

Ethics, NPM and post-NPM

A study of patterns and tensions in the central civil service

Tom Christensen · Per Læg Reid



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Preface

This paper is written as part of the project «Norwegian Central Government Administration in a 30 Years Perspective», funded by the Meltzer Foundation. The paper was presented at Workshop 4 – Ethics and Effectiveness in Performance Measurement, «Governing good and governing well» -The first global dialogue on ethical and effective governance, Amsterdam, May 28–30, 2009.

Per Læg Reid, project leader

Sammendrag

Etikk i offentlige organisasjoner har fått økt oppmerksomhet det siste tiåret, delvis som et resultat av ulike bølger av administrative reformer. I dette notatet diskuterer vi først hva som menes med etikk i offentlige organisasjoner med utgangspunkt i en bred tilnærming basert på etisk teori og organisasjonsteori. Deretter fokuserer vi mer spesifikt på etiske retningslinjer i den norske statsforvaltningen. Vi undersøker hvor viktige disse er for statsansatte innenfor dere eget arbeidsområde og hvordan de er knyttet til NPM-reformer og til reformer i etterkant av NPM. Deretter benyttes strukturelle, demografiske og kulturelle variabler for å analysere variasjoner i de ansattes oppfatninger av etiske retningslinjer. Datagrunnlaget er en større spørreundersøkelse til ansatte i norske departementer og direktorater i 2006. Hovedfunnene er, for det første, at bruken av etiske retningslinjer er nokså utbredt i den norske sentralforvaltningen. For det andre består de etiske retningslinjene av en blanding av ulike elementer særlig knyttet til reformer i etterkant av NPM. For det tredje er det signifikante forskjeller mellom de ansattes i deres oppfatninger av etiske retningslinjer, særlig knyttet til strukturelle trekk (stilling, oppgaver), og kulturelle trekk (effektivitets- og fornyelses-orientering).

Summary

Ethics in public organizations have received more attention in recent decades, partly as a result of waves of public reforms. In this paper we first define ethics in public organizations taking a broad approach based on ethical theory and organization theory. We then focus more specifically on ethical guidelines in the central civil service in Norway, ask how important they are for civil servants in their own field of work and how they are related to New Public Management and post-NPM reforms. Subsequently we use structural, demographic and cultural variables to analyze variations in civil servants' perception of ethical guidelines. The data used in the analysis are from a large survey of ministries and central agencies in Norway conducted in 2006. The main findings are, first, that the use of ethical guidelines is rather widespread within the Norwegian central civil service. Second, the ethical guidelines are a mixture of different elements, primarily belonging to a post-NPM family of reform tools. Third, there are significant variation among the civil servants regarding their assessment of the importance of ethical guidelines, mainly affected by structural features (position, tasks) and cultural features (efficiency and renewal orientation).

Introduction

Ethics in public organizations have become the subject of a renewed focus. The formulation of a civil service code of conduct, ethical guidelines and statements of values and ethical principles have become a common feature of administrative reforms in many countries (Pollitt 2003). Frontrunners have been countries like New Zealand, Australia, the United Kingdom and Canada but this aspect of reform is now spreading to many other countries (Kernaghan 2003). There are many reasons for this. One general reason may be that the complexity of public organizations has increased (Christensen and Læg Reid 2008b) and thus produced a greater need for ethical guidelines or standards to impose constraints on civil servants, either by internal or external means, as both a substitute for and guarantee of public insight. Another, and related reason, is that internal complexity increases civil servants' own need for ethical standards. A third reason is that the public is generally more educated and more knowledgeable than in the past, which means that the demand for insight, participation and transparency is greater. This is coupled with increasing media awareness of what is going on in the civil service, probably also spurred by the trend to blame individual actors rather than institutions.

A fourth reason may be that ethics has increasingly become an issue in the public reforms that have taken place in recent decades. New Public Management's emphasis on transparency is one example of this, although paradoxically other features of NPM may also undermine the public ethos and erode ethical capital in government organizations (Gregory 1999, Hood 1991), thus increasing the need to focus on social cohesion, common identity, shared values, mutual trust relations and the public interest (Lewis 2006, Læg Reid and Wise 2007, OECD 2005). The «value-based» management efforts associated with post-NPM reforms may also be classified as cultural aspects of reform – in the sense that they focus on values and ethics (Christensen and Læg Reid 2007a). A further reason is that more money is at stake, whether related to the salaries and bonuses paid to administrative/state enterprise leaders or to awarding contracts in a market. In addition accountability is more individualized and ambiguous than before, potentially leading to more corruption and conflicts over accountability (Gregory 2001).

Ethical guidelines around the world cover a host of issues. While they cover more general values like integrity, fairness, accountability, loyalty, excellence, respect, honesty and probity in the organizational context, they also embrace democratic values such as rule of law, neutrality, openness, responsiveness and representativeness, and professional values such as effectiveness, efficiency, service, innovation and quality, and people-related values such as caring, tolerance, compassion and humanity (Kernaghan 2003).

Ethics in public organizations are determined by the thoughts and actions of individual civil servants or administrators. They, in turn, are constrained in their ethical enactment by a complex set of societal, structural, cultural and individual factors (Cooper 2006). Ethics in public organizations may accordingly have different meanings for the people who work in those organizations depending on different analytical perspectives. First, ethics may mean acting appropriately according to formal structures,

roles and rules, such as following Weberian norms of bureaucratic behavior, which may in some cases have implications for efficiency. Second, ethics are related to path-dependent historical-cultural informal norms and values in public organizations, i.e. to ethos, commitment, integrity, trust, etc (March and Olsen 1989, Selznick 1957). Third, ethics are also an issue when it comes to the manipulation of symbols, impression management and image building – for example, when actors try to sell certain structures, rules, norms and actions as ethically superior in order to increase leaders' legitimacy and enhance support and trust in the public organizations they work in (Brunsson 1989).

The paper will focus on three main research questions:

1. How may we define ethics in public organizations?
2. How important are ethical guidelines for civil servants in their own field of work and what is the relationship between ethical guidelines and NPM and post-NPM reform tools?
3. How can we explain differences in attitudes to ethical considerations in terms of different sets of structural, demographic and cultural variables as well as isomorphic processes?

The empirical basis for answering our last two questions is two large surveys conducted in Norwegian ministries and central agencies in 2006. The dependent variable is taken from a set of reform questions and focuses on whether ethical guidelines are important for civil servants in their daily work.

