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Abstract

This paper presents following arguments: 1) Corruption in its various forms is a serious social ill. 2) Democracy is not a safe cure against corruption. 3) Increased gender equality seems to be one important factor behind getting corruption under control. 4) Impartiality in the exercise of public power, not least when it "translates" into meritocratic recruitment and promotion in the public administration, has a powerful effect for lowering corruption. 5) While some aspects of impartiality are central for gender equality, research results are mixed. Some show that impartial principles promote gender equality, others show that gender bias exists also in many processes designed to be impartial. Going from these results to policy recommendations is thus fraught with many difficulties. One is how to handle problems of legitimacy in the implementation process for various forms of preferential treatment of discriminated groups. Since these problems are impossible to handle, we may be in for a "Churchillian" argument. Like representative democracy, meritocracy may be a far from ideal solution for lowering corruption and thereby promoting human well-being, but it may be the least bad of existing alternatives.

Key Words: Meritocracy, Gender Equality, Corruption, Criminality, Human Well-Being

Introduction

In an article titled "Medical Care in Romania Comes at an Extra Cost", *New York Times* (March 9, 2009) reported the following story: "Alina Lungu, 30, said she did everything necessary to ensure a healthy pregnancy in Romania: she ate organic food, swam daily and bribed her gynecologist with an extra $255 in cash, paid in monthly instalments handed over discreetly in white envelopes. She paid a nurse about $32 extra to guarantee an epidural and even gave about $13 to the orderly to make sure he did not drop the stretcher. But on the day of her delivery, she said, her gynecologist never arrived. Twelve hours into labor, she was left alone in her room for an hour. A doctor finally appeared and found that the umbilical cord was wrapped twice around her baby's neck and had nearly suffocated him. He was born blind and deaf and is severely brain damaged….. Alina and her husband, Ionut, despair that the bribes they paid were not enough to prevent the negligence that they say harmed their son, Sebastian. "Doctors are so used to getting bribes in Romania that you now have to pay more in order to even get their attention," she said."[1]

This story is just one of what is an almost endless stream of media coverage of how corruption negatively affects the life of people around the world (cf. WorldBank 2010). The attention both in research and from policy organizations has resulted in a massive increase in programs launched by international and national organizations for alleviating the corruption problem. Under the euphemism of "good governance", such programs have become central for many developing countries as well. However, it is important to underscore that the corruption problem is not confined to the developing world. Several analyses of the economic problems in Greece as well as studies of the collapse of the financial markets in 2008 have pointed at corruption as a main factor (Johnson 2009; Kaplanoglou and Rapanos 2013; Kaufmann 2008).

From research to policy

The not so good news is that the results of the many efforts to increase quality of government and get corruption under control have so far have been surprisingly meagre. For example, Francis Fukuyama writes that the international development and aid community "would like to turn Afghanistan, Somalia, Libya and Haiti into idealized places like 'Denmark' but it doesn't have to slightest idea of how to bring this about" (Fukuyama 2014, p. 25). Another example comes from noted anti-corruption scholar Alina Mungiu-Pippidi who states: "By and large, the evaluations piling up after the first fifteen years of anti-corruption work showed great expectations and humble results" (2015, p. 178). A third example can be taken from Dan Hough's recently published book *Analysing Corruption* that summarizes the current state of affairs in the following way: "although there are a multitude of anti-corruption options out there, success stories are depressingly thin" (Hough 2017, p. 171). There are countries that have improved their control of corruption but hardly any of these changes have been achieved through international aid and development policy. In any case, considering the money and policy energy that has gone into the "good governance" agenda from the international aid and development regime, we are facing nothing less than a massive policy failure. This paper is, however, not the place for trying to explain this grand scale policy failure (but see Rothstein and Tannenberg 2015 and Rothstein and Varraich 2017). Instead, the focus will be on which political and policy strategies may be drawn from the recent results that gender equality has a positive effect for lowering corruption. One reason for this focus on policy is that the step from research results to policy is a complicated one and that there is not a self-evident or non-normative way to make this step. Research results does not automatically translate into policy recommendations since the latter must consider a number of issues related both to normative

[1] http://www.nytimes.com/2009/03/09/world/europe/09bribery.html?pagewanted=all

problems of legitimacy and empirical issues related to possible problems that can occur in the implementation process as problematic “side-effects” (Rothstein 2017).

