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## **PUBLIC SERVICE ETHICS AND THE CULTURES OF BLAME**

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This paper has both an ultimate purpose and immediate goal. The ultimate purpose is implied in a call for rethinking the focus of the study for public service ethics. Put briefly, we need to shift our attention from developing a normative theory of public administrative ethics to the goal of establishing an *ethical theory of public administrative behaviour*. That proposal is the focus of the next section.

The immediate objective is to offer a contribution to such an ethical theory. This effort takes the form of a framework intended to highlight a particularly important factor in the context of public service ethics — blameworthiness. The intent here is to demonstrate a cultural approach to the concept of blame that can help us better understand the role of public service ethics in variable spatial and temporal contexts. The task of elaborating that framework comprises the middle section of this work.

The final section includes some implications of the Blame Culture framework for our understanding of public administration ethics. In addition, we revisit the ultimate goal by showing the value of this type of analysis for an ethical theory.

### **TOWARD AN ETHICAL THEORY**

A recent review of the American literature on public administrative ethics by Terry L. Cooper<sup>1</sup> reveals a great deal about the nature of the current endeavor. It offers a picture of a century-long search for appropriate structures, standards or processes through which to guide public administrative behaviour. In that sense, it is clearly a normative undertaking of long standing influence and value.

While Cooper critiques much of the literature before the 1970s for not contributing directly to the establishment of a distinct subfield for the study of public administration ethics,<sup>2</sup> he does make clear that ethical concerns were a pervasive presence in more general studies of the field. But his overview of those early works is interesting for what it overlooks. Missing is mention of Herbert A. Simon's seminal work, *Administrative Behavior*,<sup>3</sup> a work regarded with considerable disdain by some students of public administrative ethics. The authors of the Blacksburg Manifesto, for example, confess that 'public administration theory detoured sharply into an intellectual cul-de-sac when some of us followed Herbert Simon's attempt to establish a fact-value dichotomy.'<sup>4</sup> For those who now constitute the 'mainstream' scholars in the public administration ethics subfield, their very existence is a victory over what they regard as the ethically vacuous study of public administration advocated and pursued by Simon and his followers.<sup>5</sup>

Nevertheless, a more detached intellectual history would in fact see the publication of Simon's work in 1947 as the real watershed event that has shaped the study of public sector ethics in the United States. Simon, it turns out, refused to abandon or minimise the influence of ethical considerations in public administration.<sup>6</sup> His contribution was — and remains — rooted in a methodological choice.<sup>7</sup> And it was that choice of a logical positivist approach that created the hostility and indifference to Simon's work among student of public administration ethics.

That hostility and indifference is important for what it says about how the American study of public service ethics has developed over the past half-century. Taking their signals from metaphysicians rather than analysts, the anti-Simon ethicists have focused their energies on searches for the holy grail of 'right values' for public administrative behaviour. As Cooper's review indicates, this was an implicit theme underlying the ethics-related literature until the 1970s. For the 'subfield' scholars, however, it was not until William G. Scott and David K. Hart published an explicit call for 'metaphysical speculation' that the normative roots took firm hold in disciplinary soil.<sup>8</sup>

But while others set off in search of theory that would render 'truth and goodness,'<sup>9</sup> Simon and his followers continued the analytic treatment of ethics as part of the 'administrative sciences.' From the administrative science perspective, ethics in the form of value premises and statements play a role in the choices and behaviour of administrators, both private and public. The fact that (following Simon's methodological lead) they treated such premises and statements as 'given' and not subject to assessment did not mean they regarded such values as irrelevant in the real world.

For the analysts, it is not a matter of denying the role of ethics but rather enhancing our understanding of how they relate to choices and behaviour. Thus, while ethical judgments are not subject to analysis, it is possible to describe them and their causes. Such inquiries are within the purview of the social sciences, particularly psychology and sociology,<sup>10</sup> and are valid considerations for the analytic study of public administration. That being the case, why haven't the contributions of the administrative sciences to our understanding of public service ethics been acknowledged and their insights adopted?

The problem for those in the public service ethics mainstream is that the analysts' claims to a concern for ethics seemed (at least to them) to lack credibility. Yes, administrative scientists may explicitly acknowledge the real and practical importance of ethical premises

and value statements, but they then proceed to treat such values as if they were no more important than any other 'factor' in their analysis. Worse still, the analysts treated alternative ethical judgments equally, making no assessment regarding the absolute or relative rightness or wrongness of each. Efficiency is given the same standing as equity and serving the customer is not treated any differently than working with citizens. From the analytic point of view, the 'correctness' of an ethical premise or value statement cannot be analyzed, but its salience for an administrator is an empirical question that can be studied.<sup>11</sup> '[S]ome would say such knowledge is not ethical knowledge at all,' observes Dennis P. Wittmer. 'It does not inform us what ends or purposes to pursue.'<sup>12</sup>

But the time is approaching when this ideological chasm between the subfield metaphysicians and administrative science analysts must be bridged. The analysts are increasingly aware that issues surrounding ethical decision making are important concerns that must be addressed through research.<sup>13</sup> And while keeping the work of the analytic heathens at bay, those who set the agenda of the public service ethics subfield are increasingly interested in effective strategies for improving ethical behaviour.<sup>14</sup> The analysts are beginning to get serious about the content of (and intensity of commitment to) ethical premises; the metaphysicists are seeking a greater understanding of factors that determine the relevance, adoption and application of ethical standards. Parallel concerns are about to intersect.

To avoid a collision at that intersection, however, a different perspective must be assumed by both groups -- one that can provide a bit common ground where the hostile camps can meet. Such common ground may be found in the adoption of an alternative methodological focus for those who study public sector ethics. For this purpose I propose the adoption of an *ethical theory of public administrative behaviour*.

I use the label 'ethical theory' to suggest a general approach to the general subject of human behaviour that contrasts with at least two major methodological schools that social scientists have relied on in the recent past: behaviourism and action theory.<sup>15</sup> *Behaviourism* is the term typically applied to the work of John B. Watson and B. F. Skinner in psychology which views human behaviour as an object that responds to changes in external conditions.<sup>16</sup> *Action theory*, the sociological theory orientation of choice for decades, regards behaviour as ends oriented and normatively regulated.<sup>17</sup>

An *ethical theory* approach to behaviour takes the normative dimension of action theory

one step further by positing that ends-oriented actions are the result of morally-based ‘pushes’ and ‘pulls.’ Adapted from the work of Robert Nozick,<sup>18</sup> this perspective stresses that individual actions emerge from efforts to manifest personal value in the world (moral push) while making certain to honor the value of others (moral pull). It is within that context that Nozick develops his own theory of ethics. What is important for our purpose is not the particulars of Nozick’s ethics, but his development of the ethical theory orientation as a means for framing the issues of ethical behaviour.

What the ethical theory orientation provides is a useful conceptual bridge joining the two distinct approaches to public service ethics without challenging the priorities or methodologies of either. For those committed to a normative purpose, the approach facilitates discussions of appropriate values and the difficulties of dealing with competing demands by broadly framing the issues in a useful and realistic way. Inherent in Nozick’s scheme are two distinct ethical traditions: the Greek tradition that stresses ethics as living the best life (moral push)<sup>19</sup> and the Jewish tradition that places emphasis on the treatment of others (moral pull).<sup>20</sup> At the same time, the loose structure of the orientation is such that one is unlikely to be led toward any particular position on the central normative issues.<sup>21</sup>

For the analysts, the ethical theory orientation generates and puts into focus a wide range of theoretical and empirical questions about the nature of pushing and pulling values as well as the relationship between ethics and behaviour as a psychological and socio-cultural phenomenon. There already exists a relevant body of work from a variety of sources. Cognitive psychologists, for example, are developing a new ‘moral psychology’ that embraces the existence and influence of moral positions within the context of realistic motivational and personality constraints.<sup>22</sup> And the once thriving area of cultural studies is making a comeback as scholars become intrigued about the relationship between variations in culture and the behaviour of individuals and groups.<sup>23</sup>

The potential utility of this ethical theory approach cannot be proven, only demonstrated. In the following section a framework addressing the question of what role blame plays in public service ethics is put forward as such a demonstration. The importance of blame in the pursuit of ethical behaviour by public officials is implied in all discussions about establishing and maintaining an accountable and responsible public service. As we see in what follows, the cultural roots of blame can have profound impacts on the shape and relevance of ethical behaviour, which in turn can raise fundamental questions and challenges for those who study

public sector.

## **BLAMEWORTHINESS AND PUBLIC SECTOR ETHICS**

Why do we behave — or at least desire that we and others behave -- ethically? Do we act ethically because we strive for the Aristotlean ‘good’ life? Is it because we are driven by ‘selfish genes’ or an innate ‘moral sense’?<sup>24</sup> Or is it a functional response necessitated by our need to live together cooperative and to avoid or resolve conflict?<sup>25</sup> Or perhaps ethical behaviour is a rational response to achieving the ends we value and desire,<sup>26</sup> or a behavioural response to circumstances and environmental conditions.<sup>27</sup> Whatever the origin or source of our desires for ethics, there is a role for *blame* once the standards are set.

Along with praise,<sup>28</sup> blame has a unique status among the concepts associated with ethical behaviour. The relationship is structured around the fact that *to be ethical is to be blameworthy*. Ethicality, in short, requires that the persons or group be subject to blaming. There is a hitch in that relationship, however, that makes it problematic. Despite the obvious structural ties between ethics and blame, the relationship is substantively unlinked.