We will first give an overview of ethical theory, related to administrative ethics. Second, we will present three organizational perspectives to address the narrower issue of ethical guidelines in central government organizations. Third, we will discuss the ethical dimensions of New Public Management and post-NPM reforms. Fourth, we will introduce and analyze the ethical guidelines of the Norwegian central civil service. Fifth, we will use the different organization theory perspectives to formulate some expectations about the empirical results of the survey. Sixth, we will describe and analyze empirically how ethical guidelines are perceived by civil servants in ministries and central agencies. We will look at the importance attached to them and their relationship to other reform tools, and try to interpret the variations in the perceived importance of ethical guidelines among civil servants. Finally, we will draw some conclusions and point to some implications.

Ethical theory and administrative ethics

To talk more specifically about ethical guidelines in public organizations, we need to start from a broader basis in ethical theory, because how one sees ethics depends on the ethical theories used. In a review article Lynch et al. (2007) stress that there are basically three types of ethical theories commonly used to analyze institutional and individual ethics in the public sector (see also Lohne 2004). The first one, labeled the *deontological*, is basically concerned with right and wrong, as exemplified by the Ten Commandments. Principles for acting are put forward in absolute terms of what is right and wrong and are often stated as a moral dichotomy. Kant is definitely in this category, with his

principle of duty – «do as you would be done by». Such principles may be formally defined or else more culturally dependent. One major argument against using such principles as ethical guidelines is that they are too rigid. Ethical behavior is seldom a question of either/or, and even though some of the principles are rather unambiguous, there is often a need for discretion. Another potential problem is that more than one principle may be involved, and there may be inconsistencies between principles, leading to trade-off situations.

A second category is *consequential* or *teleological* ethics. This is an ethical position that focuses on the consequences of decisions, and is connected to Bentham's utilitarianism, whereby an action is considered to be right if it increases happiness, pleasure or satisfaction as much as possible for as many as possible. A more modern version of this is cost-benefit analysis and efficiency. A core issue is how easy it is to judge the consequences of decisions rationally. An «economic man» perspective would say this is possible, while Simon (1957) propounds a theory of «administrative man» that stresses the limitations actors in organizations have on their attention and capacity, so they have to select a sample of decision-making premises to be able to make decisions, i.e. they are «satisficing». The consequences are of different types and so is the potential rationality limitation. The effects of «internal» decisions are easier to judge, particularly the more quantifiable ones, while the effects or outcomes of decisions in society are much more difficult to evaluate (Bouckaert and Halligan 2008, Pollitt 2003). This may lead to biases in consequential ethics, whereby near/short-term and easily measurable effects and implications receive more attention than more distant, complex and non-quantifiable effects.

A third type is what Lynch et al. (2007) name «*virtue ethics*». Here a public institution or its members should cultivate virtuous character traits (Devettere 2002). A good or moral person acts in a particular way for the sake of morality itself, using a kind of intuitive understanding when faced with making decisions that involve moral dilemmas, where reason and what is right and wrong are part of the equation. This ethical theory is typical of Aristotle. «If this ethical theory is to be followed professionals must cultivate a virtuous character within them and then exhibit that character in their everyday behavior» (Lynch et al. 2007: 904). Macaulay and Lawton (2006) stress the connection between virtue and competence, and underline that virtue is an integral part of management competencies, and that certain competencies embody certain virtues. This theory is connected with elements of Selznick's (1957) cultural theory, concerning the importance of path-dependency and the «embodiment of purpose» thinking, but also with March and Olsen's (1989) theory of acting according to appropriateness in integrative institutions (Christensen and Røvik 1999). This type of ethical theory is seen by critics as taking a too high moral ground, in that it assumes that humans are fundamentally virtuous and lacks clear-cut rules and principles for actors to make morally based decisions (Lynch et al. 2007: 911).

De Leon (2003) in her analysis of individual ethics and administrative responsibility points out that there is a lot of scholarly path-dependency in the way ethical concerns have been treated. Friedrich (1940) focused on the sense of responsibility for the public welfare that civil servants should have, a viewpoint with roots in both deontological and virtue ethics. According to such a perspective trust is essential and is a

possible historical explanation for the lack of explicit ethical rules/standards for civil servants. Finer (1941), on the other hand, espouses the perspective that civil servants should be subject to external, formal control, a position that is closer to consequential ethics. This idea has been revived in the context of NPM reforms and linked to the concept of accountability (Gregory 1995). Gregory and Hicks (1999) connect responsibility with trustworthiness and accountability with controllability or answerability. So both these traditional positions are potentially relevant for ethics in public management in general and for ethical guidelines more specifically.

So how can we relate these general ethical theories to ethical guidelines? Bowman and West (2009) carried out an analysis of the ethical content of legislation regulating the political activities of civil servants in the US. They base their analysis on an adaptation of the three basic ethical theory positions, represented by what Svava (1997) labels the «ethics triangle», and discuss the pros and cons of using the different theoretical positions to guide the ethical behavior of civil servants. They emphasize that the ethics triangle enables the management of ethical ambiguity and helps to strike ethical compromises (see also Brady 2003). Another example of this is Dobel's (2005) analysis of international ethical guidelines like the UN's International Code of Public Officials and The European Code of Good Administrative Behaviour. He stresses that they have some common features and have an overall legitimating function, but that they vary according to culture and in where they put the emphasis. Such guidelines contain fundamental Weberian values that definitely have a deontological flavor. They portray the civil servant as a trustee and steward who takes care of fundamental values like the public interest, which also has elements of virtue ethics. They also represent a liberal, government-critical position, which leads to demands for things like transparency, obligation to provide information and various control mechanisms, obviously of a consequential ethical nature. This overlaps with traditional concerns for discretionary behavior, in a newer version of the principal-agent dilemma, which may result in control and efficiency measures (Knott and Hammond 2003).

