

# *Public Voices*

---



В кабинете начальника.

*Литография. Первая половина XIX в.*

И голова собирает, староста собирает, мужики несут последнюю копейку. Становому надобно жить; исправнику надобно жить, да и жену содержать; советнику надобно жить, да и детей воспитывать...

*А. И. Герцен. Былсе и думы.*

---

# *Public Voices*

Editor-in-Chief: Marc Holzer, Rutgers University – Campus at Newark  
Managing Editor: Iryna Illiash, Rutgers University – Campus at Newark  
Book Review Editor: John Phillips, Springfield College in Illinois  
University of Illinois – Springfield

---

## **Editorial Board**

- |  |   |
|--|---|
| Robert Agranoff, Indiana University                                      | Ralph Hummel, University of Akron   |
| Danny Balfour, Grand Valley State University                             | Glenda Kirkland, Isaiah House   |
| Sandford Borins, University of Toronto                                   | Carol W. Lewis, University of Connecticut   |
| Geert Bouckaert, Catholic University<br>of Leuven, Belgium               | William Lester, Jacksonville State University   |
| Jeffrey Brudney, University of Georgia                                   | Robert A. Maranto, Villanova University   |
| Frances Burke, Suffolk University, Boston                                | Patricia Marsolais, City of Dallas  |
| Lawrence L. Downey, University of Baltimore                              | Gerald J. Miller, Arizona State University  |
| David John Farmer, Virginia Commonwealth<br>University                   | Michael Miller, City of Phoenix, AZ   |
| William J. Fasano, Jr., Arizona State<br>University                      | Dalmas H. Nelson, University of Utah  |
| Vatche Gabrielian, American University of<br>Armenia                     | Kenneth Nichols, University of Maine  |
| Terence M. Garrett, The University of Texas<br>at Brownsville            | Valerie Patterson, Florida International<br>University                                    |
| Charles Goodsell, Virginia Polytechnic<br>Institute and State University | Michael W. Popejoy, Central Michigan<br>University  |
| Mary Grisco, Development, One Sky<br>International Production            | Beryl Radin, American University  |
| Anne J. Hacker, Broomtree Consultants -<br>Battle Creek, MI              | Wilbur Rich, Wellesley College  |
| Rachel Hadas, Rutgers University - Campus at<br>Newark                   | Stephen R. Rolandi, City of New York<br>Department of Records and<br>Information Services |
| Arie Halachmi, Tennessee State University                                | Mark Rutgers, Leiden University   |
| Candace Hetzner, Boston College  | Richard W. Ryan, San Diego State University   |
| Elizabeth Hull, Rutgers University - Campus<br>at Newark                 | Dolph Santello, University of New Haven   |
|  | Philip Schorr, Long Island University   |
|  | Lynette Shaw-Smith, Springfield College<br>in Illinois                                    |
|  | Richard Swaim, University of Baltimore  |

Assistant Editor: Ginger Swiston, Rutgers University - Campus at Newark

---

# *Public Voices*

---

## **The Genesis of Public Value Systems Symposium**

### *Symposium Editors*

Pieter Wagenaar  
Vrije Universiteit Amsterdam  
Department of Public Administration  
and Organization Sciences

James Kennedy  
Vrije Universiteit Amsterdam  
Department of History

Mark R. Rutgers  
Leiden University, the Netherlands  
Department of Public Administration

Joris van Eijnatten  
Vrije Universiteit Amsterdam  
Faculteit der Letteren

### *Editor-in-Chief*

Marc Holzer  
School of Public Affairs and Administration (SPAA)  
Rutgers, the State University of New Jersey-Campus at Newark

### *Managing Editor*

Iryna Illiash  
School of Public Affairs and Administration (SPAA)  
Rutgers, the State University of New Jersey-Campus at Newark

---

## Publisher

*Public Voices* is published by the National Center for Public Performance at the School of Public Affairs and Administration (SPAA), Rutgers University-Campus at Newark.

Copyright © 2008

## Front Cover

*"In the Boss's Office,"* lithography (lubok) of the first half of the 19<sup>th</sup> century, Russia.

## Subscriptions

Subscriptions are available on a per volume basis (two issues) at the following rates: \$36 per year for institutions, agencies and libraries; \$24 per year for individuals; \$12 for single copies and back orders. Noninstitutional subscribers can make payments by personal check or money order to:

National Center for Public Performance  
School of Public Affairs and Administration (SPAA)  
Rutgers University  
701 Hill Hall, 360 Dr. Martin Luther King Blvd.  
Newark, NJ 07102-1801



All members of SHARE receive an annual subscription to *Public Voices*. Members of ASPA may add SHARE membership on their annual renewal form, or may send the \$20 annual dues at any time to:

ASPA  
C/o SunTrust Bank  
Department 41  
Washington, DC 20042-0041

ISSN 1072-5660

---

# Contents

---

Front Cover Notes . . . . .	1
-----------------------------	---

## ***Symposium*** ***"The Genesis of Public Value Systems"***

*Editors: Pieter Wagenaar*  
*James Kennedy*  
*Mark Rutgers and*  
*Joris van Eijnatten*

<b>Corruption and Public Values in Historical and Comparative Perspective:</b> <b>Symposium Introduction . . . . .</b>	<b>3</b>
---	----------

*James Kennedy, Pieter Wagenaar, Mark Rutgers and Joris van Eijnatten*

What are our public values? That question can perhaps best be answered by considering it in a deeper historical perspective. It is only through in-depth, case-by-case studies that we can hope to comprehend the meaning of public values and their change over time.

In this regard, episodes of conflict are extremely important in discerning which public values are really salient, and how such values change as a result of such conflicts. We argue that public values, as they relate to corruption or other matters, are often only visible in moments of crisis or in moments of scandal.

That is why we have focused on corruption cases that signal changes in the development of public values. These cases are almost always, by definition, "scandals," states of affairs which generated public emotion and vigorous debate. "Scandals," in contrast to "normal" corruption cases, are often indications of a *changing* mindset among key actors



in the public sphere about the moral (un)acceptability of certain public practices. Most typically, scandals signal public moral opposition to practices to which hitherto had been considered acceptable or at least condoned. By analyzing such cases, and historically contextualizing them, we hope to come to better historical understanding of how the public values of the present day found their “genesis.”

**Corruption and Capability in the Dutch Republic:  
The Case of Lodewijk Huygens (1676) . . . . . 7**  
*M.P. Hoenderboom and A.D.N. Kerkhoff*

This article presents and exemplifies an approach to the problem of revealing values related to capability in actual historical context. First, a conceptual framework is discussed that allows us to identify values underlying capability. Second, a case study is used to exemplify the conceptual framework and to locate values associated with capability in early modern public office. The case study on the (in)capability of Lodewijk Huygens (1631 – 1699), sheriff of Gorinchem between 1672 and 1684, shows what was considered (un)acceptable, (un)wanted and (in)tolerable behavior for a typical high-ranking seventeenth-century public official in the Dutch Republic. The Huygens case teaches us that capability mainly consisted of adhering to the everyday rules of conduct among officials on the “shop-floor.” Formal legal standards and public opinion were of limited practical relevance. A capable magistrate should at least maintain harmony and balance on the practical side of the political arena.

**Political Corruption Scandals in the Netherlands  
in the Nineteenth Century: The Letters Affair of 1865 . . . . . 25**  
*Ronald Kroeze*

In recent years growing attention has been paid to public values and ethical behaviour in the public sphere. *The Genesis of Public Value Systems* project is concerned with understanding the development of public values, by analyzing historical examples of (alleged) corruption. In this article, I will discuss an example of a nineteenth-century political corruption scandal in the Netherlands, the so-called “Letters Affair.” A connection will be made between political corruption scandals and important political historical developments in the second half of the nineteenth century, in which the public sphere was dominated by the nineteenth-century liberal view on public rectitude. In Part I, I hope to offer more insight into the way in which cases of (alleged) corruption may help an in-depth analysis of public values and illustrate how the concept of political corruption scandals is used in this article. In Part II, the Letters Affair will be described in greater detail, and this section will also include an analysis of those values and rules of behaviour prevailing at the time of the Letters Affair that shaped dominant notions of public rectitude, and of the importance of these values within the debate on corruption. Finally, attention will be paid to how this particular case was dealt with: i.e., how was corruption handled and what kinds of measures were considered.

---

**Classical Corruption: Hugo van Arckel, Dike Warden of the Krimpenerwaard, and the Corruption of His Time . . . . . 44**

*Pieter Wagenaar*

Burgomaster Hugo van Arckel had saved Schoonhoven. When this small Holland town had become part of the Dutch Republic's battle front during the 1672-1678 war against France, it was he who had almost single-handedly prevented it from giving itself up. Unsurprisingly, Stadtholder Prince William III of Orange, supreme commander of the Army and Navy and the Republic's most influential public official at that moment, rewarded Van Arckel handsomely by bestowing several important offices on him. Four years later the one-time hero was tried and sentenced for corruption. What had happened in the meantime? Most contributions to this special issue of *Public Voices* apply a neo-classical perspective to corruption: Corruption scandals are studied to shed light on underlying value conflicts. The authors try to find out how corruption is constructed, at a certain moment, and why. Yet, there are far more theory clusters dealing with corruption. We will first take a look at these theory clusters, next analyze Van Arckel's downfall, and then see which cluster is most suitable.

**Reflections on Balzac's Physiology of the Bureaucrat (1841): Tracing Popular Opinion and the Problems of Irony . . . . . 58**

*Mark Rutgers*

Popular ideas are important. They constitute the social context in which administrators act, irrespective of the correctness, or even moral justness, of these views. They are as important for understanding and appraising public administration in a certain time and place as scholarly texts. Popular opinion is, however, difficult to trace in historic research. We can partly rely on newspapers and (before these) pamphlets as sources for studying the values attached to public administration, but prose and other artistic narratives are equally important. To argue the relevance of the study of prose is certainly not new, in fact, it is as old as the study of public administration. Ideas presented in fiction stick, and influence even academic thought on public administration (cf. McCurdy, 1987).

This article discusses and reflects upon just one example of a non-scholarly text: Honoré de Balzac's *Physiologie de l'employé* or *Physiology of the Bureaucrat*, published in 1841. The discussion of this text leads to a second, more general, topic also discussed in this article: the use of semi-fictional or para-literature of an ironic nature as a source for tracing popular opinion.

**Corruption as a Political Issue in Modern Societies: France, Great Britain and the United States in the Long 19<sup>th</sup> Century. . . . . 68**

*Jens Ivo Engels*

The so-called "long 19<sup>th</sup> century", from the French Revolution to the First World War, ranks as the crucial phase in the genesis of the modern world. In the Western countries this

period was characterized by the differentiation of the public and the private spheres, the birth of the modern bureaucratic state and the delegitimation of early modern practices such as clientelism and patronage. All these fundamental changes are, among other things, usually considered important preconditions for the modern perception of corruption.

This paper will concentrate on this crucial phase by means of a comparative analysis of debates in France, Great Britain and the United States, with the aim to elucidate the motives for major anti-corruption movements. The questions are: who fights against corruption and what are the reasons for doing so? I will argue that these concerns were often very different and sometimes accidental. Furthermore, an analysis of political corruption may reveal differences between the political cultures in the countries in question. Thus, the history of corruption serves as a sensor which enables a specific perspective on politics. By taking this question as a starting point the focus is narrowed to *political* corruption and the *debates* about corruption, while petty bribery on the part of minor civil servants, as well as the actual *practice* in the case of extensive political corruption, is left aside.

## ***Analysis and Commentary***

<b>The Irony of Ethics Research: When the Sun Don't Shine on Enforcement</b> . . . . .	<b>87</b>
<i>Shannon K. Vaughan and Adam J. Newmark</i>	

The states have been highly active in governing the behavior of public officials through *good government reforms*, lobbying regulations, and ethics laws. However, much of the research neglects the enforcement of laws in terms of whether or not Attorneys General or Secretaries of State pursue investigations into law violations. In an attempt to interview relevant officials regarding ethics enforcement, we encountered significant obstacles in designing an evaluation of the implementation and enforcement of ethics legislation. In this cautionary research note, we identify the obstacles and their relevance for research on ethics enforcement in the states and present some ways to deal with these difficulties.

<b>Representative "Identity": The Case of Latino Populations in a Representative Bureaucracy</b> . . . . .	<b>96</b>
<i>Tony Carrizales</i>	

With the growing U.S. Latino population, the concept of "representative bureaucracy" needs to be reevaluated. Specifically, Latino populations present a unique challenge for a representative bureaucracy and require an unorthodox vision of what an individual's identity represents. Public administrators run the risk of overlooking the diversity among Latino populations by focusing solely on representative figures (under the umbrella terms



of Latino/Hispanic). I pose the question: Is the study of Latino Representation inherently flawed in application, given the cultural, political, and historical diversity of over twenty distinct Latino populations? Employing an analysis of past and current literature of Latinos and public administration, it becomes evident that past studies of Latino representation overlook the group's diversity. There are various challenges for such research which requires a unique approach.

## ***Book Reviews***

**1912: Wilson, Roosevelt, Taft and Debs –  
the Election that Changed the Country . . . . . 109**  
*By James Chase*

*Reviewed by Jeffrey G. Mueller*

**Fuhrer's Heart: An American Story . . . . . 113**  
*By James D. Ward*

*Reviewed by Patricia M. Alt*

---

## *Dear Public Voices Readers,*

If you'd like to share your thoughts on the material you read in our journal,  
please write to:

Iryna Illiash  
Editor's Letter, Public Voices  
School of Public Affairs and Administration (SPAA)  
Rutgers University - Campus at Newark  
701 Hill Hall, 360 Dr. Martin Luther King Blvd.  
Newark, NJ 07102-1801  
Email: [illiash@pegasus.rutgers.edu](mailto:illiash@pegasus.rutgers.edu)

# In the Boss's Office

---



*And the mayor collects money, the village elder collects money, and the peasants give their last pennies. The local policeman has to have a living, the district chief of police has to live on something, plus, support his wife; the counselor has to have a living, plus raise the kids...*

Alexander Gertsen, "The Past and Thoughts"

Throughout times and countries, bribery has been one of the most condemnable evils associated with government bureaucracy. Corrupt officials' view of their office as the means to unabated extortion of "gifts," monetary or in the form of political and other favors, made it virtually impossible for ordinary citizens to have their cases resolved or petitions processed through official bureaucratic channels.

---

In the nineteenth-century Russia, the tsarist regime perpetuated official misconduct by not providing adequate salaries and pensions to civil servants. Instead, they were given a lot of discretionary power, which they often exercised in pursuit of self-interest. In the print (lubok) above, the boss is sitting at the table in his office, surrounded by a group of people: a police chief, a peasant and a civil servant. The latter is explaining something to the boss regarding the peasant. At the base of the table stands a bag full of produce, with a bottle of hard liquor conspicuously sticking out. The accompanying excerpt from “The Past and Thoughts” by the progressive Russian writer Alexander Gertsen helps emphasize the pervasiveness of the depicted practice.

# Corruption and Public Values in Historical and Comparative Perspective: An Introduction

*James Kennedy, Pieter Wagenaar, Mark Rutgers and Joris van Eijnatten*

---

The Netherlands has long enjoyed an international reputation for being a country free of corrupt practices. It ranks consistently in surveys as one of the least corrupt countries in the world. Already in the mid-nineteenth century, liberal Dutch historians like Robert Fruin were proud of the transparency of the country's public institutions, which, in contrast to a corrupt past, kept unethical practices at bay. The preeminent Dutch historian Johan Huizinga was less sanguine; in 1934 he suggested that the Dutch found modest and subtle forms of corruption entirely commensurate with their bourgeois identity. Whatever the reality, the Dutch public opinion has often been shocked at the unexpected venality in the public sphere, perhaps all the more because of their self-image as largely incorruptible. The Lockheed Affair – in which the prince consort Bernhard was revealed in the mid-1970s to have taken bribes from the aircraft manufacturer – constituted a serious crisis in the Netherlands, and evidence in recent years of structural kickbacks and other illegal practices in the construction industry has again prompted the Dutch to ask: what are our public values?

That question can perhaps best be answered by considering it in a deeper historical perspective. It is only through in-depth, case-by-case studies that we can hope to comprehend the meaning of public values and their change over time. For that reason, we have launched “Under Construction: The Genesis of Public Values,” a project fully funded by The Netherlands Organisation for Scientific Research (NWO) and begun in the fall of 2006. The historical range of the project is broad, straddling the years between 1650 and 1950, with the three doctoral students featured here (Michel Hoenderboom, Toon Kerkhoff and Ronald Kroeze) dividing the three centuries equally among them. The choice for three diachronic periods is more than arbitrary; each one (1650-1750, 1750-1850, and 1850-1950) roughly correlates with three relatively well-defined periods of state formation in the Netherlands: “the ancien régime in optima forma,” “the ancien régime in transition,” and “the ‘modern’ constitutional state.”

This task of diachronically outlining changes of public values with respect to corruption carries with



it important challenges. Public values – the ones that seek to define and idealize “good” behavior in the public sphere and which seek to banish “bad” practices and ideas from public life – are sometimes difficult to trace historically, particularly as to how and when – and why – they change over time. In order to execute this project, the framers have taken their cue from the American political scientist Michael Johnston, who defines corruption as “the abuse, according to the legal or social standards constituting a society’s system of public order, of a public role or resource for private benefit.” But more than his definition alone, Johnson’s focus on the *development of conflicts* over which public values should be followed has functioned as inspiration for this project.

Indeed, episodes of conflict are extremely important in discerning which public values are really salient and how such values change as a result of such conflicts. We make the argument in our program (see [corruptionproject.nl](http://corruptionproject.nl)) that public values, as they relate to corruption or other matters, are often only visible in moments of crisis or, more particularly, in reference to corruption, in moments of scandal. To be sure, one can historically examine “best opinion” – moral, theological or legal authorities which sometimes articulate a usually more abstract understanding of what is good and bad behavior in public life – and this project takes structural account of the moral stances of such authorities. There are, too, “shop floor” practices, which, wherever possible, should also be followed to understand continuity and change in the way public administration was actually carried out. But such texts and sources, taken by themselves, offer only a limited and incomplete explanation of changes in public values that have taken place over three centuries.

That is why this project has chosen to heavily focus on corruption cases that signal changes in the development of public values. These cases are almost always, by definition, “scandals,” states of affairs which generated public emotion and vigorous debate. “Scandals,” in contrast to “normal” corruption cases, are often, we could argue, indications of a *changing* mindset among key actors in the public sphere about the moral (un)acceptability of certain public practices. Most typically, scandals signal public moral opposition to practices that hitherto had been considered acceptable or at least condoned. By analyzing such cases, and historically contextualizing them, we hope to come to better historical understanding of how the public values of the present day found their “genesis.”

Sources for these cases are, of course, drawn from court proceedings and other official documents. But even more important are the sources of public opinion in reference to these scandals. Public opinion is notoriously hard to discern, especially as one goes back in time, but any research into the creation and development of public values cannot bypass an attempt to reconstruct public opinion. Pamphlets, newspapers and the written record of other forms of public debate, such as parliamentary proceedings, thus constitute an all-important source in this research project. Such sources are an imperfect indication of public sentiment, but they offer us as close a view of prevailing opinion in our selected cases as we can attain.

This research’s focus on casuistry within the confines of Dutch history cannot, of course, be con-

ducted in isolation. The journal issue presented here, then, is a wider examination of public values and corruption, stretching beyond the Netherlands and offering, directly and indirectly, ways of drawing international comparisons. The time expanse remains large, with a focus chiefly on the seventeenth and nineteenth centuries. The reader with a more contemporary interest in public values should nevertheless find various opportunities in this issue to relate current understandings of public values with their past development.

Hoenderboom and Kerkhoff do exactly what was envisaged when we started the project. In their article “Values Underlying Capability: The Case of Lodewijk Huygens (1676)” they study a seventeenth-century corruption scandal to find out which underlying values were at stake in this celebrated case. This scandal did not really constitute a turning point in the development of administrative values, they conclude, but was rather a moment, where existing values were again confirmed. Scandals, then, need not always lead to change in moral perception and practice, but they may also serve to reify and rearticulate persisting public values.

A criticism on the project has been that, by focusing on scandals, it ignores “normal” corruption cases. Wagenaar, in his article “Classical Corruption: Hugo van Arckel, Dike Warden of the Krimpenewaard, and the Corruption of His Time,” tries to solve this problem. First, he briefly discusses the most important clusters of social science theory dealing with corruption, and then he goes into the case of Hugo van Arckel. Van Arckel was a seventeenth-century Dutch official, who managed to combine several functions in his own person, which he then used to line his own pockets. Wagenaar finds that in such a “normal” case the neo-classical approach to corruption is not the most obvious one to choose, as there was no controversy about administrative values.

Kroeze, in his article “Political Corruption Scandals in the Netherlands in the Nineteenth Century: The Letters Affair of 1865” uses the same approach as his fellow students Hoenderboom and Kerkhoff, but for a period some two centuries later. He pays a good deal of attention to the roles scandals play in shifts in administrative and political values and then elaborates on a scandal concerning charges of vote-buying, which shook the liberal cabinet of the mid-1860s. In doing so, he not only discovers genuine shifts in values, but also a new understanding of “publicness.” In particular, this case reveals that the national press had taken on a more pronounced role than would have been conceivable only a few decades earlier.

In his article “Reflections on Balzac’s *Physiology of the Bureaucrat* (1841): Tracing Popular Opinion and the Problems of Irony,” Rutgers focuses on one of the sources of public values: public opinion—as noted before, a most difficult source to research. Using Balzac’s ironic writings on the bureaucrat, he shows how fiction can be used to reconstruct public opinion. Yet, such efforts at reconstruction are a risky business, especially if the author under study employs irony. Rutgers demonstrates the challenges of analyzing such readings by comparing Balzac to Taylor.

Jens Ivo Engels, a researcher with parallel interests to those engaged in the project, focuses on public opinion as well but systematically uses an international-comparative approach. He sees the

nineteenth century as the period in which existing conflicts between value systems were finally resolved and focuses on turning points. In his article “Political Corruption in the 19<sup>th</sup> Century: France, Great Britain and the United States” he compares anti-corruption movements in these three countries and focuses on the motives behind them. Not only did the public-private dichotomy become more clearly demarcated, Engels writes, but so, too, did a tendency towards centralization. Moreover, it was often an anti-pluralist world of ideas, consisting of anti-capitalism, anti-liberalism, and anti-Semitism, that spurred the anti-corruption movement. Surprisingly, he finds that the anti-corruption movement was not related to modernization or to democratization but drew from quite different sources.

These articles, taken together, offer a sample of recent work being conducted by historians and social scientists in the history of public values and changing understandings of corruption. It reveals, at the same time, just how new this kind of research is, with many questions remaining unanswered, and much terrain remaining uninvestigated. It might be hoped that these contributions will stimulate further cross-fertilization among scholars focused on the genesis of public values and their development.

---

**Dr. James Kennedy** is a professor of Dutch History since the Middle Ages at the University of Amsterdam. He specializes in the intersection of politics, religion and morality in the modern Netherlands.

**Dr. Pieter Wagenaar** is an assistant professor at the department of Public Administration and Organization Sciences of the Vrije Universiteit Amsterdam. His research interests include informatization and the history of public administration.

**Dr. Mark R. Rutgers** is professor of public administration at Leiden University, the Netherlands. He wrote this article as a fellow at the Netherlands Institute of Advanced Sciences, Wassenaar. His areas of research include the philosophy and history of public administration and its study, the nature of public values, and public integrity.

**Dr. Joris van Eijnatten** is a professor of cultural history at the Vrije Universiteit Amsterdam. His research interests are the history of ideas, the history of communication and the history of religion.

---

# Corruption and Capability in the Dutch Republic: The Case of Lodewijk Huygens (1676)

*M.P. Hoenderboom and A.D.N. Kerkhoff*

---

## Introduction

What are the origins of present-day ideas of correct behavior for public officials? Surely we have not always had the same assumptions and expectations regarding public administration. The many attempts to study or classify values underlying public administration often do not address the historical origins of these values and their different meanings and interpretations over time (compare Caiden, 2005; compare Copp, 1995; Van Wart, 1998). Historical studies, however, provide meaningful insights into contemporary use and meaning of values (Dekker, 1986; Van Klaveren, 1989b). Moreover, locating values of public administration in an actual historical context often presents difficulties. What constitutes correct conduct and ethical behavior is often implicit and rarely discussed explicitly. This is no surprise, as standards by which to judge behavior are not easy to define.

In this article we present a case study on the corruption and transgressions of the seventeenth-century Dutch public official Lodewijk Huygens (1631–1699), sheriff of Gorinchem between 1672 and 1684. The case study serves a dual purpose. First, on a more conceptual level, it offers an example of a possible approach to some of the problems of locating and observing values underlying capability and defining corruption in a historical context. We propose the use of a broad and flexible definition of corruption, combined with a distinct way of investigating (political) corruption in a historical context by means of corruption scandals and multiple sources of values. The case of Huygens shows how implicit values underlying capability in public administration become apparent or explicit in moments of crisis, such as corruption scandals and trials. It also shows how different sources of values together make up capability.

Second, our approach, combined with the Huygens case, is meant to clarify what constituted capability in 17<sup>th</sup>-century public administration. Our choice of this particular case was not based on its uniqueness. Indeed, many such cases can be found throughout early modern Dutch history.

Rather, the many features in the Huygens case that are common to all such cases, together with the availability of source material, make it a fine example of what was generally considered to be (un)acceptable, (un)wanted and (in)tolerable for such a high-ranking public official in the second half of the Dutch seventeenth century.

Before turning to Huygens, we will first focus our attention on the issue of defining and conceptualizing corruption in a historical context.

### **Defining Corruption: Finding Standards**

Many authors have tried to come up with more or less “objective” standards to define corruption and improper official conduct (for a detailed overview see Heidenheimer *et al.*, 1989). James Scott, for example, proposes what Heidenheimer has called the “public office centered” standard. As Scott sees it, this standard is found in legal codes and rules that apply to public office. Corruption is “the violation of formal duties of a public role because of private-regarding wealth or status gains” (Scott, 1972: 4). Legal rules can serve as a more or less objective standard, which makes this kind of definition relatively easy to operationalize. The obvious downside is that this approach does not take into account the normative issues surrounding corruption that are not captured in legal rules.

A different definition of corruption or improper behavior is suggested by Friedrich and Van Klaveren: corruption is the misuse of public office for private purposes as if it were a private business. Corruption, then, becomes deviant behavior in which private benefits outweigh public interests (Friedrich, 1966: 74; Heidenheimer, 1989a: 3; Klaveren, 1989a). This definition is helpful when formal legal standards are not available or traceable. It does, however, presuppose a distinction between public and private that is highly contested, as well as a fairly clear idea of public interest (compare Rutgers, 2003a; Wagenaar, 2003).

Third, public opinion is often mentioned as a suitable standard. Arnold Heidenheimer asserts, “there is no static definition but a qualitative gradation in terms of public condemnation” (Heidenheimer, 1989b: 161). Congruence between moral condemnation by the elite and by the masses is assumed to determine whether something is corruption in the first place, as well as the severity of the corrupt act. This definition is useful because it takes into account both the moral and social elements of corruption. What is problematic, of course, is the many difficulties involved in defining public opinion.

The downsides of each approach make it unlikely that a single definition of corruption or improper official conduct can be agreed upon. Indeed, much criticism has been directed against the idea of a single standard (Mény & De Souza, 2001: 2828). Nevertheless, in actual historical research such a single standard is often thought to be more easily applicable. An example of the latter can be found in Frank Anechiarico and James Jacobs’ well known book *The Pursuit of Absolute*



*Integrity*. They aptly describe corruption as “a social, legal, and political concept laden with ambiguity and bristling with controversy” and rightly recognize that corruption is a contested label referring to more than just law (Anechiarico & Jacobs, 1996: 16). Nonetheless, although Anechiarico and Jacobs acknowledge the subjectivity of any definition of corruption, they also seem to believe that standards, such as public (mass) opinion and the views of the media, are too vague to take into account (Anechiarico & Jacobs, 1996: 3). In a nutshell, the example of Anechiarico and Jacobs shows the conflict between a desire for applicable definitions and the need to do justice to the complexity of corruption in a (historical) context. How to solve this problem more satisfactorily?

### **The Neo-Classical Approach: An Alternative Understanding of Corruption**

The American political scientist Michael Johnston has advocated a neo-classical approach. For Johnston “corruption cannot be defined exclusively by legal, market [private interests] or public opinion criteria. A concept of corruption has to be flexible enough to include all these sets of norms” (Johnston, 1996: 333). Corruption is “the abuse, according to the legal or social standards constituting a society’s system of public order, of a public role or resource for private benefit.” This definition incorporates all major standards (legal, private interest and public interest). A definition should (therefore) not regard specific individual actions but, instead, broader processes of consent, influence and authority (Johnston, 1996: 329 - 331).

Johnston’s approach has some great advantages, especially when investigating corruption and values underlying capability in a historical context. First, the approach seeks to reconcile narrow modern notions of individual corruption and improper behavior with broader classical concerns about the moral health of whole societies. Second, corruption and improper official conduct are seen as a political and societal issue rather than purely individual acts by public officials. It is a view on corruption that is broad enough to include wrongful individual behavior as well as the political and social processes that define it as such. Third, it allows for a flexible approach to investigate ever-changing interpretations of values. It might help us to understand why certain behavior becomes (un)acceptable in certain periods of time, since the approach invites us to “consider not only how laws affect behavior, but also how they might come to fit established customs” (Johnston, 1996: 331). Finally, Johnston’s approach is useful, since he invites us to investigate how the content of notions of “abuse,” “public role” and “private benefit” is contested in specific places and periods. He believes, it is precisely in the clash over boundaries where concepts such as corruption or capability acquire their meaning.

### **Sources of Values Underlying Capability in the Huygens Case**

In general, Johnston’s approach can shed light on the difficult interaction between formal, explicit, and social, implicit, notions of corruption and improper conduct. It proposes a viable and fairly

concrete way of dealing with corruption without losing sight of the complexity of the phenomenon. This “Johnstonian” or neo-classical approach implies that multiple (implicit and explicit) standards are to be found in different sources of social values in a specific historical context. As argued by Hoetjes (Hoetjes, 1982), different sources often proclaim conflicting values or interpret the same values in different ways. In the Huygens case we will distinguish between three different sources of values. First, legal codes (expressed in legal documents with regard to Huygens’ court case) show what the law (although fragmented in the days of the Dutch Republic) defined as acceptable or proper behavior. Second, public opinion (expressed in pamphlets) will be used as a source of values. The Huygens case will show that a notion of “general or public interests” as opposed to private interests seemed to be more concrete on a local level (Huiskamp, 1995: 37; compare Wagenaar, 2003: 136). Third, codes of the shop floor (everyday rules of professional conduct among officials) will be examined. Although these different sources sometimes overlap, we hope to show how each of these three sources presents a particular view on the values underlying capability. Only when different standards are compared and combined do they provide more insight into the make-up of Huygens’ corruption or (in) capability.

Next, we turn towards Lodewijk Huygens. After a general overview of the case, the sources of values will then be discussed.

### **The Case of Lodewijk Huygens, Sheriff of Gorinchem**

One of the main characteristics of the Dutch Republic was its fragmented political structure, which resulted in a weak central government heavily relying on informal contacts with provincial and local administrators. There was hardly any obvious or natural unity between the seven provinces that formed the Dutch Republic. For example, they often referred to each other in official documents as “allies,” with a strong emphasis on the preservation of provincial autonomy. After their revolt against their ruler, the Spanish king Philip II, in the second half of the sixteenth century the highly autonomous provinces had been united in the States General. This council only handled subjects such as foreign policy or defense on a “national” level. Hence, this administrative body only had limited powers, and the majority of government was carried out on the autonomous provincial level. The closest thing that resembled a constitution or founding charter in the Dutch Republic was the Union of Utrecht (1579), which was in origin and intention solely an alliance to improve the mutual cooperation between the provinces in the war against Spain (Price, 1994: 221).

Authors such as Blockmans have, therefore, emphasized the state’s considerable dependence on such informal systems as brokerage<sup>1</sup> and patronage<sup>2</sup> to relieve pressures between the two main conflicting power structures (on the local and central level), i.e., local provincial government and the States General. The States General, which represented the Union, was often simply too weak to impose its objectives on the autonomous regents of the provinces (and important cities such as Amsterdam) without the use of these “techniques” (Blockmans, 1985: 3, 231, 244).

Besides the autonomous provinces and the States General, a third force to be reckoned with in Dutch politics and administration was the Prince of Orange. Various Princes of Orange had acted as Stadtholder, originally installed as a substitute for the Habsburg rulers ever since the early 16<sup>th</sup> century (Israel, 1995: 300-302). With the Habsburg king Philip II effectively powerless since 1579, the office however remained. The Stadtholder was in charge of the army and had the right to appoint city magistrates. As such, he was a powerful representative of the central government (Fockema Andreae, 1975: 6). When trying to increase his power, he often came into conflict with local administration in cities and provinces. Much like the weak States General, the Stadtholder was largely dependent on provincial and local support. One of his most important tasks was to recruit as much supporters for his policy and position as possible. Roorda (1961) focuses on this developing tradition, whereby the Stadtholder appointed bailiffs and sheriffs as local party leaders. The Stadtholder would, for instance, appoint sheriffs (such as Lodewijk Huygens) in cities to advise him on the appointment of members of the town council and other provincial or city offices. The sheriff often was an important local administrator who also acted in legal matters (Roorda, 1961: 246).

After the death of Stadtholder William II in 1650, the provinces barred the appointment of a successor. With the Stadtholder gone, the largely autonomous provinces now possessed the power to appoint magistrates themselves. In the town of Gorinchem the consequences of such power struggles were felt as much as anywhere. With the passing away in 1652 of Jacob van Passenrode, the powerful sheriff of Gorinchem, the States of Holland appointed Carel van Zijl as the new sheriff of Gorinchem in 1653. Van Zijl, however, eventually lost this position as a result of the political upheaval in 1672. The events of 1672, most notably the French invasion of the Dutch Republic, led to a call for a strong man and the coming into power of Stadtholder William III (1672 – 1702) (De Wit, 1981: 4, 6). In the same year, the new Stadtholder awarded the office of sheriff of Gorinchem to Lodewijk Huygens (1631 – 1699), son of the poet and diplomat Constantijn Huygens (1596 – 1687). The latter was a former secretary to the Princes of Orange and had been looking for lucrative offices for both his sons for some time. The newly appointed sheriff also received support from William's headquarters, since his brother Constantijn Jr. filled a position in the Prince's clerk office (Roorda, 1961: 217).

The considerable freedom and power enjoyed by officials appointed by the Stadtholder often resulted in notorious cases of extortion and abuse of office. The case of Lodewijk Huygens is a notable example of this phenomenon (Israel, 1995: 811). Of course, men like Huygens were in a difficult position as a result of the complicated division of power in the Dutch Republic. In his political dealings Huygens was accountable to the Gorinchem city magistrates as well as to his patron, William III. As sheriff, he had to befriend both levels of administration, which made his intermediary position a vulnerable one. Any reprehensible activities not only could expose him to attacks from his fellow magistrates but also could cause a fall from grace with his patron, the Stadtholder. Thus, Huygens' position required a lot of tact, sensibility and political insight.