For example, compare the ethics-blame relation to a similarly structured statement: ‘to be a citizen of the United States is to be subject to the demands of American citizenship.’ One assumes that the two factors — ‘citizen’ and ‘demands of citizenship’ — are substantively related. The meaning of the being a citizen implies (if it does not explicitly articulate) what is demanded of citizens. Ethicality and blameworthiness, however, are not so neatly related. The meaning of being ethical in a particular situation is not substantively related to what it means to be blameworthy for unethical behaviour.

There is nothing inherently wrong with the substantive detachment between being ethical and being blameworthy, and it is likely that over time the two do manage to develop an appropriate link — as when the punishment truly fits the crime. But the detachment of the two is not without its implications for those who are subjected to both. This analysis attempts to explicate and address those implications.

### **Three Approaches to the Concept of Blame**

The concept of ‘blame’ is derived from the Latin *blasphemare* (to revile, reproach) and related to ‘blaspheme.’ the *Oxford English Dictionary* offers several variations on the term as both verb and noun. Among the less obscure are:

- To find fault with; to censure (an action, a person for his action): the opposite of *to praise*.

- To address with rebuke; to reprove, chide, scold.
- To bring into disrepute or discredit.
- To charge; to accuse (of, with a fault, etc.).
- To lay the blame on, reproach; to fix the responsibility upon; to make answerable. Also, to blame something on or on to. . . .
- \_\_\_The action of censuring; expression of disapprobation; imputation of demerit on account of a fault or blemish; reproof; censure; reprehension.
- The condition of being blamed.
- \_\_\_A charge, an accusation.
- \_\_\_Blameworthiness, culpability; fault.
- \_\_\_Responsibility for anything wrong, culpability; esp. in *to lay the blame on, to bear the blame*.

It is clear that the common use of the term is only exceeded by its vagueness. It is in one sense an action (to blame), in another the consequence of an action (being blamable); at times it is a measure (degree of blame), at others times it is what is being measured (determining blame); it is something avoided, and yet something we are expected to accept when it comes our way. Blame, in short, is one of those terms that is more usefully characterised than defined.

For present purposes we will focus on three distinct approaches to characterizing ‘blame’: philosophical, social, and cultural. This analysis, while using the third, requires some comments on the other approaches.

The most significant and historically influential I term the *philosophical* approach to reflect both its roots and the calling of those who apply it. Traceable to the discussion of blame in Aristotle’s *Nicomachean Ethics*,<sup>29</sup> this approach is intricately related (and almost always subordinated) to the general issue of free will versus determinism.

It is from this approach that we derive the pervasively influential *idealised model of blame* that often serves as a foundation or benchmark for all discussions of the subject. There are at least three elements stressed in this model. First, there is the requirement of a *moral harm* for which blame is to be assessed. Taking the lead from Aristotle, philosophers focus attention on blame that reacts to ‘bad’ actions, and such bad actions are related to violations

of that which is regarded as ‘good’ and virtuous. From this perspective, not every undesirable situation requires the assessment of blame. Common, everyday episodes (e.g., stubbing one’s toe on a table) are not worthy of blame assessment. Nor must every worthy episode require that harm be manifested in physical damage or pain. Sissela Bok, for example, argues that lying or revealing secrets may or may not generate immediate or overt injury, but there is also the fundamental harm done to social trust that cannot be physically ‘felt.’<sup>30</sup> Thus, while the exact standards of what constitutes moral harm may be difficult to articulate for those who apply this approach, there is a consensus that blame requires such a morally harmful condition.<sup>31</sup>

A second requirement is that the person who is object of an act of blaming must have had control or choice regarding the morally harmful action. Aristotle began this debate by linking the condition of voluntariness to blameworthy action. Much of the philosophical debate about free will has turned on this very issue.<sup>32</sup> Without some degree of voluntariness or intentionality on the part of the person who supposedly caused moral harm, the entire rationale for blame collapses. Thus, for those who adopt the philosophical approach to blame, there must be some degree of *assumed responsibility* on the part of the ‘blamable’ party.

Third and finally, the idealised model of blame requires that the seemingly blameworthy individual be shown to have made a *causal contribution* to the moral harm.<sup>33</sup> For the philosopher, blame without some causal connection between the harm and the blameworthy person would be an absurd situation. As we shall see, reality is sometimes filled with philosophical absurdities.

The *social approach* to understanding blame is associated with psychological and sociological study of human behaviour. From this perspective, blame is a psycho-social construct that serves a variety of social purposes, some functional and some not. Blame, like guilt and shame, play a role in Freudian psychology as well as other approaches to the study of personality.<sup>34</sup> Self-blame has become an increasingly important issue for academic as well as ‘pop’ psychologists.<sup>35</sup> Because of their interests in the everyday use of excuses and accounting behaviour, ethnomethodologists, frame analysts and other social psychologists have had to deal with the phenomenon of blame.<sup>36</sup> More recently, some philosophers (mainly pragmatists) have focused attention on the topic of blame as meaningful social practices.<sup>37</sup>

Despite their move away from the normative premises of the philosophical approach,

these analysts have not abandoned the ideal model's assumption that any instance of blame must contain the essential elements of harm, assumed responsibility, and causal contribution. If anything, they have added to the list through the necessity of establishing a role for the 'blamer' in helping to construct and apply the other elements.

It is critical for those using the social approach, for example, that blame be related to a specific instance of harm. The harm, in this case, would reflect a social construct of what situation constitutes a relevant event for the assessment of blame. Similarly, the criteria for assume responsibility and causal contribution remain, but the reference point would be existing social practices rather than some objectivised reality. And added to the list of necessary elements is the role and perspective of the blaming person whose views are part of and contributory to the social constructed situation.

The third approach to blame takes a step away from the 'necessary elements' assumptions of the other two. In lieu of those elements, the key to the *cultural approach* the setting within which blame occurs. In lieu of trying to determine who is to blame and why, the central issue becomes: 'What constitutes blameworthiness under these cultural conditions?'<sup>38</sup>

This approach opens the door to a wide range of thinking about blame and related concepts. A cultural approach to blame can be found in a number of classic studies. Ruth Benedict's analysis of Japanese cultural<sup>39</sup> remains as insightful today about that nation's 'culture of shame' as it was half an century ago. William Ryan's critique of the American victim-blaming culture (see discussion below) has enhanced the understanding of US social policy and its failures.<sup>40</sup> Both are exemplary in demonstrated the richness gained from applying 'cultural analysis' to relevant topics.<sup>41</sup>

A drawback of past cultural analyses of blame has been their idiosyncrasy. More recently blame was analyzed within a general cultural theory modeled on the work of Mary Douglas. In that analysis, various types of blame were associated with distinct cultural types. When something goes wrong, people in hierarchical cultures tend to shed blame, while egalitarian cultures focus attention on 'the system.' Individualist cultures attribute problems to incompetence or bad timing, while fatalists rely on fate to guide the application of blame. Blame, in short, was a reflection of its cultural context.<sup>42</sup>

### **A Framework for Analyzing Blame Cultures**

There is much to be gained from the cultural approach to understanding blame, especially when a useful framework is applied. Figure A represents such a framework and the balance of this section will be used to elaborate its features and discuss its relevance to comprehending the role of blame in the public service.

The framework applies two of the three common elements highlighted by the philosophical and social approaches as descriptive dimensions. The assumption is that any cultural context for assessing blame (what I will call the ‘Blame Culture’) can be described by the degree to which it focuses on the assumed level of responsibility as well as the extent to which causal contribution plays a role. The result of juxtaposing the two dimensions is a four-fold typology.

		<u>Assumed responsibility for harm done</u>	
		High	Low
<u>Evidence of causal contribution</u>	High	<b>I [Legalistic]</b>	<b>III [Stigma]</b>
	Low	<b>II [Giri]</b>	<b>IV [Prejudicial]</b>

**Figure A: Blame Culture Types**

Each of the four types presents a distinct cultural context for the act of assessing blame. The names given to each type are provided to help facilitate the presentation, but they intentionally bracketed to highlight the fact that such labels can prove misleading if over applied. Type I, for example, is termed the *Legalistic Blame Culture* because in its most extreme form it can take legal form. Type II is called the *Giri Blame Culture* because some of its major characteristics resemble the distinctive Japanese institution of *giri*. The *Stigma Blame Culture* (Type III) is so named because of its link to the social phenomenon of stigmatizing individuals or groups. Finally, the term *Prejudicial Blame Culture* (Type IV) is derived from its association with the social practice of prejudice. More significant than the labels, however, is the fact that each type represents an important and distinctive influence on how blame is applied in different contexts.

A Note on Blame and Punishment

Before launching into the analysis, a complementary cultural issue needs to be addressed that

will help clarify and sharpen the differences among the four Blame Cultures. The issue is that of punishment.

Blame, broadly defined, implies an accusation — an assertion that the one being blamed ought to pay a price for the damage she or he is deemed to have ‘caused.’ To speak of blame, therefore, is raise issues related to punishment. As is the case with blame, punishment can be — and has been — approached both philosophically (e.g., the utilitarian debate over the appropriate level and form of punishment for specific offenses<sup>43</sup>) and socially (e.g., studies relating to the relative effectiveness of rehabilitation and confinement strategies<sup>44</sup>). This is also an area where cultural studies have played a significant role, the most prominent example being Foucault’s cultural history of the modern prison.<sup>45</sup> For present purposes, a complementary framework reflecting a cultural view of punishment can help us better understand the nature of blame.