Another reason for taking the issue of how to move from research results to policy seriously is of course that we are not dealing with just a theoretical/conceptual issue but with a “real life” problem since people around the world are suffering from low quality of government and sometimes literally “dying of corruption” (Holmberg and Rothstein 2011). Given the massive policy failure and the huge lack of knowledge of how to get societies to break out of systemic corruption, we are in desperate need of “institutional devices” that we as scholars with some confidence can present to the policy community. However, it is important that we do not present institutional solutions that are not possible to implement or that would create a backlash in terms of legitimacy. If we make mistakes in how we recommend that the move from research results to policy should be done, the costs in terms of human well-being are huge.

Political legitimacy: A Quality of Government Perspective

The problem of paying attention to legitimacy in the policy implementation is well illustrated in Theda Skocpol’s “modern classic” *Promoting Soldiers and Mothers*. As Skocpol shows, the social insurance sector in the U.S. was quite large during the late 19th century. A central part of this was the pension system for war veterans who participated in the Civil War and their dependent family members, a program that during the decades after the end of the war became a huge operation both in terms of finances and the number of people it supported. The problem, however, was that the system for deciding eligibility was complicated and entailed a large portion of administrative discretion. It is not difficult to imagine what kind of health issues should count as resulting from combat or military service in general. However, to determine what is due to the general bodily fragilities that come with aging is a delicate and complicated problem to solve in each and every case. The result was that "the statutes quickly became so bewildering complex that there was much room for interpretation of cases" (Skocpol 1992, p. 121). What happened was that the war veteran pension administration became a source for political patronage and corruption:

> Because the very successes of Civil War pensions were so closely tied to the workings of patronage democracy, these successes set the stage for negative feedbacks that profoundly affected the future direction of U.S. social provisions. During the Progressive Era, the precedent of Civil War pensions was constantly invoked by many American elites as a reason for opposing or delaying any move toward more general old-age pensions.... Moreover, the party-based "corruption" that many U.S. reformers associated with the implementation of Civil War pensions prompted them to argue that the United States could not administer any new social spending programs efficiently or honestly (Skocpol 1992, 59)

The point Skocpol makes is that the reason why the United States of today has a comparatively small, targeted and not very redistributive welfare state cannot be explained only by the lack of a Social Democratic type of labour movement or with references to normative ideals about the population being devoted to a “rugged individualism”. On the contrary, the U.S. welfare state was comparatively well developed at the beginning of the 20th century and it became politically delegitimized due to what was generally perceived of as its low quality of government. In other words, the Civil War pension system had turned into an “administrative nightmare” fostering various forms of corruption that severely de-legitimated the policy and thereby also served as an obstacle to getting support for future expansion of social policies.

More recently, Stefan Svallfors (2013) has analysed this issue using the 2010 European Social Survey for 29 European countries that includes questions about the fairness and competence of public authorities (health sector and tax authorities) as well as questions about ideological leanings and policy preferences. His results show that citizens that state that they have a preference for more economic equality but that live in a country where they perceive that the quality of government institutions is low, will in the same survey indicate that they prefer lower taxes and less social spending. However, the same "ideological type" of respondent but who happens to live in a European country where he or she believes that the authorities that implement policies are basically just and fair, will answer that he or she is willing to pay higher taxes for more social spending. Thus, perceptions about the quality of implementation process play a large role for achieving broad based political support for policies for increased social justice in which gender equality should certainly be included.

Gender equality and corruption

Research on the relationship between gender and corruption took off in early 2000s (Wängnerud 2012). While some critique was brought forward on the grounds of the relationship being spurious, i.e. a well-functioning state both curbs corruption and promotes gender equality, others, in particular feminist scholars, critiqued how women's participation in political life was portrayed as a tool to combat corruption and not a goal in and of itself. This school of thought turned the focus around and began studying how male networks shut women out from the inner sphere of political power, where a sizable share of corrupt transactions takes place (Bjarnegård 2013). It has also been argued that women in many countries are more tied to the family and private sphere than are men are and therefore have fewer opportunities to engage in corruption. It should be noted that this does not explain why women would contribute to lower corruption once faced with these opportunities. A third alternative theory suggests that the effects are sprung from women's and men's social roles, where women are socialized into avoiding risks and caring for others.

