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Ethics for a Democratic Republic

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Introduction

We live in a democratic republic, and we believe it is an effective political system. Democracies distribute political power broadly, giving everyone some measure of control over their political lives to prevent abuses. Republics limit the political power anyone can have.

Yet while democratic republics have great strengths they also have potential weaknesses.

Our focus is on the *ethics* of politics. What makes a political system *good* or *bad*? To what end *should* political power be used? What *responsibilities* do citizens have? What character *virtues* should we look for in politicians? What is the difference between *beneficial*, *destructive*, or *evil* laws?

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The italicized concepts above—*good, bad, should, responsibilities, virtues, beneficial, destructive, and evil*—are concepts of ethics.

Thus the mission of this article assumes that democratic republics are beneficial, but we ask:

What are the key principles of democratic republics?

For democratic republics to work well, how should its constituents act? What rights and responsibilities do the following have:

- Citizens who vote for politicians and advocate policies?
- Elected officials?
- Judges, both elected and appointed?
- Unelected government officials?
- Political candidates who are running for office and the organizations that support them?
- Journalists and other members of the media who report on and analyze political affairs?
- Lobbyists who seek to influence political decisions, and individuals and organizations that seek contracts, grants, subsidies or advantages from the government?

Within a democratic republic there will be many disagreements about the morality of particular laws and policy proposals. Our purpose is not to enter into those debates. Rather we assume general agreement that a healthy political system will follow certain ethical principles—for example, honesty, transparency, accountability, and a dedication to the common good over partisan objectives—and our focus is on what those principles mean, how they can best be embodied within practical politics, and how to reform a system that does not seek the common good.

Consequently, the purpose of our political ethics site is fourfold:

1. To identify the principles and practices of good political ethics.
2. To examine those principles and inspire adherence to them.
3. To call attention to examples of good political ethics in practice.
4. To call attention to violations of ethics in practice.

A healthy society is a complex and dynamic phenomenon, as are the political principles and applications necessary to support it. Especially so in a democratic republic, with the amount of freedom and respect for each individual's differences that we hope will be respected by all citizens.

But nothing good happens automatically, and the ongoing work of creating the good society requires knowledge, commitment, good judgment and effective action.

So to make our contribution to that ongoing work, we choose to follow [President George Washington](#)'s proposal: "Let us raise a standard to which the wise and honest can repair."

Ethics for a Democratic Republic

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1. The Common Good

The purpose of social living is the mutual advantage of the individuals involved. We form friendships for the mutual enjoyment. We form families and extended families. We form sports leagues or religious societies or families, business firms, and others, in order to pursue common values—athletic pleasures, ritual and worship, love and support, wealth, and so on. When a society is no longer serving its members' common values, its members have the right to reform it, break away from it, or dissolve it.

The same principle applies to the broadest social institution—government—which is created to advance some of the common values of all individuals in a society.

What common values hold for *all* members of society? In democratic republics, the freedom to live one's life and security from physical assaults are the most obvious candidates.

What, by contrast, is *not* the common good? Any value that is *not* shared by all individuals in the society. For example, any value that benefits some at the expense of others—such as rules that grant special privileges or powers to some but not others—or laws that favor one religion over another—or regulations that confer financial benefits to some businesses at the expense of others. Historical and recent examples include granting political powers to aristocrats but not commoners or suffrage to males but not females. Or laws that, depending on who was in power, denied civil rights to Jews, Catholics, Protestants, or unbelievers. Or regulations that enable the politically-connected to get subsidies for their businesses, subsidies that other people pay for but do not receive any benefits from.

To put it negatively: *No double standards should exist in politics.* The government should not play favorites. No citizen is less equal politically than others, and the proper purpose of politics is not to advance the interests of some over others.

"The common good" is an abstract phrase, and a more robust set of explicit ethical principles is needed to specify the values that are properly common in politics.

2a. Ethical Principles for Politics

Any political system has explicit and implicit principles that define its purposes. In the United States, we explicitly define *individual rights*. A right is a principle of social morality, identifying the proper principles of social relationships.

In 1776, the Founders of the United States were concerned to make clear the *moral* purpose of the new nation they were creating and to *justify* their breaking away from Great Britain. What makes a society a *good* society? What principles should be the basis for all subsequent laws the new country will create?

The new nation's founding document, the [Declaration of Independence](#), identifies three such principles: the *Rights to Life, Liberty, and the pursuit of Happiness*.

- To say that individuals have a *right to life* is to say that their lives belong to them. Individuals are not subservient to the state, or to others.
- To say that individuals have the *right to liberty* is to say they should be left free to live their lives as they judge best. They should be neither slaves nor wards.
- And to say that individuals have the *right to pursue happiness* is to say that the purpose of their lives is for them to define and seek. They should not be made to sacrifice or subordinate their goals to any other individual or group.

Built into these three rights is a conception of *equality*. Each individual should be seen and treated as equal in the possession of their rights.

This moral conception of equal rights has fundamental implications both for the government and the citizens.

In a society based on individual rights, the primary purpose of government is the *protection* of those rights. As the Declaration puts it, "to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed." Government is moral to the extent that it protects rights—and it is bad to the extent that it fails to protect, itself violates those rights, or applies its rules to some individuals but not others, violating the principle of [equality before the law](#). A good government, then, will be one that explicitly respects and vigorously protects the rights of all citizens equally.

A society based on respect for individual rights also has implications for how [citizens](#) should think and act. If self-ownership, freedom, and the pursuit of happiness are core values, then *self-responsibility* is critical: Individuals should take responsibility for their own lives, the choices they make, and the goals they set

and pursue for themselves. Each citizen should also have a strong *respect for others' rights* identical to his or her own rights.

In a moral society, then, citizens live freely and self-responsibly, they expect other citizens to do the same, they respect each others' rights to live freely, and they hold their government firmly to its responsibility of equally protecting the rights of all.

2b. Ethics and the U.S. Constitution and Bill of Rights

The purpose of the Constitution is to apply the conceptual principles of the Declaration of Independence to the Federal Government.

Government is about power, so the Constitution specifies *who* will have power, *how* they will acquire it, the *purpose* of that power, the *scope* of that power, and for *how long* they will hold it. That is to say, the Constitution *enumerates* the powers of government—legislative, executive, and judicial—and it provides for the creation of specific institutions—Congress, Executive Branch, and Judiciary—to exercise those powers. It further allocates the sovereignty between the Federal Government and the States, with the Federal government limited to expressly delegated powers.

A great moral failing of governments historically has been the abuse of political power, so the Framers of the Constitution devised a number of features to reduce the potential for abuse.

On critically important feature is the *Separation of Powers*. The power to *make* laws and the power to *enforce* the laws are separated and given to different branches of government—Congress and the Executive, respectively. Similarly, the *judicial* power is separated into a branch of government distinct from the Congress and the Executive. Consequently, power is not concentrated in too few hands—the same individuals who have the power to enforce the laws do not, for example, enact the laws that they will enforce; and, conversely, those who have the power to pass legislation do not have the power to enforce the law.