The punishment framework was created by juxtaposing two forms of punishment frequently associated with blame: guilt and shame. On the surface, the two forms of punishment are differentiated by what they punish. *Guilt* punishes a transgression of some law or standard, while *shame* is used to punish one for not doing something or failing to live up to an expectation.<sup>46</sup> The line between the two forms is often difficult to draw out of context. At first glance, for example, it would seem that a child who fails to come home before a set curfew is guilty, while one who fails to show respect for elders is shameful. However, much depends on the way the curfew rule and mandate of respect-for-elders is treated in the household. Indifference to a curfew that is treated more as an expectation than a rule could be a shameful act, while disrespect for elders might be treated as violation of a strict rule that is punishable as guilt.

The use of guilt and shame as punishment is extended and complicated by the fact that both can take internalised as well as externalised form. Ruth Benedict notes that guilt is at work in those cultures where the society ‘inculcates absolute standards of morality and relies on men’s developing a conscience’ that punishes that person through mental torment for transgressions. Shame is instilled through the internalisation of social standards of behaviour which can be punishment to those who develop anxiety over what others might think of them.<sup>47</sup>

Taking these factors into account, a typology of punishment emerges in Figure B to complement that of Figure A. As the discussion that follows will indicate, there is a

relationship between certain Blame Culture types and punishment types, and that is reflected in the use of similar roman number designations (i.e., I, II, III, IV).

		<b><i>Guilt Punishment</i></b>	
		Externalised	Internalised
<b><i>Shame punishment</i></b>	Externalised	<b>I</b>	<b>III</b>
	Internalised	<b>II</b>	<b>IV</b>

**Figure B: Punishment Types**

**Type I: The Legalistic Blame Culture**

The Type I Blame Culture comes closest to fulfilling the two criteria set in the idealised view of blame. To be blameworthy in this cultural context means that one is both assumed responsible and demonstrably a causal contributor to the event or episode in question. In reflecting on the ethical problem of ‘many hands,’ Dennis Thompson highlights this type of situation as the ‘personal responsibility model’ and regards it as positive ‘foundation’ for public service ethics.<sup>48</sup>

Interestingly, conditions similar to those of the Type I Blame Culture provide the context for the impersonal application of legal responsibility. Hart and Honore note that,

In the moral judgments of everyday life, we have occasion to blame people because they have caused harm to others, and also, if less frequently, to insist that morally they are bound to compensate those to whom they have caused harm. These are the moral analogues or more precise legal conceptions; for, in all legal systems, liability to be punished or to make compensation frequently depends on whether actions (or omissions) have caused harm.<sup>49</sup>

In the public service arena, the term ‘analogous’ is perhaps insufficient. Given the legal foundation of much public service work,<sup>50</sup> blame and legal liability are often (and, at least in the United States, increasingly) identical under the Type I Blame Culture. Being subject to legal action gives blameworthiness greater weight. For the public servant more than for any other ethically-based professional, Dewey’s assertion that ‘Liability is the beginning of responsibility’ rings true and deserves to be quoted in full:

We are held accountable by others for the consequences of our acts. They visit their like and dislike of these consequences upon us. In vain do we claim that these are not ours that they are products of ignorance not design, or are incidents in the execution of a most laudable scheme. Their authorship is imputed to us. We are disapproved, and disapproval is not an inner state of mind but a most definite act. Others say to us by their deeds we do not care a fig whether you did this deliberately or not. We intend that you *shall* deliberate before you do it again, and if possible your deliberation shall prevent a repetition of this act we object to. The reference in blame and every unfavorable judgment is prospective and not retrospective. . . . The individual is *held* accountable for what he *has* done in order that he may be responsive in what he is *going* to do. Gradually persons learn by dramatic imitation to hold themselves accountable, and liability becomes a voluntary deliberate acknowledgment that deeds are our own, that their consequences come from us.<sup>51</sup>

On the surface, the functional perspective Dewey offers on blaming seems to conflict with the legal model discussed thus far. The purpose of asserting or establishing legal blame, after all, is to allow for the exacting of punishment on the blamed person(s). A murderer is not executed so that she might behave differently next time. But even in law, the purpose of blame is not limited to retribution. Except in obvious instances of capital punishment, rehabilitation has often been an explicit alternative purpose in various penal systems. And even in cases where punishment is the primary consequence of establishing legal blameworthiness, a secondary purpose is to offer the episode as an object lesson for those who might be observing.

Consider the case of Alfred Dreyfus. Found guilty of treason for providing information to the Germans, he was publicly ‘degraded’ in a humiliating spectacle intended more for the troops than for his personal salvation. His punishment combined both externalised guilt (the trial) as well as externalised shame (the ceremonial degrading) — and provides us with an exemplary instance of the Type I Blame Culture fulfilling its logic. That case also demonstrates the worse consequences of such legalised blame when misapplied. In the case of Dreyfus, his vocal protests at his trial and the ceremonial degrading was the beginning of a twelve-year tragedy that ultimately led to his vindication and nationwide political turmoil.<sup>52</sup>

Michael M. Harmon<sup>53</sup> notes other ways in which this Type I Blame Culture (which associates with administrative ‘rationalism’) can backfire in the face of a subject who clings

to his or her innocence. Outright denial of guilt (as in the case of Dreyfus) is but one path. Providing a moral justification for one's actions is another, or disputing the facts of the case is a third. One can claim that he or she had no control over the situation, or can attempt to blame one's superiors — a form of scapegoating<sup>54</sup> where blame is transferred up or out of one's jurisdiction. Each of these form common strategies for a legal defense where blame for some act is formalised and prosecuted.

But despite the similarities to legal responsibility generated under the Type I Blame Culture, its application to the public sector is typically and necessarily modified in a way that reduces the high cost that would be paid if the administrative system were in fact pervasively legalised -- or what Marshall E. Dimock terms the 'judicializing of administration.'<sup>55</sup> The modern administrative state faces a dilemma in seeking both effective administration and legalistic responsibility, for establishing the second can make the first difficult if not impossible. Rendering administrative rules and norms as laws will surely enhance our ability to apply blame and punishment, but it will minimise the discretionary behaviour required by public servants to deal with many complex problems. Thus, alternatives to the strict legalistic approach for establishing blameworthiness have been found that still operate within the Type I Blame Culture.

One such alternative has been to establish and maintain a broad cover of immunity for public administrators, thus significantly offsetting the impact force of Type I blame while not eliminating it altogether. Under this approach, errors or outright negligent behaviour on the part of public servants can be addressed only on the floor of the legislature<sup>56</sup> or through some other body set up to compensate for inadvertent damage or wrongdoing by the government or its agents.<sup>57</sup> The difficulty with this approach is that attempts to deal with the challenge of Type I Blame Cultures by erecting both an imposing protective legal edifice around public agencies and their workers and the means for circumventing those structures. The Type I urge to assess blame and hold public servants accountable for their actions is no doubt held at bay, but at what cost? If nothing else, such an approach can lead to resentment which, in the long term, can make a bad problem much worse.

A second and often complementary approach to the first has been to create alternative legalistic arenas, primarily through the establishment of administrative law<sup>58</sup> and civil service systems<sup>59</sup> that provide judicial or judicial-like arenas for implementing the Type I Blame Culture outside of the criminal or civil courts. Viewed in this way, administrative law was

designed to provide mechanisms through which Type I blameworthiness can be avoided (e.g., by adhering to correct procedures) or applied (e.g., by providing the means for challenging a decision or behaviour), while civil service systems help to protect public servants from the excesses of enthusiastic blamers (e.g., by limiting the ability of political leaders to dismiss administrators) while offering a formal means for dealing with truly blameworthy individuals (e.g., through sanctioning and dismissal procedures).

A third, and peculiarly American, approach has been to allow some legal exposure to Type I blaming by reducing -- although not eliminating -- the protection of absolute immunity from criminal and civil actions against individual public servants.<sup>60</sup> The greater exposure for personal liability of public servants has its foundation in a provision of the Civil Rights Act of 1871<sup>61</sup> which declares that

Every person who, under color of any statute, ordinance, regulation, custom, usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or any other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.<sup>62</sup>

Although dormant for nearly a century, that provision has been activated with greater frequency since the early 1970s.<sup>63</sup> In the process, the impact of Type I blameworthiness has become an issue for legislative bodies who are beginning to appreciate the costliness of increasing litigation.<sup>64</sup> For many, this development presents a growing challenge as the scope of blameworthiness is expanded; for others it is a welcome means for striking an appropriate balance between the need for protection against governmental abuse and the enhancement of administrative discretionary power.

There is no question that Type I Blame Culture is having a significant impact on US public administrators. In part this is a reflection of a general turn toward litigiousness among Americans over the past three decades,<sup>65</sup> but it is also a result of a growing sense that government lawlessness is on the rise.<sup>66</sup> It is a culture that is only now coming into question among in the popular media<sup>67</sup> — but it is one with very deep and healthy roots in the United States.

## **Type II: The Giri Blame Culture**

The Type II Blame Culture violates the idealised form of blame found in Type I by not requiring that much attention be paid to the causal contribution factor. Blameworthiness

under this cultural condition can occur strictly on the basis of assumed responsibility for a situation. The US military provides two interesting examples of this Blame Culture at work.