Researchers at the Quality of Government (QoG) Institute at the University of Gothenburg have developed an alternative theory that focuses more on rationality and where women's choose to take action. An underlying assumption is that women as a group not only have less power than men but also less economic resources. Refraining from corruption becomes rational in order to save scarce resources to pay for food, welfare of the children etc., which are seen as the women's responsibility. Wängnerud (2012; 2015) emphasizes that women who reach political positions often have a different background from their male colleagues. In Mexico, female politicians have typically started their careers within civil society organizations, and thus built their power base there (Grimes and Wangnerud 2010). Because corruption tends to undermine the relationship to the civil society, female politicians have a rational incentive to refrain from corruption in order not to alienate their supporters and jeopardize their political careers. Grimes and Wängnerud (2010) show that sub-national regions with high levels of female politicians exhibit lower levels of corruption than other regions. Moreover, regions with large shares of female politicians saw the perceived levels of corruption reduced from 2001 to 2010, indicating that female politicians not only contribute to containing corruption levels but may also help break the sub-optimal corruption equilibrium. Wängnerud argues that a high level of female politicians, in particular in developing countries, is often a result of pressure both from domestic and international organizations, and when coinciding with a public debate on combating corruption, this may provide a window of opportunity for change.

To this, I would like to add that most corruption is illegal and, as is well known from criminology, men are hugely overrepresented when it comes to committing serious crimes. The standard figure is that more than ninety-five percent of persons convicted of serious crimes are men (Abrahams 2015;

Heidensohn and Silvestri 2012; Maguire, Morgan and Reiner 2007). As stated by noted criminologist Frances Heidensohn:

> such a robust and long-established finding… [that] it's not like other findings…..Certainly since industrialisation [and the availability of reliable data]... you have a very consistent, established finding that women are the minority of offenders, they don't commit such serious crime, they don't do it so often, and their criminal careers are shorter and less professional (cited in Abrahams 2015)

If this is a result of socially constructed templates for gendered behavior or if it is caused by some other more biological/genetic factors is not an issue that political scientists in general (and certainly not this author) have the competence to solve. It should be added that criminologists in this area have not presented anything close to a unified theory about this gigantic variation in gendered behavior (Heidensohn and Silvestri 2012; Kruttschnitt 2013; Steffensmeier and Allan 1996) However, I am often surprised by the negative approach often taken in gender studies in considering genetic/biological explanations. This "fear of essentialism" is from a policy perspective not well grounded: Consider the following example:

One day, the biologists come out from their labs and say to the world: We have now found the gene and we can with confidence say that homosexuality is genetically/biologically determined. Depending on our normative orientations, two completely different policies can follow. One is of course that homosexuality is completely "natural", like being red-haired and we have therefore absolutely no reason for discriminating against people with this sexual orientation. However, it is also possible to take the position that we should spend tons of money to find a medical treatment for this behavior. The same reasoning would follow if our colleagues in biology would come out from their labs and say that they have now evidence that there is no genetic or biological factor that can explain homosexuality so this sexual orientation must be a somehow "socially constructed". Depending on our normative orientation, we can either say that in a liberal democracy, people have the right to "construct" themselves as they please. Alternatively, we can say that this is a behavior that is "chosen" and therefore the ones that make this choice have to take the consequences, including being discriminated (adapted from Brown 2001). The point is that no policy prescriptions follows automatically from an empirical research result. A normative analysis has to be added and this type of analysis must always to be considered when we take the step from empirical results to policy prescriptions (Rothstein 2017).

Another strand of research that points in this direction are some recent results from experiments that tries to capture things like "honesty" and "cheating" in what is known as "public goods" games that for example try to capture the propensity of avoiding to pay taxes. In what seems to be the largest such research project carried out so far, Sven Steinmo and collaborators have carried out experiments with around 1500 participants in four countries (Italy, Sweden, United Kingdom and United States). Their results show that "men and women significantly differ in their willingness to comply with their taxes across countries and conditions. These differences are remarkably large and are consistent across a wide variety of institutional choices. Simply put, women appear to be much more tax compliant than men in every country and under every condition" (D'Attoma, Volintiru and Steinmo 2017, p. 2). What is also remarkable is that they find the largest difference in honest behaviour between men and women in Sweden, the country with the by far highest ranking of the four in United Nations Gender Inequality Index. This implies that extensive policies for gender equality does not automatically translate into lower gender differences when it comes to honest behaviour, at least not as it can be measured in experiments. Another interesting result from this project is that attitudes towards risk has a negligible effect, meaning that women are more likely to pay their taxes "even when their degree of risk acceptance is kept at an identical degree to their male cohorts" (p. 7). These results are also supported by a meta-analysis of 63 experimental studies showing that women (and non-economists) "appear to exhibit greater propensities to tell the truth" (Rosenbaum, Billinger and Stieglitz 2014).