A variation within the separation of powers is *Checks and Balances*. The powers granted to the different branches of government are sometimes put in tension with each other. For example, Congress has the power to make laws, but the head of the Executive Branch, the president, has the power to veto any bill passed by Congress. The president has the power to nominate justices to the Supreme Court, but the nominees must be confirmed by the Senate. And the highest court in the land, the Supreme Court, can, under the doctrine of judicial review, strike down any law passed by Congress or any regulation issued by the Executive Branch. Governmental power is also diffused by the Federal structure consisting of the Federal Government and the States, the latter of which have primary jurisdiction over matters not expressly delegated by the Constitution to the Federal Government.

The purpose of [the Bill of Rights](#) is to explicitly impose important limitations on governmental power. For example, the government may not interfere with religious freedom, freedom of speech, or the freedom of association. It may not limit the citizen's right to bear arms for use in self-defense and protecting property. In performing its judicial functions, the government must follow specified procedures and may impose only previously-specified punishments.

The limitations identified in the Bill of Rights are not meant to be exhaustive. They do, however, prohibit the U.S. government from abusing its power in ways that many, if not most, governments have historically acted.

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2c. Integrity

In a free society, individuals are *responsible* for their own lives and are entitled to conduct their lives as they judge best. Committing to responsibility is the virtue of integrity.

Philosophically, the virtue of integrity is a matter of integrating one's mind and one's body. What one *thinks* is best, one does in *action*. Or what one *believes* is true, one's words *speak*. A person of integrity says and acts according to his or her convictions.

The opposite of integrity is *hypocrisy*. Hypocrisy is an intentional disintegration. One does *not* say what one truly believes, or one does not act according to one's beliefs. For example, if I believe that smoking is bad for my health but I continue to smoke, then that is a failure of integrity.

A person of integrity acts on principle. Such a person's word can be trusted, and he or she can make reliable commitments.

Accordingly, integrity is a fundamental character trait of politicians, no matter how many politicians fail to practice it. While campaigning, in order to make themselves more attractive to citizens, politicians make many claims about their policies and values. Citizens should be able to trust that those claims represent the candidates' actual beliefs.

Politicians also make commitments to the citizens who elect them, and citizens should be able to trust that the politicians will follow through on those commitments. Otherwise, the election is based on a fraud and the politician violates his or her fiduciary responsibilities [internal link] to the citizens.

Integrity is a personal commitment, but the political arena often makes the practice of integrity more difficult. Threats from more powerful politicians and inducements from lobbyists are regular temptations, as are other common practices such as:

Log-rolling: Log-rolling is the practice of politicians' gaining support for their proposed legislation by promising to support another politician's piece of legislation. For example, Senator A wants Senator Z to vote for her farm bill, and Senator J agrees to do so as long as Senator A promises to vote for Senator Z's telecommunications bill. Senator A might not agree with the telecomm bill, but she might feel that getting her farm bill passed is more important and so will vote against her conscience in support of the telecomm bill.

Package-deals or [omnibus bills](#): Package-dealing is the practice of combining disparate pieces of legislation into a single bill requiring politicians to vote on that bill. For example, an immigration bill might be bundled with an amendment to an internet privacy bill and a tax increase on exports. A politician who favors the first two but not the third may then vote for the package-deal, despite his professed commitment not to vote for tax increases.

What these practices have in common is giving politicians incentives to act *against* their principles. That is to say, such practices institutionalize hypocrisy. Every democratic-republic has featured such practices, but a healthy political system will make ongoing efforts to stop them and to solve the problems they create.

Institutional solutions range from disallowing omnibus bills to increased transparency. *Disallowing omnibus bills* means that every piece of proposed legislation must stand or fall on its merits. Increased *transparency* gives the media and citizens better access to information about the actual workings of their government so as to be in a better position to expose hypocrisies and to shame offending politicians.

2d. Transparency

Transparency is an important feature of good government. In a democratic republic, transparency is an aspect of government officials' *fiduciary responsibility* to their citizens.

A fiduciary is a person who holds a position of trust in relation to another. For example, a lawyer is a fiduciary with respect to a client's legal matters. A physician is a fiduciary with respect to a patient's medical matters. An accountant is a fiduciary with respect to a client's financial matters. In each case, the fiduciary is responsible for handling his or her clients' interests competently, ethically, and, more broadly, professionally.

In a democratic republic, all government officials are *agents* of the citizens, and they are *accountable* to them. Transparency in government activities is a key ingredient in ensuring that government officials act responsibly and accountably.

Just as a lawyer, physician, or accountant acts on behalf of a client and is accountable to the client, a government official acts on behalf of citizens and is accountable to them.

In practice, transparency means that government officials' deliberations and actions are either conducted publicly or made known in a timely fashion to the public.

Examples include:

- Congressional debates on legislation may be televised.
- Regulatory agencies will invite discussion on proposed regulations.
- Gifts that the president receives from foreign dignitaries will be published on a website.
- Government budgets are audited by independent accountants.
- Courtroom trials will be open to the public and the decisions published.
- Elections are conducted openly and the results are audited.

Transparency does not mean that all government actions are always and instantly open to the citizens for their inspection. For obvious reasons, many military and diplomatic activities will require secrecy. But even in cases where some secrecy is necessary for some government agencies to perform their functions, those agencies must be subject to genuine oversight by other branches of government, and, as soon as it is reasonable, the results should be made public.

What secrecy is "necessary" and when publication is "reasonable" are of course matters of judgment, and there is no mechanical formula that can be applied here. Such matters of judgment highlight the importance of ethics to politics, as those with the power to determine necessity and reasonableness must be worthy of our provisional trust.

The point of transparency as a principle is to avoid or limit the scope of unaccountable power, the behind-closed-doors negotiating, and the secret deals that have so often corrupted politics.

2e. Realistic Idealism in Politics

Politics can and should be an honorable profession, if done with integrity and within its proper and defined limits.

It is easy to be cynical about the ethics of politics, and there is much to be outraged or pessimistic about in contemporary politics. Many political sins are committed regularly—broken promises, lying, backstabbing, hypocrisy, abuses of power, bribery, and cronyism.

Yet our view is not the cynical one.

We recognize that our political ideals have been at best imperfectly realized, but we believe that errors can be corrected, that the bad can be identified and weeded out, and that improvement is possible.

By analogy, we recognize that some *scientists* commit fraud, but science can be and often is a noble profession—individual scientists discover knowledge, and the system can be self-correcting. Many *teachers* might be lazy, unfair in grading, or even abusive of their students—but teaching can be an honorable profession and education systems can be improved. And some *businesses* and *customers* cheat each other—but creating wealth and trading to mutual advantage are positives, and the business world can be innovative, value-adding, and exciting.

The same is true of politics. Many politicians may be corrupt, but protecting freedoms and providing for justice are noble goals, and the world of politics can be worthy of respect and even inspiring.

So instead of cynicism we offer a *realistic idealism*.

Idealism in politics is the belief that moral principles can be articulated and positive values can be achieved. *Realism* is the awareness of the actual beliefs and behaviors of political actors. *Realistic idealism* is (1) the evaluation of political actors according to moral principles, (2) the recognition that some are good, some are bad, and some are morally mixed, and the beliefs that (3) the bad can be reformed or excluded from the system and (4) the good can prevail.