The document regarding Huygens' appointment contains several references to the commendable

character traits with which the new sheriff was credited. Most probably these descriptions of his benevolent nature only formed part of the formal procedure to install a magistrate in office. The document and the “values” it speaks of, therefore, can not automatically be regarded as references to his actual personality (as we shall see, Huygens did indeed deviate substantially from what was formally expected of him). Yet, the document does tell us what kind of virtues and values were expected of a magistrate like Huygens. A capable magistrate should at least possess such character traits as usefulness, capability, wisdom and experience. He should be pious, loyal and serious (papers regarding Lodewijk Huygens, 09-20-1672, National Archives [NA], Records Provincial Court of Holland [PC], inv. nr. 5316.23).

### **Improper Conduct, Strife and Legal Consequences**

As a consequence of a resolution accepted by the Gorinchem town council, its members were obligated under oath not to importune the Stadtholder with requests to intervene in the appointment of relations to lucrative offices. The document stated that the sheriff, Huygens, should be the sole magistrate with the authority to appoint people to much sought-after positions. This meant that Lodewijk Huygens, as sheriff of Gorinchem (and also in charge of dyke maintenance of the nearby Land of Arkel), was awarded the exclusive power to recommend and appoint a person to office. Critics were silenced as they feared a possible rejection by the Prince (Knuttel, 1978: microfiche [mf.] 11414, 1676). The resolution and subsequent increase in power, however, did not contribute much to Huygens’ popularity.

Huygens quickly started to use this powerful position to collect large amounts of money and gifts in return for awarding important offices to those who paid him. Aspiring members of the town council, such as Schilthouwer, De Bont and Van Burgharen, offered Lodewijk Huygens hundreds of guilders for a lucrative seat in the town council. Although these practices were not uncommon, the demands Huygens made proved to be extravagant; his behavior went beyond what was morally or socially acceptable at the time. The sheriff, for instance, extorted 315 guilders from the mother of magistrate Van der Meulen. Van der Meulen had used the city servants without the sheriff’s permission in order to apprehend a debtor who had to repay money to his mother. Neither did Huygens baulk at taking large amounts of peat from the communal reserves of the Land of Arkel, during a time when peat was sold at a high price in the city. Huygens used the confiscations for personal use without providing any kind of compensation (Knuttel, 1978: mf.11414, 1676).

Huygens’ behavior was soon attracting much attention. Most notably, he came into conflict with one of his former supporters and fellow magistrate, Jacob van der Ulft. The former allies each started to recruit their own supporters which ultimately led to a total alienation between both groups in the autumn of 1675. Huygens’ faction by then held a minority position, as they lacked the one man necessary to obtain the majority in the town council. Therefore, Constantijn Jr., secretary to Stadtholder William III, passed on a confidential piece of information to his brother

Lodewijk. It concerned a note written by Van der Ulft, retrieved from the Prince's chancellery, which contained derogatory remarks about the Stadtholder. It also implicated a member of the town council, Jacob Erckelens. Huygens used this information to pressure Erckelens into changing his allegiance.

Opponents of Huygens retaliated by petitioning the provincial court of Holland regarding the sheriff's actions, as these were a clear violation of the Edict of Amnesty. This edict safeguarded anyone implicated in the political revisions of 1672, when supporters of the Prince clashed with those of Pensionary De Witt. Opponents of the Stadtholder would be protected from prosecution for any harmful remarks made against William III in this turbulent year. Following the petition by Van der Ulft's supporters, the court issued a decree of impunity for Van der Ulft. This, once again, opened the door to further investigation of Huygens' misconduct, while safeguarding Van der Ulft and his supporters. At the same time, the court realized that this decision would disproportionately implicate the sheriff as compared to his opponents. It therefore toned down the proceedings against Huygens (De Wit, 1981: 22; Knuttel, 1978: mf.11414, 1676; Roorda, 1984). Still, behind the scenes, the strife continued as both factions competed for power. The conflict also surfaced in various pamphlets. In a message from the city of Gorinchem to the States of Holland, Lodewijk Huygens' avarice and haughtiness were considered to be the causes of the sheriff's abuse of his position, resulting in "considerable disadvantages to justice, 'administration' and finance" (Knuttel, 1978: mf.11415, 1676). Adherents of Huygens were quick to respond by denouncing the accusations as false and malicious, and having the sole purpose of injuring the sheriff's already tarnished reputation (Knuttel, 1978: mf.11416, 1676).

The wide gamut of accusations and conflicts surrounding Huygens ultimately had legal consequences and resulted in a sentence by the provincial court in 1676. His provisional suspension, which had already been imposed beforehand, would be annulled as soon as the sheriff had complied with the demands set forth in the sentence. The court debated whether or not it was justified to reinstate Huygens as sheriff of Gorinchem if he mended his ways. Despite his abuses as office holder it was deemed acceptable to annul Huygens' provisional suspension under the conditions set forth in the verdict, as the judicial decision had already made it sufficiently clear that the magistrate had fulfilled his position in a disgraceful way (Knuttel, 1978: mf.11414, 1676).

Following the court's decision with regard to the suspension, Huygens was able to return as sheriff of Gorinchem, which (not surprisingly) led to further internal strife in the city. His opponents successfully called upon the States, who on April 8<sup>th</sup> 1678 forbade the sheriff to enter the burgo-masters' meeting room and attend meetings of the town council. The Prince, after all, still Huygens' patron, reversed this decision and stressed that Huygens should be present at gatherings regarding city affairs, although he should refrain from attending meetings on affairs of state (De Wit, 1981: 23; Knuttel, 1978: mf.12224, 1684, folio [f.] 6). In pamphlets, complaints were of course still being ventilated about Huygens having escaped his just punishment, which had allowed him to continue his "reign" in the city of Gorinchem. Opponents denounced Huygens' character flaws, such as avarice and maliciousness. They also continually accused him of fla-



grant violations of edicts and ordinances (Knuttel, 1978: mf.12224, 1684). Conflicts remained numerous and always ready to erupt.

Huygens, however, was not the only magistrate to be accused of transgressions. Similar abuses were to be found on the side of the sheriff's adversaries, showing the double standards and hypocrisy often present in such scandals. Van der Ulft, for example, would ultimately be replaced by Johan van der Staal as leader of the opposition. Van der Ulft had fled to The Hague after he had been accused of financial abuses of his own: as collector of the city's finances he had apparently embezzled thousands of guilders. After his capture, the former leader was taken back to Gorinchem, where he was imprisoned. This resulted in a jurisdiction dispute between the city and the provincial court regarding the prosecution of Van der Ulft. A provincial bailiff and his helpers were sent to the city; they attacked Van der Staal in the street with the sole aim to take him hostage in order to exchange him for wanted Van der Ulft. Ultimately this attempt was thwarted and Van der Staal was able to escape. Lodewijk Huygens had known about the operation and had condoned it. The attempt to kidnap Van der Staal, with Huygens' knowledge, resulted in Van der Staal becoming the sheriff's main opponent, replacing Van der Ulft (De Wit, 1981: 24-25).

Another telling conflict in the period after Huygens' provisional suspension and sentencing by the provincial court of Holland was caused by the appointment of officers in the civic militia. When on the 28<sup>th</sup> of April, 1684, Huygens' opponents entered the town council's chamber, they were informed by the other members of the council, notably the supporters of the sheriff, that the election had already taken place earlier in the day at Huygens' instigation. Both factions came to blows as a wig was grabbed from the head of one magistrate and threats were uttered that the encounter would become even more physical (Knuttel, 1978: mf.12374, 1685, f.33-34). In the same year, the burgomasters Van der Staal en Borman tried to be of service to those citizens of Gorinchem who had financial claims on the city. All financial obligations to the inhabitants were to be settled by the sale of the city's canons. In this way, the ongoing strife between supporters and opponents of Huygens spread to all citizens of Gorinchem as the sheriff's adversaries tried to persuade the public of their common cause. Huygens and his companions, however, caused much agitation when they prevented the transactions, as the sale was considered to be harmful to the city (Knuttel, 1978: mf.12221, 1684; mf.12222, 1684).

The opposition to Huygens, still led by Van der Staal, desperately tried to get rid of the sheriff. Van der Staal, for example, tried to gain support from the Prince by deciding to vote in favor of the expansion of the army during an assembly of the States of Holland in May. On the 31<sup>st</sup> of July 1684 Van der Staal and Borman took advantage of the unrest in Gorinchem and made their way to the Prince to inform the Stadtholder of the disorder the city had been thrown into, supposedly by Huygens. William, susceptible to the magistrates' arguments, decided to send a regiment of the count of Horn to Gorinchem to restore order. Both burgomasters used their suddenly acquired power to enforce their political objectives (i.e., to get rid of Huygens) by military means. As soon as the Prince realized what their true motives were, he immediately ended the military intervention (Knuttel, 1978: mf.12222, 1684).

Eventually Huygens' faction did succumb to all these attacks. Huygens fell from the Prince's grace in 1684 (Roorda, 1961: 250). The level of conflict and strife in Gorinchem had brought William III to the conclusion that Lodewijk Huygens' position was no longer tenable. By way of compensation the former sheriff was appointed member of the Gorinchem town council and the admiralty of the Meuse (De Wit, 1981: 31). This was an obvious demotion. Yet, it can also be considered a final act of goodwill by the Prince: after all, Huygens was not cut loose entirely. It is likely that the appointment was intended to avoid Huygens losing face.

### **Legal Codes in the Huygens Case**

The judicial sentence issued by the provincial court in 1676 provides an interesting view on Huygens' capability as seen through the legal codes and rules thought to apply to the Huygens case. During the judicial interrogations the sheriff was closely examined on a variety of points. He was, for instance, asked about his finances and the emoluments not accounted for in his financial administration. The possible abuse of composition was also brought up, as the court suspected that he had illegally appropriated fines that had been imposed on inhabitants (papers regarding Lodewijk Huygens, NA, PC, inv. nr. 5316.23). "Composition" involved payment by a delinquent to a legal officer in order to avoid a criminal prosecution or sentence, and was considered relatively normal. The judicial office holder would receive a percentage of the amount paid, which made composition of criminal offences a lucrative business. This practice would often deteriorate into extortion, as was the case with Huygens: the threat of legal consequences often sufficed to extract immediate payment from anyone who had been (justly or unjustly) incriminated (Hovy, 1980: 413). In its final sentence the court felt that Huygens should have acted with more discretion and should have abstained from accepting gifts, as his actions were in clear violation of a resolution of the States dated March 26<sup>th</sup>, 1675. Huygens countered with the argument that he was not aware of the criminal and malicious character of his actions (sentence regarding Lodewijk Huygens, 07-03-1676, NA, PC, inv. nr. 5312.17.) His defense was to no avail, and he was sentenced to repay all money received as well as an additional fine of six thousand guilders. Furthermore, sections in the legal files speak of abuse of official means in order to obtain private gain (papers regarding Lodewijk Huygens, NA, PC, inv. nr. 5317.25).

The court's evaluation of Huygens' conduct appears to have been well within the confines of the law. Oaths and resolutions taken at the provincial and local levels clearly stated that obtaining office by offering money or gifts was not allowed. In the Dutch Republic norms had been clearly defined in an edict issued during the Grand Assembly of the States, dated July 1<sup>st</sup>, 1651 (Knevel, 2001: 146). From then on rules regarding gift exchange intended to strengthen political ties had become more stringent. States of several provinces promised to carry out the resolutions and verdicts against perpetrators of the edict mentioned above and to uphold these in a strict manner. Compliance was supposedly guaranteed by an "Oath of Purification" that office holders were obliged to take (Huiskamp, 1995: 29). A similar resolution was issued by the States of Holland and West-Friesland on March 26<sup>th</sup>, 1675, and included an oath of office that magistrates were re-

quired to take. In this document the receiving of money for furnishing the positions of burgo-master, member of the town council or any other political office was deemed detrimental to the welfare of the state, possibly even ultimately leading to its downfall (papers regarding Lodewijk Huygens 03-26-1675, NA, PC inv. nr. 5317.25).

## Public Opinion

The corruption scandal concerning Huygens' behavior was also mentioned in many pamphlets, which, in turn, contributed much to the (public) debate on his transgressions. These pamphlets were not written by outsiders; every document had been written by a member of one of the rivaling factions in Gorinchem, in order to influence and enlarge their share of supporters. Thus, although it is difficult to say whether these pamphlets were in fact "public opinion," one could argue that the different arguments could be regarded as reflections or expressions of what both factions *expected the public to consider* reprehensible behavior. From these pamphlets we can at least learn what these officials *would like the public to believe* about their own behavior and that of their adversaries. Furthermore, one could argue that the arguments expressed in pamphlets reached a wider audience than just those directly involved in the scandal. Of course, a detailed investigation of the reception and use of pamphlets in the seventeenth century falls outside the scope of this article. This does not mean, however, that we should disregard what is being said in these sources. Of course, many of the accusations being hurled back and forth in pamphlets can for a large part be attributed to the ongoing (political) strife within the city of Gorinchem. Something as vague as the common interest was most likely used only to further the specific interests of each party. At the same time the pamphlets contain some sound arguments regarding Huygens' behavior and transgressions.

One of the most striking features of the (public) strife between the two factions emanating from the pamphlets is the fact that they seem to argue from [commonly] shared assumptions about *incapability*. Both supporters and opponents of Huygens use similar arguments, mainly concerning maladministration and corrupt practices, to inflict damage to each other. The enemies of the sheriff brought Huygens' avarice, deceit and abuses to the attention of the States of Holland (Knuttel, 1978: mf.11415, 1676). The line of reasoning adopted by Huygens' adherents was twofold. First, they were quick to react with the argument that the sheriff's accusers had themselves committed similar crimes (Knuttel, 1978: mf.11414, 1676). Secondly, Huygens' supporters tried to defend the acceptance of gifts by saying that these had been given on a voluntary basis by the Gorinchem magistrates (Knuttel, 1978: mf.11416, 1676). This, of course, would make it all right! Furthermore, some of the pamphlets labeled Huygens' actions "criminal," because he did not fulfill his task of protecting the interests of the community. This was clear, since he had been stealing peat and was therefore robbing the common land (Knuttel, 1978: mf.11415, 1676, f.15-16).

The view on receiving money in exchange for offices as expressed in the pamphlets is highly ambiguous. Huygens' adherents tried to defend the practice of receiving gifts, while at the same

time arguing that their opponents committed themselves to these excesses. In doing so, the sheriff's faction implicitly admitted its own flaws. Perhaps, they assumed that the public would not condone the excesses associated with gift exchange. Nonetheless, the reception of money for offices was in itself not explicitly condemned in public. Both parties only used its extravagances to denounce the adversary. As set boundaries were being violated and the power to appoint people to offices rested in the hands of one person (the sheriff), both parties tried to either uphold or denounce the newly-established political relations. Influencing public opinion in order to gain support or injure the opposing faction was an essential part of the political strategy.

### **Codes of the Shop Floor**

In seventeenth-century everyday political practice, payment in exchange for public office was generally accepted among the ruling elite. However, this does not mean that the possibilities for buying office were unlimited: unsuitability, or having a father who was already a member of the town council, for instance, were obstacles to obtaining office. Often, the acquisition of lucrative positions was determined on principles of seniority and rotation, so the arbitrariness in the rotation of positions and power was frowned upon (compare Witte van Citters, 1873). Roorda (1961) has argued that within the relatively closed group of patricians and regents there was a comparative balance with regard to the rotation of offices, preventing an unbridled struggle for power between rivaling factions (Roorda, 1961: 49). The same argumentation applies to gift exchange; Huiskamp (1995), for instance, concludes that within the political arena it was not the gift itself that was considered inappropriate and corrupt but the measure in which the gift transgressed the clearly defined boundaries of the public domain. Only when these boundaries were threatened were gifts considered objectionable (Huiskamp, 1995: 50).

In the Huygens case the newly appointed sheriff was a political outsider to the Gorinchem political arena. As we have seen, the town council, possibly due to pressure from the Stadtholder, even gave Lodewijk Huygens the sole power to appoint persons to offices. Not surprisingly, the local magistrates were reluctant (or downright afraid) to oppose Huygens' choices or question his policy (Knuttel, 1978: mf.11414, 1676). Despite his difficult position, having to fulfill the expectations of the Prince as well as the Gorinchem magistrates, the sheriff started to appoint his supporters to important (and often financially lucrative) offices. Yet, the arbitrariness reflected in Huygens' actions was not considered acceptable according to contemporary standards, as a large part of the city's ruling elite was excluded from influential positions. This was the case, for instance, with regard to burgomaster Erckelens, whom we already encountered earlier in this article. Erckelens had paid 200 guilders to retain an office involving the supervision over the dykes. Yet, eventually Lodewijk Huygens decided to distribute the powers of this position over three separate persons (and collect more money in the process!). Erckelens was allowed to keep only part of his responsibilities. Complaints were uttered about the violations of these time-honored customs, as other administrative bodies should have had a vote in the allocation of this office (Knuttel, 1978: mf.11414, 1676). Thus, the political practice of the "shop floor" did not rule out rotation

of offices. Instead, it was a widely accepted practice. The issue people seemed most to object to was the (outright) abuse of this established tradition: time-honored customs regarding the appointment into office should be respected. Much like today, the practice of giving key administrative posts to supporters resulted in friction and strife.

Viewpoints on gift exchange or appropriation of funds were more ambiguous. Both Huygens and Van der Ulft, for instance, received or appropriated excessive amounts of money from the city's finances or in exchange for offices. These practices were condoned as long as most magistrates were able to profit. Office holders who failed to take this into account ran the risk that adversaries could use their actions against them in case of political strife. This is exactly what happened to Huygens. His actions and transgressions caused increasingly strained relations, eventually resulting in accusations of maladministration made against the sheriff. It is important to realize that these reproaches were the result not only of the disproportionate power shift after 1672 but also of infringements on several magistrates' sense of correct political practice.

Huygens' own legal defense, finally, also provides us with meaningful insights into the everyday rules or standards regarding capability. It offers a view on his own standards of conduct and his own thoughts about what was actually expected of him. In his defense before the provincial court regarding his (provisional) suspension, the sheriff (of course) strenuously denied all the accusations brought against him. According to Huygens, for instance, he had not abused his right of composition as the fines were "of a civil nature only" and not criminal. He also denied having used any of his public income to his own advantage (while remaining unclear about what he did spend it on) (papers regarding Lodewijk Huygens, NA, PC, inv. nr. 5316.23). As to the acceptance of gifts and money in exchange for offices, one of the main accusations against him, Huygens bluntly stated that he had not taken any oath concerning the matter, neither at the beginning of his position nor afterwards. He even said that he did not consider the acceptance of gifts to be at odds with his job description (papers regarding Lodewijk Huygens, 11-14-1675, NA, PC, inv. nr. 5316.23). Huygens' argument that he did not deem the offering of presents to be at odds with his office was not that strange. As mentioned earlier, political practice allowed for the exchange of gifts for positions. It was only when the balance concerning the acceptance of gifts and the rotation of offices was disrupted complaints about such practices appear to have arisen. His major mistake, it seems, was not to have figured this out.

Huygens also appealed to other than strictly legal arguments in his defense. From the legal documents we may note an emphasis on his pardonable character traits. Huygens' reply to the court was similar to arguments brought forward by his father. In a letter from Constantijn Huygens Sr. to William III on behalf of his troubled son, the worried father requested the Prince's assistance in solving Lodewijk's troubles in Gorinchem. This letter provides us with a good insight into the attempts to solve the matter in an informal way. It states that Lodewijk's problems were the result only of the calumnies by his opponents. At the same time, Huygens Sr. appealed to his son's inexperience, ignorance, and clumsiness. He suggested that Lodewijk still had to learn to "play the game"—something he obviously was not very good at yet (Huygens & Worp, 1911: letter#



6998, 12-18-1675).<sup>3</sup> The appeal to inexperience and ignorance sounds reasonable when one considers that Lodewijk had not had much training. The absence of a suitable (junior) position for Constantijn Senior's son in the first Stadtholderless period proved to have been detrimental to Lodewijk's suitability as a magistrate. Clearly, he had not been able to (fully) develop his political skills.

### Capability and Corruption in the Case of Lodewijk Huygens

Rudolf Dekker may have been correct in his statement that the term "corruption" received its modern (i.e. individual, non-Aristotelian) meaning in the Dutch Republic earlier than elsewhere, as Dutch individual officials became bound by legal strictures at a relatively early stage (Dekker, 1994: 14). However, this in itself does not tell us much about the scope and effectiveness of the legal standards actually imposed on office holders. Despite the attempts to curb abuses of office by law, and despite a development toward a more abstract notion of political office, values from the judicial arena often collided with ideas on capability within everyday practice and public opinion. In a closer analysis Huiskamp (1995) says that corruption did have a univocal meaning on a formal-legal level, although political behavior was not constantly compared with the contents of edicts or decrees. The (judicial) monopoly on the public domain was nothing more than pretence the central government was trying to uphold. Huiskamp also argues that norms on corruption did exist, as reflected in the ordinances issued by local and central authorities, and [some] breaches of the law were officially sanctioned. Yet, he also states that it is impossible to speak of "corruption," since a real unambiguous standard did not exist (Huiskamp, 1995: 29-30).

At first glance, this argumentation seems to be supported by the Huygens case. Critics, for instance, reprimanded Huygens for accepting gifts from newly appointed members of the town council *without having made any preceding contract or convention* (Knuttel, 1978: mf.11415, 1676). The acceptance of gifts *in itself* was not an issue. It seems as if these practices were condoned as long as some kind of preliminary agreements were made regarding the exchange of gifts for positions. The fact that accepting money for offices was condemned by law nevertheless did not stop many officials from "selling" and "buying" positions. Of course, this might be seen as an affirmation of Huiskamp's (1995) statement about the relatively marginal importance of any legal standard concerning corruption. Indeed, edicts or resolutions could be circumvented or ignored in actual daily practice.

However, this does not mean that we cannot define or label this kind of behavior as corrupt or improper. When we apply our broad "Johnstonian" definition of corruption to the Huygens case, the different sources of values or standards of conduct underlying the corruption scandal each appear to provide us with different perspectives on his (in)capability. Legal arguments, opinions expressed in public pamphlets, and codes of the shop floor all make their own specific contribution to this puzzle. Only a comparison between these standards can establish Huygens' corruption or (in)capability.

The law as expressed in the provincial court's sentence mainly referred to decrees, regulations and oaths of (public) office. Besides the fact that Huygens ignored these laws and regulations, the court also felt, he should have acted with more circumspection and discretion. Had he done that, his actions would have been acceptable and no court proceedings would have been started. This possibility is corroborated by the fact that Huygens was indeed only *provisionally* suspended and, as a result of his sentence, only had to pay a fine and return the money received. He did not, for instance, lose his (still powerful) position.

The different factions in Gorinchem, whose quarrels were fought out in the public pamphlets, seem to have argued from the same set of values. As we have seen, they accused each other of committing the same crimes. Furthermore, it seems that their assumptions of capability and (im)proper behavior were mostly a matter of political strife, making much of what is said in these pamphlets rather ambiguous. One argument in particular stands out: Huygens' actions, it was felt, were harming "justice, administration and finances." He was clearly not properly protective of the interests of the community.

The codes of the shop floor provide us with arguably the best view on values underlying capability in this case. We could say that these codes are something like a middle platform between official, "hard-line," legal rules, on the one hand, and ambiguous, political and often hypocritical opinions expressed to the outside world, on the other. On shop-floor level we are, in other words, more likely to see motives and opinions for what they really were. The codes of the shop floor were apparently fairly structured, although somewhat implicit. There were rules and regulations commonly agreed upon, concerning such issues as money for office and the reception of gifts. Offices, for example, were obtained on the basis of principles of rotation and seniority. As long as the equilibrium or balance of powers was not threatened, much was allowed in everyday political practice.

Yet, Lodewijk Huygens appears to have completely flouted all local customs, lacking the necessary skill and tact to survive as a public official on the local level of public administration. If anything, Huygens' case shows his total disregard of the old customs of Gorinchem and the power balance, since he excluded a large part of the local elite from the process of applying for office. Apart from anything else, it seems to have been the disruption of the status quo that sparked most of the conflicts and indignation among his peers. Yet, excesses were condoned as long as every magistrate was able to participate and profit. Capability, in this sense, was nothing more than the preservation of the political balance and the upkeep of informal rules regarding office, gift exchange and appropriation of funds. Here, we might note some similarity between early modern and contemporary administration. Then and now, if an official offends key interests his days are likely to be numbered. As long as the majority benefits, certain practices are always likely to be condoned, regardless of legal rules or ethics.

As a newly-appointed sheriff in the seventeenth century, Huygens was a political outsider appointed by a patron who was "far away" in The Hague. Being from The Hague himself, the new

sheriff apparently had other expectations regarding the everyday rules by which the Gorinchem administration should be conducted. The shop floor codes of the post-1672 years clearly did not allow for the arbitrary and excessive actions taken by Huygens. Thus, the accusations directed at Huygens were not only a result of the disproportionate power shift but mainly came from infringements on several magistrates' sense of "righteousness" and assumptions of capability. Furthermore, personal virtues appear to have been of the utmost importance when fulfilling a position. As the office and the magistrate occupying it were closely connected, judgment on whether or not an individual acquitted himself adequately of his task depended on his personal traits rather than on abstract (legal) notions of integrity or capability. Again we may note a similarity with present-day administration. Lacking essential skills and tact to survive as a public official (as was clearly the case with Huygens) almost always guarantees one's downfall.

The Huygens case shows that, in order to locate, interpret and define improper conduct, corruption or (in)capability, we may need to look at multiple sources of values (i.e. standards to define corruption) rather than any single standard of corruption. It is the conflict between these sources of values and the clash over established but often implicit boundaries that constituted corruption and the (in)capability of Lodewijk Huygens. As we have seen, the legal standards in themselves, for instance, do not provide an all-encompassing answer, but are supplemented by other sources. Clear differences can be seen between the legal objections to Huygens' behavior and objections expressed in pamphlets and codes of the shop floor. The Huygens case shows that capability mainly implied adherence to the "shop-floor codes." Legal and public opinion standards were certainly not irrelevant but apparently of limited actual importance. A capable magistrate was expected to at least maintain harmony and balance on the practical "shop-floor" side of the political arena.

## References

- Anechiarico, F., & Jacobs, J. B. (1996). *The pursuit of absolute integrity: How corruption control makes government ineffective*. Chicago, Ill., [etc.]: The University of Chicago Press.
- Blockmans, W. (1985). Corruptie, patronage, makelaardij en venaliteit als symptomen van een ontluikende staatsvorming in de bourgondisch-habsburgse nederlanden. *Tijdschrift voor sociale geschiedenis*, 11, 231 - 247.
- Caiden, G. E. (2005). An anatomy of official corruption. In H. G. Frederickson & R. K. Ghore (Eds.), *Ethics in public management* (pp. 277 - 296). Armonk N.Y.: Sharpe.
- Copp, D. (1995). *Morality, normativity, and society*. New York, N.Y., etc.: Oxford University Press.
- De Wit, H. F. (1981). *Gorcums heren: Regentenpolitiek 1650-1750*. Gorinchem: Stichting Merewade.

Dekker, R. M. (1986). Corruptie en ambtelijke ethiek in historisch perspectief. *De Gids*, 149, 116-121.

Dekker, R. M. (1994). "schijnheilig atheïst" bernard mandeville als pamflettist tijdens het costermanoproer in rotterdam in 1690. *Holland: regionaal-historisch tijdschrift*, 26(1).

Fockema Andreae, S. J. (1975). De nederlandse staat onder de republiek. De Nederlandse staat onder de republiek, 7e ongew. dr.

Friedrich, C. J. (1966). Political pathology. *The Political Quarterly*, 37(1), 70 - 85.

Groenveld, S. (1988). "c'est le père, qui parle". Patronage bij constantijn huygens (1596-1687). In *Jaarboek oranje-nassau museum* (pp. 53-107). Zutphen: Walburg Pers.

Heidenheimer, A. J. (1989a). Terms, concepts, and definitions: An introduction. In A. J. Heidenheimer, M. Johnston & V. T. LeVine (Eds.), *Political corruption: A handbook* (pp. 3 - 14). New Brunswick and Oxford: Transaction Publishers.

Heidenheimer, A. J. (1989b). Perspectives on the perception of corruption. In A. J. Heidenheimer, M. Johnston & V. T. LeVine (Eds.), *Political corruption: A handbook* (pp. 149 - 163). New Brunswick and Oxford: Transaction Publishers.

Heidenheimer, A. J., Johnston, M., & Vine, V. T. I. (Eds.). (1989). *Political corruption: A handbook*. New Brunswick, N.J., etc.: Transaction.

Hoetjes, B. J. S. (1982). *Corruptie bij de overheid: Een bestuurlijk en politiek probleem, sociaal-wetenschappelijk beschouwd*. s'Gravenhage: Vuga.

Hovy, L. (1980). Schikking in strafzaken in holland tijdens de republiek. *Scrinium et scriptura*, 413-429.

Huiskamp, R. (1995). Tussen centrum en periferie. Giften en corruptie in de vroegmoderne politiek. *Volkskundig bulletin*, 21(1), 27 - 58.

Huygens, C., & Worp, J. A. (1911). De briefwisseling van constantijn huygens (1608-1687).

Israel, J. I. (1995). *The Dutch republic: Its rise, greatness, and fall 1477-1806*. Oxford: Clarendon Press.

Johnston, M. (1996). The search for definitions: The vitality of politics and the issue of corruption. *International social science journal*, 149(3), 321-336.

Klaveren, J. v. (1989a). The concept of corruption. In A. J. Heidenheimer, M. Johnston & V. T. LeVine (Eds.), *Political corruption: A handbook* (pp. 25 - 28). New Brunswick and Oxford: Transaction Publishers.

Klaveren, J. v. (1989b). Corruption as a historical phenomenon. In A. J. Heidenheimer, M. Johnston & V. T. LeVine (Eds.), *Political corruption: A handbook* (pp. 73 - 86). New Brunswick and Oxford: Transaction Publishers.

Knevel, P. (2001). Het haagse bureau: Zeventiende-eeuwse ambtenaren tussen staatsbelang en eigenbelang. *Het Haagse bureau*.

Knuttel, W. P. C. (1978). *Catalogus van de pamfletten-verzameling berustende in de koninklijke bibliotheek* (Herdr., met handgeschreven verbeteringen, aanvullingen en varianten; met een inleidend essay en een handleiding voor de gebruiker door H. van der Hoeven. ed.). Utrecht: HES Publishers.

Mény, Y., & De Souza, L. (2001). Corruption: Political and public aspects. In N. J. Smelser (Ed.), *International encyclopedia of the social and behavioral sciences* (pp. 2824 - 2830). Amsterdam.

Price, J. L. (1994). *Holland and the Dutch republic in the seventeenth century: The politics of particularism*. Oxford: Clarendon Press.

Roorda, D. J. (1961). *Partij en factie: De oproeren van 1672 in de steden van holland en zeeland, een krachtmeting tussen parten en facties*. Groningen: Wolters.

Roorda, D. J. (1984). Constantijn huygens de zoon en zijn ambt. In S. G. A.J.C.M. Gabriëls, J.A.F. de Jongste (Ed.), *Rond prins en patriciaat: Verspreide opstellen* (pp. 94-116). Weesp: Fibula-Van Dishoeck.

Rutgers, M. R. (2003a). Publiek en privaat binnen de bestuurskunde. In G. S. A. Dijkstra, F. M. v. d. Meer & M. R. Rutgers (Eds.), *Het belang van de publieke zaak. Beschouwingen over bestuurskunde en openbaar bestuur*. Delft: Eburon.

Scott, J. C. (1972). *Comparative political corruption*. Englewood Cliffs: Prentice-Hall.

Van Wart, M. (1998). *Changing public sector values*. New York & London: Garland Publishing, Inc.

Wagenaar, F. P. (2003). Wine turned sour? Private gain, public verdict: Seijs, scheepmaker, and the public/private dichotomy. In M. R. Rutgers (Ed.), *Retracing public administration* (Vol. 7, pp. 107 - 143). Amsterdam etc.: JAI.

Witte van Citters, J. d. (1873). *Contracten van correspondentie en andere bijdragen tot de geschiedenis van het ambtsbejag in de republiek der vereenigde nederlanden*. 's-Gravenhage: Nijhoff.

## Records

### National Archives [NA]

*Records Provincial Court of Holland [PC]* (access number: 3.03.01.01):

Inv. nr. 5312.17 (1676), *Sentence regarding Lodewijk Huygens, sheriff of Gorinchem*

Inv. nr. 5316.23 (1678), *Papers regarding Lodewijk Huygens*

Inv. nr. 5317.25 (1678), *Papers regarding Lodewijk Huygens*

## Endnotes

---

<sup>1</sup> *Brokerage* entailed situations where intermediaries could use their access to influential persons or public means to make other people dependent on them.

<sup>2</sup> *Patronage* is a special type of interpersonal relation in which bonds are formed between individuals of unequal power and socioeconomic status, with the aim of extracting mutual benefits through exchange of favors. Its main function is to (re)produce effective ways of promoting the interests of patrons and clients.

<sup>3</sup> Family relations considerably complicated matters. According to Roorda, Constantijn Sr. was aware that suspicions against Lodewijk Huygens could have serious consequences for his elder brother Constantijn Jr. Allegations against Constantijn Jr. would be easier to make if his younger brother Lodewijk was found guilty of abuses (Roorda, 1984: 104). Groenveld furthermore tells us in detail of Constantijn Senior's efforts to obtain and secure considerable positions for both his sons (Groenveld, 1988).

---

**Michel P. Hoenderboom** is a PhD-student at the department of Public Administration and Organization Science, Vrije Universiteit Amsterdam. He is mainly interested in the history and development of public values in the Dutch Republic between 1650 and 1750.

**Toon Kerkhoff** is a PhD-student at the Department of Public Administration of Leiden University in the Netherlands. His research efforts focus on ethics in public administration, corruption and administrative history.



---

# Political Corruption Scandals in the Netherlands in the Nineteenth Century: The Letters Affair of 1865

Ronald Kroeze

---

## **Preface: “Bouwfraude”**

By the end of 2001 the Dutch political climate was severely polarized as a result of, among other reasons, integration problems, an economic recession, and the arrival on the scene of the successful political protest leader Pim Fortuyn. In this climate, the Dutch TV programme *Zembla* revealed in November that civil servants had for many years been taking bribes from large construction companies in exchange for favouring these companies in public construction orders. Dutch opinion leaders, members of Parliament and civilians were shocked and asked for an investigation. As a result, the Dutch Parliament agreed to start a so-called *parlementaire enquête* (parliamentary inquiry); a sort of public tribunal in which everybody who has been subpoenaed by the special investigation commission—consisting of members of Parliament from all political parties—is cross-examined under oath. A year later, the commission finished its investigations and concluded that fraud had indeed been going on for many years, and that already by 1998 the first signals that things were going wrong had been communicated to the Department of Justice. What was most striking, however, was not only the mere fact that civil servants had been bribed, but that this had been going on for so many years without any action being taken to stop it. The former minister of Justice, by then minister of Defence, resigned after the presentation of the report. The criminal prosecutions were accompanied by great moral indignation, which fitted the climate of growing polarization well. It stimulated the call for political and moral renewal and the discussion about moral standards in politics and public administration. After the dramatic election of 2002—when the ruling coalition government suffered an overwhelming defeat—the *bouwfraude* became one of the major reasons for the new coalition government to stimulate a wider debate about public values and norms, and to discuss the question how civilians, businesspeople, civil servants and politicians should deal with these aspects (www.parlement.com, *Parlementaire Enquête Bouwfraude*, 2002-2003).