On April 27, 1995, US Senator Strom Thurmond chaired a meeting regarding the issue of whether Rear Admiral Husband E. Kimmel should be posthumously awarded the rank of Admiral. Convened in Washington, D.C., the session included speakers ranging from the Deputy Secretary of Defense, the Secretary of the US Navy and the Navy's General Counsel, three retired Admirals, several prominent historians of the Second World War, and members of the Kimmel family. At issue was a matter of honor — but also a matter of *blame*.

The late Rear Admiral Kimmel served as Commander-in-Chief of the United States Fleet and Commander-in-Chief of the Pacific Fleet at the time of the Japanese surprise attack on Pearl Harbor on December 7, 1941. At issue was whether he and Lt General Walter Short, who was Commanding General of the Hawaiian Department of the Army,<sup>68</sup> were to blame for the state of 'unreadiness' at Pearl Harbor on the morning of the infamous attack. In support of the Defense Department's ongoing refusal to award the promotion, the Deputy Secretary noted the conclusions of a Joint Congressional Committee that investigated the question nearly 50 years earlier.

[T]he Committee's report specified that Admiral Kimmel and General Short were not guilty of dereliction of duty; however it did find that they made numerous errors of judgment, the most significant of those errors was dependence upon an inadequate system of command by mutual cooperation that was, in the Committee's words -- 'The conduct of operations in a state of joint oblivion.'

Both Kimmel and Short, according to the quoted congressional report, failed to coordinate and integrate their combined facilities for defense in the crucial days prior to the attack.

'While they had been able over a period of time to conceive admirable plans for the defense of the Hawaiian coastal frontier consistent with the system of mutual cooperation, when the time came for implementation of those plans, they remained hollow and empty contracts that were never executed. Had the responsible commanders conferred together in such matter as to reach joint decisions consonant with their plans, a system of mutual cooperation would have proved adequate.'

The actions of the two commanders were regarded by the investigators as irresponsible. 'Each was the victim of the human reluctance to pry into what is regarded as another's business. . . .' Their 'failure to effectively coordinate their efforts into a unified defense based upon

adequate tactical communication of information, clear-cut allocation of responsibility and the shared understanding of such matters as alert levels were found by the Congressional Committee to have contributed to the scope of the losses at Pearl Harbor. . . .'<sup>69</sup>

In contrast, those seeking Kimmel's (and Short's) promotion argued that blame for the terrible outcome of the attack should be assessed elsewhere. The basis for their argument is that higher authorities in Washington had crucial information that was withheld from Kimmel and Short. 'It's a matter of historical principle,' argued one of the military historians present, 'that when a superior withholds information from a subordinate for whatever reason, he automatically assumes the full responsibility for whatever occurs as a result of that subordinate not having the information. That's the principle that the military has worked on all -- throughout history. And you'll find it repeated over and over again.' More qualified in his defense of Kimmel was his predecessor as commander of the Pacific fleet, James O. Richardson:<sup>70</sup> 'I do not assert that Kimmel was without blame for some of the Naval aspects of the Pearl Harbor debacle, but his blame was less than that of his superiors.'

While the question of blame assessed for the unpreparedness of American forces on Pearl Harbor 56 years ago seems like a historical oddity, the seeds of similar episodes seem planted each day in military and some civilian agencies . On May 30 of this year three US Air Force officers were relieved of their duties at Ramstein Air Base, Germany because their commander had lost confidence in their abilities 'to continue to effectively discharge their responsibilities.' Implied in that action was the casting of blame for the fatal crash of an Air Force jet carrying Secretary of Commerce Ronald Brown and a delegation of business leaders to Dubrovnik, Croatia on April 3. In an unrelated and ongoing story, at least two of the highest-ranking officials of the US Federal Aviation Administration resigned in the face of criticisms that the agency's actions (or inactions) were somehow to blame for the crash of a Valuejet Airliner in the Florida Everglades.

What these and similar cases have in common are situations where blameworthiness is clearly linked to assumed responsibility or jurisdiction.<sup>71</sup> In its most obvious form, this type of blameworthiness is associated with the 'hierarchical model,' and for it to work the assumption of responsibility must be taken seriously by the blaming parties.<sup>72</sup> In practice in the United States, its application is even more selective. In their analysis of military disasters, Eliot A. Cohen and John Gooch find that military leaders are more likely to be blamed for general failures of their organisation than leaders of other public agencies or private

corporations.<sup>73</sup>

Another condition where a Type II culture might apply is more temporal in nature — what we will term the ‘on-your-watch model.’ Under this model, you may be blamed by the mere happenstance that it was your time to serve in the responsible position, and that nothing you did or did not do would have made any difference. There but for the fortune of rotation, for example, Admiral Richardson could have been in command of the Pacific fleet at the time of the Pearl Harbor attack rather than Kimmel.

Still a third set of relevant conditions for a Type II Blame Culture can be termed the ‘causal association model.’ This model indirectly applies the ‘causal contribution’ criteria to Type II blameworthiness by establishing that some ancillary factor caused the ‘harm’ event and then seeking out those with assumed responsibility for that cause. Such was the situation facing Brigadier General William E. Stevens, Colonel Roger W. Hansen, and Colonel John E. Mazurowski, the three officers relieved of duty as a result of the investigation into the Dubrovnik crash. As the accident investigation proceeded to focus increasingly on the safety and maintenance of the aircraft involved, blame for the tragedy moved closer to tasks under their jurisdiction. It is probable that they personally contributed nothing to the actual cause of the crash, and it is possible that the investigation might not be able to certify a specific causal link. Nevertheless, the culture of blame in effect in the US military renders them blameworthy, and thereby subject to the punishment exacted.<sup>74</sup>

That punishment is somewhat typical for those subjected to Type II blameworthiness. The guilt they suffer is externalised, taking the form of some public action such as being fired, suspended or relieved of duty. There is little or no attempt to publicly shame the blamed parties by putting them on trial or display; it is assumed that their own sense of pride will lead to an internalisation of shame. Which leads an insight about this culture of blame: it is probably most effectively and successfully applied to those who regard themselves as professionals.<sup>75</sup>

Note should be taken of the somewhat unique manner in which the Japanese handle this particular blame culture. Through the almost untranslatable practice of *giri*, the Japanese have developed a means for carrying out Type II Blame Culture punishment without having to trigger some formal personnel process. Ruth Benedict<sup>76</sup> was the first western scholar to attempt to describe *giri*, taking care to differentiate it from other practices (e.g., *gimu*) that might seem the same to foreigners. *Giri* entails fulfilling what might be regarded as a

contractual obligation. The head of an organisation is expected to resign, not in anticipation of being found responsibly guilty, but because that is what is expected. It is understood that the resignation admits no direct wrongdoing, and in that sense it is done unwillingly. But it is what is expected, and so blameworthiness linked to assumed responsibility is honored and given substance.<sup>77</sup> Thus, an appropriate label for conditions under which Type II blameworthiness is accepted would be a '*giri* culture of blame.'

A note on two exceptional cases that prove the point:

There are two exceptional cases that simultaneously raise questions about this analysis while reinforcing the general point of this paper: Adolph Eichmann and General Yamashita.

The first case was chronicled by Hannah Arendt in her *Eichmann in Jerusalem*. In his defense, Eichmann notes that he never took part in the actual operations of the Final Solution, and in fact fell ill in the one instance where he had to visit an extermination site. Eichmann regarded himself as a 'mere functionary whose functions could just as easily have been carried out by anyone else. . . .'<sup>78</sup> That defense would have been relevant in a Type II Blame Culture, and were the crimes not so heinous such an argument might have succeeded.

In contrast, General Yamashita was executed by the US military as a war criminal because he was unable (despite notable efforts to do so) to control the behaviour of his forces as their role in the Pacific conflict came to a close.<sup>79</sup> Under Type II conditions, his blameworthiness would not have resulted in his death. But he, like Eichmann, were subjected to circumstances more like the Type I Blame Culture, and thus were subjected to harsher punishments for their actions.

**Type III: The Stigma Blame Culture**

The Type III Blame Culture also violates the idealised model of blameworthiness, but this time by focusing on the causal contribution dimension and de-emphasizing assumed responsibility. In its most extreme form, this type includes those who Karl Jaspers would label *metaphysically guilty* (or blameworthy):

There exists a solidarity among men as human beings that makes each co-responsible for every wrong and every injustice in the world, especially for crimes committed in his presence or with his knowledge. If I fail to do whatever I can do to prevent them, I too am guilty. If I was present at the murder of others without risking my life to prevent it, I feel guilty in a way not adequately conceivable either legally, politically or morally. That I live after such a thing has happened weighs upon me as

indelible guilt.<sup>80</sup>

The conditions set by Jaspers are indeed extreme and unique. They require the blameworthy person(s) to witness or know about the act, and thus play the role of a contributing cause by doing nothing to stop the evil deed(s). Thus, it is clear that for Jaspers complacent behaviour in the face of an opportunity to take action to stop the wrongdoing is as blameworthy as the evil action itself. In this regard, Jaspers is in solid company. 'For where it is in our power to act,' argued Aristotle, 'it is also in our power not to act.' And so,

if we have the power to act where it is noble to act, we also have the power to act where action is base. But if we have the power to act nobly or basely, and likewise the power not to act, and if such an action or inaction constitutes our being good and evil, we must conclude that it depends on us whether we are decent or worthless individuals.<sup>81</sup>

A more explicit instance where Type III Blame Culture would apply is when the person implementing routine orders or merely doing her day-to-day work is regarded as blameworthy despite proof that she was not responsible for the decision to conduct the action. Urban law enforcement personnel feel the impact of this blame culture at certain times and in certain neighborhoods. The infamous Rodney King beating case in Los Angeles once again raised the visibility of the Type III Blame Culture to levels of the 1960s when there was considerable suspicion of the local cop in central city neighborhoods.<sup>82</sup> Military personnel attending classes or military-financed research on many college campuses during the Vietnam War may have felt the same sense of being blameworthy just because of their affiliation with the defense establishment.<sup>83</sup> Forest Rangers and National Park Service personnel have been exposed to this blame culture for the past two decades as the influence of the environmentalist perspective has helped define their traditional programs and daily activities as blameworthy.<sup>84</sup>

Perhaps the most significant example of applying a Type III Blame Culture is now underway as a result of the publication of Daniel Jonah Goldhagen's *Hitler's Willing Executioners: Ordinary Germans and the Holocaust*. Noting the scale of Hitler's genocidal undertaking, Goldhagen highlights the fact that the Holocaust's machinery employed many thousands of ordinary Germans.