Organization theory perspectives and ethics in public organizations

We will use three organization theory perspectives to further narrow down the basis for describing ethical guidelines in the civil service as well as to explain variations in their use. An *instrumental* or *structural* perspective will primarily see public decision-making in terms of formal structures, rules, roles and tasks (Christensen et al. 2007). The main moral imperative for civil servants will, therefore, be to follow these formal imperatives, in a Weberian-like fashion, thus probably achieving a high level of efficiency and effectiveness. This is because these values are designed or built into the formal constraints. This thinking is closer to «bounded rationality» (Simon 1957) than to economic rationalism (Self 2000), but shares with the latter the focus on consequential thinking. The basic reasoning here is that following the formal frames will ensure that decisions both comply with a high moral standard and are also good, rational decisions. Here the position of a civil servant in a certain organization at a certain hierarchical level

and as a performer of certain tasks is collectively and publicly defined and he or she will accordingly have a set of unambiguous laws and rules to follow. Here the classical Weberian features are important, such as having a sharp division between public and private property and treating people in a universal and not a particularist way. Impartiality is a core value and treating people fairly according to the rules is essential (Geerth et al. 2007). According to such a perspective, with its focus on formal constraints, it is natural to have different types of formal control mechanisms, either internal or external, either ex post or ex ante.

One ethical challenge in public organizations, according to such a perspective, is that even if formal structures have a major influence on decisions, they will always have some discretion built in as well (Egeberg 2003). This is partly because formal constraints always have to be of a general or universal character in order to be legitimate, but also because decision-making in public organizations is so complex that it is pretty much impossible to pre-define the rules for such decision-making in detail. Studies of decision-making in reform processes, for example, show that it is much easier to have formal rules about who should participate than about the kinds of problems and solutions that should be taken into account, because these are hard to predict (Christensen et al. 2007). Decision-makers may approach the discretionary leeway they are given by adhering to systematic and traditional cultural norms developed over a long period of time in a particular public organization or else they may base their decisions on premises linked to professional and demographic factors, with the latter resulting in more variation in decision-making.

Another challenge is that there is no guarantee that public organizations will be homogeneous. Rather, they are often multi-structural, heterogeneous and complex, with a variety of units, structures, rules, tasks, etc., making it more difficult to have unified or standardized ethical guidelines. There could potentially be inconsistency inside public organizations concerning such standards, or even competition between them. Different consequences of decision-making may receive different amounts of attention. In public organizations concerned with generating energy, for example, there is a constant tension (or moral dilemma) between attending to technical-economic questions on the one hand and environmental concerns on the other, not to mention the trade-off between current energy demands and the needs of coming generations. So what is ethical for one unit or group is not necessarily so for another one.

A second relevant perspective is a *cultural-institutional* one (Christensen and Lægreid 2001, Selznick 1957). This is a natural or organic perspective, where the basic premise is that public organizations develop gradually and incrementally, rather than by design, in response to internal and external pressure (Scott and Davis 2007). Instead of decision-makers having unambiguous formal constraints as a basis for their decisions, they follow informal norms and values that have developed through path-dependency over a long period of time (Krasner 1988). In organizations with institutional features of this kind, leaders will tend to make «critical decisions», like defining mission and domain, embodiment of purpose, training employees, resolving conflicts, etc., act in a «statesman-like» way, and develop a certain cultural «soul» or institutional «identity» (Selznick 1957).

What about ethics in such public institutions? Here ethics will be connected more closely with commitment, integrity and trust, than with formal constraints or consequence-related matters. They are what March and Olsen (1989) label *integrative institutions*, where acting is driven by cultural appropriateness. Appropriateness is about matching identities and situations with institutional rules (Christensen and Røvik 1999, March 1994). Acting appropriately involves understanding the «common heritage» of the institution, being aware of collective informal norms and values, of «being in the same boat», emphasizing deliberative norms, etc. Even though there are ethical norms and values common to all such institutions, like loyalty and professionalism, there will also be a lot of variety, because each institution has experienced a different combination of internal and external pressure over time, which will have influenced the development of its informal norms and values.

If we relate this perspective to the three ethical positions presented above, it obviously belongs to what Scott (2008) labels the *normative pillar*. The deontological theory, with its moral dichotomies, definitely has a normative-cultural flavor, but the norms are often not that clear-cut or absolutely defined in the cultural perspective. There are also several similarities with the virtue ethics of Aristotle. One is that the intuitive understanding of moral virtue is similar to the intuitive part of acting in an appropriate way that may have been learned by working in the civil service over a long period of time. Another is the understanding of moral norms, and a third is the embodiment of purpose, whereby leaders, according to the cultural perspective, should set a good moral example.

A third perspective that we can use on ethics in the civil service is a *myth or symbolic perspective* (Christensen and Lægreid 2007b, Christensen et al. 2007). According to such a perspective, the development of public organizations is characterized by the manipulation of symbols, impression management and image building. Because both the world at large and the systems of public organizations have become more complex, there is an increasing need to find simple guidelines for attitudes and action. The development of myths and symbols represents such a response. Public organizations will enhance their legitimacy if their leaders are able to balance talk and action, in what Brunsson (1989) labels «double-talk» or «hypocrisy». The reason for this is that they are more vulnerable if they only promise real action and not much happens. If, however, they talk in symbolic ways, getting other actors to believe them, they have more leeway. When there is a gap between talk and action, leaders can consciously pretend to act, while having no intention of doing so, because they lack the political will and/or resources. But they may also lack the knowledge to implement their talk. Manipulation of symbols may in principle also support instrumental action. One criticism of this theory is that balancing talk and action is only easy to do under certain conditions. A study of the Norwegian cabinet from 1997 to 2000 showed, for example, that what seemed to be a good balance between talk and action, related to a reform program, turned out to be too much talk, resulting in criticism and cynicism (Christensen and Lægreid 2002).

How about ethics in the civil service according to such a perspective? The main expectation would be that leaders will manipulate ethical guidelines, just like any other instrument, in order to create a certain impression among both internal and external

actors. Using a variety of symbols they will argue strongly that even just the existence of ethical guidelines makes their organization more modern, effective, efficient and morally superior. What they will not say explicitly is whether these guidelines will actually have any effects on decisions and activities in the organization, for example in an instrumental way. So guidelines can be used as a substitute for action, or at least to obscure the connection between talk and action. Ethical guidelines will function as «window-dressing» to impress the environment (Brunsson 1989). Here we are talking about «branding» of public organizations.

If we relate this perspective on ethics to the three ethical theories, we find a connection with at least the first two. The deontological theory, with its emphasis on right and wrong, very much accords with the emphasis on dichotomies used in the myth perspective. A leader who is good at manipulating symbols will be able to portray his or her own organization as morally superior and compare it with other «bad» organizations without such guidelines, or with the way his or her own organization was before the guidelines were introduced. Alternatively a lack of guidelines may result in counter-myths supporting the introduction of such guidelines. The myth perspective may also, however, involve teleological or consequential ethics, because it is often argued that using ethical guidelines will have positive consequences such as improved quality of services, better decisions or implementation, or an increase in effectiveness or efficiency.