## Introduction

The example of the *bouwfraude* illustrates a number of self-evident components of corruption scandals: the role of the media required to make a scandal public, the myriads of different actors with different public roles and opinions, the difference between formal public behaviour and the actions of public officials behind the scenes, the persistence of systematic “corruption” in democratic societies committed to its eradication, and—ultimately the most important for our research—it illustrates that definitions of “corruption” are strongly related to broader moral concerns about public values.

In recent years growing attention has been paid to public values and ethical behaviour in the public sphere. *The Genesis of Public Value Systems* project is concerned with understanding the development of public values by analyzing examples of (alleged) corruption. Because we are interested in the historical development of, and the changes and differences in, public values, we analyze historical corruption cases. In my own Ph.D. research project I analyze public values and corruption cases in the Netherlands (1850-1950) with special focus on international developments. In this article, I will discuss an example of a nineteenth-century political corruption scandal in the Netherlands, the so-called “Letters Affair.”

The chief facts of the case are easily summarized. In 1865, important liberal politicians were involved in a case of election corruption by writing controversial letters. Newspapers, politicians and civilians used the word “corruption” to describe the case (HTK, 12 December 1865: 341) or at least called it an “act of imprudence” (*Algemeen Handelsblad*, 21 November 1865). Citizens sent letters to Parliament to express their disgust, and newspapers of different political colours published articles about the case for many weeks. What was considered especially scandalous was the involvement of politicians and public officials of the liberal party, because they always presented themselves as morally superior. Dutch liberals in the nineteenth century were very concerned with developing a modern political society. Since 1848, the liberals had led a reform program in which they emphasized that the public and political spheres would be renewed in both legal and moral aspects. They introduced a real parliamentary system, strengthened central government, and paid much attention to the development of new values regarding “good public behaviour” that would apply to all public officials, such as parliamentarians, mayors and civil servants. During the first decades after 1848, a varied group of politicians followed the “liberal” reform critically. They were called “conservatives” and criticized the liberals for going about their reforms too rashly and radically. Both conservatives and liberals thought themselves the most suitable for leading the government and the public administration, but it was mainly the liberals who were dominating government, Parliament and other public organs. In general, the difference between liberals and conservatives was not ideological but connected with the reform that was started in 1848. Conservatives wanted a gradual reform of laws, norms and values, while liberals favoured a drastic approach. Especially during the 1860s these two political groups were sharply opposed. There was a continuous struggle between them, although both groups were loose formations and did not constitute political parties in a modern sense. When in 1865 a

provocative letter written by the liberal minister of Finance was published, conservatives and liberals clashed and a corruption scandal was born. This article seeks to answer the question that arises from the components outlined above: in all of this, what can we conclude about the development of public values in the Dutch public administration and political system during the early years of Holland's parliamentary system?

In this article special attention is paid to debates in political assemblies and newspapers; standards for public rectitude will be implicitly dealt with. However, a connection will be made between political corruption scandals and important political historical developments in the second half of the nineteenth century, in which the public sphere was dominated by the nineteenth-century liberal view on public rectitude. In Part I, I hope to offer more insight into the way in which cases of (alleged) corruption may help an in-depth analysis of public values and illustrate how the concept of political corruption scandals is used in this article. In Part II, the Letters Affair will be described in greater detail, and this section will also include an analysis of those values and rules of behaviour prevailing at the time of the Letters Affair that shaped dominant notions of public rectitude, and of the importance of these values within the debate on corruption. Finally, attention will be paid to how this particular case was dealt with: i.e., how was corruption handled and what kinds of measures were considered.

## **Part I: Political Corruption Scandals as a Tool for Analysing Public Values**

### **How to Analyse Public Values on the Basis of Corruption Scandals?**

In the research project *The Genesis of Public Value Systems* we try to make a connection between corruption and the public values of the period in which it occurs. This concept of linking public values, corruption and historical changes is relatively new but has proved fruitful in earlier research (Moore and Smith, 2007: 7). Although a single definition of corruption is hard to give—it depends on the time, the culture and the sort of action involved—it is nevertheless possible to provide some insight into the way the term will be used in this article. In this paper I use the concept of “political corruption scandals,” which combines insights from different approaches to the study of corruption.

In order to distil knowledge about the development of public values from an analysis of corruption, there must be a connection between “corruption” and “public.” Michael Johnston's broad definition may help us here. As Johnston says, after studying the phenomenon of corruption over time and in different political cultures, corruption is “the abuse, according to the legal or social standards constituting a society's system of public order, of a public role or resource for private benefit” (Johnston, 1996: 333). What is most helpful about this definition is that it is broad but still has directive power. It is about “abuse,” whether legal or moral, and it has to do with being active as a public figure—with the attendant public role, function and expectation pattern—and at the same time undertaking actions that are regarded as corrupt.

Johnston is not, however, very clear about what exactly “abuse” is (Moore and Smith, 2007: 6). In fact, it is up to society and especially the public in a specific historical context to say what is corruption and what is not. Johnston (1996) has pointed out that actions by which persons directly and financially benefit themselves or their own family constitute a central component in modern understandings of corruption. On the other hand, there is the classical approach of, for example, Machiavelli, in which corruption is considered an attack on the moral health of a society. What seems most fruitful is a neo-classical approach, because it unites “modern notions of corrupt politics with classical concerns about the moral health of whole societies,” according to Johnston. In this approach corruption is still considered the abuse of public roles for private benefit, but at the same time corruption is also seen as a “political and moral issue” (Johnston, 1996: 331). However, I would point out that corruption, especially in this broad conceptual use, is concerned not only with direct private financial benefit, but also with more indirect forms of benefit for persons or groups of person: cronyism, nepotism, favouritism, and so on. What is considered corruption should in any event not be restricted to conventional contemporary definitions. As we shall see, in 1865 the term “corruption” was used for what had unfortunately taken place in the Letters Affair: not only the direct financial benefit of a particular person, group or party, but also the moral health or political morality of the nineteenth-century political system and the public administration was at stake.

Reconstructing historical definitions of corruption requires an analysis of the debate in which public opinion about identified cases of corruption is expressed. In this debate, society can express its opinion and disapproval and present its views on public values. This is especially the case when the (alleged) corruption becomes a society-wide scandal (Moodie, 1989: 873). Corruption causes much more indignation and anxiety than do “normal” political mistakes (Moore and Smith, 2007: 8). Scandals are good indicators of “social declaration and declamation” (Garrard, 2007: 30) and therefore useful for analysing the development of public values. Corruption scandals are often the result of disappointing public expectations about a particular public person or office, in other words, officials offending the public expectation pattern. The public did not expect the functionary to act as he did. A corruption scandal in this sense is about the abuse of trust in a person and in the public office (Garrard, 2007: 28 and 29). Finally, as Moodie (1989) has pointed out, there are three other requirements for a scandal to erupt: the presence of “an exposé or informer,” “channels through which to communicate the message” and “an audience or public” which makes the particular case “scandalous” (Moodie, 1989: 879).

Because public values are related to the moral health of a society and determine what is considered corrupt, the political context is important. Notions of “moral health” have a great deal to do with the political context and historical developments. These developments concern not only ordinary power politics and elite struggles but also changing rules, forms and styles of public behaviour (Te Velde and De Haan, 1996), developments and conflicts within a civic culture (Kennedy, 2005: 20 and 21) and the rise of discontent caused by, for example, economic setbacks. According to Johnston, corruption is about “rules, roles and conflict” (Johnston, 1996: 327). A scandal shows that there is conflict in a society about what is “right” and “wrong,” and about what the roles of public officials and the rules of “good governance,” “good public ad-

ministration,” “good politics” and “good public behavior” should be (Moodie, 1989: 879). Although a corruption scandal is usually an example of an individual or single act of corruption, that act is presumed to be linked to a wider pattern of misuse (Garrard, 1996: 30). Therefore, corruption cases give insight into broad political tensions that have existed for many years (Moore and Smith, 2007: 18). This also explains why the smallest corruption cases can sometimes become huge scandals. Especially in times of political polarization, values and norms regarding politics and public administration are (re)constructed as the result of conflict and debate (De Haan, 2004). In the second half of the nineteenth century, for example, there was much disagreement about the distinctions between private and public, and between the particular and the general interest.

## **Part II: Nineteenth-Century Liberal Politics and the Letters Affair of 1865**

### **The Letters Affair in Brief**

In 1862 the Dutch liberals were in the heyday of their power and the liberal leader J.R. Thorbecke became prime minister for the second time. In time, however, the liberals started to disagree on several subjects, generating room for opposition to Thorbecke’s cabinet. Some local political leaders, especially in the southern province of Limburg, who were also members of Parliament, withdrew their support for Thorbecke. They disagreed with his centralist governing style, in which the provincial administration became more and more dependent on the administration and politics in The Hague. Members of Parliament from Limburg who still supported Thorbecke were cynically called “ministerians” because of their apparently blind support for every government measure. Moreover, in the autumn of 1865 a cattle plague spread over the country, which killed thousands of animals. The liberal government, especially the Prime Minister and Minister of the Interior Thorbecke, was criticised for its inability to stop the disease.

Hence, the political climate was already polarised when in November 1865 rumours arose that important liberal politicians, among them Thorbecke, were involved in unduly influencing the parliamentary elections in the province of Limburg. It was said that liberal candidates for Parliament had shown the Limburg voters letters written by the liberal Minister of Finance G.H. Betz and by Thorbecke. In these letters the ministers promised that the tax increase for Limburg would be reversed if the province voted for liberal candidates. Other important public officials also seemed to be involved. While members of the Limburg *Provinciale Staten* (the provincial legislature) and conservatives in the national Parliament were debating the matter, liberal politicians tried to ignore the rumours for several days. On November 14<sup>th</sup> Thorbecke replied arrogantly to a question by the conservative MP J.P.P. van Zuylen van Nijvelt about the rumors, “First of all I’ll say this...: the elections in this country have never been as free and will never be more free than they are at the moment. And when some people speak of letters written by me, let them be shown, and I shall publish them in the State Gazette.” He tried to downplay the question further by saying that these rumors did not merit attention because they were “plucked from the slums and the backstreet districts” (HTK, 14 November 1865, 132).



The source of the problem was the publication of a letter written by the liberal Finance minister Betz in the anti-liberal Limburg newspaper *Venloosch Weekblad* on 18 November. During the election campaign of 1864 Betz had written a letter to a liberal-minded member of Parliament representing the district of Maastricht in Limburg, P. Th. van der Maesen de Sombreff. During his re-election campaign in 1864, Van der Maesen had shown Betz's letter to voters in the district of Maastricht in an attempt to win their support. In it, Betz promised that the tax increases for Limburg which he had proposed in The Hague would be cancelled in exchange for liberal support from Limburg voters. Betz had written to Van der Maesen:

With you I hope that... the liberal principles in Limburg will be victorious... And... thanks to the loyal support of the Limburg delegates in the two Chambers,<sup>1</sup> [I have] made you a promise that I shall cancel the land tax, if only the attitude of the Limburg voters would make it possible for me to do so. People in Limburg will see that the Minister of Finance is not so bad after all (*Algemeen Handelsblad*, 22 November 1865).

According to a contemporary liberal politician and historian, who remembered the case in his memoirs afterwards, it was very clear "that the unfavourable tax proposals would be repealed in case the election should show a favourable result for the liberals. Moreover, in his letter Betz reported that the director of taxes in Limburg had been ordered to operate very carefully and calmly, and 'not to prosecute small tax offenders'" (Van Welderen Rengers, [1888] 1948: 316). This meant that high-ranking civil servants were also involved in the scandal. The liberal newspaper *Algemeen Handelsblad* had to admit that Betz "could at least be blamed for an act of imprudence, something which we had not expected from him" (*Algemeen Handelsblad*, 21 November 1865). A political corruption scandal was born when others, especially conservatives, spoke openly of "corruption." Van Zuylen van Nijeveld, for example, explained the case in classical terms and saw it as harmful to "political morality." This viewpoint was also shared by the entrepreneur P. Regout from the Limburg city of Maastricht. He described Betz's actions (which possibly also involved others) as "corruption" because it was "not noble" (HTK, 11 December 1865: 317).

However, according to Van Zuylen, this was a matter of corruption in another, more contemporary sense as well: he connected it with "private direct financial benefit." At that time, the Netherlands had a system of census suffrage: the right to vote was based on taxation, possessions and property. Some hundred thousand men were wealthy enough to possess the right to vote. Of course, these men were concerned about every change in the taxation system. Van Zuylen pointed out that the Limburg affair was a case of corruption because some of the persons implicated, especially Van der Maesen de Sombreff, but also the Limburg voters, "could calculate down to the last penny what financial advantage they would derive from the withdrawal of the tax proposal" (HTK, 12 December 1865: 341).

---

<sup>1</sup> The Dutch Parliament consists of the First and Second Chambers. They can be compared to the British Parliamentary institution: the First Chamber is equivalent to the House of Lords, the Second Chamber to the House of Commons.



However, before a real debate in Parliament on the corruption scandal could start, Finance Minister Betz resigned on 20 November 1865. The liberals saw Betz's departure as an attempt to restore the dignity of the Minister and of politics in general. According to Prime Minister Thorbecke, who announced Betz's resignation in Parliament, it was inevitable that Betz should stand down: "The Minister understands that this letter exposes him to allegations, accusations, and charges to which a Minister should not be exposed. Thus, he has asked the King to release him from his office" (HTK, 22 November 1865).

### **The Dominance of Liberal Rules and Values since 1848**

In February 1848 demonstrations and upheavals broke out which led to the downfall of the July Monarchy in France. Subsequently, many European capitals witnessed revolutions which led, or threatened to lead, to political change. In March 1848, the Dutch King William II, strongly influenced by foreign developments, placed the reform-minded liberal politicians in the centre stage of Dutch politics. A special committee began framing a new constitution (*Rapport*, 2005: 133-135), which shaped a national political framework and created a new public sphere for citizens and public officials, in which new public values became important. Although they did not succeed everywhere, liberal bourgeois politicians dominated this European reform movement.

Most of the European liberals, including the Dutch, were concerned with establishing new forms of "good citizenship" and "good governance and politics" (Te Velde and Van Sas, 1998: 147-150; Kennedy, 2005: 15; Kahan, 2003: 8). They justified their political power by claiming that they had the "capacity" (or "character") to govern and would serve the general interest better than conservative aristocrats, on the one hand, or radical democrats, on the other (Kahan, 2003: 6). This quasi-Kantian, morally elevated form of politics meant that politicians and other public officials should act independently, be more aware of the difference between public and private, and serve only the "general interest." Those who were active in the public sphere – not only politicians but also civil servants and citizens – should show "appropriate," "formal," "strict," "honorable" and "decent" behavior (Kloek and Tilmans, 2002: 244-246 and 315-320). When politicians and other public officials observed these values and ideals, they would have the "ability" to participate in politics and public administration. Of course, the liberals saw themselves as the most able persons to govern and to be active as public officials. This liberal view was a European phenomenon and was found not only in the Netherlands but also in England and France (Kahan, 2003: 8-10).

In the Netherlands, the liberal leader Thorbecke tried to enforce these public values by a formal style (Te Velde, 2002: Chapter I). Influenced by French doctrinal liberals, such as François Guizot, he reformed the state and defined new relationships between local, regional and national politics and administration by his "*Gemeentewet*" (Municipal Act) and "*Provinciewet*" (Provincial Act) (Randeraad, 1994). For politicians and administrators on the national and local levels this meant that their work became more centralised and more concerned with the general interest. The introduction of free, direct general elections and full ministerial responsibility, which broke the power of the elite around the monarchy, was also laid down in the constitution. One of the main

reasons for this was the desire to make politicians and other public officials more independent from their districts or the (elite around the) King, so that they could take decisions without being influenced by their voters and could better serve the “general interest” (Randeraad and Wolffram, 2001: 105) Civil servants, politicians and other public officials should not make decisions which would favour political, private or local interest; only the general interest should be served. Before 1848, it was common to appoint officials on the basis of, to quote Thorbecke, “family background rather than ability” (Aerts, 1999: 102). From 1848 onward, appointments and decisions were to be based on rational criteria and take place in public rather than behind the scenes. No longer would cronyism, local clientelism or nepotism be a force in the distribution of public offices (Randeraad and Wolffram, 1998: 40). Another important change was the introduction of the freedom of press, to guarantee the development of a public sphere in which a rational and open debate could be the basis for political decisions.

Under the leadership of the straightforward and unconventional Thorbecke—who had written the constitution’s first draft almost single-handedly—the achievements of the “liberal revolution” and constitution were defended and expanded during the two decades following 1848. Although the new order shocked the old conservative elite and polarised the political climate of the country, Thorbecke succeeded in making the Netherlands a parliamentary democracy dominated by liberal-bourgeois values. He became the most prominent and best-known politician of his time, and for both the liberals and their opponents embodied the changes of 1848 and the new rules and public values.

Eventually most conservatives accepted the new system but still criticized the radical elements and the liberal claims for moral superiority. Conservatives, including many members of the Dutch aristocracy, supported the reforms of 1848 but did not agree with the liberal domination, with its radical style and claim of moral superiority. The anti-liberal conservatives were in favour of a gradual reform and also demanded power and influence. During the 1860s, their influence in society and politics increased (De Jong, 1999). The Letters Affair offered them an opportunity to cut the liberal moral superiority down to size and regain power and influence.

As noted above, the most important values were those of serving the general, instead of the particular, interest, the independence of public officials, and openness in every matter of public importance. Liberals had vociferously articulated these rules and values in the press, and the public now came to expect a corresponding pattern of behavior from liberal politicians. In addition, the liberals were seen as honourable, decent and honest. Hence, the fact that liberal politicians, especially well-known figures such as Betz and Thorbecke, were involved in the Letters Affair made it a matter of great importance. It shows that the position of the person considered to be involved in a case of corruption is a crucial factor in making it an actual corruption scandal (Garrard, 2007, 28).

### **Violation of Values by Politicians, Public Officials and Civil Servants?**

Although Finance Minister Betz had resigned, the Letters Affair was far from over. Newspapers

in Limburg, such as, for instance, the *Venloosch weekblad* and the *Francophone L'ami des intérêts Limbourgeois*, and local anti-liberal politicians asked for further investigation. The largest newspaper of the Netherlands, the liberal *Algemeen Handelsblad*, tried to downplay the question; it wrote that what Betz had done was not right; but to make such a political issue of it as the opposition had done was “absurd” (*Algemeen Handelsblad*, 21 November 1865). The conservative newspaper *Dagblad van Zuid-Holland en 's-Gravenhage* had fuelled the scandal already a month earlier, when it published an incriminating letter by P.F.E. van Wintershoven, who had lost the 1864 election to Van der Maesen. Van Wintershoven claimed that not only Betz had written a letter, but that there was also one in existence written by Thorbecke, containing controversial material (*Dagblad van Zuid-Holland en 's-Gravenhage*, 22 October 1865).

Meanwhile, in the national Parliament the debate continued. As a result of the first days of the debate that followed the resignation of Betz, the implicated member of Parliament Van der Maesen de Sombreff also vacated his seat because, as he told Parliament in a letter of 25 November, “there is a suggestion that I did not gain my seat in the Second Chamber independently.” He also suggested that Thorbecke had written to him concerning the withdrawal of the tax proposal but denied that this was with the purpose of influencing the elections (HTK, 27 November 1865, 247). However, all this was reason enough for a nephew of J.P.P. van Zuylen, J.P.J.A. van Zuylen, also a Member of Parliament, to ask for a parliamentary enquiry, a request which was discussed on 11 and 12 December 1865. During the debates in November and December, three points kept recurring, both in the newspapers and in Parliament. These three discussion points reveal what values were considered important for public officials: the distinction between the dependence or independence of public officials; the tension between serving the general interest or a particular interest; and finally the difference between the public and the private spheres.

First, there was the debate on the question whether politicians, public officials and civil servants were allowed to manipulate elections and so detract from the independence of public officials. On 18 November 1865, Van Zuylen asked questions about the independence of public officials and, during a Parliamentary debate, asked Thorbecke whether it was true that not only “direct influence” but also “indirect, more veiled influence, by granting financial support or benefiting local interests, can be beneficial for a clever liberal government” (HTK, 18 November 1865: 185). Thorbecke replied sarcastically, “Shall I consider these subjects important enough to answer?” Then he went on, more angrily, “I do not accept these kinds of charges (...). The Minister of the Interior has always taken care to ensure that civil servants (...) do not manipulate elections.” Van Zuylen asked him whether men in public office, such as mayors, were allowed to influence elections. Thorbecke replied that a mayor could vote for whomever he wanted but was not allowed to use his influence for election purposes (HTK, 18 November 1865, 188 (5-7)). However, Van Zuylen replied, it was a well-known fact that during the 1864 elections mayors had manipulated the result by promoting certain candidates. Some of them had been reprimanded, but only after the election, when they had already damaged the independence of elections and candidates (HTK, 18 November 1865, 187).

Van Zuylen's questions and comments came as no surprise. Since 1848, cronyism and political favoritism had been openly condemned and were no longer formally commensurate with the public values that had become more and more dominant since 1848. During the 1850s and 1860s, however, violations of this value system still regularly occurred with regard to the appointment of civil servants, mayors and governors of provinces. Already in 1851, during Thorbecke's first term, the Prime Minister had dismissed the able Governor of the province of Gelderland because he was a conservative. In 1862, he had appointed G.H. Pijls mayor of the city of Maastricht in Limburg, of whom it was very clear that he was a liberal and actively supported the election of liberal candidates such as Van der Maesen (Lemmens, 2004: 201). Pijls was one of the leading figures in the Letters Affair. He was supposed to behave as a neutral public official, but not only did he try to favor the liberals in the election of 1864 but during the debates about the Letters Affair he also continuously wrote to Thorbecke and expressed his loyalty to the liberal leader in Parliament and press. In a letter of 14 November 1865 he told Thorbecke that he did "his utmost" to support the liberal leader and keep him informed, and called himself Thorbecke's "most dedicated servant" (Pijls to Thorbecke: 14 November 1865). G.H. Betz, too, thought nothing of influencing high-ranking civil servants. In a letter of 26 November 1865 he told Thorbecke why he had ordered the Limburg tax inspector to be lenient, explaining that he was honoring a "private" and "backdoor" agreement between him and the director. Betz explained that this kind of order had occurred frequently before 1865 as well, and that, on the other hand, it showed that Limburgers had always been treated with leniency in matters of taxation. He saw no real problem in this course of action (Betz to Thorbecke, 26 November 1865). However, not surprisingly this explanation was kept under wraps by both Betz and Thorbecke: they knew it was publicly considered "not done" to act like this.

Moreover, although the liberals had proclaimed in 1848 that elections should be free and that every form of cronyism had now ended, it was still common practice to make political appointments to offices that were ostensibly free of such considerations (De Jong, 1999: 49 and 50). This constituted a significant gap between the openly proclaimed public values of the liberals and actual political practice, in which leading liberal politicians used forms of patronage, clientelism, favouritism and cronyism when appointing public officials (Randeraad and Wolfram, 2001: 114).

Furthermore, there was the question whether it was theoretically permitted to make an exception for one province in matters of tax regulation, as suggested by Betz in his letter to Van der Maesen. Van Zuylen asked, "Is it constitutional to revive the old provincialism and to divide our country again in as many little countries with closed borders as there are provinces?" In other words, would provincialism not conflict with the general interest and constitute a corrosion of the national sphere? (HTK, 18 November 1865). Van Zuylen had asked the question because the Limburg delegates were trying to defer the tax revisions and, together with the liberals, conservatives such as Van Zuylen also put the "general interest" above the local provincial interest. Limburg delegates used the same argument to defend themselves. On 13 November Limburg MP Van der Maesen said that a tax revision should be applied not only to Limburg but to the whole country (HTK, 13 November 1865). However, the proponents of the tax revision pointed out that in earlier tax

revisions Limburg had not been included; it was exactly this revision that would bring Limburg inside the national tax regulation system (Lemmens, 2004: 194).

Van der Maesen had already been criticized before, both by defenders of the “general interest” and by proponents of the Limburg interest, so that he had to act discreetly during his communications with Betz. During the 1864 elections in Limburg he had been described in the local media as a proponent of the tax revision because he was a supporter of the liberal government and the Minister of Finance. It was an intense campaign. Opponents of the liberal candidates from Limburg, for instance F.H.C.E Keverberg de Kessel and Van Wintershoven, started a real media campaign with the support of local newspapers, such as the *Venloosch Weekblad*, using the slogan: “Get rid of the tax proposal, get rid of the Minister of Finance” (Lemmens, 2004: 195). Eventually Van der Maesen did get elected, but he and other liberals, including Thorbecke, had been acutely aware of the strong opposition to the proposal. Not surprisingly, Thorbecke had tried to delay the presentation of the tax proposal in Parliament until the following year. However, Minister of Finance Betz wanted no postponement. When Betz resigned in 1865, Thorbecke was said to be not terribly disappointed, as this would provide an opportunity to further delay the tax revision and so prevent his relationship with the liberal politicians from Limburg from deteriorating any further. The conservative newspaper *Dagblad van Zuid Holland en 's-Gravenhage* criticised Thorbecke’s elusiveness: was not Thorbecke the man who since his arrival in 1848 had proclaimed that personal and local interest should be subservient to the general interest? (*Dagblad van Zuid-Holland en 's-Gravenhage*, 20-2 November 1865). Even after Betz’s departure, with Thorbecke and his allies attempting to shelve the proposal, Parliament decided at the end of the year, by a close vote of 35 to 29, that the tax debate would take place and that no special exception for Limburg would be made.

However, in the official setting of Parliament there was hardly any disagreement concerning the immorality of manipulating elections or the impropriety of Limburg receiving special treatment. Both liberal and conservative MPs disapproved of these practices. Liberal MP Beyma thoe Kingma, for example, was against the enquiry, and conservative MP Asch van Wijk, in favor, but both agreed that elections should be without government influence and that the opposition in Limburg did not deserve their sympathy (HTK, 14 November 1865: 323, 324 and 329). MP W. Goltstein argued that “the people in Limburg must not think that the result of an election can influence the proposal or withdrawal of a certain bill” (HTK, 3 December 1865: 308).

There was a third point of discussion, put forward by liberal MP W.J.A. Jonckbloet. The only evidence available, he said, was the alleged letters by Betz and Thorbecke, which had been mentioned by Van der Maesen in a confidential letter for “private use” without the intent to influence the elections (HTK, 11 December 1865, 323). His view gained the support of other liberal MPs, especially Van der Linden. This close ally of Thorbecke’s pointed out that Van der Maesen’s letter was “not an official document” but “a private letter” and that in his opinion “a private letter should not be discussed in public” (HTK, 12 December 1865, 342 (1)). In an earlier debate, Thorbecke had already stated that Betz’s remarks were “special conversations” between “two per-



sons” who had a “private meeting” (HTK, 20 November 1865: 200 (3 and 4)). Moreover, before Van der Maesen had vacated his seat he had defended himself by pleading that Thorbecke’s remarks were an “ill-considered private conversation which had a totally different aim than influencing the election” (HTK, 20 November 1865: 192). The fact that Betz had mentioned a controversial government proposal in a letter during election time and his agreement with the tax director were both defended as a “private” affair.

Interesting, too, is the contribution by Van Nierop, who argued that it was not at all odd that Thorbecke should write a letter to his political friend Van der Maesen. “We are indeed narrow-minded, very narrow-minded; is a Minister not allowed to write a letter, and may he not even write about what the government is intending to do?” Perhaps “England may be a useful example.” There, Van Nierop said, Ministers are allowed to speak about their political intentions as a Minister. Complete plans and proposals are debated during the election campaign “even at public meals” (Van Nierop, 11 December 1865: 330 (1)). But this was exactly what liberals such as Thorbecke did not want: politicians and voters should be kept strictly separated because close connections would harm both their independence and the general interest.

In a reaction, J.P.J.A. van Zuylen defended his proposal for a parliamentary enquiry for the last time. If elections and taxation were discussed in a private letter in such a way as happened here, he concluded, people were allowed to ask questions about it. Van Zuylen also mentioned England. He pointed out that in England many instances of election corruption had taken place, but that the British were not so “frightened” as the Dutch to blame individuals in matters of “national interest.” Although his opponents denied any corruption, Van Zuylen went on to say that “the withdrawal of the tax proposal was an excellent example of an instrument of corruption, because everybody knew exactly how much financial benefit it would deliver.” Van Zuylen saw the withdrawal of the proposal as a form of bribery (HTK, 11 December 1865: 339 and 341). In the private letter to Thorbecke quoted earlier, Betz himself not only stated that he considered his letter to Van der Maesen a private affair, but he also called the lenient tax collection the result of a “private” and “backdoor” agreement between him and the Limburg director of taxes, which had been common practice for several years already (Betz to Thorbecke, 26 November 1865).

As we have seen, three major arguments were put forward as to why the Letters Affair should be seen as corruption. First, Betz’s letter conflicted with the value that politicians should not influence the independence of elections or taxation, whether directly (by writing a letter containing promises) or indirectly (by appointing mayors and other public officials via favoritism or cronyism). Second, the letter containing Betz’s promise conflicted with the political value that a particular interest (in this case the province of Limburg’s) cannot be put above the general interest. Finally, there was discussion whether the letter was of private or of public concern. Liberals were ambivalent on this point, but the conservatives labelled the letter as a political document. However, from the viewpoint of liberal MP Van Nierop, who implicitly agreed with the conservatives by defending English practices, we may conclude that contacts between politicians and voters could be seen as a public matter. The liberals were under attack mainly because they seemed to



have violated rules and values they themselves had established regarding the behavior of decent and good politicians. It was the public expectation of how men in public office – i.e., ministers, parliamentarians and mayors – should behave that the liberals had violated.

**“The People of the Netherlands Have a Vital Need for Political Morality.”**

As early as 18 November Thorbecke and other liberals tried to downplay the matter by pointing out that it was not in keeping with the dignity and honor of the Parliament to discuss rumors “plucked from the slums and backstreet districts” (HTK, 18 November 1865: 188 (6)). According to the conservatives, especially Van Zuylen, it was of great importance for both the government and the country that there should be “clarity,” so that rumors might be laid to rest (HTK, 18 November 1865: 187). The fact that Betz and Van der Maesen de Sombreff had already stood down as public officials was more than enough for liberal newspapers and politicians. And although the conservatives saw clear signs that the Letters Affair was a case of corruption, the fact that there was little room for debate caused much indignation among them. This was one of the main reasons why they asked for a parliamentary enquiry. The question then became: how should corruption be dealt with, and what kind of measures were necessary?

According to J.P.J.A. van Zuylen, who had proposed the parliamentary enquiry, it was a matter of “political morality” and had “nothing to do with making opposition (...) but it is for the sake of warning the country that actions committed here, which I think earn disapproval, cannot pass unnoticed.” Because ministers had to act “respectably” and “honorably,” they must not be harmed by “suspicion” and “distrust,” which makes it impossible for them to govern. “It is therefore necessary for the sake of the country and also for the Ministers, that their behavior should be clarified” (HTK, 11 December 1865: 318 and 319).

Van Zuylen received support not only from other Members of Parliament but also from citizens who wrote to Parliament. There is an interesting letter from the Maastricht businessman Petrus Regout, which was handed out to the Members on 11 December. He wrote that he was glad to see that a parliamentary enquiry had been proposed to deal with “acts of corruption.” The enquiry would ensure that “no trace of ignoble behavior remain (...) and on the other hand disapproval will come down on those who must be blamed for these acts” (HTK, 11 December 1865: 317). As an entrepreneur in Maastricht, Regout was continually obstructed by the liberal mayor Pijls, because Regout supported local anti-liberal candidates (Lemmens, 2004: 201). S. Moses, a councilor from the city of Haarlem, claimed in a letter to Parliament that the corruption in the Netherlands was even worse than in other European countries. The Catholic clergy in Limburg were especially susceptible to persuasion when “agents of Thorbecke (...): Van der Maesen, Pijls and former member of Parliament Cornelis” offered them money for their churches. An enquiry was necessary to restore dignity and stop these immoral acts. Moses considered this very important because “the people of the Netherlands (...) have a vital need for political morality for the sake of their peaceful development” (HTK, 11 December 1865: 319 and 320). Van Zuylen, Regout and Moses were convinced that an enquiry would have a cleans-

ing effect, would be beneficial to political dignity and public morality and would prevent this kind of corruption in the future.

MP Poortman opposed this view. He thought that an enquiry would only harm political and public morality further (HTK, 12 December 1865: 339). He received support from Jonckbloet, a liberal member of Parliament, who agreed that the matter had become a scandal. "This is a crisis and political emotions have not run as high as this for years." But Betz had already resigned, and Jonckbloet concluded that there was no real evidence that Thorbecke, too, had written a compromising letter. The evidence presented in the *Dagblad van Zuid-Holland en 's-Gravenhage* was unconvincing, because no controversial letter by Thorbecke had been found as yet. As a result, however, it was not only Thorbecke's "honor" that had been put into question but also "that of the whole country." The reality was otherwise, Jonckbloed claimed: Thorbecke was "politically honest," "unfaltering" and "resolute" in his manner and appearance (HTK, 11 December 1865: 320 and 321). Liberal MP J.H. de Laat de Kanter also argued that the use of these kinds of rumors was "beneath the dignity" of Parliament, and that a parliamentary enquiry would only harm the dignity of Thorbecke and the country further (HTK, 11 December 1865: 326).

This was also the opinion of the liberal newspaper *Algemeen Handelsblad*, which on 29 November 1865 wrote that the whole scandal had badly affected the position of the Netherlands abroad because the conservatives had informed the foreign press of the Letters Affair. "Never before has the foreign press paid so much attention to our country as in recent days. It is clear that the conservative opposition (...) uses the foreign press in a way which our own national press, with some exceptions, does not feel comfortable with. (...) It is our opinion that national feeling should rise up against this and that everybody should voice (...) a loud protest against these acts" (*Algemeen Handelsblad*, 29 November 1865). So, the liberal press was also concerned with the dignity of the country and thought that further investigation would cause more harm.

In the end, Van Zuylen failed to convince the Chamber, and on the second day of the debate the proposal for a Parliamentary enquiry received only 18 votes in favor, with 53 against. The debate had shown that there was disagreement about the way in which politicians could preserve their dignity in accordance with the general ideas about how to behave as a public official. For the conservatives, a Parliamentary enquiry would have restored the dignity of Parliament, stimulated political morality and benefited the honor of the country. The liberals disagreed, and eventually the Letters Affair would die a quiet death. The alleged letter by Thorbecke was never found.