My point is that following the extreme difference in gendered behavior when it comes to crime and also the experimental results about "honest play", it should not come as a surprise that if women have more positions of power in a political system, corruption would become less common. The reason for this analytical parallel is of course that almost all forms of corruption are in fact illegal. Given the dismal result so far from anti-corruption efforts, I can see no reason for not recommending increased gender equality in the public sector as a mean for reducing corruption, even if we do not know how the causality operates. From a policy perspective, one may take inspiration from the Swedish law about the right of patients in the public health care sector.[2] According to this law, health care personnel (read: doctors) are allowed to prescribe a treatment on two different grounds. The first is "scientific evidence" which implies that scientific knowledge has been established for how the causality works. The second ground according to the law is "known experience" which implies that scientific knowledge about the causality between the treatment in question and the health of the patient does not exist. Still, experience shows that the treatment/drug improves the health of patient and this makes it legal for health care personnel to prescribe and use the drug/ treatment in question. For a serious problem like systemic corruption, if increased gender equality according to systematic experience results in improved quality of government, as a policy oriented social scientist I can see no reason why I should not recommend this "cure" even if I am not certain about how the micro-level causal mechanism(s) operate.

If the issue is to lower corruption, we need to know what it is. As is well-known, the conceptual issue about how to define corruption is far from solved (Heywood 2014). One way to solve this is by trying to define what should count as the opposite of corruption is. In a number of previous publications I have argued that the opposite to corruption should equal (high) quality of government and that the basic norm for such a quality is the following: "*When implementing laws and policies, government officials shall not take anything into consideration about the citizen/case that is not beforehand stipulated in the policy or the law* (Rothstein & Teorell 2008, Rothstein 2011). Moreover, from both normative and empirical analysis, I have argued that such a definition is universal in the sense that it is not bound by culture or history (Rothstein and Torsello 2014; Rothstein and Varraich 2017). As the eminent political philosopher John Rawls has stated: "it is supposed that if institutions are reasonably just, then it is of great importance that the authorities should be impartial and not influenced by personal, monetary, or other irrelevant considerations in their handling of particular cases" (Rawls 1971, 58).

Impersonal or Impartial?

Fukuyama (2014) as well as North et al. (2009) use the term "impersonal" instead of the term suggest here ("impartial"). This is in all likelihood by these authors seen merely as a terminological and not a conceptual difference. However, in dictionaries, *impersonal* is defined as "*having or showing no interest in individual people or their feelings: lacking emotional warmth*"[3], or as "or as "*lacking friendly human feelings or atmosphere; making you feel unimportant*"[5]. In contrast, "impartial" is typically defined as "*not supporting one person or group more than another*"[6], or as "*not prejudiced towards or against any particular side or party; fair; unbiased*"[7]

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[2] Svensk författningssamling 2014:821 (Swedish Statute Book 2014:821).

[3] Merriam-Webster, http://www.merriam-webster.com/dictionary/impersonal

[4] Cambridge Dictionary Online, http://dictionary.cambridge.org/dictionary/english/impersonal

[5] Oxford Dictionaries, http://www.oxforddictionaries.com/definition/learner/impersonal

[6] Oxford Dictionaries, http://www.oxforddictionaries.com/definition/learner/impartial

The reasons for why we should prefer "impartial" to "impersonal" is based on the notion that states, when producing public goods/services, do not only or even for the most part rely on personnel that have legal training or orientation (Fukuyama 2014, p. 95). Fukuyama also argues that this type of bureaucratic rigidity, when policies are implemented with "*no interest in individual people or their feelings"* is what people usually despise about the state apparatus. Instead, both western and developing states use a number of professions or semi-professions such a doctors, teachers, school principals, nurses, urban planners, architects, engineers, social workers, etc. when implementing public policies. For many of these professions, the idea that they would be working according to the "rule of law" in the sense that they implement rules in an "impersonal" manner makes little sense. They do of course follow the laws, but as is well-known from the literature about policy implementation, the laws that are supposed to guide what these professions do have to be quite general and thereby they do not entail precise information of how to handle each and every case (Hill and Hupe 2002; Winter 2003). Instead, what is important for these groups when implementing public services is the standards, knowledge and ethics that are established by their professions. Moreover, we do not want nurses, teachers, people that work in elderly care or doctors to have "*no interest in individual people or their feelings"* or to be *"lacking emotional warmth"* when they do their job. On the contrary, we want them (and they usually also want) to be personally engaged in and committed to their job (Brante 2014, p. 124-132). Some feminist scholars have presented this "modus operandi" as a special *logic of care* as opposed to for example an economic logic of rational self-interest or a bureaucratic logic as strict rule-following (Stensöta 2010; Stensöta 2015; Tronto 2013). For example, parents at the typical Danish public pre-school do not want the pre-school teacher to be "*lacking friendly human feelings"* when teaching and taking care of their children. However, they would be extremely upset if they were to discover that the pre-school teachers had given special favors or treatment to some kids because their parents had paid them money under the table or because they belonged to some ethnic/religious group etc. The only legitimate reason they have for giving some children more attention than others is if this can be motivated by the standards established in the profession of what is good teaching and care for different children (Brante 2014, p. 124-132). The professional groups in the state are supposed to have some autonomy/discretion in order to use their professional competence and judgement, but this should not be used in a way that can be deemed as giving undue favors. In other words, they should be impartial but not impersonal.

