Public Attitudes towards Standards and the Role of Rule Design

1. The problem

Politicians and the government have traditionally been viewed with suspicion by members of the public. Moreover, many members of the public believe that standards of conduct by those in public life are poor (see, for example, CSPL, 2015). However, somewhat hostile perceptions of those in public life are the norm historically and so the current ‘problem’ must be understood in that context; fears of a terminal decline in positive perceptions of politicians are largely unfounded. Nonetheless, it is important to address negative perceptions because an absence of trust and poor perceptions of standards have been associated with a reluctance by citizens to engage with the governing process, as well as a reluctance to freely pay taxes (Scholz and Lubell, 1998; Rose, 2014).

2. Understanding negative perceptions

Given the existence of negative perceptions of those in public life, it is reasonable to ask where these perceptions come from. Partly it appears that different societies may simply have different expectations, and in turn these expectations lead to different attitudes. The UK, as a western liberal democracy, may have particularly high expectations, and so be particularly vulnerable to hostile perceptions (Warren, 2015). This may partially explain why only 2% of the UK public thinks that corruption is not a problem in the UK public sector, while 29% of the population of South Sudan thought that corruption was not a problem in South Sudan’s public sector (Transparency International, 2013a; 2013b).

Within the UK itself, changes in perceptions cannot be easily explained by such general inter-country effects. One hypothesised explanation for declines in positive perceptions is political scandals. Especially when coupled with media reporting that blurs the line between an individual’s actions and the operation of the system as a whole, scandals could partially explain why we see continuing low-levels of trust, support, and satisfaction with the probity of public life. However, the empirical evidence here is actually quite mixed. Rose (2014: Ch.5) analysed the impact of the scandal concerning Derek Conway’s use of his parliamentary allowances, finding that the associated scandal led to an increase in positive perceptions about standards in public life. The research hypothesised that this was a result of the scandal emerging from the work of the internal parliamentary regulatory system. As such, the scandal showed that the system could work.

Nonetheless, not all scandals are positive. ‘MPs’ expenses’ had a very significant impact upon the public’s perceptions of standards, as well as on their trust in politicians. However, the application of blame was uneven. Research by Rose (2014: Ch.6) shows that the scale of involvement of the local MP appears to matter greatly. The key distinction was between people whose MP never claimed under the additional costs allowance (ACA), despite having the opportunity to do so, and all others. Relative to people whose MP never claimed under the ACA, all other groups suffered serious declines in perceptions of standards. Moreover, there were no significant differences between these...
other groups. The effect of having an MP who was found by the Legg report to have inappropriately claimed more than £1000 was the same as having an MP who claimed entirely appropriately.

3. Scandals, rule design, and good governance

While scandals may not always cause perceptions of standards to become more negative, they still pose a threat to governments and have a tendency to dominate media coverage. In order to address the political challenges posed in the short term by scandals, politicians often seek to pass more restrictive rules in order to prevent the behaviour that caused the scandal. Often this is more of an attempt to assuage public anger than to actually address the substantive issue – tapping into an idea that ‘something’ must be done. As such, anti-corruption policies are often a response to a specific event or scandal, rather than being developed as a coherent overarching plan. Moreover, little concern is given to how efficient these rules are, since they are often aiming to be a symbolic gesture rather than a comprehensive plan to increase integrity. Thus, in the early days of the new MPs’ expenses regime in 38% of claims the cost of the administration of this system exceeded the cost of the claim itself (Public Accounts Committee, 2011: Ev 4-5).

The ‘scandal-response’ mode of policy making also results in a regulatory system where our ethical rules/norms have a very strong focus upon (easy to implement) formal rules to stop specific behaviour. Such rules are probably good enough to curb corruption, but they do not do much to encourage public servants to act with integrity. Indeed, if someone is only abiding by the rules temporarily because there is a punishment for not doing so, we have very little guard against how they will act in a future situation where the rules are not sufficiently comprehensive (Heywood and Rose, 2015; 2016). We can see the implications of this sort of issue in our own lives. There is a law against theft, but we would not steal from someone even if there was a loophole in the law that meant that we could get away with it that time. As such, our behaviour is not regulated primarily by the formal rules (in this case the Theft Act), but instead by our own commitment to personal integrity. Where we have seen scandals surrounding the behaviour of those in public life, it has often been in situations in which there were few or no pre-existing rules against the behaviour at the time, but where a personal commitment to public integrity would have stopped the behaviour anyway.

A better response to regulation is likely to be one that creates a space for public officials to self-consciously reflect on and discuss ethical issues. The House of Commons Code of Conduct for Members suggest that advice can be sought from the Parliamentary Commissioner for Standards, the Registrar of Members’ Financial Interests, or the Electoral Commission. However, there is not an expectation that Members will discuss ethical problems they face; instead, these services are available on an ‘if necessary’ basis. What public officials often lack is a structure in which they can proactively discuss ethical issues they face, in a manner analogous to how medical doctors routinely discuss their cases and what can be learned from them. This approach increases the salience of ethical issues throughout the work of public servants. Such a policy has been tried successfully in the Netherland’s tax administration (Blijswijk et al., 2004).
Bibliography


Transparency International (2013b) Global Corruption Barometer: South Sudan [Available online: https://www.transparency.org/gcb2013/country/?country=south_sudan]


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