## Conclusion

The idea of what constitutes "corruption" changes over time. There is no single definition, but corruption should be linked to the changing (use of) public values. In general, corruption is concerned with damaging the public interest and abusing public power for private, group or local benefit. However, what is perceived as the general interest is not a static concept. On the other hand, there

can be public agreement about the content of “general interest” and the importance of a public value system, but that does not imply that these values are always observed by public officials in practice. These aspects of (research into) corruption are all reflected in the Letters Affair.

As the Letters Affair shows, in the 1860s newspapers, politicians, civil servants and civilians from both the liberal and conservative camps confirmed several important public values formally established in 1848. Influencing the independence of elections and public officials, i.e., engaging in cronyism, was not permitted. There was also an agreement that everything of public importance, such as matters concerning taxation and elections, should be debated and decided in public settings, not, for example, in private letters. Finally, it was not allowed to put a particular (in this case provincial and party) interest above the general interest. It was thought that prominent liberals, who put a high value on “dignity” and “honorability,” would respect this set of norms and values. The broad agreement about these public values makes clear why, accordingly, the Letters Affair was largely regarded as corruption; these values had been violated.

Especially in debates on how to deal with this case of corruption, some more general values of public morality were stressed anew. Public officials should behave with “dignity,” “openness,” “respect” and “honor.” All parties more or less agreed that the resignations of Van der Maesen and Betz were justified because they had violated important values. There was no consensus, however, on what further action should be taken. The liberals continuously tried to downplay this question, as conservatives tried to get support for a parliamentary enquiry. Both parties were supported by their respective newspapers. The conservatives argued that a parliamentary enquiry would “clear” politics and recover the “political morality” and the “honor” of the country and the Ministers. Liberals took the opposite view: a more thorough investigation, based on mere rumors, would only cause more harm to public morality and political health. In any event, the question of which sanctions should be applied was an important factor in the debate. The resignations of Betz and Van der Maesen meant their public downfall, but no law was applied directly: the resignation was a form for dealing with corruption and a clear signal that something was really wrong. Prime Minister Thorbecke was for many people the embodiment of liberal values. Because Thorbecke himself did not stand down, the debate about corruption and the consequences could continue for many more weeks and become a real scandal.

The Letters Affair included civil servants, politicians, businessmen and ordinary citizens. Politicians such as Betz, Thorbecke, Van der Maesen and Van Zuylen were involved, as were civil servants such as Mayor Pijls of Maastricht. Businessmen like P. Regout also presented their opinions. Perhaps it was above all the newspapers that could be regarded as the spokesmen of citizens of different political and moral backgrounds, reflecting a varied public opinion. As we saw in the Letters Affair, the press was important and acted as the real whistleblower for the scandal. At first there were only the minor newspapers from Limburg, but eventually national newspapers such as the conservative *Dagblad van Zuid-Holland en 's-Gravenhage* and even the liberal *Algemeen Handelsblad* paid much attention to it as well. This shows that in the nineteenth century the role of the press was of growing importance for the eruption of public scandals. The existence of a national

political framework made it possible for newspapers and opposition politicians in Limburg to transfer the centre of the whole scandal from the province of Limburg to The Hague. In nineteenth-century Europe corruption scandals resulting from elections were common, and foreign examples were well-known among Dutch MPs, who used them in the debates. In England there were many cases of election corruption, which eventually led to investigations by a Royal Commission and resulted in the Corrupt Practices Act of 1854, by which election corruption was officially and legally condemned (Garrard, 2007: 37). In the Netherlands, in contrast, the liberals successfully prevented a parliamentary enquiry and effectively blocked such legislation by their silence.

What was crucial was the fact that public officials acted differently from their professed commitments. Such discrepancies are hardly new, but they created a special problem for the liberals as the authors of high-flying public ideals. In practice, it seemed difficult even for prominent liberals such as Thorbecke and Betz to adhere to their own established and publicly defended values of good public and political behavior. This applied especially to Betz, who not only wrote to Van der Maesen but also effectuated a “private” and “backdoor” agreement with the director of taxes in Limburg. The main difficulties were caused by the difference between the “formal” values and rules of public rectitude (heavily influenced by the liberals), on the one hand, and the “everyday rules” of political behavior, on the other, which itself was changing precisely because of the relatively open electoral system the liberals had also championed. This difference was a potential hotbed for corruption, because vagueness about “borders” and rules of public behavior is an important reason for the outbreak of a corruption scandal. In public, liberals and conservatives agreed with the political rules of 1848, but behind the scenes private interests and cronyism were still active. This shows a crucial paradox of (liberal) politics in the nineteenth century. On the one hand, politicians tried to morally renew the political system by introducing high standards of “good politics” and “good public behavior;” however, precisely because of their high moral standards, they became extremely vulnerable to allegations of corruption.

That is why in this case the liberals tried, with the support of the liberal press, to keep the case quiet from the beginning, although they knew public values had been violated. As in other European countries such as England, in the Netherlands the connection between public officials and voters was also becoming more direct. What is more, by the end of the 1860s liberals and conservatives were acting more and more as political parties. This shows another paradox of liberal politics: liberals claimed that they served the general interest, but the advancement of liberal values and norms required partisan party formation. By trying to become the most powerful political group, they had to win elections, act as a political party with a particular (self) interest, and, accordingly, were tempted to use methods that undermined their own principles. This increased their political vulnerability.

Rounding off, one can point to other noteworthy conclusions of research into nineteenth-century political corruption scandals and value systems. In Europe we see the establishment of national frameworks and a new political order with new boundaries between public and private, and between national and local. Other important features are the emergence of new forms of politics such

as direct elections and the professionalization of MPs, complemented by a growing importance of the press. Civil servants, parliamentarians, members of government and other public officials had strong mutual links and did not always know or observe the boundaries of the modern emerging state. However unclear or ignored, boundaries still are exposers of corruption scandals as the case of the “Bouwfraude,” described in the Preface, shows. In addition to the developments discussed in this article, the influence of industrialization, the new relationship between business and politics, the differences between nation states in Europe, and the dissimilarities between the United States and Europe will be addressed in further research. This should yield insight into the important changes in the development of public values, ideas on good governance and definitions of corruption in the nineteenth- and twentieth-century Netherlands in an international perspective.

## References

Aerts, R. (e.a.) *Land van kleine gebaren*. Een politieke geschiedenis van Nederland 1780-1990, Nijmegen, Socialistische Uitgeverij Nijmegen, 1999. pp. 102.

*Algemeen Handelsblad*, 21, 22, 29 november 1865.

*Dagblad van Zuid-Holland en 's-Gravenhage*, 22 oktober, 20-22 november 1865.

Garrard, J., “Scandals: a tentative overview” in: J. Moore and J. Smith, (ed.) *Corruption in Urban Politics and Society*, Britain 1780-1950. Hampsire: Ashgate Publishing Company, 2007. pp 28, 29, 30, 37.

Haan, I. de, *Politieke reconstructie. Een nieuw begin in de politieke geschiedenis*. Utrecht: Uitgeverij Universiteit Utrecht, 2004.

Johnston, M., “The search for definitions: The vitality of politics and the issue of corruption” in: *International social science journal* 48, 1996. pp. 327, 331, 333.

Jong, R. de, *Van standspolitiek naar partijloyaliteit. Verkiezingen voor de Tweede Kamer 1848-1887*. Hilversum: Verloren, 1999. pp. 49 and 50.

Kahan, A.S., *Liberalism in Nineteenth-Century Europe*. New York: Palgrave Macmillan, 2003. pp. 6 and 12.

Kennedy, J.C., *De deugden van een Gidsland*. Amsterdam: Uitgeverij Bakker, 2005. pp. 15, 20-21.

Joost Kloek en Karin Tilmans (ed.), *Burger. Een geschiedenis van het begrip 'burger' in de Nederlanden van de Middeleeuwen tot de 21ste eeuw*. Amsterdam: Amsterdam University Press 2002. pp. 244-246 and 315-320.



Lemmens, E., *Aan vorst en Vaderland gehecht doch tevreden zijn zij niet. Limburgse politici in Den Haag 1839-1918*. Amsterdam: Wereldbibliotheek, 2004. pp. 194, 1995 and 201.

“Letter of G.H. Betz to J.R. Thorbecke, 26 November 1865.” *National Archives The Hague*, collection Thorbecke 2.21.161, nr. 347 “Concerning the land tax in Limburg and the resign of G.H. Betz October-December 1865.”

“Letter of G.H. Pijls to J.R. Thorbecke, 14 November 1865.” *National Archives The Hague*, collection Thorbecke 2.21.161, nr. 347 “Concerning the land tax in Limburg and the resign of G.H. Betz October-December 1865.”

“Letter of Petrus Regout to the chairman of Parliament 11 December 1865,” *HTK*, 11 December 1865. pp. 317.

“Letter of Moses Salvador to MP Mensonides 11 December 1865,” *HTK*, 11 December 1865. pp. 319-320.

Moore, J. and Smith, J., “Introduction. Corruption and urban governance,” in: Ibidem (ed.) *Corruption in Urban Politics and Society, Britain 1780-1950*. Hampsire: Ashgate Publishing Company, 2007. pp. 6, 7, 8, 18.

Moodie, G.C., “On political Scandals and corruption,” in A.J. Heidenheimer, M. Johnston and Victor T. LeVine (ed.) *Political Corruption. A handbook* New Brunswick, Transaction Publishers, 1989. pp. 873, 879.

Randeraad, N., “Thorbecke en de inrichting van het lokaal bestuur” in: *Tijdschrift voor Geschiedenis* 107, 1994. pp. 537-558.

Randeraad, N. and D.J. Wolffram, “Constraints on Clientelism: The Dutch Path to Modern Politics, 1848-1917” in: S. Piattoni (ed.), *Clientelism, Interests and Democratic Representation*. Cambridge: Cambridge University Press, 2001. pp. 105 and 114.

Randeraad, N. and D.J. Wolffram, “De Nederlandse bestuurscultuur in historisch perspectief” in: F. Hendriks en T. Toonen (red.), *Schikken en Plooien. De stroperige staat bij nader inzien*. Assen: Van Gorcum, 1998. pp. 40.

Rapport, M., *Nineteenth-century Europe*. New York: Palgrave Macmillan, 2005. pp. 133-135

Velde, H. te and I. de Haan, “Vormen van politiek. Veranderingen van de openbaarheid in Nederland 1848- 1900” in: *Bijdragen en Mededelingen betreffende de Geschiedenis van Nederland* 111, vol. 2, 1996. pp. 167-200.



Velde, H. te, “Constitutionele politiek. De parlementair-politieke praktijk en de Grondwet van 1848,” in: N.C.F. van Sas, *De eeuw van de grondwet. Grondwet en politiek in Nederland, 1798-1917*. Deventer: Kluwer, 1998. pp. 147-150.

Velde, H. te, *Stijlen van leiderschap*. Amsterdam: Wereldbibliotheek, 2002. Chapter I ‘Thorbecke’.

*Verslag van de Handelingen der Tweede Kamer (HTK)*, 13 November – 12 December 1865.

Welderen Rengers, W.J. van, *Schets eener Parlementaire geschiedenis van Nederland van 1849 tot 1901*. Den Haag: Nijhoff, 1948. pp. 316.

www.parlement.com: “Parlementaire enquête bouwfraude 2002-2003.”

---

**Ronald Kroeze** is a PhD student at the Vrije Universiteit Amsterdam. His research is part of the research project *The Genesis of Public Value Systems, 1650-1950*. He focuses on the history of corruption and public values in the Netherlands during the nineteenth and twentieth centuries, in an international perspective.

---

# Classical Corruption: Hugo van Arckel, Dike Warden of the Krimpenerwaard, and the Corruption of His Time

*Pieter Wagenaar*

---

## Introduction

Burgomaster Hugo van Arckel had saved Schoonhoven. When this small Holland town had become part of the Dutch Republic's battle front during the 1672-1678 war against France, it was he who had almost single-handedly prevented it from giving itself up. Unsurprisingly, Stadtholder Prince William III of Orange, supreme commander of the Army and Navy and the Republic's most influential public official at that moment, rewarded Van Arckel handsomely by bestowing several important offices on him. Four years later, the one-time hero was tried and sentenced for corruption. What had happened in the meantime? Most contributions to this special issue of *Public Voices* apply a neo-classical perspective to corruption: corruption scandals are studied to shed light on underlying value conflicts. The authors try to find out how corruption is constructed, at a certain moment, and why. Yet, there are far more theory clusters dealing with corruption. We will first take a look at these theory clusters, next analyze Van Arckel's downfall, and then see which cluster is most suitable.

## Corruption Theories

Corruption is studied in a variety of scholarly disciplines, and there are therefore several corruption discourses dealing with the phenomenon (many clusters are used in more than one discipline, and some disciplines work with several corruption theories). Hoetjes, a scholar studying development administration, distinguishes four such clusters. The first one he calls "Weberian-idealtypical." Scholars who follow the Weberian approach to corruption see corruption as a lack of rationalization of the public service. To them, it is a phase on the route from patrimonialism to rational legal authority (Hoetjes, 1977: 53-55; Hoetjes, 1982: 65-67; for an example see Rubinstein, 1983). Secondly, the *structural functionalist approach* views society as a collection of coherent systems, in which all societal phenomena have a function. Thus, structural-functionalist-inspired scholars ask themselves which function corruption fulfills in a specific society (Hoetjes, 1977: 55-57; Hoetjes, 1982: 67-69).

“Brokerage” can be such a function: corrupt officials can be the go-betweens between the central and the local levels (Campbell, 1989: 334; Huiskamp, 1995 and 1991; Blockmans, 1988). Corruption can also serve to tone down overly harsh laws (McFarlane, 1996: 58-59) or to provide protection and influence for groups in society possessing material wealth but lacking in political influence (Waquet, 1992: 62). Thirdly, adherents of the *rationality and economy approach* see corrupt officials as rational utility maximizers who simply take the most profitable course of action (Hoetjes, 1977: 57-60; Hoetjes, 1982: 69-71). Sometimes game theory also plays a role in their discourse (Rose-Ackerman, 2006). The *ecological approach* to corruption, finally, the approach favored by Hoetjes himself, is mainly concerned with establishing which environment most fosters corruption (Hoetjes, 1977: 60-65; Hoetjes, 1982: 72-76).

Since Hoetjes wrote his seminal dissertation on corruption in India, new theoretical corruption discourses have sprouted up. In a recent volume on corruption theory (Von Maravic, De Graaf and Wagenaar, forthcoming) seven more are listed. “*System theory*” is the Niklas Luhmann approach to corruption. Society is divided into separate self-referential, autopoietic value systems. Corruption ensues when systems start to overlap, for instance, when values from the economic system penetrate the legal or the political system (Brans and Rossbach, 1997). In the sociological *neo-institutionalist approach* the embeddedness of individual action in institutions (rules, routines, norms, sense-making, etc.) is stressed. Just behavior is behavior according to shared norms and practices, and unjust behavior is a consequence of institutions being unable to create certainty and agreement about such practices, i.e., of an inadequate collective sense-making. Adherents of the *institutional design approach* believe that some political systems are more prone to corruption than others. The key element appears to be political competition: free and competitive elections provide a check on corruption (Gerring and Thacker, 2004). Then, there is a collection of literature that is not so much a coherent theoretical discourse as a shared methodology. It seeks to demonstrate the relation between certain factors and corruption by using statistical methods (Heywood, 1997: 431). The *neo-classical approach* has already been discussed in the introduction to this special issue. The last perspective on corruption we need to deal with here is, therefore, the *criminological approach*. For those who take a criminological perspective on corruption, it is the individual corrupt official that is of interest, and it is this official that the criminological theories are applied to. A beautiful example is De Graaf and Huberts (forthcoming), who, after looking into ten recent Dutch corruption cases draw attention to the importance of the psychological make-up of the perpetrators involved. In Holland, as it turns out, corrupt officials are often highly popular with their colleagues, not only because of their openness and flair but also because of their ability to “fix things.” They are usually people intent on solving problems instead of creating them, which is why they are of great value to their organizations. Yet, precisely their unorthodox, result-oriented mode of operation at a certain moment makes them cross the thin line between laudable and lamentable behavior.

## War

Let us now try to establish which theory cluster best suits the Van Arckel case. Van Arckel’s

downfall, as well as his rise, had started during the disastrous year of 1672, when the Dutch Republic was attacked by four foreign powers simultaneously. On March 25, 1672, England had declared war on the Dutch Republic, to be joined by France and the German city-states of Münster and Cologne in the following weeks. The French army alone numbered four times as many men as the Republic's, and it was assisted by the combined French and English fleets. Yet, the Republic managed to survive the first attack. In the summer of 1672 the French army conquered the Republic's landlocked provinces, but the coastal provinces could not be taken, and the enemy fleet was kept at bay. A side effect of the crisis was that it had enabled the Republic's highest ranking nobleman, Prince William III of Orange, to assume power as Stadtholder, one of the most influential public functions in the Republic. He now quickly removed about 130 adversaries from office (Van Deursen, 2004: 310-317).

The province of Holland was defended by the fleet, and by the inundation of its borders with the conquered provinces. Small warships patrolled the lakes and the rivers (De Bas and Ten Raa, 1940: 12). Schoonhoven – a small town, numbering only 3,000 inhabitants - was important for the defense of Holland's eastern border. Yet, the Schoonhoven ramparts had been neglected for 60 years, and the citizens refused to allow allied Spanish troops to enter the town. The farmers living near Schoonhoven protested against inundation, which would ruin their property, and refused to do conscripted labor at the town ramparts. This made Schoonhoven, a gateway to Holland, very hard to defend (De Bas and Ten Raa, 1921: 304; Roorda, 1961: 99-101; Schoute, 1979: 88, 91).

Nonetheless, salvation was at hand. The Count de Louvignies was sent down with more than 3,000 allied Spanish troops to defend the town, and Hugo van Arckel, one of the two Schoonhoven burgomasters, drew up a new plan for the fortification of Schoonhoven, which was quickly put into execution. Trees were cut down to be used as barricades, houses demolished to provide a free line of fire, the surrounding countryside was inundated, and small warships were sent to defend the river. The provincial government provided much of the necessary material.

The Schoonhoven garrison would vary in size in the time to come but could become as large as 4,000 men. It consisted of militiamen as well as professional soldiers. Of course, lodging that many soldiers—and their families—in such a small town caused tremendous problems. There were no barracks, so that citizens had to take the soldiers in; there were no paillasses, which caused the soldiers to seize the citizens' beds; contagious diseases soon started to spread, and there hardly was an adequate army medical service. Schoonhoven's limited medical capacity was expected to provide a solution. If provisions of food did not come in time the soldiers simply pillaged the countryside (Schoute, 1979: 90-98; De Bas and Ten Raa, 1921: 353-355; De Bas and Ten Raa, 1921: 353-355).

Yet, Schoonhoven managed to withstand French attacks in August and December 1672 (Block, 1792: 349). In the following years it would keep a large garrison, but in 1674 the worst was over.

France no longer posed a military threat to Holland, and an end was put to the inundation and billeting of soldiers (De Bas and Ten Raa, 1940: 21-22).

### **Small-Town Administration in Times of Crisis**

Schoonhoven's town government consisted of two burgomasters, seven aldermen, a council of 21 members, and a body of 27 "electors," who nominated burgomaster and aldermen candidates, from which the Stadtholder then chose. Then there was a bailiff, directly appointed by the provincial government, who combined the functions of chief of police and public prosecutor. Many of the electors were also members of the town council (Muilwijk, 1989: 134-137; Block, 1792: 460-511; Schoute, 1979: 89; Roorda, 1961: 48, 51). Schoonhoven's administration was of more than just local importance: it played a large role in the dike board of the Krimpenerwaard. The town appointed two of the seven dike reeves, Dordrecht and Gouda each appointed two as well, and the seventh dike reeve was appointed by the dike warden (Schoute, 1979: 89).

When in 1672 Schoonhoven was under threat of being attacked, part of the local administration prepared to surrender to the French. The town was indefensible, after all, and large parts of the population and the farmers living in the surrounding countryside opposed any attempt at defense. Yet, burgomaster Hugo van Arckel almost single-handedly managed to render the town defensible, deposing, in the name of the stadtholder, a large part of the local administration in September 1672; exactly the part that had resisted inundation (Muilwijk, 1989: 137-138). Van Arckel's son Rutgerus now became bailiff (Block, 1792: 504), while he himself remained burgomaster in a newly appointed town government. Soon rumors started to spread that some of the newly appointed politicians enjoyed an ill reputation and were not even citizens of Schoonhoven (papers regarding Van Arckel, National Archives [NA], Records Provincial Court [PC], inv. nr. 5326.6).

### **Hugo van Arckel's Fast Track to Power**

Hugo van Arckel, Lord of Kraaienstein (1630-1706), was a building contractor who had become a citizen of Schoonhoven in 1653. After a few years, he had started to pursue a political career, first as councilor, elector and treasurer, and finally making it to burgomaster and "commissioned councilor," member of the daily administration of the Province. (Van Aesch, 1981; Muilwijk, 1989: 179). In 1672—after he had removed such a large part of the local government—William III offered him the function of bailiff, but Van Arckel refused, as he intended to become dike warden of the Krimpenerwaard, a function that was not compatible with that of bailiff. He managed to get his son appointed bailiff, though, and as Rutgerus was still a minor, Hugo temporarily filled in for him until he had come of age. Hugo himself actually did become dike warden; one of the few dike wardens from Schoonhoven that the Krimpenerwaard would ever have (Van Aesch, 1981: 9-10, 42). Combining the functions of burgomaster, dike war-

den and bailiff, he had now become enormously powerful. William III had rewarded Hugo van Arckel handsomely for his intervention in the summer of 1672, and the burgomaster was now in a position to dominate the Schoonhoven local government on his own and his patron's behalf.

## **A Scandal and a Trial**

On October 22, 1677, Holland's provincial court questioned Hugo and Rutgerus van Arckel. A farmer named Claes Gijsbertsz de Ridder had complained about having been subject to extortion by the burgomaster, who supposedly had seized a considerable part of his property. A few more Schoonhoven officials were heard, and the town's judicial records were inspected (resolution PC October 22<sup>nd</sup> 1677, NA, PC, inv. nr. 284, f. 97ro). As it became clear that there were many more complaints about Van Arckel's behavior, the provincial court decided to keep Van Arckel in The Hague, the court's residence, for the duration of the trial, which had now started. When Van Arckel left for Schoonhoven nonetheless, the court decided to take him into custody and to officially interrogate him (PC 11-7-1677, NA, PC, inv. nr. 284, f. 98r0-vo and 11-29-1677, f. 100ro). The matter was also taken up with the stadtholder (PC 12-12-1677, NA, PC, inv. nr. 284 f. 101ro). When during the interrogations Van Arckel kept refusing to answer, the provincial court committed him to prison for contempt (PC 12-6-1678, NA, PC, inv. nr. 284, f. 140ro). Finally, on February 7, 1679, Van Arckel was suspended as dike warden, to be dismissed from office on the 2<sup>nd</sup> of July 1682. He was barred from fulfilling any government function in the future, and had to pay a fine of 6,000 guilders (PC 2-7-1679 and 7-2-1682, NA, PC, inv. nr. 284, f. 141vo and f. 203ro; sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo).

Naturally, Van Arckel had pointed out that all accusations against him were unfounded, stating that he had always behaved honorably as a local administrator, had had an impressive career in the Schoonhoven local government, and had personally saved his hometown from being conquered by the French in 1672. He had now been imprisoned and interrogated at length, and the only reason for this ordeal was the jealousy of his enemies. Then of course Van Arckel had started to defend himself against the many accusations (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo).

## **"Normal" Accusations**

There had been the "normal" accusations, of course, the kind the Republic's administrators were always confronted with. The sale of offices was one of these. Hugo van Arckel was accused of having farmed out the pawnbroker's shop too cheaply and to have extorted money from the ferry-men. Van Arckel's defense was that the pawnbroker's shop had gone downhill during the war and that he had only tried to get it going again. It was true that he had demanded money from ferry-men, but only from those that had not been paying for their permit before (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo). Then there were accusations the public pros-



ecutor did not manage to substantiate: selling a university scholarship for Theology, for instance, or a position as alderman of Schoonhoven and dike reeve of the Krimpenerwaard (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo).

Extortion was another crime Holland's administrators were often accused of at the time. As a dike warden, Van Arckel was in a position to fine people for insufficiently contributing to waterworks, a power that could of course be abused. He could also make building contractors pay for contracts, and these were indeed crimes he was accused of. Van Arckel replied that he had done nothing that hadn't been done by his predecessors in office as well, and that he had always behaved prudently as a dike warden (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo).

Obviously, as Hugo van Arckel substituted for his son Rutgerus, who was not yet old enough to take up his function of bailiff, many of the accusations against him were about his behavior in that capacity. These were the kinds of accusation always uttered against bailiffs at the time: abuse of power to extort money from criminals and then let them go, which not only caused the arrest of completely innocent people but also made crime commutable. This, supposedly, had happened in the case of Micheas Cocxijs, a vicar's son, who, when drunk, had smashed Willem van der Sprongh's cane against a bridge, destroying its silver handle. Van Arckel pointed out that Cocxijs had been brought before the aldermen before he was allowed to settle his case directly with the substitute bailiff outside of court, which made the transaction completely legal. Cocxijs had then had the damage repaired (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo; papers regarding Van Arckel, NA, PC, inv. nr. 5325).

The case of Johannes Schoonhoven alias Jan Vinck, a local ruffian, was similar. Schoonhoven had thrown bricks and skewers for smoking eel at former bailiff Cornelis van Nesch, Van Arckel's predecessor in that office. He was one of the town gunners and also held a job as ferryman. In that capacity, Schoonhoven had stolen money from the passengers, had acted so incompetently that Hugo van Arckel and his wife had been thrown overboard, had then refused to help them and had insulted them gravely. The following day Schoonhoven had threatened to run Hugo and his son through with a knife and had tried to force various people to fight a duel with him, showing them the sword he had hidden in his cane. After the ferryman had been arrested for the various acts of violence he had committed, his wife had tried to settle things out of court, fearing that her husband would be condemned to death if she did not. Van Arckel appears to have accepted the money without notifying the bench of aldermen—which would have made this legal—but to have returned it to her later. Rutgerus had then brought Schoonhoven to court (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo; papers regarding Van Arckel, NA, PC, inv. nr. 5325).

## **Defending the Town of Schoonhoven**

A special, and much larger, category of accusations against Van Arckel had to do with the defense

of the town of Schoonhoven. Making the small town defensible in a hurry had been a formidable financial challenge. Provincial government had made the money available but did not have the necessary liquid assets at its disposal, upon which Van Arckel had bridged the gap. When the citizens, who had to lodge soldiers, asked for paillasses, for instance, Van Arckel had supplied those. Provincial government was supposed to pay for them but did not send any money; Van Arckel then made the citizens pay for the paillasses from the money they received for lodging soldiers, a service the citizens had volunteered for (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo; papers regarding Van Arckel, NA, PC, inv. nr. 5325; papers regarding Van Arckel, NA, PC, inv. nr. 5326.6). A similar thing had happened when a contagious disease had spread among the soldiers. The victims were taken to the town hospital, where many of them died, and there were not enough coffins for their burial. Van Arckel had then supplied coffins but charged twice as much for these as the local statutes allowed.

When it was necessary to inundate the Schoonhoven territory and to make the river defensible, Van Arckel, in his capacity as a building contractor, had supplied materials and had his men do part of the work. Yet, as a dike warden he was not allowed to act as contractor for waterworks himself. He denied knowing about this prohibition, but it was easy to prove that he did know. He had been a member of the daily provincial government when the decision to ban the dike wardens themselves from involvement in waterworks' construction had been made. Part of the construction had consisted in barring entry to the river by means of a palisade. When some of the poles had come loose and had floated downriver, Van Arckel had collected them and sold them back to the province. The dike warden did not deny having acted as a building contractor but pointed out that at the time no one else was prepared to supply materials to the province and that his activities had prevented the flooding of vast stretches of land (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo; papers regarding Van Arckel, NA, PC, inv. nr. 5325).

In all these cases it proved difficult to establish whether Van Arckel had actually embezzled money. As a building contractor he had supplied a great deal of material during the war, local and provincial finances were still in disarray, and many accounts still had not been settled (papers regarding Van Arckel, NA, PC, inv. nr. 5325).

Using force against fellow citizens when Schoonhoven's defense made it necessary was another source of accusations. The Schoonhoven carters, for instance, had refused to work for the army, for which they had been fined by Van Arckel and had lost their guild's privilege. They had had to pay Van Arckel to obtain a new privilege (as was the custom in Schoonhoven) and complained heavily about not having received sufficient pay for the services they had rendered during the war, and about the fact that one of the carters had even been taken into custody (papers regarding Van Arckel, NA, PC, inv. nr. 5325; papers regarding Van Arckel, NA, PC, inv. nr. 5326.6).

Protecting the citizens against the epiphenomena of defense was a cause of complaints as well.

Van Arckel was accused of locking up a certain Rochus de Visser, color bearer in a company of Rotterdam militiamen, in order to extort money from him. He had kept De Visser in a private jail, in chains, without ever bringing him before the board of aldermen. He had even refused to free De Visser after the prisoner had gone insane, until, finally, a brother of De Visser's had paid Van Arckel to get his relative out of prison. The whole story had started with a certain Neeltje den Uijl, a widow, with whom de Visser lodged. When De Visser had failed to pay her the money he owed her for that, she had had his belongings seized. De Visser had then come to her house to take back his luggage, assisted by the company clerk. Mrs. Den Uijl had complained about his behavior, after which the Schoonhoven police force had come to take De Visser into custody. The company clerk had promptly drawn his sword and started to thrust it at people, and about ten of De Visser's fellow military men had come to their comrade's aid and had driven off the police. When Van Arckel finally managed to arrest De Visser again, he had had no other option than to lock him up in a room in the home of one of his policemen, he later claimed. The prison, after all, was in the town hall, which was being guarded by soldiers. Naturally, Van Arckel denied having demanded money for De Visser's release (papers regarding Van Arckel, NA, PC, inv. nr. 5326.6; sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo; papers regarding Van Arckel, NA, PC, inv. nr. 5325).

Cornelis Halfhaeck, skipper of a snow called the "Griffin" that was used to guard the river near Schoonhoven, had also been locked up. In order to haul cannon that had fallen overboard to the surface again, he had used wood which Van Arckel had accused him of having stolen. Van Arckel, in his turn, was accused of having detained Halfhaeck to extort money from him, in which he succeeded: Halfhaeck had already received orders to join Admiral De Ruyter's fleet with his ship and was in a hurry. Whether Halfhaeck had actually stolen the wood was difficult to establish at the time of Van Arckel's trial, as the skipper had been enslaved by Ottoman corsairs in the meantime. Yet, his crew did testify that Halfhaeck always paid for the materials he used. Van Arckel defended himself, stating that he had had Halfhaeck pay only for the costs of detaining him, as he had had to let him go to enable him to join the Republic's fleet, that he had acted on the aldermen's orders, and that he had kept no part of the money himself (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo; papers regarding Van Arckel, NA, PC, inv. nr. 5325).

Finally, there was the very confusing case of Claes de Ridder, a farmer who had lost his land to Van Arckel. When the Republic was attacked by four enemy powers simultaneously, enormous amounts of money had been needed to pay for its defense. The solution had been found in levying extraordinary taxes and raising government loans. If people felt they were taxed too heavily, they were of course allowed to complain, and that is how De Ridder's problems had started. He had objected to his tax assessment, but the accuracy of his declaration had been doubted.

De Ridder later explained to the provincial court what had happened after that: Van Arckel had locked him up in a private prison and had threatened him with the severe punishment the

provincial government imposed on tax fraud. De Ridder would be taken to The Hague, Van Arckel had said, displayed on the scaffold, and all his property would be confiscated. After having kept De Ridder in custody in a private prison for a night, Van Arckel told him that a coach was already waiting outside to take him to The Hague. De Ridder had then given Van Arckel his farm and a large stretch of land: two thirds of what the farmer possessed. This bankrupted him, as he now was no longer able to pay off his debts. A deed of sale had been drawn up, but Van Arckel had of course never paid. What he did do, was to seize De Ridder's land immediately, which he then used for grazing oxen and to rebuild what used to be De Ridder's farm.

It soon turned out, however, that Van Arckel had not acted on his own. The board of aldermen had earlier questioned De Ridder and had allowed Van Arckel to settle the case out of court. It appeared that the board did not know that crimes such as De Ridder was accused of could not be settled in this manner. The use of private prisons was not uncommon in Schoonhoven, the aldermen declared, and neither was making arrests without their permission. Van Arckel appears to have altogether denied to have settled out of court. He declared that he had simply bought De Ridder's land, although he had not managed to get the cash to the farmer yet, and that De Ridder had sold it of his own free will. Van Arckel managed to produce witnesses willing to testify on his behalf, and these witnesses also declared that De Ridder had been busy inciting people to file complaints against Van Arckel. According to the witnesses, De Ridder had told various people that Van Arckel had received money from the provincial government to help rebuild the houses that had been demolished during the war. If only they would sign a petition, De Ridder would make sure they would receive the compensation they were entitled to (sentence Van Arckel 7-2-1682, NA, PC, inv. nr. 5657, f. 193vo-205vo; papers regarding Van Arckel, NA, PC, inv. nr. 5325; papers regarding Van Arckel, NA, PC, inv. nr. 5326.6).

## Local Politics

This brings us to the political circumstances surrounding Van Arckel's downfall. Van Arckel, already a burgomaster, had managed to obtain the functions of dike warden and substitute bailiff as well, thus becoming the most powerful man in Schoonhoven. He had been appointed by Stadtholder William III, who had also replaced part of the Schoonhoven local government with Van Arckel's help.

Unsurprisingly, Van Arckel quickly managed to bring the Schoonhoven government under his control. In preparation for the trial against Van Arckel, the Schoonhoven administrators were questioned, and a few of them admitted that the so-called "correspondence" [Dutch: *correspondentie*] existed among them: a small majority of the councilors had promised complete obedience to Van Arckel. This group of men divided the most important offices among themselves, as well as the remuneration from these functions. Most administrators refused to answer the provincial court's questions about this matter, however, as these were of a political rather than a judicial na-

ture; legally, they were within their rights in resisting the court in this.

Dominating the town government also enabled Van Arckel to lord it over the dike board of the Krimpenerwaard. Schoonhoven—read: Van Arckel—appointed two out of seven dike reeves. In his function as dike warden, Van Arckel was allowed to appoint yet a third. Obtaining such a position must have been exactly what William III had hoped Van Arckel would do. The Stadtholder had made use of the 1672 crisis to appoint figureheads everywhere in Holland's local government, who were then supposed to make the authorities execute his instructions, and for this he needed men who were able to dominate their fellow administrators.

