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INTEGRITY IN THE PRIVATE, THE PUBLIC, AND THE CORPORATE DOMAIN

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Integrity is a keyword in present-day ethical discourse. It is a rich concept that contains various related meanings. It is also a complex concept, because its current meanings do not always fit together smoothly. With regard to the reception of the term, integrity is used, as a key moral notion, in some domains more easily than in others. In the private domain, integrity has been used as a hallmark of moral excellence. So too in the public domain, where public functionaries, given their specific role and discretionary power, are expected to act with integrity. This is less so, however, in the corporate world. There, at least in some western European regions and languages, the preferred concept to express normative expectations, is “corporate social responsibility.” This can be seen simply as a semantic preference without serious implications. It can also be the case, however, that integrity contains various implications that deserve to be

applied to the corporate as well as to the private and the public domain. This is the basic thesis of my contribution. To articulate it more distinctly, I first pose some introductory questions.

Is integrity a moral obligation? Can governmental agencies impose moral excellence on their functionaries? Can an institution of public administration oblige its employees to more than administrative duties? Or is the duty to act with integrity itself a moral duty, independent of who is imposing it? And if integrity is an inherently moral notion, what does it add to the basic moral rule(s) that “evil should be avoided and good be done,” *malum est vitandum et bonum faciendum*, as was said in Scholastic philosophy, or *neminem nocere*, “Do not hurt anybody,” as Roman law formulated its ground rule? Is integrity more than what contemporary ethics has in mind when it states that being moral means taking into account the rights and interests of all relevant

individuals? Is somebody who lives up to this principle acting with integrity, or is more required to deserve that qualification? And if so, does it count only in the public domain, or in other domains as well?

These are too many questions to tackle all at one time. Some ordering is needed. I try to achieve this by, first, mapping some varieties of integrity. I then list basic features of morality and integrity in the private, the corporate, and the public domain. Finally, I point to recent shifts in these domains and their mutual relations and to possible repercussions on our ideas about integrity.

VARIETIES OF INTEGRITY— PERSONAL AND SOCIAL

Originally, integrity was not an exclusively moral notion. Its first meaning was physical: wholeness, intactness, or not being violated. It can be said of the body, left untouched in a fistfight; of the virginity of the bride; of a territory, not invaded by the enemy; and even of the early dawn, *integro die*, the early moments of the day not yet worn out. Beyond this meaning, the term represented a psychological state of inner equilibrium and consistency between words and deeds (Taylor, 1985; McFall, 1987; Benjamin, 1990; Carter, 1996; Dobel, 1999). Only gradually did moral overtones emerge. Integrity now stands for complying in an exemplary way with specific moral standards. But much remains to be explained.

The physical meaning of the term should not detain us for long. It refers to regions that hardly require moral discussion, for what is intended here is, first and foremost, a material wholeness that deserves to be held intact, to be protected and defended. Infringements occur, but they are unsuited, and that is about all that should be said, with the possible exception of the medical domain, where opinions about the integrity of the body can very well cause moral discussions.

More complicated is the psychological meaning, for here several qualifications intermingle. Reasonably constant is the meaning that says for

integrity to be at stake, two conditions should be fulfilled. In the words of Patrick Dobel, “First, it demands consistency between inner beliefs and public actions. . . . Second, integrity presupposes that people have the reflective capacity to make a commitment. . . . Third, integrity assumes a oneness or unity in the moral life of individuals” (Dobel, 1999, pp. 3–4). To a large extent, these are formal conditions. They come down to “Say what you intend to do, and do what you say.”

But more seems implied here. The inner unity that is referred to as spiritual or mental integrity requires physical as well as character-linked capacities. In the very beginning of his book *Public Integrity*, Dobel provides a list of requirements: “physical buttresses such as levels of energy, strength, health, and endurance, and aspects of character and temperament such as optimism, courage, caution, empathy, imagination, conscientiousness, and self-discipline” (Dobel, 1999, p. 4). Regarding this list he adds that integrity, next to consistency between words and deeds and the reflective capacity to commit oneself, supposes also a unity in the *moral* life of individuals. People create consistency and coherence in their personal existence by attuning their divergent roles with the central values they adhere to and with the bonds and duties they have accepted. In doing so, they show not only mental but also *moral* integrity.

From here onward, however, I concentrate on the moral meaning of integrity.

An articulation of the notion of moral integrity can be achieved by a closer look at the often-used distinction between personal and social integrity. The terms are applied with different nuances, but, in general, *personal integrity* refers to “sticking to your personal standards” whereas *social integrity* stands for “observing socially given standards.” McFall adds, “If we grant that there are cases where the claims of personal and social morality conflict, and where the conflict may be justifiably resolved either way, without loss of integrity, then we do not claim (1) that every person should, under the same circumstances, do the same thing, nor (2) that there is a moral duty to

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be impartial” (McFall, 1987, pp. 19–20). She adds that one’s personal standards do not have to be shared by everyone and stresses that personal integrity is not necessarily impartial. With my personal standards as a guide, I may privilege certain individuals or groups and not others, as long as I do not violate anybody’s fundamental rights. I give special attention only to categories and causes that, according to my personal convictions, deserve this attention. With regard to social integrity, however, standards are at stake that we expect everybody to observe. Here impartiality is a basic requirement.

Something peculiar occurs in the commonly accepted distinction between personal and social integrity. The distinction presents itself as a clear symmetrical dichotomy. In the personal form, integrity presents itself as commitment to self-imposed and self-accepted standards and obligations concerning issues outside the normal region of social requirements and legitimate expectations. Personal integrity is located in a morally free space, not riddled with binding social expectations, except the minimum standards of decency that apply to each individual within a given community. In this free space, a person can build a strong moral personality, authenticity, and identity by freely assuming standards and commitments for no other reason than that in doing so he or she becomes the moral person he or she wants to be. Personal integrity deserves moral respect in that it shows the ultimate dimensions of common morality. It has the merits of exemplarity.