The monstrous gas chambers and crematoria, together with the 'monsters' Hitler, Himmler, Eichmann, and a few others, have become the star villains of this mid-

twentieth-century horror. The people who worked in the vast network of camps other than those death camps that were outfitted with mass extermination facilities and, more so, the people who worked the less notorious institutions of killing have largely fallen from view.<sup>85</sup>

For Goldhagen, the net must also be cast to those many additional thousands — perhaps millions — who somehow participated in the vast system that supported the killing institutions. For Goldhagen, these too are blameworthy people and need to be brought back into the picture.<sup>86</sup>

Because the focus of the Type III culture are ‘ordinary folks’ who break no formal laws, their blameworthiness does not generally call for criminal-like punishment. Applying the punishment dimensions of guilt and shame raises an interesting insight. It is clear from Jaspers’ comments that guilt should be internalised. Public (externalised) shame, however, is required to make certain that the blameworthiness of the group is openly expressed for all to see. This externalised shame can be manifest through a visible sign — the equivalent of a ‘scarlet letter.’ A uniform or hairstyle might label you a blameworthy person in certain places and for certain people. Or the externalization of shame may be immediate and of short duration, in the form of a public humiliation where some representative of the blamed persons is asked to testify before a committee or is exposed to widespread media coverage. Whether intending to do so or not, Goldhagen is engaged in the act of shaming at least the memory of the historical ‘ordinary German’ who helped perpetrate the Holocaust. In each instance, the shaming has the intent of stigmatizing the blamed parties.

The effectiveness of stigmatizing punishments varies. Erving Goffman reports studies showing that it is possible to manage a spoiled identity.<sup>87</sup> And there is a sense in which the impact of the shaming is greater for those who escape its publicness than for those who suffer the open humiliation.<sup>88</sup> In this regard, the level of internalised guilt might be the key, for public shame can just as easily trigger a feeling of victimization and become a source of reactionary pride.<sup>89</sup>

Nevertheless, where the Type III Blame Culture is effective and accepted, it would most clearly be linked to the imposition of stigma on those perceived as blameworthy. As examples indicate, the ‘stigma culture of blame’ is a highly relevant one for line-level public servants.

#### **Type IV: The Prejudicial Blame Culture**

The problems facing citizen of the United States, some believe, can be solved by routing out the primary cause: the government and its agents, i.e., those damn bureaucrats who steal our money (e.g., collect taxes), control our livelihoods (e.g., regulate our workplaces), violate our freedoms (e.g., enforce the law), and otherwise conduct the work of satanic forces. That, at least, is how some members of right-wing militia groups would express themselves in terms that fit the Type IV Blame Culture.

Type IV culture is also conducive to less radical rhetoric. It currently supports a popular market for government- and bureaucracy-bashing radio talk hosts and best-selling authors (e.g., in the U.S., Rush Limbaugh). These individuals have talents for visiting blame on an entire class of actors for many and any of the general ills afflicting the community or nation or world. They are talents that do exceptionally well — economically as well as politically -- in a Type IV cultural context.

In a more subtle form, Type IV blaming can seem friendly to the subject, and even give the impression of helpfulness. William Ryan brought attention to this form in his *Blaming the Victim*.<sup>90</sup> There he cogently highlights the tendency of individuals in and out of government to address the issues of race, poverty, crime, and other social ills by focusing blame on individuals and groups who most directly suffer the consequences. ‘Victim-blaming is cloaked in kindness and concern,’ he observes,

and bears all the trappings and statistical furbelows of scientism; it is obscured by a perfumed haze of humanitarianism. In observing the process of Blaming the Victim, one tends to be confused and disoriented because those who practice this art display a deep concern for the victims that is quite genuine. In this way, the new ideology is very different from the open prejudice and reactionary tactics of the old days. Its adherents include sympathetic social scientists with social consciences in good working order, and liberal politicians with a genuine commitment to reform.<sup>91</sup>

There is an analogous strain of blaming in the public service arena. Some reformers, for example, justify their efforts by presenting anecdotal or ‘hard science’ evidence indicating the breadth and depth of the ‘bureaucracy’ problem. Government is problematic, they contend, and the generalised source and cause of the problems is bureaucratic behaviour or the ‘bureaucratization’ of government. Versions of ‘blaming the bureaucracy’ show up on the best-seller lists<sup>92</sup> as well as on academic shelves<sup>93</sup> and in the classroom.<sup>94</sup> In recent years, it has emerged as on the public agenda as the foundation for ‘privatizing’<sup>95</sup> and ‘reinventing’<sup>96</sup>

government.

Type IV blameworthiness gets its distinctiveness from the fact that it violates all *three* major conditions set forth by the idealised model of blame. First, it makes no requirement that the blamed person or collection of persons have assumed responsibility for the condition they are blamed for; rather, it targets an ill-defined but inclusive group that everyone knows to exist (e.g., bureaucrats) but which take no definite form (e.g., as workers of a specific agency, or as members of a certain profession).

Second, it doesn't required any role for the blamed in contributing to the cause of the blameworthy or harmful condition. It is assumed that the vaguely defined 'they' are highly influential in shaping the world.

Third, and perhaps most important, the Type IV Blame Culture eliminates the need for any degree of specificity regarding what that harmful condition entails! It could be the decline of the economy, or the loss of national prestige, or the general malaise of society.

If labeling were in order, this type would be termed the 'prejudicial blame culture' to reflect how well it fits the analytic condition of prejudice discussed by Gordon Allport in his classic 1954 study, *The Nature of Prejudice*. After pondering various definitions and dimensions of prejudice, Allport at one point posits it as 'an avertive or hostile attitude toward a person who belongs to a group simply because he belongs to that group, and is therefore presumed to have the objectionable qualities ascribed to the group.'<sup>97</sup> But an additional qualification added several paragraphs later gives prejudice its 'cultural' — in contrast to its merely 'social'<sup>98</sup> — character: if that 'avertive or hostile attitude' is not subject to change in response to contrary evidence, then it constitutes a *prejudice*. In this sense, prejudice is different from 'ordinary errors of prejudgment.'

*Prejudgments become prejudices only if they are not reversible when exposed to new knowledge.* A prejudice, unlike a simple misconception, is actively resistant to all evidence that would unseat it. We tend to grown emotional when a prejudice is threatened with contradiction. Thus the difference between ordinary prejudgments and prejudice is that one can discuss and rectify a prejudgment without emotional resistance.<sup>99</sup>

The bottom line is that the 'net effect of prejudice . . . is to place the object of prejudice at some disadvantage not merited by his own misconduct.'<sup>100</sup>

Allport goes on to offer a five-point scale of actions that result from prejudice. These

include antilocution (speaking ill of group members), avoidance, discrimination (ultimately resulting in segregationist policies), physical attack, and extermination (e.g., pogroms. Lynchings).<sup>101</sup> What the present analysis would add to that scale (perhaps between avoidance and discrimination) is the unique type of blaming action that emerge under the Type IV Blame Culture.

Such a placement in Allport's scale reflects the quality of 'punishment' likely to emerge for those subjected to Type IV blameworthiness. To be blamed for who you are — that is, what group you belong to rather than for anything you supposedly did or might be held responsible for under other Blame Culture types — puts one in an awkward position. The guilt and shame one might feel remain internalised, for there is nothing of substance that you specifically did that you can respond to. To be subjected to Type IV blame, in short, is to feel anger and frustration. Such 'feelings' are themselves a form of punishment.

The impact of the Type IV blame has received considerable attention in discussions of anti-Semitism. While among the most controversial of those discussions, Jean-Paul Sartre's *Anti-Semite and Jew* offers a relevant starting point. His observations about the options facing Jews in a virulently anti-Semitic society are especially important.

The Jew . . . finds himself in a paradoxical situation: it is perfectly all right for him to gain a reputation for honesty, just as others do and in the same ways, but this reputation is added to a primary reputation — that of being a Jew — which has been imposed on him at one stroke and from which he cannot free himself no matter what he may do. . . . Let him multiply acts of disinterestedness and honesty, and perhaps he will be called a *good* Jew. But Jew he is and must remain.

At least when he is called honest or dishonest, he knows what it is about; he remembers the acts that justify these terms. When he is called Jew, it is quite otherwise; then it is a question not of particular condition but of a certain tone expressed in all his actions. He has heard repeatedly that a Jew thinks like a Jew, sleeps, drinks, eats like a Jew, is honest or dishonest in a Jewish manner. And the Jew looks for this Jewishness in vain. Is any of us conscious of his style of behavior? Can any of us look at himself from the outside?