As was to be expected, the administrators outside the correspondence opposed Van Arckel. Two of them, Nicolaes Juijnbol and Dirck Hoola, actively assisted the provincial court in building its case against Van Arckel. They constantly sent letters containing material incriminating Van Arckel and updates on the political situation in Schoonhoven. Their reasons had little to do with Van Arckel's functioning. Juijnbol was unhappy with his present position in the Schoonhoven government and was trying to incite the civic militia to demand his reinstatement as burgomaster. Hoola was involved in a personal conflict with Van Arckel at the time. As a delegate to the meeting of the provincial government in 1676, he had acted against Van Arckel's orders, and the burgomaster had then insulted him gravely, calling him "a liar who consorted with the devil to do wrong." On the same occasion, Rutgerus van Arckel had called Hoola a "cuckold" and a "scoundrel;" grave matters in those days (papers regarding Van Arckel, NA, PC, inv. nr. 5326.6; papers regarding Van Arckel, NA, PC, inv. nr. 5325; Records Schoonhoven 12-6 to 12-28-1677, Gouda record office [GR], Schoonhoven records [SR], inv. nr. 10, f11ro-24v; Papers regarding Hoola and Van Arckel, NA, PC, inv. nr. 5315.11).

## **After the Trial**

The provincial court tried to get Van Arckel denaturalized as a Schoonhoven citizen, but Schoonhoven's local government refused to do this, as this constituted an invasion of local administrative authority. Van Arckel then tried to reinstate himself to his office, entering the council room on Election Day with a drawn sword, after kicking in two doors (Resolution burgomasters Schoonhoven 7-10-1679, GR, SR, inv. nr. 1, f 101ro Records Schoonhoven 7-10-1679, 11-3-1679 and 4-17-1680, GR, SR, inv. nr. 10, f. 57ro, f. 67ro, f.73ro). Van Arckel was sentenced on July 2<sup>nd</sup> 1682, but that was not the end of the story. He immediately tried to appeal; while the decision whether to grant this appeal was pending, he had to be restored to his former state (papers regarding Van Arckel, NA, PC, inv. nr. 5325). Naturally, he never made it burgomaster or dike warden again, but after a while the town of Schoonhoven found that it could not do without Van Arckel's financial expertise. The Schoonhoven local government had the powers to appoint its own treasurers (Muilwijk, 1989: 134-137). Some six years after his verdict, it appointed Van Arckel again, who then went on to serve five terms as treasurer (Muilwijk, 1989: 179). When Van Arckel died the town government found that his personal finances were still entangled with those of Schoonhoven's charitable institutions, as he had personally



borrowed money from them in 1672 to pay for the town's defenses (resolution "weeskamer" Schoonhoven, 1-14-1707, GR, SR, inv. nr. 284; Van der Molen 2000: 195).

## Conclusions

What stands out in the Van Arckel case is its almost complete lack of ambiguity. Van Arckel had crossed a well-defined line and was made to pay for his transgressions. There appears to have been no conflict of, or shift in, administrative values here, which makes the neo-classical approach rather hard to apply in this case.

Van Arckel seems to have been a highly enterprising and energetic administrator. It was his resourcefulness, creativity and vigor that had saved Schoonhoven from the French. Yet, these exact qualities were the reason that the dike warden also acted in ways clearly considered to be corrupt according to the norms of his time. Van Arckel's behavior was "guerrilla government" got out of hand (O'Leary, 2006). He seems to have been a bit of a "narcissist," in Michael Harmon's (1990) sense of the word. According to Harmon, for every administrative virtue there is a countervailing virtue and, if these are not in balance, pathologies such as Van Arckel's behavior is what you can expect (Harmon, 1990: 155, 157, 173). What is especially striking is that this makes Van Arckel an example of the kind of administrator that figures so prominently in *present-day* Dutch corruption cases. Is it indeed the criminological perspective that is the most helpful in providing insight into his case?

That Van Arckel succeeded in abusing his powers to this degree had everything to do with the political and military situation at the time he obtained his office and with the amateurism of the other small town administrators, who should have kept him under control. Naturally, his downfall was also connected with the political circumstances of the moment. The stadtholder's overwhelming power position had gradually declined when the war was drawing to an end, and Van Arckel's central position in the Schoonhoven local government had resulted in the formation of a competent opposition. The driving forces behind this opposition seem to have been the ambition of Van Arckel's rivals and probably a real concern about the way the dike warden had discharged his duties. It is possible to deduce conflicts between and the evolution of administrative value systems from corruption scandals, but not every scandal reflects a shift in such systems – that is probably the lesson to be learned from the Van Arckel case.

## References

- Blockmans, W.P. (1988). Patronage, brokerage and corruption as symptoms of incipient state formation in the Burgundian-Habsburg Netherlands. In: *Klientelsysteme im Europa der Frühen Neuzeit*, ed. Antoni Mączak. München: Oldenbourg. pp 117-126.
- Brans, M. and S. Rossbach (1997). The autopoiesis of administrative systems: Niklas Luhmann on public administration and public policy. *Public Administration*, 75, (3): 419-439.



Campbell, J.K. (1989). Village friendship and patronage. In: *Political corruption: a handbook*, eds. Arnold J. Heidenheimer, Michael Johnston and Victor T. le Vine. New Brunswick: Transaction. Pp. 327-337.

De Graaf, G. & L.W.J.C. Huberts (forthcoming). Portraying the Nature of Corruption Using an Explorative Case-study Design. *Public Administration Review*.

Gerring, J. and S. C. Thacker (2004). Political Institutions and Corruption: *The Role of Unitarism and Parliamentarism*. British Journal of Political Science, 34, (2): 295-330.

Harmon, Michael M. (1990). The responsible actor as “tortured soul”: the case of Horatio Hornblower. In: *Images and identities in public administration*, eds. Henry D. Kass and Bayard L. Catron. Newbury Park: Sage. pp 151-180.

Heywood, P. (1997). Political Corruption: Problems and Perspectives. *Political Studies*, 45, (3): 417–435.

Huiskamp, René (1991). Een corruptiezaak in de achttiende-eeuwse Meierij van “s-Hertogenbosch. *Tijdschrift voor Sociale Geschiedenis*, 17, (1): 73-97.

Huiskamp, René (1995). Tussen centrum en periferie: giften en corruptie in de vroegmoderne politiek. *Volkskundig bulletin*, 21, (1): 27-58.

Hoetjes, B.J.S.(1977). *Corruptie in het openbare leven van ontwikkelingslanden: een verkenning van theorie en onderzoek, in het bijzonder gericht op India sinds 1947*. Leiden: Leiden University.

Hoetjes, B.J.S.(1982). *Corruptie bij de overheid: een bestuurlijk en politiek probleem, sociaal-wetenschappelijk beschouwd*. The Hague: VUGA.

McFarlane, Anthony (1996). Political corruption and reform in Bourbon Spanish America. In: *Political corruption in Europe and Latin America*, eds. Walter Little en Eduardo Posada-Carbo. New York: Basingstoke Macmillan. pp. 41-63.

Muilwijk, P. (1989). Vijf eeuwen stadsbestuurders van schoonhoven (1297-1795). *Gens Nostra*, 44, 134-202.

O’Leary, R. (2006). The ethics of dissent: managing guerrilla government. Washington: CQ Press.

Roorda, D.J. (1961). *Partij en factie: de oproeren van 1672 in de steden van Holland en Zeeland, een krachtmeting tussen partijen en facties*. Groningen: Wolters-Noordhoff.

Rose-Ackerman, S. (2006). *International Handbook on the Economics of Corruption*. Cheltenham UK and Northampton MA: Edward Elgar.

Rubinstein, W. D. (1983). The End of “Old Corruption” in Britain 1780-1860. *Past and Present*, 101, 55-86.

Schoute, C.R. (1979). Schoonhoven in 1672, *Historische encyclopedie Krimpenerwaard*, 4, (4), 83-100.

Ten Raa, F.J.G. and F. de Bas (1921). *Het Staatsche leger, 1568-1795. 5. Van het sluiten van den vrede te Munster tot de verheffing van Prins Willem III van Oranje tot kapitein- en admiraal-generaal der Vereenigde Nederlanden, (1648-1672)*. The Hague: Martinus Nijhoff

Ten Raa, F.J.G. (1940). *Het Staatsche leger, 1568-1795. 6. Van de verheffing van Prins Willem III van Oranje tot Kapitein- en Admiraal-generaal der Vereenigde Nederlanden tot het begin van den Negenjarigen Oorlog (1672 - 1688)*. The Hague: Martinus Nijhoff.

Van Aesch, F.H.J. (1981). De dijkgraven van de Krimpenerwaard, 1608-heden, *Historische Encyclopedie Krimpenerwaard*, 6, (4), 1-43.

Van Berkum, Henricus and Johannes Adrianus Block (1792). *Beschryving der stad Schoonhoven,/ bevattende in zig en verhaal van derzelver grond, waterstroomen, bevolking ....* Gouda: Gysbert en Willem de Vry.

Van Deursen, A. Th. (2004). *De last van veel geluk: de geschiedenis van Nederland, 1555-1702*. Amsterdam: Bakker.

Von Maravic, Patrick, Gjalt de Graaf and Pieter Wagenaar (forthcoming). Introduction. In: *The Good Cause. Theoretical Perspectives on Corruption*, eds. idem. Leverkusen: Barbara Budrich publishers.

Waquet, Jean-Claude (1991). *Corruption. Ethics and Power in Florence, 1600-1770*. Cambridge: Polity Press.

## **Records**

### **National Archives**

*Records Provincial Court*

Inv. nr. 284, resolutions Provincial Court 1674-1685

Inv. nr. 5315.11, Papers regarding Hoola and Van Arckel 1678

Inv. nr. 5325, Papers regarding Van Arckel 1680

Inv. nr. 5326.6, Papers regarding Van Arckel 1680

Inv. nr. 5657, Sentences Provincial Court 1663-1688

### **Gouda Record Office**

#### *Records Schoonhoven*

Inv. nr. 1, Resolutions burgomasters Schoonhoven 1654-1704

Inv. nr. 10, General records Schoonhoven 1677-1681

Inv. nr. 284, “Weeskamer” Schoonhoven resolution 1707

---

**Dr. Pieter Wagenaar** is assistant professor at the department of Public Administration and Organization Sciences of the Vrije Universiteit Amsterdam. His research interests include informatization and the history of public administration.

---

# Reflections on Balzac's *Physiology of the Bureaucrat* (1841): Tracing Popular Opinion and the Problems of Irony

Mark Rutgers

---

## Introduction

According to popular opinion, popular opinion on bureaucrats was and is judgmental. But what were the values attributed to bureaucracy and civil servants in the past? This is an important issue if we want to understand how public administration was perceived in other times and places.

Popular ideas are important. They constitute the social context in which administrators act, irrespective of the correctness, or even moral justness, of these views. They are as important for understanding and appraising public administration in a certain time and place as scholarly texts. Popular opinion is, however, difficult to trace in historic research. We can partly rely on newspapers and (before these) pamphlets as sources for studying the values attached to public administration, but prose and other artistic narratives are equally important. To argue the relevance of the study of prose is certainly not new; in fact, it is as old as the study of public administration. Ideas presented in fiction stick and influence even academic thought on public administration (cf. McCurdy, 1987).

This article discusses and reflects upon just one example of a non-scholarly text: Honoré de Balzac's *Physiologie de l'employé* or *Physiology of the Bureaucrat*, published in 1841. The discussion of this text leads to a second, more general, topic also discussed in this article: the use of semi-fictional or para-literature of an ironic nature as a source for tracing popular opinion.

This article starts with a characterization of the image of public administration as presented in Honoré de Balzac's *Physiology of the Bureaucrat*. Many of his impressions will still sound familiar today. Besides my historical interest in public values, what triggered my studying this particular text was a recent translation of this work into Dutch, in which the translator remarks that Balzac's "amusing description of the administrative apparatus shows a remarkable number of similarities to what today's reader will undoubtedly have encountered" (Claessens, 2006: 8;

transl.). However, not only are the functionaries and the social context as described by Balzac surely alien to the present-day average reader (even in France), but the fact is also that simply referring to this text as “amusing” does Balzac an injustice: his account is ironic and, as such, contains an inverse, positive assessment of bureaucracy. This brings me to my second topic: Balzac forces us to reflect on the nature of his text, i.e., the use of irony, and the pitfalls this provides for regarding a text as reflecting “popular opinion.” These difficulties will be assessed by a brief comparison with a contemporary English author whose use of irony backfires: Henry Taylor’s *The Statesman*. The conclusion will be that the use of ironic texts is valuable for identifying any popular ideas, as irony specifically has to represent popular sentiments in order to work at all. However, this also implies that the “true” message of the author contained in an ironic account cannot be taken as a representation of popular opinion.

## The Author and the Style

Before turning to the contents of Balzac’s book, I will provide some context and background information on the author, his oeuvre, and the nature of a so-called “physiology.”

Honoré de Balzac was born in Tours, France, in 1799 as the son of a well-to-do family; his father was a civil servant. Balzac started to work as a clerk. In 1819, however, he decided to become a fulltime writer. It took him a decade to become an acknowledged author due to the very positive reception of both his novel *Le dernier chouan ou la Bretagne en 1800* and the *Physiologie du mariage* in 1829. Balzac is nowadays considered one of the most important nineteenth-century French authors. His novels were romantic and realistic in tone. He is famous for his project “La Comédie humaine”: a series of over a hundred novels giving a keen and detailed impression of French society after Napoleon Bonaparte. After a life full of difficulties, intrigue, and success he died in 1850.

With regard to the nature of the *Physiology of the Bureaucrat* (hereafter: the *Physiology*), three aspects deserve attention: style, topic, and, to start with, Balzac’s familiarity with the subject matter: he was generally regarded as a keen observer of society and well aware of the intricacies of “bureaucratic life” in his days. This is exemplified by the fact that he modeled the leading character in one of his novels closely on the civil servant Henry Monnier (Thuiller, 2001). The *Physiology* is actually a spin-off of a larger project dealing with bureaucracy (cf. Claessens, 2006: 7). This project resulted in three publications: the novel *La Femme supérieure* in 1837/1838, the *Physiologie de l’employé* in 1841, and a second novel, *Les Petit Bourgeois*, in 1855. Thus, it seems safe to conclude that Balzac was knowledgeable about public opinion on bureaucracy in his days.

Concerning the style of the text, it is noteworthy that the *Physiology of the Bureaucrat* was published as part of a long series of similar booklets. There was a vast audience for these booklets, making them an interesting source for studying popular opinion. No fewer than 75 were published in the same year; all were the work of satirical authors and artists and dealt with topics such

as lawyers, citizens, hairdressers, students, women, the national guard, opera, the Englishman in Paris, and so on. These physiologies were fairly harmless, presenting humoristic typologies of the members of various branches of society. The physiologies aimed at a public of average intellect, using all journalistic tools available at the time. As Claessens (2006: 7/8) states, they provided a means to better grasp the complex urban society.

Literally a *physiology* is a study of “function, working and composition” of a natural phenomenon. Bijaoui-Baron (1980) has characterized the style of the (prose) physiologies as “studies of the morals with a scientific air and the appearance of seriousness.” Thus, the designation “physiology” is ironic in intent. Balzac’s use of the style can be observed by looking at his earlier, more famous and elaborate *Physiology of Marriage* (Komroff, 1932: 10). It deals with a much-discussed social phenomenon, marriage. The book suggests a serious treatment of the topic in terms of “statistics,” “marriage hygiene” and even “the theory of the bed.” The book concludes with a section on what Balzac called “civil war,” concerning mothers-in-law, lovers, maids, and the various weapons available to wives (such as headaches, nerves, and modesty). Clearly, this all amounts to “making fun.” However, the topic was undeniably important and much discussed in society. As the cover of the 1932 English translation states: “Written with charming flippancy, but always more serious than it pretends.” The ironic nature of the book is reflected in the title, as the book primarily deals with infidelity. Balzac, however, conveys a serious message “between the lines” by pointing out inconsistencies and outright hypocrisy in the existing morals. What is more, the *Physiology of Marriage* was based on real experiences, in particular those related to Balzac by his mistress De Berny and by the Duchesse d’Abrantes (Balzac, 1830/1932: 23; cf. Komroff, 1932: 13). Thus, the style of the book is not just fictional and humoristic but rather intended to present the readers with recognizable situations and make them reflect on their own opinions and values.

Finally, we have to consider how the topic of the *Physiologie de l’employé* had best be characterized and translated: the simple “employee” is too broad, as the topic is limited to public functionaries. *Civil servant* might do the trick, but, as we will see later on, Balzac limits his attention to people working in (Parisian) bureaus. Hence, it seems appropriate to refer to “the bureaucrat” as the general topic.

## **The Contents of Physiology of the Bureaucrat**

Having established the possible relevance of the *Physiology* as a source for popular opinion in mid-19<sup>th</sup> century France, let me turn to the contents of the book itself. In my discussion of the *Physiology* I will first present a very brief outline of the book, followed by a discussion of Balzac’s valuations of bureaucrats by means of examples.

The *Physiology* is well structured and consists of fifteen chapters. Throughout the book there are humoristic illustrations, showing bureaucrats at work, i.e., behind a desk, in a bureau, and walking around. In the first five chapters the topic is defined (“the bureaucrat”), delineated (“in Paris”),



contextualized in terms of importance and status (“utility” and “history and philosophy”), and of physical environment (“the bureau”). In the following chapters Balzac presents a typology of bureaucrats, starting with some atypical functions and voluntary functionaries. This is preceded by a proclamation on the variety in nature and appearance of people working as bureaucrats, providing details about character, motives, and social circumstances of various kinds of clerks as well as heads of bureaus and divisions. These bureaucrats are the center of attention in the *Physiology*. After a typology of the bureaucrats in the core hierarchy, Balzac concludes with some remarks on office boys and retired bureaucrats. In the final chapter some general conclusions (“morals”) are presented.

What kind of observations and arguments does Balzac offer? In line with the semi-scientific style of a physiology, he starts to define the bureaucrat as “someone who needs his salary in order to live and who is unable to give up his job for this reason, because all he can do is scribble on papers”—not a very kind description. It is followed by the observation that this implies that the King of France is not a civil servant, and neither are generals or soldiers. A bureaucrat writes, and does so sitting in a bureau. Judges, however, are also excluded, as they are appointed for life and their salary is not in accordance with their work. The last statement by implication provides a positive assessment of the bureaucrat. This kind of double-edged observation characterizes the book. Thus, Balzac “defends” bureaucracy against its enemies by pointing out that a single screw or piece of wire may seem useless, but they are important pieces of working machinery, and concluding that the same goes for bureaucrats. Yet he also fulminates against red tape, stating that France had the best bureaucrats in the world: they wrote down everything conceivable, verifying and controlling everything in the past, present and future. Not one “centime” was spent in France that was not ordered by letter, checked for writing, and of which a document was drawn up, copied in registers, checked and verified. In the case of the smallest imperfection cold sweat would break out. Balzac concludes with the statement that France was superb: it had the largest and most expensive bureaucracy in the world.

Bureaucrats are also one with their natural environment: the horrible sheds called “bureaus,” where sunlight does not penetrate, numbing the mind and making it work like that of a horse in a treadmill. Balzac concludes that even the most dirty kitchen utensils provide an infinitely nicer picture than the tools in the kitchen of administration (“les utensiles de la cuisine administrative” p.49). The reason we might doubt the intelligence of bureaucrats is that they work in these conditions; but then—here is a twist—they have become numb due to this environment in the first place. So, is Balzac arguing against the bureaucrats or against the working conditions provided for them? Probably a bit of both.

The descriptions of bureaucrats are not flattering. The head of a bureau is presented as similar to a colonel in the army but looking more like a teacher (“regent”). Nevertheless, in order to arrive at such a high position, someone undoubtedly had to be endowed with “powerful natural talents and eminent qualities.” At the same time, the bureaucrat is often depicted as corpulent and with a tired face. There are good and honest people amongst them, but most often there is something bitter and despotic in their appearance, according to Balzac.

The types of bureaucrats Balzac distinguishes (such as “the collector,” “the scholar,” “the merchant” and “the poor servant”) are ridiculed. Just one type is presented as positive, but for his name: “the drudge.” He (the year is 1841) is presented as serious, studying people and affairs, knowing his business, and the like; he is much in demand with ministers and supervisors and, as is always the case with the best of the bunch, he comes in for the most flak. People appreciate him as a “true bureaucrat;” again an example of Balzac’s use of irony.

There are many more observations in the book, but one recurs: bureaucrats perform poorly because they are paid poorly. Thus, Balzac points out that everything goes slowly in the land of bureaucracy but immediately states that this is due to the state paying so badly that everyone needs at least two jobs and so has to divide his attention between them. He even adds that it is no wonder that the famous Rothschild bank could handle as much money as the state with just a fraction of the number of functionaries. Balzac’s conclusion is that payment should be in accordance with the demands of the job. This mirrors the earlier remark on judges. Also, in the concluding chapter Balzac states that the state steals as much from its civil servants as the civil servants owe working time to the state: little work is being done since little is being paid. This, in turn, is due to no one being interested in bureaucrats, according to the paradox that “Serving everyone is serving none.” In this respect Balzac states: “Nowadays, the worst state is the State” (“Aujourd’hui, le plus mauvais état, c’est l’ÉTAT!” (p.29).

Another familiar issue he tackles concerns the relation between politics and administration: there is no harmony between government and bureaucrats. The problem is that ministers “want and want not,” so causing endless delays. At the same time, bureaucrats have their own opinions and do not always act in line with spirit of the government (“la pensée du Gouvernement,” p. 102). So, in this case Balzac strikes a balance (but it was of course the citizen who had to live with the outcome). Nevertheless, Balzac’s sympathy seems to be more with the bureaucrats than with the politicians. He remarks, for instance, that bureaucrats serve the state, and all those who let themselves be served by the state are statesmen. He also notes that bureaucrats observed how good things were possible in theory but impossible in practice. The book actually concludes with the topic of politics and administration: the legislative bodies want to govern and the bureaucrats want to legislate, the government wants to administrate, and the administrators want to govern. What’s new?

### **The Positive, the Negative, and the Ambivalent**

As indicated, the tone of a physiology was usually benevolent. However, already in his *Physiologie du mariage* Balzac proved to be much more ruthless, by focusing on “infidelity” as a characteristic of marriage. Similarly, the *Physiologie de l’employé*, as Bijaoui-Baron states, is a “very ferocious indictment against the bureaucracy” (1980, p.70: translation MRR). But here we have to be careful, for, as indicated earlier, Balzac conveyed his “true” messages by means of irony. He was critical of bureaucracy but equally critical of the way bureaucrats were being

treated. Amidst the ridiculing of types of bureaucrats and their character, he made razor-sharp statements such as that the people were simply blind to the merits of bureaucrats. The *Physiology* is not to be read as just a mockery of government and its servants, nor as simply a negative—humorous, if you like,—portrayal of bureaucrats.

Three kinds of valuations of bureaucracy by Balzac may be distinguished: negative, positive, and ironic. To start with the negative statements about bureaucrats: these may be divided into those referring to bureaucrats and those about the working conditions. Prime examples of the first are: “all he can is scribble on papers;” “hollow phrases as meaningless as those of the bureaucrats;” “the biggest red tape of the world;” “the bureaucrat in Paris is a something” (rather than someone); fishing is similar to working in a bureau; the overwhelming concern with one’s career, and the slowness of the bureaucrats. Examples relating to the nature of the working conditions are: the terrible bureaus “numbing the mind and making it work like that of a horse in a treadmill;” “it is barracks for idiots that the bureaucrats live in.”

There are also positive statements. They concern the bureaucrats, never the working conditions: bureaucrats “serve the state” (i.e., contrary to statesmen); salary should be in accordance with the work (i.e., they are underpaid); bureaucrats are “important parts/pieces of working machinery;” bureaucrats are much under-appreciated; as mentioned earlier, one type of bureaucrat is pictured positively as the “true bureaucrat.” Furthermore, the bureaucrat is portrayed as a good defender of legislation, closely guarding the state expenses. Of course, these remarks are offset by the “red tape,” slowness, and the like as mentioned earlier. This is where we hit the ironic nature of Balzac’s account, which is most explicit in remarks such as: “O, enemies of the bureaucracy! How long will you keep uttering hollow phrases as meaningless as those of the bureaucrats themselves?” Other examples are: Bureaucrats write down “everything conceivable, verifying and controlling everything in the past, present and future;” earlier, we also saw some examples relating to the “balance” between slowness and pay and the link between appalling working conditions and the sanity of the bureaucrats wanting to work there. Similarly, negative remarks on character and appearance of bureaucrats are followed by the suggestion that they are undoubtedly talented and that “there are good and honest people amongst them.”

## The Ironic Stance

The previous section indicates that Balzac may have built his *Physiology* around preexisting ideas “well anchored in popular conscience,” as Bijaoui-Baron (1980: 70) puts it. We can reconstruct a set of values Balzac regarded as important (as we shall see), but to what extent can they be seen as reflecting “popular opinion” in his days? A problem is that Balzac used irony, and so inserted in his narrative a level of signification at which he states the opposite of his literal message: irony implies a “reverse affirmation.” Amidst all the mocking, ridiculing, negative, and humoristic descriptions Balzac takes a stance for the importance of bureaucracy. Among the negative and positive characterizations there is another level of signification: text and meta-text of the stated and

not-stated. The real message is in what is *not* stated, but implied, and what is shown as the absurd consequence carries a powerful message. According to Bijaoui-Baron, Balzac discussed the faults of bureaucracy so as to better show the gravity of the situation (1980: 73/73), i.e., the gravity of a malfunctioning bureaucracy, because bureaucracy is important.

Here we touch upon a problematic aspect of studying an ironic account: it is up to the reader to “read between the lines” in order to unravel the “reverse affirmation”: there is a wide margin of ambivalence as to the interpretation of the values expressed by the author. As stated in the introduction, at the more basic, literal level of meaning the *Physiology* is easily regarded as just a “meaningless” humorous text, affirming all kinds of popular, especially negative sentiments. However, being an ironic account, there is a much more serious stance defended by the author that actually rejects (ridicules) these superficial perceptions. This demands a lot of the readers, and it is an open question what meaning they attach to the text. That in this respect irony is a “dangerous” style can be illustrated by the example of a novel by a contemporary of Balzac’s, in which the use of irony backfired: Henry Taylor’s *The Statesman* (1836).

Whereas Balzac was a “would-be” clerk who became a famous French novelist, Taylor had a fair reputation as a novelist but was also a high-ranking British civil servant. *The Statesman* was actually an important and influential work in Great Britain (cf. Dunsire, 1973: 18; Silberman, 1957: xi). Taylor was concerned with the poor quality of the civil service and the “proper political role of a democratic civil service” (Schaefer & Schaefer, 1992: 2). The civil service was notorious for its incompetence, inefficiency and sometimes dishonesty due to its reliance on patronage (Silberman, 1957: xxxi). The topics dealt with range from the serious civil career, choice of men, official style, secrecy, manners, and patronage to amusement, marriage, and quarrelling. As Balzac’s, Taylor’s book is humorous but at its heart there is a serious message. Rather than using a more homogeneous style, Taylor mixes serious arguments and ironic passages. Some examples of his irony are: the importance of reputation and (in reference to Machiavelli) the claim that a false reputation is just as good; “if he [the bureaucrat] be not wealthy by inheritance, he should endeavor to secure wealth by marriage” (Taylor, 1836: 37); “There is no such test of a man’s superiority of character as in the well-conducting of an unavoidable quarrel” (p. 53). The interesting thing is that in the case of Taylor we actually have proof of readers not grasping his irony. The book was characterized by newspaper critics as immoral, entirely missing the “sub-sarcastic vein” (Schaefer & Schaefer, 1992: 10), they were shocked at the iciness and wickedness of Taylor’s remarks (Silberman, 1957: xii & xlv). In his later autobiography Taylor stated that his intentions were indeed misunderstood and tried to repair the damage by explicitly stating that some chapters were only a piece of sarcasm. Nevertheless, “*The Statesman* did its author much harm.” (Silberman, 1957: xlviii). In the posthumous 1927 edition a chapter was even given a new sub-title explicitly calling it “an ironical treatise.”

The example of Taylor shows that it is possible that irony is not recognized by (contemporary) readers. It also shows that, when taken literally, Taylor’s work was at odds with the values of his day, which may explain the fierce criticism he received.

### Some "Morals"

As shown by more recent examples such as "The Peter Principle" (Peter & Hull, 19 1970) and the British television series "Yes, Minister," humoristic, especially ironic, exposure can force us to reflect on administrative reality in order to gain new, better insights. They do have a serious intent underlying the humoristic surface. Irony, because of its double layer of meaning, makes it difficult to identify the author's real core message. Taylor's example stresses the problems inherent in taking an ironic stance; even recognizing irony by contemporaries of the author can not be guaranteed. It should, however, be noted that irony relies on the possibility to reverse meanings. In this sense, the literal, first-level meaning of an ironic text must represent popular opinion, for this is what the author relies on in order to be able to use irony in the first place. As such, an ironic text, perhaps more than any other, provides us with a representation of popular opinion. At the same time, it implies that it is more difficult to identify irony at another time and place, precisely because one has to "read between the lines," i.e., to identify the second layer of inverse meaning, which presupposes we are familiar with popular opinion to begin with. This implies that we can certainly not regard the second layer, i.e., the ironic meaning, as representing popular opinion. What is more, it is very difficult to assess how the irony was appreciated at the time, unless we can find explicit discussions such as Taylor's case (but then he was perceived as being at odds with existing morals). Irony presupposes an intelligent reader. Unlike simple humor, irony is hidden. This is why the late-20<sup>th</sup> century call for an ironic stance by the philosopher Richard Rorty has been criticized: his philosophical "hero," i.e., the ironist, is an elitist figure. In the same way Balzac expected his audience to recognize and then to agree or disagree with his irony: one can only ridicule what is recognized and acknowledged. The latter includes the recognition of the readers' own normative starting points. The danger is, however, that the reader remains unaware of the intended irony. Whether or not Balzac is interpreted as presenting a positive or negative stance about bureaucrats depends on the recognition of his ironic statements by the reader.

If we concentrate our efforts on identifying what Balzac positively valued and considered important for bureaucrats, the following qualities can be distilled from his text: writing skills, scrutiny, talented, conscientious, "guarding town and country," serving the state, guarding expenses, guarding legislation. It is especially the characterization of the positively intended "true bureaucrat" that provides us with information: serious, studying people and affairs, insight into the workings and motivation of public administration; knowledgeable about his business. As such, this seems a rather recognizable, perhaps "timeless" set of values, although there are differences, such as an obvious negative assessment of a "career orientation" by Balzac. Furthermore, what is lacking is any reference to issues concerning policy making; in Balzac's days bureaucracy clearly was primarily concerned with the execution of the law rather than policy preparation or evaluation.

The major negative assessments concern the terrible state of the offices (the bureaus) and the slowness and red tape of bureaucracy. Besides the nature of people wanting to work for government (about which the text is ambivalent), Balzac primarily blames the lack of adequate salary for this and, by extension, blames politics (and people in general) for not paying enough attention to bureaucracy.



This article started with the statement that ‘according to popular opinion, popular opinion on bureaucrats was and is judgmental.’ If we follow Balzac’s ironic argument, popular opinion is wrong: underlying negative assessments in the *Physiology of the Bureaucrat* there is a much more positive assessment of bureaucrats and bureaucracy. However, if we look at the first, literal level of meaning popular opinion is right. Thus, the mainly negative and judgmental statements Balzac presents should be regarded as being closest to popular opinion, precisely because he needed this to be able to use irony and present his “inverse” meaning. Nevertheless, in the end, Balzac suggests more explicitly that the political leaders and legislators are to blame for the vast, inefficient, expensive administrative apparatus, because no one cares about its employees, and they are simply underpaid. This may be just as relevant as his outline of popular opinion is applicable to present-day popular opinion. On the one hand, we can find similar arguments being advanced much later, even today. On the other hand, as with all “lessons from the past,” times have changed: Balzac wrote before the civil service boomed in the late 19th century, just before the working conditions, appointment, salary, pension systems, and such started to develop all over Europe, and the Reform Movement in the US pointed to the importance of “morale in the civil service.” The “managerial revolution,” citizens’ involvement, etc., in the 20<sup>th</sup> century lie between Balzac’s days and ours. This makes it perhaps even more surprising that popular opinion seems to be so resilient in its assessment of bureaucracy and bureaucrats.

## References

- Bijaoui-Baron, A.-M. (1980). L’ironie de Balzac dans la “Physiologie de l’employé” [Balzac’s irony in the ‘Physiology of the bureaucrat’], *Année (L’) Balzacienne* Paris, 1, 69-74
- Claessens, M. (2006). Voorwoord [preface]. In: Balzac, H. *Fysiologie van de ambtenaar* (pp. 7-8). ’s Hertogenbosch: Voltaire.
- De Balzac, H. (1830/1932). *The Physiology of Marriage*. New York: Grove Press.
- De Balzac, H. (1841). *Physiologie de l’employé* [Physiology of the bureaucrat]. Paris : Aubert
- De Balzac, H. (1841/2006). *Fysiologie van de ambtenaar* [Physiology of the bureaucrat]. Translation into Dutch by M. Claessens. ’s Hertogenbosch: Voltaire.
- Komroff, M. (1932). Foreword. In: De Balzac, H. (1830/1932). *The Physiology of Marriage* (pp. 7-14). New York: Grove Press.
- McCurdy, H.E. (1987). How Novelists View Public Administration (pp. 543-574). In: R.C. Chandler, *A Centennial History of the American Administrative State*. New York & London: The Free Press & Collier MacMillan Publishers.



Peter, L. & R. Hull (1970). *Het Peter principe* [The Peter principle]. (orr. 1969). Deventer: Kluwer.

Schaefer, D.L. & R.R. Schaefer (1992). Editors' introduction: Sir Henry Taylor and the study of public administration. In: Taylor, H. *The Statesman*, (pp. 1-57). (ed. D.L. Schaefer & R.B. Schaefer). revised edition. London: Praeger.

Silberman, L. (1957). Introductory essay. (xi-lii). In: Taylor, H. *The Statesman*. Cambridge: Heffer & sons.

Taylor, H. (1836/1957). *The Statesman*. Cambridge: Heffer & sons.

Thuiller, G. (2001) En marge de Balzac: Les Scènes de la vie bureaucratique (1835) d'Henry Monnier [In the margins of Balzac: The scenes of bureaucratic life (1835) of Henry Monnier], *La Revue administrative*, 54, 129-137

---

**Dr. Mark R. Rutgers** is a professor of public administration at Leiden University, the Netherlands. He wrote this article as a fellow at the Netherlands Institute of Advanced Sciences, Wassenaar. His areas of research include the philosophy and history of public administration and its study, the nature of public values, and public integrity.

---

# Corruption as a Political Issue in Modern Societies: France, Great Britain and the United States in the Long 19th Century

Jens Ivo Engels

---

The so-called “long 19<sup>th</sup> century,” from the French Revolution to the First World War, ranks as the crucial phase in the genesis of the modern world.<sup>1</sup> In the Western countries this period was characterized by the differentiation of the public and the private spheres, the birth of the modern bureaucratic state and the delegitimation of early modern practices such as clientelism and patronage.<sup>2</sup> All these fundamental changes are, among other things, usually considered important preconditions for the modern perception of corruption.