New Public Management and post-NPM reforms – the ethical dimension

Generally, modern public reforms are often about pretending to be modern and efficient, using different positive symbols, as indicated by the myth perspective. Ethical aspects seem to be a central part of that equation. The down-side is often that promises behind reforms cannot be kept, because the reforms are short on rational calculation or organizational thinking (see Dahl and Lindblom 1953). Many political leaders think they can use symbols, including ethical standards, as a substitute for a thorough analytical planning process, and some of them do in fact succeed in doing so. But quite often they promise too much, and the reforms are revealed to have been sloppily prepared, or else they produce unexpected effects. The response is then often to introduce yet more reforms implemented at an ever increasing pace. The purpose here is to give a brief overview of the New Public Management reform wave and the post-NPM measures and then ask how they handle the ethical dimension.

New Public Management, as it emerged in New Zealand and Australia in the mid-1980s, consisted of a variety of elements taken from a certain core of reform ideas. The core ideas combined two main components – management theories from the private sector and new institutional economic theory (Boston et al. 1996). The economic ideas, which combined rational choice, principal-agent and transaction cost theories, catered to the structural ideas of increased devolution and horizontal specialization, without having any clear structural theory to predict the effects of this (Christensen and Lægveid 2001). They were preoccupied with deregulation, delegation and decentralization, but also of introducing more market into the public sector, for example competitive tendering and

privatization. The management ideas involved granting more discretion to administrative and state enterprise leaders, but also more use of contracts, which have centralizing elements. One major effect of this reform wave was that political leaders lost control and influence as a result of structural devolution and fragmentation, which made it more difficult to maintain central capacity and coordination (Christensen and Lægheid 2007a, Pollitt and Bouckaert 2004).

It is fair to say that New Public Management is not much concerned with ethics, and when it does focus on ethics then it tends to be in a rather general way and probably for economic and market motives. One aspect of ethics that does feature in NPM, however, is the issue of transparency. Transparency is a quite a modern concept and is concerned with obtaining information about what is going on inside a bureaucracy, so that the public is satisfied that decision-making processes are being conducted in an appropriate way, i.e. it has control potential. But NPM frames transparency in economic terms, asserting, for example that the general public and private actors can only trust the government or public sector if competition is conducted in a transparent and impartial way. Thus ethics in NPM is mainly about ethical standards regarding private market actors involved in the provision of public services (Brereton and Temple 1999). It therefore has obvious elements of consequential ethics. When it comes to trust, however, NPM is rather ambiguous and inconsistent, because it is informed by principle-agent theory, which is built on distrust (Knott and Hammond 2003).

Gregory (1999) has been one of the most systematic critics of the ethical dimension of NPM, particularly with its underlying norms and values. He has looked at various aspects of what is labeled «ethical probity» or personal corruption and analyzed critical cases in New Zealand. He asks how easy it is to maintain traditional standards of ethical probity under NPM and to develop a public ethos and an understanding of the public interest. He shows that this kind of ethical thinking is different in the private sector and therefore runs into trouble when imitated by the public sector and blended with the traditional ethical standards of the public administration (see also Maesschalk 2004).

The post-NPM reforms that emerged in Australia and New Zealand in the late 1990s focus much more on «putting the system back together again», meaning placing more emphasis on central control, capacity and coordination, both vertically and horizontally (Christensen and Lægheid 2007a, Gregory 2003). This was a reaction, as it may well be in many other countries, to the undermining of central control and capacity, to NPM's failure to achieve macro-economic gains or more efficiency in services, not to mention the increased insecurity produced by pandemics, tsunamis and terrorism. Post-NPM is also more pragmatic than NPM in the sense that it does not rigidly adhere to a set of rather one-dimensional ideas, but in keeping with what Bardach (1996) labels «smart practice» it looks rather pragmatically for the most appropriate measures. One example might be pragmatic coordination among service-delivery agencies with overlapping clients. Overall, post-NPM seems to have been more preoccupied with cultural measures than NPM, which focused primarily on structural measures.

The kinds of ethical concerns associated with post-NPM vary. Its major cultural focus, – «value-based management» – definitely has deontological connotations. The major story is that institutions, administrative leaders and individual civil servants should attend to more general principles of integration, commitment and public ethos and

think more in collective, normative terms (see March and Olsen 1989). There is a need for public leaders who think in broad and pro-active terms. On the other hand, the management focus and the emphasis on coordination and smart practice as a way of achieving greater effectiveness and efficiency clearly contain elements of consequential ethics.

Ethical guidelines in the Norwegian central civil service

The practical guidelines

In 2005 the Ministry of Modernization issued «Ethical guidelines for the Public Service». In the foreword to the guidelines, the ministry stressed that high ethical standards in the civil service were a major precondition for public trust. The guidelines are said to have evolved from ethical values and universally valid norms such as justice, loyalty, honesty, reliability, truthfulness and reciprocity, and they complement the existing rules of law. The guidelines underline that whereas they apply to the entire civil service, there is also a need for special guidelines for certain institutions, like state-owned enterprises. The guidelines are said to be aimed at improving and developing the ethical awareness of civil servants. Actions at variance with the general guidelines are said to carry no special sanctions, but breaches of a more severe character may be punished in certain situations.

The guidelines seem to be a mixture of different elements (see Appendix). More traditional Weberian bureaucratic norms are typically found in concern for the citizenry, duty of obedience, impartiality and professional independence. More modern elements, reflecting changing conditions for public bureaucracies, are to be found in the duty to report, duty of efficiency, transparency, and most of all, confidence in public service. With regard to our three main ethical theories, most of the guidelines are rather typically deontological, with rather clearly defined norms of what is right and wrong. But the guidelines related to «loyalty» can be categorized more as consequential ethics. The only clear example of virtue ethics seems to be «regard for the State's reputation», whereby civil servants should embody in an ethical way the moral quality of the State.