In its social form, integrity presents itself as the consistent, impartial and selfless fulfillment of legitimate social expectations. People showing integrity in this sense deserve appreciation, for they contribute in a substantial way to the maintenance of the moral order and the social system.

What is peculiar is that this seemingly clear and symmetrical distinction between personal and social integrity introduces, at one and the same time, a tension in our thinking, for the two varieties often are seen as standing in an asymmetrical relation to each other. Implicitly, but nonetheless unmistakably, personal integrity is given moral priority, as being encompassing and ultimately

decisive. Should this qualification be correct, this would have serious consequences for our ideas about moral integrity. A ranking order would emerge, consisting of first-class and second-class, or at least higher and lower class, integrity. But is this qualification correct? Only partially.

Moral integrity is linked to committing oneself to, and accepting responsibility for, standards, norms, and values, be they self-chosen or socially given. To accept responsibility means to accept standards as binding. By an act of appropriation—the term stems from Paul Ricoeur—you seal the standards with your personal hallmark and make them an intrinsic part of your moral identity. This act of appropriation applies to all consciously accepted standards, whatever their origin, be they self-chosen, socially imposed, or legitimately expected. But through the process of appropriation, nothing is yet decided regarding moral priority. The only thing that can be said is that the mature moral actor will accept *all* his or her standards as morally binding.

At the background of this discussion looms the image of the Kantian moral actor as his own moral master and lawgiver. The image is persistent. Schneewind even states that the whole history of modern moral philosophy can be described as “the invention of autonomy,” as he puts it in the very title of his book (Schneewind, 1998). But gradually we have come to recognize that the image is essentially one-sided. Sure, the mature moral actor is master of his own moral identity but not the master of all his moral standards. We should understand *personal* integrity to be the moral identity that somebody chooses for him- or herself in the morally free space that, as a social concession, is left within the texture of social exchanges. *Social* integrity stands for the responsibility that someone accepts vis-à-vis socially given standards. But we should not attach different moral weights to the two elements of the dichotomy. In both varieties, personal appropriation is a sign of moral maturity. Moral priority would prevail only when self-chosen standards deserve greater moral weight than socially given standards—or vice versa, of course. And that has, as yet, not been proven.

Neglect of this distinction can be seen in Patrick Dobel's study *Public Integrity* (1999). His subject is the morality and integrity of public functionaries. Be they elected, appointed, or career executives, the basic moral structure of the function is always the same. Public functionaries are required to meet, in their behavior and decisions, the obligations of the function, that is, the standards that come with the functional responsibilities. At the same time, Dobel states, every decision a functionary takes implies a complex interaction of *three* mutually supporting domains of judgment: obligations of office, personal commitment and capacity, and political prudence. All public functions have to seek a balance between institutional, personal, and prudential dimensions. But the key lies, Dobel contends, in the hand of personal integrity as a normative ideal that people always should strive towards. Whatever the obligations of a role or function are, at the end of the day it is the individual that commits him- or herself to them. They remain *mentally signed obligations*, in last resort dependent on somebody's personal integrity.

In this way, self-chosen moral identity and the personal appropriation of moral standards can be conflated. This can lead to a myopia that ultimately only sees the moral actor as master of his own standards, with socially given moral standards as second-rate. Where this occurs, there is a need to rehabilitate social integrity. In the moral free space, there is every possibility to develop one's own moral identity. A person working on it can be deeply respected. But in social exchanges, integrity is not primarily a matter of personal moral excellence but of an accepted responsibility.

So there seems to be no reason to give moral priority to personal integrity above social integrity, as both require similar acts of proper appropriation. But because personal integrity belongs to the socially conceded free space of moral authenticity, there *is* reason to consider social integrity, not as the morally more important but certainly as the more encompassing and pervading subject. This is due to the fact that standards that people are expected to adhere to,

and responsibilities that they are required to assume, are more demanding and intriguing than standards they freely impose upon themselves. So from here onward my attention will mainly be directed to forms of social integrity.

This focus of attention is linked to a conception of morality as basically a social phenomenon, as one of the most important instruments we have at our disposal—next to law, politics, religion, education, and the market—to keep social relations in balance. Other conceptions are possible—for instance, morality seen as an instrument to bring to perfection one's personal identity, with social repercussions coming to the fore only as a consequence of personal virtuousness. Here I choose a social and functional approach to morality, in the conviction that social and societal equilibrium is too important a task to make it dependent on virtuousness alone.

This brings us to an interesting conclusion with regard to one of the questions I raised at the beginning, namely, the question of whether integrity adds something to morality. The answer is yes on the level of personal integrity but not on the level of social integrity. Personal integrity is located in the region "beyond the call of duty." It exceeds what somebody can reasonably be required to perform. In the ethical jargon, it belongs to the realm of the *supererogatory*. This, by implication, also answers another preceding question. Nobody, not even public authorities, can impose on others personal integrity as a duty. Social integrity, on the contrary, is another term for the adequate fulfillment of mutually recognized obligations. In the sphere of personal morality, integrity does add something, but in the social sphere of the private as well as the public domain, integrity coincides with morality as such.

THE AUTHORITY OF SOCIAL STANDARDS

When it comes to social moral identity, standards are largely externally defined and authoritatively imposed as binding expectations. Social integrity is not a self-designed duty with progressive perfection

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as perspective, but the consciously accepted responsibility to seek a balance in social expectations. A socially integrated person, acting with integrity, is aware of the expectations he is allowed to cherish regarding his own life and of the social expectations he is expected to fulfill. He or she is prepared to contribute to an effective equilibrium of expectations that is marked not by a moral maximum but by a social optimum.

Then the questions arise: Who or what supports those expectations? And what is the moral authority of the bearers? These are questions about the *sources of moral authority*.