Does Impartiality in Government Increase Human Well-Being? Empirical Results

The QoG Institute has carried out an expert survey covering 105 countries in order to capture the degree of impartiality in the public administration. A number of questions from this survey have been used to construct an "impartiality index" (Rothstein and Teorell 2012). There are many measures for comparing human well-being in different countries. One problem with many of these indexes is that they are comprised of a large number of variables, including sometimes measures of gender equality. The implication of this is that many of variables that we would like to use for explaining variation in human well-being are already in the index measuring human well-being. For this reason, Holmberg (2007) has put forward "the Good Society Index" which consists of only three variables: Infant mortality, expected living and subjective well-being (also known as "happiness"). As shown from the figure below, the correlation between impartiality in the exercise of public power and the "Good Society Index" is substantial.

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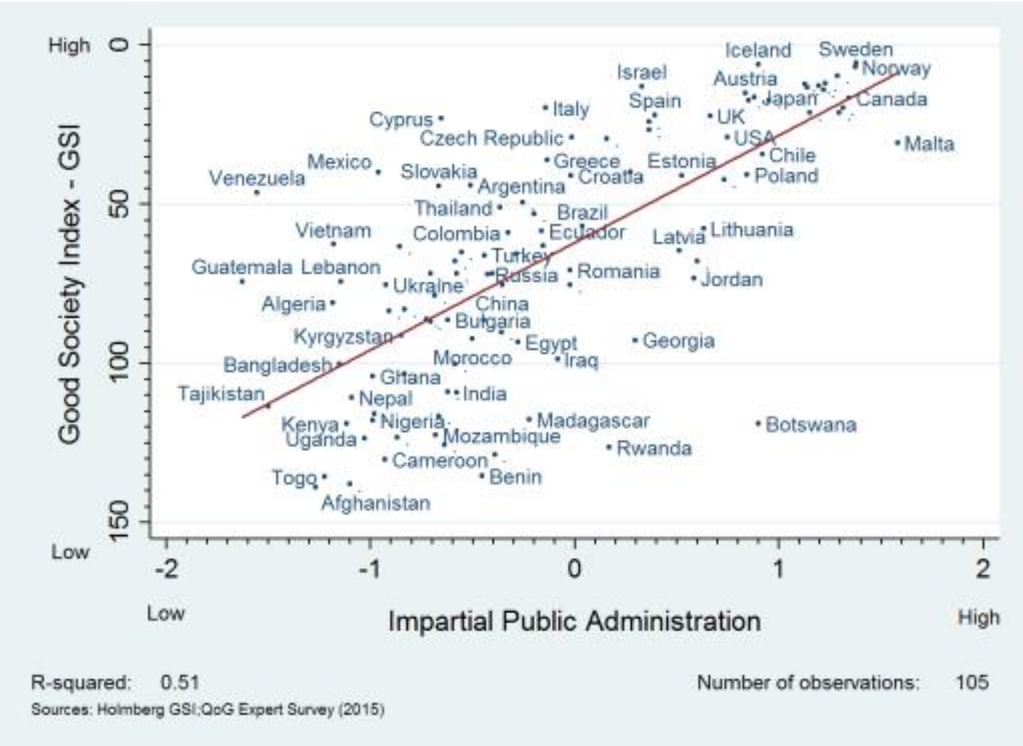
[7] Collins Dictionaries, http://www.collinsdictionary.com/dictionary/english/impartial

Figure 1. Good Society Index and Impartial Public Administration



The correlation between impartiality in the public administration and the GSI is relatively strong. Moreover, a recent paper by Ahlerup, et. al. (2016) analyzing twenty countries in Sub-Saharan Africa shows that countries whose governments are perceived as impartial by the population are more likely to experience sustained economic growth. They conclude that "in order to ensure economic development, it is not only important to choose the "right" policies, but also to implement these policies in a fair manner" (2016, p. 78).