This paper will concentrate on this crucial phase by means of a comparative analysis of debates in France, Great Britain and the United States, with the aim to elucidate the motives for major anti-corruption movements. The questions are: who fights against corruption? and what are the reasons for doing so? I will argue that these concerns were often very different and sometimes accidental. Furthermore, an analysis of political corruption may reveal differences between the political cultures in the countries in question. Thus, the history of corruption serves as a sensor which enables a specific perspective on politics. By taking this question as a starting point, the focus is narrowed to *political* corruption and the *debates* about corruption, while petty bribery on the part of minor civil servants, as well as the actual *practice* in the case of extensive political corruption, is left aside.

The term “corruption” is strongly normative. It is impossible to use it without implying criticism on the problem in question. Moreover, it implies many meanings besides bribery and venality – which is true above all for the historical period in question. In fact, it denotes decay, particularly in the French and English usage. It implies physical decay, notably of organisms, meaning decomposition and rottenness. Moreover, corruption stands for moral decadence: *The Grand Larousse* (1866) defines corruption as actions against conscience and sense of duty. Speaking of

---

<sup>1</sup> Bayly, 2004.

<sup>2</sup> Cf. Introduction in Karsten/ Thiessen, 2006: 7-17.

corruption implies an entire array of physical, moral, and political decadence or impurity.<sup>3</sup> Thus, when used in political contexts, the term carries a notion of decline which tends to make it a dangerous discursive weapon.

However, academic research on corruption has developed a sort of standard definition for the actual *practice*: “corruption” is the obtaining of personal benefit by means of the abuse of public office.<sup>4</sup> The apparent clarity of this definition, however, obscures the problematic content of the term, which will presumably never be defined satisfactorily. Although it implies universal validity, it only makes sense in specific historical and cultural contexts, i.e., Western societies since the late 18<sup>th</sup> century. In fact, the standard definition implies the opposition of the private and the public as distinctive spheres. What is understood by these two domains may differ significantly depending on cultures and societies.

Surprisingly, historical literature on corruption is comparatively scarce.<sup>5</sup> Whereas there are many studies on the topic in sociology, political science and law, historians have been reluctant to address the phenomenon. The absence of the topic of corruption is most striking in German historical literature on the 19<sup>th</sup> century – only very recently has a discussion on this matter developed.<sup>6</sup> British historians, however, have shown more interest in corruption history, focusing on electoral corruption and the debate on the so-called “Old Corruption” at the turn of the 18<sup>th</sup> and 19<sup>th</sup> centuries.<sup>7</sup> French historiography has produced some studies on political scandals and the close relationship between business and politics, but there is no systematic account of the phenomenon.<sup>8</sup> The most marked tradition of historical corruption research regards the history of the United States, highlighting the structural importance of bribery and “machine politics” in the political system during the 19<sup>th</sup> century on federal and city levels.<sup>9</sup> But even here a single comprehensive monograph on the 19<sup>th</sup> century is still missing. International comparisons, on the other hand, are also yet to appear.

## Corruption in Early Modern and Modern Contexts

This special caution regarding the term “corruption” is not least motivated by the problems and misunderstandings early modern historians have been facing in recent decades. Put simply, for a

---

<sup>3</sup> Cf. Gembicki, 1994: 7-54; Génaux, 2002: 513-530.

<sup>4</sup> Engels, 2006.

<sup>5</sup> A more detailed overview can be found in the Introduction to Engels/ Fahrmeir/ Nützenadel, 2008.

<sup>6</sup> Engels, 2006; Bösch, 2005; Engels/ Fahrmeir/ Nützenadel, 2008.

<sup>7</sup> Rubinstein, 1983; Harling, 1995/ 1996; Seymour, 1915; Burn, 1951; O’Leary, 1962; Gwyn, 1962; Whitehead, 1984; Hoppen, 1996.

<sup>8</sup> Engels, 2008; Blanc, 1992; Bruguière, 1986; Dansette, 1936; Chabannes, 1972; Guilleminault/ Singer-Lecocq, 1975; Mollier, 1991; Thiveaud, 1997; Jankowski, 2000; Fortescue, 2002; Garrigues, 2003.

<sup>9</sup> Eisenstadt/ Hoogenboom/ Trefousse, 1978; Nelli, 1970; Allswang, 1986; Summers, 1987/ 2003/ 2004; Lindberg, 1991; Eisenstadt, 1990; Lammersdorf, 1995; Morrison, 2000; Harter, 2002; Grossmann, 2003; White, 2003; Hohenstein, 2004.

long time two theories about corruption between 1500 and 1800 prevailed. First, Jacob van Klaveren, in his seminal article, claimed that early modern societies had been thoroughly corrupt, because there had been no separation between the public sphere and private interest, public offices having been exploited in the same way as private enterprise.<sup>10</sup> Second, James Scott stated that, because of this situation, the term “corruption” (resulting from “modern” conceptions of society) did not apply at all to the early modern world.<sup>11</sup>

Recent historiography, however, has pointed out the enormous importance of corruption debates, which did address transgressions of public office holders. Early modern conceptions of public and private interest were obviously much more complicated than hitherto assumed. On the one hand, there was a sense of the anonymous general interest that had to be secured by monarchs, princes and office holders. At the same time, protection of one’s family, or nepotism, was a Christian’s duty in earthly life. Both the gift-giving society and the ideal of incorruptibility in public office existed side by side, influencing practices as well as norms. Contemporaries were well aware of this complicated situation and reflected upon it. Therefore, recent historiography has proposed to view early modern practice and normative thinking as characterized by an open rivalry between conflicting value systems.<sup>12</sup> The validity of a certain norm was never without ambiguity, and which norm prevailed depended on the circumstances of specific situations. In early modern towns in southwest Germany a gift to public servants could be legitimate if handed over openly; in case of a clandestine handing-over the *same* procedure might have appeared as corrupt, as Valentin Groebner points out.<sup>13</sup> So, we can identify three main characteristics of early modern corruption:

- The criteria for a verdict of “corruption” were not clear yet, and they were not clearly linked to *specific* practices.
- The idea of the common good as a norm of action did exist. But the common good was not yet exclusively connected to the idea of the state or public office. There was an other “common good” linked to family or patronage interests. We can distinguish between the *anonymous* version of the common good (referring to mankind in general or the state) and a *particular* common good (referring to clientele or family). Therefore, aspiring to profits by means of a public office could not simply be classified as self-interest.
- As the anonymous and the particular conceptions of the common good were both legitimate (and displayed in public), the rivalry between the two value systems was apparent. This open and public jarring of conflicting norms decreased during the process of modernisation.

---

<sup>10</sup> Klaveren, 1957.

<sup>11</sup> Scott, 1972: 7-8.

<sup>12</sup> Thiessen, 2008; Engels, 2006.

<sup>13</sup> Groebner, 2003.

Starting from this, modernizing societies of the late 18th and early 19th centuries tended to re-organize their value systems, trying to establish sharp lines between factually different matters and social spheres. According to theories on modern societies developed by authors such as Zygmunt Bauman and Bruno Latour, modern societies are inclined to reduce ambiguities and to establish clear categories, whether social or intellectual.<sup>14</sup> The vast distinction between the private and the public spheres is but one example. With respect to corruption, modern societies were trying to develop “hard” criteria which help to classify certain actions as unambiguously “corrupt” or “non-corrupt.” Clientelage, patronage, the pursuit of private goals in public office, the sale of offices, bribery, etc., now seemed to become unequivocal signs of the illicit transgression of the boundary between private and public, they became signs of corruption. By 1850, it had become difficult to justify these practices in public (as had been possible in early modern times). However, the mechanisms of power and day-to-day business did not change as radically as the normative world. So, most of the forbidden practices continued to exist; on top of that new illicit strategies came into practice (cf. *infra*). Yet, the rivalry between general norms and a certain set of practices did exist but had to be concealed. Most contemporaries did not (and still do not in present times) consider their behavior illicit but would argue that, though in conflict with “official” norms, it served a higher good. In this way they did not simply act against the rules but invoked a hidden norm system which has been called “Tiefenschicht der Moral” (hidden moral standards) by Karl Otto Hondrich.<sup>15</sup>

As modern society no longer accepted the former ambiguities, it had to live continually with the permanent conflict between public morals and hidden practices. This “machinery” provided endless opportunities for political disputes, disclosures and polemics; a huge number of modern debates was, and still is, based on this conflict. In the following sections I will take a look at some important moments in the political corruption debates in France, Great Britain and the US on the eve of the 19<sup>th</sup> century and around its end.

## Corruption Debates around 1800

Typically, corruption debates around 1800 were about the various reform processes taking place in this period. The most notable reform debate connected with the notion of corruption occurred in Great Britain.

On the British Isles, the reform debate was caused by, among other reasons, side effects of the parliamentary system. Since the early 18<sup>th</sup> century governance without the approval of the parliament had no longer been possible. The cohesion of the political groups in Parliament, however, was extremely limited. The Crown was forced to guarantee the stability of government by an extensive system of patronage. Patronage was intended to secure the majority of the parliament and to make politics calculable, and included the granting of offices, peerages, life annuities, sinecures, and public contracts.

---

<sup>14</sup> Bauman, 1991; Latour, 1993.

<sup>15</sup> Hondrich, 2002: 19f.

These practices had been criticized since the early 18<sup>th</sup> century, while government representatives blatantly justified them.<sup>16</sup> By the 1780s, however, the nature of the debate changed, as the general acceptance of these practices quickly diminished and the opposition held government patronage responsible for the state deficit. By criticizing the so-called “Old Corruption,” which reached its peak between 1790 and 1820, parts of the landed gentry, as well as middle-class Radicals and Puritans, opposed these practices. The critics pointed out that the political elite peculated tax money for personal enrichment. As a result, the political elite’s conception of public office changed during the decades concerned: patronage as an *openly declared* political instrument was replaced by a new ethics of politics. The notion of “general interest” was placed in the centre of the political value system, as well as the ideal of cheap government and the declared selflessness of the ruling class. Privileges were successively abolished and state activity noticeably restrained. However, the traditional political elite managed to secure its role by being in the vanguard of the renewal.<sup>17</sup>

Whereas corruption had been a subject for discussion in English political history since the late 16<sup>th</sup> century, Frenchmen did not discover the political impact of corruption debates until the end of the 18<sup>th</sup> century.<sup>18</sup> The first wave of corruption debates took place at the end of the Ancien Régime, combining Rousseauian cultural pessimism with the tradition of the British corruption debate. One of the most noticeable effects was produced by underground pamphlets during the pre-revolutionary decades. In these writings it was especially the court of Versailles that appeared as the centre of moral corruption. In this context the charges against Queen Marie-Antoinette of both sexual depravity and extravagance played a particular role. These voices expressed a judgment which was increasingly applied to the entire social order of the Ancien Régime.

From 1789 onward, the accusations of corruption eventually became part of the arsenal of revolutionary slogans directed against the old order. In the debates of the National Assembly and in articles in revolutionary newspapers the “corruption” of the Ancien Régime became a familiar *topos*. Besides the moral decline at Court, the accusations also mentioned the sale of offices. In the further course of the Revolution, criticism of corruption retained its importance. It was especially the Jacobins who employed the concept of corruption in order to secure their claim to power and to enforce the radicalisation of the Revolution. In February 1794, Saint Just claimed that, in contrast to the monarchy, the Republic was the one form of government preventing the corruption of morals and laws – provided that adequate institutions existed.<sup>19</sup> Most notably, this was meant to legitimize the persecution of political opponents by the Committee of Public Safety. The charge of corruption often led directly to the guillotine. Subsequently, after the end of the *Terreur*, accusations of corruption lost its status as a big political issue. However, corrupt practices increased, rather than decreased, under the *Directoire* regime.<sup>20</sup>

---

<sup>16</sup> Wellenreuther 1982.

<sup>17</sup> See Harling, 1996.

<sup>18</sup> On this paragraph see Engels, 2008.

<sup>19</sup> Saint-Just, 1957: 135f.

<sup>20</sup> Brown, 1990.



During the North American colonies' struggle for independence, the alleged corruption of the Westminster Government and Parliament was one of the common arguments against British rule. Consequently, high moral standards and politics without corrupt practices can be regarded as the very *raison d'être* of the early Union. Nevertheless, or exactly because of this, the allegations of corruption directed against political adversaries soon became an important feature of North American political life.<sup>21</sup> The first notable crisis took place in the decade between 1790 and 1800, when Federalists and Anti-Federalists had a dispute about the future relationship between the central government and the individual states. Being in opposition to the centralists, the so-called Anti-Federalists accused the government of being corrupt. The Anti-Federalist concept of a decentralised state corresponded to the ideas of the landowning elite and the farmers. These ideas were inspired by an ascetic ideal of republican virtues, as opposed to the rather urban concepts of the Federalists. With respect to corruption, Anti-Federalists invoked the civic ideals which had spread in England and North America during the 18<sup>th</sup> century—i.e., the so-called “Machiavellian moment.”<sup>22</sup> In particular, Anti-Federalists criticised the issuing of government bonds as well as the expansion of public administration. The establishment of an official national debt was considered to make the government dependent on bankers and their corruptive influence on the morals of politicians. Moreover, the critics referred to the British Old Corruption debate. Old Corruption was considered to have made the British Parliament totally dependent on the government. Arguing that this could also occur in the United States, they claimed that, just as in England, a large administration would enable the government to corrupt the people's representatives, which could lead to a new form of despotism.<sup>23</sup>

## Corruption Debates around 1900

From the 1830s onwards, electoral corruption became an intensely debated issue in all three countries. As a rule, electoral corruption was not so much criticised by the electors as by the elected, i.e., the parliamentarians. Typically, electors regarded the exchange of votes against money, small jobs or other favours as advantageous deals. In the case of Great Britain we are well informed about the electors' motives, as these were recorded by several select committees or royal commissions during investigations on the local level. They regarded the sale of their votes as their good right, the franchise being thought of as a privilege and a sort of private property.<sup>24</sup> In France, all political regimes after the revolutionary period included (different) sorts of elected bodies. In the rural constituencies candidates manipulated the votes by traditional patronage as well as open bribery. At the same time, sophisticated relations of gift-giving were developed, involving civil service agents on the departmental level, the government and their “official” candidates, and the electors. Under the centralist regime of the Second Empire, however, intimidation and coercion

---

<sup>21</sup> Murrin, 1994; Keller, 1978.

<sup>22</sup> Pocock, 1975; Greene, 1994; Savage, 1994.

<sup>23</sup> Burrows, 1978.

<sup>24</sup> Cf. Engels, 2006.

prevailed, as exercised by the imperial government's agents.<sup>25</sup> With respect to the United States, the term "party games" aptly characterises the activities of voters and political organisations during the time just before elections. In North America, too, voters received a variety of facilities from the hands of the candidates, and the parties organised amusements and festivities which induced the citizens to give their votes away without political considerations.<sup>26</sup>

Actually, the political elite in Europe fought more intensely against electoral corruption than the electors did. This is true for Britain and for French Republicans (who formed the opposition before becoming, at the end of the 1870s, the country's unquestioned majority until the end of the Third Republic in 1940). Surprisingly, the political elite ascribed the practice of electoral corruption to the electors' bad morals rather than their own questionable behavior.

However, it was not morals that formed the central motive in the fight against corruption but the struggle for power (in France) and, additionally, the cost argument (in Britain). In England, bribery plainly became too expensive for the candidates and the developing political parties at the end of the 19<sup>th</sup> century. During the French July Monarchy and the Second Empire, the opposition tried to declare the authoritarian regimes illegal by accusing them of bribery, whereas in the Third Republic the Republicans increasingly succeeded in manipulating the votes of individual constituencies in their favour by annulling certain individual results on the pretext of electoral corruption.

However, by 1900 electoral corruption had lost its dominant position in public debates. Instead, a series of corruption scandals shook all three countries during the decades before and after the turn of the century. Compared with the debates of 1800, the crucial role of the modern mass press can be noted as a new element.

The crises in the French Third Republic between 1870 and 1940 may be written as a history of corruption scandals (excepting the Dreyfus affair): The rise of the anti-parliamentary Boulangism during the 1880s was a reaction to social developments but had been triggered by the so-called "*scandale des décorations*" (honours scandal). Henry Wilson, the son-in-law of the first truly republican president Jules Grévy, did considerable business on the basis of his unrestricted access to the head of state. Besides insider deals on the stock market, his activities also comprised selling Grévy's goodwill. For instance, medals of the Legion of Honour could be purchased at a certain price.<sup>27</sup> These deals were discovered at the end of 1887 and, since even the president had benefited from them, Grévy finally had to resign. This episode increased the people's hopes of General Boulanger, who appeared as the unblemished saviour of the country. In 1889 he almost made it to the Elysee, and in case of success would presumably have established an authoritarian regime.

---

<sup>25</sup> Engels, 2008; Charnay, 1964; Garrigou, 1992; Huard, 2001.

<sup>26</sup> Summers, 2004. See also the overview on party financing in Troy, 1997.

<sup>27</sup> Dansette, 1936; Mollier/ George, 1994.

Forty years later, during the so-called Stavisky affair in 1934, France was on the verge of a *coup d'état* by right-wing mass organisations. On February 6<sup>th</sup>, right-wing leagues and a communist organisation marched towards the parliament in the *Palais Bourbon*, shouting “down with the thieves,” upon which they nearly broke up the National Assembly. With state officials, politicians and even the police turning a blind eye, the financier Stavisky had peculated public money and had duped a huge number of small investors.<sup>28</sup> In combination with many other financial scandals, the Stavisky affair cemented the conviction held by many contemporaries that the Republic was a greenhouse for illicit relationships and trafficking between finance jugglers and the political elite.

Without doubt, the best known among these affairs was the Panama scandal in 1892/93. In 1888, the operators of the construction project for the Panama Canal in Central America had bribed more than a hundred members of the French Parliament, as well as at least one minister, in order to obtain a concession for the issue of public bonds. The criticism mainly focused on the role of the general agent of the company, Cornelius Herz. He was Jewish, holder of an American passport, and of German background. This provided the anti-parliamentary and increasingly anti-Semitic Boulangist movement with an opportunity for propaganda. Especially the accusation of a Jewish conspiracy evoked a strong response. Georges Clemenceau, reputed republican orator in parliament and openly feared “*tombreur de ministères*,” had to stand up to the accusation of high treason, because one of his newspapers had been financed by Herz. In the eyes of the Boulangist press this contributed to an overall picture of corruption as well as Jewish-foreign influence. Clemenceau was assumed to serve malevolent powers via Herz. The frequent changes of government, for which the Third Republic was notorious, were considered the result of conspiracies instigated by foreign forces in order to weaken France.<sup>29</sup>

In Britain, too, several corruption scandals emerged around 1900.<sup>30</sup> One of the most debated affairs was the Marconi scandal in 1912/13. High-ranking politicians in the liberal government had invested in stocks of a foreign subsidiary of the Marconi telegraph company shortly before the government itself had placed a lucrative order with Marconi. Chancellor of the Exchequer David Lloyd George was among those involved. However, the accusation of insider dealing seemed ill-founded, as the public contract with the telegraph company was already generally known by the time the stocks were purchased. With respect to the course of the affair, it seems much more essential that in a House of Commons debate the persons involved denied ever having bought Marconi stocks—and thus lied to the House. The Marconi scandal marks the end of British gentleman-politics and the beginning of a phase in which personal attacks became current features of political disputes. As a social climber and aggressive debater, Lloyd George himself had contributed to that, not least because he had several times held the prosecutor’s role. In the Boer War he had accused the conservative Colonial Secretary of having personally profited from arms deals.

---

<sup>28</sup> Jankowski, 2000.

<sup>29</sup> Blic, 2005; Mollier, 1991; Bouvier, 1964.

<sup>30</sup> Bösch, 2008; Gilbert, 1989.

The personalization of criticism of corruption was promoted especially by the press. This damaged the reputation of politicians both in France and in Great Britain. Embodying a too-powerful Parliament, Clemenceau was attacked, as was Lloyd George, who was seen as an immoral moralist. In France, however, the corruption debates called the whole political system into question—as represented by, for example, Clemenceau and Stavisky—whereas the Marconi scandal in Britain mainly addressed the problem of personal integrity.<sup>31</sup> In either case, the affairs amounted to an articulation of unease about the intertwining of modern capitalism and politics, an apprehension that was increasingly paired with anti-Semitism.

During the United States' Gilded Age, between the end of the Civil War and the early 20<sup>th</sup> century, an important reform movement emerged in reaction to the corruption scandals. Scandals, such as that around *Crédit Mobilier* in 1872, had triggered the resistance against widespread political corruption. *Crédit Mobilier* was a holding dominated by the Union Pacific Railroad company. The manager of the company allowed members of Congress to purchase shares at prices far below market value. His aim was to obtain a majority in Congress for a license permitting the construction of a new railway line; furthermore, he wanted to obtain federal subsidies for the construction project. The story leaked out during the presidential election campaign and triggered considerable criticism in the public debate. However, the direct effects were minor, since members of all political camps had profited from these dealings. Henceforth, *Crédit Mobilier* became a symbol for those practices in political life that an increasing group of reformers, often called "Progressives", complained about.<sup>32</sup>

During the Gilded Age, North American politics was permeated with structures that critics perceived as corruption. At least two basic elements should be mentioned in this context. As early as the 1830s mass parties developed in the United States. Their cohesion and their success mainly rested upon the so-called "spoils system," i.e., the systematic use of public resources for party needs. Typically, after having won an election, party leaders bestowed public offices on their followers. Consequently, every new government used to dismiss as many administrative officials as possible and replace them by members of their own party.<sup>33</sup>

From the 1870s onward, we can detect a second element of American politics that was severely criticized, the so-called "bossism" in the large cities. Party leaders controlled their political following, which often consisted of the poorer elements of society and especially immigrants, by arranging jobs for them or by assisting them in a multitude of day-to-day situations. For this purpose the bosses utilized the resources of the city administration. As the bosses who operated on district level sought the protection of bigger unities, political life in the cities had a pyramid structure, comprising various levels of patronage up to the city council and the mayor.<sup>34</sup>

---

<sup>31</sup> Cf. on France Engels, 2008.

<sup>32</sup> Hoogenboom, 1978; on Gilded Age scandals see also LaForte, 1998/1999.

<sup>33</sup> Arnold, 2003; Pessen, 1978.

<sup>34</sup> Arnold, 2003; Harter, 2002; Cornwell, 1964; Muccigrosso, 1978; Homberger, 1994. See also Plunkitt, 1969; Nelli, 1970; Larsen/ Hulston, 1997.

The progressives, who predominantly belonged to the educated middle class, disapproved of the political culture. They put forward several arguments: first, the methods mentioned above were seen as preventing the administration from working efficiently. Secondly, they represented the decay of public morals. According to the progressives, politicians did not serve the common good but worked exclusively for the retention of power or for the particular interests of their supporters. Furthermore, the importance in bossism of the lower classes as well as immigrants caused suspicion. In the eyes of progressive criticism this meant that the most unreliable of all social elements gained political influence.

By contrast, the reformers relied on public opinion as a corrective. By revealing illicit activities and by blowing up corruption and patronage into scandals, they aimed at shaking up their fellow citizens. By contrast, they invoked the classical civic virtues such as selflessness, honesty, and fair elections. Building a professional, independent administration was believed to be the only corrective; thus, appointed technical experts were presented as proper advocates and trustees of the common good rather than elected politicians.<sup>35</sup> In relying on experts, the reformers praised the qualities of those social strata to which their own group largely belonged. Unlike the situation in France, the progressives certainly never questioned the constitution; rather, they claimed to return to the early years of independence.

## Concluding Remarks

Public debates on corruption were permeated by the idea of purifying the public sphere, i.e., of excluding personal and profit-oriented motives from the activities of civil servants, office holders and politicians. Common good and private interest, or even group interest, seemed increasingly incompatible. At this point the difference with early modern times is noticeable, as there was no place any longer where the contradicting norms could be articulated. Whereas personal motives continued to influence political action, be it elections or the boss system, they lost their legitimacy. It became illicit to articulate the idea of *particular* common good. Thus, the old contradictions between value systems and the ambivalence of the common good seemed to have disappeared.

In reality, however, 19<sup>th</sup> century political actors did continue to transgress the lines, so that the purification process never came to an end but had to be continued via the creation of scandals and public debate. The stricter the lines of separation between the common and the individual were defined, the more contemporaries had to deal with transgressions and label certain practices as “corrupt.”

The ostentatious invocation of high moral standards that underpinned the anti-corruption discourses contrasts with the very concrete, pragmatic-political objectives of the appellants them-

---

<sup>35</sup> See for example White, 1969.

selves. The Jacobins, for instance, concealed their dictatorial claim to power behind criticism of corruption. Invoking the Old Corruption debate, the English landed gentry also protested against high taxes and their perceived loss of political influence. In the North American Gilded Age, middle-class experts recommended themselves as the solution to the corruption problem, aiming at the creation of a professional public administration in which they could play an important role. French Boulangists tried to take the opportunity to put down the Republicans. Reforms aimed against electoral corruption had to serve the interests of those who hitherto had practiced bribery without hesitation. These facts confirm that the anti-corruption agents cannot be lumped together as the supporters of one specific political project, such as liberalism or republicanism. However, at different periods the anti-corruption movements do seem to have been consistent with specific political orientations. This can be exemplified by two aspects, namely the concept of the state and the attitude towards political participation.

Around 1800, the anti-corruption discourse was still dominated by a set of ideas known from the early modern debate. Participants in the Old-Corruption debate, the French revolutionaries as well as the American opponents of centralisation, accused their adversaries of despotism. In other words, the charge of corruption was a means to criticise governments which seemed to be too strong and/or illegitimate. However, it certainly cannot be denied that the Jacobins, for instance, aspired to an enormous concentration of power (which for a limited period they did obtain).

Around 1900, charges of corruption originated from contrasting attitudes. French Boulangists called for increasing executive power to the disadvantage of the parliament; North American reformers called for professional administration in the cities, as well as a higher degree of state intervention on the part of the federal government. Only in Great Britain were corruption debates not as strongly aimed at strengthening central governmental institutions. Nevertheless, there can be no doubt about the fact that criticism of corruption, although initially anti-centralistic, increasingly called for the concentration of state power.

At the same time, at the end of the century the anti-corruption discourse was characterized by an increasingly critical attitude towards several forms of political participation. During the late 18<sup>th</sup> and the early 19<sup>th</sup> century, criticism of corruption had usually implied claims of participation. As mass participation in politics had developed during the century, it was discredited by electoral corruption and (in the United States) by bossism. This usually did not imply that democratic *rights* should be reduced. Instead, the critics aimed at redefining moral standards with respect to public institutions and their interactions with society.

Public outrage over electoral corruption called into question the moral reliability of the common voter, and French anti-parliamentarism sought to establish a charismatic leader instead of the control of an allegedly bribed parliament. Criticism that denounced the spoils system and bossism has been seen as having an anti-democratic effect, for it declared mass participation in politics illegal and aimed at reducing the influence of the lower classes in commu-



nal settings.<sup>36</sup> In this way we may still conclude that the anti-corruption discourse in the late 19<sup>th</sup> century often implied *anti-pluralistic* ideas.

Besides this anti-pluralistic tendency, corruption criticism was increasingly connected with anti-capitalist as well as anti-liberal undertones, and with anti-Semitism. This last aspect is worth further research. With respect to Germany, Fritz Stern was the first to point out this connection in his biography of Bismarck's Jewish banker Bleichröder.<sup>37</sup> The anti-liberal context is clear, for instance, in the progressives' reform scheme, as it announced a period of increasing state intervention and regulation.

Besides the striking similarities in the three nations observed, there are some remarkable differences, mainly concerning the political impact of the corruption debates. In France the corruption discourse tended to have a system-changing character,<sup>38</sup> whereas in Great Britain, and especially in the United States, accusations of corruption were often part of routine disputes in politics that did not call into question the Constitution. Presumably this could be explained not only by the political stability of the two Anglo-Saxon nations in question but also by the traditional "function" that the corruption discourse had fulfilled since early modern times.

In England, charges of corruption had been known since the early 17<sup>th</sup> century. Parliament used the procedure of impeachment, based on alleged corruption on the part of ministers of the Crown, in order to control governmental politics.<sup>39</sup> Hence, corruption debates were familiar to the political players and often accompanied reform processes long before the advent of the Old Corruption debate. In Northern America the struggle against corruption in Westminster formed one of the founding myths of the War of Independence. In this context, the charge of corruption against a political adversary functioned as a reminder, as a public incitement to recall the morals and the virtue of the Founding Fathers. Exactly because of this function it definitely excluded any revolution or overthrow of the government. Consequently, we may conclude that a charge of corruption in Anglo-Saxon countries was directed against individuals or against (temporary) aberrations from the path of political virtue on the part of the political elite.

In France, by contrast, debates on political corruption were first articulated on the eve of the Revolution and were associated with revolutionary claims. The rest of 19<sup>th</sup>-century French history confirms the "revolutionary" or "system-changing" connotation of corruption charges. Towards the end of the July Monarchy, accusations of corruption against members of the ruling elite grew stronger again. These opened the path to the Revolution of February 1848.<sup>40</sup> Thus, different ideas of the state are reflected. In France, it was the *constitutional system* that was seen as flawed (and

---

<sup>36</sup> For instance Arnold, 2003.

<sup>37</sup> Stern, 1978.

<sup>38</sup> This is the focus of my article (Engels, 2008), cited above.

<sup>39</sup> Peck, 1990; cf. for the late 18th century Dirks, 2006.

<sup>40</sup> Fortescue, 2002; Margadant, 1999.

called into question) when corruption occurred. In the United States and Great Britain, it was rather individual actors or groups who were accused of not meeting the due requirements of their functions in politics. In France, we can detect a broad tendency to hold the political system responsible when political leaders seemed to betray the common good.

Finally, I would like to stress the diversity of the motives for fighting against corruption. Most groups denouncing corruption acted for pragmatic reasons, in order to gain or to secure power. There is definitely no positive link in 19th-century history between modernising or democratizing forces and the battle against corruption. Therefore, from a historian's point of view, there is little evidence to back the popular allegation that the fight against corruption is closely connected with modernisation and democratisation.

## References

- Allswang, John (1986). *Bosses, Machines, and Urban Voters*. Baltimore, 2nd ed.
- Arnold, Peri E. (2003). Democracy and Corruption in the 19th Century United States: Parties, "Spoils" and Political Participation. In: Tiihonen, Seppo (ed.), *The History of Corruption in Central Government*. Amsterdam, pp. 197-211.
- Bauman, Zygmunt (1991). *Modernity and Ambivalence*. Cambridge.
- Bayly, Christopher A. (2004). The Birth of the Modern World, 1780-1914. Global Connections and Comparisons. Malden/ Oxford.
- Blanc, Olivier, (1992). *La Corruption sous la Terreur (1782-1794)*. Paris.
- Blic, Damien de (2005). Moraliser l'argent. Ce que Panama a changé dans la société française (1889-1897). *Politix* 18, (71): 61-82.
- Bösch, Frank (2005). Krupps „Kornwalzer“. Formen und Wahrnehmungen von Korruption im Kaiserreich. *Historische Zeitschrift* 270: 337-379.
- Bösch, Frank (2008). In Defence of the Tax-Payers: Korruptionspraktiken und -wahrnehmungen im edwardianischen Großbritannien. In: Engels, Jens Ivo/ Fahrmeir, Andreas/ Nützenadel, Alexander (eds): *Geld – Geschenke – Politik. Korruption im neuzeitlichen Europa*. München.
- Bouvier, Jean (1964). *Les deux scandales de Panama*. Paris.
- Brown, Howard G. (1990). A Discredited Regime: The Directory and Army Contracting. *French History* 4: 48-76.

Bruguière, Michel, (1986). *Gestionnaires et profiteurs de la Révolution. L'administration des finances françaises de Louis XVIII à Bonaparte*. Paris.

Burn, W. L. (1951). Electoral Corruption in the Nineteenth Century. *Parliamentary Affairs* 4: 437-442.

Burrows, Edwin G. (1978). Albert Gallatin and the Problem of Corruption in the Federalist Era. In: Eisenstadt, Abraham S./ Hoogenboom, Ari/ Trefousse, Hans L. (eds.): *Before Watergate. Problems of Corruption in American Society*. New York, pp. 51-67.

Chabannes, Jacques (1972). Les scandales de la „Troisième“. De Panama à Stavisky. Paris.

Charnay, Jean-Paul (1964). *Les scrutins politiques en France de 1815 à 1962. Contestations et invalidations*. Paris.

Cornwell, Elmer E. (1964). Bosses, Machines, and Ethnic Groups. *The Annals of the American Academy of Political and Social Science* 353: 27-39.

Dansette, Adrien (1936). *L’Affaire Wilson et la chute du Président Grévy*. Paris.

Dirks, Nicholas B. (2006). *The Scandal of Empire: India and the Creation of Imperial Britain*. Cambridge.

Eisenstadt, Abraham S. (1990). Political Corruption in American History. In: Heidenheimer, Arnold J./ Johnston, Michael/ LeVine, Victor T. (eds.), *Political Corruption. A Handbook*. New Brunswick, pp. 537-556.

Eisenstadt, Abraham S./ Hoogenboom, Ari/ Trefousse, Hans L. (eds.), (1978). *Before Watergate. Problems of Corruption in American Society*. New York.

Engels, Jens Ivo (2006). Politische Korruption in der Moderne. Debatten und Praktiken in Großbritannien und Deutschland im 19. Jahrhundert. *Historische Zeitschrift* 282: 313-350.

Engels, Jens Ivo (2008). Revolution und Panama. Korruptionsdebatten als Systemkritik in Frankreich vom 18. Jahrhundert bis zur Dritten Republik. In: Engels, Jens Ivo/ Fahrmeir, Andreas/ Nützenadel, Alexander (eds): *Geld – Geschenke – Politik. Korruption im neuzeitlichen Europa*. München.

Fortescue, William, (2002). Morality and Monarchy. Corruption and the Fall of the Regime of Louis-Philippe in 1848. *French History* 16: 83-100.

Garrigou, Alain (1992). *Le vote et la vertu. Comment les Français sont devenus électeurs*. Paris.