Over time, these questions have received shifting answers. Just as Western moral philosophy can be described as “the invention of autonomy,” so, at least in the Western world, the evolution of sources of moral authority can be characterized as “the democratization of morality.” There has always been a need for moral regulation, but for generations the regulative authority has been attributed to localized entities of varying composition: the monarch, the church, the government, the family, tradition, the autonomous moral actor, or public debate. The conceptual roots of the locus of authority are successively found in divine sovereignty, the order of creation, the hierarchical universe, natural law, reason, social contract, or power-free discussion. This is not to say that the various instances have succeeded each other smoothly. The current pattern of moral authority is a varying mixture of old and new, heteronomous and autonomous, and individual and communitarian elements. We can leave the reconstruction of individual historical configurations and their successions to the sociology of morality. Nevertheless, we may speak of an ongoing process of the *democratization of morals*, because, in the course of time, the accent has more and more been put, at least within the Western moral tradition, on an equal moral voice for everyone and on the right of individual consent. This is an important observation. A more and more democratic moral authority implies that social integrity supposes not only a mature appropriation of socially offered

standards, but also a contribution to the factual filling in and interpretation of these standards from the side of the several parties expected to comply with them.

Bearers of moral authority show a multitude of forms, as institutions, organizations, and exemplary figures. They do not speak with one tongue. Their reach varies, and so does the weight of their claim or their binding force. Their authority can remain restricted to a professional group, a functional unity, or a specific organization. In those cases, we face social expectations in the form of a professional ethics, business ethics, or public ethics. In other cases the reach is sensibly wider. Social expectations then regard everybody’s environmental behavior, or the respect for human rights that is required from every person in all circumstances. Social integrity bears the characteristics of the domain in which it is in force.

THE PRIVATE, THE PUBLIC AND THE CORPORATE DOMAIN

It is up to the sociology of social stratification to map the different domains that define the social playing field. For us, a basic classification will do. The basic distinction between the private and the public domain will suffice for our primary purpose.

Not that this distinction is without problems. I point to two of them. First, it is important to notice that the distinction between the private and the public does not coincide with the aforementioned distinction between the personal and the social domain. “Private” and “public” are both subcategories of “social.” The social domain contains private as well as public relations. Think of the private relations between teacher and pupil, producer and consumer, and doctor and patient on the one hand, and the relation between government and parliament, or public administration and citizen, on the other. Next, we should recognize that the term *the public domain* can be used in a physical as well as a

metaphorical sense. In a physical sense, one speaks of “the city as public domain” (Hajer, 1989). What is at stake there is city planning, infrastructure, and spatial provisions that have to be organized in such a way that all parts of the population are enabled and encouraged to make use of them. But when we talk here about ethics and integrity in the public domain, we do not talk about decency in the city park or safety in the mall, even if the availability of public provisions may play a role at a given moment.

How, then, can we characterize, for our purpose, integrity in the private and in the public domain? Integrity in both cases represents a form of social integrity that, as I stated earlier, can be described as the consciously accepted responsibility for a well-balanced attitude and practice vis-à-vis legitimate social expectations regarding rights and interests of all concerned parties. Rights and interests are included in the description, because that is what (social) morality is about: respect for everybody’s rights and interests and for the providing of a well-balanced ranking of them. Integrity in the private and in the public domain is defined by the rights and interests that, in their respective domains, legitimately deserve respect, and subsequently by the moral principles that give substance to this respect. I leave out, for the moment, the corporate domain but will return to it in due course.

Which moral expectations are at stake in the basic domains we here consider? The question raises issues of method as well as of content.

INTEGRITY IN THE PRIVATE DOMAIN

The private domain covers the extended and densely populated region where particular entities enter into relations and transactions with others, each with its own rights and interests. These entities may either be individuals or groups, organizations, or institutions. Their rights and interests are not only legitimate, until the contrary is duly proved, but also particular in the sense of standing on their own as nonderived and

self-distinctive. In this private domain, particular entities regulate their mutual relations on the basis of legitimate particular rights and interests. This does not imply that no external intervention in these relations can be made (for example, by the government) on behalf of the common good. But this is an *intervention*, hopefully justifiable, in a domain that wants to be seen as based upon self-regulation. In a liberal democracy, the autonomy of the private domain is primary. Needless to say, *private* does not here coincide with “belonging to the sphere of one’s privacy.” The private domain is a social arrangement.

To find out what social integrity and morality mean in a given domain of action, one can use a method that is similar to the one commonly in use when organizations, of various kinds, attempt to define their basic values. Take the example of a private organization—say, a professional association—that wants to develop an ethical code. In order to arrive at a well-balanced document, the organization has to determine what it considers to be its set of basic values. It must identify “the organization’s essential and enduring tenets—a small set of general guiding principles; not to be confused with specific cultural or operating practices; not to be compromised for financial gain or short-term expediency,” as Collins and Porras describe them (1996, p. 73). Experience teaches that defining basic values and the leading moral principles that are implied in them forms the most demanding but also the most exciting part of a code design. In these three or four concepts, the organization expresses its basic moral identity, the ultimate touchstone of all corporate decisions, and the moral qualities to which the organization is prepared to be held accountable in all its performances. How is such a set of basic values arrived at?

Several questions of a descriptive as well as a normative nature have to be asked. Who are we? What is the business we are in? Which are our core objectives? What are our primary relationships, who are our competitors, and which regulatory agencies are intervening in the course of our activities? These are mainly descriptive issues. Questions of a normative nature include

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the following: Who are our stakeholders? Given the business we are in, what, from a moral point of view, do we ourselves want to be as an association? What are our basic moral tenets and beacons? What are the principles we need to adhere to if we want our behavior to be recognized as fair, honest, and orderly and if we want, for our part, to contribute to a well-balanced moral optimum?

A careful self-definition, together with a proper analysis of the social texture and a solid moral alertness, will normally suffice for a particular organization or association to arrive at a specific set of basic values. Things become more complicated when basic values are at stake for a whole domain of action, say, the private domain, for here the level of generality is higher and the specificity of a single entity, corporation, or association is lacking. Methodologically, a hold can be found in the types of relationships that prevail in the field, the rights and interests that are generally recognized as legitimate, and the pattern of actions that people can undertake towards each other.