But for that to happen, as citizens most of us must know and commit to good and healthy political principles. We must *know* what is good, and we must have the *integrity* to act according to our judgment of the good. We all know that individuals can get things right—but they can also make mistakes.

Individuals can act with integrity—and they can also be hypocrites. Nothing is automatic in politics; good and bad are matters of choice and commitment.

At the beginning of our nation's history, one of the Founding Fathers was asked about what kind of government the founders had created? Benjamin Franklin's reply was, "A republic, if you can keep it."

Franklin's pithy remark suggests that a republic is worth keeping—that is, it is an ideal—but also that only realistic efforts on our part can make it happen.

So we hope to rise to Franklin's challenge and to join with others who aspire to improving our politics.

3a. A Democratic Republic

We live in a democratic republic, and we believe that is the best kind of political system—better than a dictatorship, monarchy, aristocracy, oligarchy, theocracy, tribalism—or any of the many political systems that have been tried throughout human history.

A [republic](#) is a system in which political power belongs to the people—not to a monarch, or to a group of aristocrats, or to whoever happens to have seized power through force or deception. In a republic, the citizens delegate defined and limited powers to their government.

A [democracy](#) is a political system in which the people choose their government officials, typically by voting. Democracies contrast to systems in which power is acquired through heredity, class status, seizure, or appointment.

Republic and *democracy* are closely related concepts. We can ask:

To whom does political power *belong*? In a republic, the answer is: It belongs to us, the citizens.

How is political power *allocated*? In a democracy, the answer is: We citizens elect our government.

Democratic republics vary widely in defining who is a citizen and how officials are chosen. Should the voting age be 18 or 21? Should politicians be elected to four-year terms or for a lifetime? For what political offices should naturalized citizens be eligible? Should judges be elected or appointed? Should the legislative and executive branches of government be integrated, as in [parliamentary systems](#), or separated, as in [presidential systems](#)?

Democratic republics are based on two important ethical assumptions:

- That citizens are *responsible for their own lives*. That is to say, they are not the wards of the state. A democratic republic believes that we should respect and promote *individuals' control* over their own lives, including the political aspects of their lives.

- That citizens are *capable of responsible political action*. That is to say, citizens are not children to be taken care of or incompetents who must be told what to do. A democratic republic believes that citizens should be treated with *respect* as competent adults who can manage their lives, including the political aspects of the lives.

Those of us who believe in democratic republics argue that they are best for several reasons:

- One reason is that they treat citizens as adult human beings *deserving of respect*.
- Another reason is that broad participation brings to politics the *diverse ideas and talents* of many people.
- A third reason is that democratic republics *spread and limit power*, power that is often abused [internal link] when concentrated in the hands of one person or an elite group.

But by relying upon the concepts of *deserving of respect*, *individual control*, and *capable*, democratic republics depend on a certain understanding of human beings, and this opens them to criticisms from those who have very different beliefs about human nature.

3b. Moral criticisms of democratic republics

Are democratic republics really a good idea? Advocates of democratic republics believe their system is most moral because it treats individual citizens with full adult respect, holding them to be responsible and capable of running their lives, including the political aspects.

But historically and currently there are many advocates of different political systems—hereditary monarchies and aristocracies, oligarchies, religious regimes, paternalist governments, communist systems, totalitarian governments, and so on—and thoughtful advocates of such systems believe they are superior.

So let us play the Devil's advocate and consider five arguments opposed to democratic republics.

1. Many citizens *do not act responsibly* in their lives—they eat or smoke too much, do not manage their finances well, are negligent parents, and so on. So why should we recognize their responsibility for important *political* matters and give them the power to influence policy? Instead, argue advocates of *paternalism*, the proper role of government is to take care of people, as parents take care of their children. Paternalism thus challenges the view that politically we should treat citizens as self-responsible adults.

2. Many citizens are *not competent* about politics—they are not informed about global affairs, economics, or science, and so are not able to contribute positively to political decision making. So why should we give them a vote on weighty political matters? Instead, argue advocates of *technocracy*, political power should be wielded only by those with the proven knowledge and competence.
3. Democratic republics respect the freedom of individuals in their business, sexual, religious, and recreational lives. But, critics point out, many individuals are outright immoral in the lifestyles they pursue. “Man,” pessimists such as Joseph de Maistre will suggest, “is too wicked to be free.” So why should we leave individuals at liberty to pursue a path of personal and social self-destruction? Instead, argue advocates of *authoritarianism*, a good government will enact strict laws and enforce them vigorously in order to keep people on the moral straight and narrow.
4. Democracies typically have regular elections and republics typically apportion powers to distinct branches of government. Critics will point out that regular elections encourage politicians to think short-range—*What do I need to do to win the next election?*—and thus undermine the long-range and strategic decision-making essential for healthy governing. Critics will also point out that separations of power makes it difficult for governments to coordinate their actions quickly, as administrative hurdles, barriers, rivalries, and turf warfare cause governments to be divided against themselves. Instead, argue critics, *centralization* of power concentrated in the hands of a few individuals enables those individuals to make decisions quickly and act effectively without impediments.
5. Democratic republics typically embody a robust conception of *individual* rights to life, liberty, property, and the pursuit of happiness. But, critics will argue, individualism leads to asocial or anti-social behavior and the breakdown of the bonds that enable societies to maintain their cohesion over time. Consequently, advocates of *collectivism* or *communalism* will argue that democratic republics are too individualistic and that the collective or community should take precedence over the individual. Democratic republics may be the best system possible, but advocates of paternalism, technocracy, authoritarianism, centralization, and communalism are correct to point out that they do have potential weaknesses.

So how do we reply to these criticisms? Why do the strengths and virtues of democratic republics outweigh their weaknesses and vices, especially in comparison to other political systems? How do democratic republics attempt to overcome their potential flaws?

The answers to those questions involve both general moral principles and their implementation in particular political practices. The moral principles do require explicit defense, and their implementation does require judgment and ongoing experimentation. The next step in the discussion is to identify what a government is and what its proper purpose should be.

4a. What is government?

A government is a unique social institution, making the morality of its actions of special importance.

Governments have the power to *make rules* and *enforce them*, but so does every other type of social institution. A school has rules and enforces them, as does a sports league, a church, or a business. But a government does so in two ways that are different from every other type of social institution.

The first is that government rules apply to *everyone* in the society, whereas the rules of a school, league, church, or business apply only to *some* members of society—those who choose to participate in the smaller group. That is to say, a government's rules apply *universally*. Everyone in the society is subject to them.

This first difference highlights an important ethical question about the government's powers: *What rules are so important that everyone in society must live by them?*

A government is different in a second way: Its rules are enforced by *compulsion*. If a government rule is broken, the government has a police force to arrest the rule-breaker, to use physical restraints and weapons, to turn the rule-breaker over to the judiciary, which may decide to fine the rule-breaker, put him or her in prison, or, in extreme cases, execute the wrongdoer.

By contrast, no other social institution may use physical force against its rule breakers. Schools, leagues, churches, and businesses are *voluntary* associations, and the worst they can do to their rule-breakers is to expel them from the group. A rule breaker can be cut from the team, fired from the job, or excommunicated from the church, but the league, business, or church does not have the power to fine, imprison, or execute the rule-breaker.