If we look at the guidelines in terms of the three organization theory perspectives outlined, the most clearly instrumentally defined elements of the guidelines are the ones under «loyalty», where there is a combination of accepting hierarchical control and focusing on efficiency. There are also instrumental elements in «transparency», for example «active duty of disclosure», and in «confidence in the public service» related to staff turn-over and contact with the environment. But basically the guidelines have mostly to do with the cultural perspective and a variety of cultural norms and values. It is, however, also possible to read the guidelines in terms of a myth perspective. There is a lot of moral or normative «grand-standing» in the guidelines, related to concepts with a strong symbolic potential, like «the public interest», «equal treatment», «transparency», «confidence», etc. These are concepts that easily gain acceptance and potentially increase

legitimacy, although they are not necessarily easy to define and use in practice. So the guidelines may also be seen as about branding and impression management.

Expectations about ethical guidelines

We showed that NPM and post-NPM reforms had rather different ethical platforms, with NPM ethics being more of the consequential kind and post-NPM ethics more deontological. Our analysis of the ethical guidelines for the public sector in Norway allows us to posit two rather different sets of expectations concerning the reform waves and the use of ethical guidelines. One is based on the fact that the guidelines overall seem to have more deontological elements than consequential ones, leading us to expect that post-NPM reforms will reflect the ethical guidelines more closely than the NPM ones. An alternative expectation is based on the fact that the ethical norms in post-NPM generally have a different profile to the ethical guidelines in Norway, pointing more in the direction of integrity and commitment. This would lead us to expect that none of the reform measures, neither NPM nor post-NPM, would be strongly correlated with the use of the ethical guidelines.

Our expectations about variations in the importance attached to ethical guidelines by civil servants are based on the three organization theory perspectives. The *instrumental perspective* focuses on structural features. One major variable here is *structural position* or where the civil servants are positioned in the hierarchy. Since administrative reform tools, including the use of ethical guidelines, are primarily their responsibility, we would expect administrative leaders to see ethical guidelines as more important than the executive officers do (Christensen and Lægveid 2008a). Concerning *administrative tasks*, we would expect people doing «meta-jobs», like employees in staff functions or performing coordination tasks, to care more about ethical guidelines than civil servants preparing laws/regulations or working on single cases. Along the same lines we could argue that civil servants working in *ministries* would give higher priority to ethical guidelines than those working in *central agencies* because they are more «meta-oriented», in other words, their work involves strategies, general policy-making issues and control and steering of subordinate bodies.

The *cultural perspective* will primarily address features of the *administrative culture*. Our main idea here is that civil servants working in a cultural environment that is more favorable towards and compatible with the reforms will be the ones who emphasize ethical guidelines the most. We use two variables to measure this. Employees working in a culture where the *renewal orientation* is strong are expected to regard ethical guidelines as more important than people working in another type of culture. And civil servants working in an *efficiency-oriented culture* will see ethical guidelines as less important than employees working in another cultural environment. The expectation for the latter variable could be modified if we take into account that there are consequence-oriented ethical elements in the guidelines, as shown.

A category of independent variables that could be extracted both from a structural perspective (consciously recruiting people with a certain socio-economic background) and a cultural perspective (representing certain cultural norms and values) is *demographic variables* (Christensen and Lægveid 2008a). These variables may represent early

socialization (age and gender), somewhat later socialization (education) and late socialization (related to work experience, career plans and professional development) (Lægheid and Olsen 1978). The main expectation is that modern administrative reform elements, like ethical guidelines, will be more important for civil servants who have a demographic profile that is different from the dominant one (Christensen and Lægheid 2008a). So we will expect women (White 1999), young civil servants, social scientists and people with short tenure to regard ethical guidelines as more important than men, older civil servants, jurists, economists and employees with a long tenure.

The *myth perspective* sees modern reforms as spreading organizational standards with a strong potential for symbolic effects to increase the legitimacy of the organization (Brunsson 1989, Lægheid et al. 2007). In this respect we may expect ethical guidelines to have functions similar to any other modern reform element. The theory here is that such standards are part of the process of isomorphism, whereby public organizations in a similar way import reform elements and use them as standardized legitimacy tools that function as «window-dressing» (DiMaggio and Powell 1983, Sahlin-Andersson 2001). So, in contrast to the other two perspectives and demographic factors, our main expectation is that there will be very little systematic variation in the importance civil servants attach to ethical guidelines, because they are affected by them in an equal and isomorphic way.

Data sources

Our method of studying ethical guidelines is based on three main elements (Christensen and Lægheid 1999). First, we focus on the response of individual civil servants. Ethical guidelines are more than what leaders say and more than formal decisions. Ethical guidelines often go through a complex process of evolution that ultimately depends on how individual actors at the local level think and respond to them (Brower and Abolafia 1997).

Second, we choose an extensive method to cover a lot of ground. In 2006 we conducted a large survey of all civil servants from executive officers to top civil servants in all Norwegian ministries and every third civil servant in all central agencies (1848 respondents in 18 ministries and 1516 respondents in 49 central agencies). The response rate was 67 percent in the ministries and 58 percent in the agencies.

Third, we take a broad empirical approach to the NPM reforms and post-NPM reforms, starting with the reaction to different reform elements and measurements. We then look at how they are clustered and focus on the variety in the use of different families of reform tools. We asked the executives the following question: «*In connection with the governmental modernization and renewal programs a number of new reforms and measures have been launched. How much significance do the following reforms/measures/tools have in your own field of work?*» We then listed 26 different reform elements that had been introduced in the civil service since the modernization and renewal programs began in 1987. For each of these reform measures, such as Ethical Guidelines, we asked the civil servants to state whether it was relevant and to rank its significance from 1 (very high) to 5 (very low).

In addition we also used questions to trace the administrative culture. We asked civil servants how much significance they attached to different matters when executing their daily tasks. In 2006 we listed ten different considerations (renewal, efficiency, professional values, political loyalty, loyalty to superior manager, transparency, signals for users and clients, signals from the civil service unions) and asked them to rank each of them on a scale from 1 (very important) to 5 (not important at all). In this paper we use two of those considerations – renewal and efficiency – as independent variables to examine the variation in the importance of Ethical Guidelines among the civil servants. How the other variables linked to structural and demographic features are operationalized can be seen in Table 3.

We will now first describe the significance of ethical guidelines in the Norwegian ministries and central agencies as perceived by the civil servants and look at how this reform tool is linked to the other administrative reform tools. Second, we will analyze how we might explain the variation in the repertoire of tools, according to structural, demographic, and cultural features, by first conducting a bivariate analysis and then a multivariate analysis to examine the relative importance of different explanatory factors.