Elsewhere I have tried to sketch the morality of the private domain in some detail, using a typology of varieties of ethics and of concomitant moral principles (van Luijk, 1993, 1994, 2000, pp. 38–42, 84–96). Here I restrict myself to the main lines.

In the vast domain in which particular entities meet each other, action patterns of single players are, with regard to their intentional structure, self-directed, other-directed, or other-including. The first two varieties do not require much moral comment. A self-directed action is one that intends the author of the action and the recipient of the effects of that action to coincide (e.g., in the development of a career path, or an investment made at the stock exchange). From a moral point of view, such actions are morally acceptable as long as nobody else is hurt in his or her rights or legitimate interests. With regard to other-directed, altruistic actions, with which the actor intends results that exclusively benefit someone other than him- or herself, such a behavior can be praised as highly laudable, but it cannot be required morally, for heroism is not a moral duty. In both action patterns, self-directed and

other-directed, relationships between players, if any, are plain and straightforward.

It is in the realm of other-including actions that relationships between players and realization of interests become more complex.

The weakest form of inclusion of the other occurs where actors, each with their own interests, happen to be present and active *simultaneously on the same playing field*. The basic moral requirement here is *equality*, meaning that every actor should permit every other to be active as well, admitting her the same amount of freedom and action space as he claims for himself, without having to feel obliged, however, to foster the interests of the other as a distinct objective, independent of the pursuing of his own interests.

More often other-including actions are of a certain *cooperative* or *interdependent* nature. In all these cases we need the cooperation of one or several other players in order to reach our goal. Every time we make a deal, work out a balance of interests, or enter into a transaction with somebody, we are acting within the pattern of an other-including action in a strict but neutral, almost descriptive sense. It is a factual relation that is at stake, “nothing personal,” as when I need a plumber to repair my dishwasher, or make use of the skills of a famous soloist to satisfy my musical needs and interests. Here two more moral requirements are at stake, next to the principle of equality: the principle of *reciprocity*, which says that everyone in the deal should contribute his fair share (hence, no free-riding or parasitism), and the principle of *honesty*, which says that our words and deeds should be trustworthy (therefore, no cheating or misleading information, no promise breaking, and no changing of the rules during the game). Together, the principles of equality, reciprocity, and honesty constitute what I call *transactional ethics*. They rule that part of the private domain where the pursuits of interests by relatively abstract equals can be combined to the advantage of all parties involved. They are “abstract equals” because the equality remains restricted to the fact that all players or actors are equal to each other as being “pursuers of interests.”

Other patterns of actions, relationships, and interests can be noted within the private domain.

One appears in the case of *conflicting* interests. Actors here present themselves as pursuers of interests that cannot be combined to the advantage of all, not even through negotiating a compromise. Interests in this part of the private domain are difficult to reconcile. The relation between the actors is *asymmetrical*, in the following sense. One actor presents herself as bearer of a strong claim, if not an explicit moral right, and so acts as *claimant*, while the other finds himself under the obligation to recognize the claim and so acts as *duty-bound vis-à-vis the claimant*. One cannot save a natural park and use it for the construction of a new city district at one and the same time; neither can economic development be promoted on an equal footing with the healthy growth, both physical and social, of children when economic development requires the use of child labor. Once the moral weights of the various rights and interests have been determined in accordance with standards generated by proper moral instances, the duty-bound actor finds himself under the moral obligation to recognize the strongest claims as such and to act accordingly. The part of the private domain that is characterized by divergent claims and conflicting interests is ruled by what I indicate as *recognitional ethics*, where people find themselves under the often severe moral requirement to give precedence to rights or interests of others, even if they strongly conflict with their own interests. Recognitional ethics is the ethics of human rights and of acknowledged basic needs.

The basic moral principles that play a leading role in recognitional ethics are the principles of *justice* and *beneficence*. Regarding the principle of justice, various interpretations have been developed. They are partly complementary, but also partly mutually exclusive. Accordingly, when applying the principle, one will have to be clear about its range and meaning in the given circumstances. But all interpretations share the intention to build a dam against an easy trade-off of fundamental rights and basic needs against allegedly far-reaching utility functions. In this sense, the basis of justice is found in respect for the dignity of living beings. The principle of

beneficence too has been interpreted in more or less extensive forms (Frankena, 1973, p. 47). I think that it makes sense to have the principle say six things: avoid doing harm, repair or compensate the harm you did, prevent harm being done by others, avoid bringing about conditions that generate harm, repair or compensate harm done by others, and do good wherever and whenever you can. There is clearly a progression of increasingly demanding requirements implied in this formulation of the principle. But it is too easy to contend that only the first two or three rules can be constructed as moral obligations, the other ones belonging to the realm of the supererogatory, of behavior "beyond the call of duty." All six sub-principles deserve to be taken as possible moral guidelines, applicable according to the circumstances.

There is, finally, one more realm noticeable within the private domain in which a specific type of ethics, or social integrity, can be detected, linked this time to the acceptance of *shared interests*. This type of ethics does not regulate relations between single participants in the social fabric among each other primarily, but rather relations between each of them (individually or collectively) and the common interest and public welfare. Public welfare is seen here as a collective good with which comes a collective obligation in more than one sense. It is a duty for each citizen and for all citizens collectively to take part, in one way or another, in the development and maintenance of the public welfare. It is also a shared responsibility of citizens and public administration together. The type of ethics in force here can be referred to as *participatory ethics*. Its leading moral principles are *alertness*, that is, a moral sensibility for what can be and deserves to be done better; *decency*, for this society does not leave the unfortunate ones in a backward position; and *emancipation*, towards full citizenship for all notably. Participatory ethics is the ethics of individual and collective citizenship. It sees public possibilities as a shared duty of cooperativeness.

