Good Governance: An Integrity Approach

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‘Good Governance’: A brief history

- **1980s** - Originally emerges as a standard for conditional aid (Doornbos 2003),
- **1990s** - World Bank expands it to be a general measure of country development (Kaufmann, Kraay, and Zoido-Lobatón 1999, Gisselquist 2012).
- **2000s** – Used by (some) political scientists to name a kind of moral ideal for all governments, developing or developed.
- **But really**… it’s just picking up a much older idea typically called ‘good government’ or ‘good administration’ (e.g., see, Hume; Montesquieu; the Federalist; Woodrow Wilson)
‘Good Governance’: The Key Question

• What makes a good executive structure?
  – First, what duties and role-specific reasons do agents have within the executive as they exercise public powers? See, ‘public service values’
  – Second, what structures of rules, norms, and incentives should surround these agents to secure compliance?

• This question is as relevant in Victoria Square as it is in Nairobi.
Roadmap

1. Current Conceptions in Political Science
   1. Pluralist Lists
   2. Instrumentalism
   3. Impartiality
   4. Public Will
   5. True Public Interest

2. An Integrity Conception

3. Deal with some objections
1. Pluralist Lists: principle


Call that a list? THIS is a list
1. Pluralist Lists: problem

• Nothing necessarily incorrect with pluralist lists. They are fairly intuitive.

• But if we can isolate more fundamental values in governance, then we can order, balance, and interpret the items on these lists in a consistent and coherent manner.

• We will then have far greater explanatory and justificatory power for policy.
2. Instrumentalism: principle

- **General Principle**: good governance is merely a ‘technical’ question, not a moral one. It is whatever best serves its ‘principal’.

‘If I see a murderous fellow sharpening a knife cleverly, I can borrow his way of sharpening the knife without borrowing his probable intention to commit murder with it; and so, if I see a monarchist dyed in the wool managing a public bureau well, I can learn his business methods without changing one of my republican spots. He may serve his king; I will continue to serve the people; but I should like to serve my sovereign as well as he serves his’ (Wilson, 1887, 220)
2. Instrumentalism: problem

- **Problems:**
  - Who the executive structure meant to serve *qua* ‘principal’? The people? Politicians? The legislature?
  - Why should the executive not check the power of that principal?
  - Is the executive constrained, morally, in doing what its principal wills?
  - What is the principal does not know what best for implementation?

- **Upshot:**
  - The science of public administration is very important, but it needs to be complemented by normative theory.
3. Impartiality: principle

• **General Principle:** ‘Our definition of impartiality in the exercise of public power is the following: When implementing laws and policies, government officials shall not take into consideration anything about the citizen/case that is not beforehand stipulated in the policy or the law’ (Rothstein 2011, 13).
3. Impartiality: principle

• **Problem**: its too stringent. Governance cannot always involve excluding ‘anything about the citizen/case that is not beforehand stipulated in the policy or the law’.
  
  – Most obviously when designing NEW policy or law.
  – But more generally, see ‘street level bureaucracy’ (Lipsky, 1990).

• **Note**: impartiality as merely a bias principle is plausible, that is, merely excluding partiality.
4. The Public Will

• **General principle:** the executive should do what the public wills, prefers, etc…

• **Problems:**
  – Indeterminate: What is the public will, if not merely the determination of the legislature?
  – Incomplete: At best it’s a side constraint of action, rather than a determinative of action.
5. The Public Interest: principle

• **General Principle:** *good governance* is just whatever executive structure best promotes what is *good for society*.
  - **Outcome** defined.
  - **NOT policy neutral.** Since executive’s make policy, a good executive has good policy.

• **Examples**
  - **Public preference view:** ‘public value’ *qua* Michael Moore (1995) – the good is whatever people happen to think is good.
  - **Objective list views:** good governance judge by outcome indicators – healthcare, education, security, economy, etc.
5. Public Interest: problem?

• **Too controversial?** Well any conception of good governance will be controversial.

• **Technocratic?** It does not claim to justify rule by the wise, but only how the wise should judge those who role.

• **Missing the point because not policy neutral?** But what is the value of an executive that gets the public interest wrong? Pursues bad policy?
6. Public Interest: problem

- **Public office is a trust**, characterized by two fiduciary duties:
  - **Duty of Loyalty**: duty to pursue the public interest as one sees it, *bona fide*.
  - **Duty of Care**: duty to be rationally diligent in pursuing the public interest.