The importance of ethical guidelines and their relationship to other reform tools

Our first empirical question is about the importance of ethical guidelines. Table 1 reveals that ethical guidelines are perceived as important or very important in their daily work by 35 percent of the civil servants. 22 percent regard them as very unimportant, have not used them or see them as not relevant. Given the fact that this survey was conducted only one year after the general ethical guidelines were formalized by the Ministry of Modernization, these numbers indicate a rather quick adoption of the guidelines by civil servants, but it also reflects the fact that the guidelines formalize long-term cultural norms and values. Compared to other reform tools ethical guidelines score rather high, especially by comparison with other newer tools such as value-based management, balanced scorecard, service charters, team-based management and benchmarking. Only performance management-based steering systems for subordinate agencies and operational planning score significantly higher (Christensen and Læg Reid 2008a).

Table 1: *The importance of Ethical Guidelines in own field of work as perceived by civil servants in ministries and central agencies. 2006. Percentage.*

	Ministries	Central Agencies	Total
Very important	7	10	9
Rather important	24	28	26
Mixed	27	28	27
Rather unimportant	18	15	17
Very unimportant/not used	12	9	11
Not relevant	12	10	11
(N=100%)	(1620)	(1193)	(2813)

The table also indicates that ethical guidelines are perceived as somewhat more significant by civil servants in central agencies than by those in ministries. While 38 percent of civil servants in central agencies report that ethical guidelines are important in their ownfield of work, only 31 per cent of those working in the ministries are of the same opinion.

Our second empirical question is whether ethical considerations in the civil service are related to considerations typical for NPM or post-NPM? Are ethical considerations a set of factors working independently of the reform measures or are they strongly correlated, either positively or negatively, with them? To answer these questions we conducted a factor analysis of 26 different contemporary reform tools used in the Norwegian civil service.

Table 2: Different families of reform tools in ministries and central agencies. 2006. Factor analyses. Rotated component matrix. Principal component analyses. Varimax rotation with Kaiser Normalization. N=2813

	Components			
	Performance management tools	Cultural managerial tools	Structural devolution	Market tools
Change in form of affiliation	.28	.00	.59	.20
Delegation of tasks to lower levels	.20	.03	.74	.09
Privatization	.05	.08	.69	.31
Public-private partnerships	.12	.16	.69	.21
User participation	.18	.37	.59	.18
Deregulation, rule simplification	.12	.36	.63	.00
Pay and personnel flexibility/autonomy	.15	.41	.37	.22
Steering systems for subordinate agencies	.57	.14	.40	.12
Development dialogue, management training	.47	.56	.17	.03
Budgeting flexibility/autonomy	.45	.25	.23	.39
Goal formulation and operationalization	.77	.28	.16	.18
Performance reporting, evaluation	.82	.22	.18	.20
Performance steering	.81	.28	.17	.18
Quality management systems	.66	.33	.17	.18
Internal markets, internal pricing	.08	.14	.21	.72
Contract systems	.17	.15	.20	.72
Yearly operational planning	.60	.43	.14	.15
Balanced scorecard	.44	.44	.15	.36
Value-based management	.26	.71	.14	.26
Ethical guidelines	.33	.67	.16	.08
Service charter	.19	.60	.21	.23
Team-based management	.21	.70	.10	.25
Knowledge-based management	.24	.76	.09	.13
Benchmarking	.25	.38	.09	.58
Purchaser/provider systems	.23	.21	.25	.63
More autonomous regulatory agencies	.26	.16	.40	.45
<i>Initial Eigenvalue Total</i>	<i>10.508</i>	<i>2.047</i>	<i>1.3354</i>	<i>1.208</i>
<i>% of variance</i>	<i>40.4</i>	<i>7.9</i>	<i>5.2</i>	<i>4.6</i>

This analysis reveals that the reform tools can be grouped into four clusters or families of tools (Table 2), which we label performance management tools, cultural managerial tools, structural devolution and market tools. Ethical guidelines belong to the second category, which consists of mostly culturally-oriented management development tools. Other reform tools in this family are development dialogue and management training, value-based management, service charter, team-based management and knowledge-based management. This category consists of soft managerial tools focusing more on norms, ethical issues, and leadership. This family of tools represents post-NPM measures that are more concerned with ethical issues and soft normative values related to leadership than to the more typical NPM measures of efficiency and performance-based management, structural devolution and market tools.

That said, the different families of tools are more complementary and supplementary tools than alternative tools (Christensen and Læg Reid 2008a). When post-NPM tools are adopted by central government organizations they normally do not replace the NPM tools but are added to them or mixed with the already existing tools in a rather complex way. One indication of this is that ethical guidelines do not correlate negatively with any of the other 25 tools in our study.

Variation in the use of Ethical Guidelines

We now turn to the question of how to explain variations in the perceived importance of ethical guidelines. This section focuses on how the scores on the different independent variables, i.e. structural, demographic and cultural features, correlate with the importance of ethical guidelines. First, we present the bivariate correlations between each of the independent variables and the dependent variable, and then do a multivariate analysis of the relative importance of the various independent variables for the importance of ethical guidelines.

Bivariate analyses. All our structural features tend to affect the perceived importance of ethical guidelines (Table 3). People working in central agencies, in management positions and having staff or (to a lesser extent) coordination tasks see ethical guidelines as important in their own field of work. Cultural features also correlate positively with ethical guidelines. Civil servants with a strong modernization and efficiency orientation rate ethical guidelines as important. Except for education the demographic features are also significant regarding the perception of ethical guidelines. Men, older bureaucrats and civil servants with long tenure are more inclined to perceive ethical guidelines as important.

Table 3: Bivariate correlations between ethical guidelines and independent variables. Pearson R.

	Importance of Ethical Guidelines
Structural features:	
Administrative level (ministries/central agencies)	-.09**
Position (manager/executive officer)	.20**
Staff tasks	.13**
Coordination tasks	.04*
Cultural features:	
Renewal and modernization orientation	.20**
Efficiency orientation	.17**
Demographic features:	
Age	-.13**
Gender	.06**
Education (social scientist)	.01
Tenure in central government	-.06**

*: significant at .05 level; **: significant at .01 (2 tailed)

Administrative level: 1. Ministry, 2 Central agency; Position: 1 Manager, 2 Executive officer; Staff tasks: 1 Yes, 2 No; Coordination tasks: 1 Yes, 2 No; Renewal and modernization orientation: Five point scale from 1 very important to 5 very unimportant; Efficiency orientation: Five point scale from 1 very important to 5 very unimportant; Age: 10 categories from 1 (under 25 years) to 10 (65 years and older); Gender: 1 Man, 2 Woman; Tenure in central government: 1 Five years or less, 2 Over five years.