Acting with integrity in the private domain requires adherence to the principles of a

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transactional, recognitional, and participatory ethics and the willingness to be assessed according to these principles. What integrity means in specific circumstances and in the occurrence of a single moral dilemma has to be elaborated on the spot. But with the taxonomy sketched here it might be possible to get a reasonably articulated hold on the varieties of actions and principles involved in social integrity in the private domain. Can something of the kind be developed for the public domain as well?

INTEGRITY IN THE PUBLIC DOMAIN

It can be done, and it has been done repeatedly (Applbaum, 1980; Dobel, 1999; Hampshire, 1999). Jane Jacobs does it extensively and thoroughly in her book *Systems of Survival: A Dialogue on the Moral Foundations of Commerce and Politics* (1992). She describes what she calls “two moral syndromes,” the commercial syndrome and the guardian syndrome, roughly coinciding with the market and the government, or trade and administration. For both syndromes she develops some 15 moral and prudential imperatives, some of them of a rather unexpected character. For example, with regard to the guardian syndrome, one finds not only “shun trading, be obedient and disciplined, respect hierarchy, be loyal, treasure honor,” but also “make rich use of leisure, take vengeance, deceive for the sake of the task, be fatalistic,” not imperatives to follow unreflectively. I point to them just to show that generating imperatives as touchstones for integrity in the public domain has been attempted earlier by carefully analyzing the cluster of action patterns and relations that characterize acts and decisions of the public administration and of administrative functionaries such as politicians, public administrators, and officers.

More usual is an approach via the principles of correct administration, such as legality, legal security, and equality before the law, or via basic values of political morality, such as justice, liberty, equality, utility, legitimacy, and democracy

(Applbaum, 1999, p. 68). However, the former largely remain enclosed within the confines of administrative law, whereas the latter mainly indicate a general direction. Without further analysis of their roots, both remain too unspecific to serve as guidelines. Therefore I attempt, on the basis of general characteristics of the public domain and the interests at stake there, to find a moral hold enabling us to fill in the concept of social integrity in this specific field.

We came to see the private domain as the terrain on which particular individuals, groups, organizations, and institutions take care of the organization of particular rights and interests, with the help of commercial, social, legal, and moral ordering instruments. In a similar way, the public domain is the terrain on which, in a non-commercial way, supra-individual interests are looked after by representative agencies, institutions, and functionaries that represent the duly defined common good and public interests, while bound by person neutrality and role relativity (Applbaum, 1999). *Person neutrality* and *role relativity* imply that the duties of the representative agencies and the actors acting within them are not linked, one-to-one, to the person who is in charge of the common good or the public interests, but to his or her role. Following Brian Barry (1970), I use *public interests* as an administrator’s concept par excellence for when an institution or political action is to be defended; *common good* is used in the context of an appeal to individual people to do something that is not primarily in their net interests or is possibly even contrary to them. “A system of rewards to encourage work or of punishment to discourage law-breaking might well be supported by saying that it was ‘in the public interests’ but hardly that it was ‘for the common good’” (Barry, 1970, p. 203). Supra-individual interests present themselves in two ways: first, as the interest involved for “everybody” in certain collective goods, such as security and care being provided within a given society, and second, as a right or interest of a particular individual, not as an isolated entity but as citizen among citizens. In this sense, citizenship is a supra-individual quality, rooted in

individuals, and civil rights are a collective good. In the public domain, priority is given to civil rights and supra-individual interests. Agencies within the public domain do not protect private interests primarily but foster general welfare and the common good.

In the public domain, under the notions of public interests and the common good, public functionaries and administrators, politicians, agencies, and institutions meet each other and meet citizens and groups representing private interests in many forms and on different levels, from interstate and suprastate relationships to the service-seeking citizens at the counter of the city welfare service. However, when it comes to articulating social integrity in the public domain, it seems that two factors are pivotal in all relationships, namely representation and power. They give rise to some distinct moral principles and a specific type of ethics.

Those active in the public domain find their legitimacy in that they represent the protection and promotion of the public interest and the common good, issues too important and too encompassing to leave them to private initiatives and individual responsibilities. Public activities always are, or always should be, marked by the common good and general welfare. That is what society has appointed its functionaries for, and why it has established public institutions. That is why it has permitted some specific powers, such as the monopoly of violence and a series of lawgiving and discretionary powers, to be concentrated in the hands of a restricted number of institutions and functionaries. That is also what gives public functionaries and institutions a characteristic dignity. A relation with a public functionary, administrator, or institution is a relation with an official or agency representing the common good, and never with just another person. That is what person neutrality and role relativity are about, the safeguarding of the representative quality of the office, not to be overgrown by personal preferences or judgments. This does not mean that a public functionary ceases to exist as a person. It means, as Dobel (1999) has rightly noted, that every act of a public functionary

requires a complex interaction of *three* elements: obligations of office, personal commitment, and political prudence. A single person (taken as such) is insufficiently qualified to bear responsibility for a public decision.

With representative authority comes power, and with power comes asymmetry. Exclusive possession of power makes non-possessors dependent, and dependence can evolve into inferiority. Therefore safeguards are needed. The fundamental safeguard in the public domain is the democratic system itself. By attributing legitimacy to its functionaries and by duly controlling them, it forms a counterbalance against public power running wild and degenerating into abuses. But equally important are moral safeguards, principles that help protect the rights and interests of those subjected to public powers and keep intact the dignity of those in power.

Several principles can be identified as linked to the two characteristics of the public domain, representation and power.

With representation comes dignity, in the sense of one of Jane Jacobs' moral imperatives for the guardian syndrome quoted above "treasure honor," but also trustworthiness as avoidance of arbitrariness, and lack of greed, for no functionary is supposed to work primarily for his or her own profit. Openness—in the double sense of being accessible to those dependent on public services and open to democratic control and democratically uttered wishes and demands—is similarly required. With power comes respect for those dependent on you, care to apply power equally, and preparedness to serve actively, not waiting for desires and needs to be expressed by others, but taking an active responsibility for the fostering of the common good by showing initiative in defining and realizing it.