- **Hence** the measure of a good trustee is *not* that they necessarily get things right, but that they are loyal and diligent in trying their best to do so.
7. The Fiduciary Machine
8. The Integrity Conception

**Good governance**: a structure that ensures that agents exercising the executive function have the robust disposition to rationally pursue the public interest, efficiently without unjustified exaction, consistent with respect for commitments and institutional obligations, within the constraints of legitimacy.
8. The Integrity Conception: the duties

1. Duty to act within the constraints of legitimacy
   – Roughly, be lawful (unless the law itself is illegitimate)

2. Duty to respect external commitments
   – Roughly, fulfil both legal and non-enforceable commitments to other stakeholders

3. Duty to comply with internal ‘institutional’ obligations
   – Roughly, if you make your institution’s rules make them accord with the other principles of good governance; if you must obey the rules, then the restrict your discretion

4. Duty to rationally pursue the public interest
   – Roughly, if the preceding duties leave discretion then apply the fiduciary duties
8. The Integrity Conception: the imperatives

5. **Principle of efficiency**: For any fulfilment of duties 1-4, the more efficient without unjustified exaction, the better;
   – *Roughly*, for any outcome less cost the better, but does not count if you shift all the real costs to the public.

6. **Principle of Robustness**: For any structure, the more robust its agents’ disposition towards 1-5, the better.
9. Objections

• The ‘Goods of Government’?: inclusiveness, responsiveness, participation, collaboration, embeddedness?
  – They are a part of the public interest, and thus different executive agents can legitimately take different views on their importance.

• Capacity?
  – Its exogenous: quality of governance is shown in response to capacity constraints.

• Legitimacy?
  – Its where all the really hard questions lie...
EMPLOYEES MUST EXHIBIT THE HIGHEST STANDARDS OF PROFESSIONAL CONDUCT IN ORDER TO MAINTAIN THE INTEGRITY OF THE SOUTH AUSTRALIAN PUBLIC SECTOR.

These professional conduct standards are the obligatory provisions of the Code of Conduct for the purposes of the Public Sector Act 2009.

Contravention or failure to comply with these professional conduct standards will constitute misconduct as defined by the Public Sector Act 2009. Any employee who fails to comply with these conduct standards may be liable to disciplinary action.

Public sector organisations may choose to impose agency-specific conduct standards. Additional standards must be consistent with these standards, the Public Sector Act 2009, the Public Sector Regulations 2019 and any other relevant legislation and instruments or Government policy. Such conduct standards are not to be labelled as "codes."
SA Public Service

Respect for External Commitments

**Trust**
We have confidence in the ability of others.

**Organisational Practices**
- Establish strong working relationships between organisations.
- Create organisational structures that give employees the greatest possible freedom and autonomy.
- Establish collaborative work practices through strategically and culturally aligned work places.
- Build a systemic approach to establishing and enhancing the community's trust.

**Successful personal behaviours**
- Encourage people from other teams and organisations to work with you to achieve the best possible outcomes.
- Embrace responsibility and deliver on commitments to colleagues and leaders.
- Rely on colleagues to collaborate and achieve the goals and objectives.
- Follow through on obligations to individuals and the community and keep them informed of progress.

**Taboos**
- Don’t allow structural and cultural barriers to hinder success.
- Don’t tolerate a difference between what is said and what is done among colleagues or leaders.
- Don’t refuse to recognize that other people may be able to do the job as well as you.

**Collaboration & Engagement**
We create solutions together.

**Organisational Practices**
- Build systems and processes that strengthen partnerships with all sectors of the community.
- Facilitate close relationships within and across public sector organisations, including other service providers.
- Create systems that enable open feedback and transparent decision making.
- Encourage open dialogue to understand the diverse needs of the community.

**Successful personal behaviours**
- Engage genuinely with stakeholders and the community and work with them to improve outcomes.
- Build professional relationships with peers in other teams and organisations.
- Involve people in decisions that affect them.
- Ask questions that jointly define problems and identify solutions.

**Taboos**
- Don’t act on unintended assumptions about colleagues, customers, clients, stakeholders, and partners.
- Don’t make decisions or take actions without engaging those most affected.
- Don’t ignore potential personal biases in decision making.
- Don’t avoid diversity of views and opinions or treat them as an obstacle to decision making.
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## Respect for Internal Institutional Obligations

### Organisational Practices

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<tbody>
<tr>
<td>Promote best practice in leadership and management, and prioritize employee performance management.</td>
<td>Exhibit the highest standards of professional behaviour, including working collaboratively and competently in a positive and helpful manner.</td>
<td>Don’t accept peer pressure, or tolerate, and thereby promote, bad attitudes.</td>
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<td>Build professional relationships with the Government of the day.</td>
<td>Provide honest and objective advice and carefully implement direction without undue delay.</td>
<td>Don’t act in a way that is contrary to the priorities and decisions of the Government of the day.</td>
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<td>Encourage pride in the profession of public service.</td>
<td>Pursue individual growth and professional learning to develop strengths and improve weaknesses.</td>
<td>Don’t act in a way that brings the reputation of the sector into disrepute.</td>
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<td>Foster a culture that drives innovation to improve service and productivity.</td>
<td>Strive to create new and better ways of doing things.</td>
<td>Don’t accept ineffective practices when outcomes could clearly be improved.</td>
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### Organisational Practices

