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# INTRODUCTION

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Fred Thompson

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11 One of the strengths of this symposium is its focus. All of the articles in this  
13 volume concentrate on economically developed nations, with stable polities,  
15 traditions of popular government, legal systems grounded in common law,  
17 and relatively low levels of corruption. Moreover, they all deal with coun-  
19 tries that to a greater or lesser degree have embraced the so-called New  
21 Public Management, which implies a degree of skepticism about the gov-  
23 ernance arrangements grounded in bureaucratic norms derived from the  
*rechsstaat* tradition. Finally, and perhaps most importantly, they all deal  
with countries, which, as Denis Saint-Martin explains in his introductory  
essay, are increasingly distressed about the ethics of public officials despite a  
paucity of lapses on their part. This makes the case comparisons reported in  
the symposium especially telling: there is enough variance to be informative,  
not enough to overdetermine the findings. Consequently, what holds for one  
case may reasonably be presumed to apply to all.

25 Denis Saint-Martin, senior policy advisor to the prime minister of Can-  
27 ada, on leave from the Université de Montréal, where he is a professor of  
29 political science, asks why concerns over the erosion of public trust has led  
to the elaboration of formal standards and independent regulatory agencies  
to enforce them in some of these countries and not in others. He concludes  
that path dependence explains most of the variance. However, he hints that  
ethics regulation aimed at preventing the standard conflict-of-interest prob-  
lems that arise wherever the public sector is large, contracting, purchasing,  
outsourcing, and public–private partnerships are extensive, government  
regulation of business has major economic and commercial impacts, indi-

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viduals move across the private/public sector boundary with relative ease, and parties need funding from private sources, even if effective, would not restore public confidence in politics. The articles that follow, which look regulatory mechanisms, tend to confirm Saint-Martin's surmise.

Robert Williams, professor of politics, University of Durham, explores the political aspects of public ethics as well as the macro or global sources of ethics discontent in an attempt to understand the heightened level of concern about political ethics in recent decades. He seeks to identify the sources of this heightened concern. He attributes much of the problem to the conflict between partisanship, on the one hand, and expectations of decency and civility, on the other.

Oxford's David Hine examines codes of conduct for public officials in five West European countries: the UK, France, Germany, Italy, and Spain. He concludes that introducing common codes across such widely differing administrative cultures, particularly if all they would do is codify values that are widely shared in practice, makes very little sense. Andrew Potter concludes much the same for conflict of interest regulation in Canada.

Oonagh Gay, Andrew Stark, and Beth A. Rosenson focus on formal ethics regulation and its efficacy. All three are skeptics; Gay and Stark conclude, however, that the parliamentary ethics regimes might be well advised to emulate the American model. Rosenson puts paid to that notion, effectively arguing that the costs of American ethics regulation outweigh its benefits – too many butterflies are caught in its net and no elephants.

Alan Rosenthal of the Eagleton Institute of Politics, Rutgers University, is especially skeptical of the effects of ethics laws enacted by state legislatures. There is no evidence that they reduce corruption. They haven't restored public confidence, but have discouraged legislator recruitment and retention. The most that can be said on their behalf is that they placate the media and place mutual limits on partisan attack, thereby permitting the legislature to concentrate on useful work. Even there the evidence is mixed.

The remaining articles look beyond regulatory mechanisms to the more serious problem of promoting behaviors and building institutions that are worthy of trust. J. Patrick Dobel implicitly accepts the dominant academic approach to applied ethics. This approach combines virtue ethics, with its emphasis on character formation, and moral reasoning, with its emphasis on individual decisions. When these approaches are brought together, what emerges is a view of ethical governance and leadership as good individuals trying to make good ethical judgments. This view leads to an emphasis on training, standards and procedures, and, ultimately, regulation. However,

1 Dobel proposes a reformulation of what it means to make good ethical  
judgments to stress constructing sustainable legacies.

3 In contrast, the next two participants in this symposium, John Uhr and  
Colin M. Macleod, emphasize that governance is a social process, which  
5 implies that, in this context, applied ethical reasoning should comprehend  
the objective of establishing and sustaining ongoing relationships between  
7 individuals with diverse values, tastes, and needs. Uhr argues that ethical  
governance means attending to the relational aftermath of complex deci-  
9 sions – the ways in which decisions and their execution affect and sustain  
social relationships. Macleod argues that governance is concerned with  
11 mechanism and process, which implies that the applied ethical reasoning in  
this context must not only confront certain stock issues: desirability, prac-  
13 ticality, workability, freedom from greater evils, and best-available alterna-  
tive, but must also lead to widespread participation in decision-making  
15 processes. Viewed in this way, ethical governing means a respectful dis-  
course involving the participation of all legitimate viewpoints. Absent a  
17 renewed commitment to this democratic ethos, he concludes that politics  
will remain a spectator sport, dominated by “sleazeball tactics and shrinking  
19 soundbites.”

Andrew Sabl of UCLA’s Department of Public Policy discusses the eth-  
21 ical consequences of the diffusion of political power and authority from  
state to nonstate actors. He claims that with the increased power of civil  
23 society or NGOs come more stringent political responsibilities. The sources  
of these responsibilities resemble those of classic political duties – ordinary  
25 moral obligations, Weber’s ethic of responsibility, and responsibilities at-  
taching to democratic relationships – but their form differs across roles,  
27 tracking the different forms of politician–citizen relationships. NGO pol-  
iticians should adopt, and be held to, a stringent role ethic as the least bad  
29 substitute for the accountability mechanisms of classic state-based politics.

Finally, James W. Myers and I explore the notion that practical reasoning  
31 is a social process, and its corollary, that policy argumentation ought to be  
firmly grounded in an appropriate social epistemology. What we find is a  
33 fundamental, unresolved tension at the heart of all theories of social inquiry.  
While this approach still seems far more useful for understanding and ad-  
35 vancing a collectivity’s capacity to create value by doing things coopera-  
tively than traditional moral reasoning, with its emphasis on individual  
37 decisions, it, too, is ultimately inconclusive.

