

effectively be accountable to different subgroups of the citizenry, based on constituency apportionment.<sup>7</sup> On the other, the interpretation of parliaments' *raison d'être* and representatives' power mandate is such a central issue in democratic life that all citizens should be involved in its determination. This second difficulty of applying Ceva and Ferretti's account to political institutions like parliaments unveils how difficult it is to establish clear practices of answerability as second-order processes meant to deal with the first-order difficulty of determining parliaments' *raison d'être*.

In conclusion, while Ceva and Ferretti's framework is a perfect fit for administrative institutions with clearly designed *raison d'être*, this contribution casts some doubt over its application to political institutions, such as parliaments. And yet, it also shows how thought-provoking and path-breaking their analysis of corruption and their theory of office accountability are for all political theorists reflecting on democratic institutions.

## The Duty-of-Office Accountability and Democratic Power

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Ceva and Ferretti provide rich, comprehensive, and thought-provoking answers to the question of what political corruption—understood as corruption that occurs in public institutions—is and when and why it is morally wrong. One aspect that greatly contributes to the book's originality and political relevance is its commitment to a “continuist” conception of (public) institutions (14), according to which institutions are nothing but the interrelated actions of their members—the officeholders entrusted, by virtue of their institutional role, with specific powers that they should always be able to use with a certain level of discretion. This conceptual starting point makes this book a compelling reminder that, even if designing and reforming formal institutions can be done effectively to shape the powers and incentives of institutional actors, we cannot focus only on formal institutional

<sup>7</sup>See Andrew Rehfeld, *The Concept of Constituency: Political Representation, Democratic Legitimacy, and Institutional Design* (Cambridge: Cambridge University Press, 2005).

and procedural design to have functioning institutions. As Ceva and Ferretti argue, “no institution can be designed in such a way that makes it immune from political corruption, which may always sneak in per the officeholders’ work” (61)—namely, whenever public officeholders use their entrusted powers in a manner that is incompatible with the terms of their power mandate.

Their continuist conception of institutions also sets the basis to capture the inherent, *pro tanto* wrongness of corrupt uses of power: since institutions are constituted by the interrelations among officeholders, corrupt officeholders engage in wrongful conduct because they violate their interactive duties towards their colleagues—and, more specifically, their duty of office accountability to “always be in the position to give [other officeholders] an account of the rationale of the agenda that underpins how they use their power of office and show its coherence with their power mandate” (96). Furthermore, the conception of institutions proposed in *Political Corruption* encourages us to engage with, and sets the example for, the difficult work of clarifying what norms should guide the informal behavior of officeholders, and who has responsibility for what in their relations. Indeed, the account of what “an organizational culture of anticorruption” (16) in well-functioning institutions should look like provided in the second part of the book offers clear action-guiding insights that inspire valuable reflections about what it is that individuals should do to solve collective problems and to contribute to fostering just institutions.<sup>1</sup>

As thought-provoking books usually do, *Political Corruption* also raises many questions. I briefly introduce two lines of questioning that suggest possible tracks to expand the duty-of-accountability framework, especially as it relates to democratic theory.

One line of questioning concerns the definition of power mandates, which play a structural role in Ceva and Ferretti’s theory of political corruption: they are the means through which powers are entrusted to officeholders; they normatively, prospectively guide these actors’ uses of powers; and they are the reference point to assess whether specific uses of powers were corrupt or not. The general framework developed in the book assumes that the mandates of institutions and of their members are clearly and coherently defined, formally or informally, in ways that reflect the *raison d’être* of the institution. In these conditions, the duty-of-accountability approach appears to work very nicely. But how the framework fares when power mandates are not so clearly defined is less evident.

This can happen, for instance, because both the *raison d’être* and the power mandates of public institutions and offices “may perform multiple functions at the same time, and their interpretation may evolve over time and space”

<sup>1</sup>Zofia Stemplowska and Adam Swift, “Ideal and Nonideal Theory,” in *The Oxford Handbook of Political Philosophy*, ed. David Estlund (Oxford: Oxford University Press, 2012), 387–88.