Multivariate analyses. We now turn to the question of the relative explanatory power of the different independent variables. The multivariate analyses, summed up in Table 4, generally confirm the pattern revealed in the bivariate analyses. First, the independent variables can only explain a minor part of the total variation in the importance of ethical guidelines. Second, the most important explanatory variables overall are structural features followed by cultural features on about the same level, while demographic variables have rather weak explanatory power. The effects of gender and tenure are not significant when controlling for other factors, but there is a weak effect of age.

Table 4: Summary of regression equations by structural, cultural and demographic features affecting the importance of Ethical Guidelines. Standardized Beta coefficients. Linear regression.

	Beta
Structural features:	
Administrative level (ministries/central agencies)	-.10**
Position (manager/executive officer)	.15**
Staff tasks	.09**
Coordination tasks	.05**
Cultural features:	
Renewal and modernization orientation	.10**
Efficiency orientation	.11**
Demographic features:	
Age	-.05*
Gender	.02
Tenure in central government	.02
R2	.10
Adjusted R2	.09
F	30.608
Sign. of F	.000

*: significant at .05 level; **: significant at .01 (2 tailed).

Education is not included in the multivariate analyses, because it was not significant in the bivariate analyses.

The single most important factor seems to be position, meaning that those in leadership positions tend to regard ethical guidelines as more important than civil servants in lower positions. Following position there is also a strong significant effect of administrative level – meaning that people working in central agencies are more inclined to value ethical guidelines than people working in ministries – and of a strong modernization and efficiency orientation. Working with staff tasks also has a rather strong significant effect on positive perceptions of ethical guidelines.

Summing up our findings relative to our expectations, we see a mixed picture, even though some of our main expectations are supported. The importance of ethical guidelines in Norwegian central government organizations is especially high in renewal-oriented administrative cultures, among bureaucrats in leadership positions, and among those involved in staff-related and coordination tasks. The expectations regarding the demographic factors are, however, not supported and the only variable with a significant effect goes against our expectation. Older civil servants see ethical guidelines as more important than younger. One explanation for this may be that they have experienced ethical erosion during the NPM period and welcome ethical guidelines as a way of reviving ethical concerns.

The effect of administrative level also goes against our expectations. Civil servants in central agencies perceive ethical guidelines as more important than those working in ministries. One reason for this may be that the central agencies are more hands-on bodies, concerned with the implementation of public policies and are thus confronted with ethical dilemmas more often in their daily work. Ministries are a rather mixed category related to tasks, combining meta-tasks and more policy-specific tasks, so this may be an added explanation for differences compared to the effects of other structural variables.

Our main results seem to reflect some tensions concerning the relationship between ethical guidelines and post-NPM and NPM measures. Ethical guidelines are certainly

more closely associated with post-NPM than with NPM if we look at our factor analysis, since it belongs to the softer group of cultural management elements. Given the more pronounced ethical profile in the post-NPM wave of reforms, this is what we would expect overall. However, our analysis of the specific Norwegian ethical guidelines revealed that these softer elements are not so much reflected there, so in this respect it is somewhat unexpected. One explanation for this may be that the civil servants interpret ethical guidelines as a combination of new modern ways of organizing/working and as an increased emphasis on professional values and knowledge. Another explanation is that Norway has always been a reluctant reformer (Olsen 1996), and the period during which it seriously espoused NPM before moving on to post-NPM measures was shorter than in other countries and there was a strong path-dependency from the «old public administration». This has probably made it easier for civil servants to see ethical guidelines in this light, and is further enhanced by the preference of the new government, which came to office in 2005, for post-NPM over NPM.

However, the variation in the importance attached to ethical guidelines also yields another angle that in some respects paints a more modified picture. The effect of efficiency orientation also goes against our expectations. Among the civil servants efficiency orientation and positive attitudes towards ethical guidelines are obviously not negatively correlated. On the contrary, they seem to reinforce each other. Scoring high on efficiency orientation goes together with positive attitudes towards ethical guidelines, which may reflect the efficiency elements shown in our analysis of the specific guidelines. This is another indication of the general finding that the different reform tools seem to supplement or complement each other rather than working in different directions. The variation in the adoption of newer post-NPM tools such as ethical guidelines to some extent parallels the adoption of NPM tools like Management-by-objectives-and-results (Christensen and Læg Reid 2008a). The main impression, then, is that there is no one-factor explanation for the variation in the importance of different families of administrative tools. Cultural features, such as efficiency and renewal orientation, make a significant difference, but structural features, such as having a leadership position and task structure, also have explanatory power.

Conclusion

Coming back to the more general ethical positions we started out with, we have shown that the ethical guidelines for civil servants are rather mixed. Deontological elements are rather obvious, as are consequential ethics, while virtue ethics play a minor role. This ethical complexity, or in some cases ethical ambiguity or inconsistency, may have different implications. One is that it gives civil servants the necessary flexibility to deal with complex and varied tasks and operating contexts. In this respect, more one-dimensional ethical guidelines would be problematic.

A different view would argue that ethical guidelines should be less ambiguous and should give civil servants firmer constraints or frames of normative reference to work from. One problem with this view is of course to get an agreement on such guidelines.

Our analysis of the perception of ethical guidelines shows quite clearly that ethical guidelines are viewed in different ways, and that there are few traces of isomorphic development. Structural and cultural variables explain this variation, and they very much reflect consequential and deontological positions respectively. So ethical theory is in practice dependent on context, and civil servants interpret it differently depending on what cultural baggage they are carrying. This in turn reflects differing career paths and current structural position (Christensen and Lægveid 2008a).

In this paper we first showed that the use of ethical guidelines is rather widespread within central government organizations in Norway. About 35 percent assess them as rather important, 27 percent see them as mixed, while 40 percent report that they are rather unimportant or not relevant in their own field of work. This can be seen as a relatively high score, especially compared to other reform tools. On the other hand they are not a dominant tool. The majority of civil servants do not assess them as very important or relevant. This indicates that the attitude of civil servants in Norwegian central government organizations to ethical guidelines in their own field of work is rather ambivalent. This is not surprising given that this is a rather recently introduced reform tool. One crucial question here is also how the use of formalized guidelines matches up with their experience with more traditional informal norms and values.