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<td>Applying empathetic people management skills to bring out the best in employees and prioritize their wellbeing.</td>
<td>Identify and understand the situation, feelings, and motives of your associates.</td>
<td>Don’t take a “one size fits all” approach to working with people.</td>
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<td>Implement programs that reward and recognize excellent outcomes.</td>
<td>Acknowledge the contributions of your peers.</td>
<td>Don’t neglect to recognize the work of others.</td>
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<td>Educate employees about diversity’s role in strengthening our workplaces and communities.</td>
<td>Appreciate openly that people have different backgrounds, circumstances, needs, and capabilities.</td>
<td>Don’t discriminate.</td>
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<td>Promote respect for the impact of decisions on the lives of employees and the community.</td>
<td>Listen considerately to colleagues, customers, clients, stakeholders, and partners.</td>
<td>Don’t give greater weighting to your own opinions over others’ without clear justification.</td>
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# Rational Pursuit of the Public Interest

**SERVICE**

Proudly serve the community and Government of South Australia.

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<td>Prioritise the needs of the community in the design and delivery of services</td>
<td>Serve people courteously, fairly and effectively</td>
<td>Don’t disrespect, ignore, or devalue others, particularly those you serve.</td>
</tr>
<tr>
<td>Uphold the rights of each individual to access services as easily as possible.</td>
<td>Know why your customers are, understand their needs, and take their views into account</td>
<td>Don’t use process or procedure as an excuse for stalling or haranguing an issue.</td>
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<tr>
<td>Establish service standards that apply to all customers.</td>
<td>Recognise and value internal and external customers equally</td>
<td>Don’t provide lower standards of service to customers who are employed in the public sector.</td>
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<tr>
<td>Collaborate with business and community partners to improve service delivery and respond to complaints</td>
<td>Go the extra mile in order to deliver the best outcomes.</td>
<td>Don’t refuse to listen to, or act upon, complaints about poor service.</td>
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Source: South Australian Public Sector Values and Behaviours Framework
# SA Public Service

## Efficiency

**SUSTAINABILITY**

We work to get the best results for current and future generations of South Australians.

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<td>Design structures, systems and services to consume resources more efficiently over time.</td>
<td>Identify the long-term resource impacts of the programs and services you design.</td>
<td>Don’t rely on established solutions where more economical options may apply.</td>
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<tr>
<td>Take collective action to improve productivity and maximise the impact of limited resources.</td>
<td>Seek opportunities to collaborate to maximise the collective impact of resources and reduce duplication.</td>
<td>Don’t insist on working with others to order to retain control of resources or outcomes.</td>
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<td>Promote the use of business cases and cost/benefit analyses to ensure the most efficient use of tax-payer resources.</td>
<td>Manage information, finance, people, and assets prudently.</td>
<td>Don’t invest time and money in work that is not producing value.</td>
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<td>Work together to leave a lasting legacy for future generations of South Australians.</td>
<td>Produce outcomes which contribute to productivity for the community over the long term.</td>
<td>Don’t design convenient short-term solutions to complex long-term problems.</td>
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SA Public Service

Robustness

**COURAGE & TENACITY**  
We never give up.

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<td>Develop people to think innovatively about policy, services, and people management.</td>
<td>Suggest and support new ideas and better ways of doing things.</td>
<td>Don’t fail to contribute for fear of being judged.</td>
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<td>Help employees to be resilient in challenging times.</td>
<td>Intentionally question, thoughtfully challenge, and encourage others to do the same.</td>
<td>Don’t avoid or undermine progress because it seems difficult or threatening.</td>
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<tr>
<td>Minimise unnecessary bureaucracy and be flexible in the approach to stakeholder relations.</td>
<td>Challenge ineffectiveness and remove obstacles to enable yourself and others to succeed.</td>
<td>Don’t allow rules and regulations to hinder progress or become an excuse for inaction.</td>
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<tr>
<td>Build systems that encourage innovation and accept occasional failure as a necessary part of progress.</td>
<td>Learn from failure without being discouraged and apply that knowledge to achieve better outcomes.</td>
<td>Don’t hold back when there’s evidence of better ways of working.</td>
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**HONESTY & INTEGRITY**  
We act truthfully, consistently, and fairly.

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<td>Implement and uphold the Code of Ethics for the South Australian Public Sector.</td>
<td>Follow the values and standards central to the Code and model that behaviour as an example for others.</td>
<td>Don’t tolerate or fail to report unethical behaviour or misconduct.</td>
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<td>Create a culture that encourages openness and transparency.</td>
<td>Fully and accurately disclose information and share valuable resources without being prompted.</td>
<td>Don’t inappropriately share or withhold information or resources.</td>
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<td>Ensure all decisions and actions can withstand scrutiny.</td>
<td>Take action based on the best available evidence and argument.</td>
<td>Don’t ignore the evidence, or manipulate it to justify a pre-determined decision.</td>
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<td>Create a culture that promotes frank and honest discussion.</td>
<td>Conduct difficult conversations with empathy, sensitivity, and a determination to resolve issues.</td>
<td>Don’t neglect to raise issues with those directly involved.</td>
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Thanks!

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