Yet this little word 'Jew' appears in his life one fine day and will never leave again.<sup>102</sup>

While the depth of anti-bureaucratic blame in 1990s cannot be compared to that of

European anti-Semitism for the past two centuries, the analogy is relevant and offers a warning that perhaps the same cultures that nurture Type IV blameworthiness today might ‘progress’ toward more outward forms of prejudicial behavior (i.e. discrimination, physical attack, extermination) in the future. The attack on the Oklahoma City federal building in the US may have been just one indication that this culture of blame is taking root at the extremes.

### **IMPLICATIONS -- AND THOUGHTS**

Rather than draw any conclusions from the preceding analysis, this final section considers several questions about and implications of the cultures of blame framework. The first and most obvious focus for this discussion is the framework itself, particularly its potential utility as an analytic tool. There are also issues related to its theoretical value within the ‘ethical theory’ endeavor posed earlier. Third, there are implications for the study of public service ethics that need to be confronted. Finally, the nature of the subject matter itself begs some normative questions that cannot be avoided.

#### **Assessing the Framework**

Clearly, the development of a blame cultures framework undertaken here was just a first step in what might emerge as a more substantial endeavor. It was intended, in part, as a ‘demonstration project’ to support the contention that an ‘ethical theory’ orientation to public service ethics can bear fruit (see discussion below). But it was also an effort to begin construction of an analytic tool that can prove useful for the study of public service ethics specifically, and public administrative behaviour more generally defined.

How well does this new tool perform? The answer, of course, depends on the performance standards we adopt. Using the traditional standards for assessing behavioural science concepts and models,<sup>103</sup> the framework as currently constituted leaves much to be desired. Those standards include criteria such as *inclusiveness* (Are the categories used in the framework comprehensive in their coverage of the phenomenon?), *mutual exclusivity* (Are the categories tight, or would specific cases overlap two or more types?), *validity and reliability* (Does the type actual define the phenomenon it claims to define? And would there be a high level of agreement among different users about the sorting of individual cases into a category?), *measurability* (Does the model allow us to measure the categorised cases with ease and at an appropriate level of analysis?), and *relatedness* (Is there some degree of relationship among the categories that facilitate comparisons and further model-building?). The best that can be said of the blame cultures framework when assessed against these

somewhat ‘hard’ criteria is that it has quite a long way to go. The model’s categories are not quite tight enough, nor are the characteristics of each type clearly enough defined to consider the framework a useful tool for systematic empirical research.

But there are other analytic performance standards that the framework does meet.<sup>104</sup> Does it address a significant issue? Does it do so in a way that generates interesting and useful insights from what we already know about the issue? Does it allow us to bring other conceptual resources to bear on the subject? Is it adaptable and open to changing or newly discovered conditions in its subject matter? Is it ‘fruitful’ in generating new and different approaches to the subject? Applying these ‘softer’ standards to the blame cultures framework, it is difficult not to be pleased with the potential of the model. For example, just the process of elaborating the model for this presentation resulted in some surprising discoveries for the author, especially when it pointed to the exceptional cases of Eichmann and Yamashita. Nor was that the only instance where the model has borne fruit in this exercise -- but the readers are left to their own devices to find other examples in the text.

Should we be satisfied with this framework if it failed to perform up to the first set of standards and instead remained a rather ‘soft’ tool? The answer is an unequivocal ‘yes,’ for recent history has proven that somewhat ‘squishy’ concepts and typological models can prove quite valuable. Consider, for example, the case of Lowi’s simple yet revolutionary ‘policy-causes-politics’ typology (distributive, regulatory, redistributive) that has resulted in volumes of studies and innumerable insights since its publication in a 1964 book review essay.<sup>105</sup> Or the wealth of knowledge birthed by Lindblom’s ‘incremental decision making’ model.<sup>106</sup> Or the current research programme developing around Putnam’s concept of ‘social capital.’<sup>107</sup> Clearly, it wouldn’t be bad to move into such a neighborhood, even if the residents are a bit on the ‘soft side.’

### **Implications for the ‘Ethical Theory’ Approach**

As a ‘demonstration,’ the framework-building exercise was intended to show the value of shifting our orientation toward an ‘ethical theory’ perspective. The logic underlying this demonstration was relatively simple: If we were to assume the position that public administrative behaviour was normatively regulated by efforts to deal with the moral pushes and pulls facing public servants, then it is important to understand the context (in this case, the blame culture context) within which that activity occurs. In the process, we hope to show

that -- at least in this one limited area of concern -- the ethical theory orientation can prove valuable for both analysts and the subfield metaphysicians.

Whether this exercise has succeeded in accomplishing that limited purpose can only be judged by the reactions of those for whom the demonstration was conducted. It should be evident, however, that the framework does raise interesting questions and challenges for those interested in either empirical or normative issues related to public sector ethics. At minimum it poses empirical questions about the relationship between ethical standards and blaming behaviour in various contexts. At the same time, it raises a number of normative issues (see below) about the nature of public service responsibility and the possibility of ethical behaviour under various conditions. In short, it is possible -- and perhaps even desirable -- for those who share an interest in public service ethics to work within the same intellectual arena.

Will the ethical theory approach and frameworks such as that proffered here be the bridge that facilitates movement toward the intersection of analytic and metaphysic interest in public service ethics? We will have to wait for the reaction of the drivers now that the roadway has been open.

### **Implications for the 'Subfield'**

Turning attention to one side of that roadway, we need to consider what the substantive message of this framework implies for the current normative agenda of the public sector ethics subfield. If there is an issue raised by the elaboration of types completed above, it has to do with the relevance of search for a normative public service ethics under variable cultural conditions.

It is wrong, of course, to anthropomorphise the subfield and characterise *it* as being obsessed with finding the holy grail of *the* ethical standard for all public servants. If anything, Cooper's overview of the subfield literature referred to at the outset of this paper<sup>108</sup> proves just the opposite to be the case. The subfield's normative endeavor is truly pluralistic, and its diversity has been one of its most attractive features.

Nevertheless, the one is less than impressed with the efforts by subfield members to address issues raised by cultural variability both within and among administrative states. What this framework-building exercised indicated, however, is the need to do just that. The receptivity of different cultural settings to ethical standards must be factored into the normative endeavor. In the present instance, our focus on just one cultural dimension -- that

dealing with blameworthiness -- indicates that receptivity to ethical standards will vary even within the same national or institutional setting. In light of current studies,<sup>109</sup> the primary case in point is that of the US military, where a form of the stigma blame culture dominates to the exclusion of other forms and in contrast to the blame cultures found in the corporate sector or even in other government agencies.

Therefore, if the normative endeavor is to succeed, it must be relevant to the setting. Equally important, however, the subfield must also recognise that there are possible circumstances under which the normative endeavor itself can be called into question. In a blame culture where ethicality has no significance -- where one's behaviour is irrelevant to how one will be judged -- discussions of appropriate values is itself irrelevant. When public servants and their families are being killed or targeted for death merely because of who they are, public service ethicists should be working to change the culture and put aside their more scholarly goals.

### **Implications for Us All**

Which leads to some final and brief thoughts about what this exercise implies about the state of public administration in countries like the US. As the bombing of the Oklahoma City federal building and related events demonstrate, the extreme form of the Type IV is more than a mere logical possibility. They indicate that the Allportian progression from merely thinking bad thoughts and saying bad things about bureaucrats qua bureaucrats to social avoidance and blaming behaviour is something to be weary about. The scenario implied by this framework may seem exaggerated if not absurd at the moment, but so did the thought of violent attacks on government workers just five years ago.

If we are conscientious in our commitment to counteract prejudice, it might be possible to halt the movement toward the more virulent and destructive forms of prejudicial action. What frameworks such as this contribute is giving us the capacity to think about it.

## NOTES

<sup>1</sup>T Cooper (1994) 'The Emergence of Administrative Ethics as a Field of Study in the United States' in T Cooper (ed) *Handbook of Administrative Ethics*, Marcel Dekker, pp 3-30.

<sup>2</sup>According to Cooper's intellectual history, the watershed event in the development of the subfield was publication of an article on 'Administrative Crisis: The Neglect of Metaphysical Speculation' by William G. Scott and David K. Hart in a 1973 issue of *Public Administration Review*; see Cooper (1994) pp 11-12.

<sup>3</sup>H Simon (1957) *Administrative Behavior: A Study of Decision-Making Processes in Administrative Organization* 2<sup>nd</sup> edition, Free Press. The work was originally published in 1947.

<sup>4</sup>GL Wamsley et al (1990) 'Public Administration and the Governance Process: Shifting the Political Dialogue' in GL Wamsley et al (eds) *Refounding Public Administration*, Sage Publications, p 42.

<sup>5</sup>Simon has been similarly criticised for the central role he played in the field of political science, and in one instance he responded quite vehemently against his being portrayed as having had a 'diabolical influence' on the discipline. Clearly his role as disciplinary 'Devil' does not sit well with him. See H Simon, 'The State of American Political Science: Professor Lowi's View of Our Discipline' (1993) 26 *PS: Political Science and Politics* 49..

<sup>6</sup>A careful reading of the relevant chapter (3) in *Administrative Behavior* supports such a view. He and his co-authors took special care to stress this point in later writings, perhaps in defensive reaction to attacks on his approach. For example, consider the following passage from H Simon et al (1950) *Public Administration*, Alfred A. Knopf, p 24:

No knowledge of administrative techniques, then, can relieve the administrator from the task of moral choice. . . . His code of ethics is as significant a part of his equipment as an administrator as is his knowledge of administrative behavior, and no amount of study of the 'science' of administration will provide him with this code.