This second difference also highlights an important ethical question about the government's power: *What rules are so important that physical force may properly be used against those who break them?*

It is one thing to say that a rule is optional for *some* people—but quite another to say that *absolutely everyone* must follow it. It is also one thing to say that if people don't agree about a rule they can go their separate ways—but quite another to say that the police can *compel* them to follow the rule.

Government power is thus an awesome power. It can be a power to do good, but it is a power that can be—and often is—used in error and abused. Consequently, government power should be subject to the highest ethical standards and scrutiny. We want to grant government the power it needs to accomplish its legitimate goals—but no more.

4b. Power

H. L. Mencken once wrote, "A professional politician is a professionally dishonorable man. In order to get anywhere near high office he has to make so many compromises and submit to so many humiliations that he becomes indistinguishable from a streetwalker."

Must this cynical assessment be true? Clearly history shows that abuses of power often occur in politics—favoritism, bribery, self-dealing, threats, and worse. History also shows that the worst offenders are in political systems that disempower individual citizens and concentrate power in the hands of one or a few. That is part of the response that advocates of democratic republics make to advocates of paternalism, technocracy, authoritarianism, centralization, and communalism.

At the same time, power is necessary for government officers to accomplish the good that governments can do. Power is a tool, and how the tool is used depends on the individual wielding it.

It is sometimes said that power corrupts—most famously by Lord Acton [external link]—but that is not our view here. Power is not inherently corrupting: teachers have power over their students, parents have power over their children, bosses have power over their subordinates, and so on; and there are many, many examples of teachers, parents, and bosses not being corrupted by their power. Rather, most use their power in a morally healthy way. Given any amount of power, some individuals will use it well and some will abuse it, which shows that it is the *character* of the individual that is decisive.

But having a suspicion about power is nonetheless an important feature of politics. We citizens want our politicians to have the power they need to accomplish goals, but ahead of time we citizens cannot judge perfectly the character of any given politician. So we put checks on power in place—not because power corrupts, but because it is prudent to expect that some corrupt individuals will come to power and we will want to lessen their opportunities for abuse.

In [democratic-republics](#), the most common checks include:

- Regular elections, so that citizens have an opportunity to remove power-abusing politicians.
 - Explicit limitations on the powers delegated to government officials, in part so as to make some liberties outside the reach of government power—such as freedom of the press and freedom of religion—and in part so as to limit the amount of damage any officer can do.
 - Separations of powers and checks and balances, so that different kinds of political power are not concentrated—and so that if power is abused by an official in one branch of government, there are officials in other branches of government with the power to stop or limit that abuse.
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- In the U.S., the federation principle divides delegated powers of the Federal government from inherent powers of State government, thereby further dispersing governmental power.

All of those institutional methods matter a great deal, but the most important check is *personal integrity*. The job of the government official is to be an agent for the citizens and to use delegated powers for defined purposes and within defined limits. Going into the job, the official knows explicitly what his or her fiduciary responsibilities are, and, as with any profession, the personal commitment to upholding one's responsibilities is fundamental.

In a healthy democratic republic, the rewards for political integrity will be honor and re-election, and the punishments for political hypocrisy and abuse of power will be dishonor, loss of re-election, and, in severe cases, judicial punishment.

4c. Economic versus political power

Human power comes in many forms, and it is important to understand how political power is unique. The power of government is to make rules that *everyone* must obey and that are enforced by *physical compulsion*.

We might speak of the *cognitive* power of intelligent people, the *sexual* power of attractive people, and the *economic* power of wealthy people, but it is important to note that the power of intelligent, attractive, and

wealthy people is only to make attractive offers that others are free to accept or reject. Unlike government officials, they have no official power to compel others.

For example, consider [Warren Buffett](#), one of the wealthiest men in the world. Buffett is a billionaire, so he has much power to influence economic activity. In 2010, a government official named Wendy Edelberg asked Buffett to come to Washington to discuss financial matters. Edelberg is Executive Director of the Financial Crisis Inquiry Commission, a government investigative body. Buffett twice declined the invitation, so Edelberg issued a [subpoena](#) to make him come to her. As a government official in that position, she had the power to send a message that began “YOU ARE HEREBY COMMANDED to appear and give testimony.” Had Buffett not obeyed, the Federal agents could have arrested him.

By contrast, if Buffett had asked Edelberg to come to him in Nebraska and Edelberg had declined the invitation, Buffett could have done nothing further. The richest citizens in the nation have no power to compel anyone. But government officials can literally force the nation’s richest citizens to come to them. The scope of political power thus highlights an important ethical issue: What should be *compulsory* in society, and what should be *voluntary*?

One of the great ethics debates of our time is precisely this question applied to economic matters. How much should political power control the economy? And, conversely, how much economic influence should be brought to bear upon the political process?

One major answer to those questions has been to *separate* the political and the economic spheres as much as possible. [Free-market capitalism](#) leaves economic decision-making to individual producers and consumers, who are free to produce and consume what they wish and to trade with each other on mutually-agreeable terms. The role of government under capitalism is only to protect individuals against those who would use force to steal, defraud, enslave, or kill. The political is the realm of compulsion, but according to capitalism the economic realm should be voluntary.

Another major answer to that question has been to *integrate* the political and the economic. [Socialism](#) centralizes economic decision-making in the hands of government officials who decide production and distribution matters on behalf of society as a whole.

Currently, we live in a [Mixed Economy](#), in which many economic decisions are made freely by individual producers and consumers, but also one in which much of the economy is managed or regulated by local, state, and federal governments.

Ethical judgment in a mixed economy is difficult. One reason is that it is often not clear whether the private or government sector is responsible when things go well or go wrong. For example, when the home mortgage sector collapsed in 2008, both government and private parties were involved, but was the root problem the government policies that encouraged and mandated risky loans or the private lenders and borrowers who made the loans?

Another difficulty of the mixed economy is an increase in special-interest lobbying, bribery, and moral hazard. When government officials have the power to enact laws and regulations that have million- or billion-dollar impacts on private businesses, both the government officials and the businesses have more incentive to pervert or abuse that political power.

4d. Bribery

Bribery is not unique to politics, but it is a form of corruption that is both common and destructive in politics.

A political bribe is an inducement to a government official to act other than he or she should. Bribes can take many forms: direct gifts of money, campaign contributions, special access to people or values not ordinarily available, or promises of future favors.

For example:

- A regulator is deciding a policy that will have a multi-million dollar impact on the natural gas industry. Lobbyists for the natural gas industry arrange to have \$100,000 deposited in the regulator's foreign bank account.
- A movie studio would like a permit to shoot scenes in a special location in New York City. The government official in charge of issuing permits is invited to a party that will be attended by famous Hollywood actors and actresses. Ordinarily, the government official would not grant the permit, but the party induces her to change her mind.
- A senator has an open position in his staff, and the head of a non-profit organization would like her son to get that position. So she strikes a deal with the senator that, when his term in office ends, he will be appointed to the board of trustees of the non-profit organization.

Bribery is a corruption because it induces the recipient to act contrary to his fiduciary responsibility. A government official is given power to act in the interests of the citizenry, and he is to use his best judgment to determine what that interest is.

