects of impartiality, corruption, accountability, rule of law, transparency, trust and so on. Recent work by Rothstein et al. at the Quality of Government Institute in Gothenburg, Mungiu Pipiddi et al. at the Hertie School of Government, Lessig et al. at the Saffra Center at Harvard, and the OECD Public Integrity Unit, indicates a range of promising empirical relationships between these notions, and their inter-relationship with growth, quality of life, human rights and other values. The challenge for a theory of public integrity is work out how it fits within these models. Does it have good effects? Does it explain the good effects of other governance values? If it does not always have good effects, is it still justified? I shall leave these questions for another day.

¹¹⁴ Newhouse, (2014); Locke, (2003).

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