- Garrigues, Jean (2003). *Les scandales de la République. De Panama à l'affaire ELF*. Paris.
- Gembicki, Dieter (1994). Corruption, Décadence. In: *Handbuch politisch-sozialer Grundbegriffe in Frankreich*, vol. 14/15. München, pp. 7-54.
- Génaux, Maryvonne (2002). Les mots de la corruption. La déviance publique dans les dictionnaires d'Ancien Régime. In: *Histoire, Économie et Société* 21: 513-530.
- Gilbert, Bentley B. (1989). David Lloyd George and the Great Marconi Scandal. *Historical Research* 62: 295-317.
- Greene, Jack P. (1994). The Concept of Virtue in Late Colonial British America. In: Matthews, Richard K. (ed.): *Virtue, Corruption, and Self-Interest: Political Values in the Eighteenth Century*. Bethlehem/ London, pp. 27-54.
- Groebner, Valentin (2003). The City Guard's Salute. Legal and Illegal, Public and Private Gifts in the Swiss Confederation around 1500. In: Algazi, Gadi (ed.): *Negotiating the Gift. Pre-Modern Figurations of Exchange*. Göttingen, pp. 247-267.
- Grossmann, Mark S. (2003). *Political Corruption in America. An Encyclopedia of Scandals, Power and Greed*. Santa Barbara.
- Guilleminault, Gilbert/ Singer-Lecocq, Yvonne (1975). *La France des gogos. Trois siècles de scandales financiers*. Paris.
- Gwyn, William B. (1962). *Democracy and the Cost of Politics in Britain*. London.
- Harling, Philip (1995). Rethinking Old Corruption. *Past & Present* 147: 127-158.
- Harling, Philip (1996). *The Waning of „Old Corruption“ The Politics of Economical Reform in Britain, 1779-1846*. Oxford.
- Harter, Hélène (2002). Des villes américaines entre corruption et réforme à la fin du XIXe siècle. L'exemple de la gestion des travaux publics à Baltimore. *Histoire urbaine* 6: pp. 115-130.
- Heidenheimer, Arnold J./ Johnston, Michael/ LeVine, Victor T. (eds.), (1990). *Political Corruption. A Handbook*. New Brunswick.
- Hohenstein, Kurt A. (2004). *Coining Corruption: Deliberative Democracy, the Constitution, and the Making of the American Campaign Finance System, 1876-1976*. PhD University of Virginia.

Homberger, Eric (1994). *Scenes from the Life of a City: Corruption and Conscience in Old New York*. New Haven.

Hondrich, Karl Otto (2002). *Enthüllung und Entrüstung. Eine Phänomenologie des politischen Skandals*. Frankfurt a.M.

Hoogenboom, Ari (1978). Did Gilded Age Scandals Bring Reform? In: Eisenstadt, Abraham S./ Hoogenboom, Ari/ Trefousse, Hans L. (eds.): *Before Watergate. Problems of Corruption in American Society*. New York, pp. 125-142.

Hoppen, Theodore K. (1996). Roads to Democracy: Electioneering and Corruption in Nineteenth-Century England and Ireland. *History* 81 (264): 553-571.

Huard, Raymond (2001). Comment on achetait les électeurs sous la IIIe République. *L'histoire* 251: 52-53.

Jankowski, Paul F. (2000). *Cette vilaine affaire Stavisky. Histoire d'un scandale politique*, Paris.

Karsten, Arne/ Thiessen, Hillard v. (eds.), (2006). *Nützliche Netzwerke und korrupte Seilschaften*, Göttingen.

Keller, Morton (1978). Corruption in America: Continuity and Change; in: Eisenstadt, Abraham S./ Hoogenboom, Ari/ Trefousse, Hans L. (eds.): *Before Watergate. Problems of Corruption in American Society*. New York, pp. 7-19.

Klaveren, Jacob van (1957). Die historische Erscheinung der Korruption, in ihrem Zusammenhang mit der Staats- und Gesellschaftsstruktur betrachtet. *Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte* 44: 289-324.

LaForte, Robert S. (1998/1999). Gilded Age Senator: The Election, Investigation, and Resignation of Alexander Caldwell, 1871-1873. *Kansas History* 21: 234-255.

Lammersdorf, Raimund (1995). Chester A. Arthur (1881-1885): Der Sumpf von Patronage und Korruption. In: *Die amerikanischen Präsidenten*. München, pp. 222-228.

Larsen, Lawrence H./ Hulston, Nancy J. (1997). Criminal Aspects of the Pendergast Machine. *Missouri Historical Review* 91: 168-180.

Latour, Bruno (1993). *We Have Never been Modern*. Cambridge.

Leyendecker, Hans (2007). *Die große Gier. Korruption, Kartelle, Lustreisen: Warum unsere Wirtschaft eine neue Moral braucht*. Berlin.

Lindberg, Richard C. (1991). *To Serve and Collect: Chicago Politics and Policy Corruption from the Lager Beer Riot to the Summerdale Scandal: 1855-1960*. New York.

Margadant, Jo B. (1999). Gender, Vice, and the Political Imaginary in Postrevolutionary France: Reinterpreting the Failure of the July Monarchy, 1830-1848. *American Historical Review* 104: 1461-1496.

Mollier, Jean-Yves (1991). *Le scandale de Panama*. Paris.

Mollier, Jean-Yves/ George, Jocelyne (1994). *La plus longue des républiques, 1870-1940*. Paris.

Morrison, Michael A. (2000). Distribution or Dissolution: Western Land Policy, Economic Development, and the Language of Corruption, 1837-41. *American Nineteenth-Century History* 1: 1-33.

Muccigrosso, Robert (1978). Corruption and the Alienation of the Intellectuals; in: Eisenstadt, Abraham S./ Hoogenboom, Ari/ Trefousse, Hans L. (eds.): *Before Watergate. Problems of Corruption in American Society*. New York, pp. 165-178.

Murrin, John M. (1994). Escaping Perfidious Albion: Federalism, Fear of Aristocracy, and the Democratization of Corruption in Postrevolutionary America. In: Matthews, Richard K. (ed.): *Virtue, Corruption, and Self-Interest: Political Values in the Eighteenth Century*. Bethlehem/ London, pp. 103-147.

Nelli, Humbert S. (1970). John Powers and the Italians. Politics in a Chicago Ward, 1896-1921. *The Journal of American History* 57: 67-84.

O'Leary, Cornelius (1962). *The Elimination of Corrupt Practices in British Elections 1868-1911*. Oxford.

Peck, Linda Levy (1990). *Court Patronage and Corruption in Early Stuart England*. Boston.

Pessen, Edward (1978). Corruption and the Politics of Pragmatism: Reflections on the Jacksonian Era. In: Eisenstadt, Abraham S./ Hoogenboom, Ari/ Trefousse, Hans L. (eds.): *Before Watergate. Problems of Corruption in American Society*. New York, pp. 79-98.

Plunkitt, George Washington (1969). How to Get a Political Following. In: Banfield, Edward C. (ed.): *Urban Government. A Reader in Administration and Politics*. New York, pp. 190-194.

Pocock, John G. A. (1975). *The Machiavellian Moment. Florentine Political Thought and the Atlantic Republican Tradition*. Princeton.



Rubinstein, William David (1983). The End of „Old Corruption“ in Britain, 1780-1860. *Past & Present* 101: 55-86.

Saint-Just, Louis Antoine Léon de (1957). *Discours et rapports*. Paris.

Savage, James D. (1994). Corruption and Virtue at the Constitutional Convention. *Journal of Politics* 56: 174-186.

Scott, James C. (1972). *Comparative Political Corruption*. Englewood Cliffs.

Seymour, Charles (1915). *Electoral Reform in England and Wales. The Development and Operation of the Parliamentary Franchise 1832-1885*. New Haven.

Stern, Fritz (1978). *Gold und Eisen. Bismarck und sein Bankier Bleichröder*. Frankfurt a.M.

Summers, Marc W. (1987). *The Plundering Generation. Corruption and the Crisis of the Union, 1849-1861*. New York.

Summers, Marc W. (2003). The Spoils of War. *North & South*: 82-89.

Summers, Marc W. (2004). *Party Games: Getting, Keeping, and Using Power in Gilded Age Politics*. Chapel Hill.

Thiessen, Hillard v. (2008). Korruption und Normenkonkurrenz. Zur Funktion und Wirkung von Korruptionsvorwürfen gegen die Günstling-Minister Lerma und Buckingham in Spanien und England im frühen 17. Jahrhundert. In: Engels, Jens Ivo/ Fahrmeir, Andreas/ Nützenadel, Alexander (eds): *Geld – Geschenke – Politik. Korruption im neuzeitlichen Europa*. München.

Thiveaud, Jean-Marie (1997). Crises et scandales financiers en France sous la Troisième République. *Revue d'économie financière* 41: 25-53.

Troy, Gil (1997). Money and Politics. The Oldest Connection. *Wilson Quarterly* 21/3: 14-32.

Wellenreuther, Hermann (1982). Korruption und das Wesen der englischen Verfassung im 18. Jahrhundert. *Historische Zeitschrift* 234: 33-62.

White, Andrew D. (1969). Municipal Affairs are not Political. In: Banfield, Edward C. (ed.): *Urban Government. A Reader in Administration and Politics*. New York, pp. 271-275 (originally published in 1890).

White, Richard (2003). Information, Markets, and Corruption: Transcontinental Railroads in the Gilded Age. *Journal of American History* 90: 19-43.

Whitehead, A.P.V. (1984). *Petitions, Parliament and the Public: An Analysis of the Changing Nature of Electoral Corruption 1868-1883*. Ph.D. Dissertation, University of Southampton

---

**Dr. Jens Ivo Engels** is a professor of modern and contemporary history at the Technische Universität Darmstadt/Germany. His research interests cover comparative corruption history from the 18th to the 20th century, environmental history in the 20th century, early modern monarchy and the history of infrastructures. Recently, he has published an introduction to the French Third Republic; he also is co-editing a forthcoming volume on corruption history.

# **The Irony of Ethics Research: When the Sun Don't Shine on Enforcement**

*Shannon K. Vaughan and Adam J. Newmark*

---

Most social science scholars are aware of the difficulties in conducting research on governmental agencies. Those who have undertaken survey research and in-depth interviews are aware of the inherent difficulties in obtaining good data. The following research note conveys some of our observations in conducting implementation research, but perhaps more importantly, illustrates some of the trials inherent in studying the controversial issue area of ethics and corruption in the states.

We began with the goal of examining state responses to the numerous ethics and corruption scandals that have plagued state governments, garnering substantial public and media attention. The states have been active in regulating the behavior of government officials through a host of good government reforms including term limits, the creation of ethics commissions, and the strengthening of lobbying and ethics laws. Moreover, in recent years, scholars have examined how the states have dealt with issues ranging from ethics violations to regulation of lobbying and legislative activity (Opheim 1991; Hunter, Wilson, and Brunk 1991; Brinig, Holcombe, and Schwartzstein 1993; Rosenson 2003; 2005; Newmark 2005). In many studies, enforcement and levying of penalties for violating state laws have either been dealt with in a cursory manner or have been ignored altogether. In an effort to examine whether several states have adopted meaningful reforms or whether enforcers lack the legal backing, funding, or willingness to pursue corruption and ethics violations, we identify reasons why the research on enforcement is so limited.

## **Regulating Government Officials**

Scholars have studied the regulation of public officials at length, focusing on lobbying and legislative behavior, general ethics, corruption, and how state legislatures have been willing to deal with these matters (Maass 1986; Thompson 1987; Opheim 1991; Rosenthal 1996; Rosenson 2003; 2005; Newmark 2005). Rosenson (2005) noted that political culture, scandals, corruption, gubernatorial power, and neighboring states all influenced the enactment of ethics codes in the states between

1973 and 1996. Meier and Holbrook (1992) suggested that prosecution of public officials may have been politically and/or racially motivated. Thus, some states are more likely to punish violators, while others may allow transgressions as they are the norm or part of the political culture.

Although these studies offer a great deal of insight into a state's willingness to regulate officials' conduct, as well as efforts taken to enforce behavior, enforcement is not necessarily a straightforward concept. Surely a state that codifies ethics and corruption legislation and includes consequences for substantial violation is more rigorous in enforcement than a state that uses vague language or offers penalties that amount to little more than a slap on the wrist. Yet states do not have comparable language when it comes to the law, and this is especially true when it comes to enforcement and penalties. When the laws are similar in language, which is atypical, one state may stipulate a minimum penalty for violations of a given law, while another may have only a maximum penalty (Newmark 2008). Thus, comparisons are difficult when one state has a minimum fine of \$250 for a violation and another has a maximum fine of \$1000.<sup>1</sup>

Even when they are clear, laws and penalties may be meaningless if government officials are unwilling or unable to bring charges and secure a conviction. Some of this is related to the Secretary of State's Office and/or the Attorney General having the resources to pursue investigations, and some of it is their ability to enforce laws that may be vague and unclear. For example, North Carolina recently altered its lobbying laws to include additional budgetary allocations to facilitate investigations by the Secretary of State's Office and the ability to impose civil fines up to \$5,000 (Newmark 2008).

Our initial aim was not to assess the effectiveness of various reforms in altering behaviors; rather, we were interested in whether relevant enforcement actors have the necessary tools and resources to pursue investigations as well as civil and criminal sanctions. Therefore, we attempted telephone interviews to ascertain the scope of ethics violations in the states and how the relevant actors fared in the dispensation of the cases. The interview process was as revealing as the actual data we obtained during our study.

## **Exploring Enforcement**

Organizations like the American Prosecutors Research Institute (APRI), the Council of State Legislatures, and the Center for Public Integrity do not have centralized data on enforcement. Therefore, we conducted an exploratory analysis of ten states—Indiana, Pennsylvania, South Carolina, Kentucky, Oregon, Massachusetts, Tennessee, Minnesota, New Mexico, and North Dakota—to better understand their efforts in implementing ethics legislation. We sought variation in geography, partisanship, the stringency of regulations, and whether the state had a centralized ethics commission structure.<sup>2</sup>

We devised a series of enforcement-related, structural questions to ask the primary official deal-

ing with ethics and corruption in each of the ten states. We began by contacting the office of the Attorney General in each state, with the intent of being flexible with regard to the respondent so as to identify the individual most knowledgeable regarding ethics enforcement in the state. Identifying the appropriate contact person was our first relevant finding; we did not anticipate the degree to which some states would be unable or unwilling to identify the administrative person responsible for enforcing ethics violations.

Of the ten contacts made, five in-depth interviews were completed; our discussion below, however, includes classification of each of the ten states based on how they are structured to deal with ethics enforcement and the attainability of information in the state. All completed interviews were from states with broad-ranging ethics commissions that are empowered to deal with both legislative and non-legislative ethics matters in the state (OR, SC, KY, IN, and PA). One other state with an ethics commission, Massachusetts, had a readily identified contact person but an interview could not be completed due to difficulty reaching that individual by telephone.<sup>3</sup> The four remaining states resulted in incomplete interviews due to the difficulty in identifying/reaching the relevant individual or refusal to speak with us. We illustrate this below.

### **What We Learned from States We Could Interview**

Centralized States – While 48 states have permanent legislative ethics commissions (Rosenson 2005), not all states have ethics commissions for dealing with non-legislative officials. Six of our ten states have broader ethics commissions, and it was from five of these states that we obtained complete interviews. While the respondent from Pennsylvania declined to comment on the effectiveness of the commission stating that evaluating effectiveness was too subjective (something worth mentioning to our students in policy analysis classes), the other four believe their commissions are *quite effective* at achieving their goals. The commissions averaged 35 investigations in the past year, with five-year totals ranging from 132 to 391.<sup>4</sup> Most indicated that the majority of their investigations were initiated based on citizen and/or co-worker complaints; only in South Carolina are a majority of investigations initiated by the ethics commission itself. Each interviewee (except one who declined to answer citing confidentiality) estimated a low percentage of their investigations resulted in indictments. However, two of the respondents indicated that all indictments resulted in convictions. Thus, state officials only pursue charges when they are relatively certain that they have a solid case against the accused.

Three respondents believed their state's laws were not strict enough, but four of the five believed their enforcement to be *somewhat* or *very effective*. When asked what would facilitate the ability of the commission to enforce ethics laws, three indicated a need for more funding and three needed more staff. Time constraints, case load, narrow construction of the law, and political appointees were identified as factors that affect ethics enforcement. The small number of states involved inhibits generalizations, but it is encouraging for the study of ethics enforcement that contacts were easily identified for the six states with ethics commissions and that five were will-

ing and able to respond to most of the questions. It is notable, however, that on two occasions respondents cited confidentiality or subjectivity issues in declining information provision.

### **What We Learned from States We Could not Interview**

First, let us make clear (because it illustrates the primary point of this article) that when we say we could not reach someone by telephone, it was not because we left messages and our calls were not returned. We made numerous attempts to contact the relevant officials in each of the ten states. Based on our previous research experience regarding comparative state politics, we fully expected the usual variety among the states with regard to how data are collected and disseminated. We expected the typical treasure hunt to find the appropriate department with the appropriate person to answer our questions (even with knowledge of the constitutional and statutory structures in place in the state). What we did not expect, and what we believe makes this research relevant, is the deliberate evasiveness encountered in some states while trying to study the implementation of *ethics* policy that is by definition designed to afford greater transparency and accountability.

Decentralized States – Tennessee and Minnesota currently have a decentralized system of handling ethics complaints (by department or jurisdictional unit). Although Tennessee recently (as of February 15, 2006) adopted legislation to create a centralized ethics commission, until that body is created and operating, no single point of contact was available to report allegations of ethics violations or to compile statistics regarding investigations and convictions. Due to the ongoing investigation and impending trials in the Tennessee Waltz federal sting operation involving many state legislators and lobbyists, staff at the Attorney General's office were prohibited from releasing *any* information on this topic. They did, however, refer us to other possible sources of information, none of which provided useful interviews.

Minnesota also does not have a centralized ethics commission; the state, however, has the Minnesota Campaign Finance and Public Disclosure Board which deals solely with financial violations (i.e. inappropriate campaign contributions and gifts to public employees). Our contact at the Attorney General's office referred us to numerous contacts throughout state government, indicating that theirs is a decentralized model in which each case is handled by counsel according to state department assignments. Counsels are assigned, for example, to the Department of Agriculture or Transportation and handle all legal matters, including ethics complaints, within that department. None of these were useful interview sources, as they were unable or unwilling to provide information to us.

Cloak and Dagger States – We dubbed New Mexico and North Dakota cloak and dagger states. Neither has a central ethics commission, and attempts to contact the appropriate person curiously resulted in secrecy and a bit of drama. After an inordinate number of failed attempts to identify the person responsible for handling cases of ethics violations or corruption, we inquired how to report an incident of corruption or an ethics violation.



Staff in the New Mexico Office of the Attorney General informed us that they did not deal with matters of ethics or corruption and did not know whom to refer us to. Since the Office of the Secretary of State houses their Ethics Administration, we made multiple attempts to speak to the appropriate person, which were foiled, as the receptionist insisted on transferring the call rather than provide a direct number. Upon transfer, the person in the ethics office insisted that we could not be heard and hung up on multiple occasions. At no other time in any of the interviews did respondents claim that our telephone (or theirs) was not working properly (we have never had other telephone problems).

North Dakota was by far the most secretive state. Attempts to identify the appropriate person in the Attorney General's office yielded only a first name from a receptionist who screened all calls. Requests for full contact information and information on the organizational and hierarchical structure of the department were refused. Numerous attempts to contact the *semi-identified* person were unsuccessful. After calling at an appointed time, we were told by the first-name-only contact that their office was "prohibited by law" to speak with us (which is a gross exaggeration). We then contacted the Secretary of State's office and were told that an incidence of corruption would be a criminal offense, and we should contact our county's state attorney. No information was given on the procedure for reporting alleged ethics violations. We were next directed to a state lawmaker who responded to our inquiry about whom to contact by stating, "Try anybody you trust, whom you think has good judgment, and whom you think would investigate. If that doesn't bear fruit try somebody else" (anonymous quote). Further contact from the same person yielded specific phone numbers for the Bureau of Criminal Investigation, the Consumer Protection and Antitrust Division, and the narcotics hotline, with a final suggestion to "simply talk to any state official or legislator who might relay the information." Again, none of these referrals were useful for our purposes.

We learned a great deal about ethics enforcement in these states through the process of trying to accomplish an interview or even inquire about lodging a complaint. Officials in both Tennessee and Minnesota tried to be helpful. Minnesota afforded numerous contacts; the problem was simply that no single point of contact could provide useable information. Staff in the Tennessee Attorney General's office were understandably unable to comment given the ongoing federal investigation, and numerous references to other contacts illustrate the current decentralized nature of their system. Forthcoming creation of the state's ethics commission should produce more useful information in the future.

Minnesota and Tennessee each have middle-of-the-road rankings regarding stringency of their ethics and lobbying regulations.<sup>5</sup> Each ranking reflects to some extent our experience in attempting to garner information on ethics enforcement in these two states – they recognize this issue and have some commitment to ethics enforcement, but efforts are not centralized, nor particularly strong.

New Mexico and North Dakota are both in the bottom third of all states, with North Dakota last in ethics or lobbying rankings (Newmark 2005; Rosenson 2005). Our experience with North Dakota

and New Mexico reflects their weak policies regarding ethics by suggesting even weaker enforcement. While our cloak and dagger euphemism may be a bit dramatic, the difficulties and rebuffs we experienced do not indicate a strong commitment to uncovering and addressing acts of corruption or ethics violations. Even when we inquired about the procedure for lodging an ethics complaint, we were met with suspicion and resistance. North Dakota has weak laws regarding ethics and lobbying restrictions, but an exhaustive look at media reports of scandals in the state over the last seven years yields little evidence of problems in the state.<sup>6</sup> If citizens have had difficulty reporting allegations of corruption or ethics violations (as was our experience), this is not reflected in the media. Perhaps difficulties in assessing enforcement activities stem from the lack of violations in some states; officials may not be deliberately evasive but simply have little experience dealing with such inquiries.

### **Implications for Future Research**

The level of secrecy and evasiveness we encountered in this research was not anticipated. While at least some of the secrecy is probably derived from a fear of violating confidentiality, it is ironic that some of those who are charged with shedding light on misdeeds hide themselves from public view. Based on previous experience in studying the states, we were not surprised by the challenge of decentralized systems. However, this may prove an even greater hurdle to the study of enforcement than that posed by the seeming-paranoia in some states. Because ethics are not handled through a central office, counsel for each department/agency must be identified and contacted; data collection therefore requires the identification of numerous officials responsible for enforcement. Also, since the counsels involved handling all legal issues for their department, not just ethics, summary statistics related to ethics complaints filed and dispensation of cases are not available.

We offer several suggestions for dealing with the problem of collecting information when dealing with controversial or confidential information. Some of the problem has little to do with paranoia but rather is a product of our aforementioned decentralized system of government where state procedures vary across jurisdictions. Thus, we were able to obtain a good deal of information from states with centralized ethics commissions but not from those without them.

Although the best source of information is the ethics commission, two problems arise with surveying or interviewing the members of these entities. First, the quality of information is better in states with such commissions than a comparable person in states without them, making direct comparisons problematic. Second, an inherent bias arises with members of an oversight or enforcement body because they have a vested interest in appearing successful. At best, they might indicate simply a lack of the necessary resources to do their jobs properly; at worst, we may obtain a slanted picture of success.

For criminal matters, it is possible to look at the public record of the case's dispensation. What is nearly impossible to determine is in how many cases complaints were made but formal charges were never filed. Surveys of Attorneys General or District Attorneys can be useful, but the picture may still be somewhat incomplete. Sometimes the Attorney General's office simply lacks the

monetary, staffing, or statutory resources with which to pursue charges. This is precisely the issue that states like North Carolina have addressed in reforming lobbying regulations. Or as is the case in decentralized states, the Attorney General's office may not be primarily involved in the issue.

With non-criminal matters, research is exceptionally difficult as a record of alleged transgressions may or may not exist, or, in some cases, confidentiality prevents public disclosure of the incident. Therefore, we believe media accounts are an invaluable resource when it comes to evaluating ethics scandals. Systematic analysis of news reports can reveal several pieces of information. First, it gives an indication of the severity of the scandal. Larger scandals, and those involving prominent public officials like the governor or state lawmakers, likely elicit greater media coverage than those involving smaller scandals or less prominent officials. Second, for non-criminal, ethical matters, media coverage can help reveal the types of behaviors that are deemed unacceptable and those that may be overlooked as "business as usual." This should offer some insight into a possible culture of acceptance in some states. Finally, a systematic analysis of the news provides a way of examining enforcement on non-criminal charges that other forms of research might not.<sup>7</sup>

Ours was an exploratory study and only involved ten states, but our findings are relevant with regard to designing an approach to evaluate ethics enforcement. This research was originally planned as a precursor to a fifty-state study – a test of the interview questions to refine our evaluation of ethics enforcement. Given data limitations regarding ethics enforcement, interviews would normally be the most logical means of garnering necessary information. This should also allow a greater understanding of the individuals involved in enforcement. Instead, the level of difficulty in obtaining information through interviews makes us question this as a viable course of action in this area. All of our interviews involved centralized ethics commissions, which suggests adequate data on enforcement may not be available until all states institute a single point of contact regarding ethics. In our decentralized, federal system of government, this is unlikely.

## References

- Brinig, Margaret, Randall G. Holcombe, and Linda Schwartzstein. 1993. "The Regulation of Lobbyists." *Public Choice*. 77:377-384.
- Hunter, Kenneth G., Laura Ann Wilson, and Gregory G. Brunk. 1991. "Social Complexity and Interest-Group Lobbying in the American States." *Journal of Politics*. 53:488-503.
- Maass, Arthur. 1986. "U.S. Prosecution of State and Local Officials for Political Corruption: Is the Bureaucracy out of Control in a High-Stakes Operation Involving the Constitutional System?" *Publius*. 17:195-230.
- Meier, Kenneth J., and Thomas M. Holbrook. 1992. "I Seen My Opportunities and I Took 'Em: Political Corruption in the American States." *The Journal of Politics*. 54: 135-155.

Newmark, Adam J. 2008. "Interest Groups and Lobbying in North Carolina: Density, Diversity, and Regulation." In *North Carolina Government, Politics, and Policy in Comparative Perspective*. Edited by Christopher and Gibbs Knotts. University of North Carolina Press.

Newmark, Adam J. 2005. "Measuring State Legislative lobbying Regulations, 1990-2003." *State Politics and Policy Quarterly*. 5:182-191.

Opheim, Cynthia. 1991. "Explaining the Differences in State Lobby Regulation." *The Western Political Quarterly*. 44:405-412.

Rosenson, Beth A. 2003. "Against Their Apparent Self-Interest: The Authorization of Independent State Legislative Ethics Commissions, 1973-96." *State Politics & Policy Quarterly*. 3:42-65.

Rosenson, Beth A. 2005. *The Shadowlands of Conduct: Ethics and State Politics*. Washington D.C.: Georgetown University Press.

Rosenthal, Alan. 1996. *Drawing the Line: Legislative Ethics in the States*. Lincoln, NE: University of Nebraska Press.

Thompson, Dennis F. 1987. *Political Ethics and Public Office*. Cambridge, MA: Harvard University Press.

## Endnotes

---

<sup>1</sup> Rosenson (2005) does offer an impressive and systematic comparison of state ethics commissions.

<sup>2</sup> Although all states have some form of legislative ethics commission, we wanted variation in whether states had a centralized and broad-ranging ethics commission in place to deal with both legislative and non-legislative matters. We also wanted variation in state political leanings. We therefore attempted to have variation in terms of "red" and "blue" states. The Southeast is intentionally overrepresented since two of the states – South Carolina and Kentucky – have had lobbying/legislative scandals following which the legislature took aggressive action to limit further transgressions. Between 1990 and 2003, these two states went from having among the weakest lobbying laws in the nation to having among the most stringent (Newmark, 2005). Accordingly, our selected states also vary from high, medium, to low levels in their ranking of stringency of regulation. The assumption is that a state like South Carolina, which leads the nation in lobbying regulation and ethics legislation (Rosenson 2005) should have greater ability to enforce its substantial legislation than a state like North Dakota, which has fewer regulations of behavior.

<sup>3</sup> Over the course of several weeks, numerous calls were made, messages were left, and attempts were made to schedule convenient times to call back. Officials were unresponsive to our requests.

<sup>4</sup> Indiana could not provide a 5-year total of investigations because they have only recently begun conducting their own investigations.

<sup>5</sup> Tennessee is in the middle third of all states according to both the Rosenson (2005) and Newmark (2005) rankings. Minnesota is in the upper third according to Newmark and in the middle third according to Rosenson. (Minnesota's focus in this area is on campaign finance and employees' gifts policies.)

<sup>6</sup> As part of a larger project, we used the Lexis-Nexis database, Associated Press State & Local Wire to search articles between August 4, 1998 and December 31, 2005 in these ten states to identify ethics violations by government officials.

<sup>7</sup> Admittedly, the accuracy and/or objectivity of news accounts is worthy of further exploration. However, we contend that coverage can be a valid indicator of severity or at least perception of severity of scandals in the states.

## Acknowledgements

We would like to thank Jessica Johnson for her research assistance on this project, Ruth Ann Strickland for comments on an earlier version of this manuscript, and the anonymous reviewers for their feedback. Errors or omissions are our own.

---

**Dr. Shannon Vaughan** is Assistant Professor and Assistant MPA Director in the Department of Political Science/Criminal Justice at Appalachian State University, teaching and conducting research on not-for-profit organizations, ethics, and policy analysis. She has published work in Public Integrity and is currently working on a book on nonprofits and public policy.

**Dr. Adam J. Newmark** is Assistant Professor of Political Science at Appalachian State University. His teaching and research interests include state and local politics, political parties, interest groups and lobbying behavior, and public policy. He has authored or co-authored articles in the Journal of Politics, State Politics and Policy Quarterly, Social Science Quarterly, Legislative Studies Quarterly, and The Review of Policy Research.

---

# Representative “Identity”: The Case of Latino Populations in a Representative Bureaucracy

*Tony Carrizales*

---

## **Introduction**

U.S. Latino populations are an area of study that requires further research in the field of public administration. The growing population of Latinos in the United States cannot and should not be overlooked by the field of public administration. Latinos represent over thirteen percent of the U.S. population and over thirty percent in many of the U.S.’s largest cities. This should serve as a clear indication that the field of public administration must continually study the impact and implications of the growing U.S. Latino populations. Discussions of U.S. Latinos have typically been grouped within issues of diversity, affirmative action, or representative bureaucracy. It is the latter that this paper looks to highlight, raising an important question for consideration in the study of representative bureaucracies. Public administrators run the risk of overlooking the diversity among Latino populations by focusing solely on representative figures (under the umbrella terms of Latino/Hispanic). Is the study of Latino representation inherently flawed in application, given the cultural, political, and historical diversity of Latino populations? An analysis of literature on U.S. Latinos and public administration, as well as a review of a case of New York City Latinos, demonstrates the need to address the diversity among Latinos. Latino populations present a unique challenge and require an unorthodox vision of what an individual’s identity represents.

## **Representative Bureaucracy**

The study of representative bureaucracy, amid the growing diversity of U.S. communities, allows for an area of continual research. Scholarly research of representative bureaucracy has long been a part of public administration literature, however, a normative basis for such research and its ultimate adoption into practice are often left in question. As Meier and Nigro (1976) define, the theory of representative bureaucracy proposes that “if the attitudes of administrators are similar to the attitudes held by the general public, the decisions administrators



make will in general be responsive to the desires of the public” (458). Yet, Meier and Nigro (1976) argue that such a normative theory is inadequate given the application of empirical analysis which is “weakened by unsupported empirical assertions, untenable assumptions, vague definitions, and poorly defined units of analysis” (467). Krislov (1974), in one of the earliest studies, viewed representative bureaucracy as a notion that “broad social groups should have spokesmen and officeholders in administrative as well as in political positions” (7). However, the method of measuring such representation varies (Subramaniam, 1967; Nachmias and Rosenbloom, 1973; Sigelman, 1976; Guajardo, 1996; and Riccucci and Saidel, 1997). The challenges to theory are compounded by the lack of buy-in of a representative bureaucracy (Naff, 1998).

Kingsley (1944), in coining the term representative bureaucracy, studied the British civil service and role of educational opportunity and economic status. Soon thereafter, Lipset (1950) argued that the social values of bureaucrats influence their governmental decisions. A reflection, which Mosher (1968) would identify as active representation, as opposed to the *passive* representation that Kingsley first studied. Passive representation asserts that a bureaucracy is representative when the demographic statistics are similarly reflected in society and in the administration. Active representation, on the other hand, purports that favorable decisions should be expected by administrators representing a sector of society with similar views and demographics. Taking Krislov’s perspective one-step further, Thompsen (1976) suggested looking at the actual behavior of officials and whether “they act for or on behalf of their racial communities.”

The impact that passive representation has on active representation has emerged more recently as an area of study within representative bureaucracy (Meier and Stewart, 1992; Kessler et al., 2002; Riccucci and Meyers, 2004). Moreover, affirmative action policies have led to question the impact on majority groups (Meier, Wrinkle, and Polinard, 1999) and the ultimate benefits of representative bureaucracy (Selden 1997). Representative bureaucracy will continue to be an area of research, especially when considering the changing demographics of our society.

### **Latino, Hispanic or Other?**

When studying U.S. Latinos and representative bureaucracy, a clear problem surfaces in that Latinos are not a homogenous population as a single label makes them out to be (Table 1). Neither Hispanic nor Latino captures the diversity among such named populations. Two particular areas of Latino diversity are further explored below. The first is Latino self-identification, rather than government and research identities often utilized such as Latino/Hispanic. The second aspect of Latino diversity explored is historical generations of individuals. Both identification and generation combine to further understand Latino identity.

**Table 1. Hispanic/Latino US Population: 2000<sup>1</sup>**

Country of Origin	2000 Population
Mexican	20,900,102
Puerto Rican	3,403,510
Cuban	1,249,820
Dominican	799,768
Salvadoran	708,741
Colombian	496,748
Guatemalan	407,127
Ecuadorian	273,013
Honduran	237,431
Peruvian	247,601
Nicaraguan	194,493
Panamanian	98,475
Argentinean	107,275
Venezuelan	96,091
Costa Rican	72,175
Chilean	73,951
Bolivian	45,188
Uruguayan	20,242
Paraguayan	8,929

The first issue for consideration is *the identification of the population being researched*. U.S. Latinos constitute people from (or with heritage from) nearly twenty Latin American countries. At a base level, individuals may be identified or much rather choose to identify with a specific country (e.g., Bolivian, Costa Rican, Colombian, etc.). At a second level, self-identification expands to include both a Latin American country and the United States (e.g. Cuban American, Mexican American). At the third and most blurred level, identification includes numerous countries (e.g. Central American, Caribbean, Chicano, etc.). For example, Caribbean can refer to individuals from, or with family from, the Dominican Republic, Cuba, or Puerto Rico. Moreover, Chicano was a label originally rooted in referring to Americans of Mexican decent, but has since expanded in definition to include people from additional Latin American countries. The fourth level expands to identify all people with Latin American decent (e.g. Hispanic, Latino, and Spanish-Speaking). These four levels of identification are far from concrete and are extremely fluid, especially at an individual basis.<sup>2</sup> In the study of U.S. Latino populations and public administration (especially representative bureaucracy) it is imperative that research attempt

**Table 2. U.S. Latino Identification**

Respondents Descriptive	Identification
Bolivian, Costa Rican, Colombian, etc.	Level 1
Cuban American, Mexican-American, etc.	Level 2
Central American, Caribbean, South American, etc.	Level 3
Hispanic, Latino, Spanish-Speaking, etc.	Level 4
Minorities, People of Color, Diverse Populations <sup>3</sup>	Level 5

to collect and analyze data at the most base level (1) before concluding findings at a level of Hispanic or Latino. As Table 2 (U.S. Latino Identification) outlines, levels 1 and 2 represent classifications and identifications that data should, when at all possible, be collected and utilized to truly interpret and report findings of U.S. populations.