There should in principle be no conflict between an official's personal and professional fiduciary responsibilities—one should become a government official only if part of one's personal interest is to become a government professional and to perform that function with integrity. In this regard, government jobs are not different from any other job—one becomes a teacher or an athlete or an artist only if one is personally committed to the responsibilities that profession involves.

But a bribe creates a conflict between the official's other personal interests and his official responsibility. When the official accepts the bribe, he has violated his official responsibility.

In addition to personal integrity, other checks against bribery include the following:

- Multiple approvals: Having the approval of more than one government official be required for making decisions. The more parties who have to sign off on a governmental decision, the less likely it will be that the decision was determined by bribery incentives.
- Disclosure and transparency: Having all government officials report on their decision-making procedures, as well as important decisions. This can include having meetings recorded and the recordings' contents publicly available, requiring reports on how important decisions were reached, and the disclosure of any financial or other benefits received from parties affected by the decisions.
- Separation of recommendation and approval processes: Having some government officials be responsible for researching and making policy recommendations, while other government officials have only the power to accept or reject the recommendations. In that way, the effectiveness of bribery is lessened, as no one party has the power both to recommend policy and then decide it.

5. Citizens

As individuals, we are all responsible for our lives—our beliefs, careers, our families, our friendships, and social networks in which we choose to participate. Politics is one such social network, and since politics has a major impact on our lives, it is for each of us a self-responsibility to manage the political aspects of our lives.

A [democratic republic](#) is a *do-it-yourself* political system. Political dictators want to do it *to* you; paternalist politicians want to do it *for* you; but self-responsible citizens make things happen.

For a democratic republic to work, significant numbers of citizens must do the necessary thinking, judging, and acting. Some people can passively piggy-back on the efforts of others, but if a majority of citizens are passive then the system fails.

The political system is not a machine. Politics is what *people* do, and their knowledge, commitment, character and judgment are decisive. Obviously, short-sighted, quarrelsome, unprincipled, and pig-headed people will disrupt the effective workings of the system. So a democratic republic needs many people who are long-sighted, conversational, principled, and open-minded and interested citizens.

So if it is best for us to live in a democratic republic, then it is best for each of us to do our part to make the system work.

What is “our part”?

First, each of us individual citizens should know the general principles of democratic republican politics—what the system stands for and how it works—including the [arguments for and against democracy and republicanism](#).

More specifically, we should know about our own democratic republic. We should make it a point to know our Declaration of Independence and [Constitution](#), our political history, and our relations to the rest of the world.

Even more specifically, we citizens should also keep abreast of the principal current issues—of government budgets, tax policy, foreign relations, economic policy, war, terrorism, immigration, religious freedom, education policy, and many others—being debated and decided. This should include the biography of a candidate and any public information bearing on his character.

When an election nears, the need for involvement intensifies. We re-examine our principles, debate the current issues, evaluate the personal qualities and the opinions of the candidates, and then vote our best judgment.

Accordingly, being a citizen implies an ethical commitment to ongoing self-education and active participation in politics. We all have other commitments and time constraints, but it is an important self-responsibility to make time for the important things. Not being educated and not being involved is to default to others control over an important aspect of our lives.

But all of this is difficult. Political issues can be troublesome to think about—they are complex, and often we have only partial and sometimes incorrect information. Political issues, given their importance, often engage us emotionally, and it is a challenge to combine good judgment and strong passion. And the process of discussing and debating politics is easily messy, especially during [election campaigns](#) with misunderstandings, *ad hominem* attacks, and pig-headedness, so it takes an especially strong commitment to civility for it to work well.

Consequently, a very high level of personal responsibility of citizens of a democratic republic is essential.

6a. Politicians

In a democratic republic, we citizens grant powers to politicians, and we do so without knowing perfectly whether they will act with integrity and good judgment. So we also design the political system to prevent and correct for errors and abuses.

Politicians can do good work in creating positive values such as protecting rights, providing justice and security. Politicians can create a stable, clear, predictable and fair system of law that provides a framework within which citizens can act freely, safely and with confidence in their lives.

Such important work is not easy, and so politicians should be seen as skilled professionals just as we see many other professionals—attorneys, physicians, accountants, and architects.

But as with many other professions, politicians are *agents* for other people—the citizens rather than clients or patients. Just as attorneys and accountants are agents for their clients and physicians are agents for their patients, in a democratic republic the politicians' core obligation is to serve his or her constituents.

In agency professions, the obligations that agents have are called *fiduciary responsibilities*. For example, a physician may have access to a client's private medical information, but may only use that information on behalf of the client and with the client's permission. An attorney may hold some of a client's money in an escrow account, but may only use it on the client's behalf and not his own. Accountants are obligated to disclose the results of their work to their clients clearly and accurately. And so on.

Consequently, given the awesome [nature of the political power we grant to politicians](#), they should hold themselves and be held to the highest standards of fiduciary obligation. These include:

- *Respect* for the limits of the powers granted to them.
- *Honesty*: truthfulness, disclosure, discretion, transparency.
- *Integrity*: promise-keeping, honesty in communication, respect for principles and principled action.
- *Fiscal responsibility*: accuracy and transparency in accounting and financial matters.
- *Managerial responsibility*: politicians delegate much power to regulatory bodies—such as the Food and Drug Administration, the Securities and Exchange Commission, and many others—so they must issue clear regulations consistent with the language and the intent of the statutory provisions.
- *Objectivity*: in all political affairs, a respect for facts, and a respect for the democratic process.

As citizens, we hope and expect that politicians will act professionally, but history and personal experience teaches us that many politicians do not, so in addition to granting powers to politicians we must also develop institutional checks to guard against incompetence and abuse. These include:

- Regular elections, which give citizens the opportunity to vote bad politicians out of office.
- Separating powers among politicians so that no one politician can do too much harm.
- Instituting efficiency requirements so that public resources are well managed and not wasted.
- Requiring openness and transparency where appropriate in the ordinary actions of government.
- Requiring that politicians report regularly to the citizens on their activities and that audits be performed.

6b. Political Parties

In democracies, political parties are collections of individuals with a shared set of political interests. Individuals are free to join or leave a party dependent upon their willingness to agree with a broad set of principles and to pledge mutual support.

For example, in the United States, the Democratic and Republican parties (as well as the much smaller Libertarian and Green parties) each has a very general political philosophy and a formalized institution of support for its candidates and officeholders.

Party or Partisan systems are contrasted to *Individual or Nonpartisan* systems in which individuals run for office on their own merits and, if elected, perform the functions of office solely as individuals. In systems that are dominated by parties, however, it is still typically possible for an individual to run for office as an independent candidate.

Parties evolve in politics naturally, in part because the complexity of politics means that there will be divergent opinions about principles and policies. And parties evolve in democracies in part because there is strength in numbers, including the pooling of financial resources, the enabling of various divisions of labor, and the power of branding.

The freedom to form political parties is also healthy part of genuine democracies. It provides a check against one-party rule, which typically evolves into authoritarianism. The existence of more than one party means that voters are exposed to divergent views. In conjunction with regular elections, the existence of competing parties means that voters are more likely to be able to choose between genuine options and, if the chosen option in one election cycle is unsatisfactory, to choose a different one next time.