With the help of the principles of dignity, trustworthiness, lack of greed, openness, respect, care, and preparedness to serve, social integrity and morality in the public domain can be articulated. Single functionaries and administrators can and should value their own behavior according to these principles. At the same time, the

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principles serve as a yardstick to measure, on the basis of democratic procedures, not only single public functionaries but also agencies and institutions. Together the principles give rise to a specific type of ethics that I refer to as *representative ethics*.

Earlier I characterized social integrity and morality in the *private* domain with the help of *three* types of ethics. Given the all-pervading structure of representation and power in the public domain, it seems that here *one* type of ethics is sufficient. It makes sense, however, to point to a special link between *participative* ethics in the private domain on the one hand and the *representative* ethics of the public domain on the other. In representative ethics, *rights* of citizens prevail; in participative ethics, *civil duties* with regard to the accomplishment of the common good are at stake. The two are closely connected, but not in the sense of reciprocity, as is the case in transactional ethics. Rights of citizens do not depend on the degree to which they contribute to the common good, for duties in participative ethics are real but unenforceable, and rights are due to citizens because they are citizens, not because they are exemplary citizens (van Luijk, 1994). Nevertheless, participative and representative ethics, taken together, form a solid basis for public/private partnerships on behalf of the common good.

Under the heading "ethics in public administration," other questions are commonly raised that, up to now, in this sketch of representative ethics, have been left unanswered. Is it permitted to governmental officials to do things that are plainly forbidden in the private domain, such as lying in public or misleading the press on behalf of the public interest (Applbaum, 1999; Winston, 1994)? Or is a public functionary morally allowed to do things that are not permitted by the rules of her office? In the first case, let it suffice here to say (in line with the elaborated principles of representative ethics) that there might be plausible utilitarian justifications for dirty hands, but only under the condition, expressed in the principle of openness, that the official proves able to withstand the criticisms of democratic

control. Similarly with the second question, a public functionary may decide to deviate from the rules of her office, for reasons of personal convictions or on the basis of an idiosyncratic definition of the common good (e.g., when she grants a permit to an applicant, knowing that her superior, as standard practice, declines such a request, without even looking at the single case). Here also the ultimate criterion remains openness and democratic control, for the most serious infringement on social integrity in the public domain is concealment of actions. At the end of the day, once her action comes out in the open, she may rightly appeal to her personal integrity, but, according to the principles of social integrity, she will have to accept a legitimate reproach or even sanction, supposing, of course, that the control is truly democratic and the sanction not authoritatively imposed by a single superior.

Now that I have sketched the contours of social integrity in the private and in the public domains, the question that remains to be addressed is, what about integrity in the *corporate* domain?

INTEGRITY IN THE CORPORATE DOMAIN

Is there a reason to devote a specific section to integrity in the corporate domain? Is the corporate domain distinct from the private and the public domains to such an extent that it deserves a separate treatment? The answer has to be elliptical: no, the corporate domain is not located in an area totally outside the private and the public domain, but yes, it seems sufficiently specific to deserve explicit attention. Much depends here on the way we define the corporate domain and, more basically, on the theoretical framework we apply to determine the functions and objectives of corporations.

It seems fair to say that the *corporate domain* is formed by the relations that corporations establish with each other, and with other entities of various natures, in view of continuity and profit making, on the basis of a free market system.

Especially since Coase's seminal article "The Nature of the Firm" (1990), economic theory has pictured the firm as an umbrella over a network of contracts. Firms are seen as single production functions engaged in separate activities that are coordinated by market exchanges. Now there are costs involved in negotiating and concluding a separate contract for each exchange transaction. To lower these transaction costs, a *firm* is created as a coordination device for situations in which long-term contracts are both possible and desirable (Rowlinson, 1997, pp. 24–25). Gradually, by the economic theory of the firm, a mechanism of responsibility displacement was set in motion, in two steps: Responsibility was taken away from persons in the firm and confined to hierarchical authority (Jackall, 1988), and subsequently the firm was deprived of responsibility altogether by conceiving it as a legal fiction or artifact enabling an anonymous but overall effective striving for profit maximization. Individuals and functionaries within the firm act as representatives of an economic goal setting, not as private persons, let alone as autonomous and responsible persons. They are reduced to uniform and largely anonymous profit seekers and profit makers. Alan Wolfe puts it bluntly when he states, "A firm is a device through which human beings, who have moral obligations, come together for the purpose of ridding themselves of their capacity to exercise moral obligations" (Wolfe, 1993).

From various sides, attempts have been made to correct this one-sided picture by emphasizing the firm as a social institution, a distinct constellation of economic interests and social relations, backed up by the legal machinery. In the early decades of the twentieth century, Max Weber deserves to be mentioned in this respect (Weber, 1922/1978), as well as, later on, Peter Drucker, who in *Concept of the Corporation* (1972) has a long chapter entitled "The Corporation as a Social Institution" (pp. 130–208). Recent contributions come from disciplines such as economic sociology (Swedberg, 2003), institutional economics (Hodgson, 1988, chap. 9), and organizational theory (for an overview, see Scott, 1998). What they have in

common is, negatively, the thesis that when it comes to analyzing social relations, especially with regard to firms, economists must be qualified as "sociological babes in the wood," as Mark Granovetter puts it (1985). Positively, they share the conviction that the firm should be seen as the institutionalization of economic interests embedded in social and structural relations, while at the same time stressing the importance of treating people in the organization as mature adults and granting them professional responsibility and personal prospects. People in organizations are seen as adult actors with a moral competence (Pearsons, 1995).

With regard to varieties of social integrity, the enlarged view of the firm has several consequences. Firms today are facing seemingly contradictory but equally legitimate demands:

- to get things done effectively, efficiently, and profitably;

- to incorporate features from their surroundings that will endow them with legitimacy;

- to comply with requirements that do not remain restricted to either the private or the public domain but that are located at the interface of the two.