(23)—a dynamic that also makes it possible to correct problematic mandate definitions within the institution. Ceva and Ferretti suggest that this dynamic is sustained by continuous communicative exchange among officeholders to define and redefine their power mandates (106). Yet, the question of who, within the institution, should have the last word to determine whether specific uses of power are or not in line with evolving mandates remains open. It is also unclear whether there should be limits on how the *raison d'être* of institutions and power mandates can be reinterpreted internally, and, if so, where those limits are. For instance, should the “evolving understanding of the institutional *raison d'être* of universities” to include “growing bureaucratization. . . [and] increasing administrative functions” (23) be accepted as being in line with these institutions’ function? Or could this evolution be criticized—and if so, on what basis?

This relates to the more general question of how institutions’ *raison d'être* and power mandates should be defined in the first place. In the political systems we know, they are generally defined through decision-making processes within political institutions. Yet, political institutions are characterized by competition, disagreement, and partiality, so that the nature of their own mandate is highly contested—at least beyond a minimal threshold. While we might agree that a democratically elected parliamentarian should not be entirely instrumentalized by minority interest groups, whether she should “[follow] the platform on the basis of which she got into power” (58) or be open to compromise with interest groups even if they deviate from her campaign promises is open for discussion. If this is correct, the basis for identifying possible cases of corruption within political institutions, which define the mandates of other institutions, might be too minimal to effectively identify and prevent corruption as well as prospectively guide officeholders’ actions. There might be no shortcut to having members of political institutions work together to clarify the content of mandates beyond such minimal thresholds; but such concerns might explain why, despite their claim that their account of political corruption applies to any public institution, Ceva and Ferretti suggest in passing that their framework requires a larger role to be played by the general public when it comes to democratic institutions (27).

My second line of questioning concerns the role of outsiders in processes of identifying and fighting back corruption. Ceva and Ferretti conceive political corruption as an “internal enemy” of institutions that originates and must be fought “from the inside” by responsible officeholders (18), and their central focus is on what should happen within institutions, horizontally, among officeholders. They argue that being part of the normative order of an institution is indeed the moral basis that provides its members with “the *authority* to hold *one another* accountable for the uses they make of their powers of office” (96, second emphasis added). Besides, officeholders would be the best placed epistemically to determine when corruption is occurring because they are part of the “relevant community of knowledge” (27n12).

However, epistemically, the perspective of outsiders can help to question ongoing problematic practices that have become normalized within institutions (164) and ring the alarm bell when officeholders fail to do so. New members of the institution can perhaps bring a fresh perspective in highlighting problematic behaviors (137–38), but this is so only assuming that training and self-selection make it possible to preserve somewhat unbiased perspectives. Morally, the focus on internal duties also evades questions about what is owed to the citizens subjected to officeholders' uses of power—such as taxpayers or public hospitals' patients. In the hospital case, while “the physician is accountable not only to the other doctors . . . but also to the hospital staff (the nurses, assistants, and administrators)” (26), she is not required to account for her use of power in a way that could justify her actions to her patients. Such ordinary citizens can indeed hardly be considered officeholders. Even if their role as taxpayers or patients is constituted by institutions, they are not entrusted with special powers, and it seems implausible that they should be “mutually accountable” (27n12) to other members of the institution in the same way that officeholders with some level of discretionary power over them should be accountable to them.

Ceva and Ferretti do mention that outsiders are owed *ex post* answerability from officeholders, which might enable them to highlight possible cases of corruption. But these outsiders upon whom officeholders exercise power most clearly—those who have duties to obey them (24)—need not be considered in the prospective accountability mechanism expected to guide the conduct of officeholders in a way that seems at odds with a conception of political corruption as “wrongful use of power” (80). This could speak in favor of expanding the justification of the duty-of-accountability framework to include a dimension of power, whereby officeholders have special duties towards their colleagues owing to their membership in the institutions' normative order but also accountability duties towards those over whom they are entrusted to have power. These duties might even be relative to the extent of their power—which could help to specify who owes what kind of accounts to whom (e.g., voters might not be accountable to elected representatives in the same ways that elected representatives are accountable to them, even if they all are members of the same electoral institution). More attention to power relations could potentially also extend the scope of Ceva and Ferretti's framework to the members of any institution that exercises power by, for instance, providing certain essential services in a *de facto* monopoly way, independently of whether they are public or private—thus making this highly valuable framework to understand and fight back corruption more readily available.