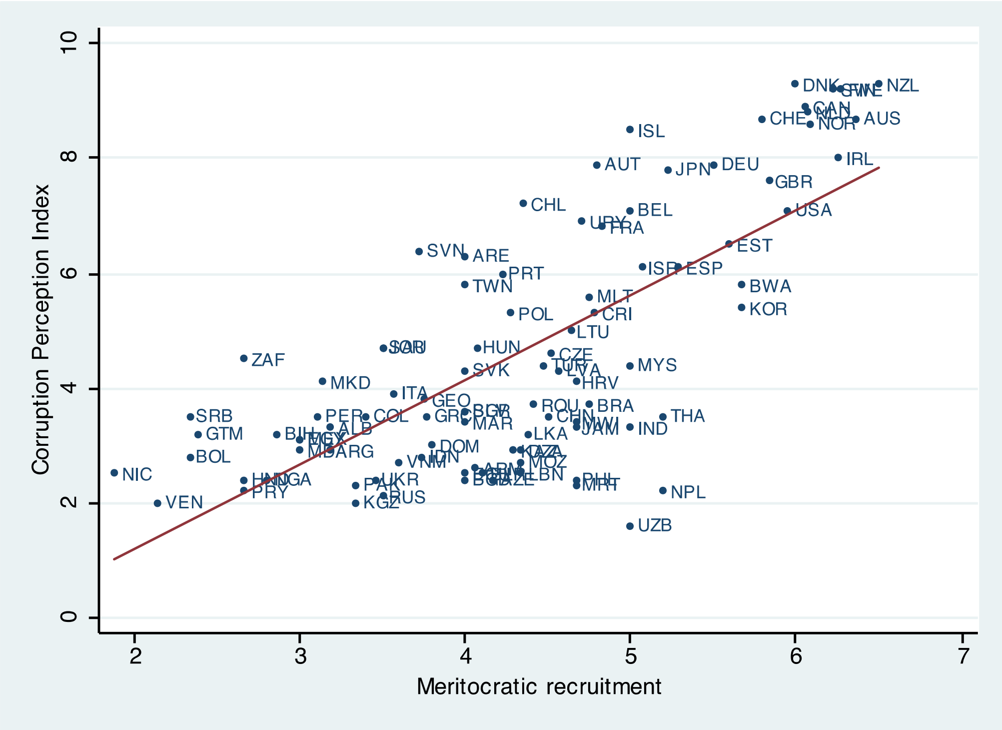
In a recently published book, Dahlström and Lapuente have made a strong case for the positive effects on controlling corruption in a meritocratic civil service (Dahlström and Lapuente 2017). They argue that the preferred system is when the power of democratically elected politicians is balanced by the influence of a meritocratically recruited civil service. The causal mechanism they identify is that these groups have different sources of legitimacy and that they are held accountable to different standards. Politicians in power base their legitimacy on the amount of electorate support they can muster and also the support they get from party activists to which they are held accountable. Meritocratic civil servants and experts in government base their legitimacy on respect within their peer-groups to which they are held accountable. Dahlström and Lapuente (2017) argue that when groups with different sources of legitimacy have to work closely together, they will monitor each other and this "pushes both groups away from self-interest towards the common good". Logically, this also implies that "abuse of power will be more common if everyone at the top has the same interest, because no one will stand in the way of corruption and other self-interests". Thus, what determines success or failure in these two groups is very different. This elegant theory is supported by a wealth of both historical and large-n comparative empirical analyses. Empirically, meritocratic recruitment of civil servants, as opposed to political appointment, is found to reduce corruption and increase the quality of government. This remains true even when controlling for a large set of alternative explanations, such as political, economic, and cultural factors, that previously were seen as important for the functioning of the public sector. The conclusion is that a professional bureaucracy, in which civil servants are recruited strictly on the basis of their qualifications and skills, rather than their loyalty to the politicians, is a very important factor for handling the “fairness” question in the epistemic approach to democracy as it has been operationalized here. One mechanism behind this is that, when faced with corruption or inefficient management of public resources, it is easier for civil servants to protest or act as a whistleblower, than if he or she were dependent on and loyal to the politicians. The chance that someone exposes corruption or other forms of malfeasance is simply larger if the potential exposer is not dependent on those engaged in the corruption.