Also see H Simon (1983) *Reason in Human Affairs*, Stanford University Press, pp 7-12.

<sup>7</sup>For an insightful brief summary and critique of the debate generated by Simon's approach – particularly with Dwight Waldo – see M Harmon (1995) *Responsibility As Paradox: A Critique of Rational Discourse on Government*, Sage Publications, pp 42-47.

<sup>8</sup>Several years later, Scott and Hart published their

influential *Organizational America* in which they warn of a creeping totalitarianism and call for organisation professionals to take on the tasks of reform. The first step, they argue, is for professionals to become 'philosophers' who develop and promote the right values; see WG Scott and DK Hart (1979) *Organizational America*, Houghton Mifflin, pp 224-225.

<sup>9</sup>C Stivers (1990) 'Active Citizenship and Public Administration' in Wamsley, et al (eds) pp. 245-246.

<sup>10</sup>See AJ Ayer (1952) *Language, Truth and Logic* Dover Publications, p 112.

<sup>11</sup> For a general overview of the empirical studies literature, see DP Wittmer (1994) 'Ethical Decision Making' in Cooper (ed), pp 349-359; he also discusses relevant 'normative' models on pp 359-368.

<sup>12</sup>Wittmer (1994) p 369.

<sup>13</sup>For example, see LK Trevino, 'Ethical Decision Making in Organizations: A Person-Situation Interactionist Model' (1986) 11 *Academy of Management Review* 601; also TM Jones, 'Ethical Decision Making by Individuals in Organizations: An Issue-Contingent Model' (1991) 16 *Academy of Management Review* 366.

<sup>14</sup>This is the major thrust of the contributions in JS Bowman (ed) (1991) *Ethical Frontiers in Public Management: Seeking New Strategies for Resolving Ethical Dilemmas*, Jossey-Bass. It is also a theme running through the chapters in Wamsley, et al (eds) (1990).

<sup>15</sup>There are other approaches that could be noted, especially *relationist* or *reflexive* theory associated Pierre Bourdieu; see P Bourdieu and LCD Wacquant (1992) *An Invitation to Reflexive Sociology* University of Chicago Press.

<sup>16</sup>See F Matson (1964) *The Broken Image: Man, Science and Society* Doubleday Anchor Books, pp 36-65.

<sup>17</sup>T Parsons and E Shils (eds) (1951) *Toward A General Theory of Action: Theoretical Foundations for the Social Sciences* Harper Torchbooks, especially at p 53; also see Matson (1964) chapter III.

<sup>18</sup>R Nozick (1981) *Philosophical Explanation* Belknap/Harvard, especially chapter five.

<sup>19</sup>Nozick (1981) pp 403-450.

<sup>20</sup>Nozick (1981) pp 451-473.

<sup>21</sup>This would be important for those who might be anxious about the association of this approach with Nozick, who is

known for his strong libertarian and minimalist state views; see R Nozick (1974) *Anarchy, State, and Utopia*, Basic Books. Less well known is that he has more recently concluded that there were serious flaws in that argument; see R Nozick (1989) *The Examined Life: Philosophical Meditations*, Simon and Schuster, pp. 286-296.

<sup>22</sup>O Flanagan (1991) *Varieties of Moral Personality: Ethics and Psychological Realism*, Harvard University Press, especially chapter 1. Also M Johnson (1993) *Moral Imagination: Implications of Cognitive Science for Ethics*, University of Chicago Press.

<sup>23</sup>On cultural analysis in general, see R Wuthnow (1987) *Meaning and Moral Order: explorations in Cultural Analysis*, University of California Press also M Thompson, R Ellis and A Wildavsky (1990). *Cultural Theory*, Westview Press.

<sup>24</sup>Among others, see: EO Wilson (1978) *On Human Nature*, Harvard university Press; R Wright (1994) *The Moral Animal: Evolutionary Psychology and Everyday Life*, Pantheon Books; and JQ Wilson (1993) *The Moral Sense*, Free Press.

<sup>25</sup>Hobbesian and Freudian perspectives on ethical behaviour are obviously based on such assumptions .

<sup>26</sup>R. Nozick (1993) *The Nature of Rationality*, Princeton University Press, p 63.

<sup>27</sup>BF Skinner (1971) *Beyond Freedom and Dignity*, Alfred A. Knopf.

<sup>28</sup>Blameworthiness and praiseworthiness mirror each other in their relationship to ethicality, and thus should be considered together in this argument. There are two reasons, however, to focus exclusively on blame in what follows. First, the presentation will be less awkward. Second, it is sad but true that blameworthiness is far more relevant in public sector ethics than praiseworthiness. That in itself is a commentary on the current state of affairs for American public administration

<sup>29</sup>Aristotle (1962) *Nicomachean Ethics* (M Ostwald, trans), Bobbs-Merrill, Book III.

<sup>30</sup>S Bok (1979) *Lying: Moral Choice in Public and Private Life*, Vintage Books, pp 24-28; also S Bok (1982) *Secrets: On the Ethics of Concealment and Revelation*, Pantheon Books..

<sup>31</sup>On the various moral, legal, and social views of harm, see the four volume study by J Feinberg (1984-88) *The Moral Limits of Criminal Law*, Oxford University Press.

<sup>32</sup>See JR Lucas (1993) *Responsibility*, Clarendon Press, esp. Chapter 2; also DC Dennett (1984) *Elbow Room: The Varieties of Free Will Worth Wanting*, MIT Press.

<sup>33</sup>Issues of causality provide a major link between the philosophical discussions of moral blame and legal theory. See HLA Hart and T Honore (1985) *Causation in the Law* 2<sup>nd</sup>, Oxford University Press, esp 299-304.

<sup>34</sup>HM Lynd (1958) *On Shame and the Search for Identity*, Routledge & Kegan Paul.

<sup>35</sup>S Lamb (1996) *The Trouble With Blame: Victims, Perpetrators, and Responsibility*, Harvard University Press.

<sup>36</sup>See H Garfinkel (1967) *Studies in Ethnomethodology*, Prentice Hall; W Handel (1982) *Ethnomethodology: How People Make Sense*, Prentice Hall; GR Semin and ASR Manstead (1983) *The Accountability of Conduct: A Social Psychological Analysis* Academic Press; and T Douglas (1995) *Scapegoats: Transferring Blame*, Routledge.

<sup>37</sup>M Smiley (1992) *Moral Responsibility and the Boundaries of Community: Power and Accountability from a Pragmatic Point of View*, University of Chicago Press, esp chapter 9. Also see the work of B Williams: (1985) *Ethics and the Limits of Philosophy*, Harvard University Press; and (1995) *Making Sense of Humanity and Other Philosophical Papers*, Cambridge University Press.

<sup>38</sup>A related approach was applied by JN Shklar in her examination of *The Faces of Injustice* [(1990), Yale University Press]. Shklar's focus was a bit different from ours (i.e., what factors determine the distinction made between a 'misfortune' and an 'injustice'), and her intent was to show that politics was the key to understanding the framing of an injustice. Nevertheless, her approach to injustice (and, less directly to blameworthiness) fits under the cultural approach as used here.

<sup>39</sup>R Benedict (1989) *The Chrysanthemum and the Sword: Patterns of Japanese Culture*, Houghton Mifflin (originally published in 1946).

<sup>40</sup>W Ryan (1971) *Blaming the Victim*, Vintage Books..

<sup>41</sup>See Wuthnow (1987).

<sup>42</sup>Thompson, Ellis, Wildavsky (1990), pp 59-61.

<sup>43</sup>CJ Friedrich (ed) (1960) *Responsibility*, Liberal Arts Press, Part Two.

<sup>44</sup>E.g., JD DiIuilio et al (1993) *Performance Measures for the Criminal Justice System*, Bureau of Justice Statistics-Princeton Project.

<sup>45</sup>M Foucault (1977) *Discipline and Punishment: The Birth of the Prison*, Vintage Books.

<sup>46</sup>See S Schneidermann (1995) *Saving Face: America and the*

*Politics of Shame*, Alfred A. Knopf, pp 22-25.

<sup>47</sup>Benedict (1989) pp 222-223; also Lynd (1958), esp pp 20-26.

<sup>48</sup>D Thompson (1987) *Political Ethics and Public Office*, Harvard University Press, pp 47-49, 64-65.

<sup>49</sup>Hart and Honore (1985), p 63.

<sup>50</sup>As my colleague, David Rosenbloom, points out, it is more than mere coincidence that in most countries (especially outside the Anglo-American arena), legal training is a requirement for the public service.

<sup>51</sup>J Gouinlock (ed) (1994) *The Moral Writings of John Dewey* revised edition, Prometheus Books, p 183.

<sup>52</sup>DL Lewis (1994) *Prisoners of Honor: The Dreyfus Affairs*, Henry Holt and Co.

<sup>53</sup>Harmon (1995), chapter 6.

<sup>54</sup>See Douglas (1995).

<sup>55</sup>ME Dimock (1980) *Law and Dynamic Administration*, Praeger Publishers, chapter 10.

<sup>56</sup>In the US, private legislation is alive and well as a means for dealing with such problems.

<sup>57</sup>Various agencies in the US have the equivalent of administrative 'claims courts' for this purpose.