Second, we revealed that ethical guidelines primarily belong to a post-NPM family of reform elements, together with management training, value-based management, service declarations, team-based management and knowledge-based management. This does not, however, mean that ethical guidelines correlate negatively with more regular NPM tools. On the contrary, scoring high on ethical guidelines goes together with scoring high on some NPM tools. Thus ethical guidelines do not replace other reform tools but supplement them, resulting in an even more complex collection of reform tools, so in this respect they are not that distinct.

Third, we found that there are significant variations among civil servants regarding their assessment of the importance of ethical guidelines. These were mainly affected by structural and cultural features. Ethical guidelines are a reform tool that is regarded as most important among managers in central agencies working with staff or coordination tasks, who have a strong efficiency and renewal orientation and who are among the older cohorts. There is a complex interplay between the different factors. The explanatory power of the structural factors is similar to the impact on other dependent variables in what broadly may be labelled as administrative policy (Christensen and Lægveid 2008a), meaning that these independent variables combine responsibility and meta-related activities. Leaders have a special responsibility to attend to and implement certain reform tools and change elements, as have executive officers with certain tasks. A result that points in a different direction is that actors in agencies score higher on the importance of ethical guidelines than employees in ministries. And agencies have more specific tasks and more professions based in the natural sciences than ministries.

The pattern of reactions illustrates that the administrative apparatus is not uniform and homogeneous when it comes to adopting administrative reform tools such as ethical guidelines. There is no general or common administrative doctrine or management ideal that is applied to the whole of the central government administration. In contrast to the expectation from a myth perspective we could not identify any

isomorphism regarding the introduction of ethical guidelines in Norwegian central government organizations. Thus our main expectation from this perspective – namely, that there would be very little systematic variation in how civil servants assess the importance of ethical guidelines because they are affected by them in an equal way – gets little support.

Our main results in this paper illustrate that reform processes within the civil service are often characterized more by addition and modification than dismantling. When the different recipes for reform, such as ethical guidelines, are imported into the Norwegian context they have to pass a compatibility test: some are rejected, others are translated, and it is not only NPM measures that are on the agenda (Røvik 2002). In addition, the extent to which different parts of the civil service are receptive to reform elements depends on cultural, task- specific and structural features.

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Appendix

Ethical Guidelines for the Public Service. The Ministry of Modernization, 7 September 2005.

The main points in the ethical guidelines are the following:

- **1.0. General provisions.**
- **1.1. Concerns for citizenry.**
As the exerciser of authority, provider of services and steward of significant social resources, the central government administration and thus the individual employee is obligated to take account of the public interest, to strive to achieve equal treatment and to treat individuals with respect.
- **1.2. Regard for the State's reputation.**
The individual employee is required to perform his or her duties and behave in an ethical manner, and thus to avoid damaging the State's reputation.
- **2.0. Loyalty.**
- **2.1. Duty of obedience.**
Public officials are required to comply with the legal rules and ethical guidelines that apply to their activities, as well as to follow orders issued by superiors. The duty of obedience entails no obligation to do anything illegal or unethical.
- **2.2. Duty to report.**
In order to implement measures to avoid or limit loss or damage, public officials are required to report to their employer any circumstances of which she or he is aware that could cause the employer, employee or their surroundings to suffer loss or damage.
- **2.3. Duty of efficiency.**
Public officials are required to use and preserve the State's resources in the most economical and rational manner possible, and shall not abuse or waste the State's funds. Achieving the established target in a good and efficient manner requires striking a balance between efficiency and use of resources, thoroughness, quality and good administrative practice.
- **3.0. Transparency.**
- **3.1. Freedom of information.**
There should be openness and transparency throughout the administration so that the general public can understand the State's activities, and thus gain insight into how the State attends to its responsibilities.
- **3.2. Active duty of disclosure.**
The State has an active duty of disclosure. Public officials should always provide correct and adequate information, whether to authorities, companies, organizations or residents. In certain contexts, this will mean that one should, of one's own volition, disclose information of significance needed for processing a case.

- **3.3. Employees' freedom of expression.**
Like everyone else, public officials enjoy a fundamental right to express critical opinions about the State's activities and other matters.
- **3.4. Whistle blowing.**
Public officials must be able to report circumstances in the public service that are worthy of criticism. Before a report is filed, an attempt should be made to sort the matter out in-house.
- **4.0. Confidence in the public service.**
- **4.1. Impartiality.**
Public officials shall not behave in a manner that might impair faith in their impartiality.
- **4.2. Outside and second jobs.**
A public official cannot have outside or second jobs, directorships or other paid assignments that are not compatible with the legitimate interest of the State as an employer, or that lend themselves to undermining trust in the public service. There must be transparency about the potential impact of public officials' outside and second jobs, etc. on the discharge of their duties.
- **4.3. Transition to other organizations.**
When a public official leaves the public service, it is important to ensure that the citizenry's trust in the public service is not impaired, or that the State's interests in a negotiation or other interaction are not affected. The employer must therefore consider whether certain positions should be subject to a quarantine clause in the employer contract.
- **4.4. Contact with former colleagues.**
All employees must be careful about how they treat confidential information. This includes in respect of former colleagues, especially if they represent an interested party in a matter where the State is the decision-making authority, or if they are employed by an organization engaged in interaction or negotiations with the State.
- **4.5. Accepting gifts and other perquisites.**
Public officials shall not, on their own behalf or on behalf of others, accept or facilitate the acceptance of gifts, travel, hotel accommodation, hospitality, discounts, loans or other contributions or perquisites that are appropriate to, or intended by the donor, to influence their work. Public officials must not use their position to gain an undue advantage for themselves or anyone else. This also applies in cases where these advantages would not affect their service-capacity actions.
- **4.6. Offers of gifts and other perquisites.**
Public officials shall not, as part of discharging their duties, give or offer gifts or other perquisites that are appropriate to, or intended to, sway the recipient's service-capacity actions.
- **Professional independence and objectivity.**
- **5.1. Professional independence.**
The principle of professional independence means that public officials should use their professional knowledge and professional judgement to discharge their duties.

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