For this reason, social integrity in the corporate domain exceeds what we have come to know as "market morality." Given the embeddedness of corporations as social institutions in surroundings that endow them with legitimacy, with regard to market morality, two assumptions play a role, more or less explicitly. The first consists of the restriction of market morality to what we have come to understand as transactional ethics and its accompanying principles of equality, reciprocity, and honesty. The second assumption consists of the idea that corporate activities take place exclusively within the private domain. Both assumptions are seriously truncated.

The assumption that corporations can restrict themselves to complying with the principles of a transactional ethics, which is only one of the three types of ethics that are valid in the private domain (leaving aside both recognitional

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and participatory ethics as moral guides in the corporate domain), is an unduly limited view of corporate integrity, as can be shown by pointing to the rise of stakeholder theory in business ethics. It becomes increasingly clear that the moral definition of the corporate domain is directly linked to the number and nature of stakeholders that corporations are expected and prepared to acknowledge. I propose to define *stakeholders* as “those individuals and groups who can legitimately expect that a corporation is prepared to include their rights and interests in its decision processes,” rights and interests that are commonly summarized under the “Triple P” of People, Planet, and Profit (Elkington, 1999). This stakeholder perspective introduces the principles of a recognitional ethics, justice and beneficence, in the texture of corporate integrity. Corporations that prove hesitant or even unwilling to include a reference to human rights in their company code are insufficiently aware of the rights-recognizing implications of the stakeholder model. On the other hand, corporations that take seriously the rights and interests of their stakeholders may expect to be endowed with a public “license to operate.”

Something similar is the case with regard to participatory ethics. Participatory ethics and its concomitant principles of alertness, decency, and emancipation, together cumulating in *cooperative* citizenship, are included in the texture of corporate integrity, as soon as it makes sense to talk about *corporate* citizenship. Corporations have the right to be recognized and protected by the law, and they are entitled to various kinds of public support that enable them to function properly, as there is a material infrastructure of communication, and protection by the law through a well-functioning legal system. In return for this “gift of society,” corporations can reasonably be expected to contribute their fair share to the common good, not only by paying taxes, but also by accepting the principles of participatory ethics, moral alertness, decency, and promotion of emancipatory processes on both an individual and a global level.

Along these lines it can be shown that the principles contained in the *three* types of ethics

within the private domain all apply, in one way or another, to the corporate domain as well. But how about the second assumption, which states that corporate activities take place exclusively within the private domain?

 BLURRING BOUNDARIES,
 SHIFTING RELATIONSHIPS

The fact that not only the principles of a market morality but also the principles that are implied in the two other types of social integrity in the private domain apply to corporations does in itself not change the nature of the corporation. It remains a distinct constellation of economic interests and social relations, backed up by legal machinery. It is the entity that comes to the fore in what I referred to earlier as “the enlarged view of the firm.” The simultaneous applicability of three types of ethics in itself changes not the nature but the normative context of the firm. On top of that, however, there seems reason to state that, today, the very nature of entities operating on the market is changing as well.

This does not count for market entities only. The state or the government, as representative par excellence of the common good, is also undergoing substantial changes, to such an extent that we must speak of blurring boundaries between the market and the state, a dichotomy that often is equated, albeit incorrectly, with the distinction between the private and the public. What causes this blurring of boundaries and its concomitant shift in relationships?

An important factor is the emergence of what nowadays is called “civil society” (Cohen, 1982; Cohen & Arato, 1992; Dubbink, 2003; Fullinwider, 1999; Keane, 1998; Schnapper, 2000; van Gunsteren, 1998). Among the many possible definitions I quote here the one John Keane offers when he states, “Civil society . . . is an ideal-typical category (an *Idealtipe* in the sense of Max Weber) that both describes and envisages a complex and dynamic ensemble of

legally protected non-governmental institutions that tend to be non-violent, self-organizing, self-reflexive, and permanently in tension with each other and with the state institutions that ‘frame,’ constrict and enable their activities” (Keane, 1998, p. 6). Civil society, therefore, is a normative as well as a descriptive notion. To Keane’s definition should be added that a “permanent tension” exists not only between the various institutions of civil society and state institutions but also, and even more so, between civil society and institutions of the market.

State, market, and civil society are often referred to as the three *basic institutions* of society. This can be a clarifying notion to help one get hold of the basic organizing factors in social life. Where necessary, I will use it in that sense. Sticking, however, to our previously chosen concept of “domains,” it is important to note that “civil society” does not simply add a numerical third domain to the domains of the private and the public. As an in-between institution that partly bears traits of a semipublic representative of the common good and partly represents (legally protected) private rights and interests, it brings about new configurations of interrelationship that co-exist with the existing more-traditional bonds and boundaries between market and state.

Equally important to note is that the three basic institutions present themselves as unequal in power, origin, and outlook. In many developed democracies, we witness a withdrawal of government, out of sheer necessity, back to its basics, the burden of taking responsibility for the bringing about of *every* common good simply surpassing its capacities. Civil society, for its part, emerges from a growing democratic maturation of well-informed citizens. The market, with its history of centuries, enters the scene today as technically innovative and socially conservative. It seems the least prone to actively participating in new configurations.

To articulate more clearly what is at stake, it seems defensible to characterize each of the basic institutions by its own managing task, its own objective, and one or two specific principles:

- The *market* is meant to manage *property* in view of the *safeguarding and growth of prosperity and well-being of its participants* under the guidance of the principles of *reciprocity* (including equality and honesty) and *efficiency*.
- The *civil society* is meant to manage *knowledge and expertise* in view of the fostering of *democratic citizenship* under the guidance of the principles of *transparency and emancipation*.
- The *state or government* is meant to manage *power* in view of *maintenance and growth of the common good* under the guidance of the principles of *fairness and commitment to all*, especially the unfortunate.