<sup>58</sup>JO Freedman (1978) *Crisis and Legitimacy: The Administrative Process and American Government*, Cambridge University Press..

<sup>59</sup>See PW Ingraham (1995) *The Foundation of Merit: Public Service in American Democracy*, Johns Hopkins University Press; also DH Rosenbloom (1971) *Federal Service and the Constitution: The Development of the Public Employment Relationship*, Cornell University Press.

<sup>60</sup>DH Rosenbloom (1983) *Public Administration and Law: Bench v. Bureau in the United States*, Marcel Dekker, pp 185-200.

<sup>61</sup>42 US Code, Section 1983; often referred to as 'Section 1983'.

<sup>62</sup>Quoted in Rosenbloom (1983), p 186.

<sup>63</sup>DH Rosenbloom and JD Carroll (1990) *Toward Constitutional Competence: A Casebook for Public Administrators*, Prentice Hall, esp. Chapter 2..

<sup>64</sup>RD Lee, Jr 'Federal Employees, Torts, and the Westfall Act of 1988' (1996) 56 *Public Administration Review* 334.

<sup>65</sup>PW Huber (1988) *Liability: The Legal Revolution and Its Consequences*, Basic Books; JK Lieberman (1981) *The Litigious Society*, Basic Books.

<sup>66</sup>JK Lieberman (1973) *How Government Breaks The Law*, Penguin Books; ML Gross (1992) *The Government Racket: Washington Waste From A to Z*, Bantam Books.

<sup>67</sup>PK Howard (1994) *The Death of Common Sense: How Law is Suffocating America*, Random House.

<sup>68</sup>Technically, the 1995 meeting was also to address the question of whether General Short should be posthumously awarded a third star that was withheld for the same reason.

<sup>69</sup>All quotes from transcript of 'Remarks at the Meeting of the Office of the Secretary of Defense and Members of the Kimmel Family Dealing with the Posthumous Restoration of the Rank of Admiral for Rear Admiral Husband E. Kimmel, United States Navy,' April 27, 1995, Washington, D.C. For more on the Kimmel-Short controversy, see EA Cohen and J Gooch (1991) *Military Misfortunes: The Anatomy of Failure in War*, Vintage Books, esp. chapter 3.

<sup>70</sup>Quoted at the 1995 hearings from a book written in 1957.

<sup>71</sup>It can be argued that the Kimmel and Short case is not relevant here, for what the two were blamed for was something they did causally contribute to, i.e., the level of unpreparedness among American forces in Hawaii. That is, in fact, at the crux of the Pentagon's refusal to adjust its findings. Kimmel's and Short's defenders, however, imply that the two were being blamed for not preventing the surprise attack by being more vigilant – and they respond by noting that neither commander had any inclination that such an attack was imminent nor (obviously) did they cause the Japanese to attack.

<sup>72</sup>Thompson (1987), pp 41-44 discusses the logical shortcomings of the 'hierarchical model' as a means for dealing with the problem of 'many hands.' The example used to demonstrate the illogic of this model relates to the president: e.g., we can like the person and hate his/her policies. But while that might hold true for the president, it doesn't for people in the bureaucracy, and especially in the military. As the Watergate episode demonstrated, the president operates in a Type I Blame Culture where legalistic standards are more likely to apply. To effectively blame the occupant of the White House, you better have a 'smoking gun.'

<sup>73</sup>Cohen and Gooch (1991). As if the point did not need further reinforcement, on July 10 the head of the US

military Central Command was taken to task at congressional hearings held to consider the terrorist bombings at an American base in Saudi Arabia 10 days earlier. One prominent senator even suggested that the general and the Secretary of Defense resign because of their implied role in the loss of 19 US lives.

<sup>74</sup>A similar situation faced the managers at Morton Thiokol, the launch vehicle contractor for the *Challenger* shuttle craft. Once attention focused on the O-rings, those in responsible positions at Thiokol became blameworthy under the Type II Blame Culture that characterised the Rogers Commission. See D Vaughan (1996) *The Challenger Launch Decision: Risky Technology, Culture, and Deviance at NASA*, University of Chicago Press..

<sup>75</sup>See JR Rest and D Narvaez (eds) (1994) *Moral Development in the Professions: Psychology and Applied Ethics*, Lawrence Erlbaum Associates; also discussion of the two Gestalts driving professionals in WM Sullivan (1995) *Work and Integrity: The Crisis and Promise of Professionalism in America*, Harper Business, chapter 7.

<sup>76</sup>Benedict (1989), chapter 7.

<sup>77</sup>Also see TS Lebra (1976) *Japanese Patterns of Behavior* University of Hawaii Press, esp chapter 6. Also see J Rauch (1992) *The Outnation: A Search for the Soul of Japan*, Little, Brown and Co, for a less analytic but more general 'feel' for the Japanese culture.

<sup>78</sup>H Arendt (1964) *Eichmann in Jerusalem: A Report on the Banality of Evil*, Penguin, p 289.

<sup>79</sup>*In re Yamashita*, 327 US 1

<sup>80</sup>From Jaspers' *The Question of German Guilt*, quoted in L May (1992) *Sharing Responsibility*, University of Chicago Press, p 147.

<sup>81</sup>Aristotle (1962), p 65

<sup>82</sup>See JH Skolnick and JJ Fyfe (1992) *Above The Law: Police and the Excessive Use of Force*, Free Press.

<sup>83</sup>See MT Klare (1972) *War Without End: American Planning for the Next Vietnams*, Vintage Books, chapter 3; also JS Kunen (1969) *The Strawberry Statement: Notes of a College Revolutionary*, Random House..

<sup>84</sup>A Chase (1995) *In A Dark Wood: The Fight Over Forests and the Rising Tyranny of Ecology*, Houghton Mifflin.

<sup>85</sup>DJ Goldhagen (1996) *Hitler's Willing Executioners: Ordinary Germans and the Holocaust*, Alfred A Knopf, p 165.

<sup>86</sup>Goldhagen (1996), chapter 5; also see R Hilberg (1992)

*Perpetrators, Victims, Bystanders: The Jewish Catastrophe 1933-1945*, Harper Perennial..

<sup>87</sup>E Goffman (1963) *Stigma: Notes on the Management of Spoiled Identity*, Simon and Schuster.

<sup>88</sup>'Happy are you, Hester, that wear the scarlet letter openly upon your bosom! Mine burns in secret!' Nathaniel Hawthorne, *The Scarlet Letter*, quoted in Lynd (1958), p 31

<sup>89</sup>Lynd (1958). On the complex relationship between blame, shame and victimization, see Lamb (1996).

<sup>90</sup>Ryan (1971).

<sup>91</sup>Ryan (1971), p 6.

<sup>92</sup>Gross (1992).

<sup>93</sup>RP Hummel (1994) *The Bureaucratic Experience: A Critique of Life in the Modern Organization* 4<sup>th</sup> edition, St Martin's Press.

<sup>94</sup>D Nachmias and DH Rosenbloom (1980) *Bureaucratic Government USA*, St. Martin's Press.

<sup>95</sup>ES Savas (1987) *Privatization: The Key to Better Government*, Chatham House.

<sup>96</sup>D Osborne and T Gaebler (1992) *Reinventing Government: How the Entrepreneurial Spirit is Transforming the Public Sector*, Addison Wesley..

<sup>97</sup>G Allport (1979) *The Nature of Prejudice*, Addison Wesley, p 7. (Originally published in 1954).

<sup>98</sup>Implied here is the idea that cultural characteristics are at the foundation or core of human behavior, while social characteristics are more superficial and fleeting.

<sup>99</sup>Allport (1979), p 9; emphasis in original.

<sup>100</sup>Allport (1979), p 9.

<sup>101</sup>Allport (1979), pp 14-15. Goldhagen (1996) relies heavily on Allport's work for his analysis of the exterminationist form of antisemitic behavior that drove the Holocaust.

<sup>102</sup>J-P Sartre (1976) *Anti-Semite and Jew: An Exploration of the Etiology of Hate*, Schocken Books, pp 74-75. (Originally published in 1946). See the discussion of Sartre's analysis in WE Connolly (1991) *Identity/Difference: Democratic Negotiations of Political Paradox*, Cornell University Press, pp 98-106.

<sup>103</sup>A Kaplan (1964) *The Conduct of Inquiry: Methodology for Behavioral Science*, Chandler Publishing; also see LA Froman Jr (1968) 'The Categorization of Policy Contents' in A Ranney (ed) *Political Science and Public Policy*, Markham Publishing, 41-52; and MJ Dubnick and BA Bardes (1983) *Thinking About Public Policy: A Problem-Solving Approach*, John Wiley and Sons, pp 73-77.

<sup>104</sup>CA Lave and JG March (1975) *An Introduction to Models in the Social Sciences*, Harper and Row, chapter 3; also Dubnick and Bardes (1983), pp 50-53.

<sup>105</sup>TJ Lowi 'American Business, Public Policy, Case-Studies, and Political Theory' (1964) 16 *World Politics* 677.

<sup>106</sup>CE Lindblom 'The Science of Muddling Through' (1959) 19 *Public Administration Review* 79.

<sup>107</sup>R Putnam (1993) *Making Democracy Work: Civic Traditions in Modern Italy*, Princeton University Press, esp chapter 6.

<sup>108</sup>As well as the entire volume which it introduced: TL Cooper (ed) (1994) *Handbook of Administrative Ethics*, Marcel Dekker.

<sup>109</sup>Especially Cohen and Gooch (1991).