Interestingly enough, Dahlström and Lapuente do not find a positive effect of, what is known as the “closed” Weberian system of public administration with special exams, isolation from the private sector by special employment laws and guaranteed life-long employment.[8] Instead, it is “open” meritocratic system, such as in Australia, Canada and Sweden where employment in the civil service is open also for applicants from the private sector and where there is not much difference in employment laws between the private and the public sector. The positive effect on controlling corruption comes only from meritocracy and a de-politicized civil service while the traditional Weberian closed bureaucracy fails to deliver. Empirically, the extent to which the civil service is politicized in OECD countries varies enormously. Figures are somewhat uncertain but the lowest seems to be Denmark where only about 25 “ministerial advisors” are exchanged when there is a change of government. In Sweden, it is about 200, in Italy about 1600. In the United States the number of “spoils” appointments are about 3500 and in Mexico about 70,000 civil servants have to leave their positions if there if a national election results in a change of government (Garsten, Rothstein and Svallfors 2015).

To this one should add that meritocracy, everything else being equal, increases the competence in the public sector and thereby state capacity. Using data from an Expert Survey for the study of the public administration in 126 countries, carried out by the Quality of Government Institute, finds a positive correlation between a measure of impartiality in the civil service and several standard measures of population health including the UNDP measure of human well-being (Rothstein and Holmberg 2015). A study of Peru and Bolivia finds that the implementation of aid programs can be seriously obstructed if there are high turnover rates among public sector employees, especially if they are recruited on a political basis (Cornell 2014). The reason is that loyalty among politically recruited public officials lies with the appointing political party, rather than with the public institution, and politically recruited officials are therefore often reluctant to take over the implementation of aid programs that have been established under the former government. This is problematic for development agencies, as the implementation timeline of aid programs do not correspond to the term of office of the elected government appointing public sector personnel. Another study finds that the politicization of the civil service can lead to the production of “politically tainted” public statistics (Boräng et al. 2017). The simple correlation between meritocratic recruitment and corruption is, as shown in the figure below, quite impressive.

[8] Typical example are Germany and South Korea

Figure 2. Meritocratic Recruitment and Corruption



Sources: Meritocratic recruitment is taken from the QoG Institute's Expert Survey (Dahlström et al 2011) and the measure of Corruption is from World Bank Control of Corruption Index 2010.

Is Impartiality Possible? A "Churchillian" Approach

So far we have put forward four results. 1) Corruption in its various forms is a serious social ill. 2) Most existing progammes and initiatives for combatting corruption have not delivered. 3) Increased gender equality seems to be one important factor behind getting corruption under control. 4) Impartiality in the exercise of public power, not least when it "translates" into meritocratic recruitment and promotion in the public administration, has a powerful effect for lowering corruption. There are certainly many different definitions of what should constitute gender equality, but I think it is fair to say that impartiality in the form of not taking a person's gender into account when implementing public policies is one central ingredient. One way to theorize the effect of gender equality is that a government that makes it clear that gender discrimination in the recruitment and promotion in the public sector will no longer be tolerated sends a very strong "signal" to society about its willingness to respect the principle of impartiality. Given the situation in many, if not most, countries in the world when it comes to gender equality in the public sector, such a signal (or as game theorists would have it, a "credible commitment") implies a fundamental change of the social contract between the state and its citizens. If the state should no longer discriminate based on gender, maybe it should also not discriminate based on money (= bribes), ethnicity (=nepotism) or political affiliation (=clientelism).

In this discussion, Fukuyama has argued that acting according to norms such as impartiality does not "come natural" to humans. Instead, if given a position of power, according to Fukuyama (2014, p. 89) our "natural inclinations" is to use this power to promote our self, our family, our kin, friends, clan, tribe and one could add political faction or party. Especially nepotism seems to be a strong factor when looked at empirically. The understanding that impartiality in the exercise of public power should take precedence over various forms of self- or group interests is according to Fukuyama something that must be learnt through some form of public ethos.

The problem, however, is that we have at least four quite strong approaches in the social sciences which in an almost axiomatic way denies the possibility of impartiality. Inspired by neo-classical economics, the public choice approach to government starts from the assumption that civil servants are operating according to the “rent-seeking model” where agents are self-interested utility maximizers (Mueller 1997).[9] This is of course an axiom that is anathema to impartiality. The same can be said of most economic analyses built on notions that what dominates human motivation is self-interests (Weingast and Wittman 2006). In Marxism, the state is usually seen as an arena for the exercise of interest-based politics which of course rules out the notion of impartiality (Therborn 2008). In what is known as political economy, various forms of material or positional (power) interests dominates. In addition, several identity-oriented approaches where the idea that a person with identity X could make an impartial evaluation of the merits of a person with identity Y, is seen as impossible (Burke and Stets 2009). Iris Marion Young, for example, states the following: ”the ideal of impartiality serves ideological functions. It masks the ways in which the particular perspectives of dominant groups claim universality, and helps justify hierarchical decision making structures” (1990, p. 97). She also stated that impartiality is an “impossible ideal because the particularities of context and affiliation cannot and should not be removed from moral reason” (ibid). In addition, the approach in development studies known as “post-colonialism” understands principles such as impartiality as an expression of Western semi-imperialist ideology (de Maria 2010). In sum, the idea of defining the opposite of corruption based on the notion of impartiality is far from uncontroversial.