Now what are the moral implications of the institutional reshuffling that we are witnessing? Are new requirements emerging that add up to, if not partly replace, the principles we have already found? I restrict myself to some remarks regarding the corporate domain.

The situation corporations find themselves in, at the present moment, is marked by new partners, old habits, and radical demands. Newcomers, such as nongovernmental organizations and interest groups, “anti-globalists” and environmentalists among them, enter the field with specific information at their disposal and a firm commitment to their cause. Governmental agencies feel urged to concentrate on their basic task—the creation and application of effective legal arrangements—more than on the building and managing of state-directed welfare institutions. And the corporate world, bound by the innate social conservatism of the market and the traditional inward gaze of its institutions, stresses the indispensability of its economic efforts to general well-being, while recoiling from radical demands they are increasingly facing.

All parties mentioned have their proper place, role, and range of action. It is in the corporate domain, however, where changes seem most disturbing, for the new institutional configuration affects not only the context but also the nature of the corporation itself. Corporations, especially large corporations and their organizations, turn out to become monsters in the literal sense of the word *monstrum*, a being belonging to two

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different and seemingly irreconcilable spheres, such as a mermaid or a Minotaur (van Gunsteren, 1994). More and more corporations are pulled into the public domain, gradually acquiring a semipublic status. Without becoming a public agent they are explicitly seen as a partner in the fostering of the common good and are judged accordingly.

The institutional reshuffling brings with it a radical rearrangement of responsibilities and requirements, guided by principles that, to a large part, are complementary to the principles we already discovered. Given the blurring of institutional boundaries and the concomitant reconfiguration of the basic institutions, the principles that accompany this process will not exclusively be valid for just one institution but will count for other ones as well. Sometimes, however, a principle can be located more specifically.

Several principles must be presented as particularly suited to cover newly emerging relations and partnerships between the basic institutions of society and the various entities that constitute them, entities that, for lack of a better term, I shall refer to as *specific institutions*. I see five principles that deserve to be highlighted.

First, there is the principle of *self-respect* that applies to every single specific institution, be it a corporation, an NGO, a governmental agency, a hospital, a pension fund, a newspaper, or a university. Each one is required to show moral self-respect, for the increasing complexity of the social fabric demands a reinforcement of moral awareness of all parties involved. Self-respect is shown when a specific institution clearly states its basic values and objectives and declares itself prepared to be held accountable for its statements. To this end, the specific institution has to materialize its moral identity in devices such as a code, internal training programs, peer reviews, newly established partnerships, and the like. Self-respect evaporates if not rooted in self-imposed and publicly proffered obligations.

Next, there is the principle of *respect for other parties*. Especially now that relationships are shifting, respect for other parties cannot simply be stated but must constantly be maintained

through an ongoing exchange of ideas and convictions with even distant parties, and even more so through the willingness to negotiate with others about everyone's interests and legitimate claims. When it comes to showing respect for other parties, negotiation is a more solid, and a more demanding, medium than dialogue.

Closely related to the principle of respect for other parties is the principle of *openness and transparency*. At stake here is the question of how accessible, and how controllable, a specific institution proves to be for participatory arrangements. The ongoing discussion about "corporate governance" mainly circles around issues such as correct, timely, and complete information and who has a say in major decision processes—in other words, around openness and transparency.

The fourth principle may sound more controversial. It is linked to what I pointed to as the innate social conservatism of the market and of market institutions such as corporations. I call it the principle of *legal firmness*. It should be understood against the background of the preference that market participants show for being autarkic, self-supporting, or at least self-regulative. What the principle of legal firmness stresses is that, at the end of the day, legal authorities have to guarantee the smooth and effective functioning of different social partners in view of the common good and, in case such a functioning is not, or not sufficiently, provided, to firmly impose adequate behavior by legal means. The principle of legal firmness is the positive flipside of a healthy distrust in every party's good intentions.

The fifth principle, finally, is probably the most encompassing and certainly the most demanding one. I call it the principle of *courageous modesty*. It implies the acknowledgment that, in the present state of affairs, no single specific institution is able to take care of its own interests, let alone to live up to the social expectations it is facing, without the support and cooperation of other specific institutions that belong either to the market, to the state, or to civil society. This is the modesty part of the principle, as well as the encompassing one. The courage part of the principle, and simultaneously the most

demanding one, consists in the recognition that single insufficiency does not imply a discharge of responsibility. What De George (1990) calls “the principle of ethical displacement” comes into play here. By this he means that “what appears as a dilemma for an individual on a personal level may only find a solution, for example, on the corporate level, in the sense that personal dilemmas may require changes in corporate structure. Corporate dilemmas, in turn, may require changes in industry structures to guarantee fair conditions of competition. Industry dilemmas may require changes in national policies. And national business dilemmas, such as handling pollution, may require changes in structures on an international level” (Enderle, Almond, & Argandoña, 1990, pp. 27–28). In this way of presenting it, the principle of displacement still looks like a fairly rectilinear progression to a next higher level of solution, while remaining within the realm of business. I am afraid that this is a too simple presentation of what we are facing today. Solutions are no longer found by taking one step higher. They are often hidden in untrodden and highly complex areas where much is new and unproven, areas that present an intertwinement of institutional perspectives, with the contradictions and seemingly insurmountable obstacles that go with it. To take some steps in these areas requires courage, for the responsibility remains, but one certainly loses command. If there is a path nonetheless, it can be found only by following the footsteps of those who did not hesitate to take the lead.

Self-respect, respect for other parties, openness and transparency, legal firmness, and courageous modesty are the principles that come to the fore when we try to determine what social integrity in the corporate domain implies, once we come across the shifting relationships and the blurring of institutional boundaries that characterize the present-day state of corporate affairs. There is no guarantee that these are the only principles, or even the most central ones. One can try to elaborate specific principles of integrity by analyzing thoroughly domains for which they are supposed to be valid. A guarantee

of their validity can come only from a common recognition. One thing that may have become clear by now is that integrity, ultimately, is based upon an agreement.

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