A political party develops a platform, which is a set of general political positions and particular policy proposals intended to be a criterion for party membership, by which the party promotes its brand to the electorate. But because of the generality of most platforms, within the party there will be a range of opinion. Parties are typically “big tent” organizations that tolerate or encourage discussion and debate within the general range established by the platform. Over time, those internal discussions resulting in changes in the content of party’s platform.

Individual candidates for political office will join a party for many reasons. These include ideological agreement, the ability to utilize the services of marketers, fundraisers, and administrative personnel, and the fact that the party’s reputation enables the candidate to attract voters who don’t know him or her personally.

Trade-offs exist, though, for party members. A member at one end of the party’s ideological spectrum must tolerate and actively support a member at the other end, and that can be costly both psychologically and in terms of reputation. One party member’s foibles and scandals typically tar everyone else in the party. A party’s platform can allow for a variety of particular policy interpretations and applications, and an individual party member sometimes must actively support or at least not publicly dispute the overall party’s commitment to a particular policy he disagrees with. Party members who are political

officeholders thus sometimes find it difficult to reconcile their loyalties to their party, their personal convictions, and the expectations of the voters who elected them.

From the voters' perspective, the existence of parties causes an additional challenge when evaluating candidates and politicians, for it can be difficult to determine whether the candidate's or politician's words and actions are reflective of personal conviction or party loyalty.

6c. Political Campaigns

In our democratic republic, some government officials acquire power through public elections in which eligible citizens vote. Congressional Representatives and Senators are directly elected. The President and Vice President are indirectly elected: voters select party representatives who comprise an Electoral College, which elects the President and Vice President. Other government officials, such as Supreme Court justices, are appointed by the President, with ratification by the Senate. In the States, officials are either directly elected or appointed by the Governor or a commission.

Elections are an indispensable feature of our system, and the process leading up to the election is a competitive one in which the candidates vie for the electorate's votes.

Candidates offer themselves as individuals and usually as members of a political party. They stress the virtues of their political ideas and of their character and experience. As members of a political party, they stress the merits of their party's platform. The process is competitive, so the candidates also criticize the ideas, experience, and character of their opponents.

The process is analogous to a [free market](#) in which businesses compete for consumers' dollars, advertising the quality and features of their products or services and criticizing those of their competitors. Any business is free to offer a product or service, and consumers are free to buy the offerings.

Similarly, in a democracy anyone is free to offer himself or herself as a candidate for office, to publicize his views and intentions to the voters, who are free to vote for whomever they want.

A political campaign is thus *a learning and discovery process* with research, advertising, discussion, and debate. Who is running for office? What are their distinctive ideas? What facts about their life history are relevant to judging their character, experience, intelligence, and judgment? How do I evaluate the strengths and weaknesses of the parties' platforms and the candidates?

The *ethics* of political campaigns accordingly focuses on [*cognitive virtues*](#) and vices. The purpose of elections is to select the *best* candidates, and the *judgment* of the voters selects them, so the questions are: What makes possible *good judgment*? What *undermines* the process and leads to *poor judgments*?

For the voters, the *virtues* involved are analytical skills—a commitment to learning the facts, the ability to weigh arguments and counter-arguments, the ability to judge character, and a willingness to change one's mind if the facts and logic suggest it. Emotions also run high in political campaigns because the stakes are high and the competitiveness of the process means that one's ideas, candidates, and party will be attacked, sometimes unfairly. So being able to exercise good judgment in the heat of passion is also a cognitive virtue—though difficult to achieve.

The *vices* are anything that interferes with the process. Accurate and complete information is essential, so *slanting, distortion, misinformation*, and outright *lying* are bad. Voters should be open to new information and not *pig-headededly* have a closed mind. Productive discussions require civility, so *rudeness, interruptions*, and *not listening* to the other side's points are destructive. Judgment on complex matters involves reasoning logically, so [*fallacies must be carefully avoided*](#) —*ad hominem* attacks, diversion, appeals to prejudice, class, or authority, misleading generalizing, and so on.

For campaigning politicians and their advocates, the key virtues involved are *intelligence, judgment, honesty, integrity, and civility*. As with advertising in business, honest communication and follow-through are critical in politics. Voters can form good judgments only if they have accurate information about the candidate's views, intentions, and character. Thus *deception* is a political vice. Voters elect politicians who they believe will act according to their stated intentions. So any *hypocrisy*—that is to say, any gulf between what a candidate says or promises and what the elected politician does—is a vice. A key factor in judging a candidate is thus the *integrity* of his or her campaign.

The process ends with a formal vote, with winners and losers among the candidates, and the elected politicians assume their offices.

7a. Elected Officials

Some members of our Federal, State and local governments are elected and some are appointed. In a democratic republic, all government officers are ultimately responsible to the citizens, but the responsibilities are institutionalized differently.

[Elected officials](#) are responsible and can be held accountable in a variety of ways. They swear an oath to uphold the Constitution. Their personal [integrity](#) should lead them to carefully respect the limits of their powers and being held accountable for how they use those powers. The ongoing give-and-take of discussion and argument among politicians, [lobbyists](#), and citizens should keep everyone informed of the live issues and decisions. [Journalists](#) and watchdog groups have a special role in investigating, reporting and analyzing government activities and thus providing a check on actual or potential abuses of power. And regular elections give citizens the opportunity to replace less competent or irresponsible politicians.

7b. Appointed Officials

Appointed officials, unlike elected government officials, do not undergo voter scrutiny when they are appointed nor to be retained in office. All government officers are ultimately responsible to the citizens, but the responsibilities are institutionalized differently. The Constitutionally-granted powers of appointed officials are less well-defined. They are not as easily subject to public scrutiny and debate about their decisions and actions. Except for impeachment and recall in some States, the citizens have no direct power to remove them from office.

So why not elect all government officials? One reason is that many government positions require special expertise, and the majority of citizens are not able to judge such expert competence. For example, the head of the [Food and Drug Administration](#) or the [National Air and Space Administration](#) should have strong scientific qualifications, but the average citizen is not in a good position to judge the comparative qualifications of candidates.

Another reason is continuity of government policy over longer periods of time. Elected politicians generally must stand for re-election every two or four years or so, and this gives them an incentive to think shorter-term. Also not all politicians are eligible to stand for reelection, and some are not re-elected, so there is sometimes unexpected turnover of elected officials. But, for example, managing our foreign relations with [China](#) or the nations of the [Middle East](#) involves negotiations over the course of many years, knowledge of past negotiations and commitments, and judgment about the often slow course of cultural evolution in those nations. A government run only by regularly-changing politicians who think short-term is not good for policy in areas where long-term planning and consistency are required. So practicality supports appointing experts with the expectation that they will manage government business consistently and for the longer term.

Another example is the judicial branch of government. [Supreme Court](#) justices, for example, are appointed for life by the President and subject to Senate confirmation. They are not elected to office by the citizenry, and the reasoning here is that the Supreme Court decides issues on the basis of broad and lasting, principles and their judgment on those matters should not be swayed by the shorter-term political pressures that elections impose.

Yet in a [democratic republic](#), all appointed officials are accountable to the citizenry, even if that accountability is indirect. That accountability is based on several requirements:

- The personal integrity of the appointee is the most important. Any political appointee must recognize his or her fiduciary responsibility to act professionally within the power delegated to him to foster the common good.
- The politicians who make the appointments have the critical responsibility of clarity when delegating powers. Vague and open-ended powers are anathema to the principles of limited and accountable government. The purpose, scope, and means of the power delegated to appointed government officials must be clearly defined and delineated and publicized to the citizens.
- Finally, the politicians who make the appointments have the responsibility of oversight of their appointees. This involves active oversight, including financial auditing and instituting procedures requiring [transparency](#).

Related topics:

[Does power corrupt?](#)

[Bribery](#)

What is fiduciary responsibility?

7c. Judges and Judicial Staff

The purpose of the judiciary is to determine the guilt or innocence of those arrested on criminal charges and to impartially decide civil suits.

In both cases, *justice* is the overarching value to be achieved, and *objectivity* is the major virtue to be practiced. Objectivity is a commitment to a set of cognitive habits: vigor in seeking out all relevant facts, honesty in presenting them, and the use of logic in integrating those facts into an argument that reaches a sound conclusion.

As the primary officials in the judicial system, judges have the responsibility remaining impartial and acting with integrity in the performance of their obligations. Personal integrity is always the most important virtue, as each judge must decide for himself or herself to reject being open to bribery and to set aside personal biases and avoid conflicts of interest.

Formal institutional procedures can strengthen the ability of judges to act with integrity.

- Enabling and encouraging *recusing* when a judge determines there is a major bias, conflict of interest, or the appearance of either.
- *Judicial independence* is another such institution. In the United States, for example, the judiciary is one of three branches of government, alongside the legislature and the executive. Each is granted some powers and prohibited from exercising others. While each branch's powers are complementary to the others', each branch can also check what it judges to be a misuse of power by the others.
- *Appointments for life* are another. In *The Federalist Papers*, Alexander Hamilton argued that "nothing can contribute so much to its firmness and independence as permanency in office." In the USA, for example, Supreme Court justices "hold their Offices during good Behaviour," which is usually interpreting as guaranteeing a lifetime appointment.
- An alternative method selecting judges is by *democratic voting*, and the rationale for this method too is to make judges more likely to act with integrity by making them more directly accountable to the citizens. Judges who abuse their powers are more easily removed from office in the next election.

Both methods have their merits and risks. Judges who are elected are more likely to remain aware of the citizens' concerns, knowing that they will be removed if they become too distant. Judges with lifetime appointments can be less susceptible pressures from government officials or voters with particular, short-term interests and so able to judge matters on principle and on the merits of each case. Also, appointed judges typically receive their appointments from political committees staffed by those with legal expertise. Consequently, such judges are more likely to be more qualified than judges elected by popular vote.

At the same time, elected judges can be elected for reasons of irrelevant popularity rather than legal expertise. They can also more easily be swayed by popular pressures of the moment or, in order to secure election in the first place, become beholden to special interests. Appointed judges have fewer checks on their power and can also influence the selection of their successors by choosing to retire when, in the case appointing Supreme Court justices, for example, the President is of their preferred ideology. Judges appointed for fixed terms do not have that power.

Other institutional methods of ensuring the integrity of the legal system include the *adversarial method* of argument and *publication of results*. The adversarial method means that both sides are able to present their own case and to attempt to rebut the other side's. This increases the likelihood that judges and juries will hear all of the facts and interpretations needed for them to reach a just result. The publication of results ensures that some accountability for the decisions reached is available, as review boards, appeals courts, and the general public are able to read the decisions and take further steps if necessary.

Related topics:

[Ethics and the U.S. Constitution and Bill of Rights](#)

[Integrity](#)

[Transparency](#)

8. Lobbyists

Lobbying is not a bug but a feature of a democratic republic.

Lobbying is a process by which citizens or their agents express their views directly to government officials in attempting to influence legislation, regulation, or their application. For example: a citizen meets with a senator to argue against a tax increase on gasoline. Or a developer attends a city council meeting to argue for a re-zoning of a piece of property. Or an ethnic association meets with a congressional representative to urge an increase in the number of immigrant visa available to members of their national group.

In a democratic republic, government officials should be available and responsive to the citizens. The day-to-day work of government involves the working out of legislation and regulations on many issues, and in a democracy those are worked out through much discussion and voting.

During the election process, there is naturally much discussion, but such discussion is typically over a broad set of platform positions and the character of the candidates. Once the election is over, however, the discussions must continue to work out the details of particular laws and regulations that are to be passed or rejected. For that to happen, government officials need to be in regular communication with each other and the citizens, especially those citizens most interested or affected directly.

Citizens have the right to promote and protect their interests, ideals, and causes. They have freedom of assembly and so can organize in groups to do so. They can hire professional agents to lobby on their behalf. An open democracy is thus a "messy" system with constant ongoing discussion, debate, and negotiation.

While it is appropriate and necessary that citizens and government officers communicate with each other openly and frequently, lobbying also opens the door to many types of unethical behavior, including favoritism, rent-seeking, conflicts of interest, regulatory capture, concentrated benefits and dispersed costs,

bribery, and moral hazard [internal links for fuller discussion of each of these to supplement the brief descriptions that follow].

Favoritism: Friends and family members are in a better position to have access to and influence government officials. Nepotism is an example: A government official may be in charge of hiring for a government job, and friends and family members are in the best position to lobby that they be hired. A friend or family member might very well be the best person for the job, but the special access they enjoy makes it difficult to determine whether their hiring was based on merit or special access and personal affection.

Rent-seeking: Lobbyists can seek government-dispense benefits that are to their own interest but at the expense of others. For example, a cotton clothing manufacturer may simultaneously lobby for a subsidy for cotton farmers and a tariff on wool imports, knowing that the subsidy will make cotton clothing less expensive and the tariff will make wool clothing more expensive. The effect of those policies will increase profits to the cotton clothing manufacturer while lessening the profits of his competitors in the woolen clothing business.

Conflicts of interest: A government official is to act for the common good, but he or she may have personal interests that conflict with it. For example, a regulator with the Environmental Protection Agency may earlier have been a member of a save-the-wolves non-profit advocacy group and, consequently, be inclined to pass regulations that specially benefit wolves as opposed to good overall environmental policy.

Regulatory capture: Sometimes individuals who were regulators under a previous administration will become lobbyists under the current administration, and vice-versa. For example, many individuals with experience in the finance and banking industry may become government officials at the Federal Trade Commission or the Securities and Exchange Commission. Their industry experience gives them superior qualifications for their new government positions, but it may not be clear where their first loyalties lay. Those individuals will also know that after the next election they may very well be fired from their government positions and return to working in the private sector. If enough such individuals are working for a given government agency, that regulatory agency may be *captured* by particular private interests and thus not necessarily be making policies that are generally good.

Concentrated benefits and dispersed costs: This is a regular consequence of professional lobbying on behalf of larger organizations. For example, a professional chess organization might spend \$50,000 to lobby for a \$1 million government grant to run an international chess tournament as part of a cultural exchange. The \$1 million will be paid for out of increased taxes, but there are millions of tax-paying citizens, so the tax increase will cost only a few cents for each citizen. So the citizens will have little incentive to lobby against the grant to the chess organization, even if they are aware of the grant and the tax increase. As a result, the *cost* of the grant is *dispersed* among many *unorganized* taxpayers, while the *benefits* of the grant are *concentrated* among a few *organized* chess players.

Bribery. A bribe is a payment to induce a government official to do something he or she otherwise would not do. For example, a mayor could let a building contractor know that he will not get the contract to build a new jail unless a secret payment is made to the mayor. Or the building contractor could offer a secret payment to the mayor to induce the mayor to award him the contract. Bribery is a corruption because any resulting government action is done not on its merits but because of the bribe.

Moral hazard: Once the perception exists that unethical behavior is common, individuals who are ordinarily ethical will have more incentive to engage in the unethical behavior. The hazard is that a culture of unethical behavior simultaneously (a) attracts more people willing to engage in such behavior, (b) repels those unwilling to engage in unethical behavior, and (c) tempts people to engage in unethical actions that they otherwise would not consider. For example, a contractor might never have considered bribery, but if he knows that bribes are expected or being offered by his competitors he may be tempted to compromise his principles and engage in bribery.

Each of the above problems requires particularized solutions, but some general personal and institutional solutions apply to all of them.

The *personal* solution is most important: both government officials and lobbyists must have [integrity](#) [internal link]. Both must respect the bottom line in politics, which is that legislation and regulation should be based on the government officials' best judgment. Nothing that compromises that judgment—favoritism, bribes, and so on—should be part of the process. Lobbyists can make their cases as attractively as possible and government officials can listen, but personal integrity is a matter of judging on the merits of the case and not allowing irrelevant considerations to intrude. This point about integrity in the context of lobbying was put crudely but effectively by Jesse Marvin Unruh, former Speaker of the California State Assembly: "If

you can't eat their food, drink their booze, screw their women, and vote against them, you don't belong here." (Source: [Richardson, James. *Willie Brown: A Biography*](#). University of California Press, 1996. Viewed October 11, 2012.)

The general *institutional* solution is that all meetings and benefits be declared publicly. If a government official meets with a lobbyist, has a meal with a lobbyist that the lobbyist pays for, or if the official attends conference hosted by a lobbying group, that should be part of the public record. This is one aspect of open government or [transparency](#): on matters of public policy, who is speaking to whom and who is paying the costs should be a matter of public record. Transparency requirements provide a check on abuses: a government official who fails to declare received benefits can be subject to ethics sanctions or corruption charges, and anyone can check an official's received benefits against his or her voting record in order to judge whether inappropriate influence has occurred.

In an open society, freedom of discussion and association are to be encouraged, including active lobbying, and the best checks against abuses are integrity fortified by transparency.

Related topics

Money in politics

9. Think Tanks

An ongoing challenge in democratic-republican political systems is the gap between specialist knowledge and applied political decision-making. Voters and government officers need to have informed opinions about a large number of matters, but in many cases those matters require technical expertise well beyond their knowledge.

For example, Middle-Eastern politics, climate change, stem-cell technologies, and alternative monetary systems are all politically-charged issues about which governments may make policy. Yet good policy-making on those issues requires input from historians, atmospheric scientists, biologists, and economists with highly-specialized expert knowledge.

Yet government officials often have neither the training nor the time to acquire for themselves the necessary expert knowledge. Politicians can hire some experts to be members of their staffs, but it is not possible to have a staff large enough to include all relevant expertises, and their staffs are typically partisan and focused on short-term political issues.

Think tanks are an institution for bridging the gap between expert researchers—who often do their work in universities and independent laboratories and who publish their work in peer relevant technical language—and voters, politicians and government officials and employees. Think tanks can hire their own experts who are (a) able to understand the work of the specialists, (b) apply that work to current political issues, and (c) present it in a way that is understandable to the public and to government.

The independence of think tanks enables them not to be subject to biases coming from pressure from the current government. As the think tank's analysts are not government employees, their appointments and their salaries not subject to political-budget pressure. So they are in a position to be more objective when interpreting specialist results and writing policy recommendations.

That is not to say that think tanks should not be partisan. They can focus upon issues that are relevant to their ideological orientation. In areas where there is much controversy, competing think tanks with differing ideologies will typically emerge, and they will offer alternative and conflicting interpretations and policy recommendations. Voters and government officers can then best make up their minds in an informed way by familiarizing themselves with the competing think tanks' work.

Yet partisanship also brings with it dangers in the form of threats to intellectual integrity, as an inherent desire to reach a given policy conclusion can undermine objectivity.

Types of failures of objectivity include:

- ignoring data that is relevant—either to supporting the other side's conclusion or undermining one's own;
- exaggerating or minimizing the significance of the available data;
- making up data;
- being unwilling to modify one's position no matter what the data;
- using fallacious tactics in argument, such as *ad hominem*, to motivate rejection of the other side's positions and arguments, rather than addressing the merits of the arguments themselves.

Think tanks are in the business of selling expertise and knowledge, so a commitment to objectivity is an essential moral virtue.

Related topics

[Media](#)

[Lobbyists](#)

10. Media

The professional media—journalists, editorialists, photographers, and executives—perform a valuable function in a democratic-republic by disseminating news about government activities and providing a check against government abuses. The professionals who work in the media have special training and resources for doing so.

For example, in an election year the citizens need complete, accurate and unslanted information about the candidates so that they can vote in an informed and responsible way. They are vastly aided by investigative journalists who do background research on the candidates and publish the relevant information. The candidates will naturally publish positive information about themselves and negative information about their competitors, but such information is subject to bias, so the professional media add much value by being a credible source of information about all candidates.

That is not to say that the professional media cannot be partisan. In an open society, many different media strategies are legitimate in appealing to different targeted constituencies. One strategy is to be a partisan advocate for a candidate or party and consistently to make the strongest case for one's preferred candidate and against the competitor candidates. Different media organizations—newspapers, radio and television stations, bloggers, and so on—will develop reputations for presenting information from a given perspective and so attract an audience interested in that perspective.

Another strategy is to engage in investigative reporting and to present the relevant information to one's audience so as to put them in the best position possible to make their own judgments. A few media organizations will base their reputation on presenting complete and accurate information and so will attract an audience interested in that information.

Of course, many media organizations try to combine the two functions, and that too is legitimate. For examples, many newspapers separate the news and editorial sections of their publications. The only

potential problem here is pretense: pretending to be an investigative reporter while slanting or withholding relevant information.

The critical virtue of the media is objectivity. If one is presenting the news, one should present all relevant information within the time or space constraints. And if one is presenting an argument for a candidate or position, one should base one's value judgment openly on all of the relevant information available.

The corresponding critical virtue of consumers of media is also objectivity: as a consumer of media, one should make an effort to become informed of the relevant information; one should be aware that the media sometimes withhold or slant information; and one should ensure that one is making up one's own mind rather than passively being influenced on by the media on what to think.

Free speech, including a free press, is an essential component of a democratic republic. In the United States, for example, the First Amendment to the Constitution forcefully affirms this. The rationale for a free press is in part a general commitment to liberty in human affairs, but part of the rationale for a free press is that many members of the media will voluntarily assume the responsibility of providing information about government activities and be a check on abuses of government power or incompetence.

Related topics

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