Feminist approaches seem to have a more mixed approach to the idea of impartiality. Several feminist scholars have argued that the interests of women are best served if rules are transparent, clear and applied in what I would call an impartial manner (Kittilson). For recruitment to electable positions in political parties, Bjarnegård (2013) has shown that lack of formal rules is detrimental for gender equality. In recruitment to academic positions, several studies show that systems that includes clear rules and explicit standards tend to be positive for increased gender equality (Brouns 2000; Husu 2000; van den Brink, Brouns and Waslande 2006)[10]. There is also a negative effect from corruption to general intergenerational social mobility. In a corrupt or clientelistic systems, families with strong economic resources seems to be able to use their money or contacts/networks to get their comparatively unambiguous and/or untalented children into goods schools and place them at good jobs for which they are not qualified (Charron and Rothstein 2016)

However, there is no lack of studies, also using methods such as controlled experimental approaches, showing that for example student evaluations of academic teachers, teachers evaluations of and attention to students and employers’ evaluation of job candidates are prone with gender bias, race/ethnic bias and bias against people with some types of immigrant background (for some recent examples see Bursell 2014; Grohs, Adam and Knill 2016; MacNell, Driscoll and Hunt 2015; Midtboen 2016; Nunley et al. 2015). Some of this bias is intentional and some probably unintended. Be that as it may the overall effect is what counts. Acting according to the norm of impartiality seems thus quite difficult. The empirical support for some kind of “inbuilt” propensity for bias when A is going to decide what B is going to get (job, promotion, housing, benefit) seems strong.

How to deal with these results is from a policy perspective not easy or self-evident. One problem is of course how to decide how much preferential treatment a group should have given the existence of systematic bias above. A second problem is what sort of compensatory instruments that should be used (quotas, “soft” affirmative action, monetary compensation or extra resources). A third problem is of course that while a members of a group can be victims of discrimination it is not certain that this is the case for all individuals in the group. Various forms of preferential treatment may benefit only

[9] This “Handbook of Public Choice” does not have index entries neither for the term “corruption” nor for “impartiality”

[10] Many thanks to Elin Bjarnegård for her generosity in orienting me in this field of research.

the “elite” within the discriminated group leaving the rest maybe even worse off. A forth problem is how many and which groups we should include in various compensatory schemes. In a Scandinavian type of society, for example, we have to count social class, gender, sexual orientation, various forms of medical disabilities, a number of religions and ethnicities and maybe also age. Just to take one example, University of California at Davies now counts seven sexual orientations in their resource center for support to sexual minorities.[11]

In principle, none of these identity groups are mutually exclusive (even if, admittedly, some are probably quite rare). Two “biological” sexes times seven sexual orientations times ten ethnic groups times five religious times five types of physical challenges make 3500 possible combinations. Implementing preferential treatment for all these groups in a way that would receive broad based legitimacy is probably impossible since this would, following the Skocpol and Svallfors problems mentioned above, in all likelihood create bureaucratic and administrative “nightmares” including many decisions in the implementation process that would be seen as favoritism and even various forms of corruption. From the perspective of increased social justice (including the feminist perspectives), this is likely to be a hard choice.

One way to think about this “unsolvable” problem could be to adapt a “Churchillian” approach. Like liberal representative democracy, impartiality as quality of government may be far from a perfect system, but given the empirical results presented above, it may be the best we can come up with since, as Winston Churchill famously argued, all the alternatives are worse. Another comparison is with political equality as the basic norm for liberal representative democracy suggest by noted democracy theorist Robert Dahl (Dahl 1989). Given the very large and usually accumulative differences between citizens in economic resources, human capital and usable networks, every known democracy today must be said to be light years away from anything that comes even close to the realization of political equality. It is not certain that the deviations from the principles of impartiality in the exercise of political power mentioned above are greater than the differences in equal possibilities to influence politics via the system of representative democracy. In both cases, as the political philosophers would state it, we are in for non-ideal theory. If we could find a way to measure how far the two ideals are from reality, I would put my money on the principle of impartiality being closer to the ideal than the principle of political equality.

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[11] Lesbian, Gay, Bisexual, Transgender, Queer, Intersexual and A-sexual, see http://lgbtqia.ucdavis.edu/

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