Labels such as Hispanic and Latino attempt to capture a group of people with so much diversity that it becomes nearly impossible to do so. *Hispanic* was introduced as an ethnic label by the Office of Management and Budget (OMB) in 1978 as an attempt to identify “a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race” (Marin and Marin, 1991). The last two decades of the twentieth century witnessed the emergence of the label *Latino*. Latino identifies individuals born in, or who trace their background to, countries of Latin America. One of the problems with the application of Latino is that Latin America also refers to countries such as Brazil and Belize. This contradicts the OMB’s definition of Hispanic, which specifically refers to those of “Spanish culture or origin.” There is no one absolute label, and although Latino is increasingly becoming the popular term in academia, government entities continue to use Hispanic.

### **U.S. Latinos through the Generations**

Labels are only one part of the issue associated with the diversity of Latino populations. Generational history is a characteristic that can also factor into U.S. Latino research. Chiswick and Hurst (2000) point out that the “different circumstances that immigrants experience in the United States compared to persons born in this country require that a study of Hispanics... consider differences by nativity” (175). First generation Latinos may feel differently about government than do second-generation Latinos. Table 3, (Classifying Generational History of Surveyed Respondents), is adapted from Morin and Morin (1991), who suggest that, although generational history is not often utilized, “it may prove useful for the proper understanding of characteristics of Hispanic respondents” (35).

**Table 3. Classifying Generational History of Surveyed Respondents**

Respondents Descriptive	Respondents Classification
Respondents born in Latin America or the Caribbean	First-generation Latinos
Respondents born in the United States with both parents born in Latin America or the Caribbean	Second-generation Latinos
Respondents born in the United States with one parent born in Latin America or the Caribbean	Mixed second-generation Latinos
Respondents born in the United States with at least three grandparents born in Latin America or the Caribbean	Third-generation Latinos
Respondents born in the United States with two grandparents born in the United States	Century-generation Latinos <sup>4</sup>

### Latinos and Public Administration

As suggested in the previous section, generational gaps vary enough to warrant their consideration in best understanding Latino representation. However, neither generational nor identification differences have been taken into consideration by public administration-representation studies. The following review of literature exemplifies research which has studied U.S. Latino populations, while underscoring the need for continued research. Research which studied state and local employment used Level 2 of identification, with Mexican American populations as the primary group of study. Research at the federal level of government tends to use Level 4 identifications such as Hispanic/Latino. Moreover, federal government-based studies include Latinos as part of a bigger discussion: minority representation in government. Latinos in government literature emerged in the 1970s, but some discussions are dated much earlier. Williams (1947) reviewed the Office of Price Administration, focusing on minority representation in the rationing and price programs throughout the nation:

The Washington staff was never completely successful in convincing some of its field officials of the need to recruit representative board members. For example, one official in a large Spanish-speaking community said, "After they (speaking of the Spanish Americans) argued and argued with us, we finally took some of them in" (128).

Williams concludes:

The quality of the work done by representatives of minority groups seems on the whole to have been of a high order...The Washington staff found that it had learned something of the bigness of America, a good deal about the richness and variety of its people, and a sizable "know how" as to what might be the people's part in the administrative processes of government (128).

Latino representation in the bureaucracy has been marginal at all levels of government. Even amid a "period of proaction" for equal employment beginning in 1961, Latinos were well underrepresented in the federal government (Hellriegel and Short, 1972). For 1966, only 1.3% of the Department of Health, Education and Welfare Labor was made up of "Spanish surnamed Americans;" the Department of Agriculture and the Department of Justice each comprised of 1.6%; while employment at the Department of Labor was made up of less than 1% Latino (Hernandez, 1970).

The continued disproportionate employment of Latinos in the federal government led Diaz de Krofcheck and Jackson (1974) to suggest that Latinos<sup>5</sup> were experiencing "nativism." They define nativism as a "fear of non-Anglo foreigners;" distinct from the doctrine of racism, where there is an assertion of the superiority of one race (535). Macias (1975), in reference to the above argument, suggests that "nativism, by definition, nurtures racism and cultural prejudice." Nonetheless, the argument for Latino discrimination in federal employment had emerged alongside discussions of representation. Taylor and Shields (1984) suggested a concentration of Latinos in defense agencies, education disparities, and gender discrimination as possible explanations as to why Latinos "lag behind Anglos on almost every indicator of organizational success in the federal government" (382). The underrepresentation of Latinos in government would continue over the next two decades.

Sisneros' (1993) *Hispanics in the Public Service in the Late Twentieth Century* reinforced earlier findings of the lack of Latino representation in government. Sisneros points out that the Equal Employment Opportunity Commission reported, "Hispanics in 1988 continued to be the only minority group with a 'manifest imbalance' in the federal work force when compared to the civilian labor force" (2). Most recently, a report required by Executive Order 13171, *Hispanic Employment in the Federal Government* (2001), highlighted that Hispanics remain the most underrepresented minority group in the federal workforce with limited progress.

Research of Latino representation at state and local levels has produced similar findings to that at the federal level. A review of state and local bureaucracy during the years 1973 through 1975 by Cayer and Sigelman (1980) found that "Spanish-surnamed [administrators]... continued to be badly underrepresented." A 1977 study of city employment found that Latinos only represented 1.4% of administrative jobs (Dye and Renick, 1981). Latino under-repre-

sentation also extended to city councils (Taebel, 1978). Moreover, Latino populations have been found to be a key predictor to representation (Welch, Karing, and Eribes, 1983) as well as to municipal appointments (Polinard, Wrinkle, and Longoria, 1991). This finding is critical to the changing demographics of the United States. With the increasing number of Latinos in U.S. municipalities, the expectation for increased representation in the bureaucracy should follow. Whether this is the case for Latinos in government is still left to be determined. Finally, Latino representation literature suggested that Latino bureaucrats could make “important differences for their ethnic group as far as policy outcomes of city government are concerned” (Finke, 1980, 67). These differences represent active representation, which was discussed earlier. Active representation could be of great significance in contemporary policy decision making. Immigration policy at the federal level has significant implications for Latino populations throughout the country. Locally, municipalities are debating policies which allow for varying types of identifications and driver licenses which also directly affect Latino populations (Hakim, 2007). Given all the early literature and research of Latinos there remains underrepresentation and understanding of the degree to which active representation is present and effective. Clearly, representative bureaucracies and Latinos still require further study.

### **The Latino Administrator**

An additional area of consideration when examining a representative bureaucracy and U.S Latino populations is the role of the administrator. Herbert (1974) set forth seven dilemmas that minority administrators must overcome. In particular, dilemma six states, “minority communities sometimes expect much more of the minority administrator than he/she can provide” (Herbert, 1974). Although not Latino specific, the dilemma is applicable, but requires further analysis, especially in identifying any expectation differences within Latino communities. Furthermore, Martinez (1991) suggests inherent problems with Latino administrators, given the growing number of minority administrators and their potential to contribute positively in a representative government. Based on the above premise, Martinez (1991) states:

The difficulties encountered by Hispanics operating in governmental bureaucracies may have negative consequences for public policies and administration, if they are not effectively resolved through their responses and those of the institution (47).

An area of research that has not been addressed is the perception Latino communities have of their Latino public administrators. To some degree, studies of Latino populations’ perceptions of government in general have found differences among the various Latino groups. De la Garza et al. (1992) found that there are differences among Mexican, Puerto Rican and Cuban populations. Cubans were found to have the highest degree of trust in government. Just over 50% of U.S. Mexicans and Puerto Ricans felt that government is run “by the few in their interest” (81). Barger (1976) found differences in Mexican American, African American and



Anglo students’ images of government. Comer (1978) raises the possibility that Latino relationships with “street-level” bureaucrats in the Southwest may be different than those in other parts of the United States. It is clear that Latino diversity as well as generational differences among Latino populations needs to be considered in future research of representative bureaucracies.

### **The Case of New York City**

The following discussion exemplifies the potential for misrepresentation when using a traditional conceptualization of Latinos. The case of New York City is an ideal example as it has one of the largest municipal public sectors in the U.S. Outlined below (Table 4), are the largest groups among Latinos, as a percentage of the total U.S. Latino population. Latinos of Mexican origin represent nearly sixty percent of the U.S. population; with those of Puerto Rican decent representing a distant second just under ten percent. These figures represent cumulative data from across the country, but when looking at particular municipalities, statistical representation can tell a vastly different story.

**Table 4. Hispanic/Latino U.S. Population by Percentage: 2000<sup>6</sup>**

Country/Latin America Regions	2000 Percentage of Hispanic Population
Mexican	59.30%
Puerto Rican	9.70%
Central American	5.10%
South American	4.00%
Cuban	3.50%
Dominican	2.30%

New York City is home to eight million residents, with over two million of the residents being Latino as of the 2000 U.S. Census (Latino Data Project, 2007). However, unlike the percentage breakdown of Latinos in the U.S., Latinos in New York City reflect a significantly different landscape. Latinos of Puerto Rican decent are the largest group at 37% of the area Latino population, with those of Dominican decent representing nearly 25%. Given the arguments made earlier, different groups among Latinos have their own unique cultures, histories and ideologies. In efforts to achieve a representative bureaucracy, a comprehensive and more in-depth look at Latinos should be obtained. In the case of New York City, census data highlights how national data does not match up and as a result, there is a risk of misrepresentation.

**Table 5. Hispanic/Latino New York Metropolitan Area Population by Percentage: 2000<sup>7</sup>**

Country/Latin America Regions	2000 Percentage of Hispanic Population
Puerto Rican	37.60%
Dominican	24.70%
South American	12.80%
Mexican	8.60%
Central American	4.20%
Cuban	2.10%

## Conclusions

Government administrators and researchers looking to study Latino populations should be familiar with issues that affect them (Rosenfeld 1985; Becerra and Zambrana 1985). As the paper has outlined, there are various areas for further research. There is a breadth of literature that can lend to the topic; however, there still needs to be a reevaluation of methods for research when studying U.S. Latino populations, especially in the area of representative bureaucracy. The study of Latino representation requires further in-depth studies to avoid potential flaws in application, given the cultural, political, and historical diversity of U.S. Latino populations. Given this argument, I have provided two means for better understanding the complexities of a representative bureaucracy: U.S. Latino populations as set forth in Table 2 (U.S. Latino Identification) and Table 3 (Classifying Generational History of Surveyed Respondents). Previous work of Latinos and representative bureaucracy, regardless of methods employed, are critical to the field of public administration.

What is meant by a “representative” U.S. Latino identity? It is difficult to operationalize representation of Latinos with nearly twenty countries, each with its own unique culture and historical relationship with the United States. However, as I have suggested, to truly study representation, identity should go beyond the terms Latino and Hispanic. A Latino identity should begin at the *country of origin and generation in the United States*. For purposes of public administration policy formulation and implementation, these two levels would be more appropriate for representing a Latino identity. It is clear that further research is necessary and the issues raised here highlight opportunities for deriving as much information as possible from such studies.

## References

- Barger, H. M. (1976). Images of bureaucracy: a tri-ethnic consideration. *Public Administration Review*. 36(3): 287-296.
- Becerra, R.M. and Zambrana, R. E. (1985). Methodological approaches to research on Hispanics. *Social Work Research and Abstracts*. 21(2): 42-49.
- Cayer, N.J. and Sigelman, L. (1980). Minorities and women in state and local government: 1973-1975. *Public Administration Review*. 40(5): 443-450.
- Chiswick, B.R. and Hurst, M.E. (2000). Hispanics and the American labor market. In *Hispanics in the United States: an agenda for the twenty-first century*. Edited by Cafferty, P. and Engstrom, D.W. New Brunswick, NJ: Transaction Publishers.
- Comer, J.C. (December, 1978). "Street-level" bureaucracy and political support: some findings on Mexican Americans. *Urban Affairs Quarterly*. 14(2): 207-228.
- Cresce, A. R., Schmidley, A. D., and Ramirez, R. R. (2007). *Identification of Hispanic ethnicity in census 2000: Analysis of data quality for the question on Hispanic origin*. Working Paper No. 75. Accessed on November 5, 2007 at <http://www.census.gov/population/www/documentation/twps0075/twps0075.html>
- Davis, M. (2000). *Magical Urbanism: Latinos Reinvent the US City*. New York, NY: Verso.
- De la Graza, R.O., DeSipio, L. Garcia, F.C., Garcia, J. and Falcon, A. (1992). *Latino voices: Mexican, Puerto Rican, and Cuban perspectives on American politics*. Boulder, CO: Westview Press.
- Diaz de Krofcheck, M.D. and Jackson, C. (1974). The Chicano experience with nativism in public administration. *Public Administration Review*. 34(6): 534-539.
- Dye, T.R. and Rebeck, J. (September, 1981). Political power and city jobs: determinants of minority employment. *Social Science Quarterly*. 62(3): 475-486.
- Fiske, E.I. (1980). Mexican Americans in the bureaucracy of local government. In *Latino empowerment: progress, problems, and prospects*. Edited by Villarreal, R., Hernandez, N.G., and Neighbor, H.D. Westport, CT: Greenwood Press, Inc.
- Guajardo, S. A. (1996). Representative bureaucracy: An estimation of the reliability and validity of the Nachmias-Rosenbloom MV Index. *Public Administration Review*. 56(5): 467- 478.

Hakim, D. (October 27, 2007). In Shift, Spitzer Is Expected to Back a Federal ID. In New York Times . Accessed on October 31, 2007 at <http://www.nytimes.com/2007/10/27/nyregion>.

Hellriegel, D. and Short, L. (November-December, 1972). Equal Employment opportunity in the federal government: a comparative analysis. *Public Administration Review*. 32(6): 851-858.

Herbert, A.W. (1974). The minority administrator: problems, prospects, and challenges. *Public Administration Review*. 34(6): 556-563.

Hernandez, A.J. (1970). Civil service and the Mexican American. In *Mexican-Americans in the United States: a reader*. Edited by John H. Burma. 171-179. New York: Schenkman Publishing Company.

*Hispanic employment in the federal government*. (October, 2001). Office of Personnel Management, United States.

Keiser, L. R., Wilkins, V. M., Meier, K. J., & Holland, C. A. (2002). Lipstick and logarithms: Gender, institutional context, and representative bureaucracy. *American Political Science Review* 96(3):553-564.

Kingsley, J. D. (1944). Representative bureaucracy. Yellow Springs, OH: Antioch University Press.

Krislov, S. (1974). *Representative bureaucracy*. Englewoods, NJ: Prentice-Hall.

Latino Data Project (2007). *Census 2000: The Latino population and the transformation of metropolitan New York*. Center for Latin America, Caribbean, and Latino Studies and the Center for Urban Studies. The City University of New York. Accessed on October 31, 2007 at <http://web.gc.cuny.edu/lastudies>

Lipset, S. M. (1950). Bureaucracy and Social Change. In *Agrarian Socialism*. Berkley, CA: University of California Press.

Macias, D. (1975). Re: the Chicano experience with nativism. *Public Administration Review*. 35(2): 214-215.

Marin, G. and Marin, B.V. (1991). *Research with Hispanic populations*. Newbury Park, CA: Sage Publications.

Martinez, T. (1991). The role of Hispanic public administrators: a theoretical and empirical analysis. *American Review of Public Administration*. 21(1): 33-55.

- Meier, K. J., & Nigro, L. G. (1976). Representative bureaucracy and policy preferences. *Public Administration Review*. 36(July-August): 458-69.
- Meier, K. J. & Stewart Jr., J. (1992). The impact of representative bureaucracies: Educational systems and public policies. *American Review of Public Administration*. 22: 157-171.
- Meier, K. J., Wrinkle, R., & Polinard, J. L. (1999). Representative bureaucracy and distributional equity: Addressing the hard question. *Journal of Politics*. 61(4): 1025- 1039
- Mosher, F. (1968). *Democracy and the Public Service*. New York: Oxford University Press.
- Nachmias, D. & Rosenbloom, D. H. (1973). Measuring bureaucratic representation and integration. *Public Administration Review*. 33(6): 590-597.
- Naff, K. C . (1998). Progress toward achieving a representative federal bureaucracy: The impact of supervisors and their beliefs. *Public Personnel Management*. 27(2): 135-151.
- Polinard, J.L, Wrinkle, R.D., and Longoria, T. (1991). Representation and policy: appointments of Mexican Americans to boards and commissions. *Social Science Journal*. 28(2): 259-265.
- Riccucci, N. M. & Saidel, J. R. (1997). The representativeness of state-level bureaucratic leaders: A missing piece of the representative bureaucracy puzzle. *Public Administration Review*. 57(5): 423-430.
- Riccucci, N. M. & Meyers, M. (2004). Linking passive and active representation: The case of front-line workers in welfare agencies. *Journal of Public Administration Research and Theory*. 4(14): 585-597.
- Rosenfeld, J. (1985). Hispanic issues and challenges. *Public Management*. p. 12-16.
- Selden, S. C. (1997). *The promise of representative bureaucracy: Diversity and responsiveness in a government agency*. Armonk, N.Y.: M.E. Sharpe.
- Sisneros, A. (1993) Hispanics in the public service in the late twentieth century. *Public Administration Review*. 53(1): 1-7.
- Sigelman, L. (1976). The curious case of women in state and local government. *Social Science Quarterly*. March:591-604.
- Subramaniam, V. (1967). Representative bureaucracy: A re-assessment. *American Political Science Review*. 61(4): 1010-1019.

Taylor, P.A. and Shields, S.W. (1984). Mexican Americans and employment inequality in the federal civil service. *Social Science Quarterly*. 65(2): 381-391.

Thompson, F. J. (1976). Minority groups in public bureaucracies: Are passive and active representation linked? *Administration and Society*. 8(August): 201-226.

Welch, S., Karing, A.K., and Eribes, R. (December, 1983). Changes in Hispanic local public employment in the southwest. *Western Political Quarterly*. 36(4) 660-673.

Williams, F. H. (1947). Minority groups and OPA. *Public Administration Review*. 7(2): 123-128.

## Endnotes

---

<sup>1</sup> Data derived from Census 2000 (Cresce, Schmidley and Ramirez 2007, Table 2).

<sup>2</sup> One person can choose to identify with numerous labels. In addition some labels not included in this discussion are area specific such as Tejano and Nuyoricano. Additional terms that Davis (2000) identifies are Philaricans and Domincanyork.

<sup>3</sup> Although this level of labels was not discussed and goes beyond the scope of this paper, much of the existing literature of Latinos and public administration is found within articles at the Level 5.

<sup>4</sup> This generation of Latinos encompasses those who lineage to a Latin American or Caribbean country goes beyond grandparents. The use of the term “century” refers to that the respondent’s family covering the majority of residency in the United States.

<sup>5</sup> Diaz de Krofcheck and Jackson use the term Chicano, however their statistical data from the U.S. Civil Service Reports refers to Spanish-surnamed Americans, not Chicanos.

<sup>6</sup> Data derived from Census 2000 (Cresce, Schmidley and Ramirez 2007, Table 2).

<sup>7</sup> Data derived from Census 2000 (Latino Data Project 2007, Table 1). Not all countries were presented in the data report and in order to match the associated Table 4 of the U.S. Latino population, the data was constructed to reflect similar countries and regions. An additional category of Other Latinos, not captured in the five categories presented represent 9.9% of Latinos in the New York Metropolitan area.

---

**Tony Carrizales** is Assistant Professor of Public Administration at Marist College, School of Management. Dr. Carrizales is the Managing Editor for the Journal of Public Management and Social Policy. Dr. Carrizales received his BA and Master of Public Administration from Cornell University and his Ph.D. in Public Administration from Rutgers University - Newark.

---



# 1912: Wilson, Roosevelt, Taft, and Debs – The Election that Changed the Country

**By James Chace. New York, NY:  
Simon & Schuster, 2004**

Reviewed by *Jeffrey G. Mueller*

---

James Chace was primarily known as a foreign policy theorist and diplomatic historian. He served as managing editor of *Foreign Affairs* from 1970 to 1983 and held the Paul W. Williams Chair in Government and Public Law at Bard College at the time of his death in 2004. Chace has been credited with coining the phrase “America, the indispensable nation” often used by Secretary of State Madeleine Albright to describe America’s role in the post-Cold War years. Chace’s biography of Dean Acheson (*Acheson: The Secretary of State Who Created the American World*, 1998) attracted some attention in the 2000 Republican primary debates when candidate George W. Bush claimed to have read the book but later was unable to recall any lessons he learned from Acheson’s tenure as Truman’s Secretary of State.

The election of 1912 was one of the most fascinating in United States history. Former president Theodore Roosevelt ran on the Progressive (or Bull Moose) Party ticket after he failed to receive the Republican Party’s nomination. Roosevelt campaigned in 1912 as if he were on a mission from God, proclaiming that “We stand at Armageddon and we battle for the Lord.” William Howard Taft, the Republican incumbent (and Roosevelt’s handpicked successor in 1908), had no illusions of being re-elected and seldom bestirred himself to actively campaign.

The Democrats, on the forty-sixth ballot, nominated Thomas Woodrow Wilson. A former president of Princeton University and a recent convert to progressivism, Wilson had never held public office before he was elected governor of New Jersey in 1910. Three-time nominee William Jennings Bryan, who privately hoped a deadlocked convention would turn to him for a fourth time, played a critical role in preventing the frontrunner, Speaker of the House James “Champ” Clark of Missouri, from receiving the nomination. Wilson would later reward Bryan by appointing him Secretary of State—a decision he would come to regret as America edged towards entry in WWI.

As if the field was not already crowded enough in 1912, a fourth candidate, Eugene V. Debs, ran

on the Socialist Party ticket. Debs, a gifted orator, won 901,873 votes, which represented six percent of the popular vote, the highest percentage a Socialist presidential candidate ever received.

Chace believes the election of 1912 was “a defining moment in American history.” Wilson and Roosevelt together won almost seventy percent of the popular vote, which Chace views as a mandate for passage of reform legislation and the death knell of laissez-faire capitalism. Even the Socialist vote in the election is considered by Chace as revealing “the depth of the reformist forces sweeping the land.”

The early twentieth century was the bright and shining moment for the progressive movement. As the progressive journalist William Allen White once wrote, “The thing that constantly amazed me was how many people were with us.” The progressives’ agenda was so broad-based in scope that it almost defies definition. Progressives such as Jane Addams and Frances Perkins focused on social justice issues, calling for passage of laws to prohibit child labor, limit working hours, and improve working conditions in factories. Some social progressives (but not all) favored the adoption of a prohibition amendment to the constitution because they believed the consumption of alcohol and the attendant neighborhood saloons were the causes of the misery of the working class.

Progressives were also interested in political reform. The reformist commission and city-manager concepts of municipal government were first utilized in the early twentieth-century. Governors Robert M. La Follette of Wisconsin and Hiram Johnson of California (who was Roosevelt’s running mate in 1912) pursued a “power to the people” agenda in their states that called for curtailing the power of the Democratic and Republican Party “bosses.” These political reformers also called for a constitutional amendment that would allow for the direct election of United States senators, rather than being chosen by state legislatures.

Progressives advocated direct primary laws that would permit voters to nominate party candidates, rather than allowing the bosses to select the nominees. The progressive movement included a large number of women; most progressives supported amending the constitution to allow women to vote, although some like Wilson tried to sidestep the issue by suggesting that the matter should be addressed at the state level.

Economic reform was also an intrinsic part of the progressive movement. La Follette turned the University of Wisconsin into a progressive think-tank to serve the people of his state. In return for state funding, faculty members, serving as “experts,” were expected to employ “scientific principles” to determine what were fair insurance premiums, railroad charges, and utility rates. Progressives believed that through the use of experts and scientific principles, virtually any problem could be solved.

The progressives’ most important economic reform was an amendment to the constitution that would permit a direct income tax, as such a tax had been held unconstitutional by the Supreme

Court in 1895. The revenue from an income tax could be used to reduce high tariffs. Progressives viewed high tariffs as a regressive form of taxation that raised the cost of living for the average American by protecting the trusts from foreign competition. Progressives maintained that high tariffs also gave the “special interests” too much influence in politics.

Progressives were divided over the matter of how to deal with the size and power of the trusts to ensure economic opportunity for the American people. Theodore Roosevelt’s New Nationalism called for enlarging the powers of the federal government to regulate the trusts. Woodrow Wilson’s New Freedom favored using the 1890 Sherman Antitrust Act to break (or “bust”) the trusts apart and restore competition.

Progressives were not radicals; few evinced any interest in socialism or the radical trade unionism of the Industrial Workers of the World, known as the “Wobblies.” Most had only a passing interest in ending Jim Crow segregation or guaranteeing voting rights for African Americans; some progressives, such as Wilson, even promoted segregation. The goal of most progressives was to take the rough edges off the unbridled capitalistic system of late 19<sup>th</sup> and early 20<sup>th</sup> century America.

Chace uses a series of biographical sketches and anecdotes to humanize the four candidates for his readers. For example, during the campaign Roosevelt learned of the existence of some letters Wilson had written to a woman he met while vacationing alone in Bermuda. Roosevelt rejected the possibility that Wilson might have been involved in an affair with the scathing remark that “Nothing, no evidence could ever make the American people believe that a man like Woodrow Wilson, cast so perfectly as the apothecary’s clerk, could ever play Romeo.” The author also points out that, despite Wilson’s reputation as an authority on political science, constitutional law, and history (he was our only president to hold a doctoral degree) he apparently lost interest in reading scholarly books after he became president of Princeton in 1902. Wilson even admitted to a reporter in 1916 that he had not read a serious book in fourteen years.

The scope of *1912* extends beyond the presidential campaign of that year; almost one quarter of the book is devoted to Wilson’s presidency. In his first inaugural address, Wilson stated that governments should “be put at the service of humanity, in safeguarding the health of the Nation, the health of its men and its women and its children, as well as their rights in the struggle for existence.” In his first term Wilson was able to use his election victory to pass (along with the help of a Democratic controlled Congress) such progressive legislation as the Federal Trade Commission Act and the Federal Reserve Banking Act. The Underwood Tariff lowered import duties; the recently ratified 16<sup>th</sup> Amendment authorizing a federal income tax was implemented to compensate for the decline in tariff receipts. These and other progressive legislative victories represent, in Chace’s opinion, Wilson’s “most enduring achievements.”

As a diplomatic historian, Chace is particularly interested in Wilson’s foreign policy. Chace believes that Wilson’s decision to ask for a declaration of war in 1917 emanated not from the Ger-

man's unrestricted U-boat attacks on American ships but primarily from the President's desire for the United States "to imprint its values on the Old World." Wilson's failure to compromise with Senate Republicans over ratification of the Treaty of Versailles is viewed by Chace as clear evidence of the President's intractable nature when dealing with anyone who disagreed with him. Wilson's stubbornness, which was no doubt exacerbated by a series of strokes that began as early as 1906, proved to be disastrous in his losing fight with Henry Cabot Lodge over membership in the League of Nations.

*1912* is not a scholarly or groundbreaking analysis of the election in that year. Chace relied largely on published secondary studies and biographies of the candidates to write this book. However, *1912* is "popular history" at its best. It is written in a narrative style that will engage readers interested in both the progressive movement and a moment in our history when two exceptional leaders competed head-to-head in an election that would truly "change America."

---

**Dr. Jeffrey G. Mueller**, a member of the history faculty at Springfield College in Illinois for more than twenty-five years, has also served the College as Dean of Academic Affairs and as President.

---

---

# Fuhrer's Heart: An American Story

By James D. Ward  
(N.P.): Xlibris, 2006

Reviewed by *Patricia M. Alt*

---

The experience of being an “outsider” is something which almost everyone can recognize and most have felt at some point in their lives. Whether we were explicitly designated as “token” representatives of our race, gender, age group, religion, class, or simply stood out as in a minority, we’ve often been uncomfortably aware of the existence of an “in crowd,” even when the surface circumstances seemed to indicate an effort to include everyone. Some of the ambivalence felt by those who are the “first” in a position comes from a worry that the “new” person won’t be seen as serious or competent, since he/she fills a needed category. One can easily sense this concern in others, and (often) new hires will exert an extraordinary effort to prove to peers that they are fully deserving of the position.

James D. Ward’s suspense novel *The Fuhrer’s Heart: An American Story* explores an outsider situation, taking it to an extremely uncomfortable and dangerous conclusion. Set in New Orleans during the late 1980s when David Duke, the Grand Wizard of the Ku Klux Klan, was very active in political life (elected to the Louisiana state legislature, then running for Governor and President), it expands the definition of “academic infighting” to an entirely new level. While it is almost a truism that academics fight harder because they have less to fight about, one seldom sees a story which takes the squabbling to the level of villainy found here. Ward’s thriller is (like its title) a bit of a contradiction. This slim volume, while set in the frame of academic ego struggles (an “American story” that is familiar to many), unfolds into a violent and horrifying narrative much closer to the actual Nazi “Fuhrer’s heart,” and far from “normal” professorial experience.

Michael Woods, a young African-American professor with his Ph.D. newly minted from the University of Chicago, is ardently recruited, and then hired by the prestigious (and fictitious) Institute for Public Policy in New Orleans. As in most academic tenure-track jobs, he has three probationary years in which to publish, “make a name for himself,” and seal his path on the tenure track. At first, things seem to be going very well. Senior members of the department offer to collaborate with him on research and conference presentations. Younger members are welcoming and friendly (even seductive in some cases).

However, by the end of the second chapter one supportive faculty member is dead under suspicious circumstances, and Michael has substantial doubts about the veracity of his colleagues, whether they seem welcoming or not. Faculty members who have offered to help with his research have reneged and students are often overtly rude to him. One particularly friendly and flirtatious colleague has newsletters from racist and neo-Nazi organizations on her office door and has been known to invite David Duke and others to speak to her classes. She claims that “It’s all because the best way to prevent the spread of this racist garbage is to expose it for what it is...By letting the sun shine on it....Sunshine disinfects. So does the truth. Disinfectant is at work in the classroom because the racist ideology is being rationally challenged” (p. 20).

Once people start dying, the story expands beyond academic squabbling to the involvement of the police and the FBI. Ethical questions are raised about those organizations’ integrity and dedication to protecting all American citizens. The reader is left questioning whether any of the characters are what they seem, given a climate of organizational infiltration by right-wing organizations, most especially the fictitious “Society of White Aryan Nation” (SWAN). However, it emerges that there are some clearly ethical individuals in the Institute, and they are not defined only by their politics, race, or religion. As those individuals threaten to expose the racist conspiracy at the Institute, they are increasingly targets of attack, up to and including additional murders.

Even if we leave out the possibility of actual murder, a central ethical question this book raises is whether hiring someone to fill a “niche” (racial, gender, etc), with all the attendant pressure to be perfect, while not providing them with basic support, is just creating a self-fulfilling prophecy of inadequacy. Then, when the individual is not retained, the others can fall back on the “I told you so” factor. For some new professionals, their perceived or real “failure” can lead to intense self-questioning and blame, even if the rejection was unfair.

When (for instance) new faculty hires aren’t fully informed about the actual point in the third year by which their dissertations must be completed and miss it by a month, it is difficult to argue that they were deliberately set up to fail. However, when the first representative of a group to be hired in a department is then forced to go through the search process again and is replaced by someone who closely resembles the others (perhaps even a graduate school friend of theirs), it is not surprising that the question of fairness and ethical behavior arises.

Do those repulsive organizational traits go away when a unit or department is more uniform? Is there less nastiness in homogeneous organizations? Or do humans naturally find ways to differentiate among themselves and look down on others for some reason or other? There is a large body of organizational psychology literature exploring these questions, with widely varying answers, not to mention the array of harsh assessments of human behavior found in some media outlets.

Is there a greater likelihood of unfairness and cruelty in institutions with more direct political involvement than many universities have? For example, is it more exaggerated in institutions such as the “Orleans Institute for Public Policy,” where a substantial chunk of Michael’s job is advis-



ing local governments, or in a university directly under city government auspices? One thinks of the University of the District of Columbia, where an apparently political struggle for control has recently led to ugly firings and newspaper accounts. In the case of the UDC, both the city government and the university hierarchy are heavily African-American, so analysis of what happened has to be much more nuanced than simply claiming racism.

David Duke, the one-time Louisiana Klansman-politician, is mentioned in this book, and the fictional candidate "Donald Sykes" also represents aspects of Duke's political career. Duke himself has continued to be active as a Holocaust denier. A recent article in the *New Republic* quotes Duke as "almost nonchalant" about the rise of Barack Obama. It cites numerous experts to show that "white supremacists are much less inclined to hate Obama than the white race-traitors who are enabling him." This leads naturally to the article's argument that "what truly animates the white supremacist contingent these days is not racism but anti-Semitism." (Crowley, 2008)

Whether it is racism, anti-Semitism, or anti-immigrant sentiment, the hostilities explored in Ward's book surround us still today. While not always as homicidally expressed, they are often present and need to be explored. When we speak of "diversity" in the workplace, do we truly mean welcoming all varieties of people or do we limit it to those we happen to be most concerned about? Are we willing to talk about the ways we perpetuate separation between groups by avoiding understanding other cultures? Conversely, do those of us in groups which are often discriminated against perceive hostility where none is present or perpetuate the pattern by looking down on others? A lot of questions for a small murder mystery to raise...but all worth exploring.

## Reference

Crowley, Michael, "Post-Racial", *The New Republic*, March 12, 2008, p. 7.

---

**Dr. Patricia M. Alt** is Professor of Health Science at Towson University.

---

# Public Voices Symposium

## The Founding of Public Administration

**Michael W. Popejoy, Ph.D., Guest Editor**

### Call for Manuscripts

Prologue: As public administration nears the end of the first decade of a new century, a look back is in order to provide us with perspective on what brought us here. If the metaphor is true that we stand on the shoulders of giants, as we view our world today who were those giants, what did they show us and what risks did they take and why?

Further, who influenced the founders of the Republic and what were their motives? There exists a rich history on the founding of the Republic, but what issues have not yet been explored? Which of these seminal issues have been explored but may have been interpreted inaccurately? Are there new revelations available to us today? Have some Founders' contributions been over attributed, and have others been overlooked, such as those of Aaron Burr?

In our rush to look forward at various reformations and transformations of public administration, we may have slowed or stopped scholarship on where we came from. This special issue of Public Voices will allow us a pause to look back even as we push forward.

The goal of this symposium is to allow the widest possible discretion for people writing historical pieces. An article would work if it covered any period or people from pre-revolutionary times to the latter years of the 20th century. Important events, issues and theories may need to be re-examined.

In keeping with the humanistic approach that characterizes Public Voices, articles may be historically factual, creative nonfiction, novelized history, art, poetry, film history, and book reviews of remarkable, influential books on governance that have appeared over the past three centuries.

For manuscripts, submit an electronic copy, with the author's name and affiliation on a separate cover page, to Iryna Illiash, Managing Editor, at [illiash@pegasus.rutgers.edu](mailto:illiash@pegasus